

Montcalm Area ISD Seclusion and Restraint Manual



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GUIDELINES FOR POSITIVE SUPPORT SYSTEMS: SECLUSION AND RESTRAINT

Belief:

An effective school-wide system provides a full continuum of methods to support appropriate behavior and to promote safety. **Positive Behavior Supports (PBS)** is a flexible system that pinpoints interventions to support adaptive and pro-social behavior along with fostering dignity and self-esteem in students. (*Appendix A1, Positive Behavior Support Policy, MDE, 2006*)

Background:

In our schools, discipline has traditionally been school-based reactive and targeted toward specific children with serious behavior problems. Positive Behavior Supports, or PBS as it is commonly known, is a proactive and positive approach to student behavior.

Many opponents to the procedures of seclusion and physical restraint argue that they are used too often in school settings. Students may suffer serious injuries when restraints are used inappropriately. Seclusion may unnecessarily remove students from the classroom and deny them a fundamental right to an education. This difference in opinion regarding the use of these procedures has resulted in a number of lawsuits and due process hearings.

What are Positive Behavior Supports?

PBS brings schools, parents, and the community together, to support the teaching and learning of successful student behavior for ALL students. When schools become learning communities and implement PBS on a school-wide basis, schools become safer and more productive. Quality of life improves for everyone engaged in the teaching and learning process.

PBS is a data-based effort that concentrates on adjusting the system that supports the student. PBS is implemented by collaborative, school-based teams using person-centered planning. School-wide expectations for pro-social behavior are clearly stated, promoted by learning, and referenced. New contacts, positive experiences and role models, along with appropriate relationships are developed in the student-centered system.

There are many signs of success in schools that are using Positive Behavior Support to respond to the needs of students who demonstrate inappropriate behaviors. Some of the successes include:

- students who improved their academic performance;
- students with fewer office referrals, suspensions, and expulsions;
- an improved school climate;
- higher graduation rates; and
- a process in place to allow ongoing evaluation and refinement of the educational system

In 1997, Congress amended the *Individuals with Disabilities Education Act (IDEA)* to require that students with disabilities who have behavioral challenges receive Positive Behavior Support that is based on the results of functional assessments of their behavior. However, IDEA did not include any guidelines or procedures that schools could follow to implement Positive Behavior Support. In February 2000, the Michigan Department of Education published the PBS document. The full document provides a framework to help schools, families, and communities understand the concept of Positive Behavior Support and guide the use of PBS in Michigan schools.

Positive Behavior Supports (PBS), (www.pbis.org) applies a problem-solving approach to behavior concerns. This involves systematically looking at where, when, and why a student behaves the way she/he does. PBS is a team approach, which meets to decide on interventions that are most likely to create the kind of environment where students can learn responsible behaviors and achieve academic success.

Learning and behavior problems are assessed comprehensively through PBS. Functional assessments of learning and/or behavior challenges are linked to a function that focuses on skill building. The effectiveness of the selected intervention is evaluated and reviewed, leading to data-based revisions. Change efforts emphasize the use of positive interventions that support adaptive and pro-social behavior and build on the strengths of the student, leading to an improved quality of life.

Why Should Schools Use Positive Behavior Supports?

Along with PBS effectively addressing academic and behavioral difficulties through Functional Behavioral Assessment, students benefit from modeling, system supports and comprehensive accommodations. Students become involved in efforts to change their behavior. Slowly, they begin to understand their behavior. PBS is supported by research and complements a variety of teaching approaches and classroom discipline models. Anticipated outcomes for Michigan students include:

- Increased educational achievement as students spend more time on learning and completing assignments.
- Students experience self-control and self-determination with fewer office referrals, suspensions, expulsions, and improved conflict resolution and better attendance.

Michigan schools benefit by:

- Improved school climate and interpersonal relationships
- Increased student independence and community involvement
- Higher graduation rates
- Safer environment
- Reduced dependence on public assistance and agencies
- Ongoing evaluation and refinement of the educational system and enhanced public confidence in education

Components of Positive Behavior Support:

Student support teams guide parents, students, teachers, and other practitioners through a collaborative process to develop strategies to help students with learning and/or behavior problems. These teams represent a growing service delivery model including problem solving and intervention planning.

Historically, the study of behavior has included both the antecedents and consequences of behavior. The strengths of Functional Behavioral Assessment (FBA) and Positive Behavior of the “rediscovery” of the antecedents of behavior, which developed in reaction to practical applications of behavior intervention that too often, overemphasize consequences. Requiring a FBA and a BIP provides a reconsideration of the antecedent to challenging behavior.

Functional Behavioral Assessment is a process of gathering information to develop support plans. A comprehensive FBA identifies the consequences (what is done in response to the behavior) to maintaining behaviors and the contexts those behaviors reflect antecedents and setting events. A FBA selects interventions that are flexible and are linked to an **informed** hypothesis gathered from the team, not just one person. Data demonstrates the effectiveness of the intervention and the need to revise the behavior plan. This planning should be driven by members of the team working with the student. These

members should all have a vested interest in observing and collaborating as documented in §300.530(1)(i)(ii).

The four goals of an FBA:

- Describe the behavior
- Predict where the behavior occurs (when and where are key) –
- Identify the possible reasons for the individual’s behavior across time and place
- Propose interventions that match the “best guess” about why the behavior occurs, ultimately leading to a resolution –

FBA is a tool used for all students including general education students who are experiencing frequent detentions and suspensions, alternative education students, those with Section 504 plans, and students receiving special education services.

FBA’s are helpful in these situations:

- An IEP team can develop a FBA and design interventions into a written plan if a student’s behavior interferes with learning.
- If a student’s learning is not progressing towards goals/objectives and/or behavior problems are affecting learning and/or progress a FBA can troubleshoot what is causing the difficulty.
- A FBA can help with disagreements between parents and a school district over issues of Least Restrictive Environment (LRE) placement, and services needed for the student.
- FBA is required when a student experiences change in educational placement, such as suspension over 10 days or placement in an interim or alternative setting.

A FBA supports student’s efforts towards academic success and development of self-regulation.

Positive Behavior Support Plan (PBSP) is a written individualized behavior support plan based on a functional assessment of a student. A **PBSP** is the Positive Behavior Support plan for the student’s academic and behavior concerns.

A **PBSP** is:

- Based on the FBA
- Driven by the hypothesis
- Directed toward building skills and environmental changes
- Contains multiple intervention components
- Assessed for a comprehensive change in the targeted behavior, at the same time offering maintenance across time and generalization across settings.

The PBSP addresses **replacement behaviors** and reinforcement for independent student work. The PBSP can include: success-assured tasks for the student while learning to apply appropriate behavior and work independently, describe reinforcers for that student on a schedule of reinforcement, determine **PBSP** evaluation criteria, and set review and revision schedules.

Responding to Emergency Situations:

Schools are among the safest for children across communities. Although incidents of school violence decreased in the 1990’s, recent tragic, highly publicized incidents have left students and school staff feeling less safe. The reality of life in schools is that student behaviors sometimes conclude in infrequent but violent/dangerous situations. Emergencies can occur that require immediate staff

response to a real threat of physical harm to the environment and schools. The *Revised School Code Act 451 of 1976, (Appendix A2)* states that schools must “provide for the safety and welfare of pupils at school or at a school sponsored activity or while enroute from school or a school sponsored activity” (*Michigan Compiled Laws 380.11a(3)(b)*). Therefore, a foundation of rules, rule training, rule enforcement, consideration of antecedent events, consistent use of consequences, and a structured schedule with learned routines should be established to avoid emergency situations.

I. Framework for Training:

All MAISD staff will be trained in positive behavior supports (PBS) and trauma informed practices, along with non-violent crisis intervention from the Crisis Prevention Institute, Inc. (CPI) and instruction. These models are suggested approaches to aid children with challenging behaviors and support the State Board of Education’s policy on *Supporting Student Behavior: Standards for the Emergency Use of Seclusion and Restrain/Nonviolent Crisis Intervention. (Appendix A3)* by using proactive strategies, ensuring the dignity of students, social skills training, de-escalation techniques, and identifying early signs in behavior that lead to potential crisis.

- Substitute MAISD teachers will attend awareness training yearly on emergency procedures, including the use of seclusion and restraint.
- Locals (LEA) may adopt this policy or choose to develop their own to meet the following requirements put forth by the State Board of Education.

Training Framework

A comprehensive framework includes:

- awareness training for the broader educational community, including pre-service training for all teachers
- awareness training for substitute teachers: and
- comprehensive training for key identified personnel.

Training Component

All training for key identified personnel must include:

- proactive practices and strategies that ensure the dignity of students;
- conflict resolution;
- mediation;
- social skills training;
- de-escalation techniques;
- positive behavior support strategies;
- techniques to identify student behaviors that may trigger emergency safety situations;
- related safety considerations, including information regarding the increased risk of injury to students and staff when seclusion or restraint is used;
- instruction in the use of seclusion and restraint;
- identification of events and environmental factors that may trigger emergency safety situations; and
- instruction on the State Board of Education policy on *Supporting Student Behavior: The Emergency Use of Seclusion and Restraint*.

For more information on **Crisis Prevention Institute, Inc. (CPI)**

www.crisisprevention.com

II. Intervention Strategies:

1. Assessment of the learning environment.
2. De-escalation Techniques are strategically employed verbal or non-verbal interventions used to reduce the intensity of threatening behavior before a crisis situation occurs. (Manual of Recommended Practice, Project REST, June 2004)
3. Timeout Definitions:

Timeout is a behavior intervention where a student, for a limited and specified time, is placed in an environment where access to positive reinforcement is not available. **Timeout should not be confused with seclusion because in a timeout setting a student's movement is not physically restricted. (See seclusion)**

- **Planned Ignoring** – is the systematic withdrawal of social attention for a predetermined time period upon the onset of mild levels of problem behavior.
- **Withdrawal of Materials** – are removed upon the occurrence of the inappropriate behavior.
- **Contingent Observation** – where student remains in a position to observe the group without participation or receiving reinforcement for a specified period of time.
- **Exclusionary Timeout** – where the student is removed from the immediate instructional setting in response to behavior that requires immediate and direct cessation. This form of timeout can take place within the same classroom or in a nearby location that can be supervised by an adult.

