



USE OF RESTRAINTS IN SCHOOLS



WHEN MAY A RESTRAINT BE USED IN SCHOOL?

- Restraint is any method or device used to involuntarily limit freedom of movement, including but not limited to bodily physical force, mechanical devices, chemicals, and seclusion
- Restraints may be used in emergency situations only, and must be used with extreme caution in accordance with the Protection of Persons from Restraint Act (C.R.S. 26-20-101, et. seq.)
- An emergency exists when there is BOTH:
 - serious, probable, imminent threat of bodily harm to self or others AND
 - other interventions are ineffective
- The following are examples of when a situation is NOT an emergency:
 - a student destroying property, unless it could lead to harm of self or others
 - the situation could be deescalated by removing others from setting
 - an adult is simply seeking the student's compliance
 - the student could be escorted safely
 - the student could be held to provide comfort and support
- Restraints may only be used by trained staff
- Students must be released from physical restraint within 15 minutes after the restraint was started, except if there are safety reasons for keeping the student restrained for a longer period of time

WHAT IS A HOLD AND WHEN CAN ONE BE USED IN SCHOOL?

- Holding of a student for less than five minutes by a staff person for the protection of the student or others
- Brief holding of a student by one adult for the purpose of calming or comforting the student
- Minimal physical contact for the purpose of assisting the student in completing a task or response

- Holding for the protection of the student or another person that occurs for longer than five minutes is considered a restraint
- Holding for comfort and support of the student can last longer than 5 minutes without being considered a restraint

WHAT TYPES OF RESTRAINTS ARE ALLOWED IN SCHOOL?

- Physical restraint – bodily physical force to involuntarily limit an individual’s freedom is allowed if done in accordance with the Restraint Rules
- Seclusion – the placement of a student alone in a room from which egress is involuntarily prevented is allowed if done in accordance with the Restraint Rules
- Mechanical – a physical device used to involuntarily restrict movement is NOT ALLOWED
- Chemical – administering medication for the sole purpose of involuntarily limiting movement is NOT ALLOWED

WHAT ARE THE DUTIES OF SCHOOL STAFF REGARDING RESTRAINTS?

- Restraint may only be used for period of time necessary, and staff may not use more force than necessary
- Student must be released within 15 minutes unless there are safety concerns
- Staff may only administer restraint when trained in prevention techniques
- *Staff may NEVER use a restraint as punishment or as a threat to control or gain compliance of a student’s behavior!*

WHAT PROCEDURES ARE REQUIRED FOR EACH RESTRAINT?

- A written report must be submitted to the school principal or designee within one school day
- Verbal notification must be given to parents as soon as possible, but no later than the end of the school day that the restraint was used
- A written report must be sent to parents within 5 calendar days following use of restraint, and a copy placed in student’s file

***** DISCLAIMER: This is not intended as legal advice, but rather for informational purposes only. Always consult a lawyer if you have questions about your legal rights. *****

References:

Disability Law Colorado – www.disabilitylawco.org
 Randy Chapman’s Ability Law Blog, <http://randychapman.wordpress.com/>
 Colorado Department of Education – www.cde.state.co.us