

<i><b>MDE Supporting Student Behavior: Standards for the Emergency Use of Seclusion and Restraint</b></i> <b>(Adopted by SBE December 2006)</b>	<b>Bill to Amend 1976 PA 451</b> <b>by Adding Section 1312a (02691’15 Draft 4)</b>
<b>(Section I, Page 1) Introduction</b> Michigan citizens are concerned about the use of seclusion and restraint in Michigan public schools.	The Legislature finds that parents and teachers across Michigan are concerned about the use of seclusion and restraint in the public schools of this state and that prohibitions on the use of restraint and seclusion must be established and uniformly applied across the state.
<b>(Section I, Page 1) Introduction</b> The <i>Supporting Student Behavior</i> document is rooted in best practices and drafted in the belief that: <ul style="list-style-type: none"><li>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;</li><li>school-wide systems of positive behavioral support to address challenging behavior will increase instructional time for all; and</li><li>seclusion or restraint should be used only in an emergency and requires diligent assessment, monitoring, documentation, and reporting by trained personnel.</li></ul>	(1) The finding is supported by the following beliefs: <ul style="list-style-type: none"><li>A. 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 pupils;</li><li>B. School-wide systems of positive behavioral support to address challenging behavior will increase instructional time for all; and</li><li>C. Seclusion should never be used in a public school, and separation and restraint should be used only in an emergency and require diligent assessment, monitoring, documentation, and reporting by trained personnel.</li></ul>
<b>(Section I, Page 1) Introduction</b> The referent group agreed that the SBE standards should: <ul style="list-style-type: none"><li>promote the care, safety, welfare, and security of the school community and protect learning opportunities for all;</li><li>require the use of proactive and effective strategies and best practices to reduce or eliminate seclusion and restraint;</li><li>clearly define the terms “seclusion” and “restraint”; and</li><li>clearly state the procedures for the use of seclusion and restraint.</li></ul>	(2) Based on the findings in Subsection (1), it is the intent of the legislature that this section provide for a uniform policy regarding the use of restraint, separation, and seclusion, and seclusion in the public schools accomplishes the following objectives: <ul style="list-style-type: none"><li>A. Promotes the care, safety, welfare, and security of the school</li><li>B. Community and protect learning opportunities for all.</li><li>C. Requires the use of proactive and effective strategies and best practices to eliminate the use of seclusion and to reduce or eliminate separation and restraint;</li><li>D. Clearly defines the terms “seclusion”, “separation”, and “restraint” and clearly states the procedures for the use of emergency separation and emergency restraint.</li></ul>
<b>(Section II, p. 2) Schoolwide Systems of Positive Behavioral Support</b> It is the policy of the State Board of Education that each school district in Michigan implement a system of school-wide positive behavior support (PBS) strategies.	(3) Not later than _____, the Department shall develop a state policy establishing a schoolwide positive behavioral intervention and support plan that includes all of the elements under this section. Not later than _____, the board of a school district or intermediate school district shall adopt and implement a local policy that is consistent with the state policy under this section.
