

JKA - PHYSICAL INTERVENTION, RESTRAINT, SECLUSION AND TIME-OUT

In order to maintain a safe environment conducive to learning, District employees may, within the scope of their employment and to the extent their actions comply with governing law, use physical intervention, restraint, seclusion and time-out with students as provided in this policy. Such actions shall not be considered child abuse or corporal punishment if performed in good faith and in compliance with this policy.

PHYSICAL INTERVENTION

Corporal punishment shall not be administered to any student by any District employee. However, it shall be permissible under this policy for District employees within the scope of their employment (including involvement in extracurricular activities) to physically intervene with a student in a manner that does not constitute “restraint” as defined under this policy as reasonably necessary to protect persons or property, prevent an act of wrongdoing and/or maintain student discipline.

RESTRAINT, SECLUSION AND TIME-OUT

As used in this policy, the following definitions shall apply:

“Bodily injury” means physical pain, illness or any impairment of physical or mental condition.

“Positional asphyxia” means an insufficient intake of oxygen as a result of body position that interferes with one’s ability to breathe.

“Restraint” means any method or device used to involuntarily limit a student’s freedom of movement, including bodily physical force, mechanical devices, chemicals and seclusion.

“Restraint” does not include the following actions, which are permissible: (1) holding of the student in a position other than a face-down position for less than five minutes by a District employee for protection of the student or other persons, including cases where the student’s abuse or destruction of property creates a probable, imminent threat of bodily injury to the student or to other persons; (2) brief holding of the student by a District employee in a position other than a face-down position for purposes of calming or comforting the student; (3) minimal physical contact for the purpose of safely escorting the student from one area to another; (4) minimal physical contact for the purpose of assisting the student in completing a task or response; or (5) the use of time-out as defined in this policy.

“Seclusion” means the placement of a student alone in a room from which the student’s egress is involuntarily prevented, but does not include the use of time-out as defined in this policy.

“Time-out” means both non-exclusionary time-out (removal of social reinforcers such as teacher or classmate attention, physical contact or verbal interaction, or removal of materials with which student has been interacting) and exclusionary time-out at three levels: (1) CONTINGENT OBSERVATION - removal of student from current environment to another location in the room or setting from which student can observe but not participate in the ongoing instruction or other activity; (2) EXCLUSION TIME-OUT - removal of student from current environment to another location in the room or setting where student cannot observe the ongoing instruction or activity; and (3) ISOLATION TIME-OUT - isolation of student from all probable reinforcers by being placed in a different room with adequate lighting, no smaller than 6 feet x 6 feet with normal ceiling height and a non-injurious environment; under the constant supervision of a qualified employee who remains in the room at all times, or if the student is in the room alone egress is not prevented.

TIME-OUT

Non-exclusionary and exclusionary time-out may be used by authorized District employees to address inappropriate student behavior.

In addition to being placed in a non-exclusionary or exclusionary time-out by an authorized District employee, a student may, pursuant to an IEP, Section 504 Plan, behavior plan or otherwise with the permission of an authorized employee, voluntarily assume a time-out to regain control and/or reflect on behavior at a location or in a room from which egress is not prevented.

RESTRAINT

District employees shall not use restraint with any student by means of mechanical devices or chemicals, and shall not use restraint that involves holding the student in a

SECLUSION

It shall be permissible under this policy for District employees, within the scope of their employment, to place a student in seclusion when the student poses a serious, probable and imminent threat of bodily injury to himself/herself or to others, with the present ability to effect such bodily injury. It shall also be permissible for District employees, within the scope of their employment, to place a student in seclusion when the student's abuse or destruction of property creates such a threat. Seclusion may only be used for that period of time when it is unsafe for another person to be in the same room with the student, and only if the student is placed in a room with adequate lighting, no smaller than 6 feet x 6 feet with normal ceiling height and a non-injurious environment, under the constant observation of a qualified employee immediately outside the room. Relief periods from seclusion shall be provided for reasonable

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seclusion as soon as reasonably possible after it occurs, and shall determine what additional steps, if any, to take.

The principal or designee (or for students with disabilities, the IEP team or Section 504