STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING

JENNIFER M. GRANHOLM
GOVERNOR

MICHAEL P. FLANAGAN
SUPERINTENDENT OF
PUBLIC INSTRUCTION

September 30, 2005

MEMORANDUM

TO: State Board of Education

FROM: Michael P. Flanagan, Chairman

SUBJECT: Report on Supporting Student Behavior: Standards for the Emergency Use of Seclusion and Restraint (Draft) and Recommended Strategic Directives

In July, 2004, the State Board of Education received information regarding the creation of the Supporting Student Behavior: Seclusion/Restraint Referent Group (Group). The Group was diversely representative of families, advocacy associations, paraprofessionals, and professionals in both special education and general education. Participants also represented the racial and geographic diversity in Michigan. A complete listing of the Group members is contained in Attachment A.

The charge to the Group was to recommend policy and guidance for seclusion and restraint to replace the existent document entitled, "Standards for Policy and Procedure Development in the Use of Behavioral Interventions" (Attachment B), and substantive strategic directions to make the policy effective.

Since July 6, 2004, the Group met on July 27, 2004 and November 1, 2004 to finalize the draft document entitled, "Supporting Student Behavior: Standards for the Emergency Use of Seclusion and Restraint" (Draft) (Attachment C). The Draft was made available for review and comment for a period of 60 days beginning January 10, 2005. The Review of Responses (Attachment D) is included for your reference along with the memo to the field (Attachment E). On May 18, 2005, the Group was reconvened to discuss the field input, finalize the draft, and recommend strategic directives to make the policy effective (Attachment F).

The Draft is presented in strike-bold format to reflect OSE/EIS recommendations based on public input.

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ATTACHMENT A

BEHAVIOR SUPPORT REFERENT GROUP

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Dietiker, Robert C., Director of Special Education, Livonia Public Schools
Donlan, Ryan, Superintendent, Bay-Arenac Community High School
Dunlap, Kelly, Autism Education Center, Grand Valley State University
Fouani, Jamal, School Social Worker, Dearborn Public Schools
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Gorelick, Anne, Epilepsy Foundation of Michigan
Hartl, Bill, Saginaw Intermediate School District
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King, Mark, Director of Juvenile Services, Sheldon Pine School, Holland
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Lauzon, Lacy, Behavioral Consultant, Delta-Schoolcraft Intermediate School District
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Lofton Doniver, Lois, Michigan Federation of Teachers and School Related Personnel
Luker, Tricia, Advocate, Royal Oak
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McEvoy, Christopher, Supervisor of Special Education, Wayne County Regional Educational Service Agency
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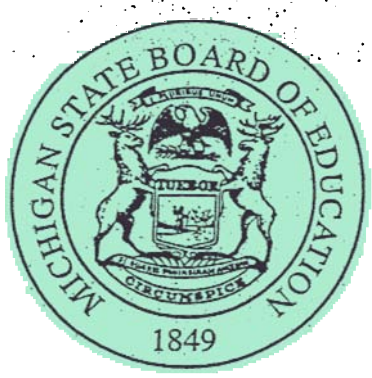
Siegel, Jeff, Superintendent, Berrien County Intermediate School District
Simpson, Larry, Special Education Director, Flint Community Schools
D'Andre, Smith, Child Care Worker, Grand Rapids

Vanderploeg, Laurie, Supervisor, Special Education Department, Kent Intermediate School District
Waller, Gregory A., Traverse Bay Area Intermediate School District
Wright, Sheila, Parent, Haslett
Wurdock, Jon, School Social Worker, Meridian Elementary School, Sanford

*Withdrew

Procedure Development in the Use of Behavioral Interventions



Michigan Department of Education
March 1993

PREFACE

This document titled "Standards for Policy and Procedure Development in the Use of Behavioral Interventions" replaces the earlier "Program Suggestions for Use of Behavior Modification Techniques Which Include Aversive Control or Punishment Procedures for the Autistic or Other Students Who Present Severe Behavior Disorders." This document establishes minimum professional standards of practice for agencies implementing behavioral intervention programs in educational settings.

Professional standards are continually evolving as educational goals change, as our knowledge of the effectiveness and effect of various educational and behavioral interventions grows and as community values and attitudes toward persons in need of professional services evolve.

Voluntary conformity to these Standards will help assure school employees, parents and especially students, receive the support and the protections available through implementation of well-designed policy and procedures.

Appropriate standards are only one aspect of an agency's efforts to properly use behavioral intervention procedures. The availability of trained and qualified staff to design and implement intervention programs cannot be over emphasized.

The Michigan Department of Education is compiling a list of educational resources and materials that may assist agencies developing policy and procedures in use of behavioral interventions. These resources should also prove helpful to staff, parents, and students involved in the design and implementation of behavioral intervention programs.

This document should serve as a standard to guide local and intermediate school districts in developing policy and procedures to enable students in changing their choice of behavior.

Behavior Modification Referent Group

Committee Members

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Standards for Policy and Procedure Development in the Use of Behavioral Interventions

I. Purpose of this Document

The purpose of this document is to establish State standards for the development of behavioral intervention policy and procedures within special educational programs and services operated by the State agencies, intermediate school districts, and local education agencies. These standards should prompt the empowerment and dignity of each student, while conforming to the provisions of P.A. 6 of 1992 (Corporal Punishment Act) and the "Alternatives to Corporal Punishment" approved by the State Board of Education on August 19, 1992.

II. Policy

Each agency operating special education programs and services within the State of Michigan should establish policy and procedures regarding the use of behavioral intervention programs within educational settings. Such policy and procedures should be approved by the agency's governing body and shall minimally comply with the contents of this document.

III. Definition and Use of Behavioral Intervention

A. Behavior intervention is defined as the systematic application of the principles of learning theory to change behavior. The purpose of all behavioral interventions is to teach skills as alternative strategies that will enable students to function as independently as possible thereby releasing an individual from dependence on specialized and/or restrictive services or environments.

Behavioral interventions may be used to teach adaptive behavior, facilitate alternative communication systems, improve/maintain current positive functional skills, or expand an individuals ability to make choices and control their environment.

Behavioral programming should emphasize the importance of supportive classrooms, effective/appropriate curriculum, adaptive instruction, and therapeutic consequences. The individualized behavioral plan for a student should be incorporated into their entire instructional day.

1. *Teaching and acquisition programming* typically involves the use of a task analysis of the skill to be taught and the use of graduated methods of teaching a student to perform each step until the task or behavior is learned. Typically, teaching or acquisition programs do not require written behavioral intervention plans. When teaching plans utilize complex intervention strategies or reinforcement schedules, written plans are recommended.

2. *Maintenance and generalization programming* is designed to provide frequent opportunity for the practice of newly learned behaviors, to teach the student to generalize the behavior to appropriate situations/environments, or to ensure the durability of a behavior reduction program.

