

RESTRAINT AND SECLUSION LAWS IN CONNECTICUT

The following sets forth Connecticut law related to the physical restraint and seclusion of persons at risk, which can be found in Public Act 07-157, amending Connecticut General Statutes Sections 46a-150 through 46a-153, 10-76b, and 10-76d. The Northwestern Regional School District No. 7 Board of Education mandates compliance with these laws at all times.

I. The following definitions apply to these procedures:

- Life-threatening physical restraint means any physical restraint or hold of a person that restricts the flow of air into a person's lungs, whether by chest compression or any other means, or immobilizes or reduces the free movement of a person's arms, legs, or head while the person is in the prone position.
- A psychopharmacologic agent means any medication that affects the central nervous system, influencing thinking, emotion, or behavior.
- School employee means a teacher, substitute teacher, school administrator, superintendent, guidance counselor, school counselor, psychologist, social worker, nurse, physician, school paraprofessional, or coach employed by the board of education or working in a public elementary, middle or high school; or any other individual who, in the performance of his/her duties has regular contact with students and who provides services to or on behalf of students enrolled in the district's schools, pursuant to a contract with the board of education.
- Student means a child (A) enrolled in grades kindergarten to twelve, inclusive, in a public school under the jurisdiction of a local or regional board of education, (B) receiving special education and related services in an institution or facility operating under contract with a local or regional board of education, (C) enrolled in a program or school administered by a regional education service center, or (D) receiving special education and related services from an approved private special education program, but shall not include any child receiving educational services from Unified School District #2 or the Department of Mental Health and Addiction Services.
- Provider: A person who provides direct care or supervision of a person at risk.
- Assistant Provider or Assistant: A person assigned to provide, or who may be called upon in an emergency to provide, assistance or security to a provider or supervision of a person at risk.

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- **Person at Risk:** A person receiving care or supervision in an institution or facility operated by, licensed or authorized to operate by, or operating pursuant to a contract with the Department of Public Health, Developmental Services, Children and Families, or Mental Health Addiction Services.
- **Life-Threatening Physical Restraint:** Any physical restraint or hold of a person that restricts the flow of air into a person's lungs, whether by chest compression or any other means.
- **Physical Restraint:** Any mechanical or personal restriction that immobilizes or reduces the free movement of a person's arms, legs, or head, including, but not limited to, carrying or forcibly moving a person from one location to another. The term does not include: (A) Briefly holding a person in order to calm or comfort the person; (B) restraint involving the minimum contact necessary to safely escort a person from one area to another; (C) medical devices, including, but not limited to, supports prescribed by a health care provider to achieve proper body position or balance; (D) helmets or other protective gear used to protect a person from injuries due to a fall; (E) helmets, mitts and similar devices used to prevent self-injury when the device is part of a documented treatment plan and is the least restrictive means available to prevent such self-injury or an exclusionary time out.
- **Seclusion:** The involuntary confinement of a person in a room from which the person is physically prevented from leaving. Seclusion does not include an exclusionary time-out.
- **Exclusionary Time Out:** The temporary, continuously monitored separation of a student from an ongoing activity in a non-locked setting, for the purpose of calming such student or de-escalating such student's behavior.

II. Procedures for Physical Restraint of Persons at Risk

No school employee, provider, or assistant shall, under any circumstance, use a life-threatening physical restraint on a person at risk.

No school employee, provider, or assistant shall use involuntary physical restraint on a person at risk EXCEPT as an emergency intervention to prevent immediate or imminent injury to the person at risk or to others.

Physical restraint of a student or person at risk shall never be used as a disciplinary measure or as a convenience.

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School employees, providers, and assistants must explore all less restrictive alternatives prior to using physical restraint for a person at risk.

School employees, providers, and assistants must comply with all regulations promulgated by the Connecticut State Board of Education in their use of physical restraint with a person at risk.

Monitoring

A school employee, provider, or assistant must continually monitor any student or person at risk who is physically restrained. The monitoring must be conducted by direct observation of the person at risk.

A school employee, provider, or assistant must regularly evaluate the person being restrained for signs of physical distress. The school employee, provider or assistant must record each evaluation in the educational record of the person being restrained.

Documentation and Communication

A school employee or provider must notify the parent or guardian of a person at risk of each incident that the person at risk is physically restrained.

The School/Administrator/Director of Special Education must be notified of the following:

- a. each use of physical restraint;
- b. the nature of the emergency that necessitated its use; AND
- c. if the physical restraint resulted in physical injury.

