

Special Education Department

Allegheny County Public Schools

GUIDELINES ON THE USE OF  
RESTRAINT, SECLUSION, AND  
EXCLUSION

Revised – January 2019

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Special Education Department  
Allegany County Public Schools

Guidelines for the Use of Physical Restraint

In order to ensure the care, welfare, safety and security for the acting out individual and those students or staff that may be in danger of injury; the following procedures have been established for the use of restraint. School personnel are directed to use an array of positive behavior interventions, strategies, and supports to increase appropriate student behaviors or decrease targeted, non-preferred student behaviors.

COMAR 13A.08.04 defines physical restraint as a personal restriction that immobilizes or reduces the ability of a student to move the student's torso, arms, legs, or head freely.

- ❑ "Physical restraint" does not include a) briefly holding a student to calm or comfort the student, b) a physical escort which is the temporary touching or holding of a hand, wrist, arm, shoulder, or back for the purposes of inducing a student who is acting out to walk to a safe location, c) moving a disruptive student who is unwilling to leave the area if other methods such as counseling have been unsuccessful, or d) intervening in a fight.

COMAR 13A.08.04 defines a protective or stabilizing device as any device or material attached or adjacent to the student's body that restricts freedom of movement or normal access to any portion of the student's body for the purpose of enhancing functional skills, prevention self-injurious behavior, or ensuring safe positioning of a person. Protective or stabilizing devices may include a) adaptive equipment prescribed by a health professional, b) seat belts, or c) other safety equipment to secure students during transportation in accordance with the public agency or nonpublic school transportation plan.

If protective or stabilizing devices are warranted for use by a student with a disability, the need for such device should be prescribed by a health professional and be included in the student's individualized education plan (IEP) or behavioral intervention plan (BIP).

COMAR 13A.08.04 defines mechanical restraint as the use of any device or equipment to restrict a student's freedom of movement. Mechanical restraint does not include devices implemented by trained school personnel, or used by a student, which 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 including

- ❑ Adaptive devices,
- ❑ Vehicle safety restraints,
- ❑ Restraints for medical immobilization, or

- ❑ Orthopedically prescribed devices that permit a student to participate in activities without the risk of harm.

Otherwise, the use of mechanical restraints are prohibited in Allegany County Public Schools.

In accordance with COMAR 13A.08.04, restraint is prohibited in public agencies until a) there is an emergency situation and physical restraint is necessary to protect a student or other person from imminent, serious, physical harm after other less intrusive, non-physical interventions have failed or been determined inappropriate.

Once restraint has been used or school personnel have made a student-specific determination that it may need to be used, physical restraint may be included in a student's behavioral intervention plan or IEP to address the student's behavior in an emergency situation, provided that school personnel

- ❑ Review available data to identify any contraindications to the use of physical restraint based on medical history or past trauma, including consultation with medical or mental health professionals as appropriate:
- ❑ Identify the less intrusive, nonphysical interventions that will be used to respond to the student's behavior until physical restraint is used in an emergency situation,
- ❑ Obtain written consent from the parent.

#### IEP Requirements

- ❑ The student's IEP or BIP describes the specific behaviors and circumstances in which restraint may be used. The IEP or behavior plan must also specify how often the team shall meet to review or revise, as appropriate, the student's IEP or behavior intervention plan.
- ❑ If restraint is used for a student with a disability and the student's IEP or BIP does not include the use of restraint, the IEP team shall meet within 10 business days of the incident to consider the need for a FBA, develop or identify appropriate behavioral interventions, and consider the implementation of a BIP.
- ❑ In the event of a restraint event for a student who has not been identified with a disability, the student shall immediately be referred to the school's Pupil Services Team or an IEP team, as appropriate.

#### Parental Rights

- ❑ Parents must be informed prior to the initiation of a behavioral intervention plan for their child that will incorporate the use of a restraint.
- ❑ Each school should provide a copy of these guidelines to parents whose child's behavioral intervention plan will incorporate the use of restraint.

## Procedures and Requirements

At the beginning of each school year, school personnel authorized to serve as a school-wide resource to assist in ensuring proper administration of restraint will be identified.

