
The Board is dedicated to the development and application of best practices within the district's educational programs. It is the intent of the Board to establish this policy and subsequent administrative regulation to define the circumstances that must exist and the requirements that must be met prior to, during, and after the use of restraint and/or seclusion as an intervention with district students.

Definitions

1. "Restraint" means the restriction of a student's actions or movements by holding the student or applying pressure or other means. "Restraint" does not include:
 - Holding a student's hand or arm to escort the student safely and without the use of force from one area to another;
 - Assisting a student to complete a task if the student does not resist the physical contact; or
 - Providing reasonable intervention with the minimal exertion of force necessary if the intervention does not include a restraint prohibited under Oregon Revised Statute ORS 339.288 and the intervention is necessary to:
 - Break up a physical fight;
 - Interrupt a student's impulsive behavior that threatens the student's immediate safety, including running in front of a vehicle or climbing on unsafe structures or objects; or
 - Effectively protect oneself or another from an assault, injury or sexual contact with the minimum physical contact necessary for protection.
2. "Seclusion" means the involuntary confinement of a student alone in a room from which the student is physically prevented from leaving. Seclusion includes, but is not limited to, the involuntary confinement of a student alone in a room with a closed door, whether the door is locked or unlocked. Seclusion does not include the removal of a student for a short period of time to provide the student with an opportunity to regain self-control if the student is in a setting from which the student is not physically prevented from leaving, or a student being left alone in a room with a closed door for a brief period of time if the student is left alone for a purpose that is unrelated to the student's behavior.
3. "Serious bodily injury" means any significant impairment of the physical condition of a person, as determined by qualified medical personnel, whether self-inflicted or inflicted by someone else
4. "Substantial physical or bodily injury" means any impairment of the physical condition of a person that requires some form of medical treatment.
5. "Mechanical restraint" means a device used to restrict the movement of a student or the movement or normal function of a portion of the body of a student. "Mechanical restraint" does not include:
 - A protective or stabilizing device ordered by a licensed physician; or
 - A vehicle safety restraint when used as intended during the transport of a student in a moving vehicle.
6. "Chemical restraint" means a drug or medication that is used on a student to control behavior or restrict freedom of movement that is not prescribed by a licensed physician other qualified health care professional acting under the professional's scope of practice for standard treatment of the student's medical or psychiatric condition; and administered as prescribed by a licensed physician or other qualified health professional acting under the professional's scope of practice.
7. "Prone restraint" means a restraint in which a student is held face down on the floor.
8. "Supine restraint" means a restraint which a student is held face up on the floor.

Prohibited Types of Restraint

The use of the following types of restraint on a student in the district is prohibited:

1. Chemical restraint
2. Mechanical restraint
3. Prone restraint
4. Supine restraint
5. Any restraint that involves intentional and nonincidental use of a solid object, including a wall or the floor, to impede a student's movement, unless the restraint is necessary to prevent an imminent life-threatening injury or to gain control of a weapon.
6. Any restraint that places, or creates a risk of placing, pressure on a student's mouth, neck or throat.
7. Any restraint that places, or creates a risk of placing, pressure on a student's mouth, unless the restraint is necessary for the purpose of extracting a body part from a bite.
8. Any restraint that impedes, or creates a risk of impeding, breathing.
9. Any restraint that involves the intentional placement of the hands, feet, elbow, knee or any object on a student's neck, throat, genitals or other intimate parts.
10. Any restraint that causes pressure to be placed, or creates a risk of causing pressure to be placed, on the stomach or back by a knee, foot or elbow bone.
11. Any action designed for the primary purpose of inflicting pain.

Use of Restraint and Seclusion

Restraint or seclusion may not be used for discipline, punishment, retaliation or convenience of staff, contractors or volunteers of the district.

Restraint may be imposed on a student in the district only under the following circumstances:

1. The student's behavior imposes a reasonable risk of imminent and substantial physical or bodily injury to the student or others; and
2. Less restrictive interventions would not be effective.

Seclusion may only be used on a student in the district only under the following circumstances:

1. The student's behavior imposes a reasonable risk of imminent and serious bodily injury to the student or others; and
2. Less restrictive interventions would not be effective.

If restraint or seclusion is used on a student, by trained staff or other staff available in the case of an emergency when trained staff are not immediately available due to the unforeseeable nature of the emergency, i.e., teacher or administrator, it will be used only for as long as the student's behavior poses a reasonable risk of imminent and substantial physical or bodily injury to the student or others and less restrictive interventions would not be effective. Students will be continuously monitored by staff for the duration of the restraint or seclusion.

Any student being restrained or secluded within the district whether it is an emergency or as part of a plan shall be continuously monitored by staff for the duration of the intervention Any room used for seclusion of a student must meet the standards as outlined in Oregon Administrative Rule OAR 581-021-0568.

Notice Following the Use of Restraint or Seclusion

Following the use of physical restraint or seclusion, district staff shall comply with the notice and reporting procedures set forth in JGAB-AR: Use of Restraint or Seclusion. An annual review of the use of restraint and seclusion during the preceding school year shall be completed and submitted to the Oregon Department of Education (ODE) to ensure compliance with district policies and procedures set forth in JGAB-AR. This annual report shall be made available to the public at the district's main office and on the district's website and to the Board of Directors. At least once each school year, the parents and guardians of students in the district shall be notified about how to access the report.

Training

The district shall utilize the Crisis Prevention Institute (CPI) training program for use in the district. As required by state regulation, the selected program shall be one approved by the Oregon Department of Education (ODE) and include, but not limited to, positive behavior support, conflict prevention, de-escalation and crisis response techniques. Any program selected by the district must be in compliance with state and federal law with respect to the use of restraint and/or seclusion.

Complaints Regarding the Use of Restraint or Seclusion

The district shall investigate all complaints regarding the use of restraint and/or seclusion practices according to the procedures outlined in KL-AP: Public Complaints and KL-AR: Public Complaints. The complainant, whether an organization or an individual, may appeal a district's final decision to the Oregon Department of Education pursuant to OAR581-002-0001 - 581-002-0023.

The Superintendent shall develop administrative regulations to carry out the requirements set forth in this policy and to meet any additional requirements established by law related to the use, reporting, and written documentation of the use of restraint or seclusion by district staff.

END OF POLICY

Legal Reference(s):

[ORS 161.205](#)
[ORS 339.250](#)
[ORS 339.285](#)
[ORS 339.288](#)
[ORS 339.291](#)
[ORS 339.294](#)
[ORS 339.297](#)
[ORS 339.300](#)

[ORS 339.303](#)

[OAR 581-021-0061](#)
[OAR 581-021-0550](#)
[OAR 581-021-0553](#)
[OAR 581-021-0556](#)
[OAR 581-021-0559](#)
[OAR 581-021-0563](#)

[OAR 581-021-0566](#)
[OAR 581-021-0568](#)
[OAR 581-021-0569](#)
[OAR 581-021-0570](#)
OAR 581-022-2267
[OAR 581-022-2370](#)

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