



Background

On October 25, 2018, the Board approved Resolution 1819R-005 by Directors Voss and Baez regarding a district plan to maintain safe and orderly environments in schools and classrooms. The Board's action directed the Administration to draft a plan for safe and orderly environments inclusive of tiered interventions and strategies.

Definitions

Wisconsin Act 125

- defines **physical restraint** as a restriction that immobilizes or reduces the ability of a student to freely move his or her torso, arms, legs, or head.
- defines **seclusion** as the involuntary confinement of a student, apart from other students, in a room or area from which the student is physically prevented from leaving.

Applicable Uses

Applies to school staff, including independent contractors and their employees, and student teachers. Does not apply to law enforcement officers working in the school.

Seclusion

Prohibits use of seclusion in public schools, including charter schools, except when:

- A student's behavior presents a clear, present, and imminent risk to the physical safety of the student or to others, and it is the least restrictive intervention feasible;
- Constant supervision of the student is maintained;
- The student has adequate access to the bathroom, drinking water, required medications, and regularly scheduled meals; and
- Seclusion is used no longer than necessary to resolve the risk to the physical safety of the student or others.

A room may not be used for seclusion unless:

- The room or area is free of objects or fixtures that may cause injury,
- There are no locks on the door, including hold down type mechanisms that immediately release when pressure is removed, and
- Meets all applicable school building code requirements.

What is not considered seclusion?

- Directing a disruptive student to temporarily separate himself or herself from the activity in the classroom to regain control is not considered seclusion unless the student is confined to an area from which she or he is prevented from leaving.
- Directing a student to temporarily remain in the classroom to complete tasks while other students participate in activities outside of the classroom is not considered seclusion unless the student is confined to an area from which she or he is prevented from leaving.



Physical Restraint

Prohibits the use of physical restraint in public schools, including charter schools, except when:

- A student's behavior presents a clear, present, and imminent risk to the physical safety of the student or to others, and it is the least restrictive intervention feasible;
- There are no medical contraindications to its use;
- The degree of force and duration used do not exceed what is necessary and reasonable to resolve the risk to the physical safety of the student or others; and
- No prohibited maneuver is used.

Prohibits maneuvers or techniques that:

- Do not give adequate attention and care to protecting the pupil's head;
- Cause chest compression by placing pressure or weight on the student's chest, lungs, sternum, diaphragm, back or abdomen,
- Place pressure or weight on the student's neck or throat, on an artery, or on the back of the student's head or neck, or that otherwise obstruct the student's circulation or breathing; and
- Constitute corporal punishment.

The Act prohibits mechanical or chemical restraints.

Supportive equipment that properly aligns a student's body, assists in maintaining balance, or assisting in mobility under the oversight of appropriate medical staff is not mechanical restraint.

What is not considered physical restraint?

Briefly touching a student's hand, arm, shoulder, or back to calm, comfort, or redirect the pupil is not considered physical restraint.

Timeline

July through September

Provide all principals, school leaders, and special education supervisors training that covers the following items:

Individualized Education Program (IEP) Requirements

The first time that seclusion or physical restraint is used on a student, the student's IEP team must meet as soon as possible after the incident.

- The IEP team must review the student's IEP to make sure that it contains appropriate positive behavioral interventions, supports, and other strategies to address the behavior, and revise if necessary.



- At any time if the IEP team determines that the use of seclusion or restraint may be reasonably anticipated for the student, the IEP must include:
 - Appropriate positive interventions and supports and other strategies that address the behavioral concerns based on a functional behavioral assessment; and
 - Clear statements that the use of restraint and/or seclusion may be used as an intervention.

Notification and Reporting Requirements

If seclusion and/or physical restraint is used on a student at school, the school administrator or designee must:

- As soon as possible, but no later than 1 business day after the incident, notify the student's parent of the incident and of the availability of the written report.
- Within 2 business days after the incident, after consulting with school staff present, prepare a written report containing all the following information:
 - The student's name,
 - The date, time, and duration of the incident,
 - A description of the incident including a description of the student's behavior before and after the incident, and
 - The names and titles of school staff present during the incident.
- The written report must be kept at the school and made available for review by the student's parents within 3 business days of the incident.

Each year, by September 1, the school administrator or designee must submit to the school board a report:

- on the number of incidents of seclusion and physical restraint in the previous year,
- the total number of students involved in the incidents, and
- the total number of students with disabilities involved in the incidents.

Training Requirements

Except as discussed below, no school staff may use physical restraint unless he or she has received training that includes:

- Methods of preventing the need for physical restraint;
- Instruction in the identification and description of dangerous behavior indicating the need for physical restraint, and in methods of evaluating risk of harm to determine whether physical restraint is needed;
- Experience in administering and receiving various types of physical restraint;
- Instruction on the effects of physical restraint on the person restrained, methods of monitoring signs of physical distress, and techniques for determining when medical assistance may be needed;
- Instruction in documenting and reporting incidents of physical restraint; and
- Demonstration of proficiency in administering physical restraint.
- Each school where physical restraint may be used must have at least one staff member who has received training. The school must keep a record of the training received by the



staff member(s) including information regarding how long the training is considered valid by the training program.

More than 1800 staff members have been trained in restraint and seclusion policy and procedure over the past five years by the Department of Student Services.

Unforeseen Emergency Exception

School staff who have not received the prescribed training in physical restraint may use physical restraint on a student at school:

- only in an emergency, and
- only if school staff members who have received training are not immediately available.

