

Guidelines for Physical Restraint and Seclusion of Learners

The Lead Facilitator shall be responsible for the implementation and adherence to this Policy. This Policy shall apply to all learners.

Defining Physical Restraint and Seclusion

For purposes of this policy Physical Restraint means:

- A personal restriction that immobilizes or reduces the ability of a learner to move his or her torso, arms, legs, or head freely¹.

For purposes of this policy Seclusion means:

- The involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving².

Permitted Use of Physical Restraint and Seclusion

School personnel shall use physical restraint and seclusion with two guiding principles:

1. Use only when needed to protect a learner and/or a member of the school community from imminent and serious physical harm;
2. To prevent or minimize any harm to the student as a result of the use of physical restraint or seclusion.

Physical restraint is limited to instances where it appears:

1. Non-physical interventions would not have been effective; and
2. The student's behavior poses a threat of imminent and serious physical harm to self and/or others; and
3. As a last resort, after less intrusive interventions have been considered and where time and circumstances make use of law enforcement intervention impractical.

Prohibited Use of Physical Restraint and Seclusion

¹ The term physical restraint does not include a physical escort. (Physical escort means a temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is acting out to walk to a safe location.)

² Seclusion does not include a timeout, which is a behavior management technique that is part of an approved program, involves the monitored separation of the student in a non-locked setting, and is implemented for the purpose of calming.

Physical restraint and seclusion is prohibited in the following circumstances:

1. As a means of punishment; or
2. As a response to property destruction, disruption of school order, a learner's refusal to comply with a school rule or staff directive, disrespectful verbal comments that do not constitute a threat of imminent, serious, physical harm.

Application of Physical Restraint

1. Physical restraint and seclusion, if practical, should be applied by school personnel who have obtained training from a certified physical restraint agency.
2. Where practical, it is preferred, the application of a physical restraint or seclusion be witnessed by one adult who does not participate in the restraint.
3. A person applying a physical restraint shall use only the amount of force necessary to protect the learner or others from physical injury or harm.
4. A person applying a physical restraint shall use a method available and appropriate to the situation following the safety requirements set forth below.
5. A person applying a physical restraint or seclusion shall use only the amount of time necessary to allow the learner to de-escalate.

Prohibited Interventions

1. Any intervention that is designed to, or likely to cause physical pain, including, but not limited to, electric shock.
2. An intervention that involves the release of noxious, toxic, or otherwise unpleasant sprays, mists, or substances in proximity to the face of the individual.
3. An intervention that denies adequate sleep, food, water, shelter, bedding, physical comfort, or access to bathroom facilities.
4. An intervention that is designed to subject, used to subject, or likely to subject, the individual to verbal abuse, ridicule, or humiliation, or that can be expected to cause excessive emotional trauma.
5. Restrictive interventions that employ a device, material, or objects that simultaneously immobilize all four extremities, including the procedure known as prone containment, except that prone containment or similar techniques may be used by trained personnel as a limited emergency intervention.
6. Locked seclusion.
7. An intervention that precludes adequate supervision of the individual.

8. An intervention that deprives the individual of one or more of his or her senses.

Safety Guidelines for the Use of Physical Restraint

1. During the administration of a restraint, a staff member shall continuously monitor the physical status of the learner, including skin color and respiration. A restraint shall be released immediately upon a determination by the staff member administering the restraint that the learner is no longer at risk of causing imminent physical harm to him or herself or others.
2. Restraint shall be administered in such a way so as to prevent or minimize physical harm. If, at any time during a physical restraint, the learner demonstrates significant physical distress, the learner shall be released from the restraint immediately, and school staff shall take steps to seek medical assistance.
3. School staff shall review and consider any known medical or psychological limitations and/or behavioral intervention plans regarding the use of physical restraint on an individual learner.
4. Following the release of a learner from a restraint, the school shall implement follow-up procedures. These procedures shall include reviewing the incident with the learner to address the behavior that precipitated the restraint, reviewing the incident with the staff person(s) who administered the restraint to discuss whether proper restraint procedures were followed, and consideration of whether any follow up is appropriate for the learner or any learner who witnessed the incident.

Referral to Law Enforcement or Other State Agencies

As required by law CLCS employees shall report criminal activity committed by a learner or other individual and shall support law enforcement, judicial authorities, or school security personnel in exercising their responsibilities, including the physical detainment of a student or other person alleged to have committed a crime or posing a security risk.

Reporting Requirements

School staff shall verbally report the use of physical restraints to the Lead Facilitator of the restraint as soon as possible, and by written report no later than the next school working day. If the Lead Facilitator is out, the Assistant Lead Facilitator shall be notified.

The Lead Facilitator or designee shall maintain an ongoing record of all reported instances of physical restraint.

The Lead Facilitator or designee shall verbally inform the learner's parents or guardian of the restraint by the end of the school day in which the incident occurred, and by written report postmarked no later than three school days following the use of restraint. If the school customarily provides the parent or guardian of a learner with necessary school-related information in a language other than English, the written restraint report shall be provided to the parent or guardian in that language.

Special Circumstances

Restraint administered to a learner with a disability pursuant to a Functional Behavior Assessment (FBA), IEP, and Behavior Intervention Plan (BIP), developed in accordance with state and federal law to which the LEA and the learner's parents or guardians have agreed, shall be deemed to meet the requirements of these guidelines.

California Education Code Section 56520-56525