

## **SECLUSION AND RESTRAINT POLICY**

The Max Academy recognizes that, in order for students to receive a free and appropriate education, a safe environment needs to be provided. In doing so, The Max Academy also recognizes that there are circumstances in school under which reasonable and appropriate measures and techniques will need to be employed in dealing with violent or noncompliant student behavior.

The Max Academy shall sanction the use of student seclusion and restraint techniques when such use is consistent with the student's Individualized Education Plan (I.E.P.), Section 504 plan, or Behavior Intervention Plan (B.I.P.), and with the requirement that I.E.P. teams consider the use of positive behavioral interventions and support when the student's behavior impedes his/her learning or the learning of other students. However, this does not preclude the use of seclusion or restraint techniques in circumstances where school personnel reasonably believe that the student's behavior involves an imminent risk of harm to the student or others. Seclusion shall mean a procedure that isolates and confines a student in a separate room or area until he or she is no longer an immediate danger to self or others. Restraint shall mean the application of bodily force or any device or object used to limit a person's movement. Imminent risk or harm shall mean an immediate and impending threat of a person causing substantial physical injury to self or others.

The parent or other legal guardian of a student who has been placed in seclusion or physically restrained shall be notified as soon as possible. The student's parent or other legal guardian shall also be notified in writing, within twenty-four (24) hours, of each incident of seclusion or physical restraint. Such notice shall include the reason for such seclusion or physical restraint, the procedures used, the length of time of the student's seclusion or physical restraint, and the names and titles of any school employee involved.

The Director/Principal shall be notified any time a student is placed in seclusion or is physically restrained.

A school employee who has placed a student in seclusion or who has physically restrained a student shall document and report each incident. Such report shall be submitted to the school principal no later than the school day immediately following the day on which the student was placed in seclusion or physically restrained and a copy shall be provided to the student's parent or legal guardian.

The rules and guidelines adopted for the appropriate use of Seclusion and Restraint shall be provided to all school employees and every parent of a student with an exceptionality. The rules and guidelines shall not be applicable to a student or the parent of a student who has been deemed to be gifted or talented unless the student has been identified as also having a disability.

All instances where seclusion or physical restraint is used to address student behavior shall be reported by The Max Academy to the Louisiana Department of Education.

## **Guidelines and Procedures**

The School Board shall require the Director/Principal and staff to maintain adequate procedures governing the use of seclusion and physical restraint of students that are in accordance with federal and state law, as well as regulations promulgated by the Louisiana Board of Elementary and Secondary Education (BESE).

At a minimum, the guidelines and procedures shall include the following:

1. No student shall be subjected to any form of mechanical restraint.
2. Physical restraint shall be used only:
  - a. 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.
  - b. to the degree necessary to stop dangerous behavior.
  - c. in a manner that causes no physical injury to the student, results in the least possible discomfort, and does not interfere in any way with a student's breathing or ability to communicate with others.
3. No student shall be physically restrained in a manner that places excessive pressure on the student's chest or back or that causes asphyxia.
4. A student shall be physically restrained only in a manner that is directly proportionate to the circumstances and to the student's size, age, and severity of behavior.
5. Seclusion and physical restraint shall 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.
6. No student shall be subjected to unreasonable, unsafe, or unwarranted use of seclusion or physical restraint.
7. A student shall not 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 provided to the school.
8. A student who has been placed in seclusion or has been physically restrained shall be monitored continuously. Such monitoring shall be documented at least every fifteen (15) minutes and adjustments made accordingly, based upon observations of the student's behavior.
9. A student shall be removed from seclusion or released from physical restraint as soon as the reasons for justifying such action have subsided.

## **Follow-Up Procedures**

Following any situation resulting in the use of seclusion or restraint of a student, a Functional Behavioral Assessment (FBA) should be considered. If a student is involved in five incidents in a single school year involving the use of physical restraint or seclusion, 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. The documentation compiled for a student who has been placed in seclusion or has been physically restrained and whose challenging behavior continues or escalates shall be reviewed at least once every three weeks.