Approved: August 22, 2024
Resolution No.: 2025-026

NORTHEAST OHIO CLASSICAL ACADEMY

POSITIVE BEHAVIOR INTERVENTIONS AND SUPPORTS POLICY

INTRODUCTION

The Board of Directors ("Board") adopts this policy to guide the use of Positive Behavior Interventions and Supports (PBIS), and the limited use of restraint and seclusion at the School. It is the Board's belief that every effort should 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 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. The Board directs the Head of School to implement this policy as set forth below.

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 this policy.

The PBIS prevention-oriented framework or approach applies to all students, all staff, and all settings. Research supports the conclusion that PBIS, when integrated with effective academic instruction, provides the support students need to become actively engaged in their own learning and academic success.

DEFINITIONS

"Behavior Intervention Plan" means a comprehensive plan for managing problem behavior by changing or removing contextual factors that trigger or maintain it by strengthening replacement skills, teaching new skills and providing PBIS and services to address behavior.

"Functional Behavior Assessment" means a school-based process for students with disabilities and students without disabilities that includes a student's parent and, as appropriate, the child to determine why a child engages in challenging behaviors and how the behavior relates to the child's environment. Consent from the parent and, as appropriate, the child (18 years of age or older) is to be obtained at the initial Functional Behavior Assessment.

"*Parent*" means:

a. A biological or adoptive parent;

b. A guardian generally authorized to act as the child's parent, or authorized to make decisions for the child (but not the state if the child is a ward of the state);

c. An individual acting in the place of a biological or adoptive parent (including a grandparent, stepparent or other relative) with whom the child lives, or an individual who is legally responsible for the child's welfare;
d. A surrogate parent who has been appointed in accordance with paragraph (E) of rule 3301-51-05 of the Administrative Code; or
e. Any person identified in a judicial decree or order as the parent of a child or the person with authority to make educational decisions on behalf of a child.

"PBIS Leadership Team" means the assigned team at the school level that plans, coaches and monitors PBIS in the school. PBIS leadership teams may include, but are not limited to, School administrators, teacher representatives across grade levels and programs, staff able to provide behavioral expertise and other representatives identified by the school, such as bus drivers, food service staff, custodial staff and paraprofessionals.

"Physical Restraint" means the use of physical contact in a way that immobilizes or reduces the ability of an individual to move their arms, legs, body, or head freely. Such term does not include a physical escort, mechanical restraint, or chemical restraint. Physical restraint does not include brief, but necessary physical contact for the following or similar purposes: to break up a fight; to knock a weapon away from a student's possession; to calm or comfort; to assist a student in completing a task/response if the student does not resist the contact; or to prevent imminent risk of injury to the student or others.

"Positive Behavior Intervention and Supports Framework" or "Positive Behavior Interventions and Supports" (PBIS) means a multi-tiered, school-wide, behavioral framework developed and implemented for the purpose of improving academic and social outcomes and increasing learning for all students.

"*Prone restraint*" means physical or mechanical restraint while the individual is in the face-down position.

"Seclusion" means 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.

IMPLEMENTATION

In implementing this policy the Head of School shall develop a decision-making framework that involves multiple staff members who guide the selection, integration, and implementation of evidence-based academic and behavior practices for improving academic and behavior outcomes for all students. This decision-making framework will include the following integrated elements:

1. Data-based decision making (to select, monitor and evaluate outcomes, practices and systems).
2. Evidence-based practices along a multi-tiered continuum of supports.
3. Systems that enable accurate and sustainable implementation of practices.
4. Progress monitoring for fidelity and target outcomes.

The Head of School shall establish standards for PBIS implementation that include explicit instruction of school-wide behavior expectations, consistent systems of acknowledging and correcting behaviors, and teaching environments designed to eliminate behavior triggers. These standards shall also include that student personnel are to receive professional development as further outlined below. Family and community involvement should be a part of implementing the standards.

