

## Policy

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### USE OF PHYSICAL RESTRAINT AND SECLUSION TECHNIQUES FOR STUDENTS WITH DISABILITIES

The Little Silver Board of Education strives to provide a safe, caring atmosphere that supports all students in the least restrictive environment. On occasion, during an emergency, a situation may arise making it necessary to temporarily restrain or seclude a student with a disability in accordance with N.J.S.A. 18A:46-13.4 through 13.7.

The superintendent shall ensure that the use of physical restraint on students with disabilities is limited to the following:

- A. Physical restraint is used only in an emergency in which the student is exhibiting behavior that places the student or others in immediate physical danger;
- B. A student is not restrained in the prone position, unless the student's primary care physician authorizes, in writing, the use of this restraint technique;
- C. Staff members who are involved in the restraint of a student receive training in safe techniques for physical restraint from an entity determined by the board of education to be qualified to provide such training, and that the training is updated at least annually;
- D. The parent/guardian of a student is immediately notified when physical restraint is used on the student. This notification may be by telephone or electronic communication. A post-incident written notification report of the incident of physical restraint shall be provided to the parent within forty-eight hours of the occurrence of the incident;
- E. Each incident in which physical restraint is used is carefully and continuously visually monitored to ensure it was used in accordance with established procedures set forth in board policy and regulation 5131.8 Use of Physical Restraint and Seclusion Techniques for Students with Disabilities, developed in conjunction with the entity that trains staff in safe techniques for physical restraint, in order to protect the safety of the child and others; and
- F. Each incident in which physical restraint is used is documented in writing in sufficient detail to enable staff to use this information to develop or improve the behavior intervention plan at the next individualized education plan (IEP) meeting.

Staff members of this district shall attempt to minimize the use of physical restraints through inclusion of positive behavior supports in the student's behavior intervention plans developed by the IEP team.

### Seclusion

Staff members that utilize seclusion techniques on students with disabilities shall ensure that:

- A. A seclusion technique is used on a student with disabilities only in an emergency in which the student is exhibiting behavior that places the student or others in immediate physical danger;
- B. Each incident in which a seclusion technique is used is carefully and continuously visually monitored to

PHYSICAL RESTRAINT (continued)

ensure it was used in accordance with established procedures set forth in Policy and Regulation 5131.8 – Use of Physical Restraint and Seclusion Techniques for Students with Disabilities, developed in conjunction with the entity that trains staff in safe techniques for physical restraint, in order to protect the safety of the child and others; and

- C. Each incident in which a seclusion technique is used is documented in writing in sufficient detail to enable the staff to use this information to develop or improve the behavior intervention plan at the next IEP meeting.

Staff members of this district shall attempt to minimize the use of seclusion techniques through inclusion of positive behavior supports in the student's behavior intervention plans developed by the IEP team.

Elopement

The board is committed to the safety and welfare of all students. The board directs the superintendent to take appropriate measures to reduce the risk of student elopement and/or wandering when the students are within the custody and care of the school district. Elopement is defined as a student leaving an assigned area without permission from or knowledge of staff, often to escape and/or avoid a school-related situation or task. Wandering is defined as meandering which results in a student getting lost, leaving a safe environment or entering an inappropriate place, often due to the student's inattention or distractibility.

The superintendent or his or her designees shall establish procedures to prevent the occurrence of wandering and elopements and to direct actions to be taken when an elopement does occur.

Review

The superintendent shall ensure that a review process is in place to examine the use of physical restraints or seclusion techniques in emergency situations, and for the repeated use of these methods for an individual child, within the same classroom, or by a single individual. The review process shall be aligned with the New Jersey Department of Education established guidelines and shall include educational, clinical, and administrative personnel.

Pursuant to the review process the student's IEP team may, as deemed appropriate, determine to revise the behavior intervention plan or classroom supports, and the district may determine to revise a staff member's professional development plan pursuant to N.J.S.A. 18A:46-13.7.

The superintendent or designee may gather input from school staff members and parents of students with disabilities on this policy and regulation. All students with disabilities and their parents shall be afforded the procedural safeguards provided by the Individuals with Disabilities Education Act (IDEA).

The superintendent or designee shall annually inform parents of students with disabilities about the board's policy regarding restraint and seclusion.

Adopted:	April 7, 2011
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Key Words

Physical Restraint, Disruption,

PHYSICAL RESTRAINT (continued)

<b>Legal References:</b>	<u>N.J.S.A.</u> 2C:12-1	Definition of assault
	<u>N.J.S.A.</u> 18A:6-1	Corporal punishment of students
	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:25-2	Authority over students
	<u>N.J.S.A.</u> 18A:37-1 <u>et seq.</u>	Discipline of Students
	<u>See particularly:</u>	
	<u>N.J.S.A.</u> 18A:37-15	
	<u>N.J.S.A.</u> 18A:40A-1 <u>et seq.</u>	Substance Abuse
	<u>N.J.S.A.</u> 18A:46-1.1 <u>et seq.</u>	Classes and facilities for handicapped children
	<u>See particularly:</u>	
	<u>N.J.S.A.</u> 18A:46-13.4 through	Physical restraint and seclusion techniques on students -13.7 with disabilities
	<u>N.J.A.C.</u> 6A:14-2.8	Discipline/suspension/expulsions
	<u>N.J.A.C.</u> 6A:16-1.1 <u>et seq.</u>	Programs to Support Student Development

New Jersey Department of Education Restraint and Seclusion Guidance for Students with Disabilities – July 10, 2018

**Possible**

<b><u>Cross References:</u></b>	*1410	Local units
	*3510	Operation and maintenance of plant
	*3516	Safety
	*4112.4/4212.4	Employee health
	*4131/4131.1	Staff development; inservice education/visitations/conferences
	*5125	Student records
	*5131	Conduct/discipline
	*5131.1	Harassment, intimidation and bullying
	*5131.6	Substance abuse
	*5131.7	Weapons and dangerous instruments
	*5141	Health
	*5141.1	Accidents
	*5141.2	Illness
	*5141.6	Self destructive behavior
	*5141.21	Administering medication
	*5142	Student safety
	*5145.11	Questioning and apprehension
	*5145.12	Search and seizure
	*6142.4	Physical education and health
	*6171.3	Special education

\*Indicates policy is included in the Critical Policy Reference Manual.