

HUUSD Update on Restraint/Seclusion

To the Community:

In April 2022 the Harwood Unified Union School Board received public comment indicating concerns with the school district's use of restraint and seclusion in the school district in general and at Brookside Primary School in particular. In addition to concerns raised specific to the use of prone restraints in schools, it was noted that data from the 2017-2018 school year submitted by HUUSD to the US Department of Education, Office of Civil Rights indicates that the frequency of restraints, in general, in this school district was well above the state average (281 reported incidents at Brookside). While that data is accurate and merits further analysis and improvement, we are pleased to report that the total number of restraints used at Brookside has declined over the past two years (192 in 20/21 and 157 in 21/22). We will outline below the school district's strengthened commitment to student centered approaches designed to reduce the use of restraint and seclusion in the school district.

Public schools are required to provide a Free and Appropriate Public Education (FAPE) to all students; including those with significant emotional and behavioral challenges. HUUSD fulfills this requirement, in part, by working with community mental health professionals to meet the needs of these students within our schools. The use of restraints and seclusion are governed by strict federal and state rules and are only used with students who exhibit serious behavioral challenges. Furthermore, plans are developed in conjunction with mental health professionals to address a child's behaviors and include statements regarding when/if restraints or seclusion will be utilized. These plans are developed with full participation by the child's parent(s).

Although Vermont law has recently changed so that students 8 years and younger cannot be suspended (sent home) from school for serious behavioral infractions, the school district is equally committed to reducing these practices permitted by law and is fully committed to implement training and programming to reduce their use.

Since the arrival of the district's new Superintendent of Schools on July 1, 2022, a preliminary review regarding the school districts policies, procedures, and practices in reference to seclusion and restraint in accordance with Vermont State Board Rule 4500 has commenced. While there will be initial action in some areas as outlined below, the review will be ongoing throughout the 2022-2023 school year.

Superintendent's Action Plan:

- A district task force will begin to assess the current need for restraint and seclusion and methods to reduce their use in the school district. The following school district administrators will serve as part of this HUUSD "Restraint/Seclusion" procedure review team: Mr. Jon Berliner (special education director), Ms. Mandy Couturier (Moretown principal), Mr. Chris Neville (Brookside co-principal), Ms. Kellie Klassen (Crossett Brook Assistant Principal), Ms. Megan McDonough (Harwood co-principal), and Dr. Mike Lechlitter (superintendent). The superintendent may appoint other individuals as the need for further expertise is identified by this team. As part of this process, an emphasis will be placed on both improving training for

district staff in verbal de-escalation techniques as well as other training available with the goal of a further reduction in restraints along with the reduction and/or elimination of the use of seclusion. This group will provide a preliminary report to the School Board at its January 2023 meeting with a final report provided at the May 2023 meeting.

- While Vermont Rule 4500 permits the use of prone and supine restraints, it is clear that they are only contemplated by Rule 4500 in rare instances. As a result, the superintendent has asked administrators and district mental health partners to put a moratorium on any use of prone and supine restraints effective immediately. If the student's behavioral support team believes, in accordance with Rule 4500, that "the student's size and severity of behavior require such a restraint because a less restrictive restraint has failed" that specific situation should be directed to the superintendent for further review as well as discussion regarding other types of supports that can be put in place for the safety of the student and others.
- Finally, the superintendent has requested a review of district practices regarding restraint and seclusion from the Vermont Agency of Education as well as additional training and assistance.

Board Leadership's Action Plan:

- The board leadership will continue to meet with the superintendent on a regular basis in order to receive updates on the superintendent's action plan.
- At its meeting on May 11, 2022 the HUUSD board voted to include a review of the HUUSD Restraint & Seclusion Policy on a future agenda. That review will be this fall and will be guided by the model policy from the Vermont School Boards Association (VSBA) with input from the superintendent, director of special education, as well as other experts defined by the board including the school district's attorney from Lynn, Lynn, Blackman, & Manitsky, P.C.
- The board will engage with the superintendent and his team regarding their educational recommendations regarding both policy and financial support needed to fully meet the needs of the children and families in our community.

We appreciate that this issue was raised with the school district and are committed to making improvements in our schools so that they are a caring and safe environment where all our children can learn and excel.

Sincerely,

Kristen Rodgers, Board Chair (Moretown)

Kelley Hackett, Board Vice-Chair (Waterbury)

Dr. Mike Lechlitter, Superintendent of Schools (Duxbury)