<b>(Seclusion Section V-F, p. 12; Restraint Section VI-E, p. 18)</b> <b>Prohibited Practices</b> The following are prohibited under all circumstances, including emergency situations: <ul style="list-style-type: none"><li>mechanical restraint; chemical restraint; corporal punishment as defined in §380.1312(1) of <i>The Revised School Code</i>, 1976 PA 451; the deprivation of basic needs; anything constituting child abuse; seclusion of preschool children; any restraint that negatively impacts breathing; prone restraint; 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.</li></ul>	(4) The state policy under Subsection (3) shall contain all of the following elements: <ul style="list-style-type: none"><li>A. A clear statement that all of the following policies are prohibited for school personnel in the public schools of this state under all circumstances, including emergency situations:<ul style="list-style-type: none"><li>i. Corporal punishment, as defined in Section 1312.</li><li>ii. The deprivation of basic needs.</li><li>iii. Child abuse.</li><li>iv. Seclusion.</li><li>v. Separation, other than emergency separation.</li><li>vi. 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 pupil.</li><li>vii. Mechanical restraint.</li><li>viii. Chemical restraint.</li><li>ix. Any restraint that negatively impacts breathing.</li><li>x. Prone restraint.</li><li>xi. Physical restraint, other than emergency physical restraint.</li></ul></li></ul>
<b>(Seclusion Section V-E #1-4, pp. 8-9)</b> <b>General Procedures for Emergency Seclusion</b> 1. An emergency seclusion may not be used in place of appropriate less restrictive interventions. 2. Emergency seclusion shall be performed in a manner that is: <ul style="list-style-type: none"><li>safe; appropriate; and proportionate to and sensitive to the student’s severity of behavior; chronological and developmental age; physical size; gender; physical condition; medical condition; psychiatric condition; and personal history, including any history of physical or sexual abuse.</li></ul>	<ul style="list-style-type: none"><li>B. All of the following concerning use of emergency separation and emergency physical restraint by school personnel:<ul style="list-style-type: none"><li>i. Emergency separation and emergency physical restraint may be used only under emergency situations and if essential.</li><li>ii. Emergency separation and emergency physical restraint may not be used in place of appropriate less restrictive interventions.</li><li>iii. Emergency separation and emergency physical restraint shall be performed in a manner that is safe, appropriate, and proportionate to and sensitive to the student’s severity of behavior; chronological and developmental age; physical size; gender, physical condition; medical condition; psychiatric condition; and personal history, including any history of physical or sexual abuse.</li></ul></li></ul>
<b>(Seclusion Section V-E #3, p. 9; Restraint Section VI-D #3 p. 15)</b> 3. Staff shall immediately call for help from within the building at the onset of an emergency situation. An LEA must ensure that substitute teachers are informed of all local emergency procedures, including the procedures regarding the use of emergency seclusion and restraint.	<ul style="list-style-type: none"><li>iv. A requirement that staff shall immediately call for help from within the building at the onset of an emergency situation.</li><li>C. A requirement that the school district, intermediate school district, or public school academy must ensure that substitute teachers are informed of all local emergency procedures, including the procedures regarding the use of emergency separation and emergency restraint.</li></ul>

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<b>(Seclusion Section V-E #4, p. 9)</b> 4. Time and Duration – Emergency seclusion should not be used any longer than necessary to allow students to regain control of his/her behavior, but generally: <ul style="list-style-type: none"><li>• elementary school students – no longer than 15 minutes; and</li><li>• middle and high school students – no longer than 20 minutes.</li><li>• If an emergency seclusion lasts longer than ten minutes, the following are required:<ul style="list-style-type: none"><li>○ additional support (e.g., change of staff, introducing a nurse or specialist, obtaining additional expertise); and documentation to explain the extension beyond the time limit.</li></ul></li></ul>	v. Emergency separation should not be used any longer than necessary to allow a pupil to regain control of his or her behavior and generally no longer than 15 minutes for an elementary school pupil or 20 minutes for a middle school or high school pupil. If an emergency separation lasts longer than 15 minutes for an elementary school pupil or 20 minutes for a middle school or high school pupil, all of the following are required: A. Additional support, which may include a change of staff, introducing a nurse or specialist, or obtaining additional expertise. B. Documentation to explain the extension beyond the time limit.
<b>(Restraint Section VI-D #4 p. 15)</b> A. Time and Duration – Emergency restraint should not be used any longer than necessary to allow students to regain control of his/her behavior, but generally: <ul style="list-style-type: none"><li>• elementary school students – no longer than 15 minutes; and</li><li>• middle and high school students – no longer than 20 minutes.</li><li>• If an emergency seclusion lasts longer than ten minutes, the following are required:<ul style="list-style-type: none"><li>○ additional support (e.g., change of staff, introducing a nurse or specialist, obtaining additional expertise); and</li><li>○ documentation to explain the extension beyond the time limit.</li></ul></li></ul>	vi. Emergency physical restraint should not be used any longer than necessary to allow a pupil to regain control of his or her behavior and generally no longer than 10 minutes. If an emergency restraint lasts longer than 10 minutes, all of the following are required: A. Additional support, which may include a change of staff, introducing a nurse or specialist, or obtaining additional expertise. B. Documentation to explain the extension beyond the time limit.
