

# Meeting Expectations of the Positive Behavior Intervention Supports and Restraint and Seclusion Rule

Ohio's [rule](#) outlining standards for the implementation of positive behavior intervention supports (PBIS) and the use of restraint and seclusion was approved in 2013 and revised in 2021. Revisions to the rule included additional definitions, new training and professional development requirements and a formal complaint process for restraint and seclusion through the Ohio Department of Education. To assist districts and schools with meeting the requirements of the rule, the Department created the following checklist. Although this document focuses on the requirements, it is important to become familiar with all components of the revised rule and focus on the overall intent: reducing the need for restraint and seclusion.

## GENERAL POLICY REQUIREMENTS AND BEST PRACTICES

Section of the Rule	Requirement	✓	Best Practice	✓
(I) Policies and procedures	The district shall develop written policies and procedures for the implementation of positive behavior intervention supports and the use of restraint and seclusion consistent with Ohio Revised Code Section <a href="#">3319.46</a> and this <a href="#">rule</a> .		By the start of the 2022-2023 school year, review and revise district policy to align with new revisions. Districts may choose to use the Model PBIS and Restraint and Seclusion Policy on the Department's restraint and seclusion <a href="#">webpage</a> .	
	Annually, the district will provide a review regarding the content of this rule and any district policies and procedures related to the use of PBIS and restraint and seclusion.		Information about the state rule and the district's policies and procedures can be shared in an email, memo or annual professional development. It is helpful to have a tracking mechanism such as an acknowledge form where staff sign and date.  The short video series, <a href="#">Restraint and Seclusion in Ohio Schools</a> is a helpful resource about the state rule that provides certificates of completion.	
	The district will ensure there is a support plan in place for substitute teachers if they need assistance with positive behavior intervention and supports, as well as crisis management and de-escalation, which includes restraint and seclusion.		Develop a memo for substitute teachers explaining the district's and the school building's PBIS framework.  Develop a memo for substitute teachers explaining the rule, the district's policies regarding restraint and seclusion and who to contact in the school for assistance with de-escalation or in case of emergency. Have substitute teachers sign and date an acknowledgement form.	

(J) Monitoring	The district will establish a procedure to monitor implementation of this rule and the district’s policy on positive behavior intervention and supports and restraint and seclusion.	<p><b>PBIS:</b> To monitor implementation, the District can use the <a href="#">PBISApps   Tiered Fidelity Inventory (TFI)</a>.</p> <p><b>Restraint and Seclusion:</b> Establish written procedures that name the job title of the person(s) responsible for monitoring restraint and seclusion at the district and building level. These procedures could include:</p> <ul style="list-style-type: none"> <li>• Ensuring crisis management and de-escalation training requirements are met annually</li> <li>• District and building processes for notifying administration and parents after each incident of restraint or seclusion.</li> <li>• Debriefing and documentation requirements following each incident of restraint or seclusion.</li> <li>• Data collection and annual reporting to the Department through the restraint and seclusion survey.</li> <li>• Addressing parent concerns and complaints regarding incidents of restraint or seclusion.</li> </ul>
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**POSITIVE BEHAVIOR INTERVENTION AND SUPPORTS (PBIS) REQUIREMENTS AND BEST PRACTICES**

Section of the Rule	Requirement	✓	Best Practice	✓
(B) Positive behavior intervention and supports framework	The district will implement positive behavior intervention and supports (PBIS) on a systemwide basis in accordance with Ohio Revised Code Section <a href="#">3319.46</a> and this rule.		Commit to a sustainable process of evaluation, planning, development and renewal in order to develop the highest quality PBIS program that is implemented with fidelity. Develop a leadership team, obtain and maintain needed training, commit to regular attendance and involvement with team meetings and maintain an ongoing improvement process as reflected in the <a href="#">Ohio Improvement Process</a> or the district’s strategic plan.	

