

POLICY	5490 Adopted: August 25, 2015 Student Policies
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SUBJECT: USE OF PHYSICAL RESTRAINTS IN SCHOOL

The BOCES Board of Education believes that the safety of students is of paramount concern. To ensure the safety of students and staff, the Board hereby adopts the following standards for the use of physical restraints of students:

1. **Physical restraints to contain and/ or control the behavior of students should only be used to ensure safety and protection.** Except where otherwise specified as part of an approved individual crisis management plan or emergency intervention plan, *physical restraints should only be employed as a safety response to acute physical behavior and their use is restricted to the following circumstance: The student, other students, staff members or others are at imminent risk of physical harm.*
2. **Parents or persons in parental relation will be informed that physical intervention may be used if student demonstrates imminent danger to himself or others.**
3. **Physical intervention should never increase (or create more) risk than the behavior it is trying to contain.** As any physical restraint involves some risk of injury to the student or staff, staff must weigh this risk against the risks involved in failing to physically intervene when it may be warranted.
4. **Physical restraints must never be used as (1) punishment, (2) consequences, (3) “demonstrating who is in charge”, or (4) classroom maintenance** (such as enforcing compliance with directions or rules or for preventing the student from leaving the classroom). Additionally, restraints must not be used for the convenience of staff, as a substitute for an educational program, as a substitute for less restrictive alternatives, or as a substitute for adequate staffing patterns.
5. **Physical restraints should only be employed after other less intrusive approaches (such as behavior support techniques or verbal interventions) have been attempted unsuccessfully, or where such alternative approaches cannot be reasonably employed, whether due to insufficient time or otherwise.**
6. **Physical restraints must only be employed for the minimum time necessary.** They must cease when the student is judged to be safe and no longer at risk of self-injury or harming others.

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7. **Physical restraints may only be undertaken by staff who have successfully completed a comprehensive crisis management course** that covers: (1) crisis definition and theory, (2) the use of de-escalation techniques, (3) crisis communication, (4) anger management, (5) physical restraint techniques, (6) the legal, ethical, and policy aspects of their use, (7) decision-making related to physical restraints, (8) debriefing strategies, (9) signs of distress and effect on the student and how to monitor, (10) identification of events and environment factors that may trigger an emergency safety situation, (11) instruction on the Board of Education’s policy on physical restraints, (12) the effects of restraint on ALL students, and (13) the needs and behaviors of the population being served. They must also have demonstrated competency in performing the intervention techniques, which is measured and documented according to relevant professional and/or state regulatory guidelines and the guidelines of the crisis management course.

8. **All staff involved in an incident of physical restraint must have successfully completed the comprehensive crisis management training program, been assessed as competent in the use of physical restraints, and have successfully completed a skills review within each school year.** All staff assigned to working with students with disabilities and all teacher aides will successfully complete the comprehensive crisis management training program. Staff members who are unable to complete such training during the required time period may be unable to continue their employment with BOCES. This policy will be reviewed with all staff during orientation at the beginning of each school year and immediately with any newly hired staff. Untrained staff may not restrain students.

9. **Only physical restraint skills and decision-making processes that are taught in the comprehensive crisis management course and approved by the BOCES may be used.** All techniques (including decision-making processes) must be applied according to the guidelines provided in the training and in this policy.

10. **Where possible, staff members must consult with peers and supervisors prior to initiating any physical restraint.**

11. **Two or more staff members should be involved in any physical restraint** to help ensure safety and accountability. A nurse or medically trained person should be in attendance during any physical restraint to observe and monitor the student and staff for physical indicators of distress.

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12. **Students may not be permitted to restrain or to assist in the restraint of other students.**
13. **Following any incident involving physical restraint, the special education program must ensure that a follow-up evaluation of the student by a nurse.** It must also ensure that debriefing and support is offered to the student, the staff members, and any other people involved in or witnessing the episode. Staff members should provide the student with an explanation for the intervention and offer the student an opportunity to express his or her views on what transpired.
14. **Any initial use of physical restraint on a student must be reported to the principal responsible for the program in which such student attends and an individual crisis management plan or emergency intervention plan may be developed and implemented** by the concerned parties, including making informed decision-making with parents and/or guardian. The use of restraints should be discussed with the student and under what circumstances restraint would be used and what kind. The plan should cover the use of positive and less intrusive intervention techniques and specify the circumstances under which physical restraint may or may not be an appropriate response in the future.
15. **All incidents of physical intervention must be recorded on incident report forms** that reflect the stated policy and include (at least) details of the incident, the people involved, the preventive strategies that were employed, actual techniques used, any injuries sustained by the student or staff, and debriefing that was provided for the student. Principals must review all such reports and appropriate action should be taken (for example, counseling for the student and/or staff members, critical incident review, skills update, notification to external authorizes). A student's parent or person in parental relation must be notified of any incident involving physical intervention. The data collection system should be used for a data-driven decision making process that concentrates on adjusting the system to support the student.
16. **If any injuries to a student result from the use of a physical restraint, the details must be reported to the principal responsible for the program in which such student attends and the Superintendent or his/her designee.** A formal review of the incident and the individual crisis management and/or the behavior intervention plan must be conducted.