



# Targeted Skills Group (TSG): the Use of Timeout and Physical Restraints Systems Review for Approved Special Education Programs (ASEPs)

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## ***Module 1: Reflection on Current Practices to Ensure Alignment with New York State (NYS) Requirements***

*Spring 2024*

Developed by the Technical Assistance Partnership (TAP) for Behavior in partnership with the New York State Education Department (NYSED) Special Education Non-district Unit

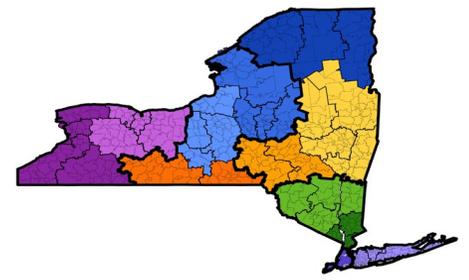


# Disclaimer

The resources shown are designed to provide helpful information. Resources are provided for instructional use purposes only and do not constitute NYSED endorsement of any vendor, author, or other sources. To the best of our knowledge, the resources provided are true and complete.



# Who Are We?



The Office of Special Education (OSE) Educational Partnership is a coordinated and cohesive support network focused on enhancing services and improving outcomes for students with disabilities and providing effective support for educational organizations (EOs).

Regional Level Teams (RLTs) support each of the 12 regions of NYS and provide these supports and services to the EOs within their region.

# Blueprint for Improved Results for Students with Disabilities



## Self-Advocacy

Students engage in self-advocacy and are involved in determining their own educational goals and plan.



## Family Partnership

Parents, and other family members, are engaged as meaningful partners in the special education process and the education of their child.



## Specially-Designed Instruction

Teachers design, provide, and assess the effectiveness of specially-designed instruction to provide students with disabilities with access to participate and progress in the general education curriculum.



## Research-Based Instruction

Teachers provide research-based instructional teaching and learning strategies and supports for students with disabilities.



## Multi-tiered Support

Schools provide multi-tiered systems of behavioral and academic support.



## Inclusive Activities

Schools provide high-quality inclusive programs and activities.



## Transition Support

Schools provide appropriate instruction for students with disabilities in career development and opportunities to participate in work-based learning.

# Today's Facilitators

# Participant Introductions

- Name
- Role
- District
- School
- Population Served

# Training Expectations

## **BE RESPONSIBLE**

- Take care of your needs
- Return on time and quietly
- Sign attendance sheets/complete evaluation form
- Use electronic devices when necessary

## **BE RESPECTFUL**

- Turn cell phones “off” or to “vibrate”
- Listen to others attentively
- Honor confidentiality when applicable
- Stay on topic

## **BE ENGAGED**

- Be an active participant
- Participate with an open mind
- Take notes
- Make plans to stay until training dismissal

# Virtual Training Expectations

## **BE RESPONSIBLE**

- Take care of your needs
- Return on time and quietly
- Complete evaluation form
- Find a quiet place to participate

## **BE RESPECTFUL**

- Use “mute” to prevent background noise
- Listen to others attentively
- Honor confidentiality when applicable
- Stay on topic

## **BE ENGAGED**

- Be an active participant (cameras on)
- Participate with an open mind
- Take notes
- Make plans to stay until training dismissal

# Slide Marker Icons

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# Roadmap

Module Number	Module Title
1:	<i>Reflection on Current Practices to Ensure Alignment with Revised New York State Requirements</i>
2:	Self-Analysis of Current Policies and Procedures for use of Physical Restraints and Seclusion

# Materials



- Regulatory Changes Cross-Walk Activity
- Terms corporal punishment
- Preparation for Module 2 Checklist

# Context for the TSG

- All schools should make every effort to provide children and youth with safe and supportive environments that protect and enhance their physical, emotional, and mental wellbeing.

# Context for the TSG cont...

- corporal punishment in schools should be replaced with evidence-based strategies, such as multi-tiered system of supports and positive behavioral interventions and supports, and other research-backed educational practices that are designed to meet students' social, emotional, and mental health needs and improve school climate and safety.
- schools are required to use proactive, evidence and research-based strategies, including the use of multi-tiered system of supports, evidence-based practices and de-escalation techniques, to reduce the occurrence of challenging behaviors and improve school climate and the safety of all students.

# Objectives for Module 1

- Understand the goal of the TSG within the context of an Active Implementation Framework.
- Review Federal requirements related to the use of restraint and seclusion.
- Each EO will conduct their own internal review of the current federal and state regulations.

## *Module 2:*

- Complete self-assessment of internal policies and procedures.
- Complete an internal-use action plan.

# Introduction to Module 1

- Goal of the TSG
- An Overview of Active Implementation Frameworks

## Goal of the TSG

Each EO involved in the TSG will examine their internal policies, procedures, practices, and data patterns/trends regarding use of timeout and physical restraints to identify and implement preventative measures to reduce the need to use timeout and physical restraints.

At the conclusion of the TSG, each EO will have developed an action plan based upon self-identified areas of need.

