



P.O. Box 3074
Baton Rouge, LA 70821-3074
(225) 769-8160
FAX (225) 757-3424
www.lalsd.org

Louisiana School for the Deaf
Louisiana School for the Visually Impaired
2888 Brightside Lane
Baton Rouge, Louisiana 70820



P.O. Box 4328
Baton Rouge, LA 70821-4328
(225) 757-3482
FAX (225) 757-3486
www.lsvi.org

Seclusion & Restraint Guidelines & Procedures

Under

Louisiana Revised Statutes 17:416.21

INTRODUCTION

This document provides procedures/guidance for the use, reporting, documenting, and oversight of seclusion and restraint in the Louisiana Schools for the Deaf and the Visually Impaired (LSDVI) in accordance with state statute and regulations and guidance by the Board of Elementary and Secondary Education (BESE).

These procedures specifically address the statutory requirements of La. Rev. Stat. 17:416.21 regarding the use of seclusion and restraint as emergency safety measures to control the actions of students with exceptionalities in Louisiana's public schools. It is understood that this procedural/guidance document is a work in progress and in no way constitutes the totality of interventions and strategies used by LSDVI and its personnel in addressing the educational needs of students.

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SUPERINTENDENT'S DIRECTIVES

LSDVI has approved the following guidelines and procedures relative to the use of seclusion and restraint by its employees. The policies and procedures shall be executed for all students to prevent injury and death. Therefore, it is critical that the policies and procedures be implemented specifically as described.

IMPORTANT – Seclusion and restraint procedures are ONLY to be used for behaviors that involve an imminent risk of harm to self or others, and only as a last resort to protect the safety of self or others.

A. Notification requirements for school officials and parents/legal guardians:

The school employee who has placed a student in seclusion or physically restrained a student shall submit documentation to the School Director, Academic Director, Principal, and Dorm Director as soon as possible, ideally within an hour after the incident occurs. The School Director must (a) notify the parent or legal guardian as soon as possible when a student has been placed in seclusion or physically restrained and (b) notify the parent or legal guardian in writing, within 24 hours, of each incident of seclusion or physical restraint. If the School Director is not available, the Principal or Superintendent will act in their place. The Academic Director will notify the Special Education Director.

- In situations where the behavior persists for longer than 60 minutes, the student's parent(s) will be notified at that time.

B. Training requirements relative to the use of restraint:

The School Director is responsible for ensuring all staff are trained on use of preventive techniques and at least 3 people at each school and dorm program are trained on use of physical restraint procedures. One of the team members trained on the use of physical restraint must be a school administrator. Guidance counselors, teachers, related service providers, nurses, paraprofessionals, school bus drivers, bus attendants, cafeteria workers, custodians, and other school system personnel will be trained on an as-needed basis.

C. Dissemination of Guidelines:

1. Employees: Policy and procedures for seclusion and restraint are posted on the LSDVI district website with access by all school employees. Hardcopies will be provided to all staff with additional copies available upon request.
2. Parents: Parents will have access to Seclusion and Restraint Guidelines and Procedures from the LSDVI website under the "Parents" tab. Hardcopies of the LSDVI Seclusion and Restraint Guidelines and Procedures will be provided to each school to disseminate to parents with additional copies available upon request.

D. Notification to the Louisiana Department of Education:

A copy of the LSDVI Seclusion and Restraint policy will be provided to the Louisiana Department of Education (LDE). Maintaining documentation and notifying the LDE of all instances of seclusion and physical restraint shall be the responsibility of the School Principals. The Academic Director or his/her designee shall be responsible for monitoring the notification to the LDE of all instances per LDE requirements.

RESTRICTIONS ON SECLUSION/ RESTRAINT

Seclusion and Restraint are prohibited:

1. For addressing behaviors such as general noncompliance, self-stimulation, and academic refusal. (Staff shall respond to such behaviors with less stringent and less restrictive techniques).
2. As a form of discipline or punishment.
3. As a threat to control, bully, or obtain behavioral compliance.
4. For the convenience of school personnel.
5. When unreasonable, unsafe, or unwarranted.
6. If the student is known to have any medical or psychological condition that precludes such action (as certified by a licensed health care provider in a written statement provided to the principal of the school in which the student is enrolled).
7. No student shall be subjected to any form of mechanical restraint by school employees.

SECLUSION GUIDELINES AND PROCEDURES

IMPORTANT – Seclusion shall be used **ONLY**:

- a. for behaviors that involve an imminent risk of harm.
- b. as a last resort when de-escalation attempts have failed and the student continues to pose imminent threat to self or others.

Seclusion is a procedure that isolates and confines a student in a separate room or area until he/she is no longer an immediate danger to self or others. Seclusion does not include time-out, in-school suspension, or student requested breaks.

