

MURFREESBORO CITY SCHOOL BOARD POLICY

Descriptor Term: SPECIAL EDUCATION BEHAVIORAL SUPPORT	Descriptor No: STU 59	Date Adopted: 6/13
	Reviewed/Revision Adopted:	

1 The Murfreesboro City school district shall comply with the Tennessee Department of Education
2 restraint and isolation regulations and guidelines pursuant to the Special Education Behavioral
3 Support Act. Maintaining a school environment that is conducive to student learning requires
4 that the environment be orderly and safe. The primary technique used to de-escalate any
5 situation is verbal in nature; however, if the situation warrants physical holding restraint, then
6 physically restraining a student may be necessary. Students in the district are protected by law
7 from the unreasonable, unsafe and unwarranted use of isolation and physical restraint.
8 Murfreesboro City Schools policy has an emphasis on positive behavioral support, prevention
9 and de-escalation, which reduces the risk of injury to both students and program staff. The
10 emphasis is always on the care, safety and well being of our students and staff.

11 Definitions:

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- 14 (1) “Behavior intervention training program” means a training program in positive behavioral
15 supports, crisis intervention and the safe use of restraint and isolation;
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- 17 (2) “Chemical restraint” means a medication that is prescribed to restrict a student's freedom of
18 movement for the control of extreme violent physical behavior. Chemical restraints are
19 medications used in addition to, or in replacement of, a student's regular drug regimen to
20 control extreme violent physical behavior. The medications that comprise the student's
21 regular medical regimen, including PRN medications, are not considered chemical restraints,
22 even if their purpose is to treat ongoing behavioral symptoms;
23
- 24 (3) “Emergency situation” means that a child's behavior poses a threat to the physical safety of
25 the student or others nearby;
26
- 27 (4) “Isolation” or “seclusion”:
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- 29 a. Means the confinement of a student alone in a room with or without a door, or
30 other enclosed area or structure pursuant to § 49-10-1305(g) where the student is
31 physically prevented from leaving. Pursuant to T.C.A. §49-10-1305(g), any space
32 used as an isolation room shall be:
33 i. Unlocked and incapable of being locked;
34 ii. Free of any condition that could be a danger to the student;

- 35 iii. Well ventilated and temperature controlled;
- 36 iv. Sufficiently lighted for the comfort and well-being of the student;
- 37 v. Where school personnel are in continuous direct visual contact with the
- 38 student at all times;
- 39 vi. At least forty square feet (40 sq. ft.); and
- 40 vii. In compliance with all applicable state and local fire, health, and safety
- 41 codes.
- 42 b. Does not include time-out, a behavior management procedure in which the
- 43 opportunity for positive reinforcement is withheld, contingent upon the
- 44 demonstration of undesired behavior; provided, that time-out may involve the
- 45 voluntary separation of an individual student from others;
- 46
- 47 (5) "Isolation room" means any space, structure, or area pursuant to § 49-10-1305(g) used to
- 48 isolate a student. Pursuant to T.C.A. §49-10-1305(g), any space used as an isolation room
- 49 shall be:
- 50 a. Unlocked and incapable of being locked;
- 51 b. Free of any condition that could be a danger to the student;
- 52 c. Well ventilated and temperature controlled;
- 53 d. Sufficiently lighted for the comfort and well-being of the student;
- 54 e. Where school personnel are in continuous direct visual contact with the student at
- 55 all times;
- 56 f. At least forty square feet (40 sq. ft.); and
- 57 g. In compliance with all applicable state and local fire, health, and safety codes.
- 58
- 59 (6) "Mechanical restraint" means the application of a mechanical device, material or equipment
- 60 attached or adjacent to the student's body, including ambulatory restraints, which the student
- 61 cannot easily remove and that restrict freedom of movement or normal access to the student's
- 62 body. Mechanical restraint does not include the use of restraints for medical immobilization,
- 63 adaptive support, or medical protection;
- 64
- 65 (7) "Noxious substance" means the use of any defense spray or substance as defined by
- 66 departmental rule;
- 67
- 68 (8) "Physical holding restraint" means the use of body contact by school personnel with a
- 69 student to restrict freedom of movement or normal access to the student's body;
- 70
- 71 (9) "Positive behavioral supports" means a systematic approach using evidence-based practices
- 72 to improve school environments, and to prevent and respond to problem behavior that:
- 73 a. Is proactive and instructional, rather than reactive and punitive;
- 74 b. Operates on the following three (3) levels:
- 75 i. Individual;
- 76 ii. Group or classroom; and
- 77 iii. The whole school;
- 78 iv. Includes a system of continual data collection;
- 79 v. Utilizes data-based decision-making;
- 80 vi. Applies research-validated positive behavioral interventions; and
- 81 vii. Improves academic and social outcomes for all students, including those
- 82 with the most complex and intensive behavioral needs.
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87 Implementation of Restraint

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89 Only the principal, or the principal’s designee, may authorize the use of isolation or restraint.
90 Trained school staff may use physical holding restraint only (1) when non-physical interventions
91 have been ineffective and the student’s behavior poses threat of imminent, serious harm to self
92 and/or others and when the student’s behavior is more dangerous than the danger of using
93 physical restraint or (2) pursuant to a student’s IEP or other written plan developed in accordance
94 with state and federal law and approved by the school and parent or guardian. Physical holding
95 restraint will be practiced in strict accordance with the Rules of Tennessee State Board of
96 Education.

