

# REGULATION

UNION COUNTY  
EDUCATIONAL  
SERVICES COMMISSION  
PUPILS

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Use of Physical Restraint and Seclusion Techniques  
For Students with Disabilities  
M

## **R 5561 USE OF PHYSICAL RESTRAINT AND SECLUSION TECHNIQUES FOR STUDENTS WITH DISABILITIES**

### **A. Definitions**

“Physical restraint” means the use of a personal restriction that immobilizes or reduces the ability of a student to move all or a portion of his or her body.

“Seclusion technique” means the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving, but does not include a timeout.

“Timeout” means a behavior management technique that involves the monitored separation of a student in a non-locked setting, and is implemented for the purpose of calming.

### **B. Physical Restraint**

A school district, an educational services commission, or an approved private school for students with disabilities (APSSD) that utilizes physical restraint on students with disabilities shall ensure that:

- 1. Physical restraint is used only in an emergency in which the student is exhibiting behavior that places the student or others in immediate physical danger;**
- 2. A student is not restrained in the prone position, unless the student’s primary care physician authorizes, in writing, the use of this restraint technique;**
- 3. Staff members who are involved in the restraint of a student receive training in safe techniques for physical restraint from an entity determined by the Board of Education to be qualified to provide such training, and that the training is updated at least annually;**
- 4. The parent of a student is immediately notified when physical restraint is used on the student. This notification may be by telephone or electronic communication. A full written report of the incident of physical restraint shall be provided to the parent within forty-eight hours of the occurrence of the incident;**

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5. Each incident in which physical restraint is used is carefully and continuously visually monitored to ensure it was used in accordance with established procedures set forth in Policy and Regulation 5561 – Use of Physical Restraint and Seclusion Techniques for Students with Disabilities, developed in conjunction with the entity that trains staff in safe techniques for physical restraint, in order to protect the safety of the child and others; and
6. Each incident in which physical restraint is used is documented in writing in sufficient detail to enable staff to use this information to develop or improve the behavior intervention plan at the next individualized education plan meeting.

A school district, an educational services commission, and an APSSD shall attempt to minimize the use of physical restraints through inclusion of positive behavior supports in the student's behavior intervention plans developed by the individualized education plan team.

## C. Physical Restraint Training Requirements

The training requirements on the use of physical restraint shall be as follows:

1. Building level administrators and school staff members who are involved in the restraint of a student shall receive training in safe techniques for physical restraint from an entity determined by the Board to be qualified to provide such training.
  - a. The Principal or designee shall determine the school staff members that shall receive training in safe techniques for physical restraint of a student.
  - b. Training may include techniques of prevention and de-escalation, as well as alternatives to physical restraint.
  - c. Training may include current professionally accepted practices and standards regarding behavior management.
  - d. The training program in safe techniques for physical restraint shall be updated at least annually.

## D. Interventions

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1. **Classroom interventions may include, but not be limited to, the following strategies:**
    - a. **The staff member may ignore the behavior;**
    - b. **The staff member may redirect the student to a task with verbal or non-verbal prompts or gestures. Proximity and the use of gentle humor may help, when appropriate;**
    - c. **The staff member shall be clear, polite, and respectful when redirecting the student's behavior. If the student has a Behavior Intervention Plan, implementation strategies for behavior management should be followed.**
    - d. **The staff member may advise the student to proceed to a time out area in the classroom or other identified area in the school for a limited time (elementary and middle school);**
    - e. **If classroom removal is required, the staff member shall follow school discipline procedures for notification and request for assistance if necessary.**
  2. **Security interventions may include, but are not limited to, the staff member:**
    - a. **Standing quietly in the doorway and asking the student to accompany the staff member; and**
    - b. **Informing the student of the violation of the school discipline code and procedure and assure the student they have the choice to leave the classroom quietly.**
- E. Use of Physical Restraint**
1. **If necessary, the staff member shall restrain the student until the emergency no longer exists (i.e. the student stops punching, kicking, spitting, damaging property, etc.).**
  2. **The school staff member shall immediately contact the appropriate administrator and school nurse and complete a written report on the physical restraint the staff member used during the emergency situation.**

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3. The Principal's or designee's or any school staff member's report regarding the incident shall be documented in writing in sufficient detail to enable staff to use this information to develop or improve the behavior intervention plan at the next individualized education plan meeting. The documentation of physical restraint shall be placed in the student's school file.
4. The use of physical restraint is subject to the following additional requirements:
  - a. Physical restraint techniques shall consider the student's medical conditions and shall be modified as necessary;
  - b. Students shall not be subjected to physical restraint for using profanity, other verbal displays or disrespect, or for non-compliance. A verbal threat will not be considered as constituting a physical danger unless a student also demonstrates a means of or intent to carry out the threat;
  - c. In determining whether a student who is being physically restrained should be removed from the area where the restraint was initiated, the supervising staff should consider the potential for injury to the student, the student's need for privacy, and the educational and emotional well-being of the other students in the vicinity;
  - d. A student shall be released from physical restraint immediately upon a determination by the staff member administering the restraint that the student is no longer in imminent danger of causing harm to himself/herself, others, or imminent property destruction; and
  - e. The student shall be examined by the school nurse after any restraint.

## F. Seclusion Techniques

A school district, an educational services commission, or an APSSD that utilizes seclusion techniques on students with disabilities shall ensure that:

1. A seclusion technique is used on a student with disabilities only in an emergency in which the student is exhibiting behavior that places the student or others in immediate physical danger;
2. Each incident in which a seclusion technique is used is carefully and continuously visually monitored to ensure that it was used in accordance

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3. Each incident in which a seclusion technique is used is documented in writing in sufficient detail to enable staff to use this information to develop or improve the behavior intervention plan at the next individualized education plan meeting.

A school district, an educational services commission, and an APSSD shall attempt to minimize the use of seclusion techniques through inclusion of positive behavior supports in the student's behavior intervention plans developed by the individualized education plan team.

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