After a physical restraint occurs, the following information must be documented in the educational file of the student who was physically restrained:

- a. in the case of an emergency use, the nature of the emergency and what other steps, including attempts at verbal de-escalation, were taken to prevent the emergency from arising if there were indications that such an emergency was likely to arise;
- b. a detailed description of the nature of the restraint;
- c. the duration of the restraint; AND
- d. the effect of the restraint on the person's established behavioral support or educational plan.

III. Procedures for Seclusion of a Student

No school employee shall use involuntary seclusion on a student except as an emergency intervention to prevent immediate or imminent injury to the student or to others.

Seclusion of a student shall never be used as a disciplinary measure or as a convenience.

Seclusion shall not be utilized as a planned intervention in a student's behavioral intervention plan, individualized education program or plan pursuant to Section 504 of the Rehabilitation Act of 1973.

School employees, providers and assistants must explore all less restrictive alternatives prior to using seclusion. An Individualized Education Program Team ("IEP Team") may not incorporate the use of seclusion into a child's IEP.

School employees, Providers and assistants must comply with all regulations promulgated by the Connecticut State Board of Education in their use of seclusion.

Monitoring

A school employee, provider or an assistant must frequently monitor any person at risk who is placed in seclusion. The monitoring must be conducted by direct observation of the person at risk.

A school employee, provider or an assistant must regularly evaluate the person in seclusion for signs of physical distress. The school employee, provider or assistant must record each evaluation in the educational record of the person who is in seclusion.

Documentation and Communication

A school employee, provider must notify the parent or guardian of a student of each incident that the student is placed in seclusion.

The Director of Special Education must be notified of the following:

- a. each use of seclusion on a student;
- b. the nature of the emergency that necessitated its use;
- c. if the seclusion resulted in physical injury to the student.

After seclusion occurs, the following information must be documented in the educational file of the student who was placed in seclusion:

- a. in the case of an emergency use, the nature of the emergency and what other steps, including attempts at verbal de-escalation, were taken to prevent the emergency from arising if there were indications that such an emergency was likely to arise;
- b. a detailed description of the nature of the seclusion;
- c. the duration of the seclusion; AND
- d. the effect of the seclusion on the person's established behavioral support or educational plan.

IV. Exclusionary Time Out

Not later than January 1, 2019, the Board establishes the following requirements regarding exclusionary time-outs, which include, but need not be limited to the following:

- 1. Exclusionary time-outs are not to be used as a form of discipline.
- 2. at least one school employee remains with the student, or is immediately available to the student, such that the student and school employee are able to communicate verbally, throughout the exclusionary time out;
- 3. The space used for an exclusionary time out is clean, safe, sanitary, and appropriate for the purpose of calming such a student or de-escalating such a student's behavior;
- 4. the exclusionary time-out period terminates as soon as possible; and
- 5. If such a student is a child requiring special education, as defined in C.G.S. 10-76a, or a child being evaluated for special education, pursuant to C.G.S. 10-76d, and awaiting a determination, and the interventions or strategies are unsuccessful in addressing such student's problematic behavior, such student's planning and placement team shall convene as soon as is practicable to determine alternative interventions or strategies.

V. Responsibilities of the Superintendent/Director of Special Education

The Superintendent/Director of Special Education, or his or her designee, must compile annually the instances of physical restraint and seclusion within the District and the nature of each instance of physical restraint and seclusion.

The Superintendent/Director of Special Education, or his or her designee, shall report to the Connecticut State Department of Education any instance of physical restraint or seclusion that resulted in physical injury to the person at risk.

The Director of Special Education, or his or her designee, must, at each initial IEP Team meeting for a child, inform the child's parent, guardian, or surrogate parent, or the student if such Student

is an emancipated minor or eighteen years of age or older, of the laws relating to physical restraint and seclusion as expressed through this regulation, and of the laws and regulations adopted by the Connecticut State Board of Education relating to physical restraint and seclusion.

VI. Responsibilities of the Connecticut State Board of Education

The State Board of Education shall review the annual compilation of each local and regional board of education and shall produce an annual summary report identifying the frequency of use of physical restraint or seclusion on students and specifying whether the use of such seclusion was in accordance with an individualized education program (IEP) or whether the use of such physical restraint or such seclusion was an emergency. Such report shall be submitted on an annual basis as specified by the Department of Education.

The State Board of Education and the Commissioner, receiving a report of serious injury or death resulting from a physical restraint or seclusion, shall report the incident to the Director of the Office of Protection and Advocacy for Persons with Disabilities and, if appropriate, the Child Advocate of the Office of the Child Advocate.

The State Board of Education may regulate the use of physical restraint and seclusion of special education students in the public schools.

The State Board of Education shall adopt regulations concerning the use of physical restraint and seclusion in public schools.

APPENDIX APPROVED: Approved 7/7/2026