III. Seclusion:

Emergency seclusion is an emergency safety intervention that is used as a last resort to provide the student an opportunity to regain self-control. **Seclusion is the confinement of a student alone in a room or other space from which the student is physically prevented from leaving and which provides for continuous adult observation of the student.** The area used for seclusion:

- must not be locked;
- must not prevent the student from leaving the area should staff become incapacitated or leave that area; and
- must provide for adequate space, lighting, ventilation, viewing, and the safety of the student.

Limitations in Use:

Seclusion shall not be used:

- for the convenience of staff;
- as a substitute for an education program;
- as a form of discipline/punishment;
- as a substitute for less restrictive alternatives;
- as a substitute for adequate staffing; or
- as a substitute for staff training in positive behavior supports and crisis prevention and intervention.

Seclusion is inappropriate for students who are severely self-injurious or suicidal.

Use of Emergency Seclusion

A behavior that requires immediate intervention constitutes an emergency. Emergency seclusion must be used only under emergency situations and if essential. An emergency that may require the use of seclusion includes behavior that:

- poses an imminent risk to the safety of an individual student; or
- poses an immediate risk to the safety of others.

General Procedures for Emergency Seclusion

An emergency seclusion may not be used in place of appropriate less restrictive interventions and should follow a series of proactive attempts.

- **Emergency seclusion** shall be performed in a manner that is:
 - safe;
 - appropriate; and
 - proportionate to and sensitive to the student's: (See Time and Duration)
 - severity of behavior;
 - chronological and developmental age;
 - physical size;
 - gender;
 - physical condition;
 - medical condition;
 - psychiatric condition; and
 - personal history, including any history of physical or sexual abuse.
- **Staff shall** immediately call for help from a key identified personnel trained in CPI.
 - All **LEA's** must ensure that substitute teachers are informed of all local emergency procedures, **including the emergency use of seclusion and restraint.**
- **Time and Duration** – Emergency seclusions should not be used any longer than necessary to allow a student to regain control of his/her behavior, but generally:
 - Elementary school students – no longer than 15 minutes; and
 - Middle and high school students – no longer than 20 minutes.

If an emergency seclusion lasts longer than the suggested maximum time, the following are required:

- additional support (e.g., changes of staff, introducing a nurse or specialist, obtaining additional expertise); and
 - documentation to explain the extension beyond the time limit.
- **Staff Requirements** – While using seclusion, staff must:
 - involve appropriately-trained key identified personnel to protect the care, welfare, dignity, and safety of the student;
 - continually observe the student in seclusion for indications of physical distress and seek medical assistance if there is a concern; and
 - document observations.
 - **Documentation and Reporting** – Each use of an emergency seclusion and the reason for each use shall be:
 - documented in writing and reported to the building administration immediately including what occurred leading up to the seclusion, during seclusion, and after the use of seclusion; (*Appendix B1, Incident report*);
 - reported to the parent or guardian immediately or as soon as possible; and
 - documented in a written report for each use of seclusion (including multiple uses within a given day) and given to the parent or guardian within **24 hours**.

- **Debrief** – After any use of an emergency seclusion, staff must debrief and consult with parents and students (as appropriate) regarding the determination of future actions. (*Appendix B2*)

Questions to address include:

- What precipitated the behavior that required emergency intervention?
 - Is there any anticipation that the behavior will occur again?
 - Is there a need for follow-up action?
 - What is the specific follow-up action?
- **Reoccurring Behavior** – School personnel must be cognizant of emerging patterns of behavior and anticipation of exhibited behaviors that would require emergency seclusion. (see §300.534.3)
 - conduct a functional behavioral assessment
 - develop or revise a positive behavioral support plan to facilitate the reduction/elimination of the use of seclusion
 - develop an assessment and planning to establish the team process working with the student, including:
 - the parent;
 - student (if appropriate);
 - people who are responsible and deliver services to the student;
 - people knowledgeable in PBS;
 - **It is essential to this policy that seclusion only be used in response to an emergency as defined in this document, and not as a planned response for the convenience of staff, discipline and punishment, or as a substitution for an appropriate educational program.**
 - **Emergency Intervention Plan** – In the case of anticipated reoccurrences of behavior as in the above mentioned **Reoccurring Behavior**, which requires a PBS plan. An emergency intervention plan should be developed by both parent and team member knowledgeable of seclusion.
 - The emergency intervention plan should be developed and implemented by taking the following documented steps:
 - describe in detail the emergency intervention procedure;
 - inquire with parent/medical personnel regarding any health contraindications for the use of seclusion;
 - conduct a peer review with student and inform of plan;
 - gain informed consent from the parent after providing the following:
 - an explanation of the emergency procedures to be followed and purpose of the emergency seclusion;
 - a description of possible discomforts or risks;
 - a discussion of possible alternative strategies with advantages of disadvantages;
 - answer any questions;
 - information on freedom to withdraw consent at any time;

When seclusion is included in an emergency intervention plan, the student should be told or shown the circumstances under which the emergency seclusion will be used. If concerns arise regarding humaneness or social acceptability, a human rights' committee should be convened to review the emergency intervention plan.

