

## ORCHARD PARK ACADEMY

### POSITIVE BEHAVIOR INTERVENTIONS AND SUPPORTS POLICY

#### INTRODUCTION

The Board of Directors ("Board") adopts this policy to guide the use of Positive Behavior Interventions and Supports (PBIS), and the limited use of restraint and seclusion at the School. It is the Board's belief that every effort should be made to prevent the need for the use of restraint and for the use of seclusion. The use of a non-aversive effective behavioral system such as PBIS shall be used to create a learning environment that promotes the use of evidence-based behavioral interventions, thus enhancing academic and social behavioral outcomes for all students. The Board directs the School Operator ("Operator") to implement this policy as set forth below.

Restraint or seclusion shall not occur, except when there is an immediate risk of physical harm to the student or others, and shall occur only in a manner that protects the safety of all children and adults at school. Every use of restraint or seclusion shall be documented and reported in accordance with this policy.

The PBIS prevention-oriented framework or approach applies to all students, all staff, and all settings. Research supports the conclusion that PBIS, when integrated with effective academic instruction, provides the support students need to become actively engaged in their own learning and academic success.

#### DEFINITIONS

"*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 paragraph (E) of rule 3301-51-05 of the Administrative Code; 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 a child.

*“Physical Restraint”* means the use of physical contact that immobilizes or reduces the ability of a student to move their arms, legs, body, or head freely. Such term does not include a physical escort, mechanical restraint, or chemical restraint. Physical restraint does not include brief, but necessary physical contact for the following or similar purposes: to break up a fight; to knock a weapon away from a student’s possession; to calm or comfort; to assist a student in completing a task/response if the student does not resist the contact; or to prevent an impulsive behavior that threatens the student’s immediate safety (e.g., running in front of a car).

*“Positive Behavior Interventions and Support” (PBIS)* means a school-wide systematic approach to embed evidence-based practices 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 behavior to students.

*“Prone restraint”* means physical or mechanical restraint while the individual 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.

*“Time-out”* means a behavioral intervention in which a 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 Time-out, the student is not physically restrained or prevented from leaving the area by physical barriers.

## IMPLEMENTATION

In implementing the School’s Positive Behavior Intervention and Supports Policy the Operator shall:

1. Train staff to identify conditions such as where, under what conditions, with whom and why specific inappropriate behavior may occur.
2. Conduct preventative assessments, which should include:
  - i. A review of existing data,
  - ii. Interviews with parents, family members and students and
  - iii. Examinations of previous and existing behavioral intervention plans.
3. Develop and implement preventative behavioral interventions and teach appropriate behavior by doing the following:
  - i. Modifying the environmental factors that escalate the inappropriate behavior.
  - ii. Supporting the attainment of appropriate behavior.

- iii. Using verbal De-escalation Techniques to defuse potentially violent dangerous behavior.

The Operator shall establish a system that will support students' efforts to manage their own behavior; implement instructing techniques in how to self-manage behavior, decrease the development of new problem behaviors; prevent worsening of existing problem behaviors; and redesign learning/teaching environments to eliminate triggers and maintainers of problem behaviors. The system should include family involvement as an integral part of the system.

### PROHIBITED PRACTICES

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

1. Prone Restraint;
2. Corporal punishment;
3. Child endangerment as defined in Ohio Revised Code Section 2919.22;
4. The deprivation of basic needs;
5. Restraint that unduly risks serious harm or needless pain to the student, including 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 respiration in any way,
  - b. Pinning down with knees to torso, head and/or neck,
  - c. Using pressure points, pain compliance or joint manipulation techniques,
  - 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 a student to another student or to a fixed object;
6. Mechanical or chemical restraints (which do not include devices used by trained Operator personnel, or by a student, for the specific and approved therapeutic or safety purposes for which such devices were designed and, if applicable, prescribed, or medication administered as prescribed by a licensed physician);
7. Aversive behavioral interventions; or
8. Seclusion of students in a locked room or area.

## RESTRAINT

1. The use of prone restraint, Physical Restraint that obstructs the airway of a student, or any Physical Restraint that impacts a student's primary mode of communication is prohibited.
2. Physical Restraint may be used only when there is an immediate risk of physical harm to the student or others and no other safe and effective intervention is possible, and only in a manner that is age and developmentally appropriate. Operator personnel may use physical restraint only in accordance with this policy.

## SECLUSION

1. Seclusion may be used only when there is an immediate risk of physical harm to the student or others and no other safe and effective intervention is possible. Seclusion shall never be used as a punishment or to force compliance. Seclusion should only be used in a manner that is age and developmentally appropriate and for the minimum time necessary for the purpose of protecting the student and others from physical harm. Operator personnel may use Seclusion only in accordance with this policy.
2. Seclusion is a last resort safety intervention that provides an opportunity for the student to regain self-control.
3. A room or area used for seclusion must:
  - a. provide for adequate space, lighting, ventilation, and the ability to observe the student;
  - b. not prevent the student from exiting the area should staff become incapacitated or leave the area; and
  - c. not be locked.
4. Seclusion shall not be used for punishment or discipline, for convenience of staff, or as a substitute for other less restrictive means of assisting a student in regaining control.

