Restraint and Seclusion Guidelines

Office of Student Support Services
Hawaii State Department of Education
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FOREWORD

On July 2, 2014, the Governor of the State of Hawaii signed Act 206 (House Bill 1796, H.D.2, S.D.1, C.D.1, Twenty-seventh Legislature, 2014) related to Restraint and Seclusion, into law, which is codified in Section 302A-1141.4 Hawaii Revised Statutes (HRS).

This law became effective beginning school year 2016-17 for all public schools and **prohibits the use of seclusion, mechanical restraints, and chemical restraints as disciplinary actions for ALL students.** It also establishes the conditions and procedures for the use of physical restraint should the need arise.

The basic premise regarding the use of a physical restraint is that every effort shall be made to prevent its use so that all students can learn in a safe, healthy, and humane environment.

The Hawaii State Department of Education (HIDOE) strongly believes that students are more likely to achieve and perform at higher levels when procedures used to promote positive student behaviors emphasize:

- Prevention,
- Positive behavioral interventions and supports, and
- Effective and proactive approaches where students are:
  - Directly taught school-wide behavioral expectations, classroom routines, core ethical values, General Learner Outcomes, and
  - Consistently acknowledged for demonstrating positive academic and social behaviors.

When there is a need to manage challenging student behaviors in dangerous situations, a balance between the use of least restrictive interventions to those requiring specialized physical incident management procedures and any aversive intervention methods, shall be considered so all students are free from the unreasonable use of physical restraint.

Unpacking HRS §302A-1141.3 & §302A-1141.4: Guidelines for Restraint and Seclusion

What is the purpose of this law?	The purpose of HRS §302A-1141.3 & §302A-1141.4 is to:
	• Prohibit the use of seclusion and reduce and prevent the use of restraints in public schools
	• Ensure the safety of all students and personnel in public schools
	• Promote a positive school culture and climate.
	• Protect students from:
	  ○ Physical and mental abuse
	  ○ Aversive behavioral interventions
	  ○ Any restraint used for discipline or convenience
	• Ensure that restraints are only imposed when a student's behavior poses an imminent danger of property damage or physical injury to the student, school personnel, or others and only for so long as the danger persists
	• Assist public schools by:
	  ○ Establishing policies and procedures to keep all students and school personnel safe
	  ○ Providing school personnel the necessary tools, training, and support to ensure the safety of students and staff
	  ○ Collecting and analyzing data on the use of restraints
	  ○ Identifying and implementing effective evidence-based models to prevent and reduce restraints

How are seclusion, mechanical restraints, and chemical restraints defined?	The use of any seclusion, mechanical restraint, or chemical restraint is **strictly prohibited.** **Seclusion** is defined as the confinement of a student alone in a room or structure from which the student is physically denied voluntary egress. *Seclusion is not meant to be confused with a "timeout" in which the student is supervised by an adult in an unlocked room.* **Mechanical Restraint** is defined as the use of devices as a means of restricting a student's freedom of movement or the ability to communicate in the student's primary language or mode of communication. *Mechanical Restraint is not meant to include assistive technologies or orthopedic supports prescribed by a medical professional to allow a student with a disability access to the curriculum or participation in educational activities.* **Chemical Restraint** is defined as a drug or medication used on a student to control behavior or restrict freedom of movement; provided that the term does not include a drug or medication that is: • Prescribed by a licensed physician, or other qualified health professional acting under the scope of the professional's authority under state law, for the standard treatment of a student's medical or psychiatric condition; and

	• Administered as prescribed by a licensed physician or other qualified health professional acting under the scope of the professional's authority under state law.
What is a physical restraint and when can a physical restraint be used?	**Physical Restraint** is defined as a personal restriction, other than a chemical or mechanical restraint, that immobilizes or reduces the ability of a student to move the student's arms, legs, or head freely. A physical restraint may only be imposed when: • A student's behavior poses an imminent danger of property damage or physical injury to self or others and only for so long as the danger persists; • Other less intrusive interventions have failed or been determined to be inappropriate for the student; and • The restraint imposed is not life-threatening, including a physical restraint that may restrict breathing. *No restraint may be imposed solely for purposes of discipline or convenience. Imposing a restraint for the threat of property damage should only be considered when the destruction will be substantial including but not limited to any damage that also presents an imminent risk of injury to the student or others.* *If an Individualized Education Plan (IEP)/504 team, having conducted a Functional Behavior Assessment (FBA), determined that less intrusive interventions are inappropriate for a student, then a physical restraint may be used immediately to protect the student*