- As defined an emergency intervention plan includes:
 - periodic review of the plan and related data;
 - ensure that responsible staff are trained in specific techniques in the emergency intervention plan; and
 - maintain necessary staffing.
- **Data Collection** – The school district shall develop a data collection system regarding the use of seclusion.
 - The data should:
 - be analyzed to determine the effectiveness of the school’s school-wide system of behavioral support;
 - be analyzed in the context of suspension, expulsion, and dropout data;
 - be analyzed for the purpose of continuous improvement of training and technical assistance toward the reduction or elimination of seclusion;
 - be analyzed on a schedule to be determined by the MDE;
 - be reported to the MDE;
 - include a list of key trained personnel and their levels of education, training, and knowledge.
- **Prohibited Practices** - The following are prohibited under all circumstances, including emergency situations:
 - corporal punishment as defined in §380.1312(1) of The Revised School Code, 1976 PA 451; the deprivation of basic needs;
 - anything constituting child abuse;
 - seclusion of preschool children; and
 - the intentional application of any noxious substance(s) or stimuli which results in physical pain or extreme discomfort. A noxious substance or stimuli can either be generally acknowledged or specific to the student.

IV. Restraint:

There are three types of restraint: physical, chemical, and mechanical. For the purpose of this document only physical restraint will be talked about because chemical and mechanical restraints are not allowed (use of a protective device or medication for the purpose of controlling).

- **Physical restraint** – is the direct physical contact that prevents or significantly restricts a student’s movement. Restraint is a last resort emergency safety intervention. Restraint is an opportunity for the student to regain self-control. This policy is not intended to forbid actions undertaken:
 - to break up a fight
 - to take a weapon away from a student
 - the brief holding to calm and comfort by an adult
 - minimum contact necessary to physically escort a student from one area to another
 - assisting a student in completing a task/response if the student does not resist or resistance is minimal in intensity or duration
 - to hold a student for a brief time in order to prevent an impulsive behavior that threatens the student’s immediate safety (e.g. running in front of a car).

Limitation of Use

Same as seclusion

Use of Emergency Restraint

A behavior that requires immediate intervention constitutes an emergency. Emergency restraint must be used only under emergency situations and is essential. An emergency that may require the use of restraint includes behavior that:

- poses an imminent risk to the safety of an individual student;
- poses an imminent risk to the safety of others; or
- **is otherwise governed by The Revised School Code, 1976 PA 451, otherwise known as the Corporal Punishment Act.**

General Procedures for Emergency Restraint

Same as seclusion

- **Staff shall** – (Same as seclusion)
- **Time and Duration** – Restraint should not be used:
 - **any longer than necessary to allow students to regain control of their behavior; and**
 - **generally no longer than ten minutes.**

If an emergency restraint lasts longer than ten minutes, the following are required:

- additional support (e.g., change of staff, introducing a nurse or specialist, obtaining additional expertise); and
- documentation to explain the extension beyond the time limit.
 - **Staff Requirements** – Same as seclusion
 - **Documentation & Reporting** – Same as seclusion
 - **Debrief** – Same as seclusion
 - **Reoccurring Behavior** – Same as seclusion
 - **Emergency Intervention Plan** – Same as seclusion
 - **Data Collection** – Same as seclusion

Prohibited Practices

The following procedures are prohibited under all circumstances, including emergency situations:

- mechanical restraint;
- chemical restraint;
- corporal punishment as defined in §380.1312(1) of The Revised School Code, 1976 PA 451, otherwise known as the Corporal Punishment Act;
- the deprivation of basic needs;
- anything constituting child abuse;
- any restraint that negatively impacts breathing;
- prone restraint (is the restraint of a person face down);
 - school personnel who find themselves involved in the use of a prone restraint as the result of responding to an emergency, must take immediate steps to end the prone restraint
 - the intentional application of any noxious substance(s) or stimuli which results in physical pain or extreme discomfort. A noxious substance or stimuli can either be generally acknowledged or specific to the student.

VII. References

Iowa Department of Education, "Using Timeout in an Effective and Ethical Manner", September 2003, Des Moines, IA

Family Resource Center for Disabilities and Special Needs, "Manual of Recommended Practice: Project REST, June 2004, South Carolina

Crisis Prevention Institute, Inc. "Alignment with Michigan State Board of Education – *Supporting Student Behavior: Standards for the Emergency Use of Seclusion and Restraint/Nonviolent Crisis Intervention Training Program*" 2007, Brookfield, WI.

Crisis Prevention Institute, Inc. "Risks of Restraints," 2002, Brookfield, WI

Freeman, R., "Building Inclusive School Cultures Using School-wide PBS: Designing Effective Individual Support Systems for Students with Significant Disabilities," *Research and Practice for Persons with Severe Disabilities*, 2006, vol. 31, no. 1, p.4-17.

