Restraint & Isolation Data Reporting Guidance

Introduction

This document contains guidance on reporting restraint or isolation of students and any staff or student injuries that occur during those events. It is for data reporting purposes only and should <u>not</u> be interpreted as guidance for deciding if or when any student should be restrained or isolated. This document is <u>not</u> intended for use in determining which situations warrant restraint or isolation and which do not.

Reporting restraint and isolation data to OSPI is required per <u>RCW 28A.600.485</u>. OSPI is required to publish school districts' restraint and isolation data on the agency's website. The data may also be used by OSPI staff and others to better understand how restraint and isolation are being used and to provide targeted training and technical assistance to districts with high incidents of restraint and isolation.

CEDARS district stakeholders provided feedback on November 15, 2018, that the Civil Rights Data Collection also asks districts to submit similar data. OSPI's data collection makes every attempt to be aligned with existing CRDC reporting requirements and definitions wherever possible.

Definitions

Restraint for the purposes of this data collection is defined as: Physical intervention or force used to control a student, including the use of a restraint device to restrict a student's freedom of movement. It does not include appropriate use of a prescribed medical, orthopedic, or therapeutic device when used as intended, such as to achieve proper body position, balance, or alignment, or to permit a student to safely participate in activities. Physical restraint does not include the touching or non-forceful holding of a student without the use of force for the purpose of directing or assisting the student in an activity. The term physical restraint does not include a physical escort which is temporary touching or holding of the hand, wrist, arm, shoulder or back for the purpose of inducing a student to walk to a safe location.

Isolation for the purposes of this data collection is defined as: Restricting the student alone within a room or any other form of enclosure, <u>from which the student may not leave</u>. It does not include a student's voluntary use of a quiet space for self-calming, or temporary removal of a student from his or her regular instructional area to an unlocked area as an accommodation on the student's IEP or 504 plan, or for purposes of carrying out an appropriate positive Behavior Intervention Plan (BIP). A student's voluntary removal from an environment, to which they can return at their own free will, is not isolation.

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CEDARS Reporting

Restraint and isolation incidents are entered into district student information systems and submitted to OSPI through CEDARS, Students Restrained or Isolated File (S). Restraint and isolation data submitted through CEDARS is used to fulfill OSPI's public data reporting requirements under RCW 28A.600.485. If a district needs to make updates or corrections to submitted restraint & isolation data, changes must first be made in the district's SIS and then resubmitted to CEDARS. If a district has zero restraint or isolation incidents to report, then they will submit zero records in CEDARS File S.

For more information on the individual data elements associated with restraint and isolation records, please reference the CEDARS Data Manual section on the Students Restrained or Isolated File (S).

What Needs to be Reported?

All restraint or isolation actions, regardless of length, that occur during school-sponsored instruction or activities should be reported. If a district is contracting for services and claiming the student for funding, the district is responsible for collecting and maintaining the records for that student – including proper recording and reporting of restraint or isolation events.

Reporting Multiple Instances of Restraint or Isolation that Occur as Part of One Incident

If a student is restrained or isolated multiple times as the result of one incident, then your district will report every instance of restraint or isolation that occurs as a separate restraint or isolation incident in CEDARS. Multiple instances of restraint occur when a staff member releases their hold on a student – and are no longer restricting the student's freedom of movement – and then starts restraining the student again. Multiple instances of isolation occur when a staff member ends isolation conditions for the student (e.g. by accompanying the student in the room, or by permitting the student to leave) and then places the student in isolation again. Here are some examples of instances where multiple restraints or isolations should and should not be reported:

Scenario	How to report
A student is restrained by staff until the imminent likelihood of serious harm has subsided. They release the student, and the student returns to regular instruction. Several minutes later, the student's behavior re-escalates, and staff decide that it is necessary to restrain that student again.	This should be reported as two separate incidents of restraint.

A student is restrained by staff until they believe the imminent likelihood of serious harm has subsided. They release the student, but the student immediately resumes the harmful behavior. Staff promptly resume restraining the student until they believe the imminent likelihood of serious harm has subsided. They release the student a second time and the student returns to regular instruction.	This should be reported as two separate incidents of restraint.
A student is isolated by staff until they believe the imminent likelihood of serious harm has subsided. They allow the student to leave isolation, but upon leaving isolation the student immediately resumes the harmful behavior. Staff promptly direct the student back into the isolation room, where the student remains until staff again believe the imminent likelihood of serious harm has subsided. Staff allow the student to leave isolation again, and the student returns to regular instruction.	This should be reported as two separate incidents of isolation.
A staff member restrains a student, and switches to a different hold in the middle of the restraint, without releasing the student.	This should be reported as one incident of restraint.
A staff member is restraining a student and needs the help of another staff member to continue the restraint. The staff members switch places without releasing the student, and the second staff member continues restraining the student.	This should be reported as one incident of restraint.

Restraint and Isolation Frequently Asked Questions:

Q. Why are you collecting this at the student level and what will the data be used for?
A. Detailed student data allows OSPI and others to better understand how restraint and isolation are being used, and to provide targeted training and technical assistance to districts with high incidents of restraint and isolation. It will also be used to meet OSPI's legislative reporting requirement outlined in RCW 28A.600.485.