- ❑ Only school personnel who are trained in the appropriate use of restraint and the county approved method of physical restraint shall apply physical restraint
- ❑ When applying physical restraint, school personnel may not:
  - ❑ Place a student in a face down position;
  - ❑ Place a student in any other position that will obstruct a student's airway or otherwise impair a student's ability to breathe, obstruct a staff member's view of a student's face, restrict a student's ability to communicate distress, or place pressure on a student's head, neck, or torso; or
  - ❑ Straddle a student's torso.
- ❑ The ACPS Special Education Department recommends that a minimum of five individuals per school be trained in the county approved method of physical restraint.
- ❑ In applying physical restraint, school personnel shall only use reasonable force as is necessary to protect a student or other persons from imminent, serious, physical harm.
- ❑ Physical restraint should not be used as a punitive measure.
- ❑ School personnel shall only use restraint or seclusion in a humane, safe, and effective manner; without intent to harm or create undue discomfort and consistent with known medical or psychological limitations and the student's behavioral intervention plan.

## Physical Restraint Events

- ❑ Physical restraint shall be removed as soon as the student is calm; and
- ❑ May not exceed 30 minutes.

## Physical Restraint Documentation

- ❑ After any restraint event, school personnel shall complete the "Allegany County Public Schools Physical Restraint Documentation" which includes required components identified in COMAR 13A.08.04.
- ❑ After any restraint event, school personnel involved in the restraint will debrief and document
  - Other less intrusive interventions that have failed or been deemed inappropriate,
  - The precipitating event immediately preceding the behavior that prompted the use of the restraint,
  - The behavior that prompted the use of a restraint,
  - The names of the school personnel who observed the behavior that prompted the use of restraint, and

- The names and signatures of the staff member implementing and monitoring the use of restraint.
- Documentation shall include a description of the restraint event including
  - The type of restraint,
  - The length of time in restraint,
  - The students behavior and reaction during the restraint, and
  - The name and signature of the administrator informed of the use of restraint.
- After any restraint event, the parent shall be provided oral and/or written notification within 24 hours, unless otherwise provided for in a student's BIP or IEP.
- The documentation shall be maintained in the student' educational record and available for inspection by the student's parent or legal guardian.
- In the event of physical injury during a transport or escort, county policy for reporting injuries should be followed.

Any questions concerning these procedures should be directed to the Supervisor of Student Services and Special Education at 301-759-2084.

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Guidelines for the Use of Physical Restraint

It is the philosophy of ACPS that physical intervention will be used only in the event of unsafe and dangerous situations in which a person or persons are in danger of harming self or others.

ACPS has chosen the Crisis Prevention Intervention (CPI) Program as a method of crisis intervention and as a last resort, physical restraint. Select ACPS staff are formally trained as CPI Trainers by CPI representatives and provide the appropriate professional development to school teams.

The philosophy of CPI is in alignment with ACPS and is as follows:

CPI provides a range of preventive strategies, de-escalation skills, and communication techniques. Additionally, the participants learn psychological and physiological responses that will minimize the potential harm of disruptive and aggressive behavior. Finally, Nonviolent Crisis Intervention Training emphasizes the care, welfare, safety, and security of all staff and students. Objectives of CPI training include:

- Prevention and Deceleration Strategies,
- Decision Making,
- Managing Behavioral Risk using Disengagement and/or Holding Skills, and
- Postvention Approaches.

Any questions concerning these procedures should be directed to the Supervisor of Student Services and Special Education at 301-759-2084.



**POSTVENTION:**

What is planned to prevent future problems?

Signature \_\_\_\_\_

Witness \_\_\_\_\_

Administrator informed of use of restraint:

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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Student checked by School Nurse      Nurse's Signature \_\_\_\_\_

