



Policy Number: 3320

Dated: 09/27/2018

POLICY SECLUSION AND RESTRAINT

PURPOSE

American Leadership Academy recognizes that every student should have the opportunity to learn in an environment that is safe, conducive to the learning process, and free from unnecessary disruption. At times, student behavior may present an immediate danger requiring emergency safety interventions. Behavioral interventions for students should promote and facilitate their safety and dignity. This policy outlines restrictions on, and allowable uses of, emergency safety interventions for all students.

DEFINITIONS

"Discipline" includes:

1. Imposed discipline; and
2. Self-discipline.

"Disruptive student behavior" includes:

1. The grounds for suspension or expulsion described in Utah Code Ann., Section 53A11-904; and
2. The conduct described in Utah Code Ann., Subsection 53A-11-908(2)(b).

"Emergency safety intervention" means the use of seclusion or physical restraint when a student presents an immediate danger to self or others, and the intervention is not for disciplinary purposes.

"Immediate danger" means the imminent danger of physical violence/aggression towards self or others likely to cause serious physical harm.

"Mechanical restraint" means the use of a device as a means of restricting a student's freedom of movement.

"Physical escort" means a temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purpose of guiding a student to another location.

"Physical restraint" means a personal restriction that immobilizes or significantly reduces the ability of an individual to move the individual's arms, legs, body, or head freely.

"Seclusion" means the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. Seclusion is not timeout as that term is defined in this policy. In addition to the foregoing, and consistent with Utah Administrative Code R277- 609, seclusion means that a student is:

1. Placed in a safe enclosed area: By school personnel; and
2. In accordance with the requirements of Utah Administrative Code R392- 200, which provides requirements for the design, construction, operation, sanitation, and safety of schools; and R710-4-3, which provides fire safety requirements;
3. Purposefully isolated from adults and peers; and
4. Prevented from leaving, or reasonably believes that the student will be prevented from leaving, the enclosed area.

“Timeout” means a behavior management technique that may be part of an approved treatment plan involving the separation of the student from the group, in a non-locked setting, for the purpose of calming. Timeout is not seclusion.

GENERAL REQUIREMENTS AND EMERGENCY SAFETY INTERVENTIONS

1. A school employee may not subject a student to physical restraint or seclusion unless such action is utilized as a necessary emergency safety intervention (ESI) in compliance with these procedures and consistent with evidence-based practices.
2. Licensed personnel and other personnel who may work directly with students shall be trained on the use of effective alternatives to ESI, as well as the safe use of ESI and release criteria.
3. An ESI may only be used for maintaining safety and may not be used as a means of discipline or punishment.
4. Students with Disabilities Receiving Special Education Services
5. Use of ESI for a student with a disability receiving specialized educational services under IDEA or Section 504 shall comply with all applicable state and federal laws, and the district policy.
6. Physical Restraint
7. A school employee may use and apply reasonable and necessary physical restraint as an ESI only:
 - to protect the student or another person from serious physical harm;
 - to take possession of a weapon, or other dangerous objects in the possession or under the control of a student; or
 - to stop the student from destroying property.
8. If an employee uses physical restraint as an ESI on a student, use of the following restraints are prohibited:
 - prone, or face-down physical restraint;
 - supine, or face-up physical restraint;
 - physical restraint which obstructs the airway or adversely affects the student’s primary mode of communication;
 - mechanical restraint, except for protective, stabilizing, or legally required mechanical restraints, such as seatbelts or safety equipment used to secure students during transportation; or
 - chemical restraint, except as prescribed by a licensed physician, or other qualified health professional, for the standard treatment of a student’s medical or psychiatric condition, and implemented in compliance with a student’s approved Health Care Plan.
9. All physical restraint shall:
 - be applied for the minimum time necessary to ensure safety and a release criteria must be implemented;

- be discontinued as soon as the imminent danger of physical harm to self or others has dissipated;
 - be discontinued if the student is in severe distress; and
 - never be imposed for more than 30 minutes.
10. Seclusion: A school employee may, when acting within the scope of employment, place a student in seclusion time out as an ESI only under the following circumstances:
- the student presents an immediate danger of serious physical harm to self or others;
 - the employee uses the minimum time necessary to ensure safety and uses a release criteria;
 - any door remains unlocked;
 - the student is within line of sight of an employee at all times; and
 - the student is not placed in a seclusion timeout for more than 30 minutes.

PARENT NOTIFICATION

1. If a crisis situation occurs requiring an ESI be used, the school or employee shall notify the student's parent, the school administrator, and the director of student services as soon as possible and no later than the end of the school day.
2. If the ESI is applied for longer than fifteen minutes, the school shall immediately notify the student's parent and school administration.
3. Parent notifications made under this section shall be documented in the student information system, as required by Utah Admin. Code R277-609-6(C)(4).
4. Within 24 hours of using ESI, the school shall notify the parent that they may request a copy of any notes or additional documentation taken during the crisis situation.
5. Upon request of a parent, the school shall provide a copy of any notes or additional documentation taken during a crisis situation.
6. A parent may request a time to meet with school staff and administration to discuss the crisis situation.
7. ALA shall collect, maintain, and periodically review the documentation or records regarding the use of ESI in their schools.
8. ALA shall annually provide documentation of any school or program use of ESI to the State Superintendent of Schools.