



Your **BEST** Choice!

POL-A2

April 13, 2022

POLICY 5.181

Agenda Item #POL-F# I recommend the Board approve the development of the proposed revised Policy 5.181, entitled "Policy for the Use of Physical of Restraint With Students with Disabilities."

[Contact: Kevin McCormick, PX 434-8626.]

CONSENT ITEM

(This Policy was presented to the Board at a workshop on 3/24/2022)

- The purpose of School Board Policy 5.181 is to ensure that the School District of Palm Beach County implements the requirements of statutes or State Board of Education rule (Section 1003.573) affecting restraint for students with disabilities
- Revisions to the policy include addition of language based on CS/HB 149: Students with Disabilities in Public Schools, which was effective 7/1/2021.
- The bill revises the circumstances and procedures required for restraining students with disabilities and prohibits the use of seclusion (Per Policy 5.181, this is already prohibited in the School District of Palm Beach County).
- The bill emphasizes the need to use positive behavior interventions and the use of restraint as a last resort.
- Adds a requirement of Cardiopulmonary Resuscitation (CPR) training for all staff trained in restraint.
- Policy 5.181 will also reflect an addition of a Crisis Intervention Plan for a student that has been restrained twice during a semester (18 weeks).
- The primary focus is to abide by all Florida Department of Education rules and statutes, provide positive behavior support for students and increase student engagement for students with disabilities after a crisis.



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Legal Signoff:

The Office of General Counsel has reviewed proposed Policy 5.181 and finds it legally sufficient for development by the Board.

Laura E. Pincus
Attorney Signature

3/24/2022
Date

Laura E. Pincus
Printed Name

1 **Policy 5.181 – Policy for the Use of Physical Restraint With Students With**
2 **Disabilities**

3 1. **Purpose of Policy.** The School Board of Palm Beach County (Board)
4 acknowledges that students, their families, and personnel of the School
5 District of Palm Beach County (District) have serious concerns about the
6 use of seclusion and restraint with students with disabilities. This Policy
7 addresses those serious concerns and underscores that District personnel
8 must always use the least intrusive measures possible under the
9 circumstances to ensure the physical safety and security of students with
10 disabilities, District personnel, and campus visitors.

11 The use of seclusion is prohibited in Palm Beach County Public Schools.
12 Thus, this Policy defines the limited, emergency circumstances in which
13 staff and school personnel of the District may use physical restraint on
14 students with disabilities, who are eligible under the Individuals with
15 Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of
16 1973 (Section 504), the Americans with Disabilities Act of 1990 (ADA), and
17 State law.

18 This Policy seeks to reduce the use of restraint throughout the District while
19 still helping to instill an educational culture that promotes a positive, safe
20 learning environment for students with disabilities and District personnel.

21 **2. General Applicability of Policy**

22 a. This Policy applies to all District schools, students with disabilities and
23 school-based District personnel.

24 b. This Policy describes the procedures to be followed in the
25 administration of restraint, required training and certification, notice
26 to parents, and documentation requirements.

27 c. Restraint must only be used as a safety measure, within a
28 comprehensive approach to a student's behavioral challenges,
29 including accurate and continuous data related to fidelity of
30 implementation and impact on behavioral outcomes.

31 d. This Policy does not eliminate or restrict the ability of trained and
32 certified District personnel to use their discretion in the use of
33 restraint to protect students or others from an imminent risk of
34 serious injury or death as provided in this Policy.

35 e. This Policy does not limit or interfere with the duties and obligations
36 of law enforcement and emergency medical personnel to respond

37 appropriately to situations where an imminent risk of serious injury
38 or death to a student or others exists.

39 3. **Definitions.** The following Policy terms are listed in alphabetical order and
40 shall have the meanings expressly assigned to them for the purposes of this
41 policy.

42 a. **"Crisis Intervention Plan"** means an individualized action plan for
43 school personnel to implement when a student exhibits dangerous
44 behavior that may lead to imminent risk of serious injury.

45 b. **"Emergency"** means a significant, probable, imminent threat of
46 serious bodily injury or death to self or others with the present ability
47 to affect such bodily injury.