3. *Reduction programming* involves the use of specific procedures designed to eliminate or reduce a specific behavior. Reduction programming should always be implemented in tandem with programming to develop adaptive skills that will replace the functional intent of the targeted challenging behavior.

B. Certain techniques used within an educational setting for all students to address specific problem behaviors are not considered behavioral intervention techniques. Some examples of such techniques which are not considered to be behavioral interventions include suspension, detention, and use of an adjusted or shortened school day. Procedures utilized on an emergency basis in the absence of a behavioral plan to prevent harm to a student, to other students or staff, or to prevent property damage are also not considered behavioral interventions. Systematic, routine, or frequent use of these procedures should prompt review of the strategy and evaluation of the need to develop a written behavioral intervention plan.

IV. Procedural Standards

A. Procedures for Deciding to Intervene

1. The agency should ensure that a thorough functional analysis of the problem behavior is carried out by a person(s) knowledgeable about the student and trained to perform such an analysis. Such an analysis should identify what the problem behavior accomplishes for the student. It should make clear the extent to which:

   a) Positive events or stimuli are obtained by the student as a function of the problem behavior (e.g., teacher/peer attention, increased interaction time, physical contact, transfer to a preferred environment or situation, intermittent reinforcement, etc.).

   b) Negative events or stimuli are terminated by the student through the problem behavior (e.g., escaping or avoiding academic or effortful work, boredom, environmental deprivation/satiation, etc.).

   c) Internal automatic reinforcement might be operating to maintain the problem behavior (e.g., self-stimulation).

   d) The positive and negative events or stimuli addressed above can be controlled by staff, and can be made contingent upon more appropriate alternative behaviors.

2. Once a functional analysis of the behavior has been carried out, the resulting data should support the decision to use the chosen behavioral strategy.

B. Procedural Approval

Each agency's policy should specify behavioral interventions that may be used within special education programs and services operated within the district. For each intervention, the agency should specify requirements for use and approval which may include informed consent, consideration for peer review, and consideration for human rights committee review.

C. Procedures for Initiation and Approval of Behavior Intervention Plans

1. Whenever behavior intervention procedures are used to assist the student to change behavior, the following principles should apply:

a) As stated previously in this document, the purpose of all behavioral interventions is to teach skills as alternative strategies that will enable students to function as independently as possible thereby releasing an individual from dependence on specialized and/or restrictive services or environments.

b) The decision to target a behavior for reduction requires that the behavior, if continued, will result in harm to the student, others, or the environment, or the behavior significantly impedes adaptation or healthy development.

c) Written plans should always be in place and results documented prior to development of plans utilizing restrictive procedures as defined in agency policy.

d) All interventions resulting from written plans should be joint ventures conducted in an open manner between student, parent or guardian, and staff. Such proposed interventions should be presented to all parties in language understandable to each, to the extent possible.

e) Positive behavioral intervention techniques are always preferred. Criteria for selection of interventions should require that the least restrictive means of altering behavior that is likely to achieve the desired result will be tried first.

f) All plans should be individualized. Classwide or schoolwide plans (e.g., discipline codes, codes of conduct) must be implemented with attention to individual needs.

g) Implementation of written behavioral intervention plans may be done only by staff who have received training in the use of the specific behavioral intervention.

The development of a written behavioral plan should be a combined effort between the special education team or teaching staff, ancillary staff, or school staff, the administration, and the parent (s) or guardian.

3. Based on the level of complexity and on the level of intrusiveness, the chosen behavioral intervention strategy should be written in order to insure the effective implementation of the strategy. Such a written behavioral plan should include:

   a) An analysis of medical, environmental, and instructional factors which may contribute to a student's problem behaviors.

   b) A representative sample of baseline data collected as a measure of pre-intervention levels.

   c) A systematic, objective, and reliable method of data collection that allows evaluation of the intervention.

   d) A rationale explaining the selection of the recommended behavioral intervention techniques including a written description of the benefits and the risks.

   e) Clearly specified objectives and conditions under which the program is to be carried out, goals to be achieved, and performance required for successful goal achievement.

   f) Clear delineation of staff, parent, or guardian, student, and building administration roles and responsibilities.

   g) Time lines for review of the intervention plan for effectiveness or continued appropriateness. Such reviews should not be greater than 10 school days from the date of initiation of the program. Plans using complex techniques or that place students at risk of injury or harm should be reviewed more frequently.

4. The written behavior plan for each student should be made available to each staff member involved in the plan as well as to the student and/or parent or guardian. This plan should be written in language understandable to each, to the extent possible.

5. The written plan and objective data regarding progress or lack of progress toward goals and the effectiveness of the maintenance program shall be available for review by the student and/or parent or guardian upon request.

D. Limitations on Interventions

The following procedures are unlawful for use by staff in an educational setting:

a) the deliberate infliction of physical pain by hitting, paddling, spanking, slapping or any other physical force as a means of discipline.

b) confinement of a student in a secured area in any manner which would prevent a student from exiting the area should staff become incapacitated or leave that area.

c) denial of basic human needs, such as, scheduled meals, water, lavatory access, proper ventilation or illumination.

2. The following procedures are considered inappropriate in an educational setting for use by staff as a punishment, or as a management tool for reducing unwanted behavior based upon:

limited technical expertise of educational staff to effectively explore and exhaust less intrusive interventions prior to consideration of these interventions;

limited technical expertise of educational staff to effectively implement and monitor these interventions;

a recognition of community concerns regarding the moral and social acceptability of certain interventions within community programs;

- and a recognition of concerns expressed in the professional literature regarding the risks versus the benefits of certain intrusive or restrictive interventions.

a) electric shock,

b) the intentional application of noxious substances which result in physical pain,

c) methods which are not in compliance with the agency's policy and procedures.

3. The use of restraints cannot be for the convenience of staff or as a substitute for an educational program. The use of restraints in a written behavioral intervention plan may only be considered when the student is acting in a manner as to be a clear and present danger to himself/herself, or to others, or is engaging in severe destruction

of property, and only when less restrictive measures and techniques are not deemed to be effective. In all programs and services, appropriate guidelines and restrictions on the use of restraint procedures should be adopted by the agency to assure the dignity and safety of the student.

4. Mechanical devices, which are used to control involuntary movement or lack of muscular control when due to organic causes or conditions, may be employed as determined by a professional qualified (e.g., physical therapist, occupational therapist, physician) to make such a determination, and as agreed to by the student (eligible), his/her parent or guardian. These mechanical devices and their use fall outside of these behavioral standards except where a behavioral component can be clearly established (e.g., when an involuntary movement is triggered by a student's own behavior).