Seclusion is permitted only under the following conditions:

1. Used as a LAST resort only when less restrictive measures such a positive behavioral supports, constructive and non-physical de-escalation, and restructuring of a student's environment, have failed to stop a student's actions that pose an imminent risk of harm.
2. Conducted by a school employee who uses accepted methods of escorting a student to a seclusion room, placing a student in a seclusion room, and supervising a student while he/she is in the seclusion room. Physical prompts are permissible for the purpose of safely guiding the student from one area to another, but care should be taken to limit the use of physical contact with the student and to avoid the unnecessary use of physical contact. When physical contact is necessary to limit the risk of harm to the student or others, the student should be escorted to the seclusion area by executing the approved Non-Violent Crisis Intervention (NCI) transport position.
3. Only one student may be placed in a seclusion room at any time. The school employee supervising the student is able to see and hear the student the entire time the student is place in the seclusion room and follows the monitoring and documentation requirements outlined in this manual. It is acceptable to have cameras set up in the seclusion room for monitoring purposes with the contingency that the student is continuously monitored and the person monitoring is in close proximity to the seclusion room. Monitoring requires close, visual proximity to the student and release as soon as the behaviors cease that led to the seclusion.
4. The room is free of any object that poses a danger to the student placed in the room.
5. The room has an observation window and is of a size appropriate for a student's size, behavior, and chronological and developmental age. An observation window is still required when cameras are used to monitor the student.
6. The room has a ceiling height and heating, cooling, ventilation, and lighting systems comparable to operating classrooms in the school.
7. If the behavior persists for longer than 60 minutes, the student's parent(s) will be notified at that time. School administration will determine the appropriate action (e.g., contact Law Enforcement, call 911). Follow all monitoring and documentation requirements.

PHYSICAL RESTRAINT GUIDELINES AND PROCEDURES

A. Guidelines

Physical restraint is permitted ONLY under the following conditions:

1. If the student's behavior presents a threat of imminent risk of harm to self or others.
2. As a last resort to protect the safety of self and others.
3. To the degree to stop dangerous behavior.
4. In a manner that causes NO PHYSICAL INJURY to the student.
5. Results in the least possible discomfort to the student.
6. Does not interfere in any way with a student's breathing or ability to communicate with others.
7. Does not involve the use of any form of mechanical restraint.
8. The student is not physically restrained/held in a manner that places excessive pressure on the student's chest or back or that causes asphyxia.
9. Applied only in a manner that is directly proportionate to the circumstances and to the student's size, age, and severity of behavior.
10. When school administration and Non-Violent Crisis Intervention (NCI) Team determine that physical restraint is not effective, the student's parents will be notified. School administration will determine the appropriate action (e.g., contact Law Enforcement, call 911).

B. Procedures

LSDVI implements the Non-Violent Crisis Intervention (NCI) Program by Crisis Prevention Institute (CPI).

Training will include:

1. Preventive Techniques.
 - a. Understanding of Crisis Development Model
 - b. Non-verbal and Para-verbal communication
 - c. Understanding of defensive behavior
 - d. Precipitating factors
 - e. Physical Intervention – Disengagement Skills
2. Physical Restraints.
 - a. Knowledge of restraint techniques and the risk of improper restraint
 - b. Execution of approved restraint techniques by participants with 100% accuracy
3. Re-establishing communication with student to re-enter the classroom.

4. Written exam which must be completed with 80% accuracy.
5. Staff members certified to use restraint techniques must re-certify annually. Documentation of certified personnel will be maintained by LSDVI crisis intervention trainers.

C. Methods of approved physical restraint techniques:

1. Children's Control Position: allows a staff member to maintain a balanced stance while managing the student.
2. Team Control Position: two or more staff members used to manage students who have become dangerous to themselves or others.
3. Transport Position: assists staff members in safely moving the student who is beginning to regain control

MONITORING & DOCUMENTATION

Seclusion and physical restraint require monitoring, documentation, and analysis of data collected:

1. Continuous monitoring of the student during seclusion or restraint.
2. Documentation every ten (10) minutes (with adjustments made accordingly).
3. Student is released/removed as soon as the reasons for the action have subsided.
4. If the behavior persists for longer than 60 minutes, the student's parent(s) will be notified at that time. School administration will determine the appropriate action (e.g., contact Law Enforcement, call 911).
5. School Employee who used seclusion/restraint shall complete Seclusion/Restraint Report Form (Appendix) for each incident of seclusion/restraint. This form must be submitted to the School Director on the same day the incident occurred.
6. School Director calls the parent/guardian as soon as possible to notify them of the incident. If the School Director is not available, the Principal or Superintendent will notify parent.
7. Parent/guardian, Academic Director, Principal, and, when a residential student is involved, the Dorm Director notified in writing (Seclusion/Restraint Report Forms in Appendix) within 24 hours of EACH incident of seclusion/restraint.
 - a. Reason for seclusion/restraint;
 - b. Description of procedures used;
 - c. Length of time of seclusion/restraint;
 - d. Names and titles of school employees involved.
8. School Principals maintain documentation and notify the Louisiana Department of Education (LDE) of all instances of seclusion and physical restraint.
9. If a student is involved in five incidents in a single school year involving the use of seclusion or physical restraint, the student's Individualized Education Plan team shall review and revise the student's behavior intervention plan to include any appropriate and necessary behavioral supports.
 - Five (5) incidents in a school year includes the cumulative number of incidents of seclusion AND restraint (e.g., 3 seclusions + 2 restraints = 5 incidents).
10. After the fifth incident, if the student's challenging behavior continues or escalates requiring repeated use of seclusion or physical restraint techniques, the Academic Director or his designee shall review the student's plans at least once every three weeks.
11. School Director, Academic Director, School Principal, and Superintendent analyze seclusion and restraint data at least annually. Data will be used to track the number of incidents of seclusion by student, staff, and type of incidents; and other factors, such as precipitating events and other observable factors.
12. These procedures should be reviewed and revised as necessary to ensure appropriateness and effectiveness.

