



## **Administrative Directive 4.50.060-AD**

### **Student Restraint and Seclusion**

Portland Public Schools is dedicated to the development and application of best practices within the district's educational and behavioral programs. In accordance with state law, physical restraint and seclusion may only be used in very limited circumstances. This Administrative Directive defines the circumstances that must exist and the requirements that must be met prior to, during, and after the use of restraint and/or seclusion with district students.

#### **I. Definitions**

A. Chemical restraint means a drug or medication that is used on a student to control behavior or restrict freedom of movement and that is not:

1. Prescribed by a licensed physician or other qualified health professional acting under the professional's scope of practice for standard treatment of the student's medical or psychiatric condition; and
2. Administered as prescribed by a licensed physician or other qualified health professional acting under the professional's scope of practice.

B. Mechanical restraint means a device used to restrict the movement of a student or the movement or normal function of a portion of the body of a student. Mechanical restraint" does not include:

1. A protective or stabilizing device ordered by a licensed physician; or
2. A vehicle safety restraint when used as intended during the transport of a student in a moving vehicle.

C. Physical Restraint means the restriction of a student's actions or movements by holding the student or using pressure or other means.

1. Restraint does not include:



## Administrative Directive 4.50.060-AD

### Student Restraint and Seclusion

- a. Holding a student's hand or arm to escort the student safely and without the use of force from one area to another;
- b. Assisting a student to complete a task if the student does not resist the physical contact; or
- c. Providing reasonable intervention with the minimal exertion of force necessary if the intervention does not include a restraint prohibited under ORS 339.288 and the intervention is necessary to:
  - (i) Break up a physical fight;
  - (ii) Interrupt a student's impulsive behavior that threatens the student's immediate safety, including running in front of a vehicle or climbing on unsafe structures or objects; or
  - (iii) Effectively protect oneself or another from an assault, injury or sexual contact with the minimum physical contact necessary for protection.

D. Prone restraint means a restraint in which a student is held face down on the floor.

E. Supine restraint means a restraint in which a student is held face up on the floor.

F. Seclusion means the involuntary confinement of a student alone in a room from which the student is physically prevented from leaving.

1. Seclusion does not include the removal of a student for a short period of time to provide the student with an opportunity to regain self-control if the student is in a setting from which the student is not physically prevented from leaving.



## **Administrative Directive 4.50.060-AD**

### **Student Restraint and Seclusion**

G. Serious bodily injury means any significant impairment of the physical condition of a person, as determined by qualified medical personnel, whether self-inflicted or inflicted by someone else.

#### **II. Applicability**

A. The provisions of this AD apply to all students in all district settings except as provided in paragraph B.

B. DART programs located in mental health treatment facilities operate under different seclusion and restraint rules so are not covered by this AD.

#### **III. Prohibitions on use of Physical Restraint or Seclusion**

A. The use of the following types of restraint on a student in a public education program is prohibited:

1. Chemical restraint.
2. Mechanical restraint.
3. Prone restraint.
4. Supine restraint.
5. Any restraint that involves the intentional and nonincidental use of a solid object, including a wall or the floor, to impede a student's movement, unless the restraint is necessary to prevent an imminent life-threatening injury or to gain control of a weapon.
6. Any restraint that places, or creates a risk of placing, pressure on a student's neck or throat.



## **Administrative Directive 4.50.060-AD**

### **Student Restraint and Seclusion**

7. Any restraint that places, or creates a risk of placing, pressure on a student's mouth, unless the restraint is necessary for the purpose of extracting a body part from a bite.
8. Any restraint that impedes, or creates a risk of impeding, breathing.
9. Any restraint that involves the intentional placement of the hands, feet, elbow, knee or any object on a student's neck, throat, genitals or other intimate parts.
10. Any restraint that causes pressure to be placed, or creates a risk of causing pressure to be placed, on the stomach or back by a knee, foot or elbow bone.
11. Any action designed for the primary purpose of inflicting pain.

B. Physical Restraint or seclusion may not be used for discipline, punishment, retaliation or convenience of personnel, contractors or volunteers of [the] a public education program.