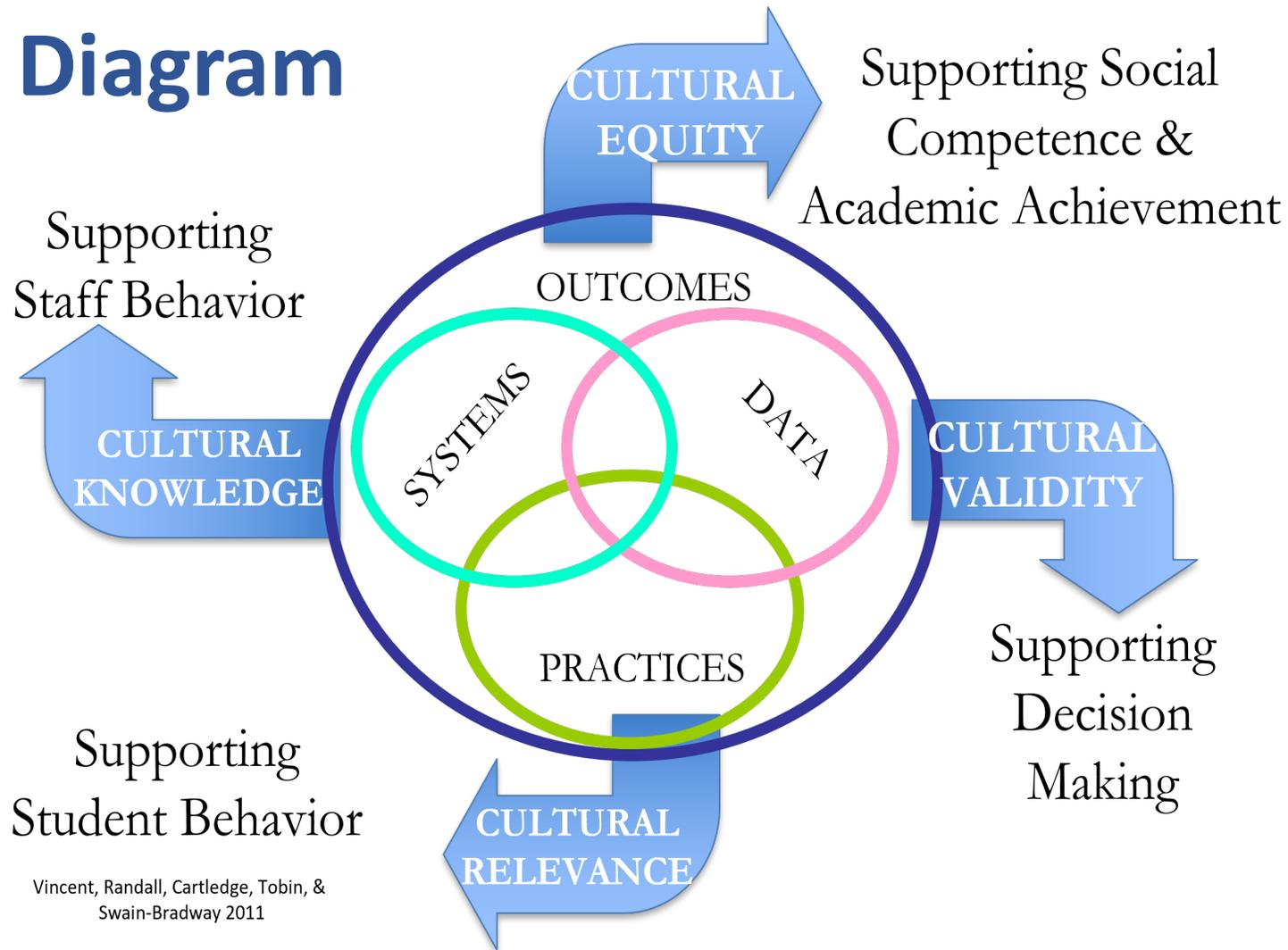
# Outcomes Related to TSG:

**Learning Outcome:** Participants will learn to investigate culture and mindsets around proactive measures to deescalate self-injurious and volatile situations that often lead to the utilization of the use of timeout and physical restraints.

**Practice Outcome:** Participants will identify plans for revising policies and procedures to ensure that staff are using positive behavior interventions and effective de-escalation strategies that are comprehensive, assessment-based, skill building and involve the family.

**Systems Outcomes:** Participants will review their oversight process including any actionable changes needed to their internal policies, procedures, practices to reduce the reliance on the use of timeout and physical restraints.

# Diagram



Vincent, Randall, Cartledge, Tobin, & Swain-Bradway 2011

## 1. SYSTEMS

How are things done?

- Data-based decision making
- Team based problem solving
- Long-term sustainability
- Support for Teachers & Staff

## 2. DATA

Is what we are doing working?

