

Dell Rapids School District #49-3

Policies and Regulations **Code: JGC – Students**



JGC RESTRAINT AND SECLUSION

I. Policy Rationale and Philosophy:

Reasonable efforts should be made to prevent the use of restraint and the use of seclusion. The District believes that the school environment should be one in which the care, safety, and welfare of all students and staff members are priorities. Efforts to promote positive interactions and solutions to potential conflict should be extensive. In the event that an individual's behavior presents a threat of imminent harm to self or others the use of approved physical intervention or seclusion strategies to maintain a safe environment may be used as a last resort.

II. Definitions:

a. Physical Restraint:

- i. The use of physical contact that immobilizes or reduces the ability of a student to move their arms, legs, body, or head freely. Such term does not include a physical escort, mechanical restraint, or chemical restraint.
- ii. Physical restraint does not include brief, but necessary physical contact for the following or similar purposes:
 1. To break up a fight;
 2. To knock a weapon away from a student's possession;
 3. To calm or comfort;
 4. To assist a student in completing a task/response if the student does not resist the contact;
 5. To prevent an impulsive behavior that threatens the student's immediate safety (i.e. running in front of a car).

b. Mechanical Restraint

- i. 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:
 1. 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;
 2. Vehicle safety restraints when used as intended during the transport of a student in a moving vehicle; Restraints for medical immobilization; or

3. Orthopedically prescribed devices that permit a student to participate in activities without risk of harm.
- c. Chemical Restraint
 - i. Any medication primarily used to control or subdue behavior, and which is not being used to treat an underlying physical or mental illness or a physical condition.
 - d. Seclusion:

The involuntary isolation of a student in a room, enclosure or space from which the student is prevented from leaving by physical restraint or by a closed door or other physical barrier. It does not include a timeout.
 - e. Time Out:

A behavioral intervention in which a student, for a limited and specified time, is separated from the class within the classroom or in a non-locked setting for the purpose of self-regulating and controlling his or her own behavior. In a timeout, the student is not physically restrained or prevented from leaving the area by physical barriers.

III. **Requirements for the use of Physical Restraint:**

Physical restraint may be used only when there is an immediate risk of physical harm to the student or others and no other safe and effective intervention is possible. If physical restraint is applied the staff member must:

- a. implement in a manner that is age and developmentally appropriate;
- b. ensure safety of other students and protect the dignity and respect of the student involved. Combine use with other approaches (non-physical interventions are always preferred) that will diminish the need for physical intervention in the future;
- c. use the least amount of force necessary, for the least amount of time necessary;
- d. be appropriately-trained;
- e. continually observe the student in restraint for indications of physical or mental distress;
- f. contact appropriate emergency entities according to district crisis policy if at any point the staff assesses that the intervention is insufficient to maintain safety of all involved;
- g. remove the student from physical restraint immediately when the immediate risk of physical harm to self or others has dissipated; following the use of physical restraint, the individual should be assessed for injury or psychological distress and monitored as needed following the incident.

IV. Requirements for the use of Mechanical Restraint:

Mechanical Restraint Mechanical restraint shall only be used as specified in a student's IEP or Section 504 plan with two exceptions:

- i. Vehicle safety restraints shall be used according to state and federal regulations.
- ii. Mechanical restraints employed by law enforcement officers in school settings should be used in accordance with their policies and appropriate professional standards.

V. Requirements for the use of Seclusion:

Given a threat of immediate risk of physical harm to the student or others, the following principles must always be applied:

- a. A room or area used for seclusion must:
 - i. provide for adequate space, lighting, ventilation, clear visibility and the safety of the student; and
 - ii. not be locked.
- b. Staff must:
 - i. implement in a manner that is age and developmentally appropriate;
 - ii. ensure safety of other students and protect the dignity and respect of the student involved;
 - iii. the least amount of time necessary;
- c. staff must continually observe the student for the duration of the seclusion.

VI. Prohibited Use of Restraint and Seclusion:

- a. No employee of the Dell Rapids Public School District will use the method of prone restraint, defined as physical pressure applied to any part of the student's body to keep the student in a face down position on the floor or other surface
- b. The use of seclusion will not be used as a form of punishment or as a means to coerce or retaliate.
- c. Chemical Restraint Chemical restraints shall never be used by school personnel.

VII. Reporting and De-Briefing Requirements after the use of Physical Restraint or Seclusion:

- a. The staff member(s) using physical restraint or seclusion shall complete all district required reports and document staff's observations of the student.
 - i. As soon as possible under the circumstances the staff member(s) using physical restraint or seclusion shall inform the appropriate school administrator of the use of physical restraint or seclusion.
 - ii. The District's Incident Report Form (JGC 1) shall be completed upon occurrences of physical restraint or seclusion.
 - iii. Completion of the form and submission of the Incident Report to the appropriate administrator must be done the same day the staff member(s) used physical restraint or seclusion.
 - iv. An administrator shall attempt to contact the parent/guardian during the same day of incident.
 - v. A copy of the Incident Report must be made available to parent/guardian by the administrator within 24 hours after receipt of the Incident Report.

- b. The administration shall conduct a debriefing with all involved staff and parents and, if appropriate, the student;
 - i. Debrief utilizing the District's Debriefing Form (JGC 2).
 - ii. evaluate the trigger for the incident, staff response, and methods to address the student's behavioral needs;

LEGAL REF: SB 46 (Chapter 99 School District Policy Limiting the Use of Restraint and Seclusion)

Adopted: June 27, 2018
Revised: October 14, 2019