

CHAPTER 5.00 – STUDENTS

USE OF TIME OUT, SECLUSION AND PHYSICAL RESTRAINT FOR STUDENTS WITH DISABILITIES

5.343*+

- I. The District shall implement Positive Behavior Interventions and Supports for disruptive students to prevent and reduce significant disruptive behavior and to provide for the physical safety and security of students and staff when students pose a threat to themselves and/or others. The focus shall be on the use of the least restrictive but effective intervention(s) for each student.

- II. Definitions:
 - A. “Crisis intervention plan” means an individualized action plan for school personnel to implement when a student exhibits dangerous behavior that may lead to imminent risk of serious injury.
 - B. “Imminent risk of serious injury” means the threat posed by dangerous behavior that may cause serious physical harm to self or others.
 - C. “Positive behavior interventions and supports” means the use of behavioral interventions to prevent dangerous behaviors that may cause serious physical harm to the student or others.
 - D. “Restraint” means the use of a mechanical or physical restraint.
 - E. “Mechanical restraint” means the use of a device that restricts a student’s freedom of movement. The term does not include the use of devices prescribed or recommended by physical or behavioral health professionals when used for indicated purposes, such as adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or supports; vehicle safety restraints when used as intended during the transport of a student in a moving vehicle; restraints for medical immobilization; or orthopedically prescribed devices that permit a student to participate in activities without risk of harm.
 - F. “Physical restraint” means the use of manual restraint techniques that involve significant physical force applied by a teacher or other staff member to restrict the movement of all or part of a student’s body. The term does not include briefly holding a student in order to calm or comfort the student or physically escorting a student to a safe location.
 - G. “Seclusion” means the involuntary confinement of a student in a room or area alone and preventing the student from leaving the room or area. The term does not include time-out used as a behavior management technique intended to calm a student.
 - H. “Student” means a child with in a kindergarten through 12 in a school, as defined in s. 1003.01(17), or the Florida School for the Deaf and Blind. The term does not include students who reside in residential care facilities under s. 1003.58, or students participating in a Department of Juvenile Justice education program under s. 1003.52.

- III. Time Out and Seclusion.
 - A. District personnel are prohibited from utilizing seclusion. B. District personnel are permitted to utilize time out.
 1. Time out is a procedure in which access to varied sources of reinforcement is removed or reduced for a particular time period contingent on a response.
 2. Time-out does not necessarily require the physical removal of the student

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- from the setting.
- 3. Time-out is NOT a place.
- 4. As a behavior reduction technique, the focus of the time-out is on those behaviors deemed to be problematic and in need of reduction or elimination.
- 5. Time out does NOT specifically target the increase of appropriate or pro-social behaviors.
- 6. Using Seclusion as a form of Time Out is prohibited per state statute 1003.573

IV. Mechanical Restraint

- A. Only school resource officers may use mechanical restraint in the exercise of their powers and duties. Such mechanical restraints may only be used on students in grades 6 through 12, in accordance with FS 1003.573(3)(a).
- B. All District personnel except those listed in A., above, are prohibited from using mechanical restraints.

V. Physical Restraint

- A. Authorized school personnel may use physical restraint only when all positive behavior interventions and supports have been exhausted.
- B. Physical restraint may be used only when there is an imminent risk of serious injury and must be discontinued as soon as the threat posed by the dangerous behavior has dissipated.
- C. Physical restraint may be used only to protect the safety of students, school personnel, or others and may not be used for student discipline or to correct student noncompliance.
- D. Physical restraint techniques may not be used to inflict pain to induce compliance.
- E. The degree of force applied during physical restraint must be only that degree of force necessary to protect the student or others from imminent risk of serious injury.
 - a.

VII. Monitoring, Analysis

- A. The use of restraint on students shall be monitored at the classroom, building, district, and state levels, in accordance with Florida law.
- B. The use of the behavior interventions, the appropriateness of their use, and the effectiveness of the interventions shall be analyzed by the District.
- C. The District shall monitor data related to incidents that occur that pertain to this policy, including when, where, and why students are restrained and the frequency of occurrence of such restraints.
- D. The District shall report all incidents that fall under this policy to the Department of Education in the manner and format sought by DOE in accordance with law.
- E. The District shall publicly post at the beginning of each school year District policies and procedures on positive behavior interventions and supports.
- F. The District shall notify DOE whenever it makes any changes to its policies and procedures regarding seclusion, restraint, or other matters covered by this policy.
- G. Upon the second time a student is restrained during a semester, the school shall develop a crisis intervention plan for the student. The crisis intervention plan shall be developed by a team comprised of the student's parent or guardian, school personnel, and applicable physical and behavioral health professionals. The crisis intervention must be developed in accordance with F.S. 1003.573 (6)

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VIII. Training.

- A. Each school district shall provide training to all school personnel authorized to use positive behavior interventions and supports pursuant to school district policy.
- B. Such training shall be provided annually, be done in accordance with F.S. 1003.573(5), and must include but not be limited to:
 - 1. The use of positive behavior interventions and supports.
 - 2. Risk assessment procedures to identify when restraint may be used.
 - 3. Examples of when positive behavior interventions and support techniques have failed to reduce the imminent risk of serious injury.
 - 4. Examples of safe and appropriate restraint techniques and how to use these techniques with multiple staff members working as a team.
 - 5. Instruction in the district's documentation and reporting requirements.
 - 6. Procedures to identify and deal with possible medical emergencies arising during the use of restraint.
 - 7. Cardiopulmonary resuscitation.

District personnel who have received seclusion, restraint, or other training for topics outlined in this policy not associated with their employment with the District (i.e. former law enforcement or corrections staff, former residential setting staff) shall be trained in such District-approved techniques referenced in this policy and are prohibited from applying any such techniques or procedures learned or acquired elsewhere to District encounters with students.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1003.32, 1003.573,

1006.07, 1006.11, 1012.75, F.S.

STATE BOARD OF EDUCATION RULE(S)
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NOTES: