

# At-A- Glance State Board of Education Policy for the Emergency Use of Seclusion and Restraint

Approved on March 14, 2017

## Emergency Seclusion can ONLY be used in an Emergency Situation

**EMERGENCY SITUATION:** means a situation in which a pupil’s behavior poses imminent risk to the safety of the individual pupil or to the safety of others. An emergency situation requires an immediate intervention.

**EMERGENCY SECLUSION:** "a last resort emergency safety intervention involving seclusion that is necessitated by an ongoing emergency situation and that provides an opportunity for the pupil to regain self-control while maintaining the safety of the pupil and others." "Seclusion" means the confinement of a pupil in a room or other space from which the pupil is physically prevented from leaving.

| Emergency Seclusion   | Timeframe  | Documentation and Reporting   | Limitations  |
|---|--|---|--|
| <p>Emergency Seclusion is a <b>LAST RESORT</b> emergency safety intervention</p> <ul style="list-style-type: none"> <li>There must be continuous observation by school personnel of pupil in seclusion</li> <li>The room or area used for confinement must comply with state and local fire and building codes;</li> <li>Must not be locked;</li> <li>Must not prevent the pupil from exiting the area if school personnel become incapacitated or leave that area.</li> <li>Must provide for adequate space, lighting, ventilation, viewing, and the safety and dignity of the pupil and others, in accordance with department guidelines</li> </ul> <p>If a pattern of behavior exists that poses a substantial risk of creating an emergency situation in the future that could result in the use of Emergency Seclusion school personnel are:</p> <ul style="list-style-type: none"> <li>Encouraged to conduct a Functional Behavior Assessment (FBA) and develop or revise a Behavior Intervention Plan (BIP), and</li> <li>Should develop an Emergency Intervention Plan (EIP) to protect the health, safety and dignity of the pupil.</li> </ul> | <p>Emergency Seclusion should not be used any longer than necessary to allow a pupil to regain control of his/her behavior to the point that the emergency situation necessitating the use of emergency seclusion is ended</p> <p>Elementary: 15 minutes*<br/>Middle/High: 20 minutes*</p> <p>*If time limits are exceeded all of the following are required:</p> <ul style="list-style-type: none"> <li>Additional support (which may include a change of staff, introducing a nurse or specialist, or additional key identified personnel); and</li> <li>Documentation to explain the extension beyond the time limit</li> </ul> | <p>Each use of seclusion and the reason for each use shall be:</p> <ul style="list-style-type: none"> <li>Documented in writing and reported in writing or orally to the school building administration and the pupil’s parent or guardian immediately.</li> <li>Documented in a written report for each use of seclusion;* and written report provided to parent/guardian within the earlier of 1 school day or 7 calendar days.</li> </ul> <p>Debriefing<br/>After any use of seclusion school personnel <b>MUST</b>:</p> <ul style="list-style-type: none"> <li>Make reasonable efforts to debrief and consult with the parent or guardian (and/or pupil) regarding the determination of future actions</li> <li>Complete MDE Seclusion and Restraint Debriefing Form.</li> </ul> <p>*May use MDE documentation form for written report or any written report that meets requirements outlined in policy</p> | <p>Emergency Seclusion is <b>NOT</b> permitted:</p> <ul style="list-style-type: none"> <li>For the confinement of preschool children or of pupils who are severely self-injurious or suicidal;</li> <li>For the convenience of school personnel;</li> <li>As a substitute for an educational program;</li> <li>As a form of discipline or punishment;</li> <li>As a substitute for less restrictive alternatives;</li> <li>As a substitute for adequate staffing; or</li> <li>As a substitute for school personnel training in positive behavioral intervention and support;</li> <li>As prohibited under MCL 380.1307b; or</li> <li>When contraindicated based on (as documented in a record or records made available to the school) a pupil’s:             <ul style="list-style-type: none"> <li>disability;</li> <li>health care needs;</li> <li>medical or psychiatric condition.</li> </ul> </li> </ul> |

# At-A- Glance State Board of Education Policy for the Emergency Use of Seclusion and Restraint

Approved on March 14, 2017

## Emergency Restraint can ONLY be used in an Emergency Situation

**EMERGENCY SITUATION:** means a situation in which a pupil’s behavior poses imminent risk to the safety of the individual pupil or to the safety of others. An emergency situation requires an immediate intervention.

**EMERGENCY RESTRAINT:** means restraint that involves direct physical contact that prevents or significantly restricts a pupil’s movement. Emergency physical restraint is a last resort safety intervention that is necessitated by an on-going emergency and that provides an opportunity for the pupil to regain self-control while maintaining the safety of the pupil and others.

| Emergency Restraint  | Timeframe   | Documentation and Reporting   | Limitations  |
|--|---|---|--|
| <p>Emergency Restraint Is a <b>LAST RESORT</b> emergency safety intervention</p> <p>If a pattern of behavior exists that poses a substantial risk of creating an emergency situation in the future that could result in the use of Emergency Restraint school personnel are:</p> <ul style="list-style-type: none"> <li>Encouraged to conduct a Functional Behavior Assessment (FBA) and develop or revise a Behavior Intervention Plan (BIP), and</li> <li>Should develop an Emergency Intervention Plan (EIP) to protect the health, safety and dignity of the pupil.</li> </ul> | <p>Emergency Restraint should not be used any longer than necessary to allow a pupil to regain control of his/her behavior to the point that the emergency situation necessitating the use of emergency physical restraint is ended.</p> <p>All Students: 10 minutes*</p> <p>*If time limits are exceeded all of the following are required:</p> <ul style="list-style-type: none"> <li>Additional support (which may include a change of staff, introducing a nurse or specialist, or additional key identified personnel); and</li> <li>Documentation to explain the extension beyond the time limit</li> </ul> | <p>Each use of restraint and the reason for each use shall be:</p> <ul style="list-style-type: none"> <li>Documented in writing and reported in writing or orally to the school building administration and the pupil’s parent or guardian immediately.</li> <li>Documented in a written report for each use of restraint;* and written report provided to parent/guardian within the earlier of 1 school day or 7 calendar days.</li> </ul> <p>Debriefing<br/>After any use of restraint school personnel <b>MUST</b>:</p> <ul style="list-style-type: none"> <li>Make reasonable efforts to debrief and consult with the parent or guardian (and/or pupil) regarding the determination of future actions</li> <li>Complete MDE Seclusion and Restraint Debriefing Form.</li> </ul> <p>*May use MDE documentation form for written report or any written report that meets requirements outlined in policy</p> | <p>Prohibited Practice:</p> <ul style="list-style-type: none"> <li>Prone Restraint (face down)</li> </ul> <p>Emergency Restraint is <b>NOT</b> permitted:</p> <ul style="list-style-type: none"> <li>For the convenience of school personnel;</li> <li>As a substitute for an educational program;</li> <li>As a form of discipline or punishment;</li> <li>As a substitute for less restrictive alternatives;</li> <li>As a substitute for adequate staffing; or</li> <li>As a substitute for school personnel training in positive behavioral intervention and support;</li> <li>As prohibited under MCL 380.1307b; or</li> <li>When contraindicated based on (as documented in a record or records made available to the school) a pupil’s:             <ul style="list-style-type: none"> <li>disability;</li> <li>health care needs;</li> <li>medical or psychiatric condition</li> </ul> </li> </ul> |