<b>(Seclusion Section V-E #5-6 p. 10; Restraint Section VI-D #5-6 p. 15-16)</b> <b>Documentation and Reporting</b> 5. Staff Requirements – While using seclusion/restraint, staff must: <ul style="list-style-type: none"><li>• involve appropriately-trained key identified personnel to protect the care, welfare, dignity, and safety of the student;</li><li>• continually observe the student in seclusion for indications of physical distress and seek medical assistance if there is a concern; and</li><li>• document observations.</li></ul>	vii. While using emergency separation or emergency physical restraint, school personnel must do all of the following: A. Involve appropriately trained key identified personnel to protect the care, welfare, dignity, and safety of the pupil. B. Continually observe the pupil in separation and restraint for indications of physical distress and seek medical assistance if there is a concern. C. Document observations.
6. Documentation and Reporting – Each use of an emergency seclusion/restraint and the reason for each use shall be: <ul style="list-style-type: none"><li>• documented in writing and reported to the building administration immediately;</li><li>• reported to the parent or guardian immediately or as soon as possible; and</li><li>• documented in a written report for each use of seclusion (including multiple uses within a given day) and given to the parent or guardian within 24 hours.</li></ul>	D. All of the following provisions concerning documentation and reporting of emergency separation and emergency restraint: i. Each use of an emergency separation or emergency restraint and the reason for each use shall be documented in writing and reported to the building administration immediately, reported to the parent or guardian immediately or as soon as possible, and documented in a written report for each use of emergency separation or emergency restraint, including multiple uses within a given day, with this written report provided to the parent or guardian within 24 hours.
<b>(Seclusion Section V-E #7 p. 10; Restraint Section VI-D #7 p. 16)</b> <b>Debrief</b> 7. After any use of an emergency seclusion, staff must debrief and consult with parents and students (as appropriate) regarding the determination of future actions. Questions to address include: a. what precipitated the behavior that required emergency intervention? b. is there any anticipation that the behavior will occur again? c. is there a need for follow-up action? d. what is the specific follow-up action?	ii. After any use of an emergency seclusion or emergency restraint, school personnel must debrief and consult with parents and pupils, as appropriate, regarding the determination of future actions. Questions to address include at least all of the following: A. What precipitated the behavior that required emergency intervention? B. Is there any anticipation that the behavior will occur again? C. Is there a need for follow-up action? D. What is the specific follow-up action?
<b>(Seclusion Section V-E #8 p. 10; Restraint Section VI-D #8 p. 16)</b> <b>Reoccurring Behavior</b> 8. Should a pattern of behavior emerge, or be anticipated, which may require the use of emergency seclusion, the school personnel must: <ul style="list-style-type: none"><li>• conduct a functional behavioral assessment;</li><li>• develop or revise a positive behavior support plan (PBS) to facilitate the reduction or elimination of the use of seclusion;</li><li>• develop an assessment and planning process conducted by a team knowledgeable about the student, including:<ul style="list-style-type: none"><li>○ the parent;</li><li>○ the student (if appropriate);</li><li>○ people responsible for implementation of the PBS; and people knowledgeable in PBS.</li></ul></li></ul>	iii. If a pattern of behavior emerges, or is anticipated, that may require the use of emergency separation or emergency physical restraint, the school personnel must do all of the following: A. Conduct a functional behavioral assessment. B. Develop or revise a positive behavior support plan to facilitate the reduction or elimination of the use of emergency separation or emergency physical restraint. C. Develop an assessment and planning process conducted by a team knowledgeable about the pupil, including at least the parent; the pupil, if appropriate; the individuals responsible for implementation of the positive behavioral intervention and support; and individuals knowledgeable in positive behavioral intervention and support.

