

## PHYSICAL INTERVENTION, RESTRAINT AND SECLUSION

To maintain a safe learning environment, district employees may, within the scope of their employment and consistent with state law, use physical intervention and restraint with students in accordance with this policy. Such actions shall not be considered child abuse or corporal punishment if performed in good faith and in compliance with this policy.

- 1.0 **Physical Intervention.** Corporal punishment shall not be administered to any student by any district employee. Within the scope of their employment, district employees may use reasonable and appropriate physical intervention with a student that does not constitute restraint as defined by this policy, including physically holding a student for more than five (5) minutes, to accomplish the following:
  - 1.1 To quell a disturbance threatening physical injury to the student or others.
  - 1.2 To obtain possession of weapons or other dangerous objects upon or within the control of the student.
  - 1.3 For the purpose of self-defense.
  - 1.4 For the protection of persons against physical injury or to prevent the destruction of property which could lead to physical injury to the student or others.
- 2.0 **Restraints/General.** Staff use of restraints shall be consistent with the following standards:
  - 2.1 For purposes of this policy, restraint is defined as any method or device used to involuntarily limit a student's freedom of movement, including but not limited to bodily, physical force and seclusion.
  - 2.2 Seclusion is a form of restraint in which the student is placed alone in a room and the student's egress is involuntarily prevented.
  - 2.3 Physical restraint or seclusion are to be used only in an emergency and with extreme caution when there appears to be imminent danger of injury to the student, other students, or staff, or severe damage to property of substantial value; to obtain possession of weapons or other dangerous objects upon a student or within the control of a student and when alternative interventions are determined to be inappropriate or are unlikely to be effective under the circumstances. Alternative interventions shall include the use of positive behavior supports; constructive, non-physical de-escalation; and restructuring of the environment.
  - 2.4 Staff should use no more force than necessary to limit the student's freedom of movement, should impose the restraint for no longer period of time than necessary to accomplish its purpose, and will prioritize the prevention of harm to the student.
  - 2.5 Physical restraints and student seclusion shall not be used as punitive forms of discipline or as threats to control or gain compliance of a student's behavior.
  - 2.6 The use of "time-out" shall not be considered a "restraint." Time-out is the removal of a student from potentially rewarding people or situations. A time-out is not used primarily to confine a student but to limit accessibility to reinforcement. A student is not physically prevented from leaving a time-out area. Staff will monitor a student in time-out.

- 2.7 The following actions do not constitute physical restraint or inappropriate physical interventions:
  - 2.7.1 Holding a student for less than five minutes for the purposes described in Sections 1.1 to 1.4 above;
  - 2.7.2 Brief holding of a student by an adult in order to calm or comfort;
  - 2.7.3 Safely escorting a student using minimal contact; or
  - 2.7.4 Using minimal contact to assist a student in completing a task or response.
- 3.0 **Prone, Mechanical and Chemical Restraints Prohibited; Exceptions.** Except as described in the limited exceptions set forth below, district employees are prohibited from restraining a student by use of a prone restraint, mechanical restraint, or chemical restraint, as those terms are defined by applicable state law and this policy.
  - 3.1 “Prone restraint” means a restraint in which the student being restrained is secured in a prone (i.e. face-down) position.
  - 3.2 Chemical restraints shall not be used. “Chemical restraint means administering medication to a student (including medications prescribed by the student’s physician) on an as needed basis for the sole purpose of involuntarily limiting the student’s freedom of movement. Chemical restraint does not include:
    - 3.2.1 Prescription medication that is regularly administered to the student for medical reasons other than to restrain the student’s freedom of movement (e.g. Asthma-cort, medications used to treat mood disorders or ADHA, Glucagon);
    - 3.2.2 The administration of medication for voluntary or life-saving medical procedures (e.g. EpiPens, Diastat).
  - 3.3 “Mechanical restraint” means a physical device used to involuntarily restrict the movement of a student or the movement or normal function of the student’s body. “Mechanical restraint” does not include:
    - 3.3.1 Devices recommended by a physician, occupational therapist or physical therapist and agreed to by a student’s IEP (Individualized Education Plan) team or Section 504 team and used in accordance with the student’s IEP or Section 504 Plan;
    - 3.3.2 Protective devices such as helmets, mitts, and similar devices used to prevent self-injury and in accordance with a student’s IEP or Section 504 plan;
    - 3.3.3 Adaptive devices to facilitate instruction or therapy and used as recommended by an occupational therapist or physical therapist, and consistent with a student’s IEP or Section 504 plan;
    - 3.3.4 Positioning or securing devices used to allow treatment of a student’s medical needs.
  - 3.4 **Exceptions.** The prohibition on the use of mechanical or prone restraints in this policy shall not apply to:
    - 3.4.1 Certified peace officers or armed security guards working in a school and who meet the legal requirements of C.R.S. 26-20-111 (3); and,
    - 3.4.2 When the student is openly displaying a deadly weapon, as defined in C.R.S. 18-1-901 (3)(e).