Michigan Department of Education, "Positive Behavior Supports for all Michigan Students: Creating Environments that Assure Learning," 2000

Websites

www.cenmi.org

www.crisisprevention.com

www.pbis.org

www.challengingbehavior.org

Appendix A

A-1 Positive Behavior Support Policy

Michigan
State Board of Education

POSITIVE BEHAVIOR SUPPORT POLICY

The vision of the State Board of Education is to create learning environments that prepare students to be successful citizens in the 21st Century. The educational community must provide a system that will support students' efforts to manage their own behavior and assure academic achievement. An effective behavior support system is a proactive, positive, skill-building approach for the teaching and learning of successful student behavior. Positive behavior support systems ensure effective strategies that promote pro-social behavior and respectful learning environments. Research-based positive behavior support systems are appropriate for all students, regardless of age.

The principles of Universal Education reflect the beliefs that each person deserves and needs a positive, concerned, accepting educational community that values diversity and provides a comprehensive system of individual supports from birth to adulthood. A positive behavior support policy incorporates the demonstration and teaching of positive, proactive social behaviors throughout the school environment.

A positive behavior support system is a data-based effort that concentrates on adjusting the system that supports the student. Such a system is implemented by collaborative, school-based teams using person-centered planning. School-wide expectations for behavior are clearly stated, widely promoted, and frequently referenced. Both individual and school-wide learning and behavior problems are assessed comprehensively. Functional assessment of learning and behavior challenges is linked to an intervention that focuses on skill building. The effectiveness of the selected intervention is evaluated and reviewed, leading to data-based revisions. Positive interventions that support adaptive and pro-social behavior and build on the strengths of the student lead to an improved learning environment. Students are offered a continuum of methods that help them learn and maintain appropriate behavior and discourage violation of codes of student conduct.

In keeping with this vision, it is the policy of the State Board of Education that each school district in Michigan implement a system of school-wide positive behavior support strategies.

Adopted September 12, 2006

Supporting Student Behavior: Standards for
the Emergency Use of Seclusion and Restraint

Michigan Department of Education

A-2 CPI Alignment

Michigan State Board of Education—*Supporting Student Behavior: Standards for the Emergency Use of Seclusion and Restraint/Nonviolent Crisis Intervention*® Training Program

Alignment

Michigan State Board of Education— <i>Supporting Student Behavior: Standards for the Emergency Use of Seclusion and Restraint (Part IV-B) Requires:</i>	<i>Nonviolent Crisis Intervention</i> ® Training Program
<ul style="list-style-type: none"> Proactive practices and strategies that ensure the dignity of students 	<p>The Crisis Prevention Institute's (CPI) <i>Nonviolent Crisis Intervention</i>® training program is based on the philosophy of providing the best <i>Care, Welfare, Safety, and Security</i>™ for all involved in a crisis situation—including staff and students. The program focuses on preventive techniques and teaches verbal intervention strategies. Physical restraint techniques are taught only as a last resort, when less restrictive interventions have failed. All verbal and physical techniques are designed to ensure the dignity of students and do not include pain compliance techniques.</p>
<ul style="list-style-type: none"> Conflict resolution Mediation Social skills training De-escalation techniques 	<p>At the center of the <i>Nonviolent Crisis Intervention</i>® training program is the CPI <i>Crisis Development Model</i>™. This model teaches staff proper de-escalation techniques for the different levels of a crisis situation. Multiple strategies of de-escalation are shared with participants, including planned redirection and limit setting.</p>
<ul style="list-style-type: none"> Positive behavior support strategies 	<p>The <i>Nonviolent Crisis Intervention</i>® training program and positive behavior support (PBS) offer complementary strategies for providing the best <i>Care, Welfare, Safety, and Security</i>™ before, during, and after a crisis situation. Two concepts taught in <i>Nonviolent Crisis Intervention</i>® training, the Integrated Experience and the CPI <i>Crisis Development Model</i>™, are particularly compatible with PBS. *(See page 4)</p>
<ul style="list-style-type: none"> Techniques to identify student behaviors that may trigger emergency safety situations 	<p>The <i>Nonviolent Crisis Intervention</i>® program teaches participants to recognize and respond to early signs of a potential crisis. Participants are instructed to be aware of nonverbal, paraverbal, and verbal communication from students that might signal a potential crisis behavior.</p>



