Seclusion in Schools Procedure

Turtle Mountain School Division believes in high levels of success for all students. All students are capable of learning when provided with the best opportunities, tools and resources that match their strengths and needs, enabling them to be critical, dynamic thinkers. It is the role of the school to respond to individual needs with dignity and respect so that every student and staff member strives for success every day.

In ensuring a safe, caring, and inclusive learning environment, policies and procedures must be based on a philosophy of inclusion, allowing every individual in the school community to feel accepted, valued and safe.

In all decisions, the best interest of the child is the primary consideration. In promoting and guaranteeing the rights of children, as per the United Nations Convention on the Rights of the Child, any behavioural intervention must be consistent with the child's right to be free from all forms of physical or mental violence, be treated with dignity, and be free from abuse.

Seclusion may only be used as a safety response when a student poses an immediate risk of serious physical harm to self or others. Seclusion is used as a last resort after prevention strategies, de-escalation interventions, and less restrictive measures have been exhausted.

Turtle Mountain School Division supports the following principles regarding the use of seclusion in school settings:

- In promoting and guaranteeing the rights of children, as per the *United Nations Convention on the Rights of the Child*, children should be free from all forms of physical or mental violence and be treated with dignity.

- In all decisions, the best interests of the child should be the primary consideration.

- Schools are expected to engage in strengths-based practices that emphasize positive behavioural interventions and supports that make the need for seclusion unnecessary.

- Schools are aware of, and engage the assistance of, additional resources and supports that may be available in their community.

- Teachers and other professionals have a responsibility to engage in ongoing professional development.

- Parent(s)/legal guardian(s) are an integral part of the student support team.

- Seclusion is used only in exceptional circumstances when a student is engaging in intense violent behaviour that presents a significant and immediate risk to the student or others and should only be considered as a last resort.

Legislation

The following legislation is relevant to developing policies and procedures on the use of seclusion:

- *The United Nations General Assembly. Convention on the Rights of the Child*
- *The Human Rights Code of Manitoba*
- *The Education Administration Act of Manitoba*
- *The Public Schools Act of Manitoba*
- *The Safe Schools Charter*

- *The Accessibility for Manitobans Act*
- *The Workplace Safety and Health Act of Manitoba*
- *Appropriate Education Programming Regulation*
- *Safe Schools Regulation*
- *Workplace Safety and Health Regulation*

A.   Definitions

Behaviour
The way in which a person acts in response to a particular situation or stimulus. Behaviour has a purpose and may be a way to communicate needs or a way to cope with stress/stressors.

Calming Space
A calming space is any designated space that provides opportunities for students to experience a reduction in sensory input. It may include specific activities or tools to calm the nervous system. A calming space, when used appropriately, serves as a preventative measure, proactively supporting a student's sensory needs and promoting self-regulation. The use of a calming space would be included in a student- specific plan if being used on a regular basis.

Challenging Behaviour
Behaviour can be described as challenging when it is of such intensity, frequency or duration as to threaten the quality of life and/or the physical safety of the individual or others and it is likely to lead to responses that are restrictive, aversive or result in exclusion.

Isolation
Someone in an area away from other people and on their own but is not confined to that area.

Seclusion
Seclusion is the involuntary confinement of a student alone in a room or area where they are physically prevented from leaving. Seclusion is a safety response used only in situations when a student is in extreme distress and their behaviour has escalated to the point where there is clear, significant and immediate physical harm or danger to the student or others. Seclusion is a response, not a room. Seclusion is not used to help students attain skills and knowledge and therefore not included in a student-specific plan.

Physical Restraint
Physical restraint refers to a personal restriction that immobilizes or reduces the ability of a student to move their torso, arms, legs, or head freely in order to secure and maintain the safety of the person or the safety of others (BC Ministry of Education). Physical restraint is a safety response used only in situations when a student poses an immediate risk of serious physical harm to self or others.

Sensory Space
A sensory space is an umbrella term used to categorize a broad variety of therapeutic spaces (e.g., sensory modulation/integration room, regulation room, and multi-sensory room). A sensory area is used proactively to meet a student's sensory needs and promote self-regulation. The use of a sensory space would be set up and monitored in consultation with divisional supports and community agencies and clinicians and would be included in a student-specific plan.