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98 The use of isolation or physical holding restraint as a means of coercion, punishment,
99 convenience or retaliation on any student is prohibited.

100

101 School personnel shall remain in the physical presence of any restrained student and shall
102 continuously observe a student who is in time out, isolation, or being restrained to monitor the
103 health and well being of such student.

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105 Prohibited Forms of Restraint

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107 The following forms of restraint are prohibited:

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- 109 1. Administering a chemical restraint to a student receiving special education services is
110 prohibited; provided, that nothing in this policy shall prohibit the administration of a
111 chemical restraint when administered for therapeutic purposes under the direction of a
112 physician and with the child's parent or guardian's consent to administer such chemical
113 restraint.
- 114 2. Administering a noxious substance to a student receiving special education services is
115 prohibited.
- 116 3. The use of any mechanical restraint on any student receiving special education services is
117 prohibited.
- 118 4. Any form of life threatening restraint, including restraint that restricts the flow of air into
119 a person's lungs, whether by chest compression or any other means, to a student receiving
120 special education services is prohibited.
- 121 5. The use of isolation or physical holding restraint as a means of coercion, punishment,
122 convenience or retaliation on any student receiving special education services is
123 prohibited.
- 124 6. Removing or disabling any equipment or device that a student requires, including, but not
125 limited to, a power wheelchair, brace, augmentative communication device, or walker, as
126 a means of coercion, punishment, convenience, or retaliation on any student receiving
127 special education services is prohibited.
- 128 7. The use of a locked door, or any physical structure, mechanism, or device that
129 substantially accomplishes the function of locking a student in a room, structure, or area,
130 is prohibited.

131

132 Authorized Forms of Restraint

133

134 The use of physical holding restraint in the following circumstances is **not** prohibited. The
135 school is not required to notify the student's parent or guardian in any of the circumstances listed
136 below:

137

- 138 1. The brief holding by an adult in order to calm or comfort;

- 139 2. The minimum contact necessary to physically escort a student from one area to another;
- 140 3. Assisting a student in completing a task or response if the student does not resist, or
- 141 resistance is minimal in intensity or duration; or
- 142 4. Holding a student for a brief time in order to prevent any impulsive behavior that
- 143 threatens the student's immediate safety.

144
145 Actions undertaken by school personnel to break up a fight or to take a weapon from a student
146 are not prohibited; however, these acts shall be reported in accordance with T.C.A. §49-6-4018.

147 Staff Training

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150 Physical restraint should only be used by faculty and staff who have received specific district
151 approved crisis intervention training in the use of physical restraint procedures and non-violent
152 crisis intervention.

153
154 Other school personnel may use physical restraint only in rare and clearly unavoidable
155 emergency circumstances when fully trained school personnel are not immediately available.
156 Untrained staff should request assistance from trained staff as soon as possible.

157 The school must identify specific staff to serve as school-wide resources to assist in ensuring
158 proper administration of physical restraint. These individuals must participate in in-depth
159 training with respect to restraint and implementation.

160 Reporting Requirements and Follow-up

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162
163 The building administrator or designee must receive a written report documenting the
164 circumstances of the incident. School personnel authorized by MCS shall see and evaluate the
165 student's condition within a reasonable time after the intervention. The student's parent or
166 guardian shall be notified orally and in writing the same day the isolation or restraint was used.
167 School personnel shall be held harmless for failure to notify if reasonable effort has been made to
168 notify the student's parent or guardian.

169
170 A student receiving special education services may be restrained or isolated only if such restraint
171 or isolation is provided for in the student's IEP, except that such student may be restrained or
172 isolated in emergency situations, if necessary, to assure the physical safety of the student or
173 others nearby. If the student's individualized education program does not provide for the use of
174 isolation or restraint for the behavior precipitating such action or if school personnel are required
175 to use isolation or restraint over an extended period of time, an IEP meeting shall be convened
176 within ten (10) days following the use of such isolation or restraint. If the behavior precipitating
177 such action also warrants a change of placement, the child will have all rights provided under
178 applicable state and federal law.

179
180 School personnel who have used isolation or restraint (as defined in this policy) shall provide a
181 written report to the school principal or the principal's designee on the form developed by the
182 Tennessee State Department of Education. A copy of the report form must be provided to the
183 Special Education Supervisor who, after review of the report, will maintain statistics related to
184 the student and the school's use of isolation and/or restraint and discuss findings with the
185 Director of Schools and school principals. Documentation of each incident of restraint and/or
186 isolation will be forwarded immediately to the assigned school psychologist, who will be
187 responsible for completing the Easy IEP portion of documentation.