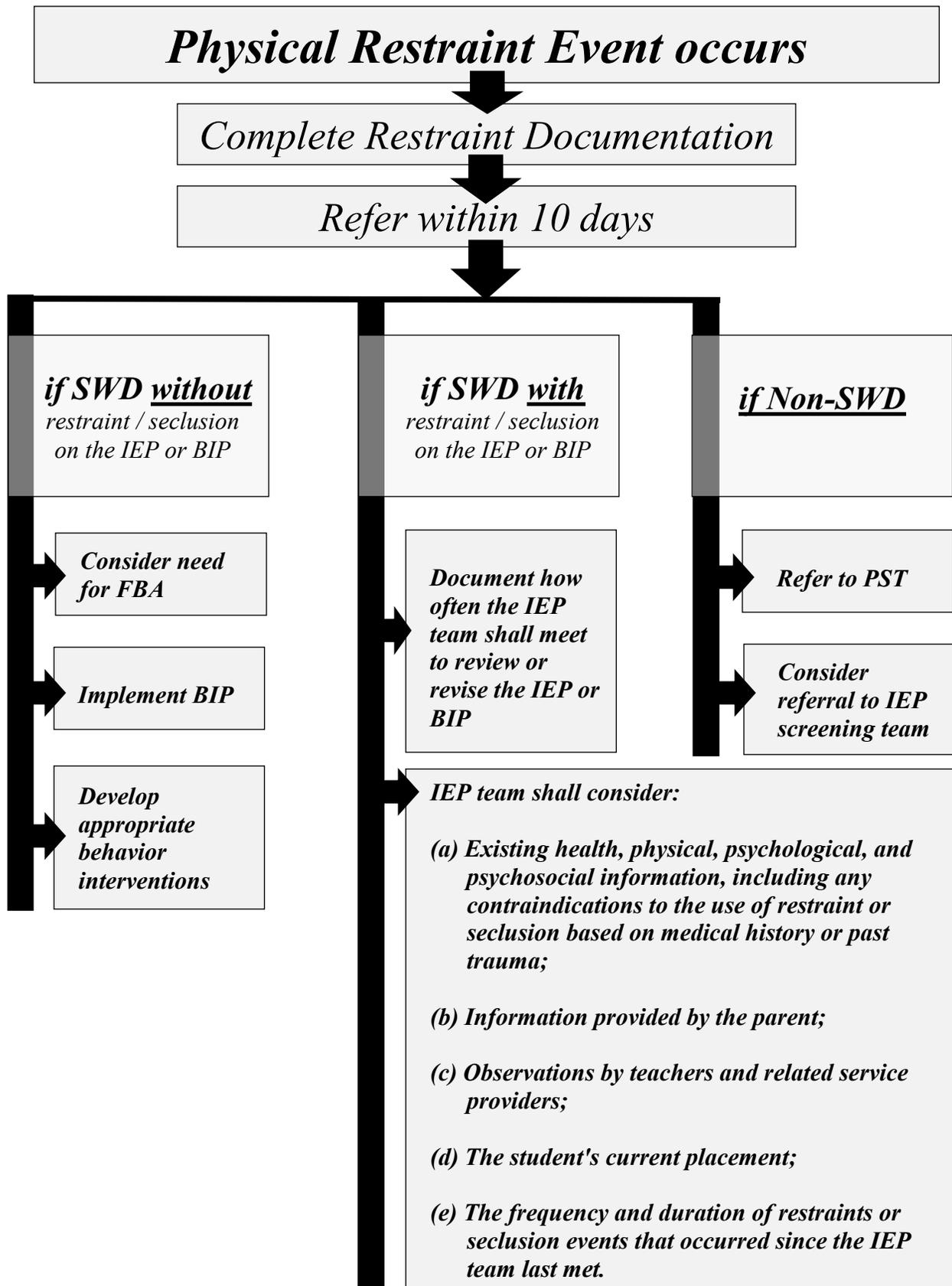
Parent called \_\_\_\_\_ Date and Time      Document sent to parent \_\_\_\_\_ Date

Person making contact: \_\_\_\_\_  
Name/Position

**DISTRIBUTION:**     Student Cumulative Folder       Parent       Sp. Ed. Office

**Completed:**       Yes       No

Physical Restraint Event Flow Chart



Special Education Department  
Allegany County Public Schools

Guidelines for the Use of Exclusion

School personnel are directed to use an array of positive behavior interventions, strategies, and supports to increase or decrease targeted student behaviors.

COMAR 13A.08.04 defines exclusion as the removal of a student to a supervised area for a limited period of time during which the student has an opportunity to regain self-control and *is not* receiving instruction including special education, related services, or support.

