



**USE OF AVERSIVES AND RESTRAINT
ON STUDENTS WITH DISABILITIES
*NRS 388.521-5317***

Prepared for the CCSD School Board

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ALPHABET SOUP

- IEP: Individual Educational Plan, or the plan to educate a SWD
- SWD: Student With a Disability
- IDEA: Individuals with Disability Education Act
- CAP: Corrective Action Plan
- NDE: Nevada Department of Education
- LCB/LCE: Legislative Counsel Bureau/
Legislative Committee on Education



PURPOSE TONIGHT

- To explain the provisions of *NRS 388.521-5317*.
- To highlight the junctures within the law that trigger specific responses on the part of the board and district.
- To distill the regulation and propose clear processes in order to ensure compliance.



NRS 388.521-5317

- Originally passed in 1999, re-authorized in 2009.
- Defines physical and mechanical restraints as well as aversives.
- Explains the conditions that exist when a denial of a student's rights has occurred under this statute.
- Explains the district responsibility when such a denial has occurred.



SCOPE

- These provisions are only in effect for students with one of the 13 disability categories as defined by the Individual with Disabilities Education Act.
- Mechanical or physical restraints may be used in either a permissible or non-permissible manner.
- Aversives are never permissible and can result in revocation of license.



PERMISSIBLE AND EMERGENCY RESTRAINTS

- **NRS 388.5275– Physical restraints** may be used in emergency situations, for limited duration, with force that is reasonable.
- **NRS 388.528– Mechanical restraints** are most appropriate to a hospital setting, but can be part of positioning, emergency, etc.
- If either is used in an **emergency**, within one day, a notice must be placed in the student’s files, given to the Board/designee, and sent to the IEP team (including parents/guardians).
- Three emergency restraints in one school year require that the district notify the school to review programming and report back to the district its findings.
- Five or more emergency restraints require that the IEP be reviewed, revised and specific components be added.



VIOLATIONS/DENIAL OF RIGHTS

- Non-permissible physical/mechanical restraints are those that do not meet the criteria laid out in NRS 388.5275 and 528 respectively.
- Aversives are always a denial of rights.
- Must be reported by the school within 24 hours, or upon discovery.
- Corrective action plan (CAP) must be developed.
- Must be entered into both regular and special education records.
- The Board/designee must provide a full report to Nevada Department of Education (NDE) which sets out the denial in detail.



CAPs (NRS 388.5295)

- Must be developed by the Board (in cooperation with the Superintendent) and submitted to NDE for approval or revisions.
- This corrective action must be accomplished within 30 calendar days of the violation.
- If the school does not complete the plan to the satisfaction of NDE, an administrator may be appointed at the expense of the district to carry it out.



MANDATORY STAFF TRAINING (NRS 388.5285)

- Must include:
 - Training in positive methods to modify the environments of SWD (the continuum).
 - Instruction in the teaching of replacement behaviors that are more well-suited to school environments.
 - Methods that enhance independence and quality of life for SWD, using the least intrusive methods of response and reinforcement.
 - Offers a process for intervention design that:
 - Focuses on appropriate behavioral changes and enhances quality life for SWD.
 - Further training for those who are authorized to carry out and monitor restraints and ensure that staff are qualified to carry out procedures.



ANNUAL REPORTING REQUIREMENTS

- By August 15th each year, SS (on behalf of the Board) submits to NDE*:
 - The number of physical restraints by school.
 - The number of restraints by student.
 - The number of restraints by teacher.
 - The number of mechanical restraints and aversives broken down thusly.
 - **NRS 388.5317(2)** requires the Board to designate a form on which schools compile their reports and a deadline by which this reporting must be accomplished.
 - Proposed form provided and a June 30th reporting deadline.
 - Propose a July Summary Report to the Board.
 - This data is reported by October 1st to the LCB or LCE by NDE.

*Data is not personally identifiable.