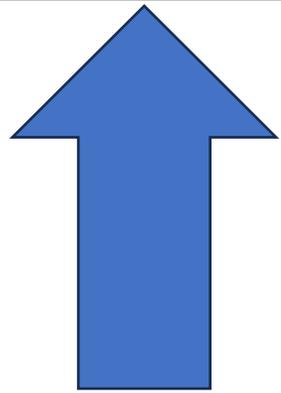
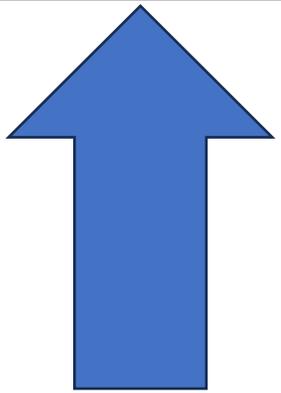
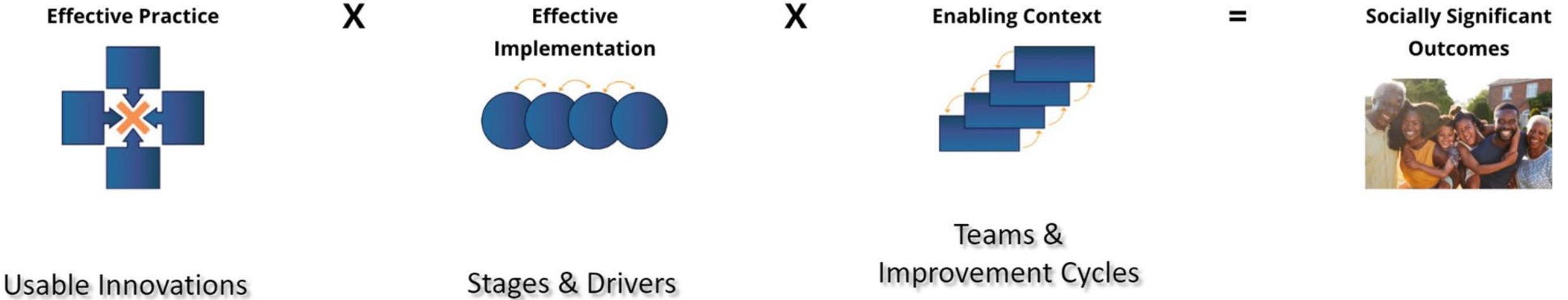
Ongoing data collection and use (office discipline referrals, suspensions, attendance, fidelity)

## 3. RESEARCH VALIDATED PRACTICES

What are we doing?

- Direct instruction of social skills
- Reinforcement of expected behaviors
- Implementation of timeout and physical restraints

# Active Implementation Framework



Active Implementation charts a course for the journey of improving student outcomes.

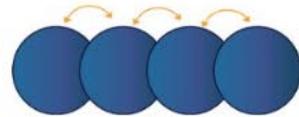
# Active Implementation Framework...Enabling Context

Effective Practice



X

Effective Implementation



X

Enabling Context



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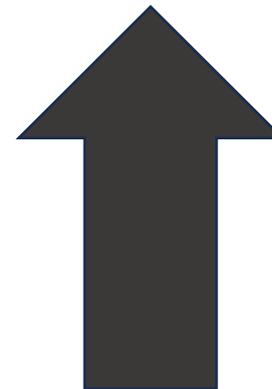
Socially Significant Outcomes



Usable Innovations

Stages & Drivers

Teams & Improvement Cycles



# Purpose of the implementation team

Implementation Teams are groups of people intentionally supporting the full, effective, and sustained use of innovations to ensure that intended outcomes are realized (Metz & Bartley, 2012).

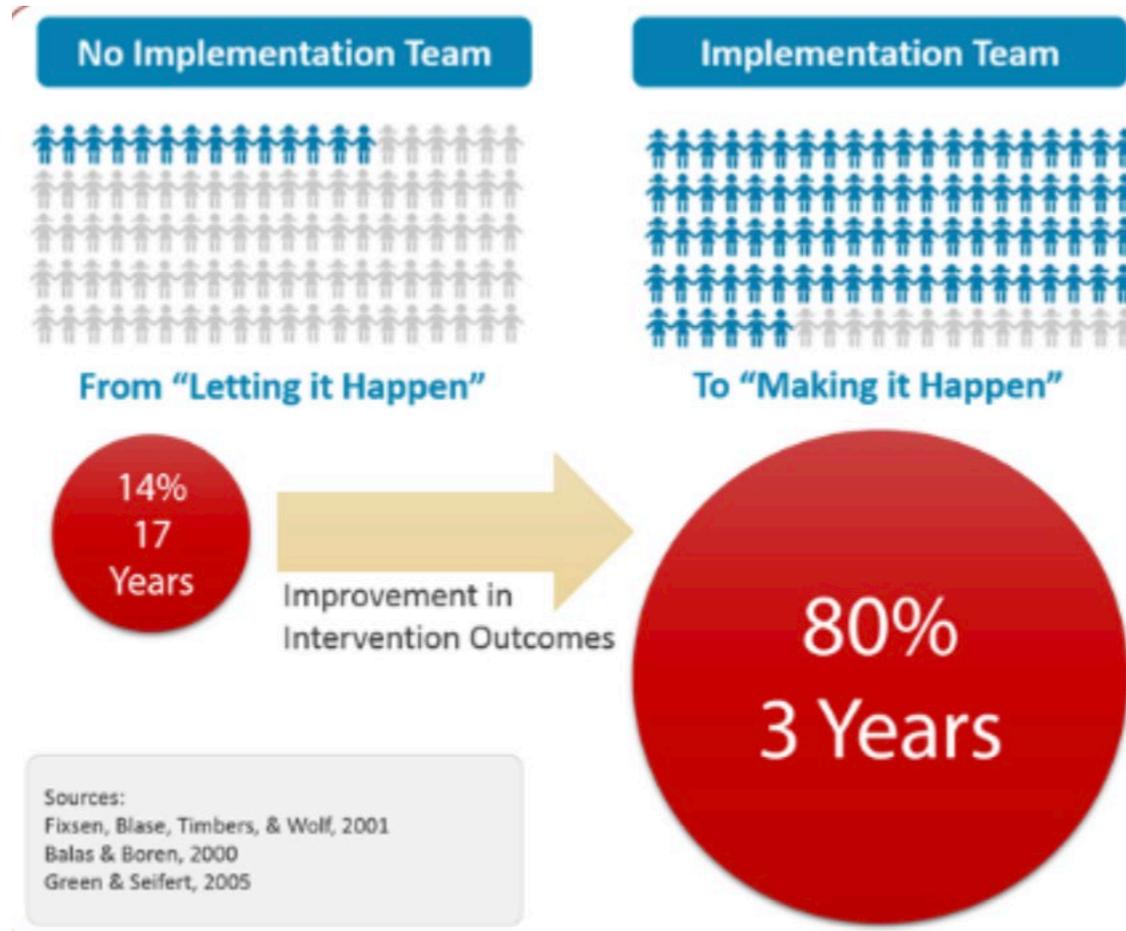
Your EO Self-Review Team will **review your school's data on the use of restraint and seclusion, identify potential solutions, implement action steps, and monitor progress.**

