

This Webinar reviews the Duties, related to the use of that Restraint

General Requirements:

General Requirements when restraints, including seclusion, are used, the public education program shall ensure that:

- Restraints are administered only by staff who have received training
- A person administering the physical restraint must use only the amount of force necessary to stop the dangerous or violent actions of the student. (equal or less force that the student is exerting)
- A student shall be released from physical restraint within fifteen minutes after the initiation of the restraint, except when precluded for safety reasons.
- Opportunities to have the restraint removed are provided to the student who indicates that (s)he is willing to cease the violent or dangerous behavior;
- When it is determined by trained staff that the restraint is no longer necessary to protect the student or others (i.e., the emergency no longer exists), the restraint must be removed.
- In the case of seclusion, staff must reintegrate the student or clearly communicate to the student that (s)he is free to leave the area used to seclude the student; and Student is reasonably monitored to ensure the student's physical safety.
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Monitoring of Restraints:

A restrained student must be continuously monitored to ensure that the breathing of the student in such physical restraint is not compromised.

No restraint is administered in such a way that the student is inhibited or impeded from breathing or communicating;

No restraint is administered in such a way that places excess pressure on the student's chest, back, or causes positional asphyxia; "Positional Asphyxia" means an insufficient intake of oxygen as a result of body position that interferes with one's ability to breathe.

The staff member responsible for restraint will **continuously monitor** any student placed or held in restraint to assure the student **is properly positioned**, the student's **blood circulation** is not restricted, the student's **airway is not obstructed**, there is no excess pressure on the student's chest or back to inhibit the student's ability to breathe and to insure the student's other **physical needs are met**.

Documentation tips:

Some documentation tips that you can use related to the use of restraints and seclusion.

Many of the complaints or dispute resolution relate to parents not being notified of times when their student has been restrained and secluded. To avoid this, it is recommended that schools develop a documentation system for:

- Tracking that the parent was provided with the same day written documentation, including the date .

- Tracking when the parent was provided with full written report, sent not more than 5 days after the event, including the date.
- Tracking any follow up communication with parents.

Reporting Requirements:

Every public school and district is required to report disciplinary data at the aggregate level. Federal guidance from the U.S. Department of Justice Civil Rights Division and the U.S. Department of Education Office for Civil Rights (2014) recommends that districts examine those data and review their disciplinary policies to determine the extent to which exclusionary disciplinary actions are being used and whether they are being administered disproportionately to subgroups of students, such as racial/ethnic minority students or students with disabilities.

House Bill 22-1376 changes to reporting requirements:

HB 22-1376 made adjustments to the previous slides reporting requirements on the use of restraints and seclusion. The HS states that THE DEPARTMENT OF EDUCATION SHALL STANDARDIZE THE REPORTING METHOD THAT SCHOOL DISTRICTS, INCLUDING CHARTER SCHOOLS OF A SCHOOL DISTRICT AND INSTITUTE CHARTER SCHOOLS, USE TO COLLECT AND REPORT DATA CONCERNING SUSPENSIONS AND EXPULSIONS, ARRESTS AND REFERRALS, CHRONIC ABSENTEEISM, INCIDENTS OF VIOLENCE, AND HARASSMENT AND BULLYING, AND THE SAFE SCHOOL REPORTING REQUIREMENTS SET FORTH IN SECTION 22-32-109.1

The standardized reporting is to include the following information but is not limited to reporting on the following:

- CHRONIC ABSENTEEISM RATES
- THE NUMBER OF IN-SCHOOL AND OUT-OF-SCHOOL SUSPENSIONS
- THE NUMBER OF EXPULSIONS
- THE NUMBER OF STUDENTS HANDCUFFED
- THE NUMBER OF REFERRALS TO LAW ENFORCEMENT
- THE NUMBER OF STUDENTS PHYSICALLY RESTRAINED
- THE NUMBER OF STUDENTS PLACED IN SECLUSION

Determining significant disproportionality:

Determining whether racial disproportionality in discipline practices exists in your school or district requires analyzing data separately for different racial or ethnic groups. Simply monitoring discipline data for all students will not reveal whether certain student groups receive school discipline at higher or lower rates than others.

- Use disaggregated data to identify school discipline concerns in your setting.
- Discuss ways to improve the quality of available data and identify additional data that could inform improvement decisions.
- Discuss different perspectives that administrators, teachers, and families may have about school discipline and how to consider those perspectives when sharing research and school or district discipline data.