

Guidelines for Physical Restraint of Students

Policy

General Guidance

The local education agency (LEA) governing board recognizes that students with disabilities are entitled to a course of study that provides them with a free appropriate public education (FAPE) and that the use of behavioral techniques within the classroom setting may be needed on an individualized basis to provide FAPE. The LEA governing board also recognizes that any effort to change the behavior of another individual represents a degree of intrusion into that individual's life. To justify that intrusion, reasonable assurances must be given that, as a result of the intervention, the individual's behavior will change in a timely manner and that this change will benefit the individual. Therefore, in accordance with law, all efforts to change behavior must be based on effective techniques and the least intrusive procedure likely to be effective will be used.

Use of Physical Restraint

The *principal* shall ensure that school personnel use physical restraint with two goals in mind:

1. To administer a physical restraint only when needed to protect a student and/or a member of the school community from imminent, serious, physical harm; and
2. To prevent or minimize any harm to the student as a result of the use of physical restraint.

The *principal* shall ensure physical restraint may be used in the following circumstances:

1. Non-physical interventions would not have been effective;
2. The student's behavior poses a threat of imminent, serious, physical harm to self and/or others; and
3. As a last resort, after less intrusive interventions have been exhausted.

Physical restraint shall be limited to the use of such reasonable force as is necessary to protect a student or another member of the school community from assault or imminent, serious, physical harm.

Physical restraint is prohibited in the following circumstances:

1. As a means of punishment; or
2. As a response to property destruction, disruption of school order, a student's refusal to comply with a school rule or staff directive, disrespectful verbal comments that do not constitute a threat of imminent, serious, physical harm.

Referral to Law Enforcement or Other State Agencies

In circumstances in which LEA employees are mandated by law to report criminal activity, the *principal* shall ensure that school personnel are not prohibited from:

1. The right of any individual to report to appropriate authorities a crime committed by a student or other individual; or
2. Law enforcement, judicial authorities, or school security personnel from exercising their responsibilities, including the physical detainment of a student or other person alleged to have committed a crime or posing a security risk.

Administration of Physical Restraint

The *principal* shall ensure that whenever possible:

1. School personnel who have obtained certification from a certified physical restraint agency training shall administer physical restraint on students.
2. The administration of a restraint shall be witnessed by at least one adult who does not participate in the restraint.

The *principal* shall also ensure:

1. A person administering a physical restraint shall use only the amount of force necessary to protect the student or others from physical injury or harm.

2. A person administering a physical restraint shall use the safest method available and appropriate to the situation following the safety requirements set forth below.
3. A person administering a physical restraint shall use only the amount of time necessary to allow the student to de-escalate.

Safety Requirements

The following safety requirements are required for the use of physical restraint:

1. No restraint shall be administered in such a way that the student is subject to interventions that are designed or are likely to cause pain or that subject students to verbal abuse, humiliation or ridicule; that deprive students of any of their senses or of sleep, food, water or shelter or proper supervision; or that involve the use of noxious sprays or substances.
2. During the administration of a restraint, a staff member shall continuously monitor the physical status of the student, including skin color and respiration. A restraint shall be released immediately upon a determination by the staff member administering the restraint that the student is no longer at risk of causing imminent physical harm to him or herself or others.
3. Restraint shall be administered in such a way so as to prevent or minimize physical harm. If, at any time during a physical restraint, the student demonstrates significant physical distress, the student shall be released from the restraint immediately, and school staff shall take steps to seek medical assistance.
4. School staff shall review and consider any known medical or psychological limitations and/or behavioral intervention plans regarding the use of physical restraint on an individual student.
5. Following the release of a student from a restraint, the school shall implement follow-up procedures. These procedures shall include reviewing the incident with the student to address the behavior that precipitated the restraint, reviewing the incident with the staff person(s) who administered the restraint to discuss whether proper restraint procedures

were followed, and consideration of whether any follow up is appropriate for the student or any student who witnessed the incident.

Reporting Requirements

School staff shall verbally report the use of physical restraints to the principal of the restraint as soon as possible, and by written report no later than the next school working day. If the principal is out, the (title of assistant school leader) shall be notified.

The *principal* or designee shall maintain an ongoing record of all reported instances of physical restraint.

The *principal* or designee shall verbally inform the student's parents or guardian of the restraint *within 8 hours*, and by written report postmarked no later than three school working days following the use of restraint. If the school customarily provides the parent or guardian of a student with necessary school-related information in a language other than English, the written restraint report shall be provided to the parent or guardian in that language.

Special Circumstances

Restraint administered to a student with a disability pursuant to a Functional Behavior Assessment (FBA), IEP, and Behavior Intervention Plan (BIP), developed in accordance with state and federal law to which the LEA and the student's parents or guardians have agreed, shall be deemed to meet the requirements of these guidelines.

Legal References

California Education Code Section 56520-56525

Community School for Creative Education

School Board Policy Number

Adopted

(Date)