

Positive Behavior Intervention Policy and Seclusion And Restraint Policy

Approved Mar 2020

Every student deserves to be treated with dignity, be free from abuse, and treated as a unique individual with individual needs, strengths, and circumstances. Students are encouraged to exhibit positive behavior. TC.P. World Academy students are rewarded when caught behaving and/or responding in a positive manner, rewarded with TCP Bucks (play money) which allows them to shop for school supplies and fun trinkets. The students receive quarterly awards for A & A-B Honors, Citizenship, Elevator Club and Perfect Attendance. These rewards and incentives are included in parent communications, including classroom letters, school newsletters, and parent handbook. Students are allowed to attend in school dance parties, skating parties and bowling in recognition for their achievements and positive behavior. Parents are invited to volunteer, observe, comment, and/or chaperone student positive behavior activities in accordance with visitor and Ohio Revised Code policies. The school identifies positive behavior within school areas of special attention in the following areas:

Communication – both between students and other students, and between staff and students. Communication shall always be in a positive way, without negativity, threats, unnecessarily elevated volume levels, or insults of any kind. Poor communication or negative communication can quickly escalate a situation to higher stress levels, and can provoke a negative situation or even a situation that could potentially lead to physical harm or threats. Put down and other negative forms of communication can be a primary component of bullying in the school, and should not be used.

Recognition – Recognition of students both from staff to student and student to student should always be in a positive, fair and pleasant manner. Negative recognition, in either put-downs/insults/sarcasm or insults, as well as intentional ignoring, should never be used. The academic expectations of students at T.C.P. is very high, and all students should feel good about their efforts and time spent in school. This includes all forms of recognition, including end-of-the year reward system as well as calling on a student in class during daily instruction.

Respect – Students and staff should respect each other at all times. Many behavior situations arise from respect issues, where a student is not feeling respected by a peer or staff member. Students should not have to feel the need to react to feeling dis-respected by peers in school, from speaking to each other, to respecting other people's property. Stealing, destructing, or damaging, tampering with, or otherwise handling things belonging to another student create situations for poor behavior or incidents of escalation, to arguing or threatening physical harm, and should be avoided at all times.

Students should feel comfortable reporting any incident of a breakdown of Communication, Recognition, or Respect between students or staff, to any staff member at T.C.P. before an incident can escalate to a negative behavior situation or disciplinary issue. Teachers should be on the lookout for situations with a breakdown of any focus area between students or between students and staff, address the issue with positive communication, and report escalations to lead teachers before they are allowed to escalate to a potential disciplinary issue or conflict. Students at T.C.P. participate in "25 and

Counting” program to read throughout the entire school year, and any lull in instruction or activity time should be used to read individually instead of open “free time” where behavior issues start to occur.

The use of emergency safety interventions, physical restraint, or seclusion is not permitted at T.C.P. World Academy. Every effort must 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 Positive Behavioral Intervention and Supports (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. 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 the requirements of this policy. This policy shall be included in the parent handbook and posted to the school website.

At a minimum, school administrative staff, intervention specialist and lead teachers, shall have training in Positive Behavior Intervention on identifying conditions such as where, under what conditions, with whom and why specific inappropriate behavior may occur, review the school discipline records, incident reports, and parent surveys from the previous school year, and develop and implement preventative behavioral interventions utilizing the school positive behavior system in paragraph one and teach appropriate behavior to students and instructional staff. They shall modify the environmental factors that escalate the inappropriate behavior as needed, support the attainment of appropriate behavior, and use verbal de-escalation to defuse potentially violent dangerous behavior. This system should include family involvement as an integral part of the system of rewards and trips, for advice, input, volunteering visits, and chaperoning in accordance with Ohio Revised Code and TCP Guest and Visitor Policies.

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.

Physical restraint may not be used by T.C.P. staff when there is an immediate risk of physical harm to the student or others and no other safe and effective intervention is possible, and staff and students shall back away from a student posing immediate risk of physical harm to anyone. If a person uses physical restraint, that person must:

1. Be appropriately-trained to protect the care, welfare, dignity, and safety of the student;
2. Continually observe the student in restraint for indications of physical or mental distress and seek immediate medical assistance if there is a concern;
3. Use verbal strategies and research based de-escalation techniques in an effort to help the student regain control;
4. Remove the student from physical restraint immediately when the immediate risk of physical harm to self or others has dissipated;

5. 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;
6. Complete all required reports and document staff's observations of the student.
7. Must be a trained professional authorized to use physical restraint in a school, such as a Cincinnati Police School Resource Officer.