		<p>Develop a framework that guides district and school teams in the selection, integration and implementation of evidence-based practices for improving academic, social and behavior outcomes for all students. The framework emphasizes four integrated elements: <b>data</b> for decision making, evidence-based <b>interventions and practices</b> that support varying student needs (multi-tiered), <b>systems</b> that efficiently and effectively support implementation of these practices and continual progress monitoring to ensure <b>outcomes</b> are met.</p>	
<p>(C) Professional development for the implementation of positive behavior intervention and supports</p>	<p>The district will provide <u>professional development on PBIS</u> to student personnel<sup>1</sup> at least every three years.</p>	<p>As a framework, PBIS has many components. In order to support staff and maintain consistent implementation, it is recommended that professional development occur on an annual basis.</p> <p>To build professional development capacity, district leadership teams need to understand, measure and tailor supports based on team readiness across all professional development activities using the phases of implementation within tiers of PBIS. In addition, all professional development activities should produce measurable outcomes that reflect: (a) team implementation fidelity, and (b) desirable student outcomes.</p> <p>District leadership teams should follow these basic steps in the establishment of their professional development system:</p> <ol style="list-style-type: none"> <li>1. Self-assess district implementation</li> <li>2. Self-assess current professional development capacity</li> <li>3. Use assessment results to design a professional development action plan to</li> </ol>	

<sup>1</sup> "Student personnel" means teachers, principals, counselors, social workers, school resource officers, teacher's aides, psychologists, bus drivers, related services providers, nursing staff and other district staff who interact directly with students.

		<p>implement PBIS</p> <p>4. Link the PBIS professional development action plan to the district improvement plan</p> <p>5. Evaluate the plan</p> <p>Best practices for PBIS professional development are outlined in the <a href="#">Training and Professional Development Blueprint</a> provided by the National Technical Assistance Center on Positive Behavioral Interventions and Supports.</p>	
	<p>The district will ensure it has continuous training structures in place to provide ongoing PBIS coaching and implementation with fidelity throughout all buildings.</p>	<p>PBIS leadership teams should develop a training and coaching plan as part of their PBIS action plan.</p>	

### RESTRAINT AND SECLUSION REQUIREMENTS AND BEST PRACTICES

Section of the Rule	Requirement	✓	Best Practice	✓
(H) Training and professional development for the use of crisis management and de-escalation techniques	The district will ensure that an appropriate number of personnel in each building are <a href="#">trained annually in evidence-based crisis management and de-escalation techniques</a> , as well as the safe use of restraint and seclusion.		<p>In determining “an appropriate number of personnel” for each building, districts may consider:</p> <ul style="list-style-type: none"> <li>• How large is the building?</li> <li>• How quickly can staff get from one area to another in the building?</li> <li>• Are there multiple floors to consider?</li> <li>• What is the availability of identified staff members – are they easily accessible for an emergency?</li> <li>• What is the relationship between the identified staff member and the student population?</li> </ul> <p>Some training companies may not require annual training to maintain certification. Establish ways the district can provide annual refreshers, even if the training company does not require it.</p>	

		<p>Ongoing training and professional development in the following areas can be beneficial for crisis response teams:</p> <ul style="list-style-type: none"> <li>• Education on the physiological and psychological impact of restraint to the student, bystanders and family</li> <li>• Direction for age-appropriate processing, reestablishing rapport and appropriately supporting the student to reengage in learning</li> <li>• Guidance for staff on debriefing the event (for example, escalation of the event, planning for future areas of improvement to foster restraint reduction and student engagement) and properly documenting and communicating about the restraint with appropriate parties (such as parents, guardians, social workers)</li> <li>• Training specific to creating a functional behavior assessment and implementing and monitoring a behavior intervention plan</li> <li>• Training specific to <a href="#">trauma-informed care</a></li> </ul>	
	<p>The district will maintain written or electronic documentation of crisis management and de-escalation training, including the following:</p> <ul style="list-style-type: none"> <li>• The name, position and building assignment of each person who has completed training</li> <li>• The name, position and credentials of each person who provided the training</li> <li>• When the training was completed</li> <li>• What protocols, techniques and materials were included in the training</li> </ul>	<p>Identify the staff person(s) responsible for managing training documentation at the building and district level. Establish how and where training documentation will be stored.</p> <p>Develop training protocols addressing when staff leave and when new members join the team.</p> <p>Ensure that contracted staff (for example, school resource officers and mental health staff) involved in crisis response efforts receive crisis management and de-escalation training.</p>	
	<p>The district will train student personnel to perform the following functions:</p> <ul style="list-style-type: none"> <li>• Identify conditions such as: where, under what conditions,</li> </ul>	<p>This content aligns with PBIS. The district can infuse these topics into the PBIS professional development provided to student personnel.</p>	