- Exclusion does not include a) office referrals, b) classroom time-outs, c) in school suspensions, or d) Learning Assistance Program room referrals.

In accordance with COMAR 13A.08.04, school personnel may use exclusion to address a student's behavior if the student's behavior a) unreasonably interferes with the student's learning or the learning of others, b) constitutes an emergency and exclusion is necessary to protect a student or other person from imminent, serious, physical harm after other less intrusive, non-physical interventions have failed or been deemed inappropriate, c) when exclusion is requested by the student, or d) if supported by the student's behavior intervention plan.

The setting used for exclusion shall:

- Provide school personnel with the ability to see the student at all times,
- Provide adequate lighting, ventilation, and furnishings, and
- Be unlocked and free of barriers to prevent egress.

Procedures and Requirements

- School personnel shall monitor a student placed in exclusion and provide a student in exclusion with the following:
  - An explanation of the behavior that resulted in the removal, and
  - Instructions on the behavior required to return to the learning environment
- School personnel shall ensure that each period of exclusion:
  - Is appropriate to the developmental level of the student and the severity of the behavior, and
  - Does not exceed 30 minutes.
- Parents and school personnel may at any time request a meeting to address the use of exclusion and to a) conduct a functional behavioral assessment and b) develop, review, or revise a student's behavioral intervention plan.
- School personnel shall consider the need to initiate a referral to a pupil services or IEP team if a nondisabled student has experienced excessive exclusion.

- School personnel shall ensure the implementation of appropriate procedures when a student with a disability has experienced an excessive period of exclusion that may result in a change of placement.

Any questions concerning these procedures should be directed to the Supervisor of Student Services and Special Education at 301-759-2084.

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Guidelines for the Use of Seclusion Rooms

It is the desire of the Allegany County Public Schools to develop guidelines to ensure that the use of a seclusion room is safe and therapeutic. These guidelines describe the procedures for the use of a seclusion room in those instances where a school maintains a separate seclusion room needed to meet the needs of a student. Certain requirements must be met to ensure that such rooms represent a therapeutic and safe intervention.

COMAR 13A.08.04 defines seclusion as the involuntary confinement of a student alone in a room from which the student is physically prevented from leaving. A seclusion room is an area for a student to safely de-escalate, regain self-control, and prepare to meet expectations to return to their program. Seclusion rooms are used in conjunction with therapeutic behavior management interventions and a behavior management program, which teaches and reinforces acceptable behaviors.

In accordance with COMAR regulations 13A.08.04, the use of seclusion is prohibited in public agencies and nonpublic schools unless a) there is an emergency situation and seclusion is necessary to protect a student or another person from imminent, serious, physical harm after other less intrusive, nonphysical interventions have failed or been determined to be inappropriate, b) the student's IEP or behavior intervention plan describes the specific behaviors and circumstances in which seclusion may be used and identifies the less intrusive, nonphysical interventions that will be used to respond to the student's behavior until seclusion is used in an emergency situation, or c) the parents of a nondisabled student have otherwise provided written consent for the use of seclusion while a behavior intervention plan is being developed. School personnel must review available data to identify any contraindications to the use of seclusion based on medical history or past trauma, including consultation with medical or mental health professionals as appropriate.

The use of seclusion rooms shall incorporate the following components:

- A specific room should be set aside as the seclusion room. If a room in a building is set aside for the use of seclusion, the ACPS Special Education Department must approve the establishment of such a room to ensure COMAR regulations are met.
  - The seclusion room must be free of objects and fixtures with which a student could self-inflict bodily harm.
  - The seclusion room shall provide school personnel an adequate view of the student from all angles. School personnel shall view a student in seclusion at all times.
  - The seclusion room shall provide adequate lighting and ventilation.
- The door of a seclusion room shall not be fitted with a lock unless it releases automatically when not physically held in the locked position by school personnel on the outside of the door.

- ❑ The seclusion room may only be utilized to protect a student or other person from imminent, serious, physical harm after other less intrusive, nonphysical interventions have failed or been determined inappropriate. .
- ❑ Professional Development will be provided for staff on the use of seclusion rooms and related behavior management practices.
- ❑ Each school should review the effectiveness of the seclusion room by reviewing the “Seclusion Room Log”.
- ❑ Parents will be notified of the procedures and potential use of the seclusion room as a behavior intervention.

