USE OF PHYSICAL FORCE, RESTRAINT, AND SECLUSION

A. Definitions.
1. “Physical restraint” or “restraint” means personal restriction that immobilizes or reduces the ability of a pupil to move his or her torso, arms, legs, or head freely. 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 pupil who is acting out to walk to a safe location. It also does not include briefly holding a child in order to calm or comfort the child or intervening in a fight.

2. “Seclusion” means the involuntary confinement of a child alone in a room or area from which the child is physically prevented from leaving. It does not include a timeout, which is a behavior management technique that is part of an approved program, involves the monitored separation of the child in a non-locked setting, and is implemented for the purpose of calming. In addition, It does not include such things as in-school suspensions; detention; a child requested break; or the child is instructed to return to his/her desk and/or sit on the sidelines.

B. Policy
Maintaining a safe and productive environment for pupil learning is a high priority of the School Board. The Board recognizes that there may be times when a pupil will engage in dangerous or disruptive behavior that requires immediate attention and intervention. In such cases, designated school personnel shall use the least restrictive intervention appropriate to the situation. Seclusion and physical restraint shall only be used by designated school personnel when the physical safety of the pupil or others is in immediate danger. Use of such behavior interventions as seclusion and physical restraint shall be for the shortest time possible. Verbal outbursts and threats do not constitute a threat to physical safety unless the pupil also demonstrates a means to carry out the threat. The purpose for using seclusion or physical restraint is to defuse a physically dangerous situation, protect the pupils and others from injury, and regain a safe and productive learning environment. Neither physical restraint nor seclusion should be used as a punishment or as a substitute for appropriate educational/behavioral intervention and support. Only designated staff who have received proper training may implement seclusion and physical restraint interventions.

To help ensure its appropriate use, the Board sets forth the following guiding principles for use of seclusion and physical restraint in the district:

a. Positive behavioral interventions and supports shall be considered and utilized to address behavior that interferes with the pupil’s learning or the learning of others. School personnel should only use seclusion or physical restraint when less restrictive or alternative approaches have been considered and attempted, or considered and deemed inappropriate for the current situation.
b. The type of behavioral intervention utilized in a given situation should be appropriate to the child’s age and developmental level, and take into account any medical, psychological or other issues the child may have. Physical restraint or seclusion shall not be used as an intervention if the child has known physical, medical or psychological problems which would knowingly exacerbate if such behavioral interventions were used. Seclusion and physical restraint shall be used consistent with any applicable individualized education program (IEP) and behavior intervention plan.

c. Seclusion and physical restraint shall be administered in a humane, safe and effective manner, and without intent to harm or create undue discomfort (physical or emotional).

d. The District shall not discriminate in the methods, practices and materials used for counseling pupils, standards or rules of behavior or disciplinary actions, including the use of seclusion or physical restraint, on the basis of the pupil’s sex, race, color, national origin, religion, ancestry, creed, pregnancy, marital or parental status, sexual orientation or physical, mental, emotional or learning disability. This does not prohibit the use of special counseling materials or techniques to meet the individualized needs of pupils. Discrimination complaints shall be processed in accordance with established procedures.

e. The District shall provide training to designated staff members in each school building that are most likely to be called upon to prevent or address disruptive or dangerous pupil behavior. Only designated school personnel who have received proper training may implement seclusion and physical restraint interventions.

f. All use of seclusion and physical restraint shall be documented and reported to the building principal and to the child’s parent/guardian as soon as practical, no later than the end of the day.

Nothing in this policy prevents school personnel from using reasonable and necessary force under the conditions outlined in state law and Board policy.

At no time shall the following means of restraint be used in the district.

a. Prone Restraint – a specific type of restraint in which a child is intentionally placed down on the floor or another surface, and physical pressure is applied to the child’s body to keep the child in the prone position.

b. Chemical restraint--any medication that is used to control behavior or restricts the child’s freedom of movement that is not a prescribed treatment for the child’s medical or psychiatric condition.

c. Mechanical restraint--the use of any device or material attached to or adjacent to the child’s body that is intended to restrict the normal freedom of movement and which cannot be easily removed by the child. The term does not include an adaptive or protective device recommended by health care professional to promote normative body positioning and physical functioning and/or to prevent self---injurious behavior. The term also does not include seatbelts and other safety equipment when used to secure pupils during transportation.

Pupils, parents/guardians and school staff shall be informed of this policy annually.
LEGAL REF.: Sections 115.787(3) Wisconsin Statutes
118.13
118.164
118.31
Individuals with Disabilities Education Act (IDEA)
No Child Left Behind Act

CROSS REF.: District Procedures for Using Seclusion and Physical Restraint Interventions
Pupil Conduct and Discipline Policy
Reporting Child Abuse or Neglect Policy
School Safety Policy
Pupil Code of Classroom Conduct (Removal of Pupils from Class)
Response to Intervention Plan/Policy
School Emergency Response Plans
Special Education Policy and Procedure Handbook

ADOPTED: February 2019