

Stakeholder Meeting Notes

February 19, 2020

3301-35-15: Standards for the Implementation of Positive Behavior Intervention Supports and the use of Restraint and Seclusion

Review of Process for Proposed Changes to 3301-35-15

- June 2019 - Stakeholder meetings held
- July & August 2019 - Public Comment
- Changes made based on public comment and stakeholder meetings
 - new components added to 3301-35-15 proposed changes

Why Make Changes?

- U.S. Department of Education
 - initiative to focus on restraint and seclusion
- Alignment with state initiative
 - ODE Strategic Plan
 - Priority Strategy: Student Supports and School Climate and Culture
- Stakeholder feedback from public comment period

Additions to 3301-35-15 (L)

- Complaint Process Included
 - What will be investigated?
 - reporting (notifying) parent/guardian regarding incidents
 - superintendent response to received parent complaint/concern within 30 days
 - not meeting with the parent/guardian after multiple incidents of restraint and seclusion
 - **multiple incidents defined as 3**
 - **timeline specified as within 10 days of 3rd incident of restraint and/or seclusion**
 - training and professional development for the use of crisis management and de-escalation techniques which includes the use of restraint and seclusion
 - district restraint and seclusion policies and procedures
 - positive behavior intervention and supports policy implementation
 - annual notice to parents of policies and procedures
 - PBIS and Restraint & Seclusion
 - What will be the process?
 - similar to IDEA complaint process with ODE
 - investigate allegations
 - evidence: documents provided, desk interviews and possible on-site interviews

Stakeholder Meeting Notes
February 19, 2020

- develop a letter of findings
 - violations confirmed; issue corrective action and monitoring
 - violations not confirmed: close case
 - letter sent to district and parent/guardian

Next Steps

- Feedback will be reviewed, and OEC will continue working to revise the rule
- Post for public comment (date not determined, targeting April)
- Support for Implementation
 - guidance will be provided by OEC regarding implementation
 - may include general overview webinar
 - specific guidance regarding reporting requirements for ESC programs
 - model written procedure/parent notification letter recommended
 - consider presenting at OSBA, OAPSA, other professional organizations
- Reporting timeline clarified moving forward
 - June reporting to begin this year

Overview of Changes to the Rule

Changes to Rule	Reason
Addition of specific required elements to the PBIS framework.	Aligns with HB 318
Addition of specific required training components to PBIS, which includes professional development to occur at least every 3 years.	Aligns with HB 318 and the Department's Strategic Plan, <i>Each Child, Our Future</i>
Parameters added regarding multiple incidents of restraint and seclusion.	Clarification about what constitutes a "multiple incident" and provides clarification for all students with and without disabilities.
Addition of specific required training and professional development for the use of crisis management and de-escalation techniques, which includes the use of restraint and seclusion.	Provides clarification to the field about the necessary components needed. Former language was vague.
Requirement to communicate with District staff, parents and students about a District's policies of PBIS, Restraint and Seclusion.	Increase awareness and requirements regarding training and communication for PBIS, Restraint and Seclusion.
Addition of formal complaint process to the Department for portions of the Rule.	Allows the Department to specifically look at complaints and provide targeted assistance if needed.