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<p><b>(Seclusion Section V-E #9 p. 11; Restraint Section VI-D #9 p. 17)</b> <b>Emergency Intervention Plan</b></p> <p>9. Should a pattern of behavior that requires the use of emergency seclusion emerge, or be anticipated, an emergency intervention plan should be developed in addition to PBS to protect the health, safety, and dignity of the student. The emergency intervention plan should be developed in partnership with the parent 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:</p> <ul style="list-style-type: none"><li>• describe in detail the emergency intervention procedures;</li><li>• inquire of the student’s medical personnel (with parent consent) regarding any known medical or health contraindications for the use of seclusion;</li><li>• conduct a peer review by knowledgeable staff; and gain informed consent from the parent after providing the following: an explanation of emergency procedures to be followed and the purpose for the emergency seclusion/restraint; a description of possible discomforts or risks; a discussion of possible alternative strategies with advantages and disadvantages; answers to any questions; and information on freedom to withdraw consent at any time.</li></ul> <p>When seclusion/restraint is included in an emergency intervention plan, the student should be told or shown the circumstances under which the emergency seclusion will be used.</p>	<p>D. All of the following provisions concerning development and implementation of an emergency intervention plan:</p> <p>i. Each public school shall develop a written and publicly available schoolwide emergency intervention plan that protects the health, safety, and dignity of pupils. The emergency intervention plan shall provide a clear and detailed description of the procedures to be followed, and the potential use of emergency separation and emergency physical restraint, along with examples of situations that could result in the use of emergency separation or emergency physical restraint. The emergency intervention plan should be developed and periodically revised in partnership with parents and guardians by a team that includes individuals knowledgeable about separation and restraint. The public school shall provide parents and guardians with paper or electronic notice of the availability of the emergency intervention plan, including instructions on how to access or request a copy of the plan and a process for asking questions and expressing concerns.</p>
<p><b>(Seclusion Section V-E #9 p. 11-12; Restraint Section VI-D #9 p. 17)</b> <b>Emergency Intervention Plan</b></p> <p>If concerns arise regarding humaneness or social acceptability, a human rights’ committee should be convened to review the emergency intervention plan. As defined in the emergency intervention plan the committee should:</p> <ul style="list-style-type: none"><li>• provide periodic review of the plan and related data;</li><li>• ensure that responsible staff are trained in the specific techniques described in the emergency intervention plan; and</li><li>• ensure necessary staffing is maintained at all times.</li></ul>	<p>ii. If concerns arise regarding humaneness or social acceptability of an element of the emergency intervention plan, a human rights committee should be convened to review the emergency intervention plan. As defined in the emergency intervention plan, this committee should do all of the following:</p> <p>A. Provide periodic review of the plan and related data.</p> <p>B. Ensure that responsible staff are trained in the specific techniques described in the emergency intervention plan.</p> <p>C. Ensure necessary staffing is maintained at all times.</p>
<p><b>(Seclusion Section V-E #10 p. 12; Restraint Section VI-D #10 p. 18)</b> <b>Data Collection</b></p> <p>1. The school district shall develop a system of data collection regarding the use of seclusion. The data should:</p> <ul style="list-style-type: none"><li>• be analyzed to determine the efficacy of the school’s school-wide system of behavioral support;</li><li>• be analyzed in the context of suspension, expulsion, and dropout data;</li><li>• be analyzed for the purposes of continuous improvement of training and technical assistance toward the reduction or elimination of seclusion;</li><li>• be analyzed on a schedule determined by the MDE;</li><li>• be reported to the MDE; and</li><li>• include a list of appropriately-trained key identified personnel and their levels of education, training, and knowledge.</li></ul>	<p>E. All of the following provisions regarding data collection:</p> <p>i. The school district shall develop a system of data collection regarding the use of emergency separation and emergency physical restraint.</p> <p>ii. All of the following should occur with respect to the data collected under Subparagraph (i):</p> <p>A. The data should be analyzed to determine the efficacy of the school’s schoolwide system of behavioral support.</p> <p>B. The data should be analyzed in the context of suspension, expulsion, and dropout data.</p> <p>C. The data should be analyzed for the purposes of continuous improvement of training and technical assistance toward the reduction or elimination of emergency separation and emergency physical restraint.</p> <p>D. The data should be analyzed on a schedule determined by the Department.</p> <p>E. The data should be reported to the Department.</p> <p>F. The data should include a list of appropriately trained key identified personnel and their levels of education, training, and knowledge.</p>