### Referral to the IEP Team or Pupil Services

- ❑ The student’s IEP or BIP must describe the specific behaviors and circumstances in which seclusion may be used.
- ❑ If seclusion is used for a student with a disability and the student’s IEP or BIP does not include the use of seclusion, the IEP team shall meet within 10 business days of the incident to consider the need for a FBA, develop and/or identify appropriate behavioral interventions, and consider the implementation a BIP.
- ❑ If seclusion is used for a student with a disability and the student’s IEP or BIP does include the use of seclusion, the student’s IEP or behavior intervention plan shall specify how often the IEP team shall meet to review or revise, as appropriate, the student’s IEP or BIP.
- ❑ When the IEP team meets to review or revise a student’s IEP or BIP, the IEP Team shall consider:
  - Existing health, physical, psychological, and psychosocial information, including any contraindications to the use of restraint or seclusion based on medical history or past trauma,
  - Information provided by the parent,
  - Observations by teachers and related service providers,
  - The student’s current placement, and
  - The frequency of duration of restraints or seclusion events that occurred since the IEP team last met.
- ❑ If seclusion is used for a student who has not been identified with a disability, the student shall immediately be referred to the school’s Pupil Services Team or an IEP team, as appropriate.

### Parental Rights

- ❑ The IEP Team shall obtain the written consent of the parent if the team proposes to include seclusion in the BIP or IEP to address student behavior.
- ❑ If the parent does not provide written consent, the IEP Team shall send the parent written notice within 5 business days of the IEP Team meeting that states
  - The parent has the right to either consent or refuse the consent to the use of restraint or seclusion, and
  - If the parent does not provide written consent or a written refusal within 15 business days of the IEP team meeting, the IEP team may implement the proposed use of restraint or seclusion.

- ❑ Parents must be informed prior to the initiation of a behavioral intervention plan for their child that will incorporate the use of a seclusion room. Upon request, parents must be shown the exact physical space that will be used for seclusion.
- ❑ Each school should provide a copy of these guidelines to parents whose child's behavioral intervention plan will incorporate the use of a seclusion room.
- ❑ School personnel shall provide the student's parent with verbal notification of send written notice within 24 hours of the seclusion event.

### A Seclusion Event

- ❑ Shall be appropriate to the student's developmental level and severity of the behavior;
- ❑ May not restrict the student's ability to communicate distress; and
- ❑ Many not exceed 30 minutes.

### Procedures and Requirements

At the beginning of each school year, school personnel authorized to serve as a school-wide resource to assist in ensuring proper administration of restraint and seclusion will be identified.

- ❑ The student in a seclusion room will be continuously monitored and reassessed at least every 15 minutes.
- ❑ School personnel trained in the appropriate use of seclusion shall only apply seclusion.
- ❑ School personnel shall provide a student placed in seclusion with a) an explanation of the behavior that resulted in removal and b) instructions on the behavior required to return to the learning environment.

### Seclusion Documentation

After each seclusion event, school personnel involved in the seclusion event shall debrief and document the event. A seclusion log must be maintained for each use of the seclusion room. The log should include:

- ❑ Other less intrusive interventions that have failed or been determined inappropriate;
- ❑ The precipitating event immediately preceding the behavior that prompted the use of seclusion;
- ❑ The behavior that prompted the use of seclusion;
- ❑ The names and signatures of the staff members implementing and monitoring the seclusion;
- ❑ Justification for initiating the use of seclusion;
- ❑ The length of time in seclusion;
- ❑ The student's behavior and reaction during the seclusion; and
- ❑ The name and signature of the administrator informed of the use of seclusion.

After each seclusion event, the parent shall be provided oral or written notification within 24 hours, unless otherwise provided for in a student's BIP or IEP.

The documentation shall be maintained in the student's educational record and available for inspection by the student's parent or legal guardian.

A current copy of these procedures are placed on the Allegany County Public School Special Education Department's website at [www.acpsmd.org](http://www.acpsmd.org)

Any questions concerning these procedures should be directed to the Supervisor of Student Services and Special Education at 301-759-2084.