E. Informed Consent

1. Informed consent means the individual, parent or guardian, or a legally authorized representative is informed that he/she is able to exercise free power of choice without undue inducement or any element of force, fraud, deceit, duress, or other form of constraint or coercion. The basic elements of information necessary to such consent include:

   a) An explanation of the procedures to be followed and their purposes including identification of any procedures which are experimental.

   b) A description of any attendant discomforts or risks.

   c) A description of any benefits reasonably to be expected.

   d) A disclosure of any appropriate alternative with its advantages and disadvantages.

   e) An offer to answer any inquiries.

   f) The person authorized to provide consent be informed that he/she is free to withdraw his/her consent and to discontinue the student's participation in the behavior intervention at any time without prejudice to the student.

2. Behavioral intervention plans involving restrictive procedures as defined within the local agency's approved interventions require written informed consent from parents, guard[illegible] (or eligible students) that is separate from IEPC approval.

3. When there is reason to believe a person otherwise empowered to provide consent may not have the capacity to understand the proposed procedures for which consent is requested, the district shall initiate appropriate review to assure informed consent is obtained prior to implementation of the behavior plan.

F. Emergency Procedures

1. Emergency procedures as permitted by law (P.A. 6 of 1992) may be used in the absence of an established behavioral intervention plan in order to:

   a) restrain or remove a pupil whose behavior is interfering with the orderly exercise and performance of school district functions within a school or at a school-related activity, if that pupil has refused to comply with a request to refrain from further disruptive acts.

   b) provide for self-defense or the defense of others.

   c) prevent a pupil from inflicting harm on himself or herself.

   d) quell a disturbance that threatens physical injury to any person.

   e) obtain possession of a weapon or other dangerous object upon or within the control of a pupil.

   f) protect property.

2. Such emergency procedures may not be used in place of appropriate treatment interventions. Other than as provided by law, emergency procedures should only be utilized when a student has not previously exhibited the behavior creating the emergency, the behavior creating the emergency occurs at a low frequency that programmatic attention is not warranted, or there has been insufficient time to develop an educational plan to reduce the behavior causing the emergency.

3. Each use of an emergency procedure should be documented and reported to building administration and the parent or guardian. Documentation should occur on the agency's incident report form and/or the accident report form.

4. Should a pattern of behavior which requires the use of an emergency procedure emerge or be anticipated, a review should be initiated to assess the appropriateness and effectiveness of current intervention efforts.

5. Use of suspension/expulsion as an emergency procedure should be in compliance with established Department of Education policy.

G. Process for Program and Policy Review

1. The agency should provide guidance and consultation to assist local staff in the development, implementation, and review of behavioral intervention plans. Such assistance may include two levels of review:

a) Peer review should be responsible for the review of all written behavior plans utilizing restrictive procedures or plans addressing high-risk behaviors (e.g., danger to self or others, property damage, etc.), as defined within agency policy. The Peer Review Committee would also be responsible to review revisions to the written behavior plans described previously.

b) Human Rights Committee review should minimally include a review of written behavioral intervention plans forwarded by the Peer Review Committee for approval or nonapproval based on the humanness of the proposed intervention plan.

2. Each committee should jointly or separately report to the agency's governing body on compliance of practice with policy and make recommendations for modification of policy or need for additional staff training. Annually, the committees should review the agency's staff training plan for assuring staff competence in the use of behavioral interventions.

SUPPORTING STUDENT BEHAVIOR: STANDARDS FOR THE EMERGENCY USE OF SECLUSION AND RESTRAINT (DRAFT)

RAFT

May 2005

The bold/italics indicate additions to the document and the strikeouts indicate language that was eliminated from the **draft** document after public input.

SUPPORTING STUDENT BEHAVIOR: STANDARDS FOR THE EMERGENCY USE OF SECLUSION AND RESTRAINT (DRAFT)

I. Introduction

Michigan citizens are concerned about the use of seclusion and restraint in Michigan public schools. Acting on this concern, the Michigan Superintendent of Public Instruction convened a statewide referent group in May 2004. The diverse referent group included parents, advocates, educators, policy makers, and service providers.

The charge to the referent group was to:

- develop standards for seclusion and restraint that replace an existing State Board of Education document;
  recommend substantive strategic directives; and
- recommend implementation to the State Board of Education

The referent group was committed from the beginning to create standards that apply to all Michigan students. The referent group agreed that the State Board of Education standards would:

- promote the care, safety, welfare, and security of the school community and protect learning opportunities for all;
- require the use of proactive and effective strategies and best practices to reduce or eliminate seclusion and restraint;
- clearly define the terms "seclusion" and "restraint"; and
- clearly state the procedures for the use of seclusion and restraint.

The referent group offers this document, *Supporting Student Behavior: Standards for the Emergency Use of Seclusion & Restraint* (*Supporting Student Behavior*). ~~to replace Standards for Policy and Procedure Development in the Use of Behavioral Interventions (1993)~~. Since 1993, educators and parents have evolved from a behavior management approach to a practice of understanding behavior using a team-based, data-driven positive behavior

support approach. Today, parents and educators hold students accountable for their own behavior and accept responsibility to teach students the skills needed to support successful social interaction and educational performance.

The *Supporting Student Behavior* document:

- describes how the positive behavior support approach uses proactive, preventative strategies to reduce or eliminate the use of seclusion and restraint;
- defines the terms "seclusion" and "restraint";
  outlines procedures for emergency use of seclusion and restraint; and
- provides a framework for training and technical assistance.

The *Supporting Student Behavior* document is rooted in best practices and drafted in the belief that:

- the most effective strategies for supporting positive student behavior begin with meaningful instruction provided by highly trained professionals in a safe environment which promotes dignity for all students;
- using positive behavior support plans to address challenging behavior will increase instructional time for all; and
  seclusion or restraint should only be used in an emergency and required diligent assessment, monitoring, documentation, and reporting by trained personnel.

II. Positive Behavior Support

Positive Behavior Support (PBS) is not a new intervention package, nor a new theory of behavior. PBS applies a behaviorally-based approach that enhances the capability of educators and parents to design effective environments that support student learning and behavior.

