

Restraint is not a behavior intervention; it's an EMERGENCY intervention and shall only be used with extreme caution!

Definition of Emergency

- Serious, probable, imminent threat of bodily injury to self or others with the present ability to effect such bodily injury
- Includes situations in which the student creates such a threat by abusing or destroying property

4 Types of Restraint

- **Chemical**
 - Administering medication to a student (including medications prescribed by the student's physician) on an as-needed basis for the sole purpose of involuntarily limiting the student's freedom of movement
 - Does not include:
 - Prescription medication that is regularly administered to the student for medical reasons other than to restrain the student's freedom of movement
 - The administration of medication for voluntary or life-saving medical procedures
- **Mechanical**
 - Mechanical Restraint means a physical device used to involuntarily restrict movement.
 - It does not include:
 - Devices recommended by a physician, Occupational Therapist, or Physical Therapist and agreed to by the IEP team
 - Protective devices in accordance with the IEP
 - Adaptive devices as recommended by a therapist and consistent with the IEP
 - Positioning or securing devices to treat medical needs
 - Exceptions:
 - Armed Security Officers (SRO) trained in the use of handcuffing procedures and used in the process of detaining for law enforcement officials
 - Officers hired by school and not under direction of the police department do not fit within this exception; they must follow the CDE rules
 - Transportation: they have their own rules and regulations
- **Physical**
 - Physical Restraint means the use of bodily, physical force to involuntarily restrict a student's freedom of movement.
 - Physical restraint does not include:
 - Holding of a student for less than 5 minutes
 - If the hold limits the student's freedom of movement, still fill out a restraint form, notify parents the same day of the hold, and send copy of report to parents
 - Brief holding for calming or comforting
 - Minimal physical contact for safely escorting a student or assisting a student in completing a task or response
 - **The 5-minute rule applies only to physical restraints.**
 - A student shall be released from physical restraint within 15 minutes, except when precluded for safety reasons
 - Must release when emergency subsides
- **Seclusion**
 - Seclusion means the placement of a student alone in a room from which egress is prevented.
 - Seclusion is a form of restraint.
 - Seclusion does not mean time out.
 - Time out is removing a student from potentially rewarding people or situations.
 - Time out is not used primarily to confine a student but to limit access to reinforcement.
 - In a time out, the student is not physically prevented from leaving the time out area.

Training Requirements

- Only trained staff shall administer restraints.
- Training must meet minimum requirements in law (CPI meets all of these requirements).

Consent / Notification for use of restraint / Seclusion

- Parental permission/consent are not required.
- If there is a “reasonable probability” restraint might be used, staff must notify parents in writing.
 - If the student has an IEP, it can be documented in the Behavior Intervention Plan (BIP) or crisis plan.
 - Notification includes restraint procedures, circumstances in which restraint might be used and staff who may be involved.
 - If a parent requests a meeting regarding notification, one must be held.

Follow-up after restraint/seclusion is used:

- **Document the restraint** using a district approved restraint documentation form.
 - Staff report on an incident must be submitted to building administration within one (1) calendar day.
- **Verbally notify parent** as soon as possible but no later than the end of the school day that the restraint was used.
- **Provide a written report to parents** after a thorough review of the incident within five (5) calendar days of the use of restraint (see below).
- **Conduct an Internal Review** of each use of restraint within five (5) calendar days of the restraint.
 - Each incident must be reviewed to ensure use of appropriate procedures and to minimize future use.
 - The review shall include but is not limited to:
 - All staff review of the incident at a team meeting by staff involved in the restraint, whether administering or observing
 - Follow up communication with the student and his/her family
 - Review of the documentation to ensure use of alternative strategies
 - Recommendations for adjustment of procedures, if appropriate
 - Written reports of the restraint used

Repercussions if a restraint is not done correctly or documented well:

- The Legal Center investigation based on a complaint
- Police investigation
- Internal school district investigation
- CDE grievance process
- Press coverage
- Civil lawsuits

Restraint issues likely to be investigated:

- Non-emergency restraints
- Restraints resulting in injuries
- Lack of / inappropriate documentation
- Restraints used as discipline
- Inappropriate use of seclusion