

# Defiance City Schools

## Policies & Procedures for Physical Restraint and Seclusion

Defiance City School (DCS) standards for the implementation of positive behavior intervention supports (PBIS) and the use of restraint and seclusion follow ODE Rule 3301-35-01 of the Administrative Code.

*Restraint or seclusion shall not occur, except when a student's behavior poses an immediate risk of physical harm to the student or others and no other safe or effective intervention is available. Every use of restraint or seclusion shall be documented and reported.*

### Definitions

- (1) “**Aversive behavioral interventions**” means an intervention that is intended to induce pain or discomfort to a student for the purpose of eliminating or reducing maladaptive behaviors, including such interventions as application of noxious, painful and/or intrusive stimuli, including any form of noxious, painful or intrusive spray, inhalant or taste.
- (2) “**Chemical restraint**” means a drug or medication used to control a student’s behavior or restrict freedom of movement that is not
  - (a) Prescribed by a licensed physician, or other qualified health professional acting under the scope of the professional’s authority under Ohio law, for the standard treatment of a student’s medical or psychiatric condition; and
  - (b) Administered as prescribed by the licensed physician or other qualified health professional acting under the scope of the professional’s authority under Ohio law.
- (3) “**Mechanical restraint**” means
  - (a) Any method of restricting a student’s freedom of movement, physical activity, or normal use of the student’s body by using an appliance or device manufactured for this purpose; but
  - (b) Does not mean a device used by trained school personnel, or used by a student, for the specific and approved therapeutic or safety purpose for which the device was designed and, if applicable, prescribed, including
    - (i) Restraints for medical immobilization;
    - (ii) Adaptive devices or mechanical supports used to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; or
    - (iii) Vehicle safety restraints when used as intended during the transport of a student in a moving vehicle.
- (4) “**Parent**” means (a) A biological or adoptive parent; (b) A guardian generally authorized to act as the child’s parent, or authorized to make decisions for the child (but not if the child is a ward of the state). (c) An individual acting in the place of a biological or adoptive parent (including a grandparent, stepparent or other relative) with whom the child lives, or an individual who is legally responsible for the child’s welfare; (d) A surrogate parent who has been appointed in accordance with paragraph (E) of rule 3301-51-05 of the Administrative Code; (e) Any person identified in a judicial decree or order as the parent of a child or the person with authority to make educational decisions on behalf of a child.
- (5) “**Physical escort**” means the temporary touching or holding of the hand, wrist, arm, shoulder, waist, hip, or back for the purpose of inducing a student to move to a safe location.
- (6) “**Physical restraint**” means the use of physical contact in a way that immobilizes or reduces

the ability of an individual to move the individual's arms, legs, body, or head freely. Such term does not include a physical escort, mechanical restraint, or chemical restraint. Physical restraint does not include brief physical contact for the following or similar purposes:

- (a) To break up a fight;
- (b) To knock a weapon away from a student's possession;
- (c) To calm or comfort;
- (d) To assist a student in completing a task/response if the student does not resist the contact; or
- (e) To prevent an impulsive behavior that threatens the student's immediate safety (e.g. running in front of a car).

(7) "**Positive behavior intervention and supports (PBIS)**" means

- (a) A school-wide systematic approach to embed evidence-based practices and data-driven decision making to improve school climate and culture in order to achieve improved academic and social outcomes, and increase learning for all students, and that
- (b) Encompasses a range of systemic and individualized positive strategies to reinforce desired behaviors, diminish reoccurrences of challenging behaviors, and teach appropriate behaviors to students.

(8) "**Prone restraint**" means physical or mechanical restraint while the individual is in the facedown position for an extended period of time.

(9) "**School district**" means a local, exempted village, city, joint vocational or cooperative education school district as defined in Chapter 3311. of the Revised Code or an educational service center that operates a school or educational program. For purposes of this rule, the term does not include schools operated in facilities under the jurisdiction of the department of rehabilitation and corrections or the department of youth services.

(10) "**Seclusion**" means the involuntary isolation of a student in a room, enclosure, or space from which the student is prevented from leaving by physical restraint or by a closed door or other physical barrier.

(11) "**Student**" means a child or adult aged three to twenty-one enrolled in a school district.

(12) "**Student personnel**" means teacher, principal, counselor, social worker, school resource officer, teacher's aide, psychologist, bus driver, or other school district staff who interact directly with students.

(13) "**Timeout**" means a behavior intervention in which a student, for a limited and specified time, is separated from the class within the classroom or in a non-locked setting for the purpose of self-regulating and controlling his or her own behavior. In a timeout, the student is not physically restrained or prevented from leaving the area by physical barriers.

**Physical restraint may not be used for punishment or discipline or as a substitute for other less restrictive means of assisting a student in regaining control.**

**Physical restraints will only be used by school personnel who are trained in safe restraint techniques, except in the case of rare and unavoidable emergency situations when trained personnel are not immediately available**

**School personnel including emergency safety situations prohibit the following practices:**

- (1) Prone restraint;

- (2) Corporal punishment;
- (3) Child endangerment, as defined in section 2919.22 of the Revised Code;
- (4) Seclusion and restraint of preschool students in violation of the provisions of Ohio Adm. Code Rule 3301-37-10
- (5) Deprivation of basic needs;
- (6) Restraint that unduly risks serious harm or needless pain to the student, including the intentional knowing or reckless use of the following: method that is capable of causing loss of consciousness or harm to the neck or restricting respiration; pinning down with knees to torso, head and/or neck; Using pressure points or dragging or lifting the student by the hair or ear
- (7) Chemical restraint;
- (8) Mechanical restraint (that does not include devices used by trained school personnel, or by a student, for the specific and approved therapeutic or safety purposes for which such devices were designed and, if applicable, prescribed);
- (9) Aversive behavioral interventions; or
- (10) Seclusion in a locked room or area.

**Seclusion may only be used if a student's behavior poses an immediate risk of physical harm to the student or others and no other safe or effective intervention is available;**

Seclusion is used as a last resort to provide an opportunity for the student to regain control of his or her actions; For the minimum amount of time necessary for the purpose of protecting the student and others from physical harm; In a room or area that

- (i) Is not locked
  - (ii) Does not prevent the student from exiting the area should staff become incapacitated or leave
  - (iii) Provides adequate space, lighting, ventilation, and the ability to observe the student
- (a) Any student secluded will be under constant supervision by staff that is trained to be able to detect indications of physical or mental distress that require removal and/or immediate medical assistance and who document their observations of the student.
  - (b) Seclusion may not be used for punishment or discipline, for the convenience of staff, or as a substitute for other less restrictive means of assisting a student in regaining control.

**Seclusion and restraint**

- (a) DCS staff will complete all required reports and documents.
- (b) Each use of seclusion or restraint shall be documented in writing and reported within 24 hours.
- (c) DCS will make its records available to staff from the Ohio Department of Education upon request.

**Defiance City Staff Training and Professional Development**

- (a) Defiance City School District ensures that an appropriate number of personnel in each building are trained in crisis management and de-escalation techniques. The district also maintains written or electronic documentation on training provided and lists of participants in each training.
- (b) Defiance City School District follows a positive behavior intervention and support system along with crisis prevention training.