	or staff from the targeted dangerous behavior described in the IEP/504 plan, but there must be a Behavior Intervention Plan that is also being implemented to teach appropriate behaviors in order to reduce the need for restraints in the future.
What type of training are schools responsible for providing staff?	Schools shall ensure that staff who use restraints are trained and recertified annually in the following areas: • Evidence-based techniques shown to be effective in the prevention of restraints; • Evidence-based techniques shown to be effective in keeping school personnel and students safe when imposing a restraint; • Evidence-based skills related to positive behavioral supports and interventions, safe physical escorts, conflict prevention, understanding antecedents, de-escalation, and conflict management; • A wide array of prevention and intervention modalities; • Information describing state policies and procedures for restraint and seclusion. ***QBS*** *is the vendor contracted by the State to provide the required training. The two-day Specialist training meets the training requirements outlined in* HRS §302A-1141.4 *except for the provision requiring staff to be trained in HIDOE policies and procedures. The policies and procedures portion of the training will be conducted via the electronic presentation in the Appendix of this document.*

	Beginning with 2018-2019 School year, QBS Safety-Care will be the only HIDOE approved curriculum used to meet the training targets established by HRS §302A-1141.4. *Each district/complex area has an assigned Restraints Liaison. The liaison works with the HIDOE Crisis Prevention Educational Specialist (ES) to schedule Safety-Care train-the-trainer sessions with QBS (three-day session). The liaison coordinates with the districts' cadre of trainers to train school staff to be Safety-Care specialist (two-day session).* *Recertification training must be conducted annually. Trainer recertification is two days and specialist recertification is one-day*.
What type of notice do schools have to provide to parent(s)/legal guardian(s) (Parents)?	When a physical restraint is imposed on a student, the school shall provide to the Parents of the student: • A verbal or electronic notification on the same day as the incident; and • Written notification within 24 hours of each incident. *The written notification must be hand delivered within 24 hours of the incident with a signature confirmation or mailed using registered or certified mail. If the student has a communication plan outlined in an IEP or 504 plan, the written notification may be sent in accordance with that plan, but still must occur within twenty-four hours of the incident and a signature is required.*

	The Notification to Parent Restraint Incident Report will be generated when the restraint is recorded in Electronic Comprehensive Student Support System (eCSSS). *If eCSSS is offline or otherwise unavailable, written notice must still be sent within 24 hours of the incident. Ensure that the written notice includes:* • *Date, time and location;* • *Reason restraint was imposed; and* • *If there was evidence of any injuries* *If multiple restraints are imposed on any student during the same school year, a meeting shall be scheduled with the Parent to discuss current interventions in place, how the student is responding to the interventions and discuss additional interventions to reduce or prevent future incidents involving restraints.*
Should we share our restraint and seclusion practices with Parents?	**Yes**, the law requires that all Parents receive, upon students' entry into public school, written information about Board of Education (BOE) policies and HIDOE procedures for restraint. **The Parent Brochure**, *What Parents Should Know About the Use of Restraints and Seclusion,* was published to meet this requirement. Schools shall distribute the brochure to Parents of all students at the beginning of each school year and to Parents of any new student enrolling throughout the year.

	The Parent Brochure will be updated by the Office of Student Support Services (OSSS) annually to ensure that it reflects the current BOE policies and HIDOE procedures. Principals shall ensure that the most current edition is distributed.
What are the requirements for collecting, analyzing and reporting restraints data?	Every restraint imposed on a student shall be recorded in eCSSS. The *eCSSS Restraint Student Reporting System, Navigational Guide* can be found in the Appendix of this Document. **Schools:** The law requires that each public school shall maintain records of its review of restraint data and any resulting decisions or actions regarding the use of restraints. Each school shall report data to the complex area annually. **Complex Area:** The law requires that no less than annually, there shall be a review of data on students at each public school who were restrained, which shall be conducted by each complex area superintendent. The review shall determine whether: • There are strategies in place to address students with dangerous behaviors; • The strategies in place are effective in increasing appropriate behaviors of students with dangerous behaviors; and • New strategies need to be developed or current strategies need to be revised or changed to prevent the reoccurrence of dangerous behaviors. Patterns and trends in the data shall be reported to the State (Crisis Prevention ES).

