

Restraint and Seclusion Policy

I. PURPOSE AND SCOPE

The District of Columbia Public Schools (DCPS) believes that social and emotional skills form a foundation for young people’s success not just in school, but also as healthy and caring adults, productive workers, and engaged citizens. DCPS wants all students and staff to learn and work in a safe school environment. Seclusion and restraint are only permitted in emergency situations to protect a student or other person from imminent, serious physical harm and other less intrusive, nonphysical interventions, including de-escalation, have failed or been determined to be inappropriate. This restriction applies to all students, including students with and without disabilities.

This policy conveys limitations on and requirements for the use of restraint and seclusion in emergency situations, and it is binding on all DCPS staff, contract employees, and volunteers. The purpose of this policy is to ensure that all students and staff are safe in school, students who may have a behavior crisis are free from inappropriate use of physical restraint or seclusion, and the use of these techniques does not violate students’ rights, including students with disabilities.

This policy provides the legal requirements for the use of restraint and seclusion and reaffirms DCPS’ commitment to Positive Behavior Interventions and Supports (PBIS) as a school-wide program which will reduce the incidence of emergency situations in schools. It includes specific information on what emergency situations are, what DCPS staff are required to do when they occur, and what follow-up steps are necessary after restraint or seclusion is used.

This policy rescinds and supersedes all previous policy, memoranda, directives, and guidance promulgated by DCPS on this subject matter.

II. AUTHORITY AND APPLICABLE LAW¹

Source	Citation
Federal Law	<ul style="list-style-type: none"> - Americans With Disabilities Act of 1990, 42 U.S.C. § 12101 <i>et seq.</i> - Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 701 <i>et seq.</i>
Federal Regulations	<ul style="list-style-type: none"> - 34 C.F.R. § 104.4 - 28 C.F.R. § 35.130
District of Columbia Municipal Regulations	Office of the State Superintendent of Education (OSSE) <ul style="list-style-type: none"> - 5-A DCMR Chapter 30 – Student Education DC Public Schools (DCPS) <ul style="list-style-type: none"> - 5-B DCMR Chapter 25 – Student Discipline

III. KEY TERMS AND DEFINITIONS

Behavior Intervention Plan (BIP) means a written plan that describes how an educational setting will be changed to improve the behavioral success of a child; the teaching that will occur to give the child alternative ways of behaving; the consequences that will be provided to encourage positive behavior, limit inadvertent reward of problem behavior, and where appropriate, discourage problem behavior; and procedures for ongoing assessment to determine if the BIP is being implemented correctly and if implementation is resulting in benefits for the child.

Chemical Restraint means the use of a drug to control a student's behavior or restrict freedom of movement. A drug ordered by a licensed physician as part of ongoing medical treatment plan or determined by a licensed physician to be medically necessary is not considered a chemical restraint.

Crisis Intervention Training means training provided to school personnel who deal with

SEDS means the Special Education Data System, also known as Easy IEP, which is a comprehensive data system designed to support children with disabilities. SEDS is used for program development, management, and record keeping.

2. Risk of Imminent, Serious

3. Medical/Psychological Conditions or History of Trauma

No physical restraint shall be administered if the student has a medical or psychological condition or a history of trauma that could make the use of restraint inadvisable or harmful. Because a medical or psychological condition or history of trauma may not always be documented, to the greatest degree possible, another adult who does not participate in the restraint should witness the administration of a restraint and assist in determining whether the restraint remains necessary and monitoring the student's condition.

D. Seclusion

Seclusion may only be used in emergency situations in which intervention is reasonably believed to be necessary to protect a student or other person from imminent, serious physical harm by staff who are trained and certified in the appropriate use of specific, evidence-based techniques.

1. Requirements

In all instances where seclusion is used, the following requirements apply:

- x Staff must provide the student with a developmentally appropriate explanation of the behavior that resulted in the seclusion and instructions on the behavior required to be released from the seclusion;
- x Staff must be able to see a student placed in seclusion at all times and must continuously monitor the student, including speaking with the student every ten (10) minutes at a minimum;
- x After thirty (30) minutes, the principal, assistant principal, or a special education LEA representative designee must personally observe the student to assess the need for continued seclusion; and
- x No instance of seclusion may continue for longer than one (1) hour.

2. Seclusion Spaces

The use of a locked door in the seclusion room is prohibited. A space used for seclusion must, at a minimum, meet these standards:

- x Be free of objects and fixtures with which a student could harm themselves;
- x Provide school staff an adequate view of the student from an adjacent area -6 (r)-2-5.8 (ro)4(m)-9()Tj/E004 Tw 5

- x All deans;
- x All dedicated aides; and
- x Behavior technicians, paraprofessionals, and teachers who are working in self-contained special education classrooms.

Other school staff may also elect to receive this training.

Staff will receive a certificate after the initial training to share with their principal and LEA representative designee. The Division of Specialized Instruction's

11. A description of any injuries to the student or any other individuals and any physical damage that occurred during the incident;
12. A list and signatures of staff who participated in the implementation, monitoring, and supervision of the restraint or seclusion event;
13. How the child was monitored after the incident;
14. A description of the short-term plan

5. Should the student be referred for Tier 2 or Tier 3 Multi-Tiered System of Supports (MTSS)