



## CLEVELAND ARTS & SOCIAL SCIENCES 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

*"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 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 wide range of systemic and individualized positive strategies to reinforce desired behaviors, diminish reoccurrences of challenging behaviors and teach appropriate behavior to students.

*“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 as defined in Executive Order 2009-13S;
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 and 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. Aversive behavioral interventions; or
7. Seclusion of students in a locked room.

## 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. All Operator personnel that are authorized to use physical restraint shall be trained to:
  - a. Protect the care, welfare, dignity, and safety of the student;
  - b. Continually observe the student in restraint 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 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.
3. If a student repeatedly engages in dangerous behavior that leads to instances of restraint and/or seclusion, the Operator shall 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.

## 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. 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, clear visibility and the safety of the student; and
  - b. not be locked.
4. Seclusion shall not be used:
  - a. for the convenience of staff;
  - b. as a substitute for an educational program;
  - c. as a form of discipline/punishment;
  - d. as a substitute for less restrictive alternatives;
  - e. as a substitute for inadequate staffing;
  - f. as a substitute for staff training in positive behavior supports and crisis prevention and intervention; or
  - g. as a means to coerce, retaliate, or in a manner that endangers a student.

5. All Operator personnel that are authorized to use Seclusion shall be trained to:
- a. Protect the care, welfare, dignity, and safety of the student;
  - b. Continually observe the student in 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 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.
6. If a student repeatedly engages in dangerous behavior that leads to instances of restraint and/or seclusion, the Operator shall 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.
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 complete the PBIS Annual Report Form (attached hereto) concerning its use of restraint and seclusion and shall report the information contained therein annually to the Board and to the Ohio Department of Education as requested by the Ohio Department of Education. 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.