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2 **USE OF RESTRAINTS**

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4 The Shaker Regional School Board (SRSB) believes that all students are entitled to learn
5 in a school environment that is safe and secure, and free from the unreasonable use of
6 physical restraint on students. SRSB encourages the use of preventive and positive
7 behavioral interventions to manage student behavior. The use of physical restraint is
8 limited to emergencies only.

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10 The Superintendent shall provide notice to all employees and contractors providing direct
11 services to students in employee handbooks and/or other reasonable means.

12
13 1.1 Definitions¹

- 14 1. “Physical restraint” is the use of bodily force to restrict a student’s freedom of
15 movement or normal access to his or her body, but does not include conduct listed
16 in section 1.4.
17 2. “Restraint” means bodily physical restriction, mechanical devices, or any device
18 that unreasonably limits freedom of movement. It includes mechanical restraint,
19 physical restraint, and medication restraint used to control behavior in an
20 emergency or any involuntary medication.
21 3. “Trained Staff” are those individuals who successfully complete and remain
22 current in a training program that provides instruction in the prevention, safe use,
23 evaluation, and monitoring of restraint.

24
25 1.2 Circumstances in Which Restraint May Be Used²

- 26 1. Emergencies: Restraint will only be used to ensure the immediate physical safety
27 of persons when there is a substantial and imminent risk of serious injury to the
28 student or others.
29 2. It shall be used only by trained staff, using extreme caution, and in a manner
30 consistent with the District’s training program.
31 3. It shall be used only when all other interventions have failed or have been deemed
32 inappropriate.
33 4. It shall be used only to the degree and length necessary to avoid serious injury,
34 and in such a way to preserve the confidentiality and dignity of all persons
35 involved.
36 5. Restraint shall never be used explicitly or implicitly as punishment for the
37 behavior of a student.

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39 Restraint shall be carried out by trained staff authorized by the Superintendent, Director
40 of Student Service, Principal, or his/her designee. Untrained staff are limited to
41 physically intervening by using the minimal amount of physical contact with the student
42 to protect the student and ensure the safety of others until trained staff is available.
43 Untrained staff should request assistance from trained staff as soon as possible.
44

¹ RSA 126 U: 1

² RSA 126 U:5

1 1.3 Prohibition of Dangerous Restraint Techniques³

2 The use of the following restraint and behavior control techniques is prohibited:

- 3 1. Any physical restraint⁴ or containment technique that:
- 4 (a) Obstructs a child's respiratory airway or impairs the child's
- 5 breathing or respiratory capacity or restricts the movement
- 6 required for normal breathing;
- 7 (b) Places pressure or weight on, or causes the compression of, the
- 8 chest, lungs, sternum, diaphragm, back, or abdomen of a child;
- 9 (c) Obstructs the circulation of blood;
- 10 (d) Involves pushing on or into the child's mouth, nose, eyes, or any
- 11 part of the face or involves covering the face or body with
- 12 anything, including soft objects such as pillows, blankets, or
- 13 washcloths; or
- 14 (e) Endangers a child's life or significantly exacerbates a child's
- 15 medical condition.
- 16 2. The intentional infliction of pain, including the use of pain inducement to
- 17 obtain compliance.
- 18 3. The intentional release of noxious, toxic, caustic, or otherwise unpleasant
- 19 substances near a child for the purpose of controlling or modifying the
- 20 behavior of or punishing the child.
- 21 4. Any technique that unnecessarily subjects the child to ridicule,
- 22 humiliation, or emotional trauma.
- 23

24 1.4 Conduct Not Prohibited⁵

25 The following does not constitute restraint and is not prohibited by this policy.

- 26 1. Holding a child to calm or comfort the child, holding a child's hand or arm
- 27 to escort the child safely from one area to another, or intervening in an
- 28 ongoing assault or fight.
- 29 2. Brief periods of physical restriction by person-to-person contact, without
- 30 the aid of medication or mechanical restraints, accomplished with minimal
- 31 force and designed either to prevent a child from completing an act that
- 32 potentially would result in physical harm to himself or herself or to
- 33 another person, or to remove a disruptive child who is unwilling to leave
- 34 an area voluntarily.
- 35 3. The use of seat belts, safety belts, or appropriate passenger restraints
- 36 during the transportation of a child in a motor vehicle⁶.
- 37 4. The use of force by a person to defend himself or herself or a third person
- 38 from what the person using restraint reasonably believes to be the
- 39 imminent use of unlawful force by a child, when the person using restraint
- 40 uses a degree of such force which he or she reasonably believes to be
- 41 necessary for such purpose.

