



FIRST READING OF SCHOOL BOARD POLICY

POLICY ISSUE/SITUATION:

Attached are OSBA and BSD staff suggested changes presented for a first reading. The following will be reviewed:

- JGAB – Use of Restraint and Seclusion

BACKGROUND INFORMATION:

Departments are continuing to work to reach compliance of the policies pertinent to their areas. During this school year the district will continue to present various sets of new policy changes for review.

RECOMMENDATION:

It is recommended that the School Board review this first reading.

District Goal: All students will show continuous progress toward their personal learning goals, developed in collaboration with teachers and parents, and will be prepared for post-secondary education and career success.

The Beaverton School District recognizes the diversity and worth of all individuals and groups. It is the policy of the Beaverton School District that there will be no discrimination or harassment of individuals or groups based on race, color, religion, gender, sexual orientation, gender identity, gender expression, national origin, marital status, age, veterans' status, genetic information or disability in any educational programs, activities or employment.

Use of Restraint and Seclusion

The District is dedicated to the development and application of best practices within its educational/behavioral programs. This policy shall define 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.
 - a. 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.
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.
 - a. “Mechanical restraint” does not include:
 5. A protective or stabilizing device ordered by a licensed physician; or
 6. A vehicle safety restraint when used as intended during the transport of a student in a moving vehicle.

7. “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 professionals scope of practice.
8. “Prone restraint” means a restraint in which a student is held face down on the floor.

Use of Restraint or Seclusion

The use of physical restraint and/or seclusion is only permitted 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.

Except in the case of an emergency, only staff currently trained 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, other school employee or school volunteer 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/seclusion under all circumstances is only allowed so long as the student’s behavior poses a threat of imminent, serious bodily injury to the student or to others. Use of restraint and/or seclusion in an emergency is subject to all the requirements in this policy and JGAB-AR. Any student being restrained or secluded within the district whether in an emergency or as a part of a behavior plan shall be constantly monitored by staff for the duration of the intervention. Any room used for seclusion of a student must meet the standards outlined in OAR 581-021-0568. ~~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 legally mandated training program on physical restraints and seclusion. 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.

Annual Review

An annual review of the use of physical restraint and seclusion, including a review of all district cases involving restraint and/or 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 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 restraint and/or seclusion more than 10 times in a school year—and an explanation of what steps have been taken by the District to decrease the use of physical restraint and seclusion for each student;
6. The total number of restraint and seclusion incidents carried out by untrained individuals;
7. The demographic characteristics of all students upon whom physical restraint and/or seclusion was imposed.

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 – Public Complaints.

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	OAR 581-021-0061
ORS 339.250	OAR 581-021-0062
<u>ORS 339.288</u>	OAR 581-021-0568
<u>ORS 339.291</u>	OAR 581-021-0569
	OAR 581-021-0570