

STUDENT SERVICES

File JM

RESTRAINT AND SECLUSION OF STUDENTS

~~Physical and mechanical restraint and seclusion may only be used consistent with this policy.~~

~~As used in this policy,~~

~~“physical restraint” means the use of physical force to restrict the free movement of all or a part of student’s body. Excluded from this definition is the use of procedures the use of which is documented in the student’s Individualized Education Plan (IEP), Section 504 plan, or behavior intervention plan;~~

~~“mechanical restraint” means the use of any device or material attached to a student’s body that restricts freedom of movement or normal access to any portion of the student’s body and that the student cannot easily remove. Excluded from this definition is the use of devices or materials the use of which is documented in the student’s Individualized Education Plan (IEP), Section 504 plan, or behavior intervention plan;~~

~~“seclusion” means the confinement of a student alone in a separate enclosed space, in a manner that prevents the student from leaving. Seclusion is permitted in accordance with a student’s IEP, Section 504, or behavior intervention, plan, or to prevent injury to the student or others. When a student is placed in seclusion, he or she will be monitored by a staff member in close proximity. It is preferable that the staff member can see or observe the student. A student placed in seclusion will be released from seclusion upon cessation of the behaviors that led to the seclusion; after a reasonable period of time in the seclusion setting during which it is determined that the seclusion will not be effective; or in accordance with the student’s IEP, Section 504 plan, or behavior intervention plan. The space used for seclusion must be appropriately lighted, ventilated, and heated or cooled, and free from objects that unreasonably expose the student or others to harm.~~

~~Physical restraint, mechanical restraint, and seclusion may only be used by a staff member who has been trained in the proper use of the technique applied or device utilized and should only be used in the following circumstances:~~

- ~~● as needed to protect an individual from his or her own actions;~~
- ~~● as needed to protect others from injury by the restrained person;~~
- ~~● as needed to quell a disturbance;~~
- ~~● as needed to gain possession of weapons or other dangerous objects on the person or within the control of a student;~~
- ~~● as needed for self-defense;~~
- ~~● as needed to escort a student safely from one area to another;~~
- ~~● as reasonably needed to prevent imminent destruction to school or another person’s property;~~

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- ~~when using seat belts or other safety restraints to secure a student during transportation;~~
- ~~to direct the movement or actions of a student to avoid the undue or deliberate~~
~~disruption of the learning environment;~~
- ~~as authorized by the Code of Virginia, or~~
- ~~as authorized by a student's IEP, Section 504 plan or behavior intervention plan.~~

~~Nothing in this policy is intended to limit the application of Va. Code §22.1-279.1 which provides generally that:~~

~~No teacher, principal or other person employed by the School Board shall subject a student to corporal punishment. This prohibition of corporal punishment shall not be deemed to prevent~~

- ~~the use of incidental, minor or reasonable physical contact or other actions designed to maintain order and control;~~
- ~~the use of reasonable and necessary force to quell a disturbance or remove a student from the scene of a disturbance which threatens physical injury to persons or damage to property;~~
- ~~the use of reasonable and necessary force to prevent a student from inflicting physical harm on himself;~~
- ~~the use of reasonable and necessary force for self-defense or the defense of others;~~
- ~~the use of reasonable and necessary force to obtain possession of weapons or other dangerous objects or controlled substances or paraphernalia which are upon the person of the student or within his control;~~
- ~~physical pain, injury or discomfort caused by participation in practice or competition in an interscholastic sport; or~~
- ~~participation in physical education or an extracurricular activity.~~

Documentation and Notice to Parents

~~A parent or guardian will be notified in writing or by phone within 24 hours after any use of~~

- ~~physical restraint; or~~
- ~~seclusion resulting in observed physical injury to the student.~~

~~The staff member who utilizes restraint or seclusion will be responsible for making a record of information regarding its use including the date, time, duration, precipitating behavior,~~

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~~outcome and other pertinent observations. Documentation is not required when using mechanical devices that are authorized and utilized for the student's safety or physical support such as bus harnesses, lap belts, rifton chairs and similar devices. This policy does not permit the use of a restraining device to limit a student's mobility when that device is not ordinarily used with the student.~~

School personnel may implement physical restraint or seclusion only when other interventions are, or would be, in the reasonable judgment of the school personnel implementing physical restraint or seclusion in an emergency situation, ineffective and only to:

1. Prevent a student from inflicting serious physical harm or injury to self or others;
2. Quell a disturbance;
3. Remove a student from the scene of a disturbance in which the student's behavior or damage to property threatens serious physical harm or injury to persons;
4. Defend self or others from serious physical harm or injury; or
5. Obtain possession of controlled substances or paraphernalia or weapons or other dangerous objects that are upon the person of the student or within the student's control.

Physical restraint and seclusion shall be discontinued as soon as the imminent risk of serious physical harm or injury to self or others presented by the emergency situation has dissipated.

Nothing in this policy shall be construed to require school personnel to attempt to implement a less restrictive intervention before using physical restraint or seclusion where, in the reasonable judgment of the school personnel in an emergency situation, a less restrictive intervention would be ineffective.

The School Board encourages the use of positive behavioral interventions and supports to reduce and prevent the need for the use of physical restraint and seclusion.

The superintendent is responsible for developing procedures to address the requirements of the Virginia Board of Education Regulations regarding physical restraint and seclusion in public schools.

The School Board will review this policy at least annually and update it as needed.

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Adopted: June 26, 2014
Revised: TBD

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-78, ~~22.1-279.1~~, 22.1-279.1,
22.1-279.1:1.

8 VAC 20-750-40.

8 VAC 20-750-50.

8 VAC 20-750-70.

Cross Refs.:	<u>BF</u>	<u>Board Policy Manual</u>
	<u>CH</u>	<u>Policy Implementation</u>
	<u>EB</u>	<u>School Crisis, Emergency Management, and Medical Emergency Response Plan</u>
	IGBA	Programs for Students with Disabilities
	JFC	Student Conduct
	JFC-R	Standards of Student Conduct
	JGA	Corporal Punishment
	JGDA	Disciplining Students with Disabilities
	JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury
	<u>KNAJ</u>	<u>Relations with Law Enforcement Authorities</u>