PROFESSIONAL DEVELOPMENT FOR THE IMPLEMENTATION OF PBIS

The following are requirements for professional development to be received by student personnel to implement PBIS on a systemwide basis:

1. Occurs at least every three years;
2. Provided by a building PBIS team or appropriate state, regional or national source in collaboration with the building PBIS team;
3. The trained PBIS Leadership Team will provide professional development to the school in accordance with the school's developed PBIS training plan. The Head of School will retain records of completion of the professional development; and
4. The training shall include the following topics, as required by OAC 3301-35-15, including the following:
    a. Overview of PBIS
    b. Process for teaching behavioral expectations
    c. Data collection
    d. Implementation of PBIS with fidelity
    e. Consistent systems of feedback to students for acknowledgment of appropriate behavior and corrections for behavior errors
    f. Consistency in discipline and discipline referrals

The School can accept any professional development or continuing education provided in accordance with ORC 3319.237(B), as long as the professional development or continuing education meets the professional development requirements of division OAC 3301-35-15(C)(4).

The School tasks the Head of School with ensuring continuous training structures are in place to provide ongoing coaching and implementation with fidelity.

TRAINING AND PROFESSIONAL DEVELOPMENT FOR THE USE OF CRISIS MANAGEMENT AND DE-ESCALATION TECHNIQUES, RESTRAINT AND SECLUSION

The School instructs the Head of School to ensure an appropriate number of personnel are trained annually in evidence-based crisis management and de-escalation techniques, as well as the safe use of physical restraint and seclusion. The minimum training requirements are as follows:

1. Proactive measures to prevent the use of seclusion or restraint;
2. Crisis management;
3. Documentation and communication about the restraint or seclusion with appropriate parties;
4. Safe use of restraint and seclusion;
5. Instruction and accommodation for age and body size diversity;
6. Directions for monitoring signs of distress during and following physical control;
7. Debriefing practices and procedures;
8. Face-to-face training;
9. Allow for a simulated experience of administering and receiving physical restraint; and
10. Ensure that participants will demonstrate proficiency in the above-mentioned items.

ADDITIONAL TRAINING AND DEVELOPMENT

The Head of School shall develop a plan regarding the training of its staff in accordance with this policy and the Head of School must maintain written or electronic documentation that includes: the name, position, and building assignment of each person who completed the training; the name position, and credentials of each person who has provided the training; when the training was completed; and what protocols, techniques, and materials were included in the training. As part of the training, student personnel are to be trained to perform the following functions:

1. Identify conditions such as: where, under what conditions, with whom and why specific inappropriate behavior may occur; and
2. Use preventative assessments that include at least the following:
    a. review of existing data;
    b. input from parents, family members and students; and
    c. examinations of previous and existing behavior intervention plans.

PROHIBITED PRACTICES

The following are prohibited under all circumstances, including emergency safety situations:

1. Prone Restraint;
2. 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, hear and or neck of the student; uses pressure point, pain compliance, or joint manipulation techniques; or otherwise involves techniques that re used to unnecessarily cause pain.
3. Corporal punishment as defined in Ohio Revised Code Section 3319.41;
4. Child endangerment as defined in Ohio Revised Code Section 2919.22;
5. Deprivation of basic needs;
6. Chemical restraint (which 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 Ohio law, for the standard treatment of a student's medical or psychiatric condition, which is administered as prescribed by such licensed physician or other qualified health professional);
7. Mechanical restraint (which does not include a device used by trained student personnel, or used by a student, for the specific and approved therapeutic or safety purposes for which such device was designed and, if applicable, prescribed, including: restraints for medical immobilization; adaptive devices or mechanical supports used to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; or vehicle safety restraints when used as intended during the transport of a student in a moving vehicle.
8. Aversive behavioral interventions;
9. Seclusion of students in a locked room or area;
10. Seclusion or restraint of preschool children in violation of paragraph (D) of Ohio Administrative Code section 3301-37-10;
11. Restraint that unduly risks serious harm or needless pain to the student; and
12. Methods of restraint that are capable of causing loss of consciousness or restricting respiration in any way.

