

## British Columbia Ministry of Education

### Provincial Guidelines – Physical Restraint and Seclusion in School Settings

#### Definitions

**Behaviour** – The actions by which an individual adjusts to his or her environment. It is commonly understood that behaviour is communication<sup>1</sup>. It is the impact of the behaviour that dictates whether a behaviour is negative or positive.

Understanding that behaviour is communication, the purpose of these guidelines is to promote a response that protects both the individual and other's safety and well-being.

**Physical Restraint** – is a method of restricting another person's freedom of movement or mobility – in order to secure and maintain the safety of the person or the safety of others.

The provision of a 'physical escort', i.e., temporary touching or holding of a student's hand, wrist, arm, shoulder or back for the purpose of accompanying and inducing a student who is acting out to walk to a safe location, does not constitute physical restraint.

The provision of physical guidance, or prompting of a student when teaching a skill, redirecting attention, or providing comfort also does not constitute physical restraint.

**Seclusion** – is the involuntary confinement of a person, alone in a room, enclosure, or space which the person is physically prevented from leaving.

Behaviour strategies, such as 'time out', used for social reinforcement as part of a behaviour plan, are not considered 'seclusion'.

The term seclusion does not apply where a student has personally requested to be in a different/secluded location/space.

**Time-out** – is the removal of a child from an apparently reinforcing setting to a presumably non-reinforcing setting for a specified and limited period of time. Time-out involves removing a student from sources of positive reinforcement as a consequence of a specific undesired behaviour.

Time-out is only one option along a continuum of behaviour interventions supporting behaviour change. Time-out can be implemented on several different levels, ranging from quiet time in the regular classroom to a time-out room in the school.

Typically, time-out is used in tandem with positive interventions that can maximize student learning and assist in the acquisition of replacement behaviours.

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<sup>1</sup> Adapted from Gerrig, Richard J. & Philip G. Zimbardo. *Psychology And Life*, 16/e. Published by Allyn and Bacon, Boston, MA. Copyright (c) 2002 by Pearson Education. Information found on American Psychology Association (APA) website July 10, 2014: <http://www.apa.org/research/action/glossary.aspx>

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#### **Introduction**

Student access to an effective educational program is a basic right of each student in British Columbia's K-12 education system. Positive and least restrictive approaches in the provision of student supports are considered best practice. Respect for student rights, maintaining student dignity and the safety of all involved is paramount.

Learning environment design has been shown to have a direct impact on teacher-student and student-teacher and, consequently, on student learning and achievement. The overarching goal of learning environment design is the creative use of space to facilitate and support positive student learning experiences – rather than punitive, disciplinary ones.

In recent years, our understanding of the 'learning environment' has evolved. A wide variety of creative approaches to teaching/learning and to the configuration of physical spaces within and beyond the traditional classroom setting, including accommodations for students' sensory and self-regulation needs, are employed to support students' academic and social-emotional learning goals.

Every effort should be made to structure learning environments, and to provide learning supports that make physical restraint and seclusion unnecessary.

It is expected that school personnel implement effective supports and interventions to prevent and de-escalate potentially unsafe situations.

There is no evidence that using restraint or seclusion is effective in reducing the occurrence of the problematic behaviours that frequently precipitate their use. There is a growing body of knowledge that shows that continued use can cause harm.

There is evidence that the effective implementation of school-wide programs that support positive behaviour, such as Positive Behaviour Intervention Supports (PBIS), are linked to greater academic achievement among students, significantly fewer disciplinary problems, increased constructive instructional time, and to increased perception of safer teaching and learning environments.

The Ministry's purpose in providing guidelines for the use of physical restraint or seclusion in school settings is to assist boards of education and independent school authorities in creating and maintaining learning environments that are as safe as possible – for all children and adults.

The Ministry recommends boards of education and independent school authorities use these guidelines to support a multidisciplinary review, discussion and development of individual district policy, protocol and training.