48 c. **"FLDOE"** means the Department of Education, State of Florida.

49 d. **"Functional Behavior Assessment (FBA)"** is a team process
50 utilized to gain information about an individual who is demonstrating
51 extreme or continuous behaviors that are dangerous to
52 himself/herself or others. The information gathered during the FBA
53 process is utilized to develop the individual Behavior Intervention
54 Plan.

55 e. **"Individual Education Plan (IEP)"** means a written statement for
56 a student with a disability that is developed, reviewed and revised in
57 accordance with State Board of Education Rules 6A-6.03011 through
58 6A-6.0361, F.A.C.

59 f. **"Imminent risk of serious injury or death"** means the threat
60 posed by dangerous behavior that may cause serious physical harm
61 to self or others. Defined by an immediate, high probability of
62 significant injury to a student or others, such as a laceration, bone
63 fracture, hematoma, bruise, injury to internal organs, or similar
64 serious bodily injury.

65 g. **"Parent"** or **"Parents"** means one or both parents of a student, any
66 legal guardian of a student, any person in a parental relationship to a
67 student, or any person exercising supervisory authority over a
68 student in place of the parent. Section 1000.21(5), Florida Statutes.

69 h. **"Physical escort"** means a temporary touching or holding of the
70 hand, wrist, arm, shoulder, or back for the purpose of inducing a
71 student who is non-compliant to walk to a safe location. The term
72 physical restraint does not include physical escort.

- 73 i. **"Physical Restraint"** means the use of manual restraint techniques
74 that involve significant physical force applied by a teacher or other
75 staff member to restrict the movement of all or part of a student's
76 body. The term does not include briefly holding a student in order to
77 calm or comfort the student or physically escorting a student to a
78 safe location.
- 79 j. **"Physical restraint procedures"** means that in order to promote
80 and maintain a safe learning environment, the School Board, as an
81 emergency intervention measure and as a last resort, has authorized
82 the implementation of specific restraint procedures for its population
83 of students with disabilities. Examples of physical restraint
84 procedures include, but are not limited to: professionally sanctioned
85 holding and escape techniques which, when implemented in
86 accordance with approved, evidence- and research-based practices,
87 are specifically designed to prevent injury to students and staff
88 and/or prevent serious damage to school and personal property.
- 89 k. **"Positional asphyxia"** means a person's inability to intake a
90 sufficient amount of oxygen as a result of body position that
91 interferes with the person's ability to breathe and maintain normal
92 brain function.
- 93 l. **"Positive behavior interventions and supports"** means the use
94 of behavioral interventions to prevent dangerous behaviors that may
95 cause serious physical harm to the student or others.
- 96 m. **"Positive behavioral interventions and supports framework"**
97 ~~(PBIS)~~ is decision making framework that guides selection,
98 integration, and implementation of the best evidence-based academic
99 and behavioral practices for improving important academic and
100 behavior outcomes for students.
- 101 n. **"Restraint"** means the use of mechanical or physical restraint. This
102 includes any method used to involuntarily limit a student's freedom
103 of movement, including, but not limited to, bodily physical force in
104 the least amount necessary to prevent a student from harming self
105 or others. Restraint may be used only by District staff trained in the
106 appropriate use of restraint.
- 107 i. **"Chemical restraint"** means the use of drugs to restrict a
108 student's movement or restrict the normal function of a
109 student's body. The use of chemical restraint is prohibited
110 without exception. Chemical restraint does not include:

111 Prescription medicine that is regularly administered to the
112 student for medical reasons rather than to restrain the
113 student's freedom of movement (e.g. medications to treat
114 mood disorders, ADHD, etc.); or The administration of
115 medication pursuant to applicable law, or administration of
116 medication for voluntary or life-saving medical procedures
117 (e.g. EpiPens or Diastat.)

