



PHYSICAL RESTRAINT AND SECLUSION OF STUDENTS

Context

The School Act repeatedly and clearly states that all students have a right to an education. The Special Needs Students Order (M235/07) states “A board must provide a student with special needs with an educational program in a classroom where that student is integrated with other students who do not have special needs, unless the educational needs of the student with special needs or other students indicate that the educational program for the student with special needs should be provided otherwise.” The Ministry sets out the guidelines in the Physical Restraint and Seclusion in School Settings document.

Policy Statement

The Board is responsible for providing educational programs within a safe, caring, and inclusive environment. Physical restraint or seclusion is *only* used when the behaviour of a student poses imminent danger of serious physical harm to self or others, including school personnel.

Guidelines

The Board expects:

1. Behaviour interventions for all students emphasize prevention and positive behavior supports that promote the rights of all students to be treated with dignity.
2. Behaviour interventions will attempt to address the underlying cause and purpose of potentially harmful behaviour.
3. Schools will include individuals who are trained in restorative practice, conflict and crisis de-escalation, and non-violent crisis intervention techniques to enable them to defuse conflict and crisis situations.
4. Physical restraint or seclusion will be applied by qualified staff and will be discontinued once imminent danger or serious self-harm or harm to others has dissipated.
5. Restraint or seclusion will not be used as punishment, discipline, or coercion.

Definitions

All definitions in this policy and Administrative Procedures are as stated in the B.C. Ministry of Education Provincial Guidelines – Physical Restraint and Seclusion in School Settings

<https://www2.gov.bc.ca/assets/gov/education/kindergarten-to-grade-12/support/diverse-student-needs/physical-restraint-seclusion-guidelines.pdf>



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References

- Administrative Procedures to Board Policy 804: Physical Restraint and Seclusion of Students
- B.C. Ministry of Education Provincial Guidelines – Physical Restraint and Seclusion in School Settings <https://www2.gov.bc.ca/assets/gov/education/kindergarten-to-grade-12/support/diverse-student-needs/physical-restraint-seclusion-guidelines.pdf>
- The School Act https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/96412_02#section2
- Special Needs Students Order (M235/07) https://www2.gov.bc.ca/assets/gov/education/administration/legislation-policy/legislation/schoollaw/e/m150_89.pdf

Dates of Adoption/Amendments

Adopted: 2018.11.27

Amended: **2022.06.28**



ADMINISTRATIVE PROCEDURES TO BOARD POLICY 804

PHYSICAL RESTRAINT AND SECLUSION OF STUDENTS

At the beginning of each school year, Principals will review this policy with all staff and others working with students as appropriate. Principals are advised to ensure that staff are aware of the Ministry of Education and Child Care's *Provincial Guidelines for Physical Restraint and Seclusion in School Settings* along with the following definitions of physical restraint and seclusion:

Physical Restraint: is a method of restricting another person's freedom of movement or mobility in order to secure and maintain the safety of the person or the safety of others.

The provision of a 'physical escort', i.e. Holding or temporary touching of a student's hand, wrist, arm, shoulder or back for the purpose of accompanying and inducing a student who is acting out to walk to a safe location, does not constitute physical restraint.

The provision of physical guidance, or prompting of a student when teaching a skill, redirecting attention, or providing comfort also does not constitute physical restraint.

Seclusion: is the involuntary confinement of a person, alone in a room, enclosure, or space which the person is physically prevented from leaving.

Behaviour strategies such as "time-out", used for social reinforcement as part of a behaviour plan, are not considered 'seclusion'.

The term seclusion does not apply where a student has personally requested to be in a different/secluded location/space.

It shall be made clear to all staff and others working with students that restraint and seclusion procedures are for extreme emergency situations only, and are not to be used as a regular means of intervention.

The school district will provide appropriate training opportunities for staff in order to maintain supportive, safe environments for both staff and students.

The school-based team shall develop, in consultation with district staff, Behaviour Support Plans and Safety Plans for students whose behaviour could potentially pose imminent danger of harm to self or others.

The Behaviour Support Plan and/or Safety Plan shall be attached to the student's IEP and shall be reviewed regularly, and at least, annually.

Parents/caregivers and, where appropriate, students are to be consulted as part of the development process for behaviour intervention and/or risk reduction plans.



ADMINISTRATIVE PROCEDURES TO BOARD POLICY 804

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If physical restraint or seclusion have been used in an extreme emergency situation to prevent harm to self or others, the school must provide written documentation and follow-up that includes:

1. Notification:
 - To the school principal as soon as possible after an incident and always prior to the end of the school day on which the incident occurred
 - By the school principal to the student's parent(s)/caregiver(s) as soon as possible and always prior to the return of the student to the student's parent/caregiver at the end of the school day on which the incident has occurred
 - To the Assistant Superintendent, as soon as possible after an incident and always prior to the end of the work day on which the incident occurred.
2. Debriefing of the incident:
 - With involved school personnel
 - With the parents/caregivers of the student, and where possible with the student
 - The purpose of the debriefing is examine what happened, what caused the incident and what could be changed, i.e. preventative and response actions that could be taken in the future, to make the use of physical restraint or seclusion unnecessary
3. Reporting:
 - When a violent incident occurs, employees have a duty to advise the employee's supervisor and file the appropriate report/s outlined in the ***Procedures for the Handling of a Violent Incident*** (see appendix). Generally a *WorkSafe 6A – Worker's Report of Injury or Occupational Disease to Employer* form and/or *Workplace Violence Risk Assessment (WVRA)* form will be required.

