

RESTRAINT AND SECLUSION OF STUDENTS

I. Statement of Philosophy

The Gloucester County School Board believes that every child is valued as a contributor in the education process and school staff must ensure that all children are treated with dignity, respect, and special care.

II. Scope and Application

There may be situations when there is a need to manage aggressive and violent student behaviors in emergency situations. Therefore, the use of restraint and seclusion of Gloucester County Public Schools students shall only be utilized when:

- a. the student's behavior poses an imminent danger of injury to the student, school personnel, or others;
- b. less restrictive interventions would be ineffective;
- c. it is imposed by school personnel who continuously monitor the situation;
- d. it is imposed by school personnel trained and certified by a State-approved crisis intervention training program;
- e. it ends immediately when there is no longer a danger of injury.

Mechanical, chemical, or physical restraint, or physical escort that restricts breathing, are all prohibited.

III. Definitions

As used in this policy,

“physical restraint” means the use of physical force to restrict the free movement of all or a part of a student's body. Excluded from this definition is the use of procedures the use of which is documented in the student's Individualized Education Plan (IEP), Section 504 plan, or behavior intervention plan;

“mechanical restraint” means the use of any device or material attached to a student's body that restricts freedom of movement or normal access to any portion of the student's body and that the student cannot easily remove. Excluded from this definition is the use of devices or materials the use of which is documented in the student's Individualized Education Plan (IEP), Section 504 plan, or behavior intervention plan;

“chemical restraint” means the use of any substance (solid, liquid, powder, or spray) that is exclusive of what is defined as a “mechanical restraint.”

“seclusion” means the confinement of a student alone in a separate enclosed space, in a manner that prevents the student from leaving. Seclusion is permitted in accordance with a student's IEP, Section 504, or behavior intervention plan, or to prevent injury to the student or others. When a student is placed in seclusion, he or she will be monitored by a staff member in close proximity. It is preferable that the staff member can see or observe student. A student placed in seclusion will be released from seclusion upon cessation of the behaviors that led to the seclusion; after a reasonable period of time in the seclusion setting during which it is determined that the seclusion will not be effective; or in accordance with the student's IEP, Section 504 plan, or behavior intervention plan. The space used for seclusion must be appropriately lighted, ventilated, and heated or cooled, and free from objects that unreasonably expose the student or others to harm.

Physical restraint, mechanical restraint, chemical restraint, and seclusion may only be used by a staff member who has been trained in the proper use of the technique applied or device utilized and should only be used in the following circumstances:

- as needed to protect an individual from his or her own actions;
- as needed to protect others from injury by the restrained person;
- as needed to gain possession of weapons or other dangerous objects on the person or within the control of a student;
- as needed for self-defense;
- as needed to escort a student safely from one area to another; when some form of self-control has been established;
- when using seat belts or other safety restraints to secure a student during transportation;
- as authorized by the Code of Virginia, or
- as authorized by a student's IEP, Section 504 plan or behavior intervention plan.

Nothing in this policy is intended to limit the application of Va. Code § 22.1-279.1 which provides generally that:

No teacher, principal or other person employed by the school board shall subject a student to corporal punishment. This prohibition of corporal punishment shall not be deemed to prevent:

- the use of incidental, minor or reasonable physical contact or other actions designed to maintain order and control;
- the use of reasonable and necessary force to quell a disturbance or remove a student from the scene of a disturbance which threatens physical injury to persons or damage to property;
- the use of reasonable and necessary force to prevent a student from inflicting physical harm on himself;
- the use of reasonable and necessary force for self-defense or the defense of others;
- the use of reasonable and necessary force to obtain possession of weapons or other dangerous objects or controlled substances or paraphernalia which are upon the person of the student or within his control;
- physical pain, injury or discomfort caused by participation in practice or competition in an interscholastic sport; or
- participation in physical education or an extracurricular activity.

IV. Documentation and Notice to Parents

A parent or guardian shall be notified verbally or electronically, and in writing after use of:

- physical restraint
- mechanical restraint,
- chemical restraint; or
- seclusion resulting in observed physical injury to the student.

The staff, in conjunction with school administration, will be responsible for making a record of information regarding its use including the date, time, duration, precipitating behavior, outcome and other pertinent observations. This information will be completed on Gloucester County School Board File No. JM-E – Restraint and Seclusion of Students.

Documentation is not required when using mechanical devices that are authorized and utilized for the student's safety or physical support such as bus harnesses, lap belts, rifton chairs and similar devices. This policy does not permit the use of a restraining device to limit a student's mobility when that device is not ordinarily used with the student.

ADOPTED: December 14, 2010

REVISED: February 8, 2011

LEGAL REFERENCES: Code of Virginia, 1950, as amended, § 22.1-78, 22.1-279.1.

CROSS REFERENCES:

IGBA	Programs for Students with Disabilities
JFC	Student Conduct
JFC-R	Standards of Student Conduct
JGA	Corporal Punishment
JGDA	Disciplining Students with Disabilities
JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury
JM-E	Emergency Use of Restraint or Seclusion of Students