190 Required Reports

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192 Each school shall maintain all records of isolation and restraint. On a semiannual basis, using
193 existing student-level data collection systems to the extent feasible, each school shall submit a
194 report to the Board that includes:

- 195
196 (1) The number of incidents involving the use of isolation and restraint since the previous
197 semiannual report;
198 (2) The number of instances in which the school personnel imposing physical restraint or
199 isolation were not trained and certified;
200 (3) Any injuries, deaths, or property damage that occurred;
201 (4) The timeliness of parental notification; and
202 (5) Demographic information to determine whether disproportionate use of these
203 interventions exists.
204

205 The Board shall use the information obtained from records of isolation and restraint in
206 developing its behavior intervention training program. The Board shall submit information to
207 the Tennessee Department of Education each year on the use of isolation and restraint in the
208 school district.

209
210 Attachment: Sample Crisis Plan
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212 _____
213 Legal References:

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215 T.C.A. §49-10-1301 through 1306, “Special Education Behavioral Support Act”
216 TRR/MS 0520-01-09-.23, Isolation and Restraint for Students Receiving Special Education
217 Services
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Murfreesboro City Schools
Safety /Crisis Intervention Plan

Student: _____

The following procedural steps will take place if said student behaves in a manner that is harmful to the student and or others:

1. Restraint will be utilized if physically harming self or others
2. Parent(S) or guardian(S) will be contacted
3. If student is unable to be calmed within _____ minutes, parents will be contacted to pick student up from school.
4. If parents, guardians, or emergency contacts have been called with NO response within _____ minutes, the following steps WILL be implemented if child is not able to remain calm without being a physical or verbal threat to self and or others:

1. DCS will be contacted
2. Police will be contacted
3. If suicidal or homicidal ideations are verbalized, a mobile crisis unit will be contacted
4. Ambulance will be contacted if medically necessary

* These steps have been put into place if parents, guardians, or other indicated (by documentation of parents) are unable to be reached in the pre-determined time allotment. It is for the safety of the student and only utilized if the child is unable to remain calm and safe.

I _____
(Parent or guardian)

understand and give my permission for _____ to enforce the
(School)
safety plan written for my child: _____.

Date:

Time:

Signatures~

Administration:

Parent/guardian:

School Psychologist:

Guidance Counselor:

Behavioral Support:

Teacher:

c/c: Central office upon completion: attn: SPED



Murfreesboro City Schools
 Special Education
 2552 South Church St
 Murfreesboro, TN 37127
 Phone: 615-893-2313

RESTRAINT REPORT

To be completed immediately following a restraint

Student information:

Student: _____ School: _____ Date: _____

Birthdate: _____ Disability: _____ Grade: _____

Date of isolation or restraint: _____ Time of incident: _____ Location: _____

Description of Incident:

Antecedent(s) to event:

Specific Behavior addressed:

Length of restraint or isolation: _____

Was staff certified in the restraint technique approved and utilized by Murfreesboro City Schools System? Y N

Was the restraint: _____ as provided for in the student's IEP*
 _____ in an emergency/crisis situation

Post restraint:

Student's demeanor: _____ Return to class: Y N

Sent home: Y N Suspension: Y N

Student evaluation for injury:

Injured: Y N

If student is reported injured, specify: _____



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RESTRAINT REPORT

Staff evaluation for injury:

Injured: Y N

If staff is reported injured, specify:

Did staff file C-20 form: Y N

If Yes, attach documentation.

IF ANY OF THE ABOVE ARE NOT SELECTED AND THE STUDENT WAS INJURED AS A RESULT OF THE RESTRAINT:

The incident is to be self reported to the Department of Children’s Services at 1-877-237-0004.

* If use is not provided for in the IEP, or if the action was employed over an extended period of time as defined in department rules, an IEP meeting must be convened within 10 days of the above date.

Was the staff response employed as defined in department rules? ___Yes ___No

Person authorized and administered the above action: _____

Person designated to report the above action: _____

Isolation:

If Isolation was utilized please attach the following:

- a) A certification that any space used for isolation is at least (40) square feet.
- b) A certification that school personnel are in continuous direct visual contact at all times with said isolated student.



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RESTRAINT REPORT

Parent Contact:

Parent/Guardian notified on (date) _____ by _____.

Method of notification to parent/guardian

___ Orally ___ Copy of form Other _____

FAX THIS FORM BY THE END OF THE WORK DAY TO The Special Education Supervisor AT CENTRAL OFFICE.

SIGNATURES:

Building administrator: _____ Date: _____

Staff member(s) involved in incident:

_____ Date: _____

_____ Date: _____

_____ Date: _____

_____ Date: _____

Witness:

_____ Date: _____