If a student repeatedly engages in dangerous behavior that leads to instances of restraint and/or seclusion, the school 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.

The following are prohibited under all circumstances at T.C. P. World Academy, including emergency safety situations:

- A. Prone restraint as defined in Executive Order 2009-13S and any other prone restraint;
- B. Corporal punishment;
- C. Child endangerment as defined in R.C. 2919.22 and any other child endangerment;
- D. Seclusion or restraint of preschool students in violation of the provisions of Ohio Adm. Code Rule 3301-37-10(D);
- E. The deprivation of basic needs;
- F. 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:
 1. Using any method that is capable of causing loss of consciousness or harm to the neck or restricting respiration in any way,
 2. Pinning down with knees to torso, head and/or neck,
 3. Using pressure points, pain compliance and joint manipulation techniques,
 4. Dragging or lifting of the student by the hair or ear or by any type of mechanical restraint,
 5. Using other students or untrained staff to assist with the hold or restraint, or
 6. Securing a student to another student or to a fixed object;
- G. Mechanical or chemical restraints (which does not include devices used by trained school personnel, or by a student, for the specific and approved therapeutic or safety purposes for which such devices were designed and, if applicable, prescribed, or medication administered as

prescribed by a licensed physician);

H. Aversive behavioral interventions; or

I. Seclusion of students in a locked room.

The use of seclusion at T.C.P. World Academy is not allowed under any circumstances. Seclusion shall not be used:

1. for the convenience of staff;
2. as a substitute for an educational program;
3. as a form of discipline/punishment;
4. as a substitute for less restrictive alternatives;
5. as a substitute for inadequate staffing;
6. as a substitute for staff training in positive behavior supports and crisis prevention and intervention; or
7. as a means to coerce, retaliate, or in a manner that endangers a student.

Staff training should occur during staff in-service each year before students start the school year and must have written or electronic documentation on training provided and lists of participants in each training. Training shall include all student personnel annually on the requirements of this policy, Ohio Adm. Code 3301-35-15, and the district's policies and procedures regarding restraint and seclusion. Training shall include implementation of the school PBIS on a system-wide basis. The school 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 in accordance with the requirements of the provider of the training.

Each use of seclusion or restraint shall be documented in writing and reported to the building administration immediately; reported to the parent immediately; and documented in a written report. A copy of the written report shall be made available to the parent or guardian within 24 hours, and the school 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, and a school district is prohibited from releasing any personally identifiable information to anyone other than the parent, in accordance with the requirements of that Act. Every school district shall report information concerning its use of restraint and seclusion annually to the Ohio Department of Education as requested by the Ohio Department of Education. T.C.P. shall make its records concerning restraint and seclusion available to staff from the Ohio Department of Education upon request.

Any parent may report concerns about whether a school district has a policy that meets the requirements of this policy to the Ohio Department of Education.

T.C.P. lead teachers, intervention specialist, and administration shall monitor staff interaction, discipline, and use of Positive Behavior Intervention and school reward system and reporting to ensure this policy and practice are implemented as set forth in policy. Parents may present written complaints to the Superintendent of T.C.P. to initiate a complaint investigation by the school regarding an incident of restraint or seclusion; and the school must 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.

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. In accordance with the consent order entered in Doe v. State of Ohio, complaints alleging the improper use of restraint or seclusion on a student with a disability will be investigated by the Ohio Department of Education, Office for Exceptional Children, if the complaint otherwise falls within the procedures concerning state complaints under IDEA as set forth in Ohio Adm. Code Rule 3301-51-05(K)(4)- (6). Complaints alleging injuries to a student with a disability or the use of restraints or seclusion shall not be deemed insufficient on the face of the complaint if they are framed within the context of IDEA, including:

- A pattern of challenging behaviors that are related to the student's disability;
- Whether the student has had or should have had a functional behavioral assessment (FBA) and a positive behavior support plan (PBSP);
- Whether the FBA and PBSP are appropriate;
- Whether the student's behavior and interventions are addressed or should have been addressed in the IEP; and
- Whether staff has been sufficiently trained in de-escalation and restraint techniques.