

Introduction

All local education agencies (LEAs) must have local written guidelines and procedures for appropriate responses to the behavior of students with disabilities that may require immediate intervention in the form of seclusion and restraint. These written guidelines and procedures must be provided to every parent of a child with a disability in the LEA and to all school employees, posted at each school and on the LEA's website, and a copy must be provided to the Louisiana State Department of Education (LDOE).

This document outlines factors to consider when developing local guidelines and procedures for the appropriate use of seclusion and restraint with students with disabilities and includes key considerations for developing guidelines and procedures around:

- Defining Seclusion and Restraint
- Using Seclusion and Restraint
- Communicating and Reporting Incidents of Seclusion and Restraint

Factors to consider when developing guidelines and procedures for the use of seclusion and restraint:

Defining Seclusion and Restraint

When developing local guidelines and procedures each LEA should define what methods of seclusion and restraint may be used in the LEA and how each is managed.

Key Considerations	Resources
• What definitions are mandated by law? • Are there additional local definitions that need to be consistent across the LEA? • How do unique student needs impact definitions of seclusion and restraint?	LDOE Guide for Defining Seclusion and Restraints Bulletin 1706 §540 USDOE Guidance

Using Seclusion and Restraint

Every effort should be made to prevent the need for using seclusion and restraint techniques. Environments should be structured and focused on positive interventions and supports to greatly reduce, and in many cases eliminate, the need to use restraint and seclusion. In the event that such measures are needed, local guidelines and procedures should describe how seclusion and restraint should be used in the LEA. Additionally each LEA should have a plan that outlines how all school employees are trained on appropriate behavior management techniques including the use of seclusion and restraint techniques.

Key Considerations	Resources
• What are the legal requirements for using seclusion and restraint techniques? • What are the legal requirements when incidents for one student exceeds 5 times in one school year? After repeated use? • Are additional local requirements/ clarifications on the use of seclusion and restraint necessary? • How do school employees know when to use seclusion and restraint techniques? • Are school employees trained to appropriately respond to student behavior using methods outlined in the local guidelines?	LDOE Guide for Using Seclusion and Restraint Bulletin 1706 §541-543

Communicating and Reporting Incidents of Seclusion and Restraint

Each incident of seclusion and restraint must be properly documented and reported to school officials and to the parent(s) of the student who was been placed in seclusion or physically restrained based on local guidelines and procedures. Each incident must be reported to the LDOE through the Special Education Reporting (SER) system. LEAs must have consistent procedures in place that outline responsibilities for documenting and reporting incidents of seclusion and restraint. These guidelines and procedures must be adopted by the LEA's governing board.

Key Considerations	Resources
• Are teachers and school staff using consistent protocols/ tools/timelines for collecting and maintaining data? • What are the follow-up and intervention procedures when seclusion and restraint procedures repeatedly occur with the same student and/or adult? • In what manner and under what timelines are incidents of seclusion and restraint communicated to principals, local special education directors, and parents? • Who is responsible for submitting incidents of seclusion and restraint in SER?	LDOE Guide for Reporting Incidents in SER

When developing local guidelines and procedures each LEA should define what methods of seclusion and restraints may be used in the LEA and how each is managed. The definitions below are included in Bulletin 1706. 450 and must be included in local guidelines.

Mechanical Restraint: A Mechanical Restraint is the use of any device or object used to limit a student's freedom of movement. This term does not include devices implemented by trained school personnel, or utilized by a student that have been prescribed by an appropriate medical or related services professional and are used for the specific and approved purposes for which such devices were designed, such as:

- adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports;
- vehicle safety restraints when used as intended during the transport of a student in a moving vehicle;
- restraints for medical immobilization; or
- orthopedically prescribed devices that permit a student to participate in activities without risk of harm.

It also does not include any device used by a duly licensed law enforcement officer in the execution of his official duties.

Physical Restraint: Physical Restraint is using bodily force to limit the movement of a student's torso, arms, legs or head. This term does not include:

- 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 one school employee, for the purpose of calming or comforting the student, provided the student's freedom of movement or normal access to his or her body is not restricted;
- minimal physical contact for the purpose of safely escorting a student from one area to another; or
- minimal physical contact for the purpose of assisting the student in completing a task or response.

