

Use of Restraint, Seclusion, and Aversive Techniques for Students

Conduct of Employees Directed Toward Students

The use by appropriately trained Charter School personnel towards or directed at any student of any form of restraint or seclusion as defined in this policy, is prohibited except in circumstances where proportional restraint or seclusion of a student is necessary when a student's conduct creates a reasonable belief in the perspective of a School employee, that the conduct of the student has placed the student, the employee, or any other individual in imminent danger of serious bodily harm.

The employee or any employee who is a witness to this event shall immediately seek out the assistance of the School's administration or, if such administrator is not available, a certificated or classified employee with special training in seclusion and restraint, if available. Upon the arrival of such individual, the administrator or if no administrator is available, the most senior trained individual on seclusion or restraint shall take control over the situation.

Seclusion or restraint of a student shall immediately be terminated when it is decided that the student is no longer an immediate danger to him or herself or to any other third person or if it is determined that the student is exhibiting extreme distress or at such time that appropriate administrative personnel have taken custody of the child or upon such time that the parent/legal guardian of the child has retaken custody of the child.

Regardless of employee training status, no School personnel shall use any form of aversive technique against any School student.

If a situation occurs where a properly trained School employee must use acts of restraint or seclusion against a School student, the following shall occur:

1. The employee shall immediately report to their building principal, in writing, the following information:
  - A. The date the event occurred;
  - B. The circumstances leading to the event;
  - C. The student involved; and
  - D. Other witnesses or participants to the event.
2. The building principal shall notify the Charter Administrator's office of the event, providing the Charter Administrator's office with a copy of the report of events.

3. The building principal shall ascertain if any of the School's video equipment captured the event on a recording. If such event was captured on recording, the principal shall take all best efforts to maintain a copy of the recording and provide such to the Charter Administrator's Office for the Charter Administrator's official records of the event.
4. The Charter Administrator or designee shall ascertain the special needs status of the student involved in the seclusion or restraint and shall ascertain and maintain documentation as to whether or not such events were consistent with or contraindicated due to the student's psychiatric, medical, or physical condition(s).
5. The Charter Administrator or designee of the Charter Administrator shall notify the parent/legal guardian of the subject student of the situation and the event of restraint or seclusion via telephone and provide the parent/legal guardian with the name and telephone contact information of the building principal where the parent may obtain additional information regarding the event.
6. The Charter Administrator or designee of the Charter Administrator shall provide the parent/legal guardian of the student with written notice of the event of restraint or seclusion of their student.
7. The Charter Administrator's office shall maintain documentation of events of restraint and seclusion and shall prepare any and all necessary reports to legal entities upon whom such reports are or may become due pursuant to State and federal regulations.

### Training of School Personnel

As part of the training and preparation of each certificated administrator, certificated teacher, and in-building classified employee of the School, the following shall occur:

1. Training of personnel on proper situations and events leading to student seclusion and intervention, including possible preventative alternatives to seclusion and restraint, safe physical escort, de-escalation of student crisis situations, and positive behavioral intervention techniques and supports;
2. Training of personnel in crisis/conflict management and emergency situations which may occur in the School setting, including examples and demonstrations of proper activities and techniques and trainers observing employee use of proper activities and techniques in the training setting;
3. Techniques to utilize to limit the possibility of injury to the student, the employee, and any third party in the area;

4. Information on the School's student seclusion areas in each respective School building to which the employee is assigned;
5. Training in CPR and basic first aid; and
6. Provision of the employee with a copy of this policy.

It is a goal that all new employees are trained in the area of student restraint and seclusion during their first week of employment. However, this may not be possible due to realities of the operation of the Charter School. If an employee has not yet undergone training and a situation necessitating student restraint or seclusion occurs, and another properly trained employee of the School is present at the event, the properly trained employee shall take the lead in addressing the student crisis.

### Designated Locations

Each School building in which students are present must have a building designated location for student seclusion.

It is the responsibility of the building's principal or the principal's designee, to assure that the building's designated seclusion location is a safe and clean location and that such location has appropriate supervision when any student has been placed into seclusion pursuant to this policy.

Appropriate supervision shall include an adult in the seclusion location who has continuous visual observation of the secluded student.

### Definitions

For the purposes of this policy, the following definitions shall apply:

**Restraint:** The immobilization or reduction of a student's freedom of movement for the purpose of preventing harm to students or others through chemical; manual method; physical; or mechanical device, material, or equipment.

**Seclusion:** Involuntary confinement in a room or other space during which a student is prevented from leaving or reasonably believes that the he or she can be prevented from leaving through manually, mechanically, or electronically locked doors that, when closed, cannot be opened from the inside; blocking or other physical interference by staff; or coercive measures, such as the threat of restraint, sanctions, or the loss of privileges that the student would otherwise have, used for the purpose of keeping the student from leaving the area of seclusion.

**Aversive Technique:** Physical, emotional, or mental distress as a method of redirecting or controlling behavior.

### Annual Review

On an annual basis, the Charter Administrator or designee shall review this policy and make a determination as to whether or not any modifications or amendments to this policy are necessary and should be proposed to the Charter School's Board.

In conducting this annual review, such individual shall also review the reports of all events of seclusion or restraint that occurred with the School's students in the past school year. This review will include an analysis as to whether or not the School's personnel are following the terms of this policy, whether additional training activities are necessary, or if there is any weakness in the implementation of this policy that can be strengthened.

Cross Reference:      § 3360              Discipline of Students with Disabilities

### Policy History:

Adopted on: April 15, 2021

Revised on:

Reviewed on: