



## 4.50.060-AD Student Restraint and Seclusion

Portland Public Schools is dedicated to the development and application of best practices within the district's educational and behavioral programs. In accordance with state law, physical restraint and seclusion may only be used in very limited circumstances. This Administrative Directive defines the circumstances that must exist and the requirements that must be met prior to, during, and after the use of restraint and/or seclusion with district students.

### I. Definitions

- A. Chemical restraint: A drug or medication that is used on a student to control behavior or restrict freedom of movement and that is not prescribed by a licensed physician or other qualified health professional acting under the professional's scope of practice for standard treatment of the student's medical or psychiatric condition and administered as prescribed.
- B. Mechanical restraint: A device used to restrict the movement of a student or the movement or normal function of a portion of a student's body. Mechanical restraint does not include:
  - (1) A protective or stabilizing device ordered by a licensed physician; or
  - (2) A vehicle safety restraint when used as intended during the transport of a student in a moving vehicle.
- C. Physical restraint: The restriction of a student's movement by one or more persons holding the student or applying physical pressure upon the student.
  - (1) Physical restraint does not include touching or holding a student without the use of force for the purpose of directing the student or assisting the student in completing a task or activity.
  - (2) Physical restraint does not include "prone restraint".
- D. Prone restraint: A restraint in which a student is held face down on the floor.
- E. Seclusion: The involuntary confinement of a student alone in a room from which the student is prevented from leaving. Seclusion does not include "time out".
- F. Serious bodily injury: Any significant impairment of the physical condition of a person, as determined by qualified medical personnel, whether self-inflicted or inflicted by someone else.

- G. Time Out: Removing a student for a short time to provide the student with an opportunity to regain self-control in a setting from which the student is not physically prevented from leaving.

## **II. Applicability**

- A. The provisions of this AD apply to all students in all district settings except as provided in paragraph B.
- B. DART programs located in mental health treatment facilities operate under different seclusion and restraint rules so are not covered by this AD.

## **III. Prohibitions on use of Physical Restraint or Seclusion**

- A. The use of a mechanical restraint, chemical restraint, or prone restraint on a student by district personnel is prohibited.
- B. Physical restraint or seclusion may not be used for discipline, punishment or convenience of district personnel.

## **IV. Requirements for Using Physical Restraint or Seclusion**

- A. When physical restraint or seclusion may be used:
  - (1) Physical restraint or seclusion may only be used if:
    - (1) The student's behavior imposes a reasonable threat of imminent, serious bodily injury to the student or others;
    - (2) Less restrictive interventions would not be effective;
    - (3) The physical restraint or seclusion is used only for as long as the student's behavior poses a reasonable threat of imminent, serious bodily injury to the student or others; and
    - (4) The student is continuously monitored by personnel for the duration of the physical restraint or seclusion.
  - (2) The physical restraint or seclusion may only be implemented by district personnel who are:
    - (1) Trained to use physical restraint or seclusion using a program or method selected by PPS and approved by the Oregon Department of Education; or
    - (2) Otherwise available in an emergency circumstance when trained personnel are not immediately available due to the unforeseeable nature of the emergency circumstance.
  - (3) If the physical restraint or seclusion continues for more than 30 minutes:
    - (1) The student must be provided with adequate access to the bathroom and water every 30 minutes;

- (2) Personnel must immediately attempt to verbally or electronically notify a parent or guardian of the student being secluded or restrained; and
- (3) Every 15 minutes after the first 30 minutes, a building or special education administrator must provide written authorization for the continuation of the physical restraint or seclusion, including documentation for the reason for continuation.

**B. Debriefing meeting:**

- (1) A debriefing meeting must be held within two school days of any use of physical restraint or seclusion. The purpose of the debriefing meeting is to review the event and prevent unnecessary use of physical restraint and seclusion in the future.
- (2) The debriefing meeting will include all personnel who were involved in the incident and any other appropriate personnel.
- (3) The debriefing process must be documented on a PPS debriefing form and a copy provided to the parent or guardian of the student.

**C. Review Meeting:**

- (1) If a student is involved in five incidents in a school year involving physical restraint or seclusion, a team including personnel and the parent or guardian of the student will meet to review and revise the student's behavior plan and ensure the provision of any necessary behavioral supports.

**V. Documentation and Reporting of Physical Restraint or Seclusion:**

**A. By the end of the school day when the incident occurred:**

- (1) A staff person who observed or implemented the physical restraint or seclusion must complete a written or electronic report of the incident that meets state and federal requirements; and
- (2) A staff person must provide the student's parents or guardian with verbal or electronic notice of the incident. If the parent does not have a phone or access to electronic communication, the school must use its usual methods of communicating with the parent to provide this notice.

**B. Within one school day of the incident:**

- (1) A copy of the incident report must be provided to the parents or guardian; and
- (2) Parents must be given notice of the date, time, and location of the debriefing.

**C. Within two school days of the use of physical restraint or seclusion:;**

- (1) Appropriate staff, including the staff involved in the restraint or seclusion, must complete a documented debriefing.
  - (2) A copy of the debriefing report must be distributed to the parent or guardian and building administrator or designee.
- D. Notification to Department of Human Services (DHS): If serious bodily injury or death of a student occurs in relation to the use of physical restraint or seclusion, the building principal or designee must provide written notification of the incident to DHS within 24 hours of the incident but only if such notice complies with the provisions of the Family Education Rights and Privacy Act.
- E. If serious bodily injury or death of district personnel occurs in relation to the use of physical restraint or seclusion, the building principal or designee must provide written notification of the incident to the superintendent and human resources director or designee. If applicable, the human resources director or designee must inform the union representative for the affected party.
- F. Annual report:
- (1) The superintendent shall direct the completion of an annual report detailing the use of physical restraint and seclusion for the preceding school year that complies with state and federal reporting requirements.
  - (2) The report will be made available as follows:
    - (1) To the public from the Superintendent’s office and posted on the PPS website;
    - (2) To the Board of Education;
    - (3) To parents and guardians by annual notice about how to access the report.

Legal and Policy References: ORS 339.250 (as amended by HB 2939, 2011), OAR 581-021-0550, OAR 581-021-0553, OAR 581-021-0556, OAR 581-021-0559, OAR 581-015-0563, OAR 581-015-0566

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<b>Approved:</b>	
Superintendent	Date