Time-out
Time out occurs when access to reinforcement is removed for a period following the occurrence of an identified problem behaviour in order to reduce or stop that behaviour. Time out may involve removing a

student from sources of positive reinforcement because of specific undesired behaviour. It is one option along a continuum of behaviour interventions supporting behaviour change.

Time out is commonly used in two ways: non-exclusion and exclusion.

Non-exclusion time out does not involve the removal of the student from the learning environment. It occurs within the classroom where the student maintains the ability to continue to observe and hear what is going on for a period (McLean et al.).

Exclusion time out occurs when the student is withdrawn from the classroom setting for a period where there is no longer access to what is going on in the classroom but where the student has access to other students or staff.

Procedure

The following procedures shall address the use, or potential use, of seclusion in school settings:

Seclusion is only used:
- when a student is engaging in intense violent behaviour that presents a significant and immediate risk to the student or others
- *and* when all other less restrictive interventions have been tried and were unsuccessful
- *and* until the danger of serious harm to self or others has dissipated

Seclusion is not used:
- as discipline, as a consequence, or to force compliance
- to protect property at risk for damage when there is no immediate risk or serious physical harm to self or others
- in the student-specific plan (e.g., a strategy in a behaviour intervention plan)
- as a substitute for appropriate educational programming
- when a student is non-compliant, confrontational, or verbally aggressive but there is no immediate risk of serious harm to self or others.

Before the use of seclusion, schools must:
- be engaged in whole-school planning for safety and belonging
- develop processes and supports that utilize a team approach for helping students with challenging behaviour
- ensure all school staff receive ongoing training and professional learning in strengths-based positive interventions and supports
- ensure specific school staff receive ongoing training and professional learning in conflict/crisis de-escalation strategies and training
- educate staff and parent(s)/legal guardian(s) about the use of seclusion
- include copies of procedures on the use of seclusion in teacher handbooks and the school crisis plan

During the use of seclusion, it is critical that:
- the student is safe
- the student be treated with respect and dignity
- the seclusion does not restrict freedom of movement in a manner that restricts the student's breath or physically harms the student
- risk of further harm to the student is minimized

- the student can communicate their basic needs and have those needs met
- staff observing the student are able to communicate effectively with the student at all time
- any child in seclusion must be continuously observed
- a staff member is assigned the role of observer and note taker to record a factual account of the event- occasional checks are not acceptable
- school staff follow the school crisis response plan
- all health and safety policies and/or regulations related to Workplace Health and Safety Manitoba regulation (M.R. 217/2006) are followed
- the incident must be reported to the principal, the parent(s)/legal guardian(s), the Student Services Coordinator, and the Superintendent (or designate) on the day of the incident
- the incident must be documented (i.e., a written report that includes details and necessary and relevant information) and a copy placed in the pupil file (it is recommended this be done within 48 hours)
- debriefing(s) led by the principal (or designate) must occur to reflect upon the circumstances and impact of the seclusion and:
  - take place as soon as possible after the incident
  - include school staff, parent(s)/legal guardian(s), and student
  - be available to others in the school who may have been impacted
  - be noted in the pupil file
- the student support team must meet as soon as reasonably possible:
  - to conduct a functional behaviour assessment to learn more about the purpose of the behaviour and precipitating factors
  - to review the need for the development or revision of a student-specific plan to prevent future incidents
  - to identify staff development or training needs and initiate a plan for addressing those needs

Turtle Mountain School Division will monitor, evaluate, and review data related to the use of seclusion. We will review incident reports to identify any patterns or trends to inform decision making, harm incurred by students and staff, repeated use of seclusion, adherence to seclusion policy and procedure, staff professional support and training needs, and the effectiveness of policy and procedures. The data collected will enable us to understand the circumstances around the use of seclusion, facilitating the implementation of more effective strategies to support educational and behavioural programming. The use of seclusion as a safety response is an indication that further work needs to be done to ensure a safe, caring, and inclusive learning environment.

References

Manitoba Education (2021) Safe and Caring Schools: A Policy Directive Enhancing Proactive Supports to Minimize the Use of Seclusion

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