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<p>Michigan State Board of Education—<i>Supporting Student Behavior: Standards for the Emergency Use of Seclusion and Restraint</i> (Part IV-B) Requires:</p>	<p><i>Nonviolent Crisis Intervention®</i> Training Program</p>
<ul style="list-style-type: none"> • Related safety considerations, including information regarding the increased risk of injury to students and staff when seclusion or restraint is used 	<p>Because of the inherent danger in using any restraint, the <i>Nonviolent Crisis Intervention®</i> training program provides extensive information on safer restraint use. The program teaches participants which positions are most dangerous, how to monitor for injury or distress, and when to disengage from a physical restraint.</p>
<ul style="list-style-type: none"> • Instruction in the use of seclusion and restraint 	<p>The <i>Nonviolent Crisis Intervention®</i> training program provides instruction in the safe use of <i>CPI Personal Safety Techniques™</i> and restraint techniques. The restraint techniques taught are viewed as emergency procedures to be used only when an individual is a danger to self or others. In addition, the <i>CPI Transport Position™</i> may be used when applicable as a transition to seclusion.</p>
<ul style="list-style-type: none"> • Identification of events and environmental factors that may trigger emergency safety situations 	<p>CPI uses the term <i>Precipitating Factors</i> when discussing this topic. This term is defined as “internal or external causes of an acting-out behavior over which a staff member has little or no control.” Participants are encouraged to identify <i>Precipitating Factors</i> in their own setting that may trigger emergency safety situations. Examples are provided regarding common categories of <i>Precipitating Factors</i>.</p>
<ul style="list-style-type: none"> • Instruction on the State Board of Education policy on <i>Supporting Student Behavior: The Emergency Use of Seclusion and Restraint</i> 	<p>Certified Instructors are encouraged to incorporate the policies contained in this standard and other workplace-specific information when they train the <i>Nonviolent Crisis Intervention®</i> program.</p>
<ul style="list-style-type: none"> • Description and identification of dangerous behaviors 	<p>The <i>CPI Crisis Development Model™</i> identifies different levels of a crisis situation and typical behaviors that correspond with each level. Examples of dangerous behaviors, specific to participants’ setting, can be drawn out through discussion. Certified Instructors are able to customize this portion of the program to meet the needs of their participants.</p>
<ul style="list-style-type: none"> • Methods for evaluating the risk of harm to determine whether the use of seclusion or restraint is warranted 	<p>CPI takes great care to emphasize the appropriate use of restraint. The <i>Nonviolent Crisis Intervention®</i> program teaches participants that restraint should only be used as a last resort, and only if the person’s behavior is more dangerous than the danger of using restraints. CPI also encourages staff to evaluate and document when the use of restraint is acceptable within their setting through organizational level policies and procedures.</p>
<ul style="list-style-type: none"> • Types of seclusion • Types of restraint 	<p>Through the <i>Nonviolent Crisis Intervention®</i> training program, participants learn several restraint techniques, as well as CPI’s <i>Personal Safety Techniques™</i>. Additionally, the <i>CPI Transport Position™</i> may be used when applicable as a transition to seclusion.</p>

Michigan State Board of Education—<i>Supporting Student Behavior: Standards for the Emergency Use of Seclusion and Restraint</i> (Part IV-B) Requires:	<i>Nonviolent Crisis Intervention</i>® Training Program
<ul style="list-style-type: none"> • The risk of using seclusion and restraint in consideration of a student's known and unknown medical or psychological conditions • The effects of seclusion and restraint on ALL students 	<p>All physical restraints involve some possibility of injury to the person being restrained and to the staff. There is also a psychological danger in using restraints. Being restrained can be a frightening—even traumatic—experience. The <i>Nonviolent Crisis Intervention</i>® training program includes discussion on how to monitor for signs of physical or psychological distress while a person is being restrained. The use of restraint is an emergency procedure used only when the potential danger of intervening is surpassed by the imminent danger of the crisis moment. CPI advocates for making this determination based on several factors, including the student's medical and psychological conditions.</p>
<ul style="list-style-type: none"> • How to monitor the physical signs of distress 	<p>The <i>Nonviolent Crisis Intervention</i>® Instructor Manual includes information on how to monitor for physical signs of distress. CPI also advocates that during any restraint a staff member not participating in the restraint should be available to monitor for signs of distress.</p>
<ul style="list-style-type: none"> • How to obtain medical assistance 	<p>The program instructs participants to problem solve when and how to call for additional assistance. CPI further recommends that this be detailed in organizational level policy and procedure.</p>

Michigan State Board of Education—<i>Supporting Student Behavior: Standards for the Emergency Use of Seclusion and Restraint</i> (Section III. Positive Behavior Support) PBS emphasizes behavior that encourages learning by:	<i>Nonviolent Crisis Intervention® Training Program</i>
<ul style="list-style-type: none"> • Building relationships 	<p>In addition to the sections of <i>Nonviolent Crisis Intervention®</i> training that focus on communication, de-escalation, and supportive staff responses, Unit X, Postvention, also focuses on building a relationship with the person in crisis through the <i>CPI COPING Model™</i> for debriefing.</p>
<ul style="list-style-type: none"> • Creating routines 	<p>Structure and routines are very important to individuals with special learning needs. This concept is taught in <i>Nonviolent Crisis Intervention®</i> training and is reinforced in the advanced programs <i>Enhancing Verbal Skills: Applications of Life Space Crisis Intervention™</i> and <i>Autism Spectrum Disorders: Applications of Nonviolent Crisis Intervention® Training</i>.</p>
<ul style="list-style-type: none"> • Teaching skills/rules/expectations 	<p>Establishing clear, consistent, and enforceable rules and expectations to equip students with skill sets in an orderly school environment is taught in <i>Nonviolent Crisis Intervention®</i> training in the units related to setting limits.</p>
<ul style="list-style-type: none"> • Identifying replacement behaviors that interfere with learning 	<p>Students with special learning needs often display behaviors that interrupt time on task and inhibit maximizing their learning potential. This concept is taught in <i>Nonviolent Crisis Intervention®</i> training through the <i>CPI COPING Model™</i> for debriefing. This process is reiterated and extended through aspects of <i>Enhancing Verbal Skills: Applications of Life Space Crisis Intervention™</i> and <i>Autism Spectrum Disorders: Applications of Nonviolent Crisis Intervention® Training</i>.</p>
<ul style="list-style-type: none"> • Making problem behavior less effective, efficient, and relevant 	<p>After a student incurs a crisis moment, teaching more productive behavior is done in Unit X, Postvention, with students and staff through the <i>CPI COPING Model™</i> for debriefing. Identifying triggering or Precipitating Factors and teaching new behaviors students can use next time can reduce reoccurrence.</p>
<ul style="list-style-type: none"> • Making the desired behavior more functional and adaptive 	<p>Positive Behavior Supports and Functional Behavior Assessment are benchmark content strands of the advanced training program <i>Autism Spectrum Disorders: Applications of Nonviolent Crisis Intervention®</i> training.</p>