PBS emphasizes behavior that encourages learning by:

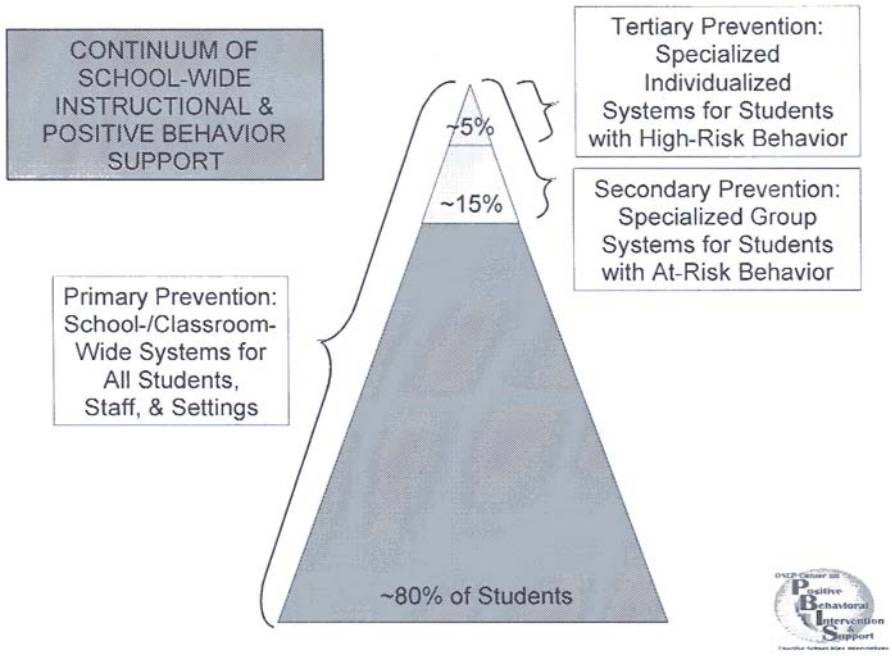
- building relationships;
- creating routines;
- teaching skills/rules/expectations;
- identifying replacement behaviors for behaviors that interfere with learning;
- making problem behavior less effective, efficient, and relevant; and
- making the desired behavior more functional and adaptive.

PBS injects research-validated practices into education to create and sustain learning environments that improve the quality of life for all students in their educational programs: general; special or alternative education; and preschool through postsecondary.

PBS can be applied across three dimensions:

1. school-wide;
2. targeted groups of students at-risk; and
3. intensive effort for individual students.

The chart (www.pbis.org) illustrates PBS as applied to the three key areas in schools:



The chart illustrates:

- about 80% of all students have zero to one office referrals in a school that uses school-wide PBS practices (e.g., school-wide behavior expectations, acknowledgement and encouragement of successful behavior, and staff modeling expectations);
- about 15% of all students exhibit behaviors that benefit from targeted interventions (e.g., anger management group, social skills training, or adult mentor); and
  about 5% of all students have challenges that require specialized and intensive interventions, including an individualized plan of support.

The above percentages reflect the effect of properly implemented school-wide PBS approaches. Schools that do NOT have a school-wide PBS approach in place typically:

1. have significantly larger percentages of students receiving individualized attention (usually disciplinary in nature) at the tertiary prevention level;

2. do not use the secondary prevention approach that targets at-risk groups of students efficiently and/or effectively; and
3. have significantly smaller percentages of students within the universal level.

The *Supporting Student Behavior* document addresses the emergency use of seclusion and restraint for all students. Emergency seclusion or restraint may be necessary for any student engaged in dangerous behavior. Emergency seclusion or restraint may be a one-time only occurrence for a student. When a pattern of dangerous behavior requiring emergency seclusion or restraint emerges, individualized intensive programming (tertiary prevention – the top of the triangle) through a positive behavior support plan (PBSP) becomes essential. A PBSP is designed to reduce or eliminate the use of seclusion and restraint while increasing the student's social competence and academic performance.

A PBSP may include emergency response plans to guide adults interacting with the student, especially when the student engages in repeated behavior that might require emergency seclusion or restraint. An emergency response plan describes how to:

- assess and stabilize the situation;
- prevent escalation; and
- interact specifically with the student if emergency seclusion or restraint is required.

A well-written PBSP and emergency response plan increases general accountability and consistency while protecting the individual student from misuse of seclusion and restraint.

A PBSP, as well as an emergency response plan, must be designed by a team, including parents, who know the student well and have committed the time, resources, and effort to complete a functional assessment and implement the plan with integrity. The following PBSP elements are adapted from work by Horner, Sugai, Todd, and Lewis-Palmer (1999-2000).

Critical Elements of a Positive Behavior Support Plan

1. **Team demonstrates an understanding of the student's behavior concern through functional assessment**
   a. Identifies the student's strengths and positive contributions
   b. Describes the behavior(s) of concern with precision
   c. Describes the context of the behavior within the routines of the student's daily schedule
   d. Learns how the student perceives and experiences events
   e. Completes a functional assessment with observation data that:
      i. predicts reliably where and when problem behaviors are most likely and least likely to occur;
      ii. identifies triggers and consequences that are believed to maintain the behavior;
      iii. considers individual student mental health needs, physical health, social history, instructional factors, and other personal factors and features that may contribute to the student's problem behavior; and
      iv. culminates in data analysis producing a statement of the behavior's function that suggests under what circumstances and with what motivation the student engages in the behavior.
2. **Team redesigns the environment**
   a. Invests in preventing occurrences of problem behavior. Make problem behavior irrelevant and inefficient by selecting strategies and interventions that are related to the data-based hypothesis for the individual student:
      i. teaching of new skills or replacement behaviors;
      ii. teaching new routines or adjust schedule;
      iii. creating supportive environment;
      iv. building new relationships; and
      v. developing antecedents to prompt or support behaviors.
   b. Develops strategies that acknowledge/encourage positive behaviors;
   c. Modifies or eliminates practices or conditions that reinforce problem behavior(s); and

d. Describes specific objectives for successful completion.

3. **Team knows what to do in emergency situations to prevent injury by developing emergency response plans that:**
   a. identify preventative strategies;
   b. evaluate the environmental situation;
   c. assess student's crisis level;
   d. prevent escalation;
   e. interact specifically and safely with the student if seclusion or restraint is required; and
   f. return the student to the learning environment as soon as possible.
4. **Team monitors, evaluates, and revises the PBSP and emergency response plan to be sure that:**
   a. data is collected, shared, and understood;
   b. the student, when possible, participates and understands the plans;
   c. school staff and parents understand and know how to implement plans with clear description of roles and responsibilities in the plans;
   d. proposed interventions are presented to all parties in language understandable to each, to the extent possible, with copies provided to each staff member involved, as well as to the student and/or parent;
   e. supplemental resources required to make the plans work are in place;
   f. team can re-group to review and revise plans as often as needed; and
   g. the plans preserve individual dignity, community values, and cultural preferences and traditions.

Each district should specify behavioral interventions that may be used. For each intervention, the district should specify requirements for use and approval which may include informed consent, consideration for peer review, and consideration for human rights committee review.

III. Seclusion

A. Definition

Seclusion is the confinement of a student alone in a room or an area from which exit is prevented. Seclusion is not the separation of a student from others ***or removal from the learning environment*** (e.g., exclusionary timeout, in-school suspension, out-of-school suspension, sent to the office, sent home, moment in the hall, escorting a disruptive student out of the classroom, or class evacuation from a student disruptive to the learning environment. (***This is not meant to be an exhaustive list***).