The first stage of this work is focused on reviewing and using data to inform the development of an action plan.

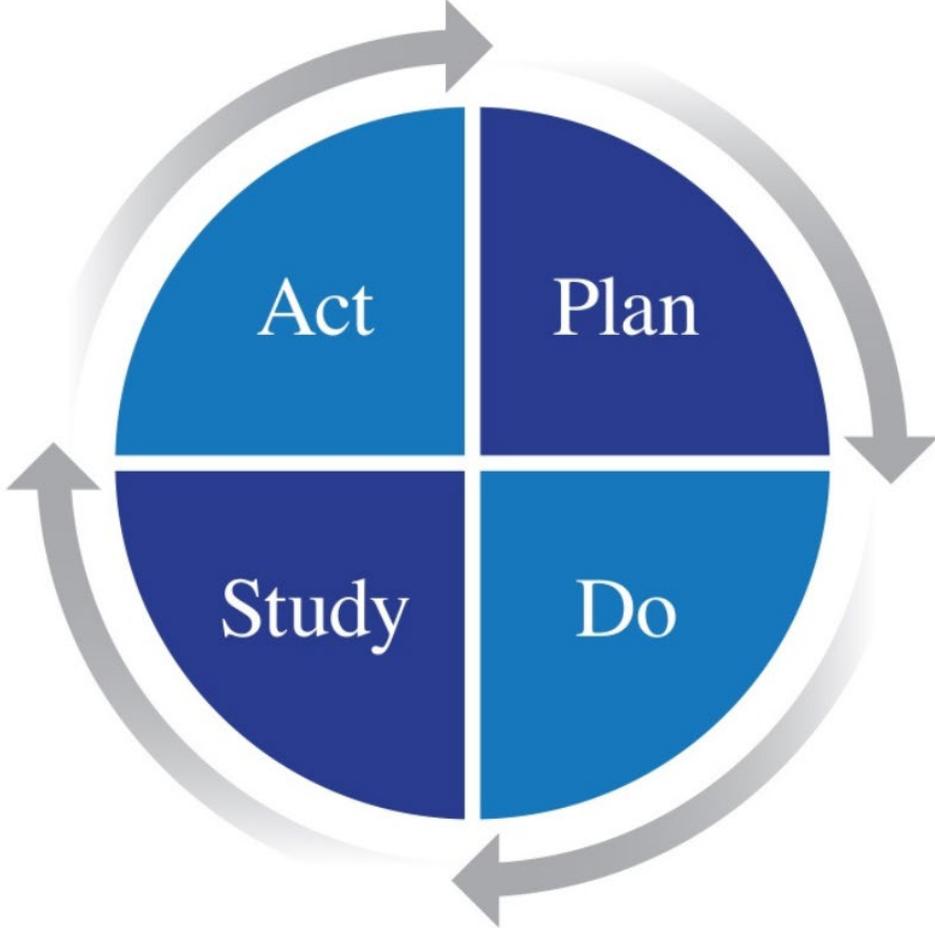
# Your role as a Self-Review Team Member

- Assess and develop an action plan to improve practices.

# The importance of Implementation Teams



# Improvement Cycle



# Building Representation

## Team members:

- at least one member with the authority to make key decisions (e.g., decision making for budget, implementation, policy, data systems)
- building/program level administrator(s)
- school psychologist
- behavior specialist
- quality assurance personnel
- teacher
- clinician/social worker

The team should be supported by a coordinator/team member who has access to **relevant data and expertise in data-based decision making.**



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# Review of Federal Data related to the use of restraint and seclusion

The Education  
Trust  
April 2023

## School Expulsion Data



- 78% of students who are secluded or restrained in the classroom are students with disabilities
- Reflect on the students you work with, how many of the students you serve have been restrained in the past several months?

