

USE OF PHYSICAL FORCE BY STAFF INCLUDING SECLUSION AND/OR RESTRAINT

All officials, employees and agents of the School District of Jefferson are prohibited from using corporal punishment upon any student enrolled in the district. "Corporal punishment" means the intentional infliction of physical pain which is used as a means of discipline. "Corporal punishment" includes, but is not limited to paddling, slapping, or prolonged maintenance of physically painful positions when used as a means of discipline. An official, employee, or agent of the Board is not prohibited from using "reasonable or necessary force" to quell a disturbance or prevent an act that threatens physical injury to any person; to obtain possession of a weapon or other dangerous object within a student's control; for the purpose of self-defense or the defense of others, or for the protection of property in accordance with state statutes; to remove a disruptive student from school premises, a motor vehicle or school-sponsored activity; to prevent a student from inflicting harm on him/herself; to protect the safety of others; to use incidental, minor, or reasonable physical contact designed to maintain order and control.

It is also the policy of the School District of Jefferson that seclusion and restraint, if used, will be used rarely and only when appropriate procedures have been followed. Seclusion and restraint should be used only in accordance with the guidelines set forth in this policy.

ADOPTED: October 24, 1988

REVISED: December 17, 1990
November 25, 2002
May 22, 2013

LEGAL REF.: Wisconsin Statutes: 118.31

CROSS REF: JGA-R, Use of Physical Force by Staff Including Seclusion and/or Restraint Guidelines for Implementation
JGA-E, School District of Jefferson Seclusion or Restraint Report

REVIEW DATE: May 22, 2013

USE OF PHYSICAL FORCE BY STAFF INCLUDING SECLUSION AND/OR RESTRAINT GUIDELINES FOR IMPLEMENTATION

I. Definitions

A. Covered Individual

- An individual who is employed by the Jefferson School District or under contract as an independent contractor to provide services for the benefit of the school district.
- An individual who is engaged in student teaching under the supervision of a person who is employed by or under contract with a school board or governing body to provide services for the benefit of the school governed by the school board or governing body.

B. Seclusion

The involuntary confinement of a pupil, apart from other pupils, in a room or area from which the pupil is physically prevented from leaving. Seclusion of a student at school may only be used if all of the following apply:

- The pupil's behavior presents a clear, present, and imminent risk to the physical safety of the pupil or others and seclusion is the least restrictive intervention feasible.
- The covered individual maintains constant supervision of the pupil, either by remaining in the room or area with the pupil or by observing the pupil through a window that allows the covered employee to see the pupil at all times.
- The room or area in which the pupil is secluded is free of objects or fixtures that may injure the pupil.
- The pupil has adequate access to bathroom facilities, drinking water, necessary medication, and regularly scheduled meals.
- The duration of the seclusion is only as long as necessary to resolve the clear, present, and imminent risk to the physical safety of the pupil or others.
- No door connecting the room or area in which the pupil is secluded to other rooms or areas is capable of being locked.

C. Physical Restraint

A restriction that immobilizes or reduces the ability of a pupil to freely move his/her torso, arms, legs, or head. A covered individual may use physical restraint on a pupil at school only if all of the following apply:

- The pupil's behavior presents a clear, present, and imminent risk to the physical safety of the pupil or others and physical restraint is the least restrictive intervention feasible.
- There are no medical contraindications to its use.

- The degree of force used and the duration of the physical restraint do not exceed the degree and duration that are reasonable and necessary to resolve the clear, present, and imminent risk to the physical safety of the pupil or others.
- None of the following maneuvers or techniques are used:
 - those that do not give adequate attention and care to protecting the pupil's head;
 - those that cause chest compression by placing pressure or weight on the pupil's chest, lungs, sternum, diaphragm, back, or abdomen;
 - those that place pressure or weight on the pupil's neck or throat, or an artery, or on the back of the pupil's head or neck, or that otherwise obstruct the pupil's circulation or breathing.
- It does not constitute corporal punishment, as defined in current law.
- The covered employee does not use a mechanical or chemical restraint on the pupil. The use of supportive equipment to properly align a pupil's body, assist a pupil to maintain balance, or assist a pupil's mobility under the direction and oversight of appropriate medical or therapeutic staff, does not constitute the use of a mechanical restraint.