B. Use of Seclusion

A behavior that requires immediate intervention constitutes an **emergency.** Seclusion must only be used under emergency situations and if essential. An emergency that may require the use of seclusion includes behavior that:

1. poses an imminent risk to the safety of an individual student;
2. poses an imminent risk to the safety of others; or
3. poses an imminent risk of substantial property destruction.

~~***Option 1:*** *Add no additional condition.*~~

~~***Option 2:*** *Add one more condition that reads:*~~

~~*4. poses an imminent risk of disruption of learning opportunities for other students when threatened by extreme or persistently severe, disruptive behavior.*~~

C. General Procedures for Seclusion

1. An emergency seclusion procedure may not be used in place of appropriate less restrictive interventions.
2. Seclusion should not be used any longer than necessary to allow a student to regain control of her or his behavior, but generally no longer than 5 minutes for preschool children, no longer than 15 minutes for elementary school students, and no longer than 20 minutes for middle through high school students. If an emergency seclusion lasts longer than the suggested maximum time, additional review, support (e.g.,

change of staff, introducing a nurse or specialist, obtaining additional expertise), and documentation ***is required*** (to explain the extension beyond the time limit) ~~is required~~.

3. While using seclusion, staff must:
   a. involve at least two appropriately-trained staff to protect the care, welfare, dignity, and safety of the student;
   b. continually observe the student in seclusion for indications of physical distress and seek medical assistance if there is a concern; and
   c. document observations.
4. Each use of an emergency procedure and the reason for each use should be documented and reported to the building administration immediately, with attempts to reach the parent or guardian immediately or as soon as possible. A written report of each use of seclusion (including multiple uses within a given day) should be given to parents or guardians within 24 hours.
5. After any use of an emergency seclusion, staff should debrief and consult with parents and students (as appropriate) regarding the determination of future actions:
   a. Is there any anticipation that the behavior will occur again?
   b. If yes, is there a need for follow-up action?
6. Should a pattern of behavior emerge, or be anticipated, which may require the use of emergency seclusion, the school personnel should conduct a functional behavioral assessment and, if appropriate, develop or revise a positive behavior support plan (PBSP). One of the purposes of a PBSP is to facilitate the reduction or elimination of the use of seclusion. The assessment and planning process should be conducted by a team knowledgeable about the student, including the parent and the student (if appropriate). The team should include people who are responsible for implementation of the PBSP and who are knowledgeable in positive behavior support.
7. Should a pattern of behavior which requires the use of emergency seclusion emerge, or be anticipated, an emergency intervention plan

should be developed in addition to the PBSP to protect the health, safety, and dignity of the student. The emergency intervention plan should be developed by a team that includes a person knowledgeable about seclusion. The emergency intervention plan should be developed and implemented by taking the following documented steps:

a. describe in detail the emergency intervention procedures;
b. inquire of the student's medical personnel (with parent consent) regarding any known medical or health contraindications for the use of seclusion;
c. conduct a peer review by knowledgeable staff;
d. gain informed consent from the parent after providing the following:
    i. an explanation of emergency procedures to be followed and the purpose for the emergency seclusion;
    ii. a description of possible discomforts or risks;
    iii. a discussion of possible alternative strategies with advantages and disadvantages;
    iv. answers to any questions; and
    v. information on freedom to withdraw consent at any time;
e. when seclusion is included in an emergency intervention plan, the student should be told or shown the circumstances under which the emergency seclusion will be used;
f. if concerns arise regarding humaneness or social acceptability, a human rights committee should be convened to review the emergency intervention plan;
g. as defined in the emergency intervention plan, provide periodic review of the plan and related data;
h. ensure that responsible staff are trained in the specific techniques described in the emergency intervention plan; and
i. maintain necessary staffing at all times.

D. Limitations in Use

1. Seclusion ***shall not*** ~~cannot~~ be used for:
   a. the convenience of staff;
   b. as a substitute for an educational program;
   c. as a form of discipline/punishment;
   d. as a substitute for less restrictive alternatives;
   e. as a substitute for adequate staffing; or
   f. as a substitute for staff training in positive behavior supports and crisis prevention and intervention.
2. An area used for seclusion should:
   a. not prevent the student from exiting the area should staff become incapacitated or leave that area; and
   b. ~~include dimensions of at least 6 x 6 square feet of floor space and 8 feet in height~~. It should provide for adequate ***space,*** lighting, ventilation, ***viewing*** and the safety of the student.
3. Seclusion is generally inappropriate for students who are severely self-injurious or suicidal.

IV. Restraint

A. Definitions

There are two types of restraint – physical and mechanical.

1. **Physical restraint** involves direct physical contact that prevents or significantly restricts a student's movement. Physical restraint does not include brief holding by an adult in order to calm or comfort, the minimum contact necessary to safely escort a student from one area to another, the breaking up of a fight, or assisting a student in completing a task/response if the student does not resist or resistance is minimal in intensity or duration.
2. **Mechanical restraint** means the use of any device or material attached to or adjacent to a student's body that restricts normal freedom of movement and which cannot be easily removed by a student. Mechanical restraint does not include an adaptive or protective device recommended by a physician or therapist (when it is used as recommended), or safety equipment used by the general student population as intended.

B. Use of Restraint

A behavior that requires immediate intervention constitutes an **emergency.** Restraint must only be used under emergency situations and if essential. An emergency that may require the use of restraint includes behavior that:

1. poses an imminent risk to the safety of an individual student;
2. poses an imminent risk to the safety of others;
3. poses an imminent risk of substantial property destruction; or

~~***Option 1:*** *Add no additional conditions.*~~

~~***Option 2:*** *Add a fourth condition that states:*~~

~~*4. poses an imminent risk of disruption of learning opportunities for other students when threatened by extreme or persistently severe, disruptive behavior.*~~

~~***Option 3:*** *Add fourth and fifth conditions that state:*~~

~~*4. poses an imminent risk of disruption of learning opportunities for other students when threatened by extreme or persistently severe, disruptive behavior.*~~

~~*5. or as otherwise permitted under the Corporal Punishment Act.*~~

~~***Option 4:*** *Add a fourth condition that states:*~~

4. or as otherwise ~~permitted~~ ***governed by the School Code*** ~~*under the Corporal Punishment Act.*~~

C. General Procedures for Restraint

1. An emergency restraint procedure may not be used in place of appropriate less restrictive interventions.
2. Restraint should not be used any longer than necessary to allow a student to regain control of her or his behavior, but generally no longer than 10 minutes. If an emergency restraint lasts longer than 10 minutes, additional review, support (e.g., change of staff, introducing a nurse or specialist, obtaining additional expertise), and documentation ***is required*** (to explain the extension beyond the time limit) ~~is required~~.
3. While using restraint, staff must:
   a. involve at least two appropriately-trained staff to protect the care, welfare, dignity, and safety of the student;
   b. continually observe the student in restraint for indications of physical distress and seek medical assistance if there is a concern; and
   c. document observations.
4. Each use of an emergency procedure and the reason for each use should be documented and reported to the building administration immediately, with attempts to reach the parent or guardian immediately or as soon as possible. A written report of each use of restraint (including multiple uses within a given day) should be given to parents or guardians within 24 hours.
5. After any use of an emergency restraint, staff should debrief and consult with parents and students (as appropriate) regarding the determination of future actions:

a Is there any anticipation that the behavior will occur again?

b. If yes, is there a need for follow-up action?