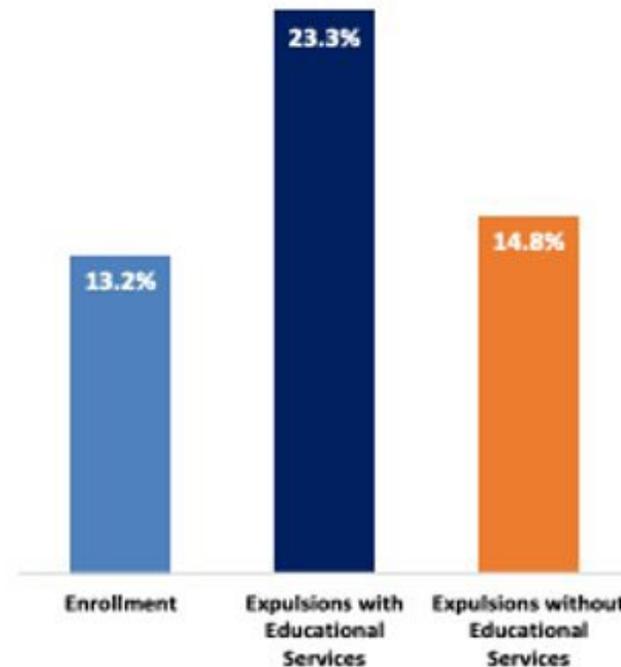
# The Education Trust April 2023



- Black students with disabilities account for 18% of all students with disabilities but 26% of physical restraint, 34% of mechanical restraint, and 22% of seclusion.
- Reflect on the students you work with, how many of the students you serve have been restrained in the past several months?

