

**RESOLUTION 10-30 Approval for First Reading of New Board Policy
JGAB – MESD Use of Restraint and/or Seclusion**

This resolution is for first reading for new Board JGAB – MESD Use of Restraint and/or Seclusion.

Background: In recent weeks several school districts have received a letter from the Disability Rights of Oregon requesting them to forward copies of their policies on complaint procedures and annual review documents in regard to student restraint and/or seclusion. In light of these requests we have decided to review the policies regarding this subject matter outside the special education policy review grouping, placing a priority review on them.

Though we utilize OSBA form templates for documenting the procedures we use for this process, we have yet to adopt policies within this area. The Administrative Policy Review Team priority review has allowed us to review our procedures, define a policy for the MESD for the use of student restraint and/or seclusion practices and refine AR's which follow this policy and further provide guidance to staff in programs using these practices.

The Superintendent recommends adoption of the following resolution:

WHEREAS, the Administrative Policy Review Team has reviewed recent Disability Rights of Oregon requests to school districts and our current procedures; and

WHEREAS, Multnomah Education Service District currently does not have a policy in place to address the need for procedures for handling student restraint and/or seclusion; and

WHEREAS, the Board has reviewed new Board Policy JGAB – MESD Use of Restraint and/or Seclusion.

NOW THEREFORE BE IT RESOLVED, that new Board Policy JGAB – MESD Use of Restraint and/or Seclusion is approved for first reading.

BE IT FURTHER RESOLVED, that the Superintendent is directed to bring new Board Policy JGAB – MESD Use of Restraint and/or Seclusion back for second reading and adoption at the next regular meeting of the Board.

**MULTNOMAH
EDUCATION SERVICE DISTRICT**

Code: JGAB

Adopted:

Revised/Readopted:

MESD Use of Restraint and/or Seclusion

MESD is dedicated to the development and application of best practices within the MESD's educational/behavioral programs. It is the intent of MESD 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 restraint and/or seclusion as an intervention with students.

Definitions

“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.

“Seclusion” means the involuntary confinement of a student alone in a room for which the student is prevented from leaving. “Seclusion” does not include “time out.”

“Time out” means 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.

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 MESD’s designated physical restraint and/or seclusion training program will implement physical restraint and/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 to prevent a student from harming his/herself, students, staff or others or from causing damage to property. The use of physical restraint and/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, others or to property. Any student being restrained and/or secluded within the MESD’s educational/behavioral programs, 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.

