

TRUMBULL COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

Policy

Section 8.47

FAIRHAVEN SCHOOL POSITIVE BEHAVIOR INTERVENTION AND SUPPORTS

Purpose:

The Trumbull County Board of Developmental Disabilities (Board) is committed to the program-wide use of Positive Behavior Intervention and Supports ("PBIS") with students and the establishment of a school environment focused on the care, safety, and welfare of all students and staff members. All Board employees shall work to prevent the need for the use of restraints. PBIS shall serve as foundational support for the continuation of a learning environment that promotes the use of evidence-based behavioral interventions, thus enhancing academic and social behavioral outcomes for all students. An emphasis shall be placed on promoting positive interventions and solutions to potential conflicts. PBIS is a proactive approach that emphasizes prevention of student behavioral challenges through the use of positive practices.

Policy:

A. Positive Behavior Intervention and Supports

Positive Behavior Intervention and Supports ("PBIS") creates structure in the environment using a non-aversive effective behavioral system to improve academic and behavioral outcomes for all students.

The PBIS proactive and prevention-oriented framework or approach shall apply to all students and staff, and in all settings.

PBIS shall include:

1. Training of Board employees to identify conditions such as where, under what circumstances, with whom, and why specific inappropriate behavior may occur;
2. Preventative assessments that include:
 - a. Review of existing data;
 - b. Interviews with parents, family members, and students; and
 - c. Examination of previous and existing behavioral intervention plans.
3. Development and implementation of preventative behavioral interventions, and the teaching of appropriate behavior, including:
 - a. Modification of environmental factors that escalate inappropriate behavior;
 - b. Supporting the attainment of appropriate behavior; and
 - c. Use of verbal de-escalation to defuse potentially violent or dangerous behavior.

B. Additional prohibited seclusion practices:

Seclusion shall never be used as a punishment or to force compliance.

Seclusion shall not be used:

1. For the convenience of staff;
2. As a substitute for an educational program;
3. As a form of discipline or punishment;
4. As a substitute for less restrictive alternatives;
5. As a substitute for inadequate staffing;
6. As a substitute for staff training in positive behavior supports and crisis prevention and intervention;
7. As a means to coerce, retaliate, or in a manner that endangers a student; or
8. If it deprives the student of basic needs.

Seclusion of students is prohibited, except that a student may be secluded from his or her classmates, either in the classroom or in a safe, lighted, and well-ventilated space, for an amount of time that is brief in duration and appropriate to the student's age and development and the student is always within sight and hearing of a school staff member.

C. Restraint

There are different types of restraint, as defined above, including physical restraint, prone restraint, mechanical restraint, and chemical restraint. The use of restraint other than physical restraint is prohibited.

Physical restraint may be used only when the student's behavior poses an immediate risk of physical harm to the student and/or others and no other safe and/or effective intervention is possible. The physical restraint must be implemented in a manner that is age and developmentally appropriate, does not interfere with the student's ability to communicate in his/her primary language or mode of communication, and otherwise in compliance with this Policy.

Physical restraint shall be implemented only by Board employees who have been trained in accordance with this Policy to protect the care, welfare, dignity and safety of the student, except in the case of rare and unavoidable emergency situations when trained personnel are not immediately available.

D. Additional requirements for the use of physical restraint:

If a Board employee uses physical restraint, they must:

1. Continually observe the student in restraint for indications of physical or mental distress and seek immediate medical assistance if there is a concern;
2. Use verbal strategies and research-based de-escalation techniques in an effort to help the student regain control as quickly as possible;
3. Remove the student from physical restraint immediately when the immediate risk of physical harm to the student and/or others has dissipated;
4. Assess the student for injury or psychological distress after the use of physical restraint, and monitor the student as needed following the incident;

5. Conduct a debriefing including all involved staff to evaluate the trigger for the incident, staff response, and methods to address the student's behavioral needs; and
6. Complete all required reports and document their observations of the student.

Physical restraint shall not be used for punishment or discipline, or as a substitute for other less restrictive means of assisting a student in regaining control.