# School Expulsions among Students with Disabilities served under Individuals with Disabilities Act (IDEA) in 2017-2018

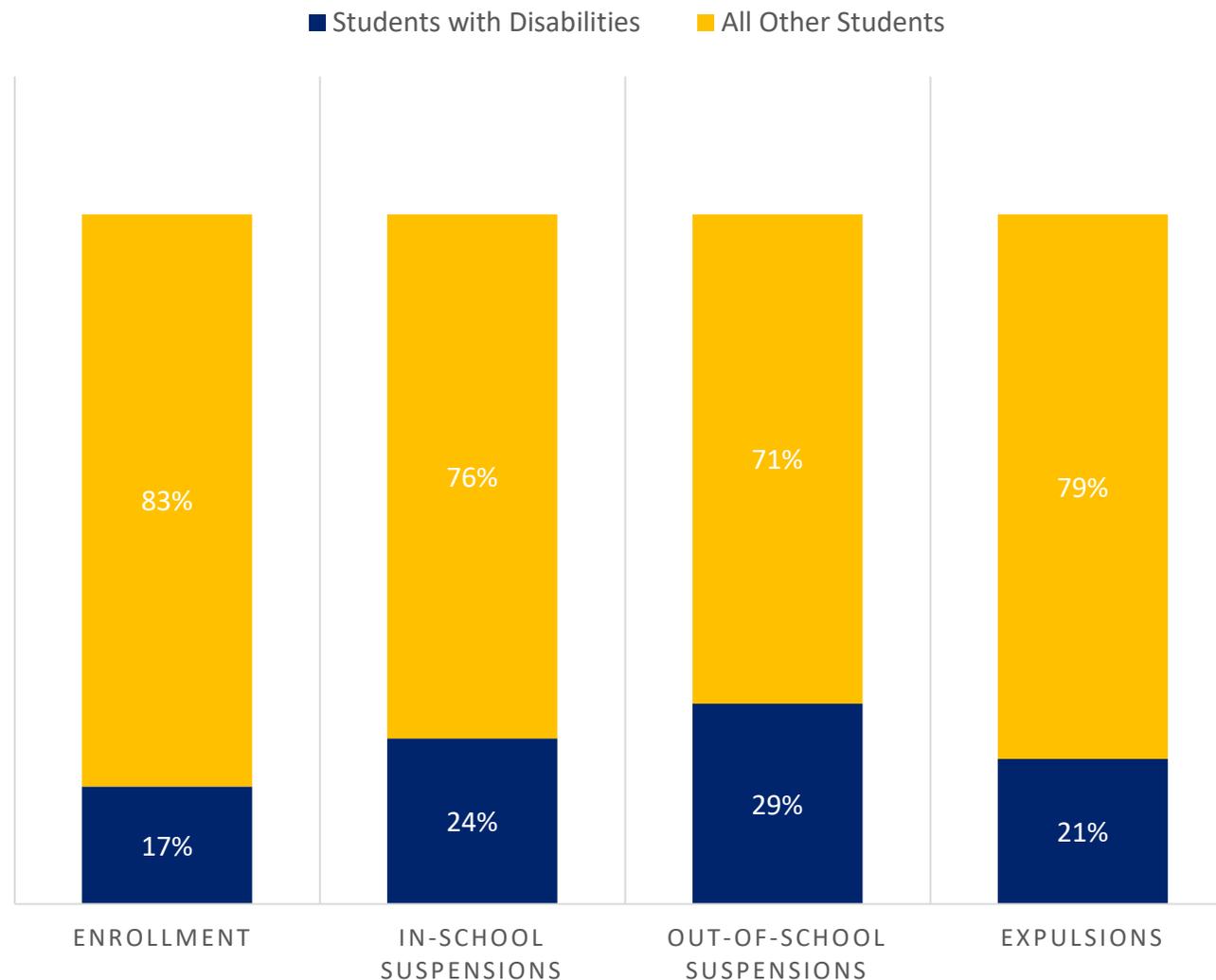
## School Expulsion Data



In 2017-18, students with disabilities served under IDEA represented 13.2% of the total student enrollment and received 23.3% of all expulsions with educational services and 14.8% of expulsions without education services.

# School Suspensions and Expulsions among Students with Disabilities served under IDEA in 2020-2021

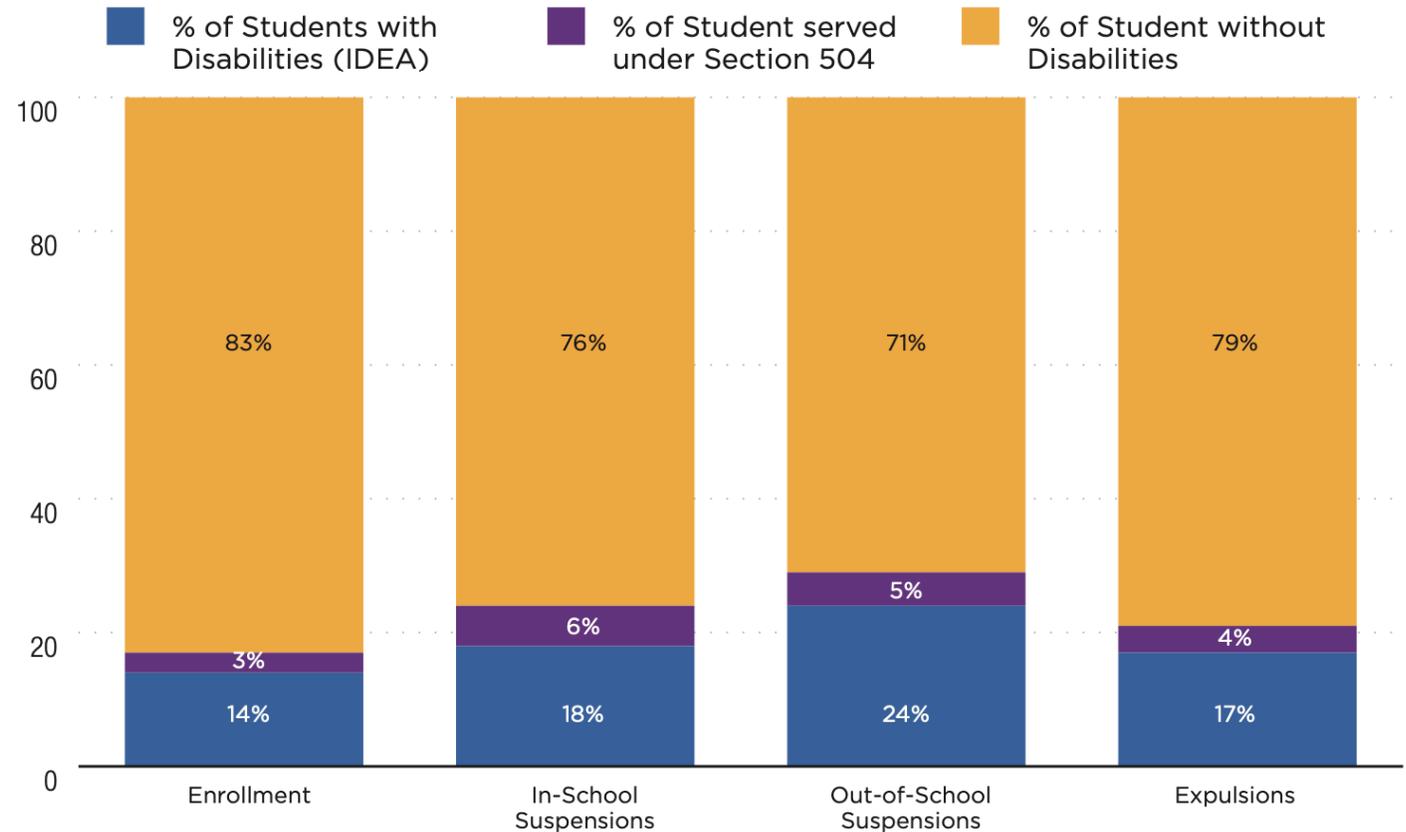
PERCENT OF K-12 STUDENTS WHO WERE SUSPENDED AND EXPELLED IN PUBLIC SCHOOLS, BY DISABILITY



(US Department of Education, Office for Civil Rights, 2023)

Percent of Kindergarten-12th grade students who were suspended and expelled in public schools