6. Should a pattern of behavior emerge, or be anticipated, which may require the use of emergency restraint, the school personnel should conduct a functional behavioral assessment and, if appropriate, develop or revise a positive behavior support plan (PBSP). A purpose of the PBSP is to facilitate the reduction or elimination of the use of restraint. The assessment and planning process should be conducted by a team knowledgeable about the student, including the parent and the student (if appropriate). The team should include people who are responsible for implementation of the PBSP and who are knowledgeable in positive behavior support.

7 Should a pattern of behavior which requires the use of emergency restraint emerge, or be anticipated, an emergency intervention plan should be developed in addition to the PBSP to protect the health, safety, and dignity of the student. The emergency intervention plan should be developed by a team that includes a person knowledgeable about restraint. The emergency intervention plan should be developed and implemented by taking the following documented steps:

a. describe in detail the emergency intervention procedures;

b. inquire of the student's medical personnel (with parent consent) regarding any known medical or health contraindications for the use of restraint;

c. conduct a peer review by knowledgeable staff;

d. gain informed consent from the parent after providing the following

i. an explanation of emergency procedures to be followed and the purpose for the emergency restraint;

ii. a description of possible discomforts or risks;

iii. a discussion of possible alternative strategies with advantages and disadvantages;

iv. answers to any questions; and

v information on freedom to withdraw consent at any time;

e. when restraint is included in an emergency intervention plan, the student should be told or shown the circumstances under which the emergency restraint will be used;

f. if concerns arise regarding humaneness or social acceptability, a human rights' committee should be convened to review the emergency intervention plan;

g. as defined in the emergency intervention plan, provide periodic review of the plan and related data;

h ensure that responsible staff are trained in the specific techniques described in the emergency intervention plan; and maintain necessary staffing at all times.

D. Limitations in Use

1. Restraint ***shall not*** ~~cannot~~ be used for:
   a. the convenience of staff;
   b. as a substitute for an educational program;
   c. as a form of discipline/punishment;
   d. as a substitute for less restrictive alternatives;
   e. as a substitute for adequate staffing; or
   f. as a substitute for staff training in positive behavior support and crisis prevention and intervention.
2. ~~Prohibited forms of restraint are~~ Any restraint that negatively impacts breathing is prohibited.
   ~~a. *The choice is whether the list of 'prohibited forms of restraint' should be more expansive and include, at least, the prohibition of the face-down/four-point restraint.*~~

~~***Option 1:*** *Add no additional forms of restraint.*~~

~~***Option 2:*** *Add "Prohibit face-down/four-point restraint."*~~

~~***Option 3:*** *Add "Prohibit face-down/four-point restraint and other types of restraint (please give examples).*~~

V. ~~*Choices for this section's title:*~~

~~***Option 1:*** *Disfavored Practices and Prohibited Practices*~~

~~***Option 2:*** *Prohibited Practices*~~

~~***Option 3:*** *Prohibited Practices Unless Otherwise Ordered/Determined*~~

~~***Option 4:*** *Aversive and Prohibited Practices*~~

~~***Option 5:*** *Disfavored Practices*~~

~~***A. Disfavored Practices***~~

~~*2. Disfavored procedures are considered inappropriate in an educational setting unless:*~~

~~*a. a student exhibits life-threatening or potentially debilitating behaviors, and:*~~

~~*i. the team, including the parent, has determined the procedure to be an essential component of the student's program; and*~~

~~*ii. is supported by a positive behavior support plan that includes functional behavior assessment, peer review, human rights' committee review, informed consent, and an emergency intervention plan; or*~~

~~*b. ordered by a hearing officer or court.*~~

B. Prohibited Practices

1. The following procedures are prohibited under all circumstances, including emergency situations:
   a. corporal punishment as defined in §380.1312 of The Revised School Code, 1976 PA 451; and
   b. the deprivation of basic needs or anything constituting child abuse; and
   c. prohibited forms of restraint (See Section IV); and
   d. the intentional application of any noxious substance(s) or stimuli which results in physical pain or extreme discomfort. A noxious substance or stimuli can either be generally acknowledged or specific to the student.

VI. Training and Implementation Support

A. Purposes

The intent of this section is to provide a framework for a comprehensive training model that provides awareness training for the educational community and comprehensive training to key identified personnel.

B. Awareness Training for the Educational Community

The Department of Education shall develop a general overview training model to be available to districts to train the educational community regarding the concepts in the policy.

C. Comprehensive Training for Key Personnel

The Department of Education shall develop a comprehensive training model to be available to districts to train key identified personnel on:

1. Awareness;
2. Proactive Practices and Strategies:
   a. Utilization of effective and proactive strategies and practices to reduce or eliminate seclusion and restraint. Training may include:
      i. conflict resolution;
      ii. mediation;
      iii. social skills training;
      iv. de-escalation techniques;
      v. positive behavior support strategies; and
      vi. learning styles, and academic accommodations and modifications;
3. Implementation Support:
   a. Ongoing support for development of and capacity for sustained quality implementation of proactive practices and strategies to reduce or eliminate use of seclusion and restraint. Support may include:
      i. coaching;
      ii. mentoring;
      iii. modeling; and
      iv. providing resources;

4. Seclusion and Restraint:
   a. A description and identification of dangerous behaviors, as well as methods for evaluating the risk of harm, to determine whether the use of restraint and/or seclusion is warranted;
   b. Procedures for emergency use of seclusion and restraint;
   c. Types of seclusion, restraint, and related safety considerations, including information regarding the increased risk of injury to students and staff when seclusion and/or restraint is used;
   d. Risk of using restraint and seclusion in consideration of known medical or psychological limitations;
   e. The simulated experience of using and receiving restraint and seclusion;
   f. Instruction regarding the effect(s) on the student restrained and/or secluded, including instruction on monitoring physical signs of distress and obtaining medical assistance; and
   g. Understanding of prohibited practices; and
5. Data Collection, Reporting, and Analysis:
   a. Instruction regarding documentation and reporting requirements and investigation of injuries and complaints;
   b. Data collection and analysis for continuous improvement; and
   c. Identification of program staff who have received in-depth training in the use of restraint and seclusion.

Appendix A

Related Michigan Department of Education Initiatives

Supporting Student Behavior standards are but one aspect of Michigan's approach to supporting student behavior.