Seclusion: Seclusion is an involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. This procedure isolates and confines a student until he or she is no longer an immediate danger to self or others. It may be used on an individual basis for a limited time to allow the student the opportunity to regain control in a private setting.

This method must not be used to address behaviors such as general noncompliance, self-stimulation, and academic refusal. Such behaviors must be responded to with less stringent and less restrictive techniques.

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;

This term does not include a timeout, which is a behavior management technique that is part of an approved program, involves the monitored separation of the student in a non-locked setting, and is implemented for the purpose of calming.

Every effort should be made to prevent the need for using seclusion or restraint techniques. Environments should be structured and focused on positive interventions and supports to greatly reduce, and in many cases eliminate, the need to use restraint or seclusion. LEAs should ensure that local guidelines and policies outline the following:

- Seclusion and restraint must not be used as a form of discipline or punishment, as a threat to control, bully, or obtain behavioral compliance, or for the convenience of school personnel
- No student should be subjected to unreasonable, unsafe, or unwarranted use of seclusion or physical restraint
- No student should be placed in seclusion or physically restrained if he or she 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 provide to the school in which the student is enrolled
- No student should be subjected to mechanical restraints to restrict a student's freedom of movement

Physical restraint must be used only:

- when a student's behavior presents a threat of imminent risk of harm to self or others and only as a last resort to protect the safety of self and others;
- only to the degree necessary to stop the dangerous behavior;
- in a manner that causes no physical injury to the student, results in the least possible discomfort, does not interfere in any way with the student's breathing or ability to communicate with others, and does not place excessive pressure on the student's back or chest or that causes asphyxia; and
- in a manner that is directly proportionate to the circumstances and to the student's size, age, and severity of behavior.

A Seclusion Room or other confined area must:

- be free of any object that poses a danger to the student who is placed there;
- have an observation window;
- have a ceiling height and heating, cooling, ventilation, and lighting system comparable to operating classroom in the school; and
- be of a size that is appropriate of the student's size, behavior, and chronological and developmental age.

It is recommended that these guidelines apply to all students, not just those with disabilities and outline that the use of seclusion and/or restraint:

- Should be reserved for situations or conditions where there is imminent danger of serious physical harm to the student, other students, or school or program staff and other interventions are ineffective;
- Should not be used except to protect the student and others from serious harm and to defuse imminently dangerous situations in the classroom or other non-classroom school settings (e.g., hallways, cafeteria, playground, sports field);
- Only should be used by trained personnel;
- Never involve mechanical restraints to restrict a student's freedom of movement;

- Never involve a drug or medication to control behavior or restrict freedom of movement (except as prescribed by a licensed physician or other qualified health professional acting under the scope of the professional's authority under State law; and administered as prescribed by the licensed physician or other qualified health professional acting under the scope of the professional's authority under State law).

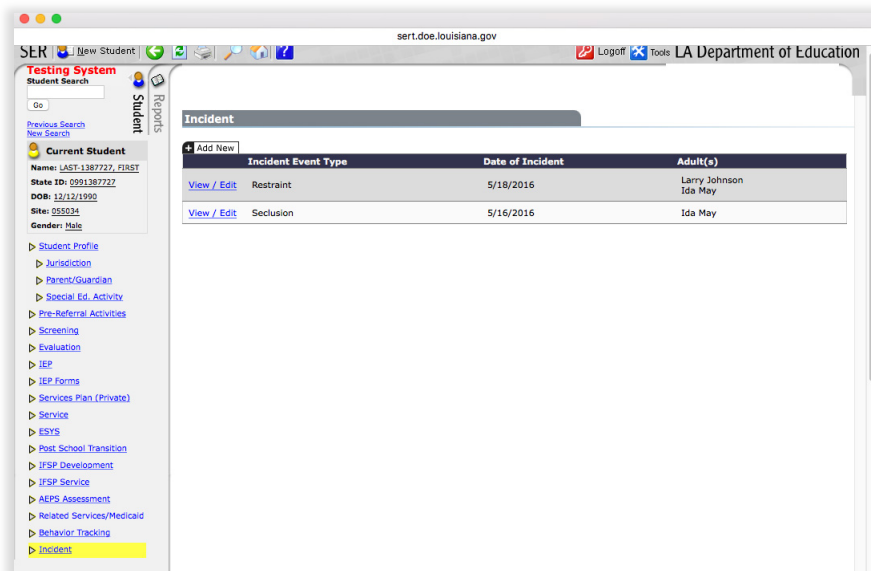
In the event that such measures are needed, local guidelines and procedures must describe how seclusion and restraint will be used in the LEA. It must describe when behavior management plans must be reviewed and revised. Additionally each LEA must outline how all school employees are trained on appropriate behavior management techniques including the use of seclusion and restraint techniques.