- 4.0 **Assessing the Need for Recurring Physical Restraint or Seclusion.** In order to determine if recurring physical restraint or seclusion of a student is necessary and appropriate, a building administrator, or the student's service coordinator, in conjunction with related service providers, if the student has been identified with a disability, shall review the following:
- 4.1 Documentation concerning past occasions on which the student has been restrained, including the circumstances related to the student's conduct and the type and duration of restraints imposed;
  - 4.2 The student's individualized education plan, if applicable;
  - 4.3 The results of a functional behavioral assessment, if one has been conducted;
  - 4.4 The student's behavior plan, including any documentation concerning implementation, fidelity and the results of implementing the plan;
  - 4.5 Documentation submitted by the parent or prepared by a District nurse concerning the student's physical health.
- 5.0 **Written Plan for Recurring Restraint of a Student.** If there is a reasonable probability based on data, that physical restraint or seclusion of a student may be appropriate and necessary on a recurring basis a written plan shall be prepared. The meeting to develop the plan may occur in conjunction with an IEP meeting or meeting to discuss a behavior plan, as applicable. At minimum, the plan shall include:
- 5.1 A statement of interventions that will be attempted prior to the physical restraint or seclusion;
  - 5.2 Identification of specific behaviors, aligned with individual student needs, to be modified;
  - 5.3 Description of the circumstances, procedures, restraint method(s) and staff to be involved in the administration of physical restraint or seclusion;
  - 5.4 Designation of a primary administrative contact assigned to monitor and review the use of restraint on the student;
  - 5.5 Documentation that parent, and/or student, as appropriate, has received an explanation of the restraint procedures to be used and a copy of the plan, which together constitute notice to the parent and/or student;
  - 5.6 Parent statement of understanding of specifics for the restraint procedures to be used according to the plan;
  - 5.7 Parent signature of permission to implement the plan;
  - 5.8 Documentation of anticipated outcomes from use of restraint;
  - 5.9 Plan for documentation of use of restraint;
- 6.0 **Guidelines for Utilizing Physical Restraint or Seclusion.**
- 6.1 Physical restraint is not recommended unless there are sufficient staff members, typically two (2) or more adults, available to safely conduct the physical restraint;
  - 6.2 Physical restraint may be initiated anywhere, but as soon as possible the student will be moved to a safe area;
  - 6.3 A person administering the physical restraint must use only the amount of force necessary to stop the dangerous or violent actions of the student;
  - 6.4 Only trained staff should initiate and assist in the application of student restraints;
  - 6.5 The need or reason for restraint will be explained to the student when practicable;
  - 6.6 Opportunities to have the restraint removed shall be provided to the student who indicates that he or she is willing to cease the violent or dangerous behavior;

- 6.7 Restraint shall not be administered in such a way that the student is prevented from breathing or communicating. The student's breathing shall be monitored continuously to ensure that it is not compromised;
- 6.8 Restraint shall not be administered in a manner that places excess pressure on the student's chest or back or causes positional asphyxia;
- 6.9 Students subject to restraint should be reasonably monitored to insure their physical safety;
- 6.10 Staff shall restrain the student until he/she is calm and no longer poses a safety risk to him/herself or others. When it is determined by trained staff that the restraint is no longer necessary to protect the student or others, the restraint must be removed. In the case of seclusion, staff must reintegrate the student or clearly communicate to the student he or she is free to leave the area of seclusion;
- 6.11 The use of restraint does not preclude the notification of law enforcement or other agencies in appropriate circumstances;
- 6.12 If after 15 minutes physical restraint or seclusion is still deemed necessary for safety reasons, parents or guardian will be notified;
- 6.13 Students shall be given reasonable relief periods from seclusion for the purpose of accessing toilet facilities;
- 6.14 Space used for secluding students must have adequate lighting, ventilation, and size. To the extent possible, given the circumstances, the space should be cleared of injurious items.