- **Positive Behavior Support (PBS)**. The Office of Special Education and Early Intervention Services launched this initiative in 1998 when five Michigan educators attended a national workshop on positive behavior support. That core group, with additional representation, produced a document, ***Positive Behavior Support for ALL Students: Creating Environments That Assure Learning***, in February 2000, and a companion document, ***Positive Behavior Support for Young Children*** (2001), which created a basis for *Supporting Student Behavior*. Go to www.cenmi.org for free downloads of those documents and other information related to PBS.

- **Michigan's Behavior & Learning Support Initiative (MiBLSi)**. Formed in 2003, MiBLSi extends the initial PBS grant to integrate PBS with reading in elementary schools. More information on this school-wide PBS project is at http://www.cenmi.org.

- **Statewide Autism Resources & Training (START)**. Grand Valley State University was designated the lead university in 2003 for the development of a state team that would build and coordinate regional multidisciplinary teams in support of school personnel and parents of individuals with autism spectrum disorder. PBS is one part of the approach. Review START at www.gvsu.edu/autismcenter.

- **Strategic Alternatives in Prevention Education (SAPE)**. Created in 1971, SAPE is a network of professionals working together with youth, educators, parents, and community members to prevent high-risk behaviors among youth. Michigan SAPE Association develops research-based programs related to substance abuse prevention, violence and bullying prevention, neuroscience-based learning, organizational change, student assistance/crisis response programs, and suspension and expulsion. For more information contact Bob Higgins, Project Director, Michigan Department of Education, Coordinated School Health and Safety Initiatives, John A. Hannah Building, P.O. Box 30008, Lansing, Michigan 48909, or call Mr. Higgins at (517) 373-1024 or email him at higginsr@michigan.gov. SAPE's *Connections Resource Guide: Enhanced Community Service and Strategies for Keeping Kids in Schools* is available for free download at http://www.michigan.gov/documents/Connections_Resource_Guide_Updated_9_04_1031887.pdf

- **Project Perform** provides family-friendly information on disabilities, positive behavior support, and other topics in a variety of formats for free or on loan. Access to this extensive library is available through www.wash.k12.mi.us/perform or by calling 1-800-552-4821.

- **Parent Education** on Positive Behavior Support through CAUSE –Citizens Alliance to Uphold Special Education. This nonprofit organization promoting parents training parents can be called at (800) 221-9105, or contacted through their website at www.causeonline.org

- **Universal Education**. Every individual's success is important to our society. Each person deserves and needs a concerned, accepting educational community that values diversity and provides a comprehensive system of individual supports from birth to adulthood. Universal Education removes barriers, provides flexible and responsive supports, and facilitates life-long learning for all.

Appendix B

References

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Taylor, J. and Miller, M. (1997). When timeout works some of the time: The importance of treatment integrity and functional assessment. *School Psychology Review* 12(1), 4-22.

www.pbis.org National Technical Assistance Center on Positive Behavioral Interventions and Supports.

THE REVISED SCHOOL CODE (EXCERPT)
Act 451 of 1976

380.1312 "Corporal punishment" defined; infliction of corporal punishment by employee, volunteer, or contractor; exercise of necessary reasonable physical force; liability; violation; deference given to reasonable good-faith judgments; development, implementation, and enforcement of code of student conduct; model list of alternatives to use of corporal punishment; authority permitting corporal punishment void.

Sec. 1312.

(1) As used in this section, "corporal punishment" means the deliberate infliction of physical pain by hitting, paddling, spanking, slapping, or any other physical force used as a means of discipline.

(2) Corporal punishment does not include physical pain caused by reasonable physical activities associated with athletic training.

(3) A person employed by or engaged as a volunteer or contractor by a local or intermediate school board or public school academy shall not inflict or cause to be inflicted corporal punishment upon any pupil under any circumstances.

(4) A person employed by or engaged as a volunteer or contractor by a local or intermediate school board or public school academy may use reasonable physical force upon a pupil as necessary to maintain order and control in a school or school-related setting for the purpose of providing an environment conducive to safety and learning. In maintaining that order and control, the person may use physical force upon a pupil as may be necessary for 1 or more of the following:

(a) To restrain or remove a pupil whose behavior is interfering with the orderly exercise and performance of school district or public school academy functions within a school or at a school-related activity, if that pupil has refused to comply with a request to refrain from further disruptive acts.

(b) For self-defense or the defense of another.

(c) To prevent a pupil from inflicting harm on himself or herself.

(d) To quell a disturbance that threatens physical injury to any person.

(e) To obtain possession of a weapon or other dangerous object upon or within the control of a pupil.

(f) To protect property.

(5) A person employed by or engaged as a volunteer or contractor by a local or intermediate school board or public school academy who exercises necessary reasonable physical force upon a pupil, or upon another person of school age in a school-related setting, as described in subsection (4) is not liable in a civil action for damages arising from the use of that physical force and is presumed not to have violated subsection (3) by the use of that physical force. This subsection does not alter or limit a person's immunity from liability provided under 1964 PA 170, MCL 691.1401 to 691.1415.

(6) A person who willfully or through gross negligence violates subsection (3) or who willfully or through gross negligence violates subsection (4) may be appropriately disciplined by his or her school board or public school academy.

This subsection does not limit a school board's or public school academy's authority to discipline an employee for a violation of its own policies.
(7) In determining whether an employee, volunteer, or contractor has acted in accordance with subsection (4), deference shall be given to reasonable good-faith judgments made by that person.
(8) A local or intermediate school district or a public school academy shall develop and implement a code of student conduct and shall enforce its provisions with regard to pupil misconduct in a classroom, elsewhere on school premises, on a school bus or other school-related vehicle, or at a school sponsored activity or event whether or not it is held on school premises.
(9) The department shall develop a model list of alternatives to the use of corporal punishment. This model list shall be developed in consultation with organizations that represent the interests of teachers, school employees, school boards, school administrators, pupils, parents, and child advocates, plus any other organization that the state board of education may wish to consult. The department shall send this model list to each school district, public school academy, and intermediate school district in the state and to each nonpublic school in the state that requests it. A local or intermediate school board or public school academy shall approve and cause to be distributed to each employee, volunteer, and contractor a list of alternatives to the use of corporal punishment. Upon request, the department of education shall provide assistance to schools in the development of programs and materials to implement this section.
(10) Any resolution, bylaw, rule, policy, ordinance, or other authority permitting corporal punishment is void.

History: 1976, Act 451, Imd. Eff. Jan. 13, 1977 ;-- Am. 1988, Act 521, Eff. Mar. 30, 1989 ;-- Am. 1992, Act 6, Imd. Eff. Mar. 10, 1992 ;-- Am. 1995, Act 289, Eff. July 1, 1996 ;-- Am. 2000, Act 461, Imd. Eff. Jan. 10, 2001
Popular Name: Act 451

The Referent Group consulted a variety of sources in creating this Draft. Statutes, rules, and policies from other states were examined. Behavior guidelines from the Wayne County RESA and the Traverse Bay ISD were also available as reference materials.