118 ii. **"Mechanical restraint"** means the use of any device,
119 ~~material or equipment to~~ that restricts a student's freedom of
120 movement. The term does not include the use of devices
121 prescribed or recommended by physical or behavioral health
122 professionals when used for indicated purposes. The use of
123 mechanical restraints in the District is prohibited. Examples of
124 prohibited mechanical restraints include, but are not limited to:
125 straightjackets, belts, vests, helmets, padded mittens, tie-
126 downs, wraps and chairs with straps, seatbelts, blanket
127 wrapping, harnesses, tape and trays.

128 A. Exceptions: The prohibition against mechanical restraint does
129 not include ~~devices implemented by trained school personnel~~
130 ~~or~~ devices used by a student that have been prescribed by an
131 appropriate medical or related service professionals and are
132 used for the specific, approved purposes for which such
133 devices were designed, such as:

134 I. Adaptive devices or mechanical supports used to
135 achieve proper body position, balance, or
136 alignment to allow greater freedom of mobility
137 than would be possible without the use of such
138 devices or mechanical supports, except that these
139 exceptions to the definition of mechanical
140 restraint do not apply to any device when it is
141 used for any purpose other than supporting a
142 body position or proper balance, such as when
143 used as coercion, discipline, convenience, or
144 retaliation, to prevent imminent risk of serious
145 injury or death of the student or others, or for
146 any other behavior management reason;

147 II. Vehicle safety restraints when used as intended
148 during the transport of a student in a moving

149 vehicle, such as seatbelts or wheelchair tie-
150 downs;

151 III. Restraints for medical immobilization;

152 IV. Orthopedically prescribed devices that permit a
153 student to participate in activities without risk of
154 harm;

155 V. Medical protective equipment; and

156 VI. Physical equipment or orthopedic appliances,
157 surgical dressings or bandages, or supportive
158 body bands or other restraints necessary for
159 medical treatment that is ongoing in the
160 educational setting.

161 iii. **"Physical restraint"** means the use of manual restraint
162 techniques that involve significant physical force applied by a
163 teacher or other staff member to restrict the movement of all
164 or part of a student's body. ~~refers to the use of physical~~
165 ~~intervention techniques by District personnel designed to~~
166 ~~restrict the movement of a student in an effort to de-escalate~~
167 ~~aggressive behavior.~~ In order to promote a safe learning
168 environment, the School Board has authorized the
169 implementation of specific restraint procedures for this
170 population of students. These procedures include, but are not
171 limited to, holding and escape techniques which, when
172 implemented in accordance with approved practices, are
173 designed to prevent injury to students and staff or prevent
174 serious damage to property. Physical restraint does not include
175 any form of mechanical restraint, such as blanket wrapping,
176 tie-downs, harnesses, or use of tape.

177 iv. **"Prone restraint"** means the restraint of a student in a face
178 down position on the floor.

179 v. **"Supine restraint"** means the restraint of a student in a face
180 up position with his or her back on the floor.

181 i. **"Seclusion"** means the involuntary confinement of a student ~~alone~~
182 a room or area alone and preventing the student from leaving the
183 room or area. ~~from which the student is physically prevented from~~
184 ~~leaving.~~ The term does not include time-out used as a behavior

185 management technique intended to calm a student. Seclusion may
186 not be used under any circumstances in Palm Beach County Schools.

187 m. "Student" means a child with an individual education plan enrolled in
188 grades pre-kindergarten through 12 in a school, as defined in s.
189 1003.01 (2), or the Florida School for the Deaf and Blind. **The term**
190 **does not include students in prekindergarten,** students who reside in
191 residential care facilities under s. 1003.58, or students participating
192 in a Department of Juvenile Justice education program under s.
193 1003.52.

194 n. **"Temporary holding"** means the act of assisting a student without
195 the use of force to aid the student in participating in educational or
196 daily living activities. Examples of temporary holding include: briefly
197 holding an ESE student in order to calm and comfort the student;
198 holding a student's hand or arm to escort the student safely from one
199 area to another; holding a child for a brief time in order to prevent an
200 impulsive behavior that threatens the child's immediate safety (e.g.,
201 elopement; running in front of a car); moving a student who is
202 disruptive in a specified area and unwilling to leave that area
203 voluntarily; breaking up a fight in a school building, on school
204 grounds, or at a school function. Temporary holding is not considered
205 a physical restraint under this Policy.