E. Prohibited Restraint Practices

The following restraint practices are prohibited under all circumstances, including emergency safety situations:

1. Prone restraint as defined in Executive Order 2009-13 (which defines prone restraint to mean "all items or measures used to limit or control the movement or normal functioning of any portion, or all, of an individual's body while the individual is in a face-down position for an extended period of time");
2. Physical restraint that restricts the airway of a student or obstructs the student's ability to breathe;
3. Physical restraint that impacts the student's primary mode of communication;
4. Restraint of preschool-age students, except for holding a child for a short period of time, such as in a protective hug, so that the child may regain control;
5. Restraint that deprives the student of basic needs;
6. Restraint that unduly risks serious harm or needless pain to the student, including physical restraint that involves the intentional, knowing, or reckless use of any of the following techniques:
 - a. Using any method that is capable of causing loss of consciousness or harm to the neck or restricting/obstructing respiration in any way;
 - b. Pinning down the student by placing knees to the torso, head and/or neck of the student;
 - c. Using pressure points, pain compliance, or joint manipulation;
 - d. Dragging or lifting of the student by the hair or ear or by any type of mechanical restraint;
 - e. Using other students or untrained staff to assist with the hold or restraint; or
 - f. Securing the student to another student or to a fixed object.
7. Mechanical restraint (that does not include devices used by trained Board employees or by a student, for the specific and approved therapeutic or safety purposes for which such devices were designed and, if applicable, prescribed); or
8. Chemical restraint (which does not include medication administered as prescribed by a licensed physician).

F. Additional Prohibited Practices

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

1. Corporal punishment;
2. Child endangerment as defined in Ohio Revised Code 2919.22; and
3. Aversive behavioral interventions.

G. Contact Law Enforcement and/or Emergency Response Personnel

In accordance with the Fairhaven School's Emergency Management Plan, Board employees shall contact law enforcement and/or appropriate emergency response personnel if at any point they determine that an intervention (either a restraint or seclusion) is insufficient to maintain the safety of all involved.

H. Functional Behavioral Assessment and Behavior Intervention Plan

If a student repeatedly engages in dangerous behavior that leads to instances of restraints, a trained Board employee or School Psychologist shall conduct a functional behavioral assessment to identify the student's needs and more effective ways of addressing those needs. If necessary, a trained Board employee or School Psychologist shall also develop a behavior intervention plan that incorporates positive behavioral interventions.

I. Training and Professional Development

The Board shall provide training as follows:

1. All Board employees working in the Fairhaven School or Transportation Departments shall be trained annually on the requirements of the Ohio Department of Education's Policy on Positive Behavior Intervention and Supports, and Restraint and Seclusion; Ohio Administrative Code 3301-35-15; and this Policy.
2. The Superintendent, in consultation with the Building Principal and/or Assistant Principal, shall identify which Board employees should receive additional training so that an adequate number of personnel are trained in crisis management and de-escalation techniques, including the use of restraint and seclusion. Board employees who receive this training must keep their training current in accordance with the requirements of the provider of the training and Board policy.
3. The Superintendent shall develop a plan to provide training to Board employees so that Positive Behavior Intervention and Supports are implemented on a program-wide basis.
4. Implementation of PBIS throughout the program may be a multi-year process, with training taking place over several years.
5. The Board shall maintain written or electronic documentation on training provided and lists of participants in each training.

J. Monitoring and Complaint Procedures

The Superintendent, or designee, shall monitor the implementation of this policy.

Only trained Board employees are permitted to physically restrain a student, but only when there is immediate risk of physical harm to the student and/or others, there is no other safe and effective intervention possible, and the physical restraint or seclusion is used in a manner that is age and developmentally appropriate and protects the safety of all children and adults at school.

All restraints shall only be done in accordance with Board Policies, which is based on the standards adopted by the State Board of Education and the Ohio Department of Developmental Disabilities regarding the use of restraints.

Every use of restraint shall be documented and reported in accordance with this Policy.

The Board shall annually notify parents of this policy, and publish it on the District's website.

Any parent of a child enrolled in school in the District may submit a written complaint to the Superintendent regarding an incident of restraint. The Superintendent shall investigate each written complaint and respond in writing to the parent's complaint within thirty (30) days of receipt of the complaint.

K. Requiring Data and Reporting

Each use of restraint or seclusion shall be:

1. Documented in writing;
2. Reported to the building administration immediately;
3. Reported to the parent immediately; and
4. Documented in a written report.

The Superintendent or designees shall develop a process for the collection of data regarding the use of restraint and seclusion.

The Superintendent, or designees shall report information concerning the use of restraint and seclusion to the student's local school district as requested by that District, and shall make the Fairhaven School's records concerning restraint and seclusion available to the staff of the Ohio Department of Education upon request.



