

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 a policy that defines 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. "Physical restraint" means the restriction of a student's movement by one or more persons holding the student or applying physical pressure upon the student. "Physical restraint" does not include touching or holding a student without the use of force for the purpose of directing the student or assisting the student in completing a task or activity. The definition of "physical restraint" does not include the use of mechanical, chemical or prone restraint of a student as these methods are prohibited by Oregon law.
2. "Seclusion" means the involuntary confinement of a student alone in a room from which the student is physically prevented from leaving. 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, in a setting from which the student is not physically prevented from leaving.
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.

### **The following forms of restraint (4, 5 and 6) are prohibited for use with students**

4. "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. A protective or stabilizing device ordered by a licensed physician; or
  - b. A vehicle safety restraint when used as intended during the transport of a student in a moving vehicle.
5. "Chemical restraint" means a drug or medication that is used on a student to control behavior or restrict freedom of movement that has not been prescribed by a licensed health professional or other qualified health care professional acting under the professional's scope of practice.
  6. "Prone restraint" means a restraint in which a student is held face down on the floor.

### **Use of Physical Restraint and Seclusion**

The use of physical restraint and/or seclusion is only permitted as a part of a behavioral support plan when other less restrictive interventions would not be effective and the student's behavior poses a reasonable threat of imminent, serious bodily injury to the student or others. Physical restraint or seclusion may not be used for discipline, punishment, or for the convenience of district staff. The use of mechanical, chemical, or prone restraint on a student is prohibited.

Except in the case of an emergency, only staff current in the required training in accordance with the district-designated physical restraint and seclusion training program may use physical restraint or seclusion with a student. In an emergency, physical restraint and/or seclusion may also be used by a school administrator, teacher or other school employee as necessary.

The use of physical restraint and/or seclusion under any circumstance is only allowed for as long as the student's behavior poses a reasonable threat of imminent, serious bodily injury to themselves or to others. Any student being restrained or secluded shall be continuously monitored by staff for the duration of the physical restraint or seclusion. Any room used for seclusion of a student must allow staff full view of the student in all areas of the room and be free of potentially hazardous conditions such as unprotected light fixtures and electrical outlets.

In addition to the requirements described above, if physical restraint or seclusion continues for more than 30 minutes, the student must be provided with adequate access to a bathroom and water every 30 minutes. If physical restraint or seclusion continues for more than 30 minutes, every 15 minutes after the first 30 minutes an administrator for the district must provide written authorization for the continuation of the physical restraint or seclusion, including providing documentation for the reason the physical restraint or seclusion must be continued. Whenever physical restraint or seclusion extends beyond 30 minutes, personnel of the district will immediately attempt to verbally or electronically notify the student's parent.

#### **Notice Following the Use of Physical Restraint or Seclusion**

Following the use of physical restraint or seclusion, district staff shall comply with the notice and reporting procedures set forth in administrative regulation JGAB-AR.

#### **Training**

The district shall utilize a training program for the use of physical restraint and seclusion approved by the Oregon Department of Education. As required by state regulation, the selected program shall include: behavioral support, 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.

END OF POLICY

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#### **Legal Reference(s):**

ORS 161.205  
ORS 339.250

OAR 581-021-0061  
OAR 581-021-0062

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