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**Updated Policies for Review**

Batch 9

Second Read

**Administrative Policies**

- *\*\* tabled for now \*\* Policy 61 – HIPPA – Reviewed and updated by specialists at Eagle Consulting; language and code references updated throughout.*
- Policy 70 – Beacon School Positive Behavior Supports – Reviewed for updates and none were necessary. Minor changes throughout and reformatted.



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## 70. BEACON SCHOOL POSITIVE BEHAVIOR SUPPORTS

Adopted	7/22/14
Status	Draft – pending approval
Historical Versions	7/22/14
Initiated by	Becky Martin, Director of Educational Services
Approved by	pending

### I. Policy Rationale and Philosophy:

- a. Every effort should be made to prevent the use of restraint. 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.
- b. Beacon School believes that the school environment should be one that ensures the care, safety, and welfare of all students and staff members. Efforts to promote positive interactions and solutions to potential conflict should be exhaustive. In the event that an individual's behavior presents a threat of imminent harm to self or others the use of approved physical intervention to maintain a safe environment may be used as a last resort. Seclusion will not be used as a mechanism for behavior control. Athens County Board of Developmental Disabilities policy states:

### II. Definitions:

- a. Positive Behavior Interventions and Support
  - i. A school-wide systematic approach to embed evidence-based practices and data driven decision making to improve school climate and culture in order to achieve improved academic and social outcomes, and increase learning for all students, and
  - ii. Encompasses a wide range of systemic and individualized positive strategies to reinforce desired behaviors, diminish reoccurrences of challenging behaviors and teach appropriate behavior to students.
- b. Physical Restraint
  - i. The use of physical contact that immobilizes or reduces the ability of a student to move their arms, legs, body, or head freely. Such term does not include a physical escort, mechanical restraint, or chemical restraint.
  - ii. Physical restraint may be used only when there is an immediate risk of physical harm to the student or others and no other safe and effective intervention is possible, and only in a manner that is age and developmentally appropriate.
  - iii. Physical restraint does not include brief, but necessary physical contact for the following or similar purposes:
    1. To break up a fight;
    2. To knock a weapon away from a student's possession;
    3. To calm or comfort;
    4. To assist a student in completing a task/response if the student does not resist the contact;
    5. To prevent an impulsive behavior that threatens the student's immediate safety (i.e. running in front of a car).
- c. Seclusion -- The involuntary isolation of a student in a room, enclosure or space from which the student is prevented from leaving by physical restraint or by a closed door or other physical barrier. It does not include a timeout. This method is prohibited.
- d. Time out -- A behavioral intervention in which a student, for a limited and specified time, is separated from the class within the classroom or in a non-locked setting for the purpose of self-

regulating and controlling his or her own behavior. In a timeout, the student is not physically restrained or prevented from leaving the area by physical barriers. This method is prohibited.

- III. Requirements for the use of Restraint: -- Given an immediate risk of physical harm to the student or others and no other safe and effective intervention are possible, if physical restraint is applied the staff must;
- a. Implement in a manner that is age and developmentally appropriate;
  - b. Ensure safety of all students and protect the dignity and respect of the student involved. Combine use with other approaches (non-physical interventions are always preferred) that will diminish the need for physical intervention in the future;
  - c. The least amount of force necessary should be used, for the least amount of time necessary;
  - d. Be appropriately-trained;
  - e. Continually observe the student in restraint for indications of physical or mental distress;
  - f. If at any point the staff assesses that the intervention is insufficient to maintain safety of all involved, appropriate emergency contacts shall be made by appropriate school personnel, such as the principal, superintendent or designee;
  - g. Remove the student from physical restraint immediately when the immediate risk of physical harm to self or others has dissipated;
    - i. Following the use of physical restraint, the individual should be assessed for injury or psychological distress and monitored as needed following the incident.
  - h. Complete all agency required reports and document staff's observations of the student.
    - i. The agency Unusual Incident (UI) Report shall be completed upon occurrences of physical restraint.
    - ii. Completion of the UI form must occur by end of the working day and submitted to the principal or designee for signature. The UI shall contain information regarding the trigger for the incident and staff response.
    - iii. A copy must be made available to parent/guardian within 24 hours.
    - iv. Additionally, the instructor should attempt to contact parent/guardian after notification to principal or designee, and during the same day of incident.
  - i. De-brief, include all involved staff, student and parents; evaluate the trigger for the incident, staff response, and methods to address the student's behavioral needs;
    - i. Debrief utilizing the agency's Unusual Incident Report.
    - ii. During the debrief, if this behavior is noted as a pattern of dangerous behavior that leads to the use of restraint, a Functional Behavior Assessment, and/or a Behavior Intervention Plan must be completed.
- IV. Prohibited Practices for Use of Restraints: -- Staff members are not to use any physical restraints for which they have not been trained by the district. Staff members are not to use any unauthorized physical restraints. This includes but is not limited to:
- a. Prone restraint;
  - b. Any form of physical restraint that involves the intentional, knowing, or reckless use of any technique that involves the use of pinning down a student by placing knees to the torso, head, and or neck of the student;
  - c. Using any method that is capable of causing loss of consciousness or harm to the neck or restricting respiration in any way;
  - d. Uses pressure point, pain compliance, or joint manipulation techniques;
  - e. Corporal punishment;
  - f. Dragging or lifting of the student by the hair or ear or by any type of mechanical restraint;
  - g. Child endangerment, as defined in section 2919.22 of the Revised Code;
  - h. Deprivation of basic needs;