	State: The law requires that the State review policies and procedures on the use of restraints, including by reviewing available data on such use, outcomes, settings, individual staff involved, and programs, and the frequency of use for student populations categorized by: individual students; groups of students; gender; race; national origin; disability status and type of disability; and limited English proficiency for the purpose of determining: • Whether polices for restraints are being applied consistently; • The accuracy and consistency with which restraints data is being collected, as well as the extent to which this data is being used to plan behavioral interventions and staff training; • Whether policies and procedures are being implemented with fidelity; • Whether policies and procedures continue to protect students; and • Whether policies and procedures remain properly aligned with the applicable state statutes and administrative rules consistent with privacy laws.
How do these procedures align with BOE Policy 305-4, Use of Force?	The law governing the use of force in public schools is HRS §703-309(2). This law provides the authority for BOE Policy 305-4 and is referenced in HRS §302A-1141. The continuum for levels of appropriate force can be very broad depending on the circumstances of each incident. There are many instances in which a physical interaction will not rise to the level of a

	physical restraint. The use of force policy provides guidance for such uses of force. When a restraint is imposed it must be imposed in a manner consistent with BOE policies and HRS §703-309(2) and §302A-1141.4. *The law requires that the State review policies to ensure continued alignment and compliance with state statutes. As this is a continuous process, visit the Hawaii Board of Education website to access the most current version of the policy.* http://boe.hawaii.gov/policies/Pages/Board-Policies.aspx
Does this law prevent untrained school staff from breaking up fights or performing other emergency physical interventions?	**No,** teachers are obligated to keep students safe. The purpose of this law is to ensure safety for staff and students in public schools. A chief responsibility of school staff is to ensure that all students are safe. BOE Policy 305-4 provides the guidance for the use of force that may be required to maintain safety.
What does a school need to do if a student is placed in a private school?	When a student is placed in a private school by the HIDOE, schools shall: • Conduct a transition meeting with the private school; • Ensure the private school has staff adequately trained in preventing restraints and performing restraints safely; • Provide the private school with a copy of the *Hawaii DOE Restraints Guideline: For Private Schools with Students Placed by the DOE* and access to the Restraints and Seclusion Guidelines Video Presentation; and

	• Maintain records of any restraint imposed on a student in a private school placement via eCSSS.
What are some recommended practices to reduce the use of restraints and promote a positive school culture and climate?	School culture will be improved and the need for restraints will be reduced when student voice is valued and the needs of the whole-child are addressed. Schools should ensure that every student has equitable access to student support services. Students should be provided with appropriate services necessary to meet their individual needs. Along with the Safety-Care strategies, Prompt, Help, Wait, schools should employ a wide array of prevention and intervention strategies to prevent and minimize challenging behaviors. The State strongly believes that students are more likely to achieve and perform at higher levels when positive approaches are used. This law explicitly requires the training of evidenced-based skills relating to positive behavior interventions and supports **(PBIS).** For specific strategies visit: http://www.pbisworld.com This site provides tiered interventions for a variety of behaviors commonly displayed in the school setting.

APPENDIX

PARENT BROCHURE

“What Parents Should Know About the Use of Restraints and Seclusion”

Q. What if my child's behavior does not improve or I have concerns about the use of physical restraint with my child?

Should you have concerns about your child's behavior or interventions being used, you should contact the school administrator(s) or school counselors and ask to schedule a meeting.

Q. What should I ask the school about my child's behaviors?

Some questions you may want to ask the school include:

- When is the behavior occurring?
- What is happening before my child's behavior escalates to the point that my child is an imminent threat to the physical safety of self or others?
- What positive behavior supports/interventions have been tried with my child?
- How did my child respond to each of these supports/interventions?
- What can we do at home to help my child be successful at school?

Training for Complex Area and School Personnel

School personnel who use restraints are being trained and will be recertified annually. Staff are being trained to implement effective evidence-based practices to prevent and reduce the use of physical restraints and how to perform them safely when required. The department will continue providing state-wide training to provide staff with tools and support that address: 1) concepts of reinforcement, functional assessment, differential reinforcement; 2) de-escalation procedures, 3) physical procedures designed to be effective and particularly gentle to avoid any stress of joints, pain or skin damage; and, 4) practical methods for preventing, minimizing, and managing behavioral crises.

Maintaining Records and Annual Data Review

There will be an annual review of data of students who were physically restrained to analyze the effectiveness of interventions applied.

Policies and Procedures Alignment and Notification

The department's guidelines for restraint and seclusion practices have been established in accordance with Hawaii Revised Statutes Chapter 302A; prohibiting the use of seclusion, chemical restraints, or mechanical restraints in all public schools and establishing criteria for when physical restraints may be imposed. Should there be any changes to the policies or procedures on the use of restraints during the school year, the department will post the changes on its website immediately.

