

Guidelines for Use of Seclusion and Physical Restraint with Exceptional Students

Louisiana Revised Statute 17:416.21 (Act 328 of 2011) and Louisiana Bulletin 1706 (Regulations for Students with Disabilities, rev. 2012) mandate that each Local Educational Agency develop and disseminate guidelines for use of seclusion and physical restraint to parents/guardians of exceptional students.

Comprehensive policies and procedures that include descriptions of methods and procedures for seclusion, physical transport, intervention, and control as well as procedures for parent notification, staff training, direct monitoring, data analysis, and documentation are available for review at each school site and at the Choice Foundation School websites. Copies of these documents will be provided upon request.

General guidelines for use of seclusion and physical restraint for students with exceptionalities in Choice Foundation Schools are as follow:

1. Seclusion or physical restraint will be used only when all other classroom interventions have been attempted and proven unsuccessful in remediating self-injurious or physically aggressive behaviors and then only to prevent the immediate escalation of aggressive behavior and imminent physical injury to other students or faculty.
2. Physical control techniques that result in minimal discomfort and no physical injury to the student will be implemented exclusively. Interventions used will not interfere with a student's ability to breathe freely or communicate with others. Students will not be restrained in a manner that places excessive pressure on the back or chest that may present a risk of asphyxia.
3. Neither seclusion nor physical intervention will be used as a form of discipline or punishment, as a threat to control, bully or to obtain compliance, for convenience of school personnel, or when unsafe, unreasonable, or unwarranted. Seclusion is prohibited for addressing behaviors such as general noncompliance, self-stimulation, and academic refusal. Seclusion and physical restraint will not be used after imminent substantial risk of injury no longer exists. Seclusion will not be used to isolate a student from needed educational instruction. Staff will not attempt to gain compliance by reminding a student of behaviors that have resulted in physical restraint or seclusion the past.
4. If a student has a medical or psychological condition that precludes seclusion and/or physical intervention, as certified in a written statement by a licensed health care provider, physical restraint will not be used with that student. That student's Individualized Education Plan (IEP) team will develop and implement interventions to address that student's individual needs.
5. No mechanical devices such as stockinettes, web straps, or tie downs will be used for physical restraint. Adaptive devices such as braces, postural aids, and other equipment prescribed through the Individualized Education Plan (IEP) to assist a student to benefit from his/her educational programming are not considered to be restraints.
6. Only school personnel that have specific experiential training in the safe and proper application of prescribed techniques will employ seclusion and physical restraint. Only approved procedures will be used. All trained personnel are required to assist, if needed, when physical transport or restraint is implemented.
7. Physical restraint or seclusion will not serve as the sole means of behavioral intervention and support for any student with a disability. Special education students who have a documented history of physical aggression will have a behavior management plan included as a component of their Individualized Education Plan. This behavior plan will designate when seclusion or physical restraint is used and the behavioral consequences that will follow use of seclusion or restraint. Seclusion and physical restraint used for reasons other than imminent risk of harm and use of procedures contrary to those approved listed shall be considered unreasonable and are strictly prohibited.
8. In an emergency situation, physical restraint or seclusion may be used with any student to prevent injury to that student or others. However, every behavioral incident that involves physical intervention is subject to review by principals, administrative staff, community advocates, and parents. Staff is advised to be extremely cautious when using physical interventions when students do not have such interventions included in their Individualized Education Plans.

9. Personnel will not discuss any aspect of seclusion or physical restraint with any student at any time. Once an incident of seclusion or physical restraint is ended, teachers and others will return to teaching and providing opportunities for students to earn positive reinforcers.
10. When seclusion or physical restraint is implemented, the student's principal or a designee must notify the student's parent or guardian before the end of that school day. The principal must also notify the Director of Student Support Services or a designee before the end of that day and review, sign, and fax a copy of the intervention report to that Director within 24 hours. A copy of the documents will be forwarded to parents and the school's Behavior Interventionist as soon as possible.
1. After a seclusion/restraint incident, the Special Education teacher will convene the IEP Team within 10 days to review and revise accommodations, modifications, and/or behavior intervention plans in an effort to prevent future occurrences. The Special Education Program Manager for that school must be present at the IEP meeting.
11. Physical Restraint/Seclusion Incident Reporting data will be analyzed at least annually. Procedures will be reviewed and revised as necessary in the interim to ensure appropriateness and effectiveness.
12. Data will be used to track the number of incidents of physical restraint/seclusion by student, staff, and type of incidents, description and number of injuries sustained by student and/or staff and the nature of any such injuries, and other factors such as precipitating events and other observable factors. Related data will be available to parents/guardians of children and other interested parties upon request. A copy of these guidelines will be provided to parents/guardians of students with disabilities and exceptional students at age of majority at least annually either as a freestanding document or as a component of a more comprehensive Students Rights and Responsibilities Handbook.