206 4. **Statement of Policy.** The School Board recognizes its responsibility to
207 ensure that all students are treated with respect and dignity in an
208 environment that provides for the physical safety and security of all
209 students, District personnel and campus visitors. In accordance with state
210 law, the School Board seeks to ensure that physical restraint is
211 administered on students with disabilities consistent with this Policy. Thus,
212 District personnel are authorized to physically restrain students with
213 disabilities only in the limited situations as provided in this Policy.

214 a. Administered By Trained District Personnel. Without exception,
215 restraint decisions must be made by trained and certified District
216 personnel, who will ensure that each restraint event is performed
217 safely, for the least amount of time necessary, with an emphasis on
218 de-escalation of potentially dangerous incidents, and affording the
219 minimum risk to the student, classmates, teachers, and staff.

220 b. Prohibitions. As more specifically described in Section 6 of this Policy,
221 the School Board hereby prohibits:

- 222 i. District personnel from communicating or implying any form or
223 threat of restraint, seclusion, behavioral intervention, or other
224 interaction with any student that employs humiliation,
225 embarrassment, withholding of basic needs, or the intentional
226 creation of punishment, pain or discomfort, in any form.
- 227 ii. The use of restraint for the purposes of discipline, punishment,
228 or convenience.
- 229 iii. The use of restraint that restricts a student's ability to breathe,
230 or that causes positional asphyxia by impacting the student's
231 ability to take in a sufficient amount of oxygen.
- 232 iv. The use of mechanical restraints on any student.
- 233 v. The use of chemical restraints on any student.
- 234 vi. The seclusion of a student.
- 235 vii. The use of supine restraints on any student.
- 236 c. Behavioral Assessment or Intervention. Students who exhibit
237 continuous aggression or self-injurious behavior shall be provided
238 with a Functional Behavior Assessment (FBA) and an individualized
239 Behavioral Intervention Program (BIP), as set forth in State Board of
240 Education Rule 6A-6.03312. ~~PBSD Form 1549 is incorporated herein~~
241 ~~by reference.~~ A FBA or BIP may be initiated at the request of the 504
242 or IEP team.

243 **5. Use of Restraint.**

- 244 a. Assessment of Need for Restraint. District personnel trained in
245 District-approved restraint methods must determine, by evaluating
246 each individual circumstance, whether restraint is appropriate, based
247 on assessment of whether an emergency, where an imminent risk of
248 serious injury or death to the student or others, exists.
- 249 b. Chain of Intervention Prior to Prone Restraint. Research shows that
250 when you have rules, rules management, classroom routines and
251 quality instruction, the likelihood of disruptive behavior is greatly
252 decreased. The following are some prevention strategies to be
253 implemented, prior to having to physically intervene with a student.
254 During a crisis situation, adults must strive to maintain a relaxed
255 physical demeanor, interacting in a relaxed confident manner. It is
256 recognized that this is most likely to occur when proper training is

257 provided to staff. In the event of a crisis situation, the adults are
258 expected to:

- 259 i. Provide verbal redirection
- 260 ii. Give physical prompt (i.e. light touch on the shoulder), if
261 appropriate
- 262 iii. Give the student choices
- 263 iv. Consider biological factors (is the student hungry, thirsty or
264 sick?)
- 265 v. Consider modifying the student schedule
- 266 vi. Use various types of praise (pivot, quiet, group callouts,
267 individual callouts, etc.)
- 268 vii. Increase your rate or quality of reinforcement
- 269 viii. Use positive relationships with the student
- 270 ix. Give student frequent feedback delivered promptly
- 271 x. Remind student of a preferred activity
- 272 xi. If you do "___", then you get "___" . This is known as
273 Grandma's rule.