#### 7.0 **Documentation of the Use of Physical Restraint or Seclusion.**

- 7.1 The teacher will document the amount of time a student spends in a restraint, the reason, and the student response.
- 7.2 All restraint incidents will be reviewed promptly with the building administration.
- 7.3 A written report must be submitted within one (1) school day to the designated building administrator. The administrator will forward a copy of the written report to Student Support Services.
- 7.4 The building administrator shall verbally notify the parents as soon as possible, but no later than the end of the school day that the restraint was used.
- 7.5 A written report will be sent to the parents within 5 calendar days following the use of the restraint. The report should contain:
  - 7.5.1 Student's name, date, name and title of staff members involved in administering the restraint.
  - 7.5.2 A description of the antecedent to the student's behavior, if known.
  - 7.5.3 A description of the incident.
  - 7.5.4 An explanation of the efforts made to de-escalate the situation.
  - 7.5.5 Description of the specific interventions that were utilized prior to the restraint and the student's response to these.
  - 7.5.6 The specific restraint technique used and the duration of the restraint.
  - 7.5.7 A description of injuries that occurred, if any.
  - 7.5.8 Name and signature of the person completing the report.
- 7.6 a copy of the report will be placed in the student's cumulative file.

#### 8.0 **Staff Training.**

- 8.1 Staff who are called upon to implement restraints shall be trained in the following:

- 8.1.1 Using a continuum of prevention techniques to promote positive student behavior;
  - 8.1.2 Employing strategies for successful environmental management;
  - 8.1.3 Implementing a continuum of de-escalation techniques;
  - 8.1.4 Following Non-Violent Crisis Intervention (CPI);
  - 8.1.5 Explaining the use of restraints, as applicable, to students and their families; and
  - 8.1.6 Meeting the provisions of 6.0 above.
- 8.2 Staff members called upon to implement restraints will receive ongoing training at least every two years.
- 9.0 **Restraint Review.**
- 9.1 After each restraint incident, the participating staff members and the designated building administrator shall meet within a reasonable period of time to determine whether appropriate procedures were followed and to develop, review, and/or modify behavior intervention strategies for the student with the objective of minimizing future use of future use of restraint. The review will include a review of the follow up communication with student and parents and a review of the documentation.
- 9.1.1 For students with disabilities, the restraint review shall include analysis of whether supplementary aids and services identified in the IEP are being provided, if those aids and services are appropriate for the student, and if changes to the behavior intervention plan (including a functional behavioral assessment) are necessary.
- 9.2 If requested by the district or parent, a meeting between the district and parent will be convened within a reasonable period of time to review the incident. Such review may occur through the IEP or section 504 process, as appropriate.
- 9.3 The student support services department shall conduct a general review of District restraint procedures following the conclusion of each school year, including a random review of restraint incident reports. The review will be documented in writing. The review must include the following:
- 9.3.1 Analysis of incident reports;
  - 9.3.2 Training needs of staff;
  - 9.3.3 Staff to student ratio involved in the restraint;
  - 9.3.4 Environmental factors.
- 9.4 The review will determine if the district is administering the restraint process in accordance with this policy.

LEGAL REFERENCE:

C.R.S. 18-1-901(3)(e)  
C.R.S. 22-32-109.1(2)(a)(IV)  
C.R.S. 26-20-101 et. seq.  
C.R.S. 26-20-111(3)

Adams 12 Five Star Schools  
Student Support Services  
**Documentation for Use of Restraint**

Student Name: \_\_\_\_\_  
Incident Involved:                      Seclusion \_\_\_\_\_ and/or Physical Restraint \_\_\_\_\_  
Time Restraint Started:                      \_\_\_\_\_ AM \_\_\_\_\_ PM  
Time Restraint Ended:                      \_\_\_\_\_ AM \_\_\_\_\_ PM  
Total Amount of Time in Restraint: \_\_\_\_\_ School Name \_\_\_\_\_

***Please use additional***

Reason student was placed in a restraint including precipitating incidents that necessitated the restraint, student's behavior before/after application of the restraint, the restraint technique(s) utilized and the outcome of the incident:

\_\_\_\_\_  
CPI Technique(s) Used:

Children's Control Position \_\_\_\_\_ Team Control Position \_\_\_\_\_

Description of the specific interventions that were utilized prior to the restraint in an attempt to deescalate the situation and the student's response to these:

\_\_\_\_\_  
Does the student have a Behavior Intervention Plan? \_\_\_\_\_ If yes, please attach \_\_\_\_\_

Description of injuries to student or staff, if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Staff Member Initiating the Restraint: \_\_\_\_\_

Other Staff Members Involved with the Restraint: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Date of Restraint: \_\_\_\_\_

School Administrator Signature: \_\_\_\_\_

Date of Parent Contact (*Must be same day as restraint*): \_\_\_\_\_

Date Copy of this Report Sent to Parent: \_\_\_\_\_

- *A copy of this written report must be sent to the parents within 5 days following the use of the restraint.*
- *Send copy to Behavior Specialist, Student Support Services, ESC*
- *Save a copy for your building*