The material contained in this alignment is provided for informational purposes only and is not intended to constitute legal advice. Legal counsel should be consulted regarding the specific application of this information to your organization. For more information on this rule, please contact the Michigan State Board of Education at 1-517-373-3324. For more information on the *Nonviolent Crisis Intervention®* training program, please contact CPI at 1-800-558-8976.

**THE REVISED SCHOOL CODE (EXCERPT)
Act 451 of 1976**

380.1312 "Corporal punishment" defined; infliction of corporal punishment by employee, volunteer, or contractor; exercise of necessary reasonable physical force; liability; violation; deference given to reasonable good-faith judgments; development, implementation, and enforcement of code of student conduct; model list of alternatives to use of corporal punishment; authority permitting corporal punishment void.

Sec. 1312.

(1) As used in this section, "corporal punishment" means the deliberate infliction of physical pain by hitting, paddling, spanking, slapping, or any other physical force used as a means of discipline.

(2) Corporal punishment does not include physical pain caused by reasonable physical activities associated with athletic training.

(3) A person employed by or engaged as a volunteer or contractor by a local or intermediate school board or public school academy shall not inflict or cause to be inflicted corporal punishment upon any pupil under any circumstances.

(4) A person employed by or engaged as a volunteer or contractor by a local or intermediate school board or public school academy may use reasonable physical force upon a pupil as necessary to maintain order and control in a school or school-related setting for the purpose of providing an environment conducive to safety and learning. In maintaining that order and control, the person may use physical force upon a pupil as may be necessary for 1 or more of the following:

(a) To restrain or remove a pupil whose behavior is interfering with the orderly exercise and performance of school district or public school academy functions within a school or at a school-related activity, if that pupil has refused to comply with a request to refrain from further disruptive acts.

(b) For self-defense or the defense of another.

(c) To prevent a pupil from inflicting harm on himself or herself.

(d) To quell a disturbance that threatens physical injury to any person.

(e) To obtain possession of a weapon or other dangerous object upon or within the control of a pupil.

(f) To protect property.

(5) A person employed by or engaged as a volunteer or contractor by a local or intermediate school board or public school academy who exercises necessary reasonable physical force upon a pupil, or upon another person of

Appendix B
B-1 Incident Report

Montcalm Area Intermediate School District
 Student Incident Form
Revised 8/2/2019

Student Name:	Grade:	Teacher:	Date of Incident: ____/____/____	Time of Incident: ____:____
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Staff Members Involved		
Name, Title	Name, Title	Name, Title
Name, Title	Name, Title	Name, Title

Factors Leading to Incident	
Antecedents/Possible Triggers: _____	
Perceived Motivation <input type="checkbox"/> Obtain peer attention <input type="checkbox"/> Avoid peer attention <input type="checkbox"/> Obtain adult attention <input type="checkbox"/> Avoid adult attention <input type="checkbox"/> Obtain task/activity <input type="checkbox"/> Avoid task/activities <input type="checkbox"/> Other _____ <input type="checkbox"/> Unknown _____	Positive Interventions Tried: <input type="checkbox"/> Empathetic Listening <input type="checkbox"/> Visual/Verbal Redirection <input type="checkbox"/> Clear Choices/Limits Set <input type="checkbox"/> Voluntary Break Area <input type="checkbox"/> Isolated the Situation <input type="checkbox"/> Other: _____

Description of Incident: <i>(250 words or less)</i> _____ _____ _____ _____ _____ _____ _____ _____ _____ _____

Distribution Instructions: Initial Report Copy to be sent home at the end of the day (Parents should receive notification of seclusion and/or physical intervention within 24 hours). Incident report, along with debriefing form, should be submitted to supervisor within 2 days of incident.

