

Policy JCBA: Student Restraint & Seclusion

Status: DRAFT

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Student Restraint and Seclusion

The Jackson County School District Board of Trustees supports a positive approach to behavior that uses proactive strategies to create a safe school climate that promotes dignity, creates authentic student engagement, and improves student achievement for all students.

In accordance with Miss. Code Ann. §§ 37-9-69 and 37-11-57, it is recognized that staff may intercede in situations wherein students are displaying physically violent behavior or are deemed to be a danger to themselves or others. The use of excessive force or cruel and unusual punishment regarding student management is prohibited. Restraint and/or seclusion shall not be utilized as a punitive measure.

Only school personnel trained in the use of restraint and seclusion should be used to observe and monitor these students. Staff engaged in monitoring students shall have knowledge of effective restraint and seclusion procedures, emergency procedures, and knowledge of how to effectively debrief students after the use of restraint or seclusion.

This policy in no way shall inhibit the right of staff to reasonable self-defense in accordance with the provisions of the 5th and 14th amendments to the Constitution of the United States, or the Constitution of Mississippi, nor negate the obligation of the district to provide a safe work environment.

In any situation in which a student is a danger to himself/herself or others, and it becomes necessary to contact law enforcement or emergency medical personnel, nothing in this policy guidance shall be construed to interfere with the duties of law enforcement or emergency medical personnel.

Restraint

Physical restraint is considered to be an emergency response after all other verbal and non-verbal de-escalation measures have failed in effectiveness. When using physical restraint for students who are a danger to themselves or others, staff should take precautions necessary to ensure the safety of the student and the staff members engaged in restraining the student. The following types of restraints are not allowed:

1. Physical restraints that restrict the flow of air are prohibited in all situations.
2. Mechanical restraints are prohibited, except by law enforcement.
3. Chemical restraints are prohibited.

The restraint shall be removed as soon as the student is no longer a danger to themselves or others, but shall be immediately removed as soon as a student appears to be or claims to be in distress. The student will return to their least restrictive environment when he or she is able.

Seclusion

- a. The use of seclusion occurs in a specially designated room or space that is physically isolated from common areas and from which the student is physically prevented from leaving. The room or space used for seclusion may not be locked and staff shall be present to monitor the student. Seclusion shall cease once the student regains control of is or her behavior.
- b. Only school personnel trained in the use of restraint and seclusion should be used to observe and monitor these students. Staff engaged in monitoring students shall have knowledge of effective restraint and seclusion procedures, emergency procedures, and knowledge of how to effectively debrief students after the use of restraint or seclusion.
- c. The room or space used for seclusion shall not contain any objects or fixtures with which a student could reasonably be harmed. Additionally, the room shall provide adequate lighting and ventilation.

Administrative Procedures

This policy and the supporting procedures are designed to ensure the safety of all students, school personnel, and visitors. The following provisions shall be adhered to:

1. Staff and faculty shall be trained at least annually on the use of physical restraint and seclusion. Teachers and other district personnel shall be trained on how to collect and analyze student data to determine the effectiveness of these procedures in increasing appropriate behavior.
2. Administrators shall document incidents of the use of physical restraint or seclusion by staff or faculty participating in or supervising the restraint or seclusion event.
3. A review of the use of a restraint and seclusion process shall be conducted by the school to determine if revisions of behavioral strategies are in place to address dangerous behavior or if positive behavioral strategies were not in place at the time of the restraint or seclusion.
4. The school board shall review this policy and incidents of seclusion and restraint data at a minimum, annually. At a minimum, the Superintendent shall make annual reports of incidents of restraint and/or seclusion to the school board. The school district shall report the incidents to the Mississippi Department of Education annually.
5. This policy and supporting procedures shall be reviewed with all staff on an annual basis.
6. The superintendent or designee shall develop procedures for reporting the use of restraint or seclusion to the local board of education and to the Mississippi Department of Education.
7. After reviewing the district reports of incidents in which restraint and seclusion were used, if necessary, the superintendent shall make recommendations to the board for possible revisions to this policy. The review and/or revisions to this policy shall be documented on the school board meeting agenda and the subsequent minutes of the school board meeting. The school district or school shall maintain records of its review of and any resulting decisions or actions regarding the use of seclusion and restraint.

Parental Notification

All parents shall receive, at least annually, written information about the policies and procedures for restraint and seclusion issued by this school district. The written policies shall be included in the code of conduct, student handbook, school board policy manual, and any other appropriate school publication.

Parents or guardians shall be notified verbally or in writing on the day of the restraint or seclusion or no later than 48 hours following the incident. In the event a parent cannot be reached by telephone, a letter shall be sent informing the parent of the incident and the person who can be contacted at the school to address any questions the parent may have. At the time the parent is notified, the school shall schedule a debriefing with the parent to discuss the incident.

The superintendent or designee shall develop procedures by which a parent may submit a complaint regarding the physical restraint or seclusion of their child; the procedures shall be printed in the Student Handbook.

The superintendent or designee shall establish and disseminate all procedures relevant to the implementation of this policy and the guidelines set forth by the Mississippi Department of Education.

This policy and all revisions to the policy shall at a minimum be disseminated to all parents and staff annually, and listed in the staff and student handbooks, as well as the school board policy manual.
