

**Behavior Support for Children and Students
Use of Restraint and Seclusion**

The Board is dedicated to the development and application of best practices within CESD's public education programs, early childhood through post high. The Board is committed to providing an education for all students which encourages learning in the least restrictive environment. The Board expects all staff to use behavior support and intervention strategies and based on the assumption that all behaviors are a child's/student's attempt to meet specific needs. In response to child/student behavior that negatively impacts the ability of the child/student or others to access their education, the Board expects that behavior supports and interventions will focus on teaching the child/student to meet specific needs in a socially acceptable manner. The Board directs that individualized behavior support plans will be developed for children/students based on an assessment of a child's/student's unique needs and will be in accordance with state and federal requirements.

Definitions

1. "Physical restraint" means the restriction of a child's/student's movement by one or more persons holding the child/student or applying physical pressure upon the child/student. Physical restraint does not include touching a child/student without the use of force for the purpose of directing the child/student or assisting the child/student in completing a task or activity. The definition of "physical restraint" does not include the use of mechanical, chemical, or prone restraint of a child/student as these methods are prohibited by Oregon law.
2. "Seclusion" means the involuntary confinement of a child/student alone in a space or room from which the child/student is prevented from leaving. Seclusion does not include the removal of a child/student for a short period of time to provide the child/student with an opportunity to regain self-control, in a setting from which the child/student is not physically prevented from leaving.
3. A "serious incident" means a child/student demonstrates hostile, disruptive, or assaultive behavior:
 - a. Hostile or disruptive behavior includes, but is not limited to, self injurious behavior, property destruction, pushing, hitting, kicking, ingesting nonfood items, directed spitting, obscene language, verbal intimidation, provocative behaviors, and encouraging oppositional or anti-social action.
 - b. Assaultive behavior is behavior that poses an imminent threat of serious injury to the child/student or others.
4. "Serious bodily injury" means any significant impairment of the physical condition of a person, as determined by qualified medical personnel, whether self-inflicted or inflicted by someone else.

5. “Mechanical restraint” does not include:
 - a. A protective or stabilizing device ordered by a licensed physician; or
 - b. A vehicle safety restraint when used as intended during the transport of a child/student in a moving vehicle.
6. “Chemical restraint” means a drug or medication that is used on a child/student to control behavior or restrict freedom of movement that has not been prescribed by a licensed health professional or other qualified health care professional acting under the professional’s scope of practice.
7. “Prone restraint” means a restraint in which a child/student is held face down on the floor.

The use of physical restraint and/or seclusion is only permitted as a part of a behavioral support plan when other less restrictive interventions would not be effective and the child’s/student’s behavior poses a threat of imminent, serious bodily injury to the child/student or others.

Except in the case of an emergency, only staff current in the required training in accordance with CESD’s designated physical restraint and seclusion training program will implement physical restraint or seclusion with a child/student. In an emergency, physical restraint and/or seclusion may also be used by a school administrator, teacher, or other school employee as necessary when the child’s/student’s behavior imposes a reasonable threat of imminent, serious bodily injury to the child/student or to others. The use of physical restraint/seclusion under these circumstances is only allowed so long as the child’s/student’s behavior poses a threat of imminent, serious bodily injury to themselves or to others. Any child/student being restrained or secluded within the scope of the CESD program, whether in an emergency or as a part of a plan, shall be constantly monitored by staff for the duration of the intervention. Any room used for seclusion of a child/student must allow staff full view of the child/student in all areas of the room and be free of potentially hazardous conditions such as unprotected light fixtures and electrical outlets.

CESD shall utilize the Oregon Intervention System (OIS) training program of physical restraints and seclusion for use by CESD staff. As required by state regulation, the selected program shall include: behavioral support, prevention, de-escalation and crisis response techniques. Any program selected by CESD must be in compliance with state and federal law with respect to the use of restraint and/or seclusion.

An annual review of the use of physical restraint and seclusion, including a review of all CESD cases involving restraint and/or seclusion, shall be completed to ensure compliance with CESD policies and procedures. The results of the annual review shall be documented and shall include at a minimum:

1. The total number of incidents of restraint;
2. The total number of incidents of seclusion;
3. The total number of seclusions in a locked room;
4. The total number of students placed in physical restraint;

5. The total number of students placed in restraint and/or seclusion more than 10 times in a school year;
6. The total number of restraint and seclusion incidents carried out by untrained individuals;
7. The demographic characteristics of all students upon whom physical restraint and/or seclusion was imposed.

This report shall be made available to the Board and to the public at CESD's main office and on CESD's website.

At least once each school year the public shall be notified as to how to access the report.

CESD shall investigate all complaints regarding the use of restraint and/or seclusion practices according to the procedures outlined in Board policy KL and KL-AR - Public Complaints.

The superintendent shall develop administrative regulations to carry out the requirements set forth in this policy and to meet any additional requirements established by law related to the use, reporting, and written documentation of the use of physical restraint or seclusion by CESD personnel.

END OF POLICY

Legal Reference(s):

[ORS 161.205](#)

[ORS 339.250](#)

[OAR 581-021-0061](#)

[OAR 581-021-0062](#)

Cross Reference(s):

JGA - Corporal Punishment

JGDA/JGEA - Discipline of Students with Disabilities