 Board President



 Superintendent

Adopted: 1/15/2013

Updated:

Revised: 8/23/2021

References:

Ohio Department of Education's Policy on Positive Behavior Intervention and Supports, and Restraint and Seclusion
 OAC 5123-2-06

APPENDIX

Definitions:

Aversive behavioral interventions means an intervention that is intended to induce pain or discomfort to a student for the purpose of eliminating or reducing maladaptive behaviors, including such interventions as application of noxious, painful, and/or intrusive stimuli, including any form of noxious, painful or intrusive spray, inhalant, or taste.

Chemical restraint means a drug or medication used to control a student's behavior or restrict freedom of movement that is not:

- A. Prescribed by a licensed physician, or other qualified health professional acting under the scope of the professional's authority under Ohio law, for the standard treatment of a student's medical or psychiatric condition; and
- B. Administered as prescribed by the licensed physician or other qualified health professional acting under the scope of the professional's authority under Ohio law.

De-escalation techniques are strategically employed verbal or non-verbal interventions used to reduce the intensity of threatening behavior before a crisis situation occurs.

Functional behavior assessment ("FBA") is a collaborative problem-solving process that is used to describe the "function" or purpose that is served by a student's behavior. Understanding the "function" that an impeding behavior serves for the student assists directly in designing educational programs and developing behavior plans with a high likelihood of success.

Mechanical restraint means any method of restricting a student's freedom of movement, physical activity, or normal use of the student's body, using an appliance or device manufactured for this purpose. Mechanical restraint does not mean devices used by trained school personnel, or used by a student, for the specific and approved therapeutic or safety purposes for which such devices were designed and, if applicable, prescribed, including:

- A. Restraints for medical immobilization;
- B. Adaptive devices or mechanical supports used to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; or
- C. Vehicle safety restraints when used as intended during the transport of a student in a moving vehicle.

Parent means:

- A. A biological or adoptive parent;
- B. A guardian generally authorized to act as the child's parent, or authorized to make decisions for the child (but not the State if the child is a ward of the State);

- C. An individual acting in the place of a biological or adoptive parent (including a grandparent, stepparent, or other relative) with whom the child lives, or an individual who is legally responsible for the child's welfare;
- D. A surrogate parent who has been appointed in accordance with Ohio Administrative Code 3301-51-05(E); or
- E. Any person identified in a judicial decree or order as the parent of a child or the person with authority to make educational decisions on behalf of the child.

Physical escort means the temporary touching or holding of the hand, wrist, arm, shoulder, waist, hip, or back for the purpose of inducing a student to move to a safe location.

Physical restraint means the use of physical contact that immobilizes or reduces the ability of a student to move his/her arms, legs, body, or head freely. Physical restraint does not include a physical escort, mechanical restraint, or chemical restraint. Physical restraint does not include brief physical contact for the following or similar purposes to:

- A. Break up a fight;
- B. Knock a weapon away from a student's possession;
- C. Calm or comfort;
- D. Assist a student in completing a task/response if the student does not resist the contact; or
- E. Prevent an impulsive behavior that threatens the student's immediate safety (e.g., running in front of a car).

Positive Behavior Intervention and Supports ("PBIS") means a school-wide systematic approach to embed evidence-based practice and data-driven decision making to improve school climate and culture in order to achieve improved academic and social outcomes, and increase learning for all students. PBIS encompasses a range of systemic and individualized positive strategies to reinforce desired behaviors, diminish reoccurrences of challenging behaviors, and teach appropriate behaviors to students.

Prone restraint means physical or mechanical restraint while the student is in the face-down position for an extended period of time.

Seclusion means the involuntary isolation of a student in a room, enclosure, or space from which the student is prevented from leaving by physical restraint or by a closed door or other physical barrier. It does not include a timeout.

Student means a child or adult aged three (3) to twenty-one (21) enrolled in the District.

Student Personnel means teachers, Principals, counselors, social workers, school resource officers, teacher's aides, psychologists, bus drivers, or other District staff who interact directly with students.

Timeout means a behavioral intervention in which the student, for a limited and specified time, is separated from the class within the classroom or in a non-locked setting for the purpose of self-regulating and controlling his or her own behavior. In a timeout, the student is not physically restrained or prevented from leaving the area by physical barriers.