Purpose

The purpose of this law is to protect students from (1) physical and mental abuse; (2) aversive behavioral interventions that compromise health and safety; and (3) any restraint imposed solely for purposes of discipline or convenience.
It prohibits the use of seclusion, mechanical restraints, and chemical restraints on any student.

Q. Does this law apply to all students?

Yes, this law applies to all students, both general education students and students with disabilities.

Q. How will this law apply to my child?

This law prohibits schools from using seclusion, mechanical restraints or chemical restraints as disciplinary measures to control students' behaviors. Its purpose is to protect your child from:

- Physical and mental abuse,
- Use of aversive behavioral interventions that compromise health and safety, and
- Any restraint that is solely used for discipline or convenience.

Q. What are seclusion, mechanical restraint, and chemical restraint?

"Seclusion" is defined as the confinement of a student alone in a room or structure from which the student is physically prevented from leaving.

"Seclusion" should not be confused with "timeout" which is a behavior management technique that is part of a student's behavior program and involves the monitored separation of the student in a non-locked setting, and is implemented for the purpose of calming the student.

A "**mechanical restraint"** is the use of a device that restricts a student's freedom of movement or the ability to communicate in his/her primary language or mode of communication. Mechanical Restraint is not meant to include assistive technologies or orthopedic supports prescribed by a medical professional to allow a student with a disability access to the curriculum or participation in educational activities.

A **"chemical restraint"** is the use of a drug or medication to control a student's behavior or to restrict freedom of movement and the drug or medication has not been prescribed by a licensed physician or another qualified health professional for the treatment of student's medical or psychiatric condition.

Q. What is a physical restraint and what is its purpose?

A **"physical restraint"** is the use of physical restriction that prevents or reduces the student's ability to move his/her arms, legs, or head freely.

A **"physical restraint"** is not a teaching procedure or behavioral intervention. It should not be administered as punishment to address behaviors such as noncompliance, disrespect, disobedience, misuse or destruction of property, or disruption.

The purpose of a **"physical restraint"** is to manage dangerous behaviors to prevent a student from causing substantial property damage, self-harm or injury to others in the environment.

Q. What are the conditions around which a physical restraint is applied?

School staff may only use physical restraint on a student when it is immediately required to ensure the safety of the student or others. A physical restraint is only imposed after all attempts of less restrictive/intrusive interventions have failed or been determined inappropriate for this individual; and the student poses imminent risk of physical harm to self or others or in the event of substantial property damage.

Q. If my child is physically restrained, how will I be informed?

Should your child be physically restrained, you can expect the following actions from the school:

- The school will call or electronically notify you on the same day your child was physically restrained.
- The school will send to you a written parent notification within 24 hours of the incident.

Q. What are the procedural safeguards for me and my child?

The school will be able to share with you what interventions have been tried, and how your child has responded to those interventions. You have the right to meet with the school to discuss additional, less intrusive interventions that may be available to support the specific needs of your child. Always discuss any concerns you have with the school principal.

PowerPoint Presentation to School Staff

Restraint & Seclusion Guidelines

Historical Background

- U.S. Government Accountability Office (2009)
  - Alleged abuse & death related to seclusion and restraint methods
- U.S. Senate Health, Education, Labor & Pensions Committee (2014)
  - No evidence of benefit K-12 physically restraining or putting in unsupervised rooms

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U.S. DOE Guiding Principles

- Every effort to prevent use of restraint
- Never use mechanical restraint to restrict student
- Physical restraint only in imminent danger
- Policies on seclusion and restraint apply to all children
- Behavioral intervention consistent with child dignity & free from abuse

U.S. Doe Restraint & Seclusion: Resource Document

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Hawaii's Response

- **July 2, 2014 House Bill 1796 signed into law**
  - Prohibits: Seclusion, Mechanical and Chemical Restraints
  - Establishes conditions for use of Physical Restraints
  - Mandates training on positive behavior interventions
  - Outlines reporting requirements

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Purposes of Hawaii's Law

- Protect students from physical and mental abuse
- Prevent use of aversive behavioral interventions
- Prevent restraints used solely for discipline and convenience

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What is Restraint?

- Hawaii law defines 3 types of Restraints
  - Mechanical, Chemical and Physical Restraints
- Mechanical and Chemical Restraints are **not** permissible.
- Under certain conditions physical restraints are permissible.

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What is Physical Restraint?

- Act 206 (2014) defines a physical restraint as a personal restriction that immobilizes or reduces the ability of a student to move the student's arms, legs, or head freely.

