

Molalla River School District

Second Reading

Code: **JGAB**
Adopted: 6/12/08
Revised/Readopted: 11/10/11; 1/10/13

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 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.

Seclusion does not include removal of a student for a short period of time to regain self-control in a setting where 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.

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.
5. "Chemical restraint" means a drug or medication used on a student to control behavior or restrict freedom of movement and which has not been prescribed by a licensed or qualified health care professional acting under the professional's scope of practice.
 6. "Prone restraint" means a restraint in which a student is held face down on the floor.

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 case of emergency, only staff current in the required district-designated physical restraint and seclusion training program will use physical restraint or seclusion. In an emergency, when a student's behavior imposes a reasonable threat of imminent, serious bodily injury to the student or others, physical restraint and/or seclusion may also be used by a school administrator, teacher or other school employee or volunteer, as necessary. The use of physical restraint/seclusion under these circumstances is only allowed so long as the student's behavior poses a threat of imminent, serious physical harm to himself or 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 meet the standards as outlined in OAR 581-021-0568.

The district shall utilize the "Oregon Intervention System" training program for physical restraints and seclusion training. 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 during the preceding school year, including a review of all district cases involving restraint and/or seclusion, shall be completed and submitted to the Superintendent of Public Instruction to ensure compliance with district policies and procedures.

The results of the annual review shall be documented and shall at least include:

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 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 and an explanation of what steps have been taken by the district to decrease the use of physical restraint and seclusion for each student;
8. The total number of physical restraint and seclusion incidents carried out by untrained individuals;
9. The demographic characteristics 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 web site.

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 Board policy and the district's administrative regulations.

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 physical restraint or seclusion.

END OF POLICY

Legal Reference(s):

ORS 161.205	ORS 339.250	ORS 339.288	ORS 339.291
OAR 581-021-0061	OAR 581-021-0550	OAR 581-021-0553	
OAR 581-021-0556	OAR 581-021-0559	OAR 581-021-0563	OAR 581-021-0566
OAR 581-021-0568	OAR 581-021-0569	OAR 581-021-0570	

Cross Reference(s):

JGA - Corporal Punishment
JGDA - Discipline of Students with Disabilities
JGEA - Alternative Education Programs Following Expulsion