274 If the student continues to be aggressive or self injurious:

- 275 A. Use personal safety procedures, if necessary.
- 276 B. If criteria is met, implement transportation procedures.
- 277 C. If transportation procedures break down or there is an
278 imminent risk of breaking down, implement one, two or
279 three person vertical immobilization procedures.
- 280 D. If vertical immobilization breaks down, and the student is
281 still physically aggressive or self injurious, and you have
282 proper safety equipment and trained staff, implement
283 prone immobilization procedures.
- 284 E. Prone Restraint as a last resort. A prone restraint will only
285 be used when required as a last resort.

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~~c. Prone Restraint As a Last Resort. A prone restraint will only be used when required as a last resort.~~

d. Requirements for Each Restraint. In each restraint event,

- i. Authorized school personnel may use restraint ~~be used~~ only when all positive behavior interventions and supports have been exhausted. Restraint may be used only when there is an imminent risk of serious injury and shall be discontinued as soon as the threat posed by the dangerous behavior has dissipated. ~~Techniques or devices such as straightjackets, zip ties, handcuffs, or tie downs may not be used in ways that may obstruct or restrict breathing or blood flow or that place a student in a facedown position with the student's hands restrained behind the student's back.~~ Restraint techniques may not be used to inflict pain to induce compliance. ~~for the minimum time required to reduce the imminent risk of serious injury or death to the student or others.~~ The School District shall monitor the time frame of restraint and develop a plan to reduce the length and occurrences of restraint.
- ii. Personnel must limit the degree of physical force used so that a student receives the least amount necessary to reduce the imminent risk of serious injury or death to the student or others.
- iii. Each student shall be vigilantly monitored for the duration of the intervention.
- iv. To the maximum extent practicable, students should be evaluated during and as soon as possible after the intervention.

e. Location for Restraint. Restraint should be performed in a private location, to the maximum extent practicable under the circumstances. If restraint cannot be implemented in a private location, District personnel should, to the maximum extent practicable, remove other students from the incident area, in order to protect them and to provide the maximum amount of privacy for the student.

f. Requirement for District Training Prior to Use of Restraint. District personnel who have received training in restraint not associated with their District employment shall first be trained and certified in the

323 District's approved restraint methods before implementing any form
324 of restraint.

325 g. ESE School Cluster Site Team Requirements. Schools designated as
326 ESE cluster sites should maintain a team with a minimum of four (4)
327 persons trained and certified in restraint.

328 **6. Prohibited Actions.**

329 a. District personnel are prohibited from using restraint procedures
330 acquired outside of their District training.

331 b. Restraint must never be used:

332 i. In situations where a student cannot be safely restrained

333 ii. As punishment, for the convenience of staff, or as a substitute
334 for a Functional Behavior Assessment (FBA) and an
335 individualized Behavioral Intervention Program (BIP).

336 iii. If the intervention would be contraindicated due to a student's
337 psychiatric, medical, or physical condition, as documented in
338 the student's records.

339 iv. After the student is no longer an immediate danger to self or
340 others.

341 v. If a student is reasonably observed to be in physical or mental
342 distress.

343 vi. For more time than the absolute minimum time necessary.

344 c. School personnel shall never use:

345 i. Pain inducement to obtain a student's compliance.

346 ii. Bone locks.

347 iii. Any technique resulting in hyperextension of joints.

348 iv. Any supine restraint technique on a student.

349 v. Peer restraint.

350 vi. Pressure or weight on the chest, lungs, sternum, diaphragm,
351 back, or abdomen, causing chest compression.