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#### Principles

The British Columbia Ministry of Education supports the following *principles* regarding the use of physical restraint and seclusion procedures in school settings:

- Behaviour interventions for students must promote the rights of all students to be treated with dignity.
- Behaviour interventions for all students emphasize prevention and positive behaviour supports, and every effort is made to employ preventative actions that preclude the need for the use of physical restraint or seclusion.
- Positive educational/behaviour interventions and mental health supports are provided routinely for all students who need them, and they are provided in a safe and least-restrictive environment.
- Behaviour interventions address the underlying cause of purpose of potentially harmful behaviour.
- Physical restraint or seclusion is used *only* in exceptional circumstances where the behaviour of a student poses imminent danger of serious physical harm to self or others, including school personnel, and where less restrictive interventions have been ineffective in ending imminent danger of serious physical harm. Restraint or seclusion is discontinued once imminent danger or serious physical self-harm or harm to others has dissipated.
- Neither restraint nor seclusion are used as a punishment, discipline, or to force compliance in an educational/learning setting.
- Educational assessments, including functional behaviour assessments, are provided for all students whose pattern of behaviour impedes their learning or the learning of others – to inform the development of behaviour intervention plans. These plans incorporate positive behaviour interventions, and include instruction in appropriate behaviour and strategies that will help students learn to de-escalate their behaviour.
- It is expected that schools will include among their staff members, individuals who are trained in positive behaviour intervention supports, conflict de-escalation, and crisis de-escalation and non-violent crisis intervention techniques to enable them to defuse conflict and crisis situations.
- School and district staff are aware of and engage the assistance of additional program and resource supports that may be available in their community.

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#### Guidelines

The British Columbia Ministry of Education offers the following *guidelines* regarding the use of physical restraint and seclusion procedures in school settings:

- Where a student’s behaviour could cause harm to self or others, restraint or seclusion may be required until such time as the imminent danger of serious harm to self or others has dissipated.
- Physical restraint and seclusion are used *only* in exceptional circumstances where a student is in imminent danger of causing harm to self or others.
- It is expected that school/school personnel will implement positive behaviour supports and interventions, behaviour plans, emergency or safety plans, and other plans to prevent and de-escalate potentially unsafe situations.
- It is expected that parents and, where appropriate, students are offered opportunities to be consulted in the development of positive behaviour supports and interventions, behaviour plans, emergency or safety plans.
- All school personnel are provided regular opportunities for training in positive behaviour interventions and supports and de-escalation techniques.
- Schools are strongly encouraged to include, among their staff members, individuals who are trained in positive behaviour intervention supports, conflict de-escalation, and crisis de-escalation techniques to enable them to defuse conflict and crisis situations.
- School personnel who work *directly* with a student in situations where there is a potential for imminent danger of serious physical harm to the student or others, and where they may be required to respond to an individual whose behaviour is presenting a danger to self or others, are expected to have been trained in crisis intervention and the safe use of physical restraint and seclusion.
- In cases where a student’s behaviour could potentially cause harm to self or others, the student’s educational planning includes development of:
  - an Individual Education Plan (IEP) outlining the student’s learning outcomes, required learning support services, and instructional and assessment methods
  - a formal positive behaviour support plan describing positive behaviour intervention supports and conflict de-escalation procedures that are in place