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Physical Restraint Conditions

- Imminent danger of harm or substantial property damage
- Less restrictive measures failed
- Conducted by trained persons
- Applied only as long as necessary
- Degree of force not to exceed what is necessary to resolve the risk or danger or harm

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A Physical Restraint

IS NOT	IS
• Teaching Procedure • Behavioral Intervention • Used as punishment for noncompliance, disrespect, or disobedience, except as provided for under section 703-309 (2)	• An emergency procedure to prevent injury to student and/or others when student is in crisis

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Hawaii's Prohibited Practices*

- **Seclusion**
  - Student left alone in room & prevented from physically leaving
- **Mechanical Restraint**
  - Examples: Tape, ropes, weights, tie downs
- **Chemical Restraint**
  - Use of drug/medication to control behavior

**Regardless of student, parent or guardian consent*

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Seclusion vs. Timeout

- "Timeout" is behavioral management technique
- Part of student's program
- Involves **MONITORED** separation in non-locked setting with purpose of calming student

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Physical Restraint Documentation

eCSSS Student Profile/Restraints Tab

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Parent Notification Form

Written Notification 24 hours

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Post Incident Meeting

- Conduct **staff** follow-up meeting
- Include all staff involved in incident
  - Triggers of situation
  - Alternate interventions used & why unsuccessful
  - How situation was handled
  - How to prevent future occurrences
- A special debriefing with student should be conducted separately.

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Parent Meeting

If multiple restraints are imposed on any student during the same school year, a meeting shall be scheduled with the Parents to discuss current interventions in place, how the student is responding to the interventions and discuss additional interventions to reduce or prevent future incidents involving restraints.

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Actions

School	Complex Area	State
• Provide written information upon student's entry into school • Maintain records of physical restraint use • Provide notification to parents • Conduct follow-up meeting with staff, and parent(s) as needed • Submit annual restraint data report to Complex Area Superintendent	• Identify cadre of trainers to be recertified annually • Provide training to complex schools • Complete annual data review of schools & students restrained • Submit annual complex area review report to Crisis Prevention ES, Office of Student Support Services (OSSS)	• Develop/amend policies & guidelines • Provide statewide training to establish complex area trainers • Conduct annual statewide review of policy compliance and restraint data

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Focus on Prevention: Positive Supports

- Clearly and simply define expectations
- Teach replacement behaviors
- Acknowledge and praise appropriate behaviors
- Appropriate adult responses
- Support at problematic times: Compassion
- Avoid reinforcing challenging behaviors
- Use toolbox found at www.pbisworld.com

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Thank you for keeping our keiki safe!

Should you need further information, please visit our DOE Homepage

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Parent Notification

Restraint Incident Report

STATE OF HAWAI'I DEPARTMENT OF EDUCATION	Notification to Parent Restraint Incident Report

To the Parent(s)/Legal Guardian(s) of _____
Student's Name

Mail Address:

School:
Grade:

Incident Information:

Incident Date: _____ **Incident Location:** _____

Reason Student was Restrained:
Your child was restrained due to dangerous behaviors of:

Populated from "Restraint Reason Details" field

Evidence of Injuries:

As a result of the restraint applied:

Evidence of injury: ☐ Yes ☐ No
Evidence of visible marks: ☐ Yes ☐ No
Medical emergency occurred during use of restraint: ☐ Yes ☐ No

If "yes" to any of the above questions, please explain:

Populated from "Explain injury, Visible Marks, or Medical Emergencies" field

_____ Principal or Designee (Printed)

_____ Principal or Designee Signature

_____ Date

☐ A copy of "What Parents Should Know About the Use of Restraints and Seclusion" has been sent with this notification.

Sender's Initials: _____

eCSSS
Parent Restraint Incident Report

Restraints Student Reporting System

Navigational Guide

Actions	Screen Shots
Select Student Profile from the Navigation Menu. **Type** student's name into the Student Name box.	
Click Restraints tab. **Click** "New Restraint Form" in Actions box.	
The Restraints window will display. **<u>Restraint Info tab</u>** Complete required data fields noted in red with asterisks (*).	

"Reason Student Was Restrained" field **Click** "Select". Select reason from drop down list. When "Other" is selected, enter a description in the "Other Reason Student was Restrained" field. **Click** "OK".	
"Restraint Reason Details" text field *Note:* *Compose description using complete sentences. Input will be printed on Notification to Parent Restraint Incident Report (Reason Student was Restrained field).*	
"Type of restraint used" field **Click** "Add". Select Type of Restraint(s) Used. **Click** "OK".	