SCHOOL EVENT LEVEL REPORTING

School District: _____

School: _____

School Year: _____

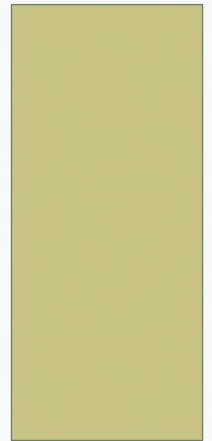
Number of Instance of Physical and Mechanical Restraint
Number of Violations per Type of Violation

Date of Use of Physical or Mechanical Restraint and/or Violation	Name of Teacher	Name of Student	Instances of Physical Restraint	Instances of Mechanical Restraint	Number of Violations By Type		
					Non-Permissible Physical Restraint	Non-Permissible Mechanical Restraint	Aversive Interventions
Totals							

Sort by Teacher to get teacher totals and enter for each teacher on School-Level NDE Report Template.
Sort by Student to get student totals and enter for each student on School-Level NDE Report Template.

RACE TO THE TOP STRATEGIC PLAN REPORT OF PROGRESS

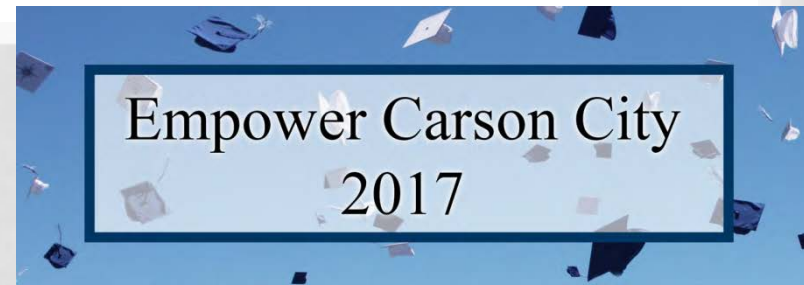
STEVEN J. PRADERE, PH.D.
TRANSFORMATION OFFICE DIRECTOR
9.10.13



VISION


Built in the Strategic Plan and RTT-D initiative

- Strategic Plan provides our vision
- RTT-D addresses the implementation, program details, data, and resources






Empower Carson City
2017

A Five Year Strategic Plan for Extraordinary Schools
built by the Community of Carson City



CARSON MIDDLE SCHOOL
CARSON HIGH SCHOOL

Our Community Empowers Tomorrow's Innovators, Leaders, and Thinkers



Carson City
School District



PROGRESS

Community in Full
Partnership

RTT-D Community PLC

- Attendance 63 participants made up of community members and school district employees.
- Participated in a series of experiences that will help build their understanding of the RTT-D project
- As a leadership team we gathered feedback from members and will use the information to strengthen our project
- Seventeen of the community partners have volunteered slots for job shadowing experiences
- In our next meeting will focus on the implementation of the Strategic Plan this work includes progress monitoring and feedback.



PROGRESS

Community in Full
Partnership

RTT-D School to Career
Progress

- To date: 14 guest speakers at Carson High School representing various career clusters
- Sept. 14, 2013 - 65 students to attend the Health Sciences Professions fair at UNR
- 630 freshman will participate in Manufacturing week reviewing the fields of Engineering and Manufacturing (October 1, 2,)
- October 4, 2013 48 students will participate in a manufacturing field trip completing on site visits. (Local Manufacturing)

ENGAGED PARENTS AND GUARDIANS

Secondary Counselor
PLC's

- Group has been meeting weekly to build the e-portfolio.
- Work is beginning with hard copy model for each grade level
- Serve as a roadmap to follow for academic and career development
- Secondly serve as a storage area for student artifacts
- Support the development of a plan to engage parents
 - Student Led Conferences



HEALTHIER GENERATIONS

RTT-D Leading health
indicator

- FRL – push to increase the number of students participating in the FRL program
- Common Post Assessments in Health will be included in the RTT-D progress monitoring plan



CURRICULUM THAT MATTERS

RTT-D Curriculum and
assessment
development



- Basic information on the components of the Learner Centered Model as tied directly to the classroom
- Work to begin next week regarding curriculum and assessment development
 - Core areas
 - Mathematics
 - English Language Arts
 - Science
 - Social Studies
 - Health
 - Remaining areas
- Developing structured collaboration experiences

EXCEPTIONAL ADMINISTRATORS , TEACHERS, AND STAFF

RTT-D Professional
development and
support for staff
members in practices

- Instructional Observations and feedback
- Organizational plan for development
- Build the observation and coaching skills of the Implementation Specialists and Site Administrators
- Providing teachers high quality feedback
- Alignment of Observations with work students are doing in the classroom – Lesson Specific