References:

- Board Policy 804: Physical Restraint and Seclusion of Students
- Board Policy 700: Safe, Caring and Inclusive School Communities
- BC Ministry of Education and Child Care *Provincial Guidelines for Physical Restraint and Seclusion in School Settings*

Dates of Adoption/Amendments:

Adopted: 2018.11.27

Amended: 2022.06.28: **2022.11.22**

APPENDIX I

PROCEDURES FOR HANDLING A VIOLENT INCIDENT

PROCEDURES FOR THE HANDLING OF A VIOLENT INCIDENT

If a violent incident occurs, you have a duty to advise your Principal/Supervisor immediately and to file a report as directed below.

DEFINITION OF VIOLENCE:

“Violence means the attempted or actual exercise by a person, other than a worker, of any physical force so as to cause injury to a worker, and includes any threatening statement or behavior which gives a worker reasonable cause to believe that he or she is at risk of injury.”
(Source: WCB)

NOTE: Always use common sense – attend to any injury and in serious cases send a request to the office or nearest staff member for help. Do not leave a hazardous teaching area unsupervised.

The Employee MUST:

- 1) Within 3 days complete form “6A – Worker’s Report of Injury or Occupational Disease to Employer” in its entirety and then submit the form to the Principal/Supervisor. If time does not permit the completion of the form, make a verbal report to the Principal/Supervisor, followed immediately by the completion of the form and then submit the form to the Principal/Supervisor.

NOTE: Please ensure the form is filled out completely and accurately. If the incident involves a student, the full name of the student is to appear on the form. Report all incidents regardless of whether or not the student is designated.

Further forms can be found in all school offices, at the Board Office or on the District’s website at <https://start.sd69.bc.ca>, under Staff, Staff Resources, and Health & Safety Links.

The Principal/Supervisor MUST:

- 1) Advise the Employee reporting an injury or adverse symptom as a result of an incident of violence to report to a first-aid attendant on site for treatment. Also advise the Employee to consult a physician of the Employee’s choice for treatment or referral, and if the Employee does, file a form 6A (copies in office or on SD69 Portal) or call TELE-CLAIM and file a WCB claim.
- 2) Promptly initiate an investigation into the incident, with at least one Union representative of the site-based Occupational Health and Safety Committee in addition to the Principal/Vice Principal, if the representative is reasonably available. (The purpose of the investigation is to determine the cause or causes of the incident, to identify any unsafe conditions, acts, or procedures that contributed to the incident, and to recommend corrective action to prevent similar incidents.) Depending on the severity of the incident, Part 3 Division 10 Articles 172- Article 177 of the Work Safe Guidelines, Form 52E40 (preliminary investigation) may need to be filled out within 48 hours of the incident. A 52E40 would typically, but not limited to, be completed for a time loss or medical claim only. Without delay undertake any corrective action required to prevent recurrence of similar incidents.

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- 3) If a 52E40 has been initiated, schedule a meeting of the site-based Occupational Health and Safety Committee for the purpose of concluding the FULL investigation into the violent incident. The 52E40 includes any “sequence of events that preceded the incident” and/or “unsafe conditions, acts, or procedures that significantly contributed to the incident”.
- 4) Using the information gathered from either the 52E40 (if initiated) or the “investigation into the incident” Complete the Workplace Violence Risk Assessment (WVRA) Form. Ensure that the form is accurately completed in its entirety.
- 5) Attach the completed Incident Investigation Report and the completed Workplace Violence Risk Assessment (WVRA) Form to the WS form 6A – Worker’s Report of Injury or Occupational Disease to Employer Form and distribute as outlined below:

Distribution of the Forms:

The Principal/Supervisor will ensure that the completed forms are distributed as follows:

If the violent incident involves a student:

Un-redacted Copies:

- a) Keep a copy
- b) The Employee
- c) The Site-based Occupational Health and Safety Committee
- d) Student or Students’ File(s)
- e) District Principal, Learning Services (if required as per Policy 7000)

Redacted Copies:

The Principal/Supervisor will ensure that the full name of the student is redacted everywhere it appears on the form and replaced with “The Student”, and that a copy of the redacted form is placed in a sealed envelope and forwarded to:

- a) CUPE
- b) MATA
- c) General Manager of Operations

If the violent incident does not involve a student, un-redacted copies are distributed as follows:

- a) Keep a copy
- b) The Employee
- c) The Site-based Occupational Health and Safety Committee
- d) District Principal, Learning Services (if required as per Policy 7000)
- e) CUPE (in a sealed envelope)
- f) MATA (in a sealed envelope)
- g) General Manager of Operations (in a sealed envelope)