"Persons Using/Assisting in Restraint" field **Click** "Add". Import button is checked by default. School defaulted to student's current school at the time	

the record is created. Name field will display eCSSS users with school-level rights to the selected school. If Import button is unchecked, input fields will change to allow manual input of a name and position.	 *Person Using Restraint Modal (Import box checked)* *Person Using Restraint Modal (Import box unchecked)*
"List Antecedents to Dangerous Behaviors" text field.	

Details tab

Complete required data fields noted in red with asterisks (*).

Restraint Info | **Details** | Notifications | Related Incident

Behavioral Strategies Used to Prevent/Deescalate Behavior *

Was Anyone at Risk of Immediate Physical Harm? * Yes

Who Was at Risk of Immediate Physical Harm? *

- [ ] Persons at risk
- [ ] Student (self)
- [ ] Students
- [ ] Adults

"Who Was at Risk of Immediate Physical Harm?"

Note:
This field conditionally displays and marked as required when "Was Anyone at Risk of Immediate Physical Harm?" question = Yes.

As a Result of the Restraint Applied, Did the Student Have:

Evidence of Injury? * Yes

Evidence of Visible Marks? * No

A Medical Emergency During Restraint? * No

Explain Injury, Visible Marks, or Medical Emergencies *

Explanation should be composed using complete sentences

Anyone Else Have Injuries, Visible Marks, or Medical Emergencies During Use of Restraint? * Yes

What Occurred with Student Immediately After Termination of Restraint? *

Actions

Add | Delete

"Explain Injury, Visible Marks, or Medical Emergencies" Text field

Note:

- *This text box conditionally displays and marked as required when any of the above questions = Yes.*
- *Explanation should be composed using complete sentences. Input will be printed on Notification to Parent Restraint Incident Report ("Evidence of Injuries" section).*

"What Occurred with Student Immediately After Termination of Restraint" field **Click** "Add". Select Action(s) that apply. **Click** "OK".	

Notifications tab

Click "New Verbal/Electronic Notification" in Actions box.

Note:
Verbal or electronic notification must occur on the day of the incident.

Notifications Details window will appear.

Complete required data fields noted in red with asterisks (*).

"Notified By" field

Click Import button.

Import button is checked by default.

School defaulted to student's current school at the time the record is created.
Name field will display eCSSS users with school-level rights to the selected school.

If Import button is

unchecked, input fields will change to allow manual input of a name and position. **Click** "OK".	
Person Notified field **Click** Import button.	
Drop-down will display contacts from student's Contact List. **Click** "OK".	
Contact Info field Field is required if notification method	

selected is phone call or email. Populate by entering text or **Click** Import button to bring up Import Contact Info window. **Click** "Ok".	
Click "New Written Notification" in Actions box. *Note:* *Written Notification must be sent within 24 hours of the incident.*	

Notifications Details window will display.

Complete required data fields noted in red with asterisks (*).

Mail Address field.

Field is required if notification method selected is Registered Mail or Certified Mail.

Populate by entering text
or
Click Import button.
Click "OK".

Lock Written Notification

Display upon selecting a saved, unlocked Written Notification record.

Click to make all fields (except "Outcome" and "Comments" fields), on the selected Written Notification read-only.

Notification Information view will indicate Notification is locked with an "x".

Print Written Notification

Highlight written notification for printing.
Click "Print Written Notification" in Actions box.

Note:
You must SAVE changes to the Restraint form before "Print Written Notification" will appear for highlighted form.

Notification to Parent Restraint Incident Report

Note:

- *If Written Notification has not been locked, a "DRAFT" watermark will print across the form.*
- *Upon locking the Written Notification record, the "DRAFT" watermark will be removed.*

STATE OF HAWAI'I DEPARTMENT OF EDUCATION	Notification to Parent Restraint Incident Report

To the Parent(s)/Legal Guardian(s) of _____
Student's Name

Mail Address: School:
Grade:

Incident Information:

Incident Date: _____ Incident Location: _____

Reason Student was Restrained:
Your child was restrained due to dangerous behaviors of:

Populated from "Restraint Reason Details" field

Evidence of Injuries:

As a result of the restraint applied:

Evidence of injury: ☐ Yes ☐ No
Evidence of visible marks: ☐ Yes ☐ No
Medical emergency occurred during use of restraint: ☐ Yes ☐ No

If "yes" to any of the above questions, please explain:

Populated from "Explain injury, Visible Marks, or Medical Emergencies" field

Principal or Designee (Printed) | Principal or Designee Signature | Date

☐ A copy of "What Parents Should Know About the Use of Restraints and Seclusion" has been sent with this notification.
Sender's Initials: _____

eCSSS
Parent Restraint Incident Report

Related Incident tab
(Optional tab)

Note:
Visible only if user has Incident View rights.

