

SECTION 400 – STUDENTS

RESTRAINT OF STUDENTS

POLICY 421

ARTICLE 1 RESTRAINT DEFINITIONS

- A. "Restraint" means any method or device used to limit freedom of movement, including but not limited to bodily physical force, chemicals, mechanical devices, and seclusion. It does not include holding of a student for less than five minutes by a staff person for protection of the individual or other persons. "Chemical restraint" means giving an individual medication for the purpose of restraining freedom of movement. "Mechanical restraint" means a physical device used to restrict the movement of an individual or the movement or normal function of a portion of his or her body. The use of protective devices or adaptive devices for providing physical support, prevention of injury, or voluntary or life-saving medical procedures is not restraint. "Seclusion" means the placement of a student alone in a room from which egress is prevented although it does not mean use of time-out as defined by Policy 422 and Rules developed by the Colorado Department of Education.

ARTICLE 2 USE OF RESTRAINT

- A. Restraints shall be used in keeping with the requirements and limitation of law and the Colorado Code of Regulations 301-45-2620. Restraints shall only be applied in an emergency and with extreme caution. Use of restraint is limited to situations in which there is serious, probable and imminent threat of bodily harm by a student with the present ability to cause such harm. "Emergency" means serious, probable, imminent threat of bodily harm to self or others within the education environment. In all other situations, less restrictive alternatives including, but not limited to positive behavior supports, constructive, non-physical de-escalation and re-structuring of the environment shall be used in lieu of restraint.
- B. Restraint is to be administered by staff who have been trained to assure the physical safety of the student and received training that includes:
1. A continuum of prevention techniques;
 2. Environmental management;
 3. A continuum of de-escalation techniques;
 4. Nationally recognized physical management and restraint, including, but not limited to, techniques that allow restraint in an upright or sitting position;
 5. Methods to explain the use of restraint to the student who is to be restrained and to the individual's family; and
 6. Appropriate documentation and notification procedures.
- C. A trained staff member shall only use restraint for the period of time necessary to accomplish its purpose, shall include no more force than is necessary, and shall use the restraint in compliance with the requirements listed in Paragraph G of this Article.

References:

C.R.S. 18-1-703 Use of Physical Force by Those Supervising Minors
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) (Adoption and Enforcement of Discipline Code
C.R.S. 26-20-101 et seq. Protection of Persons from Restraint Act
C.C.R 301-45-2620 Rules for the Administration of the Protection of Persons from Restraint Act

Adopted: April 3, 2002

SECTION 400 – STUDENTS

RESTRAINT OF STUDENTS

POLICY 421

- D. Restraints must never be used as a punitive form of discipline or as a threat to control or gain compliance of a student's behavior.
- E. Devices intended for physical/occupational therapy uses must never be used as a mechanical restraint.
- F. Chemical restraints shall not be applied by School District personnel unless such restraint is prescribed by a physician, required by the student's Individual Educational Program (IEP) or behavior plan, and authorized by written signature of the student's parent or guardian;
- G. When restraints are used, the following requirements must be met:
 - 1. No restraint shall be used that prevents the student from breathing or communicating or in such a way that places excess pressure on the student's chest, back, or extremities. A restrained student must be continuously monitored to ensure that the breathing of the student in such physical restraint is not compromised.
 - 2. 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.
 - 3. The restraint must be removed when it is no longer necessary to protect the student or ensure the safety of others. A student shall be released from physical restraint within fifteen minutes after the initiation of the restraint, except when precluded for safety reasons.
- H. A student's behavior plan or IEP must address the specific circumstances, procedures and staff involved if there is a possibility that restraint might be used as part of crisis management.
- I. When it is anticipated that restraint will be used in an emergency situation written parent/guardian permission must be obtained.

ARTICLE 3 RESTRAINT DOCUMENTATION REQUIREMENTS

- A. A written report must be submitted within one school day to the Principal when a restraint is used.
- B. The Principal or designee shall verbally notify the parents/guardians as soon as possible but no later than the end of the day that the restraint was used.
- C. A written report summarizing the circumstances and nature of the restraint shall be mailed, E-mailed, or faxed to the parents/guardians within thirty-six hours following the use of restraint and a copy placed in the student's confidential file.

References:

C.R.S. 18-1-703 Use of Physical Force by Those Supervising Minors
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) (Adoption and Enforcement of Discipline Code
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SECTION 400 – STUDENTS

RESTRAINT OF STUDENTS

POLICY 421

ARTICLE 4 REVIEW OF THE USE OF RESTRAINT

- A. A review process shall be conducted for each incident of restraint of a student. The purpose of this review shall be to ascertain that appropriate procedures are followed and to minimize future use of restraint. The review shall include, but is not limited to:
1. Staff review of the incident.
 2. Follow-up communication with the student and his/her family.
 3. Review of the documentation to ensure use of alternative strategies.
 4. Recommendations for adjustment of procedures.
- B. In the case of students who have behavior support plans identified in their IEPs, the IEP team, including the parent/guardian, shall meet to determine if the supplementary aids and services identified in the IEP are being provided,

References:

C.R.S. 18-1-703 Use of Physical Force by Those Supervising Minors
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) (Adoption and Enforcement of Discipline Code
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