

Provo City School District  
Policy Series 3000: Students



3246 P2

## Reasonable Force: Seclusion and Physical Restraint

### Purpose and Philosophy

Provo City School District recognizes that every student should have the opportunity to learn in an environment that is safe, conducive to the learning process, and free from unnecessary disruption. At times, student behavior may present an immediate danger requiring emergency safety interventions. (Policy 3246 Reasonable Force) Behavioral interventions for students should promote and facilitate their safety and dignity. This policy outlines restrictions on, and allowable uses of, emergency safety interventions for all students.

### Definitions

- “Discipline” includes:
  - Imposed discipline; and
  - Self-discipline
- “Disruptive students behavior” includes:
  - The grounds for suspension or expulsion described in Utah Code and
  - The conduct described in Utah Code referenced below.
- “Emergency safety intervention” means the use of seclusion or physical restraint when student presents an immediate danger to self or others, and the intervention is not for disciplinary purposes.
- “Immediate danger” means the imminent danger of physical violence/aggression towards self or others likely to cause serious physical harm.
- “Mechanical restraint” means the use of a device as a means of restricting a student’s freedom of movement.
- “School” means any public elementary or secondary school within the District.
- “School employee” means:
  - A school teacher;
  - A school staff member;
  - A school administrator; or
  - Any other person employed, directly or indirectly, by Provo City School District.
- “Seclusion” means the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. Seclusion is not timeout as that term is defined in this policy. In addition to the foregoing, and consistent with the Utah Administrative Code, seclusion means that a student is:
  - Placed in a safe enclosed area:
    - By school personnel; and

- In accordance with the requirements of Utah Administrative Code, which provides requirements for the design, construction, operation, sanitation, and safety of schools, and fire safety requirements;
  - Purposefully isolated from adults and peers; and
  - Prevented from leaving, or reasonably believes that the student will be prevented from leaving, the enclosed area.
- “Timeout” means a behavior management technique that may be part of and approved treatment plan involving the separation of the student from the group, in a non-locked setting, for the purpose of calming. Timeout is not seclusion.

### **Training**

Appropriate school personnel will receive ongoing training in:

- Crisis intervention;
- Emergency Safety Intervention professional development; and
- Policies related to emergency safety interventions consistent with evidence based practices.

### **Prohibited Practices**

Emergency Safety Interventions should not include:

- Physical restraint except when a student:
  - Presents a danger of serious physical harm to self or others; or
  - Is destroying property of significant value, whether monetary, sentimental, or other.
- Physical restraint that obstructs the airways of a student, or any physical restraint that adversely affects a student’s primary mode of communication;
- Prone, or face-down, physical restraint; supine, or face-up, physical restraint;
- Mechanical restraint, except those protective, stabilizing or required by law, any device used by a law enforcement officer carrying out law enforcement duties, seatbelts, car seats, or any other safety equipment when used to secure students during transportation, including bus harnesses. Use of bus harness should be approved by the Director of Special Education and written into a student’s Behavior Intervention Plan (BIP).
- Chemical restraint, except as:
  - Prescribed by a licensed physician, or other qualified health professional acting under the scope of the professional’s authority under State law, for standard treatment of a student’s medical or psychiatric condition; and
  - Administered as prescribed by a licensed physician or other qualified health professional acting under the scope of the professional’s authority under state law;
- Seclusion, except when a student presents an immediate danger of serious physical harm to self or others.
- For a student with a disability, Emergency Safety Interventions written into a student’s Individualized Education Program (IEP), as a planned intervention are prohibited, unless the following four conditions are met, (1) school personnel, the family, and the IEP team agrees less restrictive means which meet circumstances described in Utah Admin. Code (e.g. LRBI) have been attempted, (2) a Functional Behavior Assessment (FBA) has been conducted, (3) a (BIP) based on data analysis has been written into the

plan and implemented, and (4) requires approval from the Director of Special Education after consultation with the District-level behavior specialist.

### **Physical Restraint and Seclusion**

If an employee restrains a student or puts a student into seclusion:

- The school or the employee shall, when reasonably possible, immediately notify the student's parent or guardian and school administration consistent with Section "Parent/Guardian Notification"; and
- The employee must immediately terminate physical restraint or seclusion when the student is no longer an immediate danger or if the student is in severe distress. The use of restraint should be for the minimum time necessary and never for more than 30 minutes.
- The school shall use a release criteria.
- The school shall ensure that any door remains unlocked.
- The school shall maintain the student within line of sight.

The district will not use physical restraint or seclusion as a means of discipline or punishment.

### **Emergency Safety Intervention Committee**

The District shall establish an Emergency Safety Intervention (ESI) Committee. The district ESI Committee shall include:

- At least two Administrators;
- At least two educational professionals with behavior training and knowledge of both state rules and District Discipline policies;

The District ESI Committee shall:

- Meet often enough to monitor the use of emergency safety intervention in the district.
- Determine and recommend professional development needs.

### **Parent/Guardian Notification**

When ESI is used, the school shall notify the District and the student's Parent or guardian as soon as possible and no later than the end of the school day. The notice shall be documented within student records (e.g. PowerSchool). The school shall provide a parent or guardian with a copy of the notes and documentation taken during the ESI upon request of the parent or guardian. Within 24 hours of the use of ESI, the school shall notify a parent or guardian that the parent or guardian may request a copy of notes and documentation taken during the use of ESI. A parent or guardian may request a time to meet with school staff and administration to discuss the incident that required the use of ESI.

### **Allowable Use**

Consistent with the Utah Code, nothing in this policy shall prohibit an employee from using reasonable and necessary force or restraint in self-defense or otherwise appropriate to:

- Obtain possession of a weapon or other dangerous objects in the possession or under the control of a student;
- Protect a student or another person from physical injury;
- Remove from a situation a student who is violent or threatening; or protect property from being damaged.

## Legal References

Utah Code Ann., Section 53G-8-205

Utah Code Ann., Section 53G-8-209

Utah Admin. Code R277-609

Utah Admin. Code R392-200

Utah Admin. Code R710-4-3

Utah Admin. Code R277-608-4

Utah Code Ann., Section 53G-8-211

Utah Code Ann., Section 53G-8-302

Adopted: March 14, 2017

Revised: November 20, 2017

## Synopsis

Grounds for suspension or expulsion from a public school

Extracurricular activities -- Prohibited conduct -- Reporting of violations -- Limitation of liability

Standards for LEA Discipline Plans and Emergency Safety Interventions

Design, construction, operation, sanitation and safety of schools

Buildings under the jurisdiction of the State Fire Prevention Board

Prohibition of corporal punishment in Utah public schools

Disruptive student behavior

Prohibition of corporal punishment -- Use of reasonable and necessary physical restraint