

Restraints and Seclusion Policy – CDHA School 25-26

The document outlines the regulations regarding the use of restraint and seclusion in New Mexico public schools to ensure the safety and rights of students. It emphasizes the conditions under which such measures may be applied and mandates the establishment of policies for their use.

- **Legal Framework:** The use of restraint and seclusion is governed by New Mexico law NMSA 22-5-4.12 and relevant PED rules, applicable to all students, including those with disabilities.
- **Conditions for Use:** Restraint or seclusion may only be employed if a student's behavior poses an imminent danger of serious physical harm and less restrictive interventions are inadequate.
- **Techniques and Training:** Any techniques used must not impede breathing or speaking, must be age-appropriate, and should only be executed by trained personnel who maintain continuous observation of the student.
- **Policy Development:** Christine Duncan Heritage Academy must create and regularly review policies on restraint and seclusion, ensuring they are included in the school safety plan and consider strategies for reintegrating students after such incidents.
- **Incident Review:** A review process is mandated if a student is restrained or secluded multiple times within a month to evaluate behavioral strategies and training needs for personnel involved.
- **Training of staff:** The Crisis Response Team will be trained utilizing Crisis Prevention Intervention (CPI) techniques and intervention strategies to de-escalate crisis situation. The Crisis Response Team will be trained and updated annually.

Documentation Requirements: Christine Duncan Heritage Academy is required to notify parents on the same day of an incident and provide detailed documentation, as well as report incidents to the department periodically. Christine Duncan Heritage Academy is required to report to the department, through the department's data collection and reporting system, the following information at the end of each reporting period (40, 80, 120, and End of Year):

- all instances in which a restraint or seclusion technique is used;
- all instances in which law enforcement is summoned instead of using a restraint or seclusion technique;
- the names of the students and school personnel involved in an incident in which restraint or seclusion was used; and

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- if a student was restrained, the type of restraint, including mechanical restraint or physical restraint, that was used.
- The names, professional license numbers, and positions of school personnel trained in de-escalation strategies or other comparable behavior management techniques, the date of the training, and the source of training.

All of these reporting and documentation provisions apply when using restraint and seclusion techniques. If law enforcement personnel are summoned in lieu of restraint and seclusion, Christine Duncan Heritage Academy still is required to comply with the reporting, documentation, and review procedures.