

JLDB ©
RESTRAINT AND SECLUSION

Restraint and seclusion are not to be used as disciplinary consequences.

A school may permit the use of restraint or seclusion techniques on any student if both of the following apply:

- A. The student's behavior presents an imminent danger of bodily harm to the student or others.
- B. Less restrictive interventions appear insufficient to mitigate the imminent danger of bodily harm.

If a restraint or seclusion technique is used on a student:

- A. School personnel shall maintain continuous visual observation and monitoring of the student while the restraint or seclusion technique is in use.
- B. The restraint or seclusion technique shall end when the student's behavior no longer presents an imminent danger to the student or others.
- C. The restraint or seclusion technique shall be used only by school personnel who are trained in the safe and effective use of restraint and seclusion techniques unless an emergency situation does not allow sufficient time to summon trained personnel.
- D. The restraint technique employed may not impede the student's ability to breathe.
- E. The restraint technique may not be out of proportion to the student's age or physical condition.

Schools may establish policies and procedures for the use of restraint or seclusion techniques in a school safety or crisis intervention plan if the plan is not specific to any individual student.

Schools shall establish reporting and documentation procedures to be followed when a restraint or seclusion technique has been used on a student. The procedures shall include the following requirements:

- A. School personnel shall provide the student's parent or guardian with written or oral notice on the same day that the incident occurred, unless circumstances prevent same-day notification. If the notice is not provided on the same day of the incident, notice shall be given within twenty-four (24) hours after the incident.
- B. Within a reasonable time following the incident, school personnel shall provide the student's parent or guardian with written documentation that includes information about any persons, locations or activities that may have triggered the behavior, if

known, and specific information about the behavior and its precursors, the type of restraint or seclusion technique used and the duration of its use.

C. Schools shall review strategies used to address a student's dangerous behavior if there has been repeated use of restraint or seclusion techniques for the student during a school year. The review shall include a review of the incidents in which restraint or seclusion technique were used and an analysis of how future incidents may be avoided, including whether the student requires a functional behavioral assessment.

If a school district or charter school summons law enforcement instead of using a restraint or seclusion technique on a student, the school shall comply with the reporting, documentation and review procedures established under the paragraph above. School resource officers are authorized to respond to situations that present the imminent danger of bodily harm according to protocols established by their law enforcement agency.

Schools are not prohibited from adopting policies which include procedures for the reasonable use of physical force by certificated or support staff personnel in self-defense, defense of others and defense of property (A.R.S. 15-843, subsection B, paragraph 3.)

The District authorizes the use of these Definitions which are included in A.R.S. 15-105:

A. "Restraint" means any method or device that immobilizes or reduces the ability of a student to move the student's torso, arms, legs or head freely, including physical force or mechanical devices. Restraint does not include any of the following:

1. Methods or devices implemented by trained school personnel or used by a student for the specific and approved therapeutic or safety purposes for which the method or device is designed and, if applicable, prescribed.

2. The temporary touching or holding of the hand, wrist, arm, shoulder or back for the purpose of inducing a student to comply with a reasonable request or to go to a safe location.

3. The brief holding of a student by one adult for the purpose of calming or comforting the student.

4. Physical force used to take a weapon away from a student or to separate and remove a student from another person when the student is engaged in a physical assault on another person.

B. "School" means a school district, a charter school, a public or private special education school that provides services to students placed by a public school, the Arizona State Schools for the Deaf and the Blind and a private school.

C. "Seclusion" means the involuntary confinement of a student alone in a room from which egress is prevented. Seclusion does not include the use of a voluntary

behavior management technique, including a timeout location, as part of a student's education plan, individual safety plan, behavioral plan or individualized education program that involves the student's separation from a larger group for purposes of calming.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 13-403 *et seq.*
13-2911
15-105
15-341
15-342
15-841
15-842
15-843
15-844

CROSS REF.: GBEB - Staff Conduct JIC - Student Conduct
JK – Student Discipline
JKA - Corporal Punishment
JKD - Student Suspension
JKE - Expulsion of Student

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RESTRAINT/SECLUSION DOCUMENTATION

This form must be completed when school personnel have used a restraint or seclusion technique with a student.

Referral to Law Enforcement: School personnel are required to comply with the reporting, documentation and review procedures required by A.R.S. 15-105 if the school district summoned law enforcement instead of using a restraint or seclusion technique on the student.

Applicable Definitions: For purposes of determining whether this form must be completed, the following definitions apply:

Restraint means any method or device that immobilizes or reduces the ability of a student to move the student's torso, arms, legs or head freely, including physical force or mechanical devices.

Restraint does *not* include any of the following:

1. Methods or devices implemented by trained school personnel or used by a student for the specific and approved therapeutic or safety purposes for which the method or device is designed and, if applicable, prescribed.
2. The temporary touching or holding of the hand, wrist, arm, shoulder or back for the purpose of inducing a student to comply with a reasonable request or to go to 'a safe location.
3. The brief holding of a student by one adult for the purpose of calming or comforting the student.
4. Physical force used to take a weapon away from a student or to separate and remove a student from another person when the student is engaged in a physical assault on another person.

