

DODGELAND SCHOOL DISTRICT
Board Policy Manual

447.11

USE OF SECLUSION AND PHYSICAL RESTRAINT

A high priority of the School Board is to maintain a safe and productive environment for student learning. Positive behavioral interventions and supports shall be considered and utilized to address behavior that interferes with the student's learning or the learning of others. The Board recognizes that there may be times when a student engages in dangerous or significantly disruptive behavior that requires immediate attention and intervention. In such cases, seclusion and physical restraint, as defined under state law, shall be used as behavioral interventions on students only when such use is consistent with applicable legal requirements, any applicable individualized education program (IEP) and behavior intervention plan, Board policy, and established District procedures.

The provisions of this policy shall apply to any individual who is employed by the District, under contract with the Board as an independent contractor to provide services for the benefit of the schools, employed by a person/entity under contract to provide such services (excluding law enforcement officers), or engaged in student teaching under the supervision of a District employee or independent contractor providing services for the benefit of the schools.

For purposes of this policy, and as defined by state law, "seclusion" means the involuntary confinement of a student, apart from other students, in a room or area from which the student is physically prevented from leaving. "Physical restraint," also as defined by state law, means a restriction that immobilizes or reduces the ability of a student to freely move his/her torso, arms, legs or head. It does not include briefly touching or holding a student's hand, arm, shoulder, or back to calm, comfort or redirect the student, or using supportive equipment to properly align a student's body, assist a student to maintain balance, or assist a student's mobility, under the direction and oversight of appropriate medical or therapeutic staff.

Seclusion or physical restraint may be used on students at school only when a student's behavior presents a clear, present and imminent risk to the physical safety of the student or others and it is the least restrictive intervention feasible. In addition, the following conditions apply to the use of seclusion and physical restraint in the District:

- Use of Seclusion
 - The duration of a student's seclusion can only be as long as necessary to resolve the clear, present, and imminent risk to the physical safety of the student or others.
 - A District employee, or other individual described above, must maintain constant supervision of the student, either by remaining in the room or area with the student or by observing the student through a window that allows the employee/individual to see the student at all times.
 - Any room or area in which the student is secluded must be free of objects or fixtures that may injure the student, and any door connecting the seclusion room or area to other rooms or areas must not be capable of being locked.
 - The student who is in seclusion must have adequate access to bathroom facilities, drinking water, necessary medication, and regularly scheduled meals.
- Use of Physical Restraint
 - A District employee, or other individual described above, may only use physical restraint on a student if he/she has received required training on the use of physical restraint. As an

exception to this training requirement, physical restraint may be used by non-trained school personnel in an emergency situation where all other limitations and restrictions have been satisfied, but only if an individual who has received training on the use of physical restraint is not immediately available due to the unforeseen nature of the emergency.

- Physical restraint may be used on a student only if there are no medical contraindications to its use, and 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 student or others.
- Under no circumstances can District employees, or other individuals described above, use corporal punishment, mechanical or chemical restraints, or any of the following maneuvers or techniques on students: (a) those that do not give adequate attention and care to protecting the student's head; (b) those that cause chest compression by placing pressure or weight on the student's chest, lungs, sternum, diaphragm, back, or abdomen; or (c) those that place pressure or weight on the student's neck or throat, on an artery, or on the back of the student's head or neck, or that otherwise obstruct the student's circulation or breathing.

The District shall not discriminate in the methods, practices and materials used for counseling students, standards or rules of behavior or disciplinary actions, including the use of seclusion or physical restraint, on the basis of the student'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 students. Discrimination complaints shall be processed in accordance with established procedures.

Decisions regarding the use of seclusion or physical restraint shall be made on a case-by-case basis. If the behavior of a student with a disability interferes with the student's learning or the learning of others, it shall be the responsibility of the student's individualized education program (IEP) team to determine the appropriate plan to address the behavior of the student, including appropriate positive interventions and supports and other strategies based upon a functional behavior assessment of the behavior of concern. Such behavior interventions, supports and strategies shall be included in the student's IEP and revised as necessary.

The District shall provide training on behavioral interventions, including safe and appropriate use of seclusion and physical restraint techniques, to designated staff members in each school building, and other individuals described above, who are most likely to be called upon to prevent or address dangerous or significantly disruptive student behavior. Completed training shall be documented.

Any use of seclusion or physical restraint on a student at school shall be documented and reported to the student's parent/guardian as required by law. A report of all uses of seclusion and physical restraint in the District during the previous school year shall be compiled and given to the Board annually.

The building principal shall be responsible for ensuring that staff members, and other individuals described above, are informed of this policy annually and for overseeing policy compliance within his/her assigned school.

LEGAL REF.: Sections 115.787(2)(i) Wisconsin Statutes
115.787(3)(b)1
118.13
118.164
118.305
118.31
939.48
Individuals with Disabilities Education Act

CROSS REF.: 342.1, Programs for Students with Disabilities
411, Equal Educational Opportunities
411-Rule, Student Discrimination Complaint Procedures
443, Student Conduct
443.2, Student Conduct on School Buses
454, Reporting Child Abuse/Neglect
720, Safety Programs
832, Weapons on School Premises
School Safety Plans
Special Education Handbook

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