

OLDHAM COUNTY BOARD OF EDUCATION POLICY

USE OF RESTRAINT AND SECLUSION:

9070

References: KRS 503.080, 503.110, 161.180

Relates to: 9070.01F

Employees may use, within the scope of their employment, such physical restraint as may be reasonable and necessary to protect themselves, students, or others from physical injury; to obtain possession of a weapon or other dangerous object under the control of a student; or to protect property from serious harm.

Because of the potential for injury to students and staff, efforts should be made to limit the need for the use of restraint and for the use of seclusion. Restraint or seclusion should not be used as punishment or discipline (e.g., placing in seclusion for out-of-seat behavior), as a means of coercion or retaliation, or as a convenience. The use of effective alternatives to physical restraint and seclusion, such as positive behavioral interventions and supports, should be considered whenever possible and reasonably calculated to be effective.

A sufficient number of teachers and other personnel will be trained at regular intervals on the appropriate and safe use of physical restraint pursuant to the district's Safe Schools Policy on crisis prevention and management (CPI or SCM). Schools will not use mechanical restraints to restrict a child's freedom of movement, nor use a drug or medication to control behavior or restrict freedom of movement (except as authorized by a licensed physician or other qualified health professional). Use of restraint should be continuously, visually monitored to ensure the appropriateness of its use and safety of the child, other children, teachers, and other personnel. Consistent with CPI and SCM training, incidents of restraint should be documented and parents should be notified following each instance in which restraint is used with their child.

All seclusion environments should be inspected at least annually to ensure that they are of reasonable size permitting students to lie or sit down, have adequate ventilation including heat and air conditioning as appropriate, have adequate lighting, and be free of any potential or predictable safety hazards such as electrical outlets, equipment, and breakable glass. Areas designated as seclusion environments must permit direct continuous visual and auditory monitoring of the student and have non-locking doors. Staff members should document incidents of seclusion, including such information as the antecedent behavior, the amount of time in seclusion, the student's behavior while in seclusion, and the effectiveness of the seclusion in calming the student's behavior.

The use of restraint or seclusion, particularly when there is repeated use for an individual child, multiple uses within the same classroom, or multiple uses by the same individual, should trigger a review and, if appropriate, revision of strategies currently in place to address dangerous behavior. Behavioral strategies to address dangerous behavior that result in the use of restraint or seclusion should address the underlying cause or purpose of the dangerous behavior.

Physical restraint: personal restriction that immobilizes or reduces the ability of a student to move his or her torso, arms, legs, or head freely. The term physical restraint does not include a physical escort. Physical escort means a temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is acting out to walk to a safe location. It also does not include behavioral interventions used as a response to calm and comfort (e.g., proximity control, verbal soothing) an upset student.

Mechanical restraint: the use of any device or equipment to restrict a student's freedom of movement. This term does not include devices implemented by trained school personnel, or utilized by a student that have been prescribed by an appropriate medical or related services professional and are used for the specific and approved purposes for which such devices were designed, such as: Adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; Vehicle safety restraints when used as intended during the transport of a student in a moving vehicle; Restraints for medical immobilization; or Orthopedically prescribed devices that permit a student to participate in activities without risk of harm.

Seclusion: the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. It does not include classroom timeouts, supervised in-school detentions, or out-of-school suspensions.