- 352 vii. Any restraint that restricts, or has the potential to restrict, a
353 student's breathing, which can cause asphyxia and death,
354 including covering a student's mouth, nose, or body with
355 anything, including soft objects such as pillows or washcloths.
- 356 viii. Any type of choke hold, including hand chokes, and any type
357 of neck or head-hold.
- 358 ix. Any technique that involves pushing on or into the student's
359 mouth, nose, eyes, or any part of the face that is not part of
360 an approved crisis intervention technique.
- 361 x. Any restraint that involves punching, hitting, poking, pinching,
362 or shoving.
- 363 xi. Aversive sprays or liquids, or acting in a threatening manner
364 toward a student as if an aversive will be used.
- 365 xii. Prone restraint on a student known to be diagnosed with
366 breathing or circulation problems, such as asthma; epilepsy;
367 heart condition; gastro-esophageal reflux disease; chronic
368 heartburn reflux; or esophagitis.
- 369 xiii. Techniques that involve any form of straddling or sitting on
370 any part of the body or implementing any maneuver that
371 places pressure, weight, or leverage on the neck or throat, on
372 any artery, or on the back of the student's head or neck, or
373 that otherwise obstructs or restricts the circulation of blood or
374 obstructs an airway.
- 375 d. Specific prohibited actions include, but are not limited to:
- 376 i. Restraining a student in such any way that it places excess
377 pressure on the student's chest, back, or could reasonably be
378 anticipated to cause, positional asphyxia.
- 379 ii. Restraining or secluding a student in a way that inhibits or
380 impedes the student's ability to speak with others.
- 381 iii. ~~Techniques or devices such as straightjackets, zip ties,
382 handcuffs, or tie downs may not be used in ways that may
383 obstruct or restrict breathing or blood flow or that place a
384 student in a facedown position with the student's hands
385 retrained behind the student's back. Restraint techniques may
386 not be used to inflict pain to induce compliance.~~ Use of any

387 mechanical restraint, such as belts, vests, helmets, padded
388 mittens, tie-downs, wraps and chairs with straps, seatbelts,
389 blanket wrapping, harnesses, tape and trays, are prohibited
390 unless:

391 A. The mechanical restraint has been prescribed by an
392 appropriate medical or related service professional and
393 is used for the specific, approved purposes for which
394 such devices were designed.

395 B. It is a vehicle safety restraint, when used as intended
396 during the transport of a student in a moving vehicle,
397 such as seatbelts or wheelchair tie-downs.

398 C. The purpose is for medical immobilization.

399 D. The restraint is orthopedically prescribed devices that
400 permit a student to participate in activities without risk
401 of harm.

402 E. It is medical protective equipment.

403 F. It is physical equipment or orthopedic appliances,
404 surgical dressings or bandages, or supportive body
405 bands or other restraints necessary for medical
406 treatment, which is ongoing in the educational setting.

407 7. **Notification, Documentation, and Reporting.**

408 a. Initial Notification to and Acknowledgement of Parent. The principal
409 or designee shall notify parents or legal guardians each time physical
410 restraint is used. Such notification must be in writing and provided
411 before the end of the school day on which the restraint occurred.
412 Reasonable efforts must also be taken to notify the parents or
413 guardians by telephone or ~~computer~~ e-mail, or both, and those
414 efforts must be documented. The principal or designee shall obtain,
415 and keep in school records parents' or guardians' signed
416 acknowledgment that they were notified of their child's restraint.

417 b. Incident Report of Used Restraint. In compliance with Section
418 1003.573, Florida Statutes, the principal or designee shall prepare an
419 incident report within twenty-four (24) hours after a student is
420 released from restraint. If the student's release occurs on a day
421 before the school closes for the weekend, a holiday, or another
422 reason, the incident report must be completed by the end of the

423 school day on the day the school reopens. The incident report shall
424 be completed on the FLDOE web-based reporting and a copy to the
425 parent/guardian as required by subparagraph (c) herein. Each
426 incident report must include the following information:

- 427 i. The name of the student restrained;
- 428 ii. The age, grade, ethnicity, and disability of the student
429 restrained.
- 430 iii. The date and time of the event and the duration of the
431 restraint;
- 432 iv. The location at which the restraint occurred;
- 433 v. The type of restraint used;
- 434 vi. The name of the person using or assisting in the restraint of
435 the student;
- 436 vii. The name of any non-student who witnessed the restraint;
- 437 viii. A description of the incident, including:
 - 438 A. The context in which the restraint occurred.
 - 439 B. The student's behavior leading up to and precipitating
440 the decision to use ~~manual-physical~~ restraint, including
441 an indication as to why there was an imminent risk of
442 serious injury ~~or death~~ to the student or others.
 - 443 C. The ~~specific~~ positive ~~behavioral-strategies~~ behavior
444 interventions and supports used to prevent and
445 deescalate the behavior.
 - 446 D. What occurred with the student immediately after the
447 ~~restraint terminated~~ termination of the restraint.
 - 448 E. Any injuries, visible marks, or possible medical
449 emergencies that may have occurred during the
450 restraint, documented according to District policies.
 - 451 F. Evidence of steps taken to notify the student's parent or
452 guardian.