Q. Do we only report restraint and isolation that occurs at a student's school? What if a restraint or isolation incident occurs while at a sporting event? What if a restraint or isolation incident occurs on school grounds but outside the regularly scheduled school day?
A. Any incident where a school employee, resource officer, or school security officer uses isolation or restraint on a student during school-sponsored instruction or activities must be reported. If restraint or isolation occurs while at a sporting event or outside the regularly scheduled day but on school grounds, then it should be reported.

Q. What if the student is restrained or isolated while attending a residential program or contract school?
A. If your district is enrolling and collecting funding for the student, the district is responsible for collecting and maintaining the records for that student – including proper recording and reporting of restraint or isolation events. Any instances of restraint or isolation that occur for these students will be reported at the district where the student is enrolled.

Q. If a student's IEP or learning plan identifies the potential need for restraint/isolation do we report these?
A. Yes, all incidents of restraint or isolation that occur during school-sponsored instruction or activities must be reported.

Q. Do all incidents of restraint or isolation get reported regardless of length of time? For instance, if a restraint lasts for 10 seconds do we report it?
A. Yes, all incidents of restraint or isolation that meet the definition are to be reported, regardless of the length of time. The lowest duration that you can report for action duration (Element S08) is 0.5 minute(s). Any restraint lasting less than 30 seconds should be reported as 0.5 of a minute.

Q. What if a student is restrained or isolated as part of an incident that also results in exclusionary discipline? How do we report this in CEDARS?
A. If a student is restrained or isolated as part of a discipline incident, district staff should report the appropriate information on the exclusion in the CEDARS Student Exclusionary Discipline File (R) *and* report the appropriate information for the restraint or isolation used in the CEDARS Students Restrained or Isolated File (S).

Q. If a student is restrained and isolated as part of one incident, do we report both?
A. Yes, report them both. For instance, if a walking restraint/escort/transport is used to transport the student to a room where they are then isolated, then report one instance of restraint and one instance of isolation.

Q. If we use more than one restraint technique during a restraint, how do we report restraint type and duration?
A. First, see the section above, "Reporting Multiple Instances of Restraint that Occur as Part of One Incident," to determine if the restraint needs to be reported as one or multiple incidents of restraint. If the incident should be reported as a single incident of restraint (based on the section

above) and multiple restraint techniques were used, then report the restraint type that is the most restrictive. You will then report the total duration of time that the student was restrained with both techniques combined.

Q. If school staff conduct a room clear, should this be reported as an instance of isolation?
A. Isolation is defined as "restricting the student alone within a room or any other form of enclosure, from which the student may not leave." If a staff member conducts a room clear and one student remains alone in the room and is prevented from leaving, then this would meet the definition and be considered an instance of isolation. However, if a staff member remains in the room with the student, then the student is not isolated.

Q. The definition of isolation is "restricting the student alone within a room or any other form of enclosure, from which the student may not leave." What does "may not leave" mean?
A. A student "may not leave" a room or enclosure if staff:
- Lock the door
- Block the student from leaving in some other way
- Create conditions under which the student believes they will be prevented from leaving isolation or otherwise does not have permission to leave isolation.

Q. A student fell asleep in the isolation room while they were being isolated. Does this count as time that the student was isolated?
A. Yes, for these reasons:
- According to RCW 28A.600.485, isolation is "permitted only when reasonably necessary to control spontaneous behavior that poses an imminent likelihood of serious harm." It must be "closely monitored… and must be discontinued as soon as the likelihood of serious harm has dissipated." If a student has fallen asleep, then the threat of serious harm has already dissipated, and the isolation should have already been discontinued by the staff member closely monitoring the student.
- If the student was isolated and then falls asleep before being told they may leave the room, then the student – though sleeping – still reasonably believes they may not leave the room. These conditions qualify this time as part of the isolation incident.

School Safety and Security Staff Reporting

For more detailed information on data reporting requirements for safety and security staff involvement with students – including definitions – see the data reporting guidance on the School Safety and Security Staff program page of the OSPI website.

Reporting

There are only three types of safety and security staff (SSS) involvement that need to be recorded and reported to OSPI:
- When an SSS is involved in an incident that results in exclusionary discipline;
- When an SSS is involved in an incident where a student is arrested;

- When an SSS uses force against a student.

The only one of these three types of involvement that needs to be reported in the Students Restrained or Isolated File (S) is use of force against a student. If an SSS restrains a student, then you should report this as an instance of use of force by a safety and security staff member. SSS involvement in an incident that results in discipline or arrest should be reported in the Student Exclusionary Discipline File (R).

Any instance of an SSS administering restraint on a student is also an instance of use of force by an SSS. However, not every instance of use of force is an instance of restraint.

Restraint is administered in situations where a student's behavior presents an imminent likelihood of serious harm to themselves or others. An additional characteristic of restraint is controlling and/or restricting a student's freedom of movement. An instance of use of force by an SSS that fits these characteristics should be considered a restraint. Alternatively, an SSS could use force to move a student from one location to another. This would not be considered a restraint (unless the student's freedom of movement was controlled and/or restricted during transport).

The data reporting guidance on the School Safety and Security Staff program page of the OSPI website includes example involvement actions and whether it should be reported in the Student Exclusionary Discipline File (R) File, Students Restrained or Isolated File (S), or both.