- i. Seclusion or restraint of preschool children in violation of paragraph (D) of Rule 3301- 37-10 of the Revised Code; See section V.
  - j. Chemical restraint;
  - k. Mechanical restraint (that 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);
  - l. Using other students or untrained staff to assist with the hold or restraint;
  - m. Securing a student to another student or fixed object;
  - n. Aversive behavioral interventions; or
  - o. Seclusion or time out, as defined in II c-d.
- V. Requirements for Preschool Discipline
- a. Students using any adaptive equipment which restricts movement (e.g adaptive chair with buckle) will have the purpose of the equipment stated in their IEP. For example, sensory needs will have a statement by an Occupational or Physical Therapist, safety needs will be described by the Instructor, as well.
  - b. Behavior Support Services can be requested at any time, but will be required for behavioral patterns that interfere with classroom learning.
- VI. Reporting and notification
- a. The agency shall maintain all information regarding its use of restraint to the Ohio Department of Education in the form and manner as prescribed by the department, when requested.
- VII. Training and professional development
- a. The agency will ensure that an appropriate number of personnel in each building are trained in crisis management and de-escalation techniques.
  - b. The school will maintain written or electronic documentation on training provided and sign-in lists of participants in each training.
  - c. All student personnel shall be trained annually on the requirements of this policy, Ohio Adm. Code 3301-35-15, and the district's policies and procedures regarding restraint and seclusion.
  - d. The agency will have a plan regarding training student personnel, as necessary to implement positive behavior intervention and supports on a system-wide basis.
- VIII. Agency Monitoring
- a. The agency shall monitor the implementation of this policy and the agency procedures.
  - b. These policies and subsequent procedures shall be accessible on the district's website.
  - c. The district shall be responsible for notifying all parents annually of its policies and procedures concerning seclusion and restraint.
- IX. Complaint Procedure
- a. Parents who have a complaint regarding restraint will present verbal or written complaints to the Superintendent of the agency to initiate a complaint regarding an incident of restraint; and
  - b. The agency will respond to the parent's complaint in writing within thirty (30) days of the filing of a complaint regarding an incident of restraint.
  - c. 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.
  - d. In accordance with the consent order entered in Doe v. State of Ohio, complaints alleging the improper use of restraint 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).

- e. Complaints alleging injuries to a student with a disability or the use of restraints shall not be deemed insufficient on the face of the complaint if they are framed within the context of IDEA, including:
  - i. A pattern of challenging behaviors that are related to the student's disability;
  - ii. Whether the student has had or should have had a functional behavioral assessment (FBA) and a positive behavior support plan (PBSP);
  - iii. Whether the FBA and PBSP are appropriate;
  - iv. Whether the student's behavior and interventions are addressed or should have been addressed in the IEP; and
  - v. Whether staff has been sufficiently trained in de-escalation and restraint techniques.

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