DEFINITIONS

Crisis Prevention Institute (CPI) – The institute whose purpose is to formally validate the global standard of providing high-quality, meaningful training in the safe management of disruptive and assaultive behavior and to formally recognize professionals and other stakeholders committed to that standard.

Imminent Risk of Harm – An immediate and impending threat of a person causing substantial physical injury to self or others. The risk is “imminent” if it is likely to occur within a matter of moments.

Mechanical Restraint – The application of any device or object used to limit a person’s movement. The term does NOT include the following:

- A protective or stabilizing device used in strict accordance with the manufacturer’s instructions for proper use and which is used in compliance with orders issued by an appropriately licensed healthcare provider.
- Any device used by a duly licensed law enforcement officer in the execution of his official duties.

Non-Violent Crisis Intervention (NCI) – The research-based training program developed and published by Crisis Prevention Institute (CPI) adopted by LSDVI.

Non-Violent Physical Crisis Intervention – Includes physical restraint control positions that restrict a student’s movement for the management of violent or self-destructive behavior that jeopardizes the immediate physical safety of the student or others.

Transport Position – Touching or holding a student with or without the use of force for the purpose of directing the student to a new location. Transport position does not include the unforced holding of a student’s hand or other physical prompts for the purpose of safely guiding the student from one task to another or directing the student in an educational activity.

Physical Restraint – Bodily force used to limit a person’s movement. The term does NOT include the following:

- Consensual, solicited, or unintentional contact.
- Momentary blocking of a student’s action if the student’s action is likely to result in harm to the student or any other person.
- Holding of a student by a school employee, for the purpose of calming or comforting the student – provided the student’s freedom of movement or normal access to his/her body is not restricted.
- Minimal physical contact for the purpose of safely escorting a student from one area to another. (E.g., transport position).

- Minimal physical contact for the purpose of assisting the student in completing a task or response.

Positive Behavior Interventions and Support (PBIS) – A systematic approach to embed evidence-based practices and data-driven decision making when addressing student behavior in order to improve school climate and culture.

Seclusion – A procedure that isolates and confines a student in a separate room or area until he/she is no longer an immediate danger to self or others.

Seclusion Room – A room or other confined area, used on an individual basis, in which a student is removed from the regular classroom setting for a limited time to allow the student the opportunity to regain control in a private setting and from which the student is involuntarily prevented from leaving.

School Employee – A teacher, paraprofessional, administrator, support staff member, or a provider of related services.

SECLUSION OR PHYSICAL RESTRAINT REPORT FORM

LOUISIANA SCHOOLS FOR THE DEAF AND THE VISUALLY IMPAIRED

Student Name: _____ Date of Report: _____

School: _____ Grade: _____ Exceptionality: _____

Action Taken: Seclusion Restraint

Date of action: _____ Start time of action: _____ End time of action: _____

Teacher/Staff initiating action: _____

Procedure used during the action was: _____

Injuries: Yes No Details: _____

Person(s) Supervising Student during Action: _____

Describe Behavior Warranting Action: _____

Class/Specific Activity at Time of Incident/Preceding Action: _____

Possible Triggers: _____

It is MANDATORY that student be monitored constantly.

1	Agitated	4	Hostile	7	Self-Abusive
2	Calm	5	Physically Aggressive	8	Verbally Aggressive
3	Crying	6	Quiet	9	Other:

10 m	20 m	30 m	40 m	50 m	60 m	70 m
Initial:						

Date & Time of Parent Notification (document all attempts): _____

Method of Notification: _____ Person Contacting Parent: _____

How many times has student been secluded/restrained this year? _____

If 5 times, it is MANDATORY that the IEP Team be reconvened promptly to review and revise, if necessary, the BIP and/or appropriate behavioral supports.

Other Comments or Observations: _____

Person Initiating Action: _____ School Administrator: _____
Signature Signature

School Director must send this form within 24 hours to the parent. Copies must also be sent to Principal, Academic Director, and Dorm Director, when applicable, within the 24 hour time period.