

Use of Physical Intervention and Restraint

Restraint definitions

Restraint is defined under state law and the State Board of Education rules governing the Administration of the Protection of Persons from Restraint Act as any method or device used to involuntarily limit freedom or movement, including but not limited to physical restraint, mechanical restraint, restraint using prescribed medication, and seclusion. With certain exceptions, prone, mechanical, and chemical restraint (using prescribed medication) shall not be used in our district.

Physical restraint means the use of bodily, physical force to limit an individual's freedom of movement.

Physical restraint does not include:

- a. the use of protective or adaptive devices for providing physical support, prevention of injury or voluntary or life-saving medical procedures;
- b. the holding of a student for less than five minutes by a staff person for the protection of the student or other persons;
- c. brief holding of a student by one adult for the purpose of calming or comforting a student;
- d. minimal physical contact for the purpose of safely escorting a student from one area to another;
- e. minimal physical contact for the purpose of assisting the student in completing a task for response.

Mechanical restraint means the physical device used to involuntarily restrict the movement of a student or the movement of normal function of the student's body.

Mechanical restraint does not include:

- a. devices recommended by a physician, occupational therapist or physical therapist and agreed to by a student's Individualized Education Program (IEP) team or Section 504 team and used in accordance with the student's IEP or Section 504 plan;
- b. 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;
- c. adaptive devices to facilitate instruction or therapy and used as recommended by an occupational therapist, and consistent with a student's IEP or Section 504 plan;
or
- d. positioning or securing devices used to allow treatment of a student's medical needs.

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:

- a. 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 ADHD, Glucagon); or

- b. the administration of medication for voluntary or life-saving medical procedures (e.g. EpiPens, Diastat).

Seclusion means the placement of a student alone in a room from which egress is involuntarily prevented. Seclusion does not mean:

- a. placement of a student in residential services in the student's room for the night;
or
- b. time-out.

Time-out is the removal of a student from potentially rewarding people or situations. A time-out is not used primarily to confine the student, but to limit accessibility to reinforcement. In time-out, the student is not physically prevented from leaving the designated time-out area and is effectively monitored by staff.

Bodily injury means physical pain, illness or any impairment of physical or mental condition as defined in C.R.S. 18-1-901 (3)(c).

State Board Rules mean the State Board of Education rules governing the Administration of the Protection of Persons from Restraint Act, 1 CCR 301-45.

Parent shall be as defined by the State Board rules.

Basis for use of restraint

Staff may use restraint only in cases of emergency and with extreme caution after other less restrictive alternatives have failed or the staff member determines that such alternatives would be inappropriate or ineffective under the circumstances.

An emergency is a serious, probable, imminent threat of bodily injury to self or others where there is the present ability to effect such bodily injury. Emergency includes situations in which the student creates such a threat by abusing or destroying property.

Restraints shall never be used as a punitive form of discipline or as a threat to gain control or gain compliance of a student's behavior.

School personnel shall use restraints only for the period of time necessary and using no more force than necessary; and to prioritize the prevention of harm to the student.

Duties relating to the use of restraint

When restraints are used, the district shall ensure that:

- a. no restraint is administered in such a way that the student is inhibited or impeded from breathing or communicating;
- b. no restraint is administered in such a way that places excess pressure on the student's chest, back, or causes positional asphyxia;
- c. restraints are only administered by district staff who have received training in accordance with the State Board rules;
- d. opportunities to have the restraint removed are provided to the student who

- indicates he/she is willing to cease the violent or dangerous behavior;
- e. when it is determined by trained district staff that the restraint is no longer necessary to protect the student or others (i.e. the emergency no longer exists), the restraint shall be removed; and
 - f. the student is reasonably monitored to ensure the student's physical safety.
 - g. Additionally, in the case of seclusion, staff shall reintegrate the student or clearly communicate to the student that the student is free to leave the area used to seclude the student.