#### **IV. Requirements for Using Physical Restraint or Seclusion**

A. When physical restraint or seclusion may be used:

Physical Restraint may be used on a student in a public education program only under the following circumstances:

1. The student's behavior imposes a reasonable risk of imminent and substantial physical or bodily injury to the student or others; and
2. Less restrictive interventions would not be effective.
3. Used only for as long as the student's behavior poses a reasonable risk



## **Administrative Directive 4.50.060-AD**

### **Student Restraint and Seclusion**

Seclusion may be used on a student in a public education program only under the following circumstances:

1. The student's behavior imposes a reasonable risk of imminent and serious bodily injury to the student or others; and
2. Less restrictive interventions would not be effective.
3. Used only for as long as the student's behavior poses a reasonable risk.

The physical restraint or seclusion may only be implemented by district personnel who are:

1. Trained to use physical restraint or seclusion using a program or method selected by PPS and approved by the Oregon Department of Education; or
2. Otherwise available in an emergency circumstance when trained personnel are not immediately available due to the unforeseeable nature of the emergency circumstance.
3. Used only for as long as the student's behavior poses a reasonable risk.

If the physical restraint or seclusion continues for more than 30 minutes:

1. The student must be provided with adequate access to the bathroom and water every 30 minutes;



## **Administrative Directive 4.50.060-AD**

### **Student Restraint and Seclusion**

2. Personnel must immediately attempt to verbally or electronically notify a parent or guardian of the student being secluded or restrained; and
3. Every 15 minutes after the first 30 minutes, a building or special education administrator must provide written authorization for the continuation of the physical restraint or seclusion, including documentation for the reason for continuation.

#### **B. Debriefing meeting:**

1. A debriefing meeting must be held within two school days of any use of physical restraint or seclusion. The purpose of the debriefing meeting is to review the event and prevent unnecessary use of physical restraint and seclusion in the future.
2. The debriefing meeting will include all personnel who were involved in the incident and any other appropriate personnel.
3. The debriefing process must be documented on a PPS debriefing form and a copy provided to the parent or guardian of the student.

#### **C. Review Meeting:**

1. If a student is involved in five incidents in a school year involving physical restraint or seclusion, a team including personnel and the parent or guardian of the student will meet to review and revise the student's behavior plan and ensure the provision of any necessary behavioral supports.

#### **V. Documentation and Reporting of Physical Restraint or Seclusion:**



## **Administrative Directive 4.50.060-AD**

### **Student Restraint and Seclusion**

- A. By the end of the school day when the incident occurred:
  - 1. A staff person who observed or implemented the physical restraint or seclusion must complete a written or electronic report of the incident that meets state and federal requirements; and
  - 2. A staff person must provide the student's parents or guardian with verbal or electronic notice of the incident. If the parent does not have a phone or access to electronic communication, the school must use its usual methods of communicating with the parent to provide this notice.
  
- B. Within one school day of the incident:
  - 1. A copy of the incident report must be provided to the parents or guardian; and
  - 2. Parents must be given notice of the date, time, and location of the debriefing.
  
- C. Within two school days of the use of physical restraint or seclusion:
  - 1. Appropriate staff, including the staff involved in the restraint or seclusion, must complete a documented debriefing.
  - 2. A copy of the debriefing report must be distributed to the parent or guardian and building administrator or designee.
  
- D. Notification to Department of Human Services (DHS): If serious bodily injury or death of a student occurs in relation to the use of physical restraint or seclusion, the building principal or designee must provide written notification of the incident to DHS within 24 hours of the incident but only if such notice complies with the provisions of the Family Education Rights and Privacy Act.



## Administrative Directive 4.50.060-AD

### Student Restraint and Seclusion

E. If serious bodily injury or death of district personnel occurs in relation to the use of physical restraint or seclusion, the building principal or designee must provide written notification of the incident to the superintendent and human resources director or designee. If applicable, the human resources director or designee must inform the union representative for the affected party.

F. Annual report:

1. The superintendent shall direct the completion of an annual report detailing the use of physical restraint and seclusion for the preceding school year that complies with state and federal reporting requirements.
2. The report will be made available as follows:
  - a. To the public at the main office and the website;
  - b. To the Board of Education
  - c. Parents and guardians of students in the district shall be advised at least once each school year about how to access the report.

Legal and Policy References: ORS 339.285; ORS 339.288; ORS 339.291; ORS 339.297; ORS 339.300; ORS 161.205; ORS 339.250

AD History: Approved May 2008; Amended June 2012; Amended 7/1/2020