³ RSA 126 U:4

⁴ SRSD Policy JKA

⁵ RSA 126 U: I, IV

⁶ SRSD Policy IJOA

- 1 5. “Physical devices,” such as orthopedically prescribed appliances, surgical
2 dressings and bandages, and supportive body bands, or other physical
3 holding when necessary for routine physical examinations and tests or for
4 orthopedic, surgical, and other similar medical treatment purposes, or
5 when used to provide support for the achievement of functional body
6 position or proper balance, or to permit a student to participate in activities
7 without the risk of physical harm.
8

9 1.5 Authorization and Monitoring of Extended Restraint⁷

- 10 1. Restraint shall not be imposed for longer than is necessary to protect the
11 student or others from the substantial and imminent risk of serious bodily
12 harm.
13 2. Students in restraint shall be continuously and directly observed by district
14 staff authorized in the safe use of restraint.
15 3. No period of restraint of a student may exceed 15 minutes without the
16 approval of a supervisory employee designated by the Superintendent to
17 provide such approval.
18 4. No period of restraint of a student may exceed 30 minutes unless a face-
19 to-face assessment of the mental, emotional, and physical well-being of
20 the student is conducted by a supervisory employee designated by the
21 Superintendent who is trained to conduct such assessments. The
22 assessment shall also include a determination of whether the restraint is
23 being conducted safely and for a purpose authorized by this policy. Such
24 assessments shall be repeated at least every 30 minutes during the period
25 of restraint. Each such assessment shall be documented in writing and
26 such records shall be retained by district as part of the written notification.
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28 1.6 Reporting Requirements and Parental Notification⁸

- 29 1. Any staff member who administers physical restraint shall verbally inform
30 the Principal or designee of the restraint as soon as possible.
31 2. In the event restraint is used on a student, the building principal or
32 designee will verbally notify, within 24 hours, the student’s
33 parents/guardian of the occurrence.
34 3. The building principal or designee will, within 5 business days after the
35 occurrence, submit a written notification/report containing the following
36 information to the Superintendent:
37 (a) The date, time, and duration of the use of restraint.
38 (b) A description of the actions of the student before, during, and
39 after the occurrence.
40 (c) A description of any other relevant events preceding the use of
41 restraint, including the justification for initiating the use of
42 restraint.
43 (d) The names of the persons involved in the occurrence.

⁷ RSA 126 U:11

⁸ RSA 126 U: 7

- 1 (e) A description of the actions of the staff member involved before,
2 during, and after the occurrence.
- 3 (f) A description of any interventions used prior to the use of the
4 restraint.
- 5 (g) A description of the restraint used, including any hold was
6 necessary.
- 7 (h) A description of any injuries sustained by, and any medical
8 care administered to, the student, employees, or others before,
9 during, or after the use of restraint.
- 10 (i) A description of any property damage associated with the
11 occurrence.
- 12 (j) A description of actions taken to address the emotional needs
13 of the student during and following the restraint incident.
- 14 (k) A description of future actions to be taken to control the
15 student's problem behaviors.
- 16 (l) The name and position of the person completing the
17 notification.
- 18 (m) The anticipated date of the final report.

19
20 Unless prohibited by court order, the Superintendent or designee shall, within 2 business
21 days of receipt of the notification required in the above paragraph, send by first class mail
22 to the child's parent or guardian the information contained in the notification/report.
23 Each notification/report prepared under this section shall be retained by the district for
24 review.

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26 1.7. Training

27 The Superintendent, Director of Student Services, Principal, or his/her designee shall
28 ensure that staff are trained in the appropriate use of physical restraint and the
29 requirements of this policy. At the beginning of each school year, the Principal or
30 designee of each school shall identify staff members who are authorized to use physical
31 restraint and/or to assist in ensuring the proper administration of physical restraint under
32 this policy.

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