September through June:

District Restraint & Seclusion Monitoring

District and all MPS schools will monitor student restraints and seclusions using the Infinite Campus reports:

- MPS – Behavior Response Error Report
- MPS – Restraint and Seclusion Report

The MPS – Behavior Response Error Report addresses mistakes or required documentation that is missing. This report should be run each month to ensure that all restraint and seclusion documentation is accurate and up to date.

The MPS – Restraint and Seclusion Report lists all restraints and seclusions that have been performed during the current calendar school year. This report should be run each month to continue to assess the restraints and seclusions, along with discussions about how to avoid potential student restraints and seclusions.

On-Going as Needed

Crisis Prevention Intervention (CPI)/De-escalation Training

The CPI and De-escalation training is a two-day certification course, which is valid for 12 months after the certification date. This training utilizes multiple methods to calm a student before having to resort to either a restraint or seclusion. Certified employees must take a refresher after the year ends to keep the certification. From July 2018, through February 2019, Milwaukee Public Schools has hosted 39 CPI/De-escalation professional development and refresher sessions, providing guidance on crisis prevention and de-escalation to 577 MPS employees.



If a Milwaukee Public Schools employee is involved in a restraint or seclusion that does not conform with the standards of Wisconsin Act 125, then the employee will be directed to be certified or recertified with the two-day CPI and De-escalation training to ensure that all appropriate techniques are applied before and during any restraint and seclusion.

Review of Restraint and Seclusion Policies and Procedures

During the school year, MPS staff will review current policy and procedure on restraint and seclusion, and suggest changes and modifications to meet the requirement of a safe and orderly classroom environment.



Sample Restraint and Seclusion Report

MPS - Restraint and Seclusion Report		Total Incidents: 14													
Region Name	School Name	Calendar Name	Student Name	Student Number	Incident Date	Incident ID	Event ID	Event Type	Event Location	Event Time	Start Time	End Time			
Transformation	BRADLEY TECHNOLOGY TECH & TRADE	18-19 BRADLEY	Student Name	0000000	10/09/2018	1924993	2057011	S	6950	Y	M	11	10/09/2018 11:40 AM 11:42 AM		
			Student Name	0000000	09/20/2018	1920834	2052743	P	6929	Y	F	10	09/20/2018 11:55 AM 11:57 AM		
			Student Name	0000000	09/20/2018	1920834	2052743	P	6930		F	10	09/20/2018 11:55 AM 11:57 AM		
			Student Name	0000000	10/31/2018	1929915	2061757	P	7043	Y	M	09	10/31/2018 11:02 AM 11:03 AM		
			Student Name	0000000	02/06/2019	1946357	2078737	P	7364	Y	F	09	02/06/2019 11:45 AM 11:47 AM		
			Student Name	0000000	02/06/2019	1946357	2078737	S	7365	Y	F	09	02/06/2019 11:47 AM 11:55 AM		
			Student Name	0000000	10/02/2018	1923407	2055395	P	6889		F	09	10/02/2018 10:59 AM 11:00 AM		
			Student Name	0000000	03/15/2010	1947062	2080359	P	7292		M	11	02/15/2018 11:50 AM 11:51 AM		
			Student Name	0000000	11/01/2018	1930129	2052285								
			Student Name	0000000	09/06/2018	1918836	2050714	P	6721	Y	M	09	09/06/2018 2:27 PM 2:28 PM		
			Student Name	0000000	09/06/2018	1918836	2050714	S	6722	Y	M	09	09/06/2018 2:35 PM 2:55 PM		
			Student Name	0000000	11/02/2018	1930177	2062336	P	7065		M	09	11/02/2018 11:10 AM 11:14 AM		
			Student Name	0000000	10/25/2018	1928217	2060314	P	7026		M	09	10/25/2018 12:18 PM 12:19 PM		
			Student Name	0000000	09/05/2018	1918572	2050446	P	6726	Y	F	09	09/05/2018 10:55 AM 11:00 AM		

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Sample Behavior Response Error Report

MPS - Behavior Response Error Report		Total: 5						
Region Name	School Name	Calendar Name	Incident Date	Incident ID	Event ID	Response ID	Participant	Response Error(s)
High School	VINCENT HS	18-19 VINCENT	01/23/2019	Incident ID: 1944856 Event ID: 2077207 Response ID: 7235	Student Name: 0000000 Student #: 281302 Staff: Staff Name: Staff Person ID:	Total: 5	*** Response Participant "Participant Name" (PersonID 191521) was not an MPS employee on Incident Date 01/23/2019.	
							*** Response Participant "Participant Name" (PersonID 191521) was not an MPS employee on Incident Date 01/23/2019.	
							*** Guardian Contacted "Details" is missing. *** Role is missing for Response "Participant Name". *** Response Participant with "Role" of "Primary/Lead" is missing.	
							*** Response Participant with "Role" of "Primary/Lead" is missing.	
			12/06/2018	Incident ID: 1936965 Event ID: 2069267 Response ID: 7177	Student Name: 0000000 Person ID: 238412 Staff: Staff Name: Staff Person ID: 380741		*** Response Participant with "Role" of "Primary/Lead" is missing.	
			12/05/2018	Incident ID: 1936784 Event ID: 2069245 Response ID: 7202	Student Name: 0000000 Person ID: 245231 Staff: Staff Name: Staff Person ID: 372859		*** Response Participant with "Role" of "Primary/Lead" is missing.	
			10/16/2018	Incident ID: 1926743 Event ID: 2058803 Response ID: 6972	Student Name: 0000000 Person ID: 245158 Staff: Staff Name: Staff Person ID: 372859		*** Response "Participant Name" (PersonID 46089) was not an MPS employee on Incident Date 10/15/2018.	

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