II. Training Required for Use of Physical Restraint

No covered individual may use *physical restraint* on a pupil at school unless he or she has received training in the use of physical restraint that includes the components set forth in the state law, including a requirement that he or she demonstrate proficiency in administering physical restraint. The School Board shall ensure that at least one covered individual has received training in the use of physical restraint in each school that it operates in which physical restraint is used. Each school is required to maintain a record of the training received by the covered individual(s). A covered individual who has not received training may use physical restraint on a pupil at school only in an emergency and only if a covered individual who has received training is not immediately available due to the unforeseen nature of the emergency.

III. Students with Disabilities

If an individualized education program team for a student with a disability determines that the use of seclusion or physical restraint may reasonably be anticipated for the student, the student's individualized education plan (IEP) is required to include appropriate positive interventions and supports and other strategies that address the behavior of concern and that comply with the following:

- the interventions, supports, and other strategies are based upon a functional behavior assessment of the behavior of concern;
- the interventions, supports, and other strategies incorporate the use of the term "seclusion" or "physical restraint"; and the interventions, supports, and other strategies include positive behavioral supports.

The first time that seclusion or physical restraint is used on a student with a disability, the student's IEP team must convene as soon as practicable after the incident. The student's team must review the student's IEP to ensure that it contains appropriate positive behavioral interventions and supports and other strategies to address the behavior of concern and must revise the IEP if necessary. The Director of Pupil Services shall be informed when a behavior support plan that includes seclusion and/or physical restraint does not result in improved behavior.

IV. Reporting and Recordkeeping Requirements

- Whenever seclusion or physical restraint is used on a pupil at school, the school principal or his/her designee must notify the pupil's parent of the incident as soon as practicable, but no later than one business day after the incident utilizing the School District of Jefferson Seclusion or Restraint Report form.
- Within two business days after the incident and after consulting with the covered individuals present during the incident, the principal or his/her designee must prepare a written report containing information regarding the incident. These reports must be retained by the school and made available for review by the pupil's parent within three (3) business days of the incident.
- A copy of the School District of Jefferson Physical Restraint or Seclusion Report will be forwarded to the Director of Pupil Services when a "critical incident" occurs. A critical incident is described as any injury to staff or other adult prior to or during the use of physical restraint and/or seclusion, any injury to a student prior to or during the use of physical restraint and/or seclusion, any destruction of property prior to or during the use of physical restraint and/or seclusion.
- Annually, by September 1, the principal of each school or his/her designee shall submit to the School Board a report containing the number of incidents of seclusion and of physical restraint in the school during the previous school year, and the total number of pupils who were involved in the incidents and the number of pupils with disabilities who were involved in the incidents.

5/22/13

SCHOOL DISTRICT OF JEFFERSON SECLUSION OR RESTRAINT REPORT

Student Name:		School:		Grade:	
Location:		Date and Time of Incident:		Total minutes in seclusion:	
				Total minutes restraint used:	
Staff person(s) initiating, involved in, or present during seclusion/restraint (include name and title):					
Procedures used to attempt to de-escalate the student prior to using seclusion/restraint:					
Describe the behavior that led to seclusion/restraint, including time, location, activity, others present (staff & students), other contributing factors:					
Student behavior during seclusion/restraint:			Student behavior after seclusion/restraint:		
Was there any injury or damage? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe:					
Describe the debriefing/follow-up with student after the seclusion/restraint:					
Describe the debriefing/follow-up with staff:					
Is other follow-up needed (e.g., IEP meeting, additional evaluation, discussion with others)? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, specify:					
Date of IEP meeting, if needed/scheduled:					
Parent/Guardian Contacted:			Principal contacted:		
Date: _____		Time: _____		Date: _____	
Method: _____		Initials: _____		Method: _____	
Whom Notified: _____				Whom Notified: _____	
Person Completing Form:				Date:	
Print Name: _____				_____	
Signature: _____				_____	