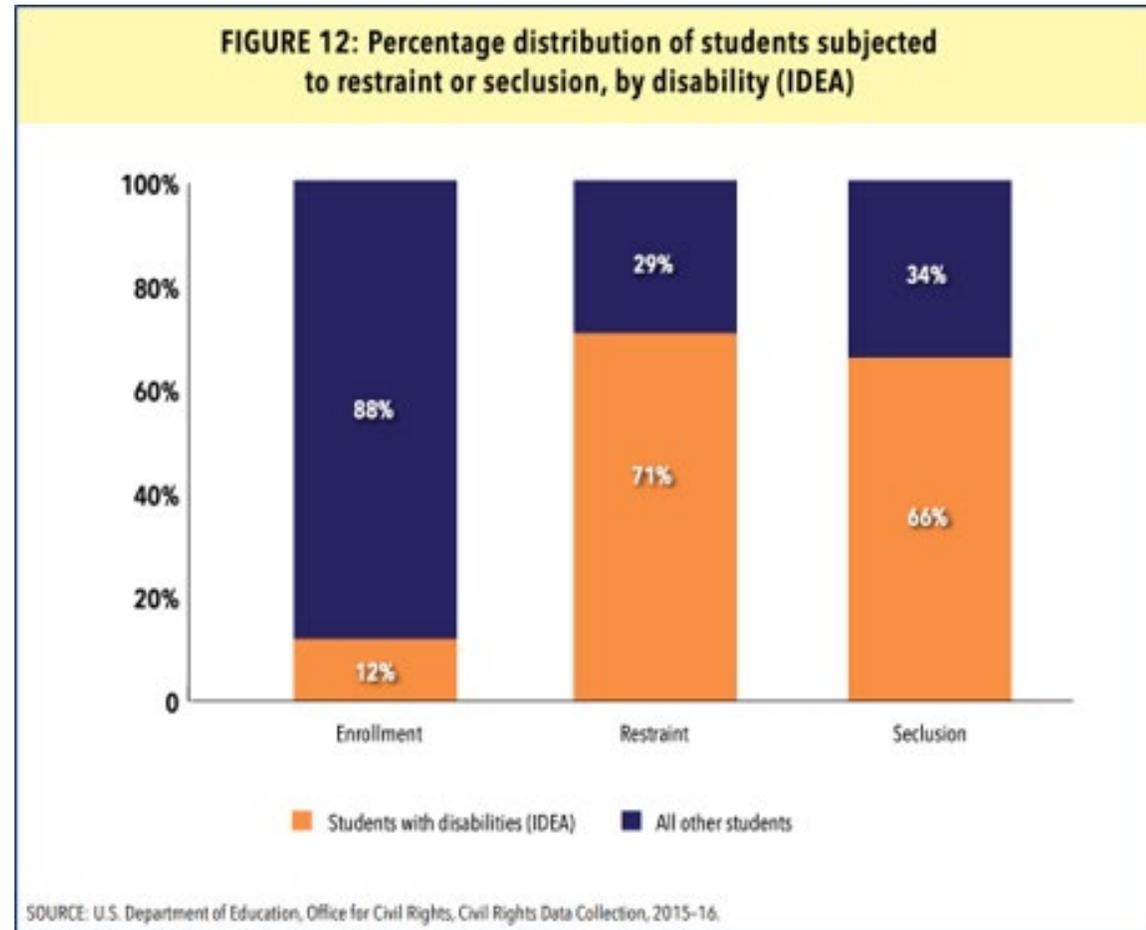
## Suspension and Expulsion in Public Schools by Disability



SOURCE: U.S. Department of Education, Office for Civil Rights, 2020-21 Civil Rights Data Collection, released November 2023, available at <https://civilrightsdata.ed.gov>.

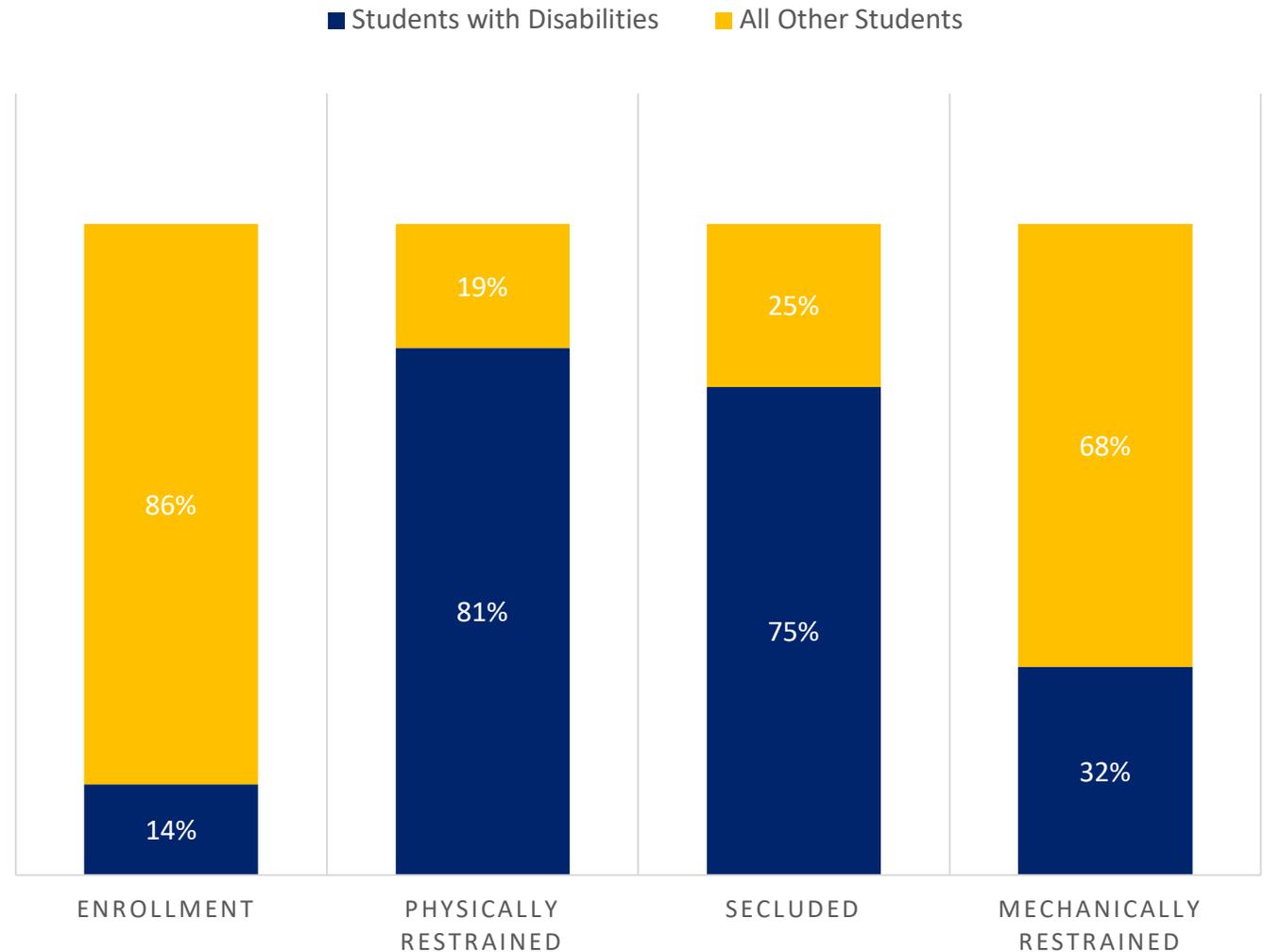
# Restraint or Seclusion among Students with Disabilities served under IDEA in 2015-2016

## Restraint or Seclusion Data



# School Restraints and Seclusion among Students with Disabilities served under IDEA in 2020-2021

PERCENTAGE DISTRIBUTION OF STUDENTS SUBJECTED TO RESTRAINT OR SECLUSION, BY DISABILITY



(US Department of Education, Office for Civil Rights, 2023)



# Review of Federal and NYS

# Current Federal and State Regulations

- United States Department of Education Office for Civil Rights
  - Restraint and Seclusion of Students with Disabilities
- N.Y. Comp. Codes R. & Regs. Tit. 8 § 19.5
  - Prohibition of corporal punishment and aversive interventions
- Laws of New York, 2022
  - New York State Education Department, Chapter 516 field memo
- Chapter 516 New York State Commissioner's Regulations Part 200: Students with Disabilities
  - 200.22 Program Standards for Behavioral Interventions
    - *200.22(c)(3)*
    - *200.22(d)*
- Memo to the Board of Regents, July 13, 2023

# Regulatory Changes Activity

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- The purpose of this activity is to become familiar with the additions, deletions, and what remained the same with the regulations.

# YOUR TURN: Regulatory Changes Cross-walk Activity



## Steps:

1. **Establish "Home Groups:"** participants count off to create equal groups, if possible.
  - Categories: **Language, Procedural & Reporting**
2. **Establish "Expert Group:"** participants will read their assigned categories independently. While reading, take note of key ideas, and supporting details. In the "Expert Group," identify the common key ideas of the category. Prepare a list with the key details of the category that are important for all participants to know and understand.
3. **Regroup with "Home Group:"** given your own notes and those from your "Expert Group," share the key points of your assigned category to the "Home Group" in the order of 1-3.

# YOUR TURN: Cross-walk

Next, read your assigned section.

Highlight and prepare to share this content with your "Expert Group."

In Expert Group, identify the content to teach your "Home Group."

Use the regulatory changes activity, "note catcher" handout to write key points or details of interest regarding the category being discussed.

## Look for:

- Additions
- Deletions
- Remained the same

## In these categories:

- Language
- Procedural
- Reporting





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# Preparing to self-assess

# In preparation for Module 2:

## **Self-Analysis of Current Policies and Procedures for Restraint and Seclusion**

- School policies in relation to timeout and crisis interventions
  - Timeout policies
- School procedures in relation to timeout and crisis interventions
  - Including training schedules for staff
- Sample of incident reports (redacted)
- 2-3 completed examples to review
- Documentation (redacted)
  - Timeout log
  - Progress monitoring forms
- Regulatory Changes Activity Note-Catcher from Module 1

# Contact Us

## Student Support Services

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## Office of Special Education

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