

## **Use of Physical Intervention and Restraint**

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 and accompanying regulation. Such actions shall not be considered child abuse or corporal punishment if performed in good faith and in compliance with this policy and accompanying regulation.

### **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, to accomplish the following:

1. To quell a disturbance threatening physical injury to the student or others.
2. To obtain possession of weapons or other dangerous objects from a student or within the control of a student.
3. For the purpose of self-defense.
4. For the protection of persons or property.

Any such acts are not in conflict with the legal definition of child abuse and shall not be construed to constitute corporal punishment within the meaning and intention of this policy.

Under no circumstances shall a student be physically held for more than one minute by a district employee for the protection of the student or others and other actions excluded from the definition of restraint in state law, unless the provisions regarding restraint, contained in the regulation that accompanies this policy, are followed.

If a student is physically restrained for a period of time longer than one minute, but less than five minutes, the student's parent(s) are required to be notified. The notice must be given in writing on the same day the restraint occurs, and must include the date of restraint, student's name, and the number of times that day that the student was restrained.

If a student is physically restrained for a period of time longer than five minutes, the school administration shall verbally notify the parent or guardian as soon as possible, but not later than the end of the school day that the restraint was used. Additionally, the school administration shall mail, fax, or e-mail a written report of the incident, including all information required by law, to the parent or legal guardian of the student not more than five calendar days after the use of the restraint on the student.

District employees shall not use restraint as a form of discipline or to control or gain compliance from a student. District employees are also 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's accompanying regulation.

If a student is placed in a seclusion room, the student must be continually monitored. The seclusion room must have at least one window to monitor students when the door is closed. If it is not feasible to utilize a room with a window, monitoring by video camera must be possible. The seclusion room must be a safe space free from injurious items and must not be a space used by school staff for offices, storage, or custodial purposes.

Restraint shall only be administered by district employees trained in accordance with applicable State Board of Education rules.

### **Use of Mechanical or Prone Restraints**

The prohibition on the use of mechanical or prone restraints in this policy and accompanying regulation shall not apply to:

1. Certified peace officers or armed security officers working in a school and who meet the legal requirements of C.R.S. 26-20-111 (3), however, no law enforcement officer or armed security official shall use handcuffs on any student unless the student poses an immediate danger to themselves or others or if handcuffs are solely used during a custodial arrest requiring transport.
2. When the student is openly displaying a deadly weapon, as defined in C.R.S. 18-1-901 (3)(e).

Any method or device used to involuntarily limit a student's freedom of movement for more than one minute, including physical force, physical restraint, or seclusion, shall be in compliance with state law on protecting persons from restraint. The superintendent or designee shall develop procedures and a training program related to the use of restraint consistent with this policy and state law.

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LEGAL REFS.: C.R.S. 18-1-703 (use of physical force by those supervising minors)  
C.R.S. 18-1-901 (3)(e) (definition of a deadly weapon)  
C.R.S. 18-6-401 (1) (definition of child abuse)  
C.R.S. 19-1-103 (1) (definition of abuse and neglect)  
C.R.S. 22-32-109.1 (2)(a) (adoption and enforcement of discipline code)  
C.R.S. 22-32-109.1 (2)(a) (I)(D) (policy required as part of safe schools plan)  
C.R.S. 22-32-109.1 (2)(a)(I)(L) (policies for use of restraint and seclusion on students and information on the process for filing a

complaint regarding the use of restraint or seclusion shall be included in student conduct and discipline code)

C.R.S. 22-32-109.1 (9) (immunity provisions in safe schools law)

C.R.S. 22-32-147 (use of restraints on students)

C.R.S. 26-20-101 *et seq.* (Protection of Persons from Restraint Act)

1 CCR 301-45 (State Board of Education rules for the Administration of the protection of Persons from Restraint Act)

CONTRACT REF.: SVVEA Agreement, Article 20–Teacher Protection from Assaults/Personal Injury Leaves

St. Vrain Valley School District RE-1J, Longmont, Colorado