

Chapter 5.00 - Students

5.39 - Seclusion and Restraint of Students with Disabilities in public schools

POLICY:

1. The District shall implement Positive Behavior interventions and support to prevent dangerous behaviors that may cause serious physical harm to the student or others. Restraint shall be used only to protect the safety of students, school personnel, or others and may not be used for student discipline or to correct student noncompliance.

At the beginning of each school year, each school district shall publicly post its policies and procedures on positive behavior interventions and supports as adopted by the school district.

2. Time Out

Time out is a procedure in which access to reinforcement is removed or reduced for a designated time.

- a. Non-exclusion time out is the least restrictive form of time out. The student is allowed to observe the classroom activity but not participate.
- b. Exclusion time out excludes the student from participation in and observation of classroom activities. The student remains in the classroom but cannot observe or participate in ongoing activities.

3. Seclusion

Each school district shall prohibit school personnel from using seclusion.

4. Physical Restraint

- a. Manual physical restraint is the use of physical restraint techniques that involve physical force to restrict free movement of all or part of a student's body. It is a method to prevent a student from harming himself/herself or others.
- b. Physical restraint shall only be used if there is immediate danger to one's self or others and when all positive behavior interventions and supports have been exhausted and must be disconnected.
- c. Trained, qualified school personnel may use physical restraint only when all positive behavior interventions and supports have been exhausted.
- d. Restraint techniques may not be used to inflict pain to induce compliance.

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5. Documentation and Reporting

All instances of time out, and restraint shall be documented and reported as required.

6. Notice, Monitoring and Analysis

- a. At the beginning of each school year, the district shall post its policies and procedures on positive behavior interventions and supports as adopted by the school district.
- b. The use of manual physical restraint or seclusion shall be monitored at the classroom, school or District levels.
- c. The use of the behavior interventions, the appropriateness of use and the effectiveness of the interventions shall be analyzed.

7. Prohibitions

School personnel shall not

- a. Use a mechanical restraint or a manual physical restraint that restricts a student's breathing or
- b. Close, lock or physical block a student in a room that is unlit or that does not meet the rules of the State Fire Marshall for a seclusion time out room.

8. Training

Each school district shall provide training to all school personnel authorized to use positive behavior interventions and supports pursuant to school district policy. Training shall be provided annually and must include:

- a. The use of positive behavior interventions and supports.
- b. Risk assessment procedures to identify when restraint may be used.
- c. Examples of when positive behavior interventions and support techniques have failed to reduce the imminent risk of serious injury.
- d. Examples of safe and appropriate restraint techniques and how to use these techniques with multiple staff members working as a team.
- e. Instruction in the district's documentation and reporting requirements.
- f. Procedures to identify and deal with possible medical emergencies arising during the use of restraint.
- g. Cardiopulmonary resuscitation

Upon the second time a student is restrained during a semester, the school shall develop a crisis intervention plan for the student.

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The crisis intervention plan shall be developed by a team comprised of the student's parent or guardian, school personnel, and applicable physical and behavioral health professionals.

The crisis intervention plan must include:

- a. Specific positive behavior interventions and supports to use in response to dangerous behaviors that create a threat of imminent risk of serious injury.
- b. Known physical and behavioral health concerns that will limit the use of restraint for the student.
- c. A timetable for the review and, if necessary, revision of the crisis intervention plan.
- d. The school must provide a copy of the crisis intervention plan to the student's parent or guardian.

9. Procedures

The Superintendent shall develop procedures to implement this policy and related statutes. Procedures shall include but not be limited to the following:

- a. Incident reporting;
- b. Data collection;
- c. Monitoring and analysis;
- d. Plan for reducing the use of restraint and seclusion;
- e. Identification of staff to be trained; and
- f. Training components.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1003.32, 1003.573, 1006.07, 1006.11, 1012.75, 1003.573 F.S.

STATE BOARD OF EDUCATION RULE(S):

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