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- an emergency or safety plan detailing emergency and safety procedures regarding the use of physical restraint and seclusion, and confirming the formal training of school personnel
- Recurring practice of restraint or seclusion is not common practice in any student’s educational program.
- Physical restraint or seclusion is never conducted in a manner that could, in any way, cause harm to a student, i.e., never restricts the breathing of a student; never places a student in a prone position (i.e., facing down on his/her stomach) or supine position (i.e., on his/her back, face up); never employs the use of mechanical devices.
- It is critical that:
  - any space used for purpose of seclusion will not jeopardize the secluded student’s health and safety
  - any student placed in seclusion is *continuously visually observed by an adult who is physically present throughout the period of seclusion* and that all health and safety policies or regulations including WorkSafe BC regulations be followed.
  - school personnel able to communicate with the student in the student’s primary language or mode of communication are present at all times
- It is expected that boards of education/independent school authorities/schools, in which physical restraint or seclusion may potentially be used, have in place a physical restraint and seclusion **policy**:
  - defining physical restraint and seclusion as presented in the Definitions section of this guidelines document (pages 1 and 2)
  - making clear, that restraint and seclusion procedures are emergency, not treatment, procedures
  - requiring that all school staff members be provided opportunity to participate in training in positive behaviour interventions and supports and de-escalation techniques, and that all specialized staff be provided the opportunity to participate in training regarding the use of physical restraint and seclusion
  - requiring that parents and, where appropriate, students are offered opportunities to be consulted in the development of positive behaviour supports and interventions, behaviour plans, emergency or safety plans
  - requiring documentation of every instance where physical restraint and seclusion of a student occurs
  - requiring prevention/intervention strategies to be reviewed and revised in situations where: repeated use of physical restraint and seclusion for an individual student

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occurs; multiple uses of physical restraint and seclusion occur within the same classroom; or, physical restraint and seclusion is repeatedly used by an individual

- requiring a reporting process or mechanism for recording incidents of physical restraint and seclusion, or the use of ‘time out’ outside of a classroom – and for providing this information to the school district’s superintendent or designate/independent school authority or designate
- requiring regular review of the physical restraint and seclusion policy to ensure alignment with current research/practice
- It is expected that boards of education/independent school authorities/schools, in which physical restraint or seclusion may potentially be used, have in place a physical restraint and seclusion **procedures** that include, at a minimum:
  - a statement that restraint and seclusion procedures are used *only* as emergency, not treatment, procedures
  - description of positive behaviour intervention supports and conflict de-escalation procedures that are in place
  - development, by the school-based team, of positive behaviour supports and interventions, behaviour plans, emergency or safety plans for each student whose behaviour could potentially pose imminent danger of harm to self or others
  - opportunities for parents and, where appropriate, students to be consulted in the development of these plans
  - the student’s behaviour plan, and emergency or safety plan are attached to the student’s IEP, are reviewed regularly, and at least, annually
  - follow-up after each incident involving the use of physical restraint or seclusion that includes:
    - \* notification to the school principal as soon as possible after an incident/always prior to the end of the school day on which the incident has occurred
    - \* notification, by the school principal, to the student’s parent(s)/guardian(s) as soon as possible/always prior to the end of the school day on which the incident has occurred
    - \* notification to the school district administrator responsible for student support services as soon as possible after an incident/always prior to the end of the school day on which the incident has occurred
    - \* notification to the superintendent or designate as soon as possible after an incident has occurred
    - \* a debriefing – with involved school personnel; parents or guardians of the student; and where possible, with the student – to examine what happened/what caused the incident, and what could be changed, i.e., preventative and response

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actions that could be taken in the future, to make the use of physical restraint or seclusion unnecessary

- a process and schedule for regular review of physical restraint and seclusion procedures to ensure alignment with current research/practice

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**Note:** These provincial guidelines regarding the use of physical restraint and seclusion in school settings in British Columbia are derived from a position summary – *Physical Restraint and Seclusion Procedures in School Settings* – published by the Council for Children with Behavior Disorders, a division of the Council for Exceptional Children (CEC), and CEC policy approved by the Council for Exceptional Children Board of Directors, September 2009.

These guidelines were developed with guidance from representatives from the following provincial organizations: Inclusion BC, the Family Support Institute of BC, the BC School Trustees Association, the BC Confederation of Parent Advisory Councils, the BC Council of Administrators of Special Education, and the BC Association of School Psychologists. The Ministry of Education thanks these individuals and organizations for reviewing drafts and offering helpful suggestions throughout the subsequent development process.

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