Proper administration of specific restraints

1. Chemical restraints shall not be used.
2. Mechanical and prone restraints shall not be used, except in the limited circumstances permitted by state law and as may be described in the accompanying policy.
3. Physical restraint
 - a. A person administering the physical restraint shall only use the amount of force necessary to stop the dangerous or violent actions of the student.
 - b. A restrained student shall be continuously monitored to ensure that the breathing of the student in such physical restraint is not compromised.
 - c. A student shall be released from physical restraint within fifteen minutes after the initiation of the restraint, except when precluded for safety reasons.
4. Seclusion
 - a. Relief periods from seclusion shall be provided for reasonable access to toilet facilities.
 - b. Any space in which a student is secluded shall have adequate lighting, ventilation and size.
 - c. To the extent possible under the specific circumstances, the space should be free of injurious items.

Notification requirements

1. If there is a reasonable probability that restraint might be used with a particular student, appropriate school staff shall notify, in writing, the student's parents, and, if appropriate, the student of:
 - a. The restraint procedures (including types of restraints) that might be used;
 - b. specific circumstances in which restraint might be used; and
 - c. staff involved.
2. For students with disabilities, if the parents request a meeting with school personnel to discuss the notification, school personnel shall ensure that the meeting is convened.
3. The required notification may occur at the meeting where the student's behavior plan or IEP is developed/reviewed.

Documentation requirements

1. If restraints are used, a written report shall be submitted within one school day to school administration.
2. The school principal or designee shall verbally notify the parents as soon as

- possible but no later than the same school day that the restraint was used.
3. A written report based on the findings of the staff review be emailed, faxed or mailed to the student's parent within five calendar days of the use of the restraint. The written report of the use of restraint shall include:
 - a. the antecedent to the student's behavior if known;
 - b. a description of the incident;
 - c. efforts made to de-escalate the situation;
 - d. alternatives that were attempted;
 - e. the type and duration of the restraint used;
 - f. injuries that occurred, if any; and
 - g. the staff present and staff involved in administering the restraint.
 4. A copy of the written report on the use of restraint shall be placed in the students' confidential file.

Review of specific incidents of restraint

1. The district shall ensure that a review process is established and conducted for each incident of restraint used. The purpose of this review shall be to ascertain that appropriate procedures were followed and to minimize the future use of restraint.
2. The review shall include, but is not limited to:
 - a. staff review of the incident;
 - b. follow up communication with the student and the student's family;
 - c. review of the documentation to ensure use of alternative strategies; and
 - d. recommendation for adjustment of procedures, if appropriate.
3. If requested by the district or the student's parents, the district shall convene a meeting to review the incident. For students with IEPs or Section 504 plans, such review may occur through the IEP or Section 504 process.

General review process

1. The district shall ensure that a general review process is established, conducted and documented in writing at least annually. The purpose of the general review is to ascertain that the district is properly administering restraint, identifying additional training needs, minimizing and preventing the use of restraint by increasing the use of positive behavior interventions, and reducing the incidence of injury to students and staff.
2. The review shall include, but is not limited to:
 - a. analysis of incident reports, including all reports prepared to fulfil the documentation requirements outlined in this policy but not limited to procedures used during the restraint, preventative or alternative techniques tried, documentation, and follow-up;
 - b. training needs of staff;
 - c. staff-to-student ratio; and
 - d. environmental conditions, including physical space, student seating arrangements and noise levels.

Staff training

1. The district shall ensure that staff utilizing restraint in schools are trained in accordance with the State Board rules.
2. Training shall include:
 - a. a continuum of prevention techniques;
 - b. environmental management;
 - c. a continuum of de-escalation techniques;
 - d. nationally recognized physical management and restraint practices including, but not limited to, techniques that allow restraint in an upright or sitting position and information about the dangers created by prone restraint;
 - e. methods to explain the use of restraint to the student who is to be restrained and to the student's family; and
 - f. appropriate documentation and notification procedures.
3. Retraining shall occur at a frequency of at least every two years.

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