Seclusion means the involuntary confinement of a student alone in a room from which egress is prevented.

Seclusion does *not* include the use of a voluntary behavior management technique, including a timeout location, as part of a student's education plan, individual safety plan, behavioral plan or individualized education program (IEP) that involves the student's separation from a larger group for purposes of calming.

Notification to Parents: Check the appropriate box.

School personnel provided the student's parent/guardian with written or oral notice on the same day the incident occurred; or

Circumstances prevented same day notification to the student's parent/guardian of the incident.

Notice will provided within twenty-four (24) hours after the incident.

Student: _____ Student ID: _____

First

Middle

Last

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RESTRAINT/SECLUSION DOCUMENTATION

Student: _____ Student ID: _____

Grade: _____ Age: _____ DOB: _____ School: _____

Parent(s): _____

Address: _____

Phone: (w) _____ (h) _____ (c) _____

Date of Incident: _____ Location: _____
Month/Day/Year

School personnel were permitted to use the restraint or seclusion technique because both of the following applied (check boxes to confirm that both conditions were met):

The student's behavior presented an imminent danger of bodily harm to the student or others;

Less restrictive interventions appeared insufficient to mitigate the imminent danger of bodily harm.

Description of the student's behavior that presented an imminent danger of bodily harm to the student or others:

Description of the less restrictive interventions that appeared insufficient to mitigate the danger of imminent danger of bodily harm:

School personnel involved in the incident must check the boxes below and provide other information as needed. If a box is not checked "True," school personnel must explain why the particular condition was not met.

1. School personnel maintained continuous visual observation and monitoring of the student while the restraint or seclusion technique was used. True Not True

Personnel who observed and monitored the student:

2. The restraint or seclusion ended when the student's behavior no longer presented an imminent danger to the student or others. **True** **Not True**

3. The restraint or seclusion technique was used only by school personnel who are trained in the safe and effective use of restraint and seclusion techniques, unless an emergency situation did not allow sufficient time to summon trained personnel. **True** **Not True**

4. If an emergency existed that did not allow sufficient time to summon trained personnel, explain the emergency:

5. The restraint technique used did not impede the student's ability to breathe. **True** **Not True**

6. The restraint technique was not out of proportion to the student's age or physical condition. **True** **Not True**

Information (if known) about any persons, locations or activities that may have triggered the student's behavior:

Specific information about the behavior and its precursors:

Type of restraint or seclusion technique used:

Duration of restraint or seclusion technique used: _____ minutes

A review meeting is needed: Yes No

A review meeting to review strategies used to address a student's dangerous behavior *must* be scheduled if there has been repeated use of restraint or seclusion for the student during the school year. If a review meeting is needed, it will be scheduled and separate documentation will be completed.

Person(s) Responsible for Completing Form:

_____ Date: _____

_____ Date: _____

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RESTRAINT/SECLUSION DOCUMENTATION
(Same Day Oral/Written Notification to Parent/Guardian)
or within twenty-four (24) hours if circumstances prevented same day notice

Date provided: _____ / _____ / _____ Time: _____ : _____ .m.

Method of Delivery:

Oral

Written

Hand-delivery (signature required) _____

Mailed: 1st Class Mail-Certificate of Mailing and/or Certified Mail-Return Receipt Requested

E-mailed using address: _____ ; maintain proof of electronic delivery

Name of Parent/Guardian Receiving Notice: _____

Person Providing Notice: _____

Confirmation that a copy of this completed documentation was provided to the Parent/Guardian (provided within a reasonable time following the incident):

Date provided: _____ / _____ / _____ Time: _____ : _____ .m.

Method of Delivery:

Oral

Written

Hand-delivery (signature required) _____

Mailed: 1st Class Mail-Certificate of Mailing and/or Certified Mail-Return Receipt Requested

E-mailed using address: _____ ; maintain proof of electronic delivery

Name of Parent/Guardian Receiving Notice: _____

Person Providing Notice: _____

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RESTRAINT/SECLUSION DOCUMENTATION
(Review of Repeated Use of Restraint or Seclusion Techniques)

A review meeting to review strategies used to address a student's dangerous behavior *must* be scheduled if there has been repeated use of restraint or seclusion for the student during the school year, A.R.S. 15-105.

Student: _____ Student ID: _____

Grade: _____ Age: _____ DOB: _____ School: _____

Parent(s): _____

Address: _____

Phone: (w) _____ (h) _____ (c) _____

Date of Incident: _____ Location: _____

Month/Day/Year

Review current and previous incidents in which physical restraint/seclusion techniques were used:

Review strategies used to address the student's dangerous behavior:

Analyze how future incidents may be avoided:

The Team recommends a Functional Behavioral Assessment: Yes No

Name: _____ Signature: _____ Date: _____

Name: _____ Signature: _____ Date: _____

Name: _____ Signature: _____ Date: _____

Name: _____ Signature: _____ Date: _____

Name: _____ Signature: _____ Date: _____

If parent(s) did not attend the meeting, explain other methods to ensure parent participation and/or child as appropriate (e.g., conference call, videoconference, home visit):