Click on "Select Related Incident" in Actions box.

Set Related Incident window will appear displaying a list of Chapter 19 incidents that occurred within 10 days of the restraint that the student is a victim or suspect.

Select related incident (if applicable).

Click "OK".

Selected Incident information will show in Incident Summary box on the Related Incident tab.

Click "Save" and "Close"

Entered Restraint record will display. Highlight to open or delete record. *Note:* • *If Restraint record contains a locked Written Notification record, the "Delete Restraint Form" action will not display.*	
Delete Restraint Form *Note:* *Displayed upon selecting an existing record that does* ***not*** *contain a locked written notification. Restraint forms that have a locked, written notification cannot be deleted. (Written notification must be deleted first.)*	

Appendix A: Restraint Screen

Reason Student was Restrained:
Serious physical aggression
Imminent serious physical aggression
Serious self-harm
Imminent serious self-harm
Damage to property
Other

School Setting:
School
Residential Setting
Private School
Alternate Program
Other

Incident Location:
Classroom
Bus
Cafeteria
Playground
Bathroom
Hallway
Off Campus
Other

Type of Restraint Used:
1-Person Stability Hold / Children's Control Position
2-Person Stability Hold / Team Control Position
Forward Escort / Transport Position
Reverse Escort
Seated Stability Hold
Chair Stability Hold
Leg Wrap
2-Person Lift
3-Person Supine Stability Hold
Small Person Stability Hold
Other

What Occurred With Student Immediately After Termination of Restraint:
Debriefing/problem solving
Environment change
Return to activity/situation
Removal by parent
Behavior escalated
Removal by law enforcement

Other

Notification Method = Verbal Electronic:	Notification Method = Written:
In Person	Registered Mail
Phone Call	Certified Mail RR
Email	In Person
	IEP Log

Restraint Documentation Worksheet

Student Information:

First Last Name:	Birthdate:	Grade Level:	School Name:

1. RESTRAINT INFO TAB

Restraint Date:	Start Time:	End Time:

Reason Student Was Restrained:		
❑ Serious physical aggression	❑ Credible threat of imminent serious physical aggression	❑ Serious self-harm
❑ Credible threat of imminent serious self-harm	❑ Damage to property	❑ Other: _____

Restraint Reason Details (Compose using complete sentences):

School Type:	
❑ School	❑ Residential Setting
❑ Private School	❑ Alternate Program
❑ Other: _____	

Incident Location:			
❑ Classroom	❑ Bus	❑ Cafeteria	❑ Playground
❑ Bathroom	❑ Hallway	❑ Off Campus	❑ Other: _____

Type of Restraint Used (select all that apply):		
❑ 1-Person Stability Hold/Children's Control Position	❑ 2-Person Stability Hold/Team Control Position	❑ Forward Escort/Transport
❑ Reverse Escort	❑ Seated Stability Hold	❑ Chair Stability Hold
❑ Leg Wrap	❑ 2-Person Lift	❑ 3-Person Supine Stability Hold
❑ Small Person Stability Hold	❑ Other: _____	

Persons Using/Assisting in Restraint:

Name	Restraints Trained Y/N	Position

Behavioral Strategies Used to Prevent/Deescalate Behavior:

List Antecedents to Dangerous Behaviors: (Provide events or circumstances preceding dangerous behaviors)

2. DETAILS TAB

Was Anyone at Risk of Immediate Physical Harm?	❑ Yes	❑ No
If Yes, Who Was at Risk of Immediate Physical Harm?		
❑ Student (self)	❑ Students	
❑ Adults		

What Occurred with Student Immediately After Termination of Restraint?	
❑ Debriefing/problem solving	❑ Environment change
❑ Return to activity/situation	❑ Removal by parent
❑ Behavior escalated	❑ Removal by law enforcement
❑ Other: _____	

As a Result of the Restraint Applied, Did the Student Have:		
Evidence of Injury?	❑ Yes	❑ No
Evidence of Visible Marks?	❑ Yes	❑ No
A Medical Emergency During Restraint?	❑ Yes	❑ No
If Yes to Any Question Above Re: Student, Explain Injury, Visible Marks, or Medical Emergencies: (Explanation should be composed using complete sentences)		

