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**GOVERNING BOARD AGENDA ITEM FORM  
AMPHITHEATER UNIFIED SCHOOL DISTRICT NO. 10**

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**DATE OF MEETING:** March 30, 2010

**TITLE:** Approval of Draft Policy Regarding Restraint and Seclusion of Students

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**BACKGROUND:** On February 9, the Governing Board studied a draft of the attached policy concerning restraint and seclusion of students. This proposal, as the February 9 board item described, follows recommendations which emerged from both state and federal level studies.

Amphitheater School District places an emphasis on a variety of positive behavioral supports and interventions designed to avoid the need for use of restraint or seclusion, but policy concerning necessary use remains advisable.

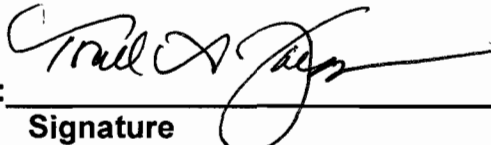
General Counsel has consulted with the Student Services Department and Special Education staff to develop the attached draft policy. It reflects not only many of the recommendations of the Task Force but also those of District staff familiar with our programs, our services and – most importantly – our students.

The administration will also be developing an implementing regulation reflecting the Board's policy. Once approved, the policy and regulation will be formatted for inclusion in the District's policy system and distributed to staff to ensure notice and awareness of this important matter.

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**RECOMMENDATION:** The Administration is presenting the attached draft policy for for adoption, which is recommended at this time.

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<b>INITIATOR:</b>		Todd A. Jaeger	3/24/2010
	Signature	Associate to the Supt.	
		<b>Name/Title</b>	<b>Date</b>

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**ASSOCIATE SUPERINTENDENT  
SIGNATURE:**

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**SUPERINTENDENT SIGNATURE:**



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## Draft Policy

### Amphitheater Unified Schools Office of Legal Counsel

## Draft Policy

### “Seclusion and Restraint of Students”

Students and staff deserve and need safe and orderly environments which are conducive to learning, teaching and working. The general public has a legitimate expectation for the same. This imperative for the school environment requires provisions for the behavior of students, including positive behavioral supports, disciplinary rules and consequences, other interventions, and – in appropriate and rare circumstances – the restraint or seclusion of students.

#### **Definitions**

“Physical restraint” is any method or means by which one or more staff members or others restrict a student’s freedom of movement or physical activity. “Physical Restraint” as addressed by this policy does not include prescribed and generally accepted assistive devices such as standing tables and chairs with safety restraints when those devices are used for therapeutic purposes. This policy also does not pertain to vehicle restraints and restraints used by law enforcement officers in the furtherance of their duties.

“Extended physical restraint” is physical restraint which lasts more than twenty (20) minutes in duration.

“Seclusion” is the involuntary confinement of a student to a room or area in which the student is alone and from which the student is physically prevented from leaving. Any time a student is involuntarily alone in a room and prevented from leaving should be considered seclusion, regardless of the intended purpose and the place where the student is secluded. “Seclusion” under this policy does not include environments such as detention rooms and in-school suspension rooms where students are not alone.

“Extended Seclusion” is a seclusion that lasts for more than twenty (20) minutes.

#### **Limited Use of Physical Restraints and Seclusion**

Procedures for the physical restraint or seclusion of a student should only be used when the physical safety of the student or another is in immediate danger -- where the student or other person is at risk of imminent physical harm.

Prior to use of physical restraint or seclusion, preventive measures such as conflict de-escalation and positive behavioral supports shall be employed. The primary technique to be used is verbal de-escalation, and in all measures, the emphasis shall be on the care, safety, and welfare of students.

In situations where a student's behavior can reasonably be predicted to pose a danger at times (to the student or to others), schools shall develop individualized emergency or safety plans.

Disabled students whose pattern(s) of behavior impedes their learning or the learning of others should receive appropriate educational assessment, including functional behavioral assessments where appropriate. Functional behavioral assessments should be followed by behavioral intervention plans that incorporate appropriate positive behavioral interventions, including instruction in appropriate behavior and strategies students can utilize to de-escalate their own behavior.

Only environments specifically designed and approved by the Superintendent for seclusion shall be used for that purpose. All seclusion environments should be safe and humane and should be inspected at least annually, not only for physical safety (such as fire code compliance), but also for programmatic guidelines and data related to its use.

Any student in seclusion must be continuously observed by an adult both visually and aurally for the entire period of the seclusion.

### **Prohibited Actions:**

District staff members shall not:

- utilize prone physical restraint (placing the student face down on his/her stomach);
- administer any method of restraint or any physical maneuver which places pressure or weight on the chest, lungs, sternum, diaphragm, back, neck, or throat;
- apply restraint in such a manner that prevents a student from breathing or speaking;
- apply restraint or seclusion merely to manage a student's behavior or insubordination;
- administer any chemical or drug-induced form of restraint;
- use a closet for seclusion purposes;

- fail to maintain constant observation of a student in seclusion; or
- lock a student in a seclusion environment or block the exit from the seclusion environment by other objects.

## **Training**

The Superintendent shall develop training for use of physical restraint or seclusion procedures. The training shall, at a minimum, address both the proper and prohibited methods and uses for restraint and seclusion, as well as behavior management strategies which avoid the use of restraint or seclusion.

The act of restraint or seclusion shall only be undertaken by a staff member trained in the procedures developed by the Superintendent, unless the exigent nature of the circumstances require that action be taken by one who is not trained.

## **Reporting**

Staff members shall report instances where physical restraint or seclusion procedures were utilized. The Superintendent shall develop and maintain procedures for reporting. The reporting procedures shall include -- at a minimum -- requirements for: explanation of the emergency, description of the restraint or seclusion methods used, listing of witnesses, and a heightened level of required information in situations involving extended physical restraint, extended seclusion, or student injury.

## **Emergency Exceptions**

Nothing in this policy precludes any teacher or other employee from using reasonable force to protect students, other persons, or themselves from imminent assault or serious physical harm. In addition, nothing in this policy should be construed to interfere with or prohibit law enforcement actions.