

POLICYALERT

December, 2011

Forethought Consulting, Inc.

POLICY UPDATE: 2011

End of Year Wrap-Up

This is the final **POLICYALERT** of 2011, and deals with one final Act of the 2011 Legislature addressing the use of restraint and seclusion techniques for exceptional students, and the traditional end-of-year update of the *Testing Program* policy to reflect the Louisiana Board of Elementary and Secondary Education (BESE) changes made to Bulletin 118, *Statewide Assessment Standards and Practices*.

EDUCATION OF STUDENTS WITH EXCEPTIONALITIES

Act 328 addresses the use of seclusion and restraint techniques as may be necessary and appropriate for students with exceptionalities. The policy *Education of Students with Exceptionalities* has been updated to include definitions, guidelines, and reporting procedures from the Act. The information regarding appropriate use of these techniques is quite specific. *Seclusion* shall only be used for behaviors that involve an imminent risk of harm and when other de-escalation attempts have failed, and shall not be used to address behaviors such as noncompliance, self-stimulation, and academic refusal. *Physical restraint* may only be used as a last resort to protect the safety of self and others, to the degree necessary to stop the dangerous behavior, and in a manner that causes no physical injury to the student, the least possible discomfort, and does not interfere with the student's breathing or ability to communicate. No *mechanical restraint* can be used, and restraint must be appropriate for the circumstances and students size, age, and severity of behavior.

Policies In This Issue:

- Education of Students with Exceptionalities
- Testing Program

Parents must be notified as soon as possible when seclusion or physical restraint has been used, and shall be notified in writing within twenty-four (24) hours, and employees shall document and report each incident to the school principal not later than the day following the use of seclusion or restraint.

The Act, which enacted La. Rev. Stat. Ann. §17:416.21, and became effective on June 29, 2011, also calls for inclusion of follow-up procedures, as well as information regarding employee training requirements. We have included basic language to include in the policy based on the limited information available, and recommend that staff review and revise these sections as appropriate for the school system.

TESTING PROGRAM

Each year BESE adjusts the testing program and security requirements found in Bulletin 118,

Statewide Assessment Standards and Practices, and Boards are required to submit an updated policy to the state. This year's revisions to the *Testing Program* policy includes addition of *Academic Skills Assessments* (ASA) to the list of tests covered, and changes the reference to the End of Course (EOC) disaster plan to *emergency* plan. Another adjustment to policy included a change in language to "ensure the security of individual student test data in electronic formats, including encryption of student demographics in any email correspondence."

To aid in the enhanced security effort, School Boards, to the extent practicable, are now required to have procedures to assign a different test administrator for a class than the teacher of record for the class, except for teachers testing students with accommodations and students in grades 3 through 8. In addition, procedures are to be maintained for monitoring of test sites to observe test administration and to ensure test security is being followed.

MERRY CHRISTMAS

from all the elves here at
Forethought Consulting, Inc.!!

