

Provo City School District

Policy Series 3000: Students



3246 P1

Reasonable Force

Education leaders must ensure that schools foster learning in a safe and healthy environment for all students, teachers, and staff. Consistent effort should be made to prevent the need for the use of restraint and seclusion and that any behavioral intervention must be consistent with the child's rights to be treated with dignity and respect and to be free from abuse.

The following procedures are provided for guidance when the unusual circumstances requiring "reasonable force" may be applied.

Definitions

- "Corporal punishment" means the intentional infliction of physical pain upon the body of a minor child as a disciplinary measure.
- "Physical restraint" means a personal restriction that immobilizes or reduces the ability of an individual to move the individual's arms, legs, body, and/or head freely. Physical restraint includes "Forceful Physical Guidance" but does not include "Gentle Physical Guidance" or "Physical Escort."
 - "Forceful Physical Guidance" is physically guiding a student through the proper motions to complete a task or to guide him/her to a safe location in response to moderate resistance on behalf of the student who poses an immediate danger to him/herself and/or others. Since the procedure would restrict, immobilize or reduce the ability of the student to freely move their torso, arms, legs, and/or head, the procedure is considered a form of physical restraint.
 - "Gentle Physical Guidance" means physically guiding a student through the proper motions to complete a task or demonstrate a skill in response to mild resistance on behalf of the student who does not pose a risk of danger to him/herself, and/or others, while at the same time does not restrict, immobilize or reduce the ability of the student to freely move their torso, arms, legs, and/or head.
- "Physical Escort" means a temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student to move from one location to another with essentially no resistance on behalf of the student.
- "Seclusion", when used with a student, means that all the following conditions are met:
 - The student is placed in an enclosed area by school personnel;
 - The student is purposefully isolated from adults and peers; and
 - The student is prevented from leaving, or reasonably believes that the student will be prevented from leaving the enclosed area.
- "Immediate danger" means the danger of physical violence/aggression towards self and/or others likely to cause serious physical harm.

- “Mechanical restraint” means any device or object used to limit a student’s movements.
- “Emergency safety intervention” means the use of seclusion or physical restraint when a student presents an immediate danger to self and/or others, and is not for disciplinary purposes.

Prohibited and Permissible Interventions

The following are *prohibited* interventions in the Provo City School District:

1. Corporal punishment as defined by law;
2. Prone or face-down physical restraint;
3. Supine or face-up physical restraint;
4. Any restraint that obstructs the airway of a student;
5. Any restraint that impacts a student’s primary mode of communication;
6. Holding a student around the neck;
7. Slapping, punching, or kicking a student;
8. Holding or pulling by the hair or ear;
9. Pain compliance, pressure points, or any pain inducing techniques;
10. Joint or skin torsion;
11. Hyper-extension of any part of the body; and/or
12. Mechanical restraint, except when those protective, stabilizing devices are prescribed by a licensed physician, or other qualified health professional acting under the scope of the professional’s authority under State law, for the standard treatment of a student’s medical condition, any device used by a law enforcement officer in carrying out law enforcement duties, seat belts and any other safety equipment when used to secure students during transportation.

The following interventions are *permissible* in the indicated conditions:

1. Physical restraint when a student presents an immediate danger of serious physical harm to self and/or others; and
2. Seclusion when a student presents an imminent danger of serious physical harm to self and/or others.

The degree of force must:

- Be in proportion to the circumstances of the incident;
- Always be the minimum needed to maintain safety; and
- Be discontinued as soon as possible.

Options for physical intervention include:

- Coming between students;
- Blocking a student’s path;
- Shepherding a student away by placing a hand in the center of the back;
- Physical escort;
- Forceful physical guidance; and/or
- Physical restraint.

Reporting Requirements and Documentation

When an emergency safety intervention is used, the school principal or his/her designee shall:

1. Notify LEA and the student's parent(s) or guardian(s) within 24 hours;
2. Maintain documentation of any incident requiring the use of an emergency safety intervention, which shall include the date and time of the intervention, the type of intervention, the length of time the intervention was used, the school personnel who participated in or supervised the intervention, any injuries to student or staff which may have occurred as a result of the intervention, and how the parent(s)/guardian(s) were notified; and
3. Documentation of the use of emergency safety interventions shall be provided to the School Board and/or USOE when requested.

Practical Considerations

When intervening physically with a student, it is recommended that a staff member:

- Retain a calm and measured approach;
- Not react due to frustration, anger, loss of temper or a need to punish the child;
- Limit talking;
- Use clear and concise statements;
- Tell the student what will happen if he/she does not stop; and
- Make it clear that the physical restraint will stop when it ceases to be necessary.

In cases where it may be inappropriate to intervene in a situation without help, staff may:

- Remove other students who are at risk;
- Summon help from colleagues;
- Inform students that help has been summoned; and/or
- Continue to attempt to diffuse the situation.

Self-protection

Adults have the right to protect themselves against an attack, provided they do not use a disproportionate degree of force to do so.

Reasonable Force Scenarios

On a warm day, a student in a 2nd floor classroom is sitting on the ledge by an open window. He is leaning out the window and appears to be in danger of losing his balance. If a teacher were to grab hold of his clothing or arm to prevent a fall, this would be reasonable force. Note: the teacher would not use physical force to compel the student back to his seat. Verbal prompts would be used to accomplish this.

A learning-disabled student has bolted from the school and is heading toward the busy street in front of the school. If a teacher were to block his pathway or restrain him by holding tightly to an arm or hand, this would be reasonable force.

A student is refusing to come inside after recess is over. He is not attempting to leave the school or run away from staff. In this case gentle physical guidance or physical escort would be allowed. Forceful physical guidance or physical restraint would not be appropriate since there is no immediate danger of physical harm. If the student continues to resist, the school needs to contact the parent(s)/guardian(s) immediately.

The teacher tells a student to go to the office for misbehaving. The student goes to the hall, but refuses to go to the office. The principal comes to help the teacher and the student continues to refuse to go to the office. In this case gentle physical guidance or physical escort would be allowed. Forceful physical guidance or physical restraint would not be appropriate since there is no immediate danger of physical harm.

Complaints

Complaints from parent(s)/guardian(s) could lead to an investigation under the school/student disciplinary procedures. Possible additional elements of responding to a complaint may include a referral to the Human Resources Department, to the police or social services agencies that deal with child protection procedures, and possibly to the Utah Professional Practices Advisory Commission (UPPAC). Complaints would take into account the district's policy on restraint and whether it has been followed.

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