	<p>with whom and why specific, inappropriate behavior may occur</p> <ul style="list-style-type: none"> <li>• Use preventative assessments that include at least the following: <ul style="list-style-type: none"> <li>(i) A review of existing data</li> <li>(ii) Input from parents, family members and students</li> <li>(iii) Examination of previous and existing behavior intervention plans</li> </ul> </li> </ul>			
(G) Multiple incidents of restraint and seclusion	<p>After a student’s third incident of physical restraint or seclusion in a school year, a meeting will be held within 10 school days to consider the need to conduct or amend a functional behavioral assessment or behavior intervention plan:</p> <ul style="list-style-type: none"> <li>• For a student who has been found eligible for special education services or has a 504 Plan, this will be the individualized education program (IEP) team or 504 team</li> <li>• For students in general education, this will be a team consisting of the parent, an administrator or designee, a teacher of the student, a staff member involved in the incident (if not the teacher or administrator already invited) and other appropriate staff members</li> </ul>		<p>Develop a procedure for flagging the third incident of restraint and/or seclusion for a student to prompt the required meeting. Incorporate the topic into the required incident report form (for example, “Is this the third incident of restraint or seclusion? If yes, schedule a meeting within 10 school days to explore whether a functional behavioral assessment or a behavior intervention plan is needed, or needs revised.”)</p>	
(I) Policies and procedures	<p>The district will have a written procedure for a parent to present a written complaint to the district superintendent that initiates an investigation by the district regarding an incident of restraint or seclusion. The procedure will inform the parent of additional options for complaints to include other public agencies such as law enforcement, the county department of job and family services or the Department’s office of professional conduct. Within thirty days of the filing of a complaint, the district will make</p>		<p>Provide the district’s findings from the investigation to the parent in writing or follow the in-person meeting with an email to document the meeting took place.</p>	

	reasonable efforts to have an in-person follow-up meeting with the parent.			
	The district will provide an annual notice to parents informing them of the district's policies and procedures related to the requirements of positive behavioral interventions and supports and restraint and seclusion, including the district's complaint process.		The district may choose to provide a copy of the Department's document, <a href="#">What Parents Need to Know about PBIS and Restraint and Seclusion</a> , to <b>accompany</b> the district's policies and procedures. This document is translated into additional languages on the Department's <a href="#">restraint and seclusion webpage</a> .	
	Any incident of restraint or seclusion shall be immediately reported to building administration and the parent. The incident must also be documented in a written report issued to the parent immediately or within 24 hours.		The district will train staff annually on the notification and reporting requirements.  Districts will establish a reporting procedure, that outlines when, how (email, text, call front office) and who (identified administrator) staff must inform following each incident of restraint and seclusion.  The district should include prompting questions on the incident report form documenting when and how administration and the parent were notified.	
(K) Reporting	The district will annually report information regarding its use of restraint and seclusion to the Department in the form and manner prescribed by the Department.  A district that chooses to educate students through a county board of developmental disabilities or an educational service center reports as follows: (a) Report all information on the use of restraint and seclusion by the county board of developmental disabilities or educational service center to the Ohio Department of Education; or (b) Authorize the county board of developmental disabilities or the educational service center to report information on the use of restraint and seclusion directly to the Department.		A district that chooses to educate students through a county board of developmental disabilities or an educational service center should incorporate language into the contract or memorandum of understanding (MOU) outlining who is responsible for reporting restraint and seclusion data to the Ohio Department of Education, and how it will be reported.  Add a prompting question to referral forms to initiate discussion between the district and the educational service center or the county board of developmental disabilities to determine who will report incidents of restraint and seclusion to the Department.	