## Seclusion Room Log

Student Name \_\_\_\_\_ Date \_\_\_\_\_ Grade \_\_\_\_\_

Does student have an IEP? \_\_\_\_\_ Yes \_\_\_\_\_ No If no, is student in the IEP process? \_\_\_\_\_

Time In: \_\_\_\_\_ Time Out: \_\_\_\_\_

**\*COMAR 13.08.04 mandates that a seclusion event not exceed 30 minutes.**

Referred by: \_\_\_\_\_

Monitored at no more than 15-minute intervals by:

\_\_\_\_\_ Name/Signature

Released by: \_\_\_\_\_

- Interventions Offered Prior to Seclusion
  - Verbal Intervention – Redirection
  - Limit Setting
  - Distraction
  - Supervised Break
  - Physical Activity – Sensory Alternative
  - Removing Audience
  - Counseling – Problem Solving with Adult
  - Quiet Room
  - Time Out in Seat
  - Time Out in Room
  - Other \_\_\_\_\_
  
- Precipitating Event Preceding the Behavior Prompting Use of Seclusion
  
- Behavior That Justified the Use of Seclusion
  - Danger to self
  
  - Danger to others
  
- Student’s behavior and reaction during seclusion

<input type="checkbox"/> Asleep	<input type="checkbox"/> Quiet
<input type="checkbox"/> Crying	<input type="checkbox"/> Non-communicative – Refusal to Talk
<input type="checkbox"/> Noisy – Verbally Abusive	<input type="checkbox"/> Spitting
<input type="checkbox"/> Cursing	<input type="checkbox"/> Agitated
<input type="checkbox"/> Threatening	<input type="checkbox"/> Physically Active
<input type="checkbox"/> Pacing	<input type="checkbox"/> Other
<input type="checkbox"/> Combative	<input type="checkbox"/> Other
<input type="checkbox"/> Harmful to self	<input type="checkbox"/> Other

Administrator Notified \_\_\_\_\_  
Name/Signature/Date:

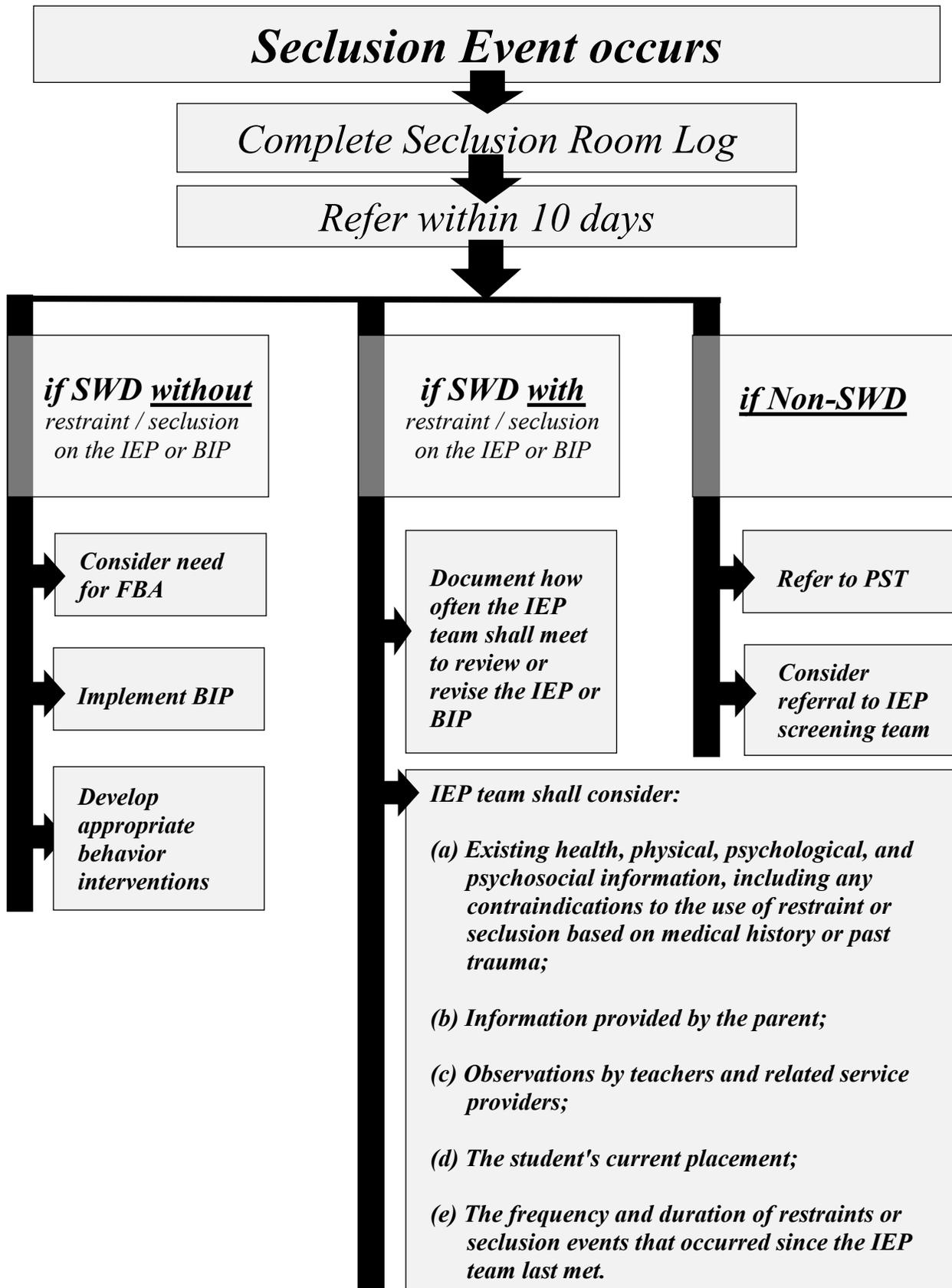
Parent called \_\_\_\_\_ Date and time \_\_\_\_\_  
Document sent to parent \_\_\_\_\_ Date \_\_\_\_\_