<p><b>(PBIS Section IV-A, p. 5)</b> <b>Training Framework</b></p> <p>A. A comprehensive training framework includes:</p> <ul style="list-style-type: none"><li>• awareness training for the broader educational community, including pre-service training for all teachers;</li><li>• awareness training for substitute teachers; and</li><li>• comprehensive training for key identified personnel.</li></ul>	<p>F. All of the following provisions concerning training:</p> <p>i. A school district, intermediate school district, or public school academy must implement a comprehensive training framework that includes awareness training for the broader educational community, including at least preservice training for all teachers, awareness training for substitute teachers, and comprehensive training for key identified personnel as described in Subparagraph (ii).</p>

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<p><b>(PBIS Section IV-C, P. 6-7)</b> <b>Comprehensive Training for Key Identified Personnel</b> A local educational agency will identify sufficient key personnel to ensure that trained personnel are avail- able for an emergency situation. Before using seclusion or restraint with students, key identified personnel who may have to respond to an emergency safety situation must be trained in:</p> <ul style="list-style-type: none"><li>• proactive practices and strategies that ensure the dignity of students;</li><li>• conflict resolution;</li><li>• mediation;</li><li>• social skills training;</li><li>• de-escalation techniques;</li><li>• positive behavior support strategies;</li><li>• techniques to identify student behaviors that may trigger emergency safety situations;</li><li>• related safety considerations, including information regarding the increased risk of injury to students and staff when seclusion or restraint is used;</li><li>• instruction in the use of seclusion and restraint;</li><li>• identification of events and environmental factors that may trigger emergency safety situations;</li><li>• instruction on the State Board of Education policy on Supporting Student Behavior: Standards for the Emergency Use of Seclusion and Restraint;</li><li>• description and identification of dangerous behaviors;</li><li>• methods for evaluating the risk of harm to determine whether the use of seclusion or restraint is warranted;</li><li>• types of seclusion;</li><li>• types of restraint;</li><li>• the risk of using seclusion and restraint in consideration of a student’s known and unknown medical or psychological limitations;</li><li>• the effects of seclusion and restraint on ALL students;</li><li>• how to monitor the physical signs of distress; and</li><li>• how to obtain medical assistance.</li></ul>	<p>ii. A school district, intermediate school district, or public school academy shall identify sufficient key personnel to ensure that trained personnel are avail- able for an emergency situation. Before using seclusion or restraint with students, key identified personnel who may have to respond to an emergency safety situation must be trained in:</p> <ul style="list-style-type: none"><li>A. Proactive practices and strategies that ensure the dignity of pupils.</li><li>B. Conflict resolution.</li><li>C. Mediation.</li><li>D. Social skills training.</li><li>E. De-escalation techniques.</li><li>F. Positive behavioral intervention and support strategies.</li><li>G. Techniques to identify pupil behaviors that may trigger emergency safety situations.</li><li>H. Related safety considerations, including information regarding the increased risk of injury to pupil and school personnel when seclusion or restraint is used.</li><li>I. Instruction in the use of emergency separation and emergency physical restraint.</li><li>J. Identification of events and environmental factors that may trigger emergency safety situations.</li><li>K. Instruction on the Department policy on the use of emergency separation and emergency physical restraint.</li><li>L. Description and identification of dangerous behaviors.</li><li>M. Methods for evaluating the risk of harm to determine whether the use of seclusion or restraint is warranted.</li><li>N. Types of separation.</li><li>O. Types of restraint.</li><li>P. The risk of using emergency separation and emergency physical restraint in consideration of a pupil’s known and unknown medical or psychological limitations.</li><li>Q. The effects of seclusion and restraint on ALL pupils.</li><li>R. How to monitor the physical signs of distress.</li><li>S. How to obtain medical assistance.</li></ul>

DEFINITIONS	
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(p.1) <b>Behavior Intervention</b> is a systematic implementation of procedures that result in lasting positive changes in an individual’s behavior. Interventions may include positive strategies, program or curricular modifications, and supplementary aids and supports required to address the disruptive behaviors in question. It is helpful to use data collected during a functional behavioral assessment to develop the plan and to determine the discrepancy between the student’s actual and expected behavior.	5. As used in this section: A. <b>“Behavioral Intervention”</b> means a systematic implementation of procedures that result in lasting positive changes in an individual’s behavior. Interventions may include positive strategies, program or curricular modifications, or supplementary aids and supports required to address the disruptive behaviors in question.