453 G. The date the crisis intervention plan was last reviewed
454 and whether changes were recommended, if crisis
455 intervention plan was previously developed.

456 ix. Each incidence or the use or prone restraint will be reported to
457 and reviewed by the Principal, Area Superintendent, ESE
458 Director, Chief Academic Officer and Superintendent.

459 c. Incident Report to Parent. The principal or designee shall provide
460 parents with the completed incident report by mail within three (3)
461 school days after a student was physically restrained. Schools shall
462 obtain, and maintain in a secure location, parents' signed
463 acknowledgment that they received a copy of the incident report.
464 Schools will mail the completed incident report to parents, including a
465 self-addressed stamped envelope for parents to return the signature
466 page to school.

467 **8. Training and Certification of District Staff.**

468 a. Responsibilities for Training and Certification. The Superintendent or
469 designee shall ensure the District has instituted a training and
470 certification program, including refresher certification, designed to
471 address the use of restraint with students with disabilities, consistent
472 with standards provided by FLDOE. The District's Department of ESE
473 will coordinate the designation, training, and related recordkeeping
474 for all school personnel authorized to use ~~District employees working~~
475 ~~with students with disabilities~~ positive behavior interventions and
476 supports, trained in restraint methodology, as well as coordinate and
477 comply with all required reporting requirements to FLDOE. In the
478 event that a person or entity not employed by the District maintains
479 the District's certification and training records, that information must
480 be made readily available to the District upon request.

481 b. Training and Certification Program Consistent with Guidelines of
482 FLDOE, the District-approved restraint training methodology shall
483 include, but not be limited to:

484 i. The use of positive behavior interventions and supports.

485 ii. Procedures for deescalating problem behaviors before they
486 increase to a level or intensity necessitating physical
487 intervention.

488 iii. Risk Assessment procedures to identify when restraint may be
489 used.

- 490 iv. Examples of when positive behavior interventions and support
491 techniques have failed to reduce the imminent risk of serious
492 injury. Information regarding the risks associated with physical
493 restraint, as well as procedures for assessing individual
494 situations and students, in order to determine if the use of
495 restraint is appropriate and sufficiently safe.
- 496 v. The actual use of specific techniques that ranges from the least
497 to most restrictive, with ample opportunity for trainees to
498 demonstrate hands-on proficiency in their use.
- 499 vi. Examples of safe and appropriate restraint techniques and how
500 to use these techniques with multiple staff members working
501 as a team. ~~Techniques for implementing physical restraint,~~
502 ~~with multiple staff members working as a team.~~
- 503 vii. Techniques for assisting a student to reenter the instructional
504 environment and again engage in learning.
- 505 viii. Instruction in the District's documentation and
506 reporting requirements.
- 507 ix. Procedures to identify and ~~effectively respond~~ deal with
508 possible medical emergencies arising ~~to potential~~ during the
509 use of restraint.
- 510 x. Cardiopulmonary resuscitation.
- 511 c. Maintenance and Reporting of Training and Certification. The District
512 must maintain records identifying the name and position of each
513 person trained and certified; the date of the most recent certification
514 or training; an indication of whether it was an initial certification or
515 training or a refresher certification or training; and whether the
516 individual successfully completed the certification or training and
517 achieved proficiency. In the event that a person or entity not
518 employed by the District maintains the District's certification and
519 training records, that information must be made readily available to
520 the District upon request.
- 521 d. Maintenance of Certification by Staff. Current certifications must be
522 maintained by all District staff who have successfully completed the
523 initial restraint training program. Therefore, prior to restraining a
524 child District personnel shall receive annual certification.

