

Use of Restraint and Seclusion

The Board is dedicated to the development and application of best practices within the district's public educational/behavioral 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 physical 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 using pressure or other means. A physical intervention is not a restraining if it is reasonable in the circumstances, uses the minimum exertion of force necessary, and is applied for the purpose of (1) breaking up a fight, (2) stopping a student from engaging in impulsive behavior that threatens the student's immediate safety, which includes preventing a student from running into traffic, climbing on dangerous structures or objects and engaging in other forms of self-harm; or (3) protecting oneself or others from assault, injury, or sexual contact.
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, 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. 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.

6. “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 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 in which a student is held face up on the floor.

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 imposed 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 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.

The following types of physical interventions are always prohibited:

- Chemical restraints
- Mechanical restraints
- Prone restraints
- Supine restraints
- Restraints that 1) place or risk placing pressure on a student’s mouth, unless this is necessary to extract a body part (such as an arm) from a bite, or (3) obstruct or risk obstructing a student’s breathing
- Restraints that place or risk placing a knee, foot, or elbow on a student’s stomach or back
- Intentionally placing a body part or object on a student’s neck, throat, genitals, or other intimate body parts
- Intentionally using a solid object (such as a wall or the floor) to impede a student’s movement, unless this is necessary to prevent an imminent life-threatening injury or to gain control of a weapon
- Any restraint designed for the primary purpose of inflicting pain

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 threat of imminent, serious physical harm to the student or others.

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 will implement 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 when the student's behavior imposes a reasonable threat of imminent, serious bodily injury to the student or to others. The use of physical restraint or seclusion under these circumstances is only allowed so long as the student's behavior poses a threat of imminent, serious physical harm to themselves or to others. Any student being restrained or secluded within the district whether in an emergency or as a part of a plan shall be constantly monitored by staff for the duration of the intervention. 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.

The district shall utilize the Crisis Prevention Institute or other board-approved research/best practice training program of physical restraints and seclusion for use in the district. 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.

An annual review of the use of physical restraint and seclusion shall be completed to ensure compliance with district policies and procedures. The results of the annual review shall be documented- And shall include at a minimum:

1. The total number of incidents of physical restraint;
2. The total number of incidents of seclusion;
3. The total number of seclusions in a locked room;
4. The total number of students placed in physical restraint;
5. The total number of students placed in seclusion;
6. The total number of incidents that resulted in injuries or death to students or personnel as a result of the use of physical restraint or seclusion;
7. The total number of students placed in physical restraint and/or seclusion more than 10 times in a school year;
8. The total number of physical restraint and seclusion incidents carried out by untrained individuals;
9. The demographic characteristics³ of all students upon whom physical restraint and/or seclusion was imposed;

10. The total number of rooms available for use by the district for seclusion of a student and a description of the dimensions and design of the rooms.

This report shall be made available to the Board and to the public at the district's main office and on the district's website.

At least once each school year the public shall be notified as to how to access the report.

The district shall investigate all complaints regarding the use of restraint and/or seclusion practices according to the procedures outlined in Board policy KL 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 OAR 581-002-0001 – 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 physical restraint or seclusion by district personnel.

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 581-021-0563
OAR 581-021-0566
OAR 581-021-0568
OAR 581-021-0569
OAR 581-021-0570

³Including race, ethnicity, gender, disability status, migrant status, English proficiency and status as economically disadvantaged, unless the demographic information would reveal personally identifiable information about an individual student.