<b>Chemical Restraint</b> is the administration of medication for the purpose of reducing or restricting an individual’s freedom of movement.	B. <b>“Chemical Restraint”</b> means the administration of medication for the purpose of restraint. Chemical restraint does not include the administration of medication prescribed by and administered in accordance with the directions of a physician.
	C. <b>“Contingent observation”</b> means situating a pupil in a position to observe other pupils without participating or receiving reinforcement for a specified period of time.
(p. 5) <b>De-escalation techniques</b> are strategically employed verbal or non-verbal interventions used to reduce the intensity of threatening behavior before a crisis situation occurs.	D. <b>“De-escalation techniques”</b> means strategically employed verbal or non-verbal interventions used to reduce the intensity of threatening behavior before a crisis situation occurs.
(p.7) <b>Emergency</b> is a situation in which a student’s behavior poses imminent risk to the safety of an individual student or to the safety of others. An emergency requires an immediate intervention.	E. <b>“Emergency situation”</b> means a situation in which a pupil’s behavior poses imminent risk to the safety of an individual pupil or to the safety of others. An emergency situation requires an immediate intervention.

DEFINITIONS (cont’d)	
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<b>(Restraint Section VI-B, p. 14)</b> <b>Limitations in Use</b> <b>Restraint</b> shall not be used: <ul style="list-style-type: none"><li>• for the convenience of staff;</li><li>• as a substitute for an educational program;</li><li>• as a form of discipline/punishment;</li><li>• as a substitute for less restrictive alternatives;</li><li>• as a substitute for adequate staffing; or</li><li>• as a substitute for staff training in positive behavior supports and crisis prevention and intervention.</li></ul>	F. <b>“Emergency physical restraint”</b> means a last resort emergency safety intervention involving physical restraint that provides an opportunity for the pupil to regain self-control and includes necessary actions taken to break up a fight or take a weapon away from a pupil. Emergency physical restraint does not include physical restraint that is used for the convenience of staff, as a substitute for an educational program, as a form of discipline or punishment, as a substitute for less restrictive alternatives, as a substitute for adequate staffing, or as a substitute for staff training in positive behavior supports and crisis prevention and intervention. Emergency physical restraint does not include a practice prohibited under Subsection (4)(A).
<b>(Seclusion Section V-B, P. 7)</b> <b>Limitations in Use</b> <b>Seclusion</b> shall not be used: <ul style="list-style-type: none"><li>• for the convenience of staff;</li><li>• as a substitute for an educational program;</li><li>• as a form of discipline/punishment;</li><li>• as a substitute for less restrictive alternatives;</li><li>• as a substitute for adequate staffing; or</li><li>• as a substitute for staff training in positive behavior supports and crisis prevention and intervention.</li></ul>	G. <b>“Emergency separation”</b> means a last resort emergency safety intervention involving separation that provides an opportunity for the pupil to regain self-control. Emergency separation does not include separation that is used for the convenience of staff, as a substitute for an educational program, as a substitute for less restrictive alternatives, as a substitute for adequate staffing, or as a substitute for staff training in positive behavior supports and crisis prevention and intervention. Emergency separation does not include a practice prohibited under Subsection (4)(A).
<b>(Key Terms, P. 9)</b> <b>Exclusionary Timeout</b> occurs when the student is removed from the immediate instructional setting in response to behavior that requires immediate and direct cessation. This form of timeout can take place within the same classroom or in a nearby location supervised by an adult.	H. <b>“Exclusionary time-out”</b> means removing a pupil from the immediate instructional setting in response to behavior that requires immediate and direct cessation. An exclusionary time-out must be supervised by an adult and can take place within the same classroom or in a nearby location that is part of the usual teaching environment.