Anyone Else Have Injuries, Visible Marks, or Medical Emergencies During Use of Restraint?	❑ Yes	❑ No

Was the Parent Notified Immediately?	❑ Yes	❑ No
If Yes, When and How Were They Notified? Time: _____ Date: _____		
❑ In Person	❑ Phone	
❑ Email		

Hawaii DOE Restraints Guidelines

For Private Schools with Students Placed by the DOE

Office of Student Support Services
Hawaii State Department of Education
October 2018

How are seclusion, mechanical restraint, and chemical restraint defined?	The use of any seclusion, mechanical restraint, or chemical restraint is **strictly prohibited.** **Seclusion** is defined as the confinement of a student alone in a room or structure from which the student is physically denied voluntary egress. *Seclusion is not meant to be confused with a "timeout" in which the student is supervised by an adult in an unlocked room.* **Mechanical Restraint** is defined as the use of devices as a means of restricting a student's freedom of movement or the ability to communicate in the student's primary language or mode of communication. *Mechanical Restraint is not meant to include assistive technologies or orthopedic supports prescribed by a medical professional to allow a student with a disability access to the curriculum or participation in educational activities.* **Chemical Restraint** is defined as a drug or medication used on a student to control behavior or restrict freedom of movement; provided that the term does not include a drug or medication that is: • Prescribed by a licensed physician, or other qualified health professional acting under the scope of the professional's authority under state law, for the standard treatment of a student's medical or psychiatric condition; and

	• Administered as prescribed by a licensed physician or other qualified health professional acting under the scope of the professional's authority under state law.
What is a physical restraint and when can a physical restraint be used?	**Physical Restraint** is defined as a personal restriction, other than a chemical or mechanical restraint, that immobilizes or reduces the ability of a student to move the student's arms, legs, or head freely. A physical restraint may only be imposed when: • A student's behavior poses an imminent danger of property damage or physical injury to self or others and only for so long as the danger persists; • Other less intrusive interventions have failed or been determined to be inappropriate for the student; and • The restraint imposed is not life-threatening, including a physical restraint that may restrict breathing. *No restraint may be imposed solely for purposes of discipline or convenience. Imposing a restraint for the threat of property damage should only be considered when the destruction will be substantial including but not limited to any damage that also presents an imminent risk of injury to the student or others.* *If an IEP/504 team, having conducted an FBA, determined that less intrusive interventions are inappropriate for a student, then a physical restraint may be used immediately to protect the student or staff from the targeted dangerous behavior*

	described in the IEP/504 plan, but there must be a Behavior Intervention Plan that is also being implemented to teach appropriate behaviors in order to reduce the need for restraints in the future.
What type of training are Private Schools responsible for providing staff?	Private Schools shall ensure that staff who use restraints are trained and recertified annually in the following areas: • Evidence-based techniques shown to be effective in the prevention of restraints; • Evidence-based techniques shown to be effective in keeping school personnel and students safe when imposing a restraint; • Evidence-based skills related to positive behavioral supports and interventions, safe physical escorts, conflict prevention, understanding antecedents, de-escalation, and conflict management; • A wide array of prevention and intervention modalities; • Information describing state policies and procedures for restraint and seclusion; and • Recertification must be conducted no less than annually. ***QBS, Inc.*** *is the vendor contracted by the Hawaii State Department of Education to provide the required training. However, private schools may choose to enter into a contract with another vendor. In order for a crisis prevention training to be recognized by the DOE, the curriculum must meet the minimum requirements aforementioned.*

	*The training requirement around state policies and procedures can be satisfied with the **Restraint and Seclusion Guidelines Video Presentation**, provided by the DOE.* *The DOE cannot provide crisis intervention training to non-DOE employees except under very limited circumstances. **Therefore, private schools must secure their own training.***
What type of notice do Private Schools have to provide to parent(s)/legal guardian(s) (Parents)?	When a physical restraint is imposed on a student who has been placed in the private school by the DOE, the private school shall provide to the Parents of the student: • Verbal or electronic notification on the same day as the incident; and • Written notification within 24 hours of each incident *Ensure that the written notice includes:* • *Date, time and location;* • *Reason restraint was imposed; and* • *If there was evidence of any injuries.*
What type of notice do Private Schools have to provide to the home school?	When a physical restraint is imposed on a student who has been placed in a private school by the DOE, the private school shall provide to the home school a copy of the *Restraints Documentation Worksheet* on the same day.