## REPEATED DANGEROUS BEHAVIORS

If a student repeatedly engages in dangerous behavior that leads to instances of restraint and/or seclusion, the Operator should conduct a functional behavioral assessment to identify the student's needs and more effective ways of addressing those needs. If necessary, this functional behavioral assessment should be followed by a behavioral intervention plan that incorporates appropriate positive behavioral interventions.

## TRAINING AND DEVELOPMENT

The Operator shall develop a plan regarding the training of its staff in accordance with this policy, and must maintain written or electronic documentation on training provided and lists of participants in each training. Training shall include the following components:

1. All Operator personnel shall be trained annually on the requirements of this policy and Ohio Adm. Code 3301-35-15 including, but not limited to, training to
  - a. Protect the care, welfare, dignity, and safety of the student;
  - b. Continually observe the student in restraint or seclusion for indications of physical or mental distress and seek immediate medical assistance if there is a concern;
  - c. Use verbal strategies and research based de-escalation techniques in an effort to help the student regain control;
  - d. Remove the student from Physical Restraint or Seclusion immediately when the immediate risk of physical harm to self or others has dissipated;
  - e. Conduct a de-briefing including all involved staff to evaluate the trigger for the incident, staff response, and methods to address the student's behavioral needs; and
  - f. Complete all required reports and document staff's observations of the student.
2. The Operator shall have a plan regarding training personnel that interact directly with students as necessary to implement PBIS on a system-wide basis.
3. The Operator shall ensure that an adequate number of personnel in each building are trained in crisis management and de-escalation techniques, and that their training is kept current.

## REQUIRED DATA AND REPORTING

1. Each use of seclusion or restraint shall be documented in a PBIS Incident Report Form (attached hereto) and reported to the Operator immediately, reported to the Board of Directors immediately, and reported to the parent immediately. A copy of the written report shall be made available to the parent or guardian within 24 hours and the Board of Directors at the next regularly scheduled Board Meeting. The Operator shall maintain a copy of the report in the student's file. These reports are educational records subject to the Family Educational Right to Privacy Act.
2. Each year the Operator shall report information regarding its use of restraint and seclusion to the Ohio Department of Education in the form and manner as prescribed by the department. The Operator shall make its records concerning restraint and seclusion available to staff from the Ohio Department of Education upon request.

### MONITORING AND COMPLAINT PROCESS

1. The Operator shall cause the PBIS Incident Report Form to be completed promptly for each incident of restraint or seclusion and shall establish a monitoring procedure to ensure that this policy and practice are implemented as set forth herein.
2. The Operator shall establish a procedure for a parent to present written complaints to the Operator to initiate a complaint investigation of the School regarding an incident of restraint or seclusion. The Operator shall respond to the parent's complaint in writing within thirty (30) days of the filing of a complaint regarding an incident of restraint or seclusion.
3. The parent of a student with a disability may choose to file a complaint with the Ohio Department of Education, Office for Exceptional Children, in accordance with the complaint procedures available concerning students with disabilities.

### AVAILABILITY OF POLICY AND PROCEDURES

The Operator shall make this Policy and the procedures set forth herein available on the School's website and parents shall be notified annually about the School's policy on seclusion and restraint.

**PBIS INCIDENT REPORT FORM**

**Student full name:** \_\_\_\_\_

**DOB:** \_\_\_\_\_ **age:** \_\_\_\_\_ **Gender:** Male/Female **Race:** \_\_\_\_\_  
(use codes from next page)

**Location of Incident** \_\_\_\_\_ **Date/Time** \_\_\_\_\_

**Witnesses names (Staff and or Students)**  
\_\_\_\_\_  
\_\_\_\_\_

**Describe student behavior prior to incident and Alleged Rule Violation(s):**  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Description of Incident:** (attach addendum(s) and witness statement(s) if needed):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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**Describe efforts to Efforts to De-escalate Student /Alternatives to S&R Attempted:**

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**Circle any of the following intervention if applied:**

**Verbal Intervention**      **Behavior Plan**      **Time Out**      **Contact another staff or parent**

**Seclusion:** Start Time \_\_\_\_\_ End Time \_\_\_\_\_ **Total Minutes:** \_\_\_\_\_  
Describe or attach picture of seclusion room

**Restraint:** Start Time \_\_\_\_\_ End Time \_\_\_\_\_ **Total Minutes:** \_\_\_\_\_

**Description of Intervention:**

**Injury requiring emergency/unplanned medical intervention:**

**Describe any injury to student:**

**Notifications made:** (who was notified?)

**Other Action:** Describe and explain:

**Name(s) of staff involved:**

**Name of person completing report:**

**Debriefing:**

- Date and time of debriefing:
- List all involved:
- Parent and student involved: Yes/no if no please explain why.
- Debriefing form completed: Yes/No



**Outcomes related to the behavior**

Additional Assessment:

Positive Behavior Support Plan ( short term plan or update of existing plan)

Consequences:

Suspension or Expulsion:

Contacts: Name of parent or guardian contacted:

Method of Guardian/Parent Notification:

Confirmation of Guardian/Parent Notification:

YES / NO

Summary of Debriefing (please list any other notifications made):

**School administration review date:** \_\_\_\_\_

Race/Ethnicity Codes

A = Asian B = Black/African American H = Hispanic I = Alaskan Native M = Bi/Multiracial N = Native Am./Am.Indian P = Native Hawaiian/Other Pacific Islander W = White U = Unknown