Transport/Restraint/Seclusion

Interventions Used:

- Transport
 - 1 Man CPI Transport Staff initials _____
 - 2 Man CPI Transport Staff initials _____
- Restraint *Attach Notice of Seclusion & Restraint form
- Seclusion *Attach Notice of Seclusion & Restraint form

Incident Location:

- Classroom
- Playground
- Hallway
- Cafeteria
- Bathroom
- Gym
- Library
- Bus Loading Zone
- Parking Lot
- Bus
- Special Event/Field Trip
- Office
- General Education Classroom

Others Involved:

- None
- Peers
- Staff
- Police
- Hearing Officer
- Substitute
- Unknown
- Teacher
- Other: _____

Injury To:

- Other Student
- Staff
- Both Student and Staff
- Police
- Self
- None

Action Taken:

- Alternative Placement
- Time Out/Detention
- Conference with Student
- In-School Suspension
 - # of days: _____
 - Start Date: _____
- Loss of Privileges
- Out-of-School Suspension
 - # of days: _____
 - Start Date: _____
- Parent Contact
- Time in Office
- Individualized Instruction
- Bus Suspension
- Restitution/Community Service
- Expulsion
- Removal by Hearing Officer
- Unilateral Removal
- Expulsion
- Action Pending
- Return to Schedule
- Compliance Task
- Followed Behavior Plan
- Offered a Break
- Reteach the Expected Behavior

Restorative Practices

Implemented

- Affective Questions
- Small Impromptu Conference (student and staff)
- Small Impromptu Conference (student and student)
- Problem Solving Circle
- Community Building Circle
- Formal Conference
- Family Conference
- Integration Plan
- Other: _____

Incident Type (SID): Pick ONLY one

(If more than one occur, complete a separate incident report for each)

- Vandalism/Property Damage
Estimate: _____
- Larceny/Theft (if exceeds \$100.00)
Amount: _____
- Criminal Sexual Conduct
- Use/Possession of Tobacco
- Use/Possession of Alcohol
- Use/Possession of Drugs
- Use/Possession of Weapons
- Bomb Threat (phone, email, internet, verbal or written)
- Arson
- Hostage
- Homicide
- Drive by Shooting
- Explosion
- Threat/Suicide Attempt
- Suicide
- Physical Assault (police called/charges filed)
- Trespassers/Intruders
- Illegal Drug Use (police/law enforcement called)
- Robbery
- Extortion

Incident (Other): (Pick the most significant)

- Inappropriate Language
- Firearm Possession Handgun
- Non-Compliance
- Lying/Cheating
- Harassment/Bullying
- Disruptive Behavior
- Technology Violation
- Inappropriate Display of Affection
- Physical Aggression
- Inappropriate Location/Out of Bounds/Elopement

Staff Signature: _____ Date: _____

Supervisor Signature: _____ Date: _____

Date Sent Home To Parent/Guardian: _____ Method: _____

Montcalm Area Intermediate School District
Notice of Use of Seclusion & Restraint

Revised 8/2/2017

Student Name: _____	Date of Incident: _____/_____/_____
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Documentation:

Restraint/Seclusion	
Justification for Initiating Physical Restraint And/or Seclusion: <input type="checkbox"/> Danger to self <input type="checkbox"/> Danger to others	

Restraint: <input type="checkbox"/> Child Control Hold <input type="checkbox"/> Holding Start: _____ Start: _____ Start: _____ Start: _____ Start: _____	Seclusion: Location: _____ Start: _____ End: _____ Start: _____ End: _____ Start: _____ End: _____ Start: _____ End: _____ Start: _____ End: _____
<input type="checkbox"/> Team Control Hold <input type="checkbox"/> Personal Safety Techniques Start: _____ End: _____ End: _____ End: _____ End: _____	<input type="checkbox"/> _____ Start: _____ End: _____ Start: _____ End: _____ Start: _____ End: _____ Start: _____ End: _____
Continuously Monitored by staff (Initials): _____ Explanation for extension (if seclusion exceeds time limit*) _____ Interventions used (if seclusion exceeds time limit*) __Nurse observation (Nurse Initials ____) Time ____:____ __Staff change every 15 minutes (Initials __, __, __, __)	Continuously Monitored by staff (Initials): _____ Explanation for extension (if seclusion exceeds time limit*) _____ Interventions used (if seclusion exceeds time limit*) __Nurse observation (Nurse Initials ____) Time ____:____ __Staff change every 15 minutes (Initials __, __, __, __)

Time	Description
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Supervisor Notification

Signature: _____ Date: _____

Parent/Guardian Notification

Date Notified: _____ Staff: _____
Method: __Phone __Email __Notebook/Point Sheet __Other: _____

B-2 Debriefing Form

**Montcalm Area Intermediate School District
Debriefing Form
Revised 8/2/2019**

General Information		
Student Name:	Date of Debriefing:	Date of Incident:
Name & title of staff completing form:	Debriefing participants:	

Review of Documentation	Yes	No	N/A
Reviewed seclusion and restraint documentation form or written report			
Reviewed individualized education program (IEP)			
Reviewed behavior intervention plan (BIP)			
Reviewed emergency intervention plan (EIP)			
Other			
Summary of data review (prior use of seclusion and/or restraint):			
Based on the data review, is there a pattern of behavior that could result in future use of seclusion and/or restraint? If yes, explain.			

Summary
Summary of debriefing with staff, including strategies/interventions that were effective
Summary of debriefing with student and/or parent/guardian, including strategies/ interventions that were effective
<input type="checkbox"/> Debrief with student not appropriate due to disability

Next Steps
What might be done differently in the future to reduce the likelihood of the problem behavior that led to the use of seclusion and/or restraint?
Describe next steps/action plan (e.g., conduct functional behavior assessment, create/revise BIP and/or IEP, conduct medical consultation, and teach/practice replacement behavior).