Person making contact: \_\_\_\_\_  
Name/Position

**DISTRIBUTION:** White – Student Cumulative Folder      Yellow - Parent      Pink - Sp. Ed. Office

Completed: \_\_\_\_\_yes      \_\_\_\_\_no

Seclusion Room Event Flow Chart



Special Education Department  
Allegany County Public Schools

Administrative Procedures

Allegany County Public Schools shall develop procedures to address:

- ❑ A continuum of positive behavioral interventions, strategies, and supports for use by school personnel before any exclusion, restraint, or seclusion event,
- ❑ The prevention of self-injurious behaviors,
- ❑ Methods for identifying and defusing potentially dangerous behavior,
- ❑ The use of documentation of exclusion consistent with COMAR regulations,
- ❑ The use of restraint consistent with COMAR regulations, and
- ❑ The use of seclusion consistent with COMAR regulations.

Allegany County Public Schools shall annually review procedures and provide to school personnel and parents.

Allegany County Public Schools shall provide to the appropriate personnel professional development and a written examination and physical demonstration (when appropriate) of proficiency in the described skills and competencies in the following areas:

- ❑ The use of restraint and/or seclusion and the appropriate implementation of the ACPS procedures outlined in this guidebook
- ❑ The proper administration of exclusion, restraint, and seclusion, and
- ❑ The current professionally accepted practices and standards regarding
  - Positive Behavior Interventions strategies and supports, including methods for identifying and diffusing potentially dangerous behavior,
  - Trauma informed intervention,
  - Functional Behavior Assessment and Behavior Intervention Planning,
  - Exclusion,
  - Restrain and alternative to restraint,
  - Seclusion,
  - Symptoms of physical distress and positional asphyxia,
  - First aid and CPR, and
  - Individualized behavior interventions based on student characteristics, including disability, medical history, and past trauma.

Allegany County Public Schools shall develop procedures to monitor:

- ❑ The use of exclusion, restraint, and seclusion through the collection and analysis of Physical Restraint Event Documentation and Seclusion Room Logs, and
- ❑ Complaints regarding exclusion, restraint, and seclusion practices, which will be directed to the Supervisor of Special Education and Student Services and investigated in a timely manner.