PHYSICAL RESTRAINT AND SECLUSION – GENERAL RULES

Physical Restraint or Seclusion may only be applied if there is an immediate risk of physical harm to the student or others and no other safe or effective intervention is available. If Physical Restraint or Seclusion is applied, the staff must:

1. Be appropriately trained to protect the care, welfare, dignity, and safety of the student;
2. Continually observe the student in Physical Restraint or Seclusion for indications of physical or mental distress and seek immediate medical assistance if there is a concern;
3. Use communication strategies and research-based de-escalation techniques in an effort to help the student regain control;
4. Remove the student from Physical Restraint or Seclusion promptly when the immediate risk of physical harm to self or others has dissipated;
5. Combine use with other approaches (non-physical interventions always are preferred) that will diminish the need for Physical Restraint or Seclusion in the future;
6. Use the least amount of force and/or time as necessary; and
7. 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; and
8. Complete all required reports and document staff's observations of the student.

RESTRAINT

1. The use of Prone restraint, including any Physical Restraint that obstructs the airway of a student, or any Physical Restraint that impacts a student's primary mode of communication is prohibited.
2. Physical Restraint may be used only:
    a. If a student's behavior poses an immediate risk of physical harm to the student or others and no other safe and effective intervention is possible;
    b. If the Physical Restraint does not obstruct the student's ability to breathe;
    c. If the Physical Restraint does not interfere with the student's ability to communicate in the student's primary language or mode of communication; and
    d. If the Physical Restraint is conducted by staff trained in safe restraint techniques except in the case of rare and unavoidable emergency situations when trained staff are not immediately available. School personnel may use Physical Restraint only in accordance with this policy.
3. Physical Restraint may not be used for punishment or discipline or as a substitute for other less restrictive means of assisting a student in regaining control.

SECLUSION

1. Seclusion may be used only:
    a. If a student's behavior poses an immediate risk of physical harm to the student or others and no other safe or effective intervention is available;
    b. As a last resort to provide an opportunity for the student to regain control of his or her actions;
    c. For the minimum amount of time necessary for the purpose of protecting the student and others from physical harm;
    d. In a room or area that is not locked; does not prevent the student from exiting the area should staff become incapacitated or leave the area; and provides adequate space, lighting, ventilation, and the ability to observe the student; and
    e. If under constant supervision by staff who are trained to be able to detect indications of physical or mental distress that require removal and/or immediate medical assistance, and this staff member must document their observations of the student.
2. Seclusion shall not be used:
    a. For punishment or discipline;
    b. For the convenience of staff;
    c. As a substitute for an educational program;
    d. As a substitute for inadequate staffing;
    e. As a substitute for staff training in PBIS and crisis management;
    f. As a means to coerce, retaliate, or in a manner that endangers a student; or
    g. As a substitute for other less restrictive means of assisting a student in regaining control, such that it is reflective of the cognitive, social and emotional level of the student.

MULTIPLE INCIDENTS OF RESTRAINT AND SECLUSION

1. After the third incident of Physical Restraint or Seclusion in a school year of a student who has been found eligible for special education services or has a 504 plan, the student's individualized education program or 504 team will meet within ten school days of the third incident and consider the need to conduct or develop a functional behavior assessment ("FBA") or behavior intervention plan ("BIP"), or amend an existing FBA or BIP.
2. For all other students, a team which consists of the parent, an administrator or designee, a teacher of the student, a staff member involved in the incident (if not

the teacher or administrator already invited), and other appropriate staff members will meet within ten school days of the third incident to discuss the need to conduct or review an FBA and/or develop a BIP.