Each incident of seclusion and restraint must be properly documented and reported to school officials and to the parent(s) of the student who was been placed in seclusion or physically restrained based on local guidelines and procedures. Each incident must be reported to the Louisiana Department of Education (LDOE) through the Special Education Reporting (SER) system. LEAs must have consistent procedures in place that outline responsibilities for documenting and reporting incidents of seclusion and restraint.

Reporting Incidents of Seclusion and Restraint in SER

All incidents of seclusion and restraint must be reported to the LDOE through SER. Below are screen shots of where this information should be entered.

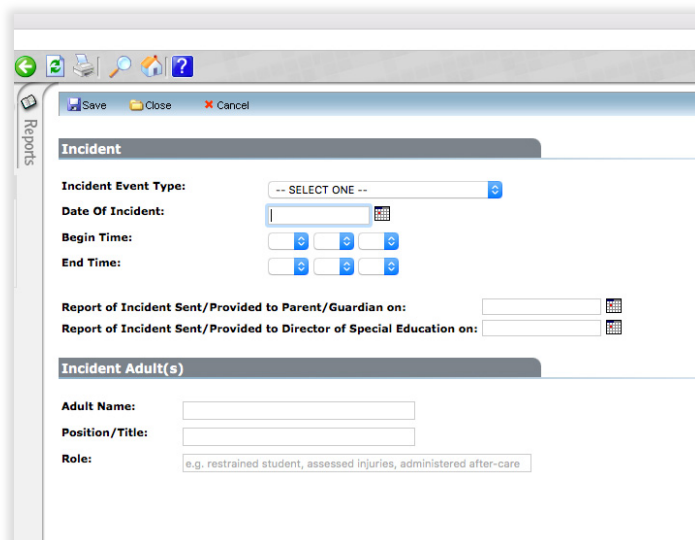
Step 1: Select the incident link on the students record in SER



The screenshot shows the SER system interface. On the left is a sidebar with a 'Current Student' section displaying student information: Name: LAST-1387727, FIRST; State ID: 0991387727; DOB: 12/12/1990; Site: 055034; Gender: Male. Below this is a list of links for various services, with 'Incident' highlighted in yellow. The main content area shows a table of incidents:

Incident Event Type	Date of Incident	Adult(s)
View / Edit Restraint	5/18/2016	Larry Johnson Ida May
View / Edit Seclusion	5/16/2016	Ida May

Step 2: Complete all fields detailing the incident of seclusion or restraint and submit the record.



The screenshot shows the 'Incident' reporting form. It includes the following fields:

- Incident Event Type:** A dropdown menu with '-- SELECT ONE --'.
- Date Of Incident:** A date picker.
- Begin Time:** A time picker.
- End Time:** A time picker.
- Report of Incident Sent/Provided to Parent/Guardian on:** A date picker.
- Report of Incident Sent/Provided to Director of Special Education on:** A date picker.
- Incident Adult(s):** A section with three fields:
 - Adult Name:** A text input field.
 - Position/Title:** A text input field.
 - Role:** A text input field with a hint: 'e.g. restrained student, assessed injuries, administered after-care'.