Review of Responses

SUPPORTING STUDENT BEHAVIOR: STANDARDS FOR THE EMERGENCY USE OF SECLUSION AND RESTRAINT (DRAFT)

311 total responses received
April 25, 2005

1. Use of Seclusion

52% *Option 1:* Add no additional condition.
47% *Option 2:* Add one more condition that states:
4. poses an imminent risk of disruption of learning opportunities for other students when threatened by extreme or persistently severe, disruptive behavior.

Patterns of Comment:

- Respondents differentiate between removal and seclusion.
- Generally, respondents feel that "imminent risk of disruption of learning opportunities" should be prevented by removal short of seclusion.
- There was strong support for protection of the learning environment.
- Comments (multiple) included:
  - easily abused
  - vague
  - maximize learning
  - time out vs. seclusion
  - emphasize PBS
- Other Comments:
  - It was suggested that the lists in the definitions be reformatted into bulleted items. It was further suggested that the phrase "This is not an exhaustive list" be added to the definitions.
  - There are concerns about the time limits under the General Procedures for Seclusion.
  - The word "specialist" in item 2 under General Procedures needs to be defined.
  - Questions were raised about the size limits regarding a seclusion room ... where did it come from, what about self-injurious students (too big at 6x6)?

2. Use of Restraint

26% *Option 1:* Add no additional conditions.
18% *Option 2:* Add a fourth condition that states:
4. poses an imminent risk of disruption of learning opportunities for other students when threatened by extreme or persistently severe, disruptive behavior.
17% *Option 3:* Add fourth and fifth conditions that state:

4. poses an imminent risk of disruption of learning opportunities for other students when threatened by extreme or persistently severe, disruptive behavior.
5. or as otherwise permitted under the Corporal Punishment Act.

37% *Option 4:* Add a fourth condition that states:
4. or as otherwise permitted under the Corporal Punishment Act.

Patterns of Comment:

- Respondents indicated that they did not see restraint as a pre-emptive, preventative measure (i.e., they would not use restraint *before* an actual behavior; therefore, a condition based upon "imminent risk" was moot).
- Comments (multiple) included:
  - This policy has a higher threshold than the Corporal Punishment Act.
  - For safety reasons, keep the restraint option available.
- Other Comments:
  - We may want to reformat lists as bulleted items, as suggested for the Seclusion section.
  - There are concerns about the time limits under the General Procedures for Restraint.
  - The word "specialist" in item 2 under General Procedures needs to be defined.
  - How will we define "peer review by knowledgeable staff" (item 7 under General Procedures)?

3. Prohibited Forms of Restraint

73% *Option 1:* Add no additional forms of restraint.
14% *Option 2:* Add "Prohibit face-down/four-point restraint."
10% *Option 3:* Add "Prohibit face-down/four-point restraint and other types of restraint (please give examples).

4. Choices for this Section's Title

11% *Option 1:* Disfavored Practices and Prohibited Practices
17% *Option 2:* Prohibited Practices
18% *Option 3:* Prohibited Practices Unless Otherwise Ordered/Determined
40% *Option 4:* Aversives and Prohibited Practices
6% *Option 5:* Disfavored Practices

5. Disfavored Practices

55% *Option 1:* Keep this section.
12% *Option 2:* Remove this section.
28% *Option 3:* Move this entire section to "Prohibited Practices.

ATTACHMENT E

STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING

JENNIFER M. GRANHOLM
GOVERNOR

THOMAS D. WATKINS, JR.
SUPERINTENDENT OF
PUBLIC INSTRUCTION

January 12, 2005

MEMORANDUM

TO: Interested Parties Regarding "Supporting Student Behavior: Standards for the Emergency Use of Seclusion and Restraint" (Draft)

FROM: Tom Watkins Tom Watkins

SUBJECT Announcement of a Period of Field Review on Draft Policy

In early spring, I requested the Office of Special Education and Early Intervention Services to convene the Supporting Student Behavior: Seclusion/Restraint Referent Group (Group). The charge to the Group was to recommend to the State Board of Education (SBE) policy and guidance for seclusion and restraint and substantive strategic directions to make the policy effective.

At the onset of their work, the Group established common ground in their desire to create a policy document which applies to all students. The Group collectively desired that the SBE policy and guidance will, at a minimum:

1. Clearly define seclusion and restraint;
2. Require the utilization of effective and proactive strategies and practices to reduce or eliminate seclusion and restraint;
3. Delineate the procedures for any use of seclusion and restraint; and
4. Promote the care, safety, welfare, and security of the school community, and protect learning opportunities for all.

Since July 6, 2004, the Group met on several occasions to finalize the draft document entitled, "Supporting Student Behavior: Standards for the Emergency Use of Seclusion and Restraint" (Draft). During the course of this project, parents, teachers, and administrators have expressed an interest in providing input into the draft document.

The attached Draft document is now available for review and comment. Please note that a response form has also been included as an attachment. All comment will be reviewed and considered. Please feel free to distribute this Draft document and response form to any interested parties. Written comments will be accepted by the Office of Special Education and Early Intervention Services through 5:00 p.m. on March 14, 2005. Comments may be submitted via internet at www.michigan.gov/mde (click on administrators and then click on special education), e-mail at MDE-OSE@michigan.gov, or surface mail to Ms. Sheryl Diamond, Consultant, Policy and Compliance Program, Office of Special Education and Early Intervention Services, Michigan Department of Education, P.O. Box 30008, Lansing, Michigan 48909.

Attachment

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Supporting Student Behavior: Seclusion/Restraint Referent Group Recommended Strategic Directives

The Supporting Student Behavior: Seclusion/Restraint Referent Group requests:

1. The State Board of Education (SBE) ask the Michigan Legislature to enact legislation that considers the consensus recommendations of the referent group for sections I – IV and section VI of the draft policy, Supporting Student Behavior: Standards for the Emergency Use of Seclusion and Restraint (Draft);
2. The SBE continue to support and scale-up school-wide positive behavior and learning support initiatives;
3. The Michigan Department of Education (MDE) develop a dissemination plan to include training-of-the-trainer modules on the draft policy, one for awareness for all stakeholders and another for comprehensive training for key personnel that can be adapted or incorporated into existing local frameworks. Build into the training design a mechanism for quality assurance;
4. The SBE to appropriate (*support*) funding for implementation and training;
5. The MDE to collect data on seclusion and restraint and analyze it in the context of other relevant data, e.g., suspension, expulsion, dropout. Direct the MDE to annually report seclusion and restraint data; and
6. The MDE analyze the collected data for purposes of monitoring and continuous improvement of training and technical assistance toward the reduction or elimination of seclusion and restraint.