

SERENDIPITY CENTER, INC. POLICIES AND PROCEDURES

SUBJECT: Use of Physical Restraint and Seclusion

EFFECTIVE DATE: February 2013; revised November 2018; revised March 2021; revised February 2022

**ATTACHMENTS: Physical Restraint/Seclusion Incident Report Form
Physical Restraint/Seclusion Staff Debriefing Form
Physical Restraint/Seclusion Student Debriefing Form
Parent/Guardian Consent Form**

Purpose

This policy addresses our compliance and best practices to meet the expectations in OARs 581-021-0550, 582-021-0553, 581-021-0556, 581-021-0563, 581-021-0566, 581-021-0568, 581-015-2181, and 581-022-2267

Definitions

Restraint means the restriction of a student's actions or movements by holding the student or using pressure or other means.

Restraint does not include:

- Holding a student's hand or arm to escort the student safely and without the use of force from one area to another
- Assisting a student to complete a task if the student does not resist physical contact.
- "Hand under hand" prompting for instructional purposes
- Re-directing the student from a potentially dangerous situation by taking their hand or arm and gently guiding them away.
- The student willingly goes when physically escorted by a staff member
- Providing deep pressure to a student who is in need of sensory input, as per the student's IEP.

Seclusion means the involuntary confinement of a student alone in a room from which the student is physically prevented from leaving. Seclusion includes, but is not limited to, the involuntary confinement of a student alone in a room with a closed door, whether that door is locked or unlocked.

Seclusion does not include:

- The removal of a student for a short period of time to provide the student with an opportunity to regain self-control, if:
 - The student is in a setting from which the student is not physically prevented from leaving, or
 - The student is being left alone in a room with a closed door for a brief period of time for a purpose that is unrelated to the student's behavior.

Policy

Use of Restraint or Seclusion:

Restraint is only used as a last resort at Serendipity when less restrictive interventions have failed to reduce the risk of imminent or substantial physical or bodily injury to the student or others. Restraint and seclusion are not behavioral or therapeutic interventions. Restraint is not used for discipline, punishment, retaliation, nor as a method designed to support emotion regulation or convenience of Serendipity staff.

Restraint may only be used when the student's behavior imposes a reasonable risk of imminent and substantial physical or bodily injury to the student or others and less restrictive interventions would not have been effective. "Substantial physical or bodily injury" means any impairment of the physical condition of a person that requires some form of medical treatment.

Restraint may not be used as a response to verbal threats, cussing, shouting, or refusal to comply with directives or school rules.

Prohibited Restraint:

Although the Crisis Prevention Institute (CPI) has available training in both prone and supine restraints, all the following restraints are prohibited in Oregon. Serendipity staff are expected to follow Oregon Law and not use any of the following restraints:

- Chemical restraint
- Mechanical restraint
- Prone restraint: student is held face down on the floor.
- Supine restraint: student is held face up on the floor.
- Additional prohibited restraints:
 - Any restraint that involved the intentional placement of hands, feet, elbow, knee, or any object on a student's neck, throat, genitals, or other intimate parts.
 - Any restraint that causes pressure to be placed or creates a risk of causing pressure to be placed, on a student's stomach or back by a knee, foot, or elbow bone.
 - Any restraint that involves the intentional and nonincidental use of a solid object including a wall or the floor to impede a student's movement, unless the restraint is necessary to prevent an imminent life-threatening injury or to gain control of a weapon.
 - However, the use of a solid object; including a piece of furniture, a wall, or the floor, by Serendipity staff performing the restraint is not prohibited if the object is used for the staff's own stability or support while performing the restraint and not as a mechanism to apply pressure directly to the student's body.
 - Any restraint that places, or creates a risk of placing, pressure on a student's mouth, neck, or throat, or that impedes or creates a risk of impeding a student's breathing.

- However, a restraint that places or creates a risk of placing pressure on a student's mouth; may be used if the restraint is necessary for the purpose of extracting a body part from a bite.

Corrals:

The following practices may result in a violation of a student's rights and Serendipity does not believe that the following are best practice:

- Corrals made of mats from which the student is not only prevented from leaving but from seeing out.
- Corrals or secured areas build of wooden gates, cushions, furniture, or other objects.
- Corraling students with mats or other objects may signal a drift from best practice and brings with it the risk of injury to the student and others.

Seclusion may only be used if the student's behavior imposes a reasonable risk of imminent and serious bodily injury to the student or others and less restrictive interventions would not have been effective. "Serious bodily injury" means any significant impairment of the physical condition of a person as determined by qualified medical personnel, whether self-inflicted or inflicted by someone else. Note that the threshold for seclusion (imminent and serious bodily injury) is higher than that for restraint (imminent and substantial physical or bodily injury).

As part of beginning a seclusion, Serendipity staff may remove the following for prevention of self-harm in seclusion:

- Shoes, only if they have shoelaces.
- Items from pockets that could be used for self-harm.
- Sweatshirts, jackets, or coats with draw strings or other items that may be used to self-harm.
 - Staff will not remove any student's clothing (other than the aforementioned outer garments). If a student has demonstrated pattern of using personal clothing for the purposes of self-harm, a staff member needs to let the Clinical Case Manager, the Program Manager and the Tier III Behavior Specialist know that we may need to document an individual plan and include family and/or district that plan.

During a restraint or seclusion that lasts more than 30 minutes:

- School staff (Program Manager) must immediately attempt to notify the student's family.
- The student must be provided adequate access to the bathroom and water every 30 minutes.
 - This means the student is offered water and a bathroom break. If the student is still exhibiting escalated behavior, going to the bathroom at that moment may not be prudent. Staff must exercise good judgment to avoid further escalating the situation or safety risk.
- Every 15 minutes after the initial 30 minutes a school administrator must provide written authorization for the continuation of the restraint or seclusion, including providing documentation for the reason the restraint must be continued.

Behavior Assessments & Behavior Support Plans :

For all students at Serendipity whose behavior impedes their learning or the learning of others, staff complete a Collaborative Problem-Solving Assessment and Planning Tool (CPS-APT), and a Behavior Support Plan (BSP). These documents provide hypotheses on a student's lagging thinking skills which may contribute to a challenging behavior and lays out individualized environmental supports and interventions designed to help the student build skills and learn short-term replacement and long-term desired behaviors.

This CPS-APT and BSP are updated as needed based on student progress or regression. Serendipity's Tier III Behavior Specialist supports classrooms in the development of the CPS-APT and BSP and ensures the BSP is updated to reduce the likelihood of behavior that could be perceived as imminent and substantial bodily injury after 5 incidents of restraint.

When a BSP is developed, reviewed, or revised, Serendipity will:

- Ensure the BSP is based on the CPS-APT.
- Ensure that the BSP appropriately addresses the student's behavior of concern.
- Allow any Serendipity staff involved in a restraint to provide meaningful input into the development, review, or revision of the BSP.
- Inform any Serendipity staff working with the student about any portions of the BSP that are relevant to that staff and provide any training necessary to properly implement any interventions.
- Ensure that the BSP was implemented with fidelity before making revisions.

The BSP will not include reference to restraint, including references to CPI. This is because physical management/CPI is designed for crisis management. Restraint and verbal de-escalation do not constitute interventions. The BSP is designed to prevent challenging behaviors, teach replacement behaviors, and reinforce student use of replacement behaviors as they build the thinking skills necessary to engage in long-term desired behaviors over time.

Staff Training:

Staff are trained as soon as possible upon hire. After their initial hire, new staff members are not allowed to be alone with students until their background check has been completed. It is possible that there may be a period of time when a newly hired staff member has passed the background check and may be left alone with student(s) but is not yet CPI trained. If a staff member is not yet trained, but one of the following situations occurs, the staff member must attempt to communicate with CPI trained staff for support but can provide a reasonable intervention with the minimal exertion of force necessary to:

- Break up a physical fight
- Interrupt a student's impulsive behavior that threatens the student's immediate safety, including running in front of a vehicle or climbing on unsafe structures or objects.
- Effectively protect themselves or another from an assault, injury, or sexual contact with minimum physical contact necessary for protection.

Serendipity staff are expected to document this in a Physical Restraint Report. Please see the Program Manager as soon as possible for support.

It is important that all Serendipity staff are aware that we are bound to follow this Restraint policy, which is aligned with Oregon law for schools. If staff members have worked at another place and have been trained in restraint, they must comply with Serendipity's policy because it is possible that their previous workplace was bound by different Oregon laws in regards to restraint or that their previous workplace was not implementing Oregon law as intended.

This policy is shared with staff during CPI training, as well as during the onboarding process by supervisors.

Administrator Authorization:

Every 15 minutes after the initial 30 minutes of either a restraint or a seclusion, a school administrator must provide written authorization of the continuation of the restraint and explain their reasoning as to why the continuation was necessary.

Documentation:

Serendipity's documentation of incidents of restraint or seclusion must be completed immediately after the incident occurs. Serendipity's Restraint, Seclusion, & Debrief Forms all meet the requirements in the Restraint and Seclusion Technical Assistant Guide.

Parental Notification:

Parents must be notified by end of day of if a restraint and seclusion occurred. Documentation is made available to parents within 24 hours of incident. Debriefs happen within two school days of the incident and parents are invited to attend. If a restraint or seclusion occurs for more than 30 minutes, parents must be notified immediately.