3. The School may complete FBA and/or BIP for any student who might benefit from such services but has fewer than three incidents of Physical Restraint and Seclusion. Additionally, the School may conduct any evaluation they feel appropriate under Individuals with Disabilities Education Act

REQUIRED DATA AND REPORTING

1. Each use of seclusion or restraint shall be documented in a PBIS Incident Report Form (attached hereto) and reported to the Head of School immediately, reported to the Board immediately, and reported to the parent immediately. A copy of the written report shall be made available to the parent or guardian within 24 hours and the Board at the next regularly scheduled Board Meeting. The Head of School shall maintain a copy of the report in the student's file. These reports are educational records subject to the Family Educational Rights and Privacy Act.

2. Annually the Head of School shall report information regarding its use of restraint and seclusion to the Ohio Department of Education and Workforce ("ODEW") in the form and manner as prescribed by the Department. The Head of School shall make its records concerning restraint and seclusion available to staff from ODEW upon request.

MONITORING AND COMPLAINT PROCESS

1. The Head of School shall cause the PBIS Incident Report Form to be completed promptly for each incident of restraint or seclusion and shall establish a monitoring procedure to ensure that this policy and practice are implemented as set forth herein.
2. A parent may initiate a complaint investigation by the School regarding an incident of improper restraint or seclusion by submitting a written complaint to the Head of School, including a statement identifying which requirement(s) of this Policy the School has violated, facts supporting the parent's allegation, and the reporting parent's name and contact information. The Head of School, or their designee, shall make reasonable efforts to have an in-person follow up meeting with the parent within thirty (30) days of the filing of a complaint regarding an incident of restraint or seclusion.
3. Additional options for parents to submit complaints regarding an incident of improper restraint or seclusion at the School may be available through other public agencies such as local law enforcement, the county department of job and family services, or the office of professional conduct within the ODEW.

4. The parent may choose to file a complaint with ODEW's Office of Integrated Student Supports, in accordance with the complaint procedures available through their website.

AVAILABILITY OF POLICY AND PROCEDURES

The Head of School shall make this Policy and the procedures set forth herein available on the School's website and parents shall be notified annually about the School's policy on seclusion and restraint. Such annual notice may be included in any parent communication, such as the School's parent/student handbook, and/or posted on the School's website.

PBIS INCIDENT REPORT FORM

Student full name:_____

DOB: _____ **Age**:_____ **Gender:** _____ **Race**: _____
(use codes from next page)

Location of Incident _____ **Date/Time** _____

Witnesses names (Staff and or Students)

_____

_____

Describe student behavior prior to incident and Alleged Rule Violation(s):

_____

_____

_____

_____

_____

Description of Incident: (attach addendum(s) and witness statement(s) if needed):

_____

_____

_____

_____

_____

Describe efforts to Efforts to De-escalate Student /Alternatives to S&R Attempted:

_____

_____

_____

_____

_____

Circle any of the following intervention if applied:

Verbal Intervention **Behavior Plan** **Contact another staff or parent**

Seclusion: Start Time_____ End Time_____ **Total Minutes:** _____
Describe or attach picture of seclusion room

Restraint: Start Time_____ End Time_____ **Total Minutes:** _____

Description of Intervention:

Injury requiring emergency/unplanned medical intervention:

Describe any injury to student:

Notifications made: (who was notified?)

Other Action: Describe and explain:

Name(s) of staff involved:

Name of person completing report:

Debriefing:

- Date and time of debriefing:
- List all involved:
- Parent and student involved: Yes/no if no please explain why.
- Debriefing form completed: Yes/No

Outcomes related to the behavior	
Additional Assessment:	
Positive Behavior Support Plan (short term plan or update of existing plan)	
Consequences:	**Suspension or Expulsion:**
Contacts: Name of parent or guardian contacted:	
Method of Guardian/Parent Notification:	**Confirmation of Guardian/Parent Notification:** YES / NO
Summary of Debriefing (please list any other notifications made):	

School administration review date:_____

Race/Ethnicity Codes

A = Asian B = Black/African American H = Hispanic I = Alaskan Native M = Bi/Multiracial N = Native Am./Am.Indian P = Native Hawaiian/Other Pacific Islander W = White U = Unknown