<b>(Key Terms, p. 10, p. 16)</b> <b>Functional Behavior Assessment</b> is a systematic process for identifying the events that trigger and maintain problem behavior in an educational setting. A functional behavior assessment will describe specific problematic behaviors, report the frequency of the behaviors, assess environmental and other setting conditions where problematic behaviors occur, and identify the factors that are maintaining the behaviors over time.	I. <b>“Functional Behavioral Assessment”</b> means a systematic process for identifying the events that trigger and maintain problem behavior in an educational setting. A functional behavior assessment shall describe specific problematic behaviors, report the frequency of the behaviors, assess environmental and other setting conditions where problematic behaviors occur, and identify the factors that are maintaining the behaviors over time.
<b>(Key Terms, p. 13)</b> <b>Mechanical Restraint</b> is the use of any device, article, garment, or material attached or adjacent to the student's body that the student cannot easily remove, and that restricts freedom of movement.	J. <b>“Mechanical Restraint”</b> is the use of any device, article, garment, or material attached or adjacent to the student's body that restricts normal freedom of movement and that cannot be easily removed by a pupil. 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 pupil population as intended, such as seat belts on school transportation.
<b>(Key Terms, p. 13)</b> <b>Physical Restraint</b> is the application of physical force by one or more individuals that reduces or restricts a student’s freedom of movement. Physical restraint of a student may only be used for the purpose of providing safety and support. <b>Physical Escort</b> is the touching or holding of a student with a minimum use of contact for the purpose of directing movement from one place to another.	K. <b>“Physical Restraint”</b> means direct physical contact that prevents or significantly restricts a pupil’s movement. Physical restraint does not include the brief holding of an adult in order to calm or comfort, the minimum contact necessary to physically escort a pupil from 1 area to another, the minimum contact necessary to assist a pupil in completing a task or response if the pupil does not resist or resistance is minimal in intensity or duration, or the holding of a pupil for a brief time in order to prevent an impulsive behavior that threatens the pupil’s immediate safety, such as running in front of a car.
<b>(Key Terms, p. 8)</b> <b>Planned Ignoring</b> is the systematic withdrawal of social attention for a predetermined time period upon the onset of mild levels of problem behavior.	L. <b>“Planned Ignoring”</b> means the systematic withdrawal of social attention for a predetermined time period upon the onset of mild levels of problem behavior.
<b>(Key Terms, p. 2)</b> <b>Positive Behavior Support</b> is a research-based system that addresses challenging behaviors in a collaborative, comprehensive, research- validated, and humane manner.	M. <b>“Positive Behavioral Intervention and Support”</b> means a research- based system that addresses challenging behaviors in a collaborative, comprehensive, research- validated, and humane manner.

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<b>(Section II, p. 2)</b> <b>School-wide Systems of Behavioral Supports</b> An effective school-wide system provides a full continuum of methods to support appropriate behavior, to promote safety, and to discourage violations of a school’s Student Code of Conduct. The use of positive interventions support adaptive and pro-social behavior and foster dignity and self-esteem in students. <b>(Section III, p. 3)</b> <b>Positive Behavior Supports</b> 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.	N. <b>“Positive Behavioral Intervention and Support Plan”</b> means a plan that provides a full continuum of methods to support appropriate behavior, to promote safety, to discourage violations of a public school’s code of conduct, and to foster dignity and self-esteem in students. Such a plan shall emphasize behavior that encourages learning by building relationships; creating routines; teaching skills, rules, and 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.
<b>(Key Terms, p. 18)</b> <b>Prone Restraint</b> is the restraint of a person face down.	O. <b>“Prone Restraint”</b> means the restraint of an individual facedown.
N/A	P. <b>“Regularly and Continuously Work Under Contract”</b> means that term as defined in Section 1230.
<b>(Key Terms, p. 13)</b> <b>Physical Restraint</b> is the application of physical force by one or more individuals that reduces or restricts a student’s freedom of movement.	Q. <b>“Restraint”</b> means an action that prevents or significantly restricts a pupil’s movement.