525 **9. Monitoring.**

- 526 a. In compliance with Section 1003.573, Florida Statutes:
- 527 i. The District must undertake comprehensive monitoring of the
528 use of restraint on students at the ~~school~~, classroom, building,
529 district ~~District~~, and state ~~State~~ levels.
- 530 ii. Each month that the District's schools are in session, all
531 required restraint documentation will be made accessible via a
532 web-based reporting system to school principals, the district
533 director ~~District's Director~~ of Exceptional Student Education
534 ~~ESE~~, and the bureau chief ~~Bureau Chief~~ of the Bureau of
535 Exceptional Education and Student Services.
- 536 b. District-level administrators are responsible for regular oversight and
537 data analysis of all restraint events. The ESE Director or designee will
538 monitor the restraints that have been reported by District, school and
539 classroom level.
- 540 c. Upon the second time a student is restrained during a semester,
541 defined as two (2) restraints occurring on one student within one
542 semester (18 weeks), an IEP or 504 Team must convene to consider
543 development or review of a Crisis Intervention Plan (CIP). The Crisis
544 Intervention Plan shall be developed by a team comprised of the
545 student's parent and/or legal guardian, school personnel, and
546 applicable physical and behavioral health professionals.
- 547 i. The crisis intervention plan must include:
- 548 A. Specific positive behavior
549 interventions and supports to use in response to
550 dangerous behaviors that create a threat of imminent
551 risk of serious injury.
- 552 B. Known physical and behavioral
553 health concerns that will limit the use of restraint for the
554 student.
- 555 C. A timetable for the review
556 and, if necessary, revision of the crisis intervention plan.
- 557 ii. The school must provide a copy of the crisis
558 intervention plan to the student's parent and/or guardian.
- 559 d. If there are more than three (3) restraints occurring on one student
560 within a one (1)-month period, an IEP or 504 Team must convene to

561 consider development or review of a Functional Behavior Assessment
562 (FBA) and an individual Behavior Intervention Plan (BIP). Where
563 there are more than three (3) restraints occurring during a school
564 year, the IEP or 504 Team must address the frequency and duration
565 of the restraints.

566 e. If there are more than five (5) restraints occurring during a one (1)-
567 month period at an individual school, the ESE Director or designee
568 will contact the school principal and monitor whether there are any
569 particular teachers and/or staff members in need of additional
570 behavioral intervention and/or support.

571 f. If there are more than ten (10) restraints occurring at an individual
572 school in the course of a school year, the Program Planner for Autism
573 Spectrum Disorders and Emotional Behavioral Disabilities E/BD
574 programs or designee will visit the school and provide technical
575 assistance. At any time, a principal may request support from the
576 ESE Department's behavior team.

577 g. All documentation regarding a restraint is maintained in the student's
578 confidential file.

579 h. The School District shall develop a plan for reducing the use of
580 restraint, particularly in settings in which it occurs frequently or with
581 students who are restrained repeatedly. ~~to reduce the length of time~~
582 ~~and occurrence of restraint within Palm Beach County public schools.~~
583 The plan must include a goal for reducing the use of restraint and
584 length of time and includes activities, skills, and resources needed to
585 achieve that goal. This plan will be developed with stakeholders in
586 the school community, including parents, advocates and employees.

587 i. Activities may include, but are not limited to:

588 i. Additional training in positive behavior
589 interventions and supports.

590 ii. Parental involvement

591 iii. Data review

592 iv. Updates of students' functional behavioral
593 analysis and positive behavior intervention plans.

594 v. Additional student t evaluations

595 vi. Debriefing with staff.

1006.07; 1006.11; 1003.32; 34 CFR 300.504;
State Board Rule 6A-6.0311

LAWS IMPLEMENTED: Fla. Stat. §§ 1001.43(1); 1003.31(1) & (3);
1003.32; 1003.573; 1006.07; 1006.09;
1006.11; 1006.13(4)

RULES SUPPLEMENTED: SBER 6A-6.03312 & 6A-6.03311; 34CFR300.504

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