<b>(Key Terms, p. 18)</b> <b>Restraints that negatively impact breathing</b> include floor restraints, facedown position, or any position in which a person is bent over in such a way that it is difficult to breathe. This includes a seated or kneeling position in which a person being restrained is bent over at the waist. Sitting or lying across a person’s back or stomach can interfere with breathing. When a person is lying facedown, even pressure to the arms and legs can interfere with a person’s ability to move their chest or abdomen in order to breathe effectively.	R. <b>“Restraint that Negatively Impacts Breathing”</b> means any restraint that impedes breathing, including floor restraints, facedown position, or any position in which a person is bent over in such a way that it is difficult to breathe. This includes a seated or kneeling position in which a person being restrained is bent over at the waist and restraint that includes sitting or lying across an individual’s back or stomach.
N/A	S. <b>“School Personnel”</b> includes all individuals employed in a public school or assigned to regularly and continuously work under contract in a public school.
<b>(Key Terms, p. 7)</b> <b>Seclusion</b> is the confinement of a student in a room or other space from which the student is physically prevented from leaving and which provides for continuous adult observation of the student.	T. <b>“Seclusion”</b> means the confinement of a student in a room or other space from which the student is physically prevented from leaving. Seclusion does not include a time-out or separation.
<b>(Key Terms, p. 7)</b> <b>Seclusion</b> is the confinement of a student in a room or other space from which the student is physically prevented from leaving and which provides for continuous adult observation of the student. <b>(Seclusion Section V. p. 5)</b> <b>Definition of Emergency Seclusion</b> A room or area used for seclusion: <ul style="list-style-type: none"><li>• must not be locked;</li><li>• must not prevent the student from exiting the area should staff become incapacitated or leave that area; and</li><li>• must provide for adequate space, lighting, ventilation, viewing, and the safety of the student.</li></ul> <b>(Seclusion Section V-10F, p. 1)</b> <b>Prohibited Practices</b> <ul style="list-style-type: none"><li>• Seclusion of preschool children</li></ul> <b>(Seclusion Section V-B #2, p. 8)</b> <b>Limitations in Use</b> 2. Seclusion is inappropriate for students who are severely self-injurious or suicidal.	U. <b>“Separation”</b> means the confinement of a student in a room or other space from which the student is physically prevented from leaving and which involves continuous adult observation of the student. To qualify as separation, the room or area used for confinement must not be locked; must not prevent the student from exiting the area should staff become incapacitated or leave that area; and must provide for adequate space, lighting, ventilation, viewing, and the safety of the student. Separation does not include confinement that occurs in a sensory deprivation room, seclusion room, quiet room, padded isolation room, or any other room that is outside the usual teaching environment. Separation odes not include the confinement of preschool children or of pupils who are severely self-injurious or suicidal.

DEFINITIONS (cont’d)	
<i>MDE Supporting Student Behavior: Standards for the Emergency Use of Seclusion and Restraint</i> (Adopted by SBE December 2006)	Bill to Amend 1976 PA 451 by Adding Section 1312a (02691’15 Draft 4)
<b>(Seclusion Section V-C, p. 8)</b> <b>Definition of Timeout</b> <b>Timeout</b> is a behavior management technique in which a student, for a limited and specified time, is placed in an environment where access to positive reinforcement is unavailable. Timeout should not be confused with seclusion because in a timeout setting a student’s movement is not physically restricted. Timeout lies within a continuum of procedures that help students self-regulate and control their behavior. The timeout continuum is: <ul style="list-style-type: none"><li>planned ignoring;</li><li>withdrawal of materials;</li><li>contingent observation; and</li><li>exclusionary timeout.</li></ul>	V. <b>“Time-Out”</b> means a behavior intervention in which a pupil, for a limited and specified time, is placed in an environment where access to positive reinforcement is unavailable. In a time-out setting, a pupil’s movement is not physically restricted. Time-out lies within a continuum of procedures that help pupils self-regulate and control their behavior. The time-out continuum is planned ignoring, withdrawal of materials, contingent observation, and exclusionary timeout.
N/A	W. <b>“Usual Teaching Environment”</b> means a classroom, hallway, lunchroom, gymnasium, administrative office, or other room that is regularly used or accessed by the general student body.
<b>(Key Terms, p. 8)</b> <b>Withdrawal of Materials</b> occurs when materials that the student is using are removed upon the occurrence of the inappropriate behavior.	X. <b>“Withdrawal of Materials”</b> means the removal of materials that the student is using upon the occurrence of inappropriate behavior.