

SCHOOL DISTRICT OF WAUPACA

SERIES 400 STUDENTS

CODE: 447.1

Staff Use of Physical Force/Restraint and Seclusion

It is the responsibility of school district personnel to assure that students are provided with an appropriate learning environment. The Board recognizes that there may be times when a student will engage in dangerous or disruptive behavior that requires immediate attention. In such cases, school personnel shall avoid the use of (1) any unlawful behavioral intervention; or (2) any unreasonable and excessively restrictive intervention. As referenced in policy 443, student conduct and discipline: "Positive behavioral interventions and supports are the District's preferred means of preventing and addressing inappropriate student behavior that does not present a direct threat to safety or to any person's well-being but that does interfere with the student's learning, the learning of others, or school operations."

Students shall not be subjected to the use of corporal punishment at any time. Corporal punishment means intentionally inflicting or causing to be inflicted physical pain for the purpose of punishment or as a disciplinary action. It includes, for example, paddling, slapping or prolonged maintenance of physically painful positions.

Subject to the limitations identified below regarding the use of restraint and seclusion, a school official, employee or agent may use reasonable and necessary force under the following circumstances:

- to quell a disturbance or prevent an act that threatens physical injury to any person;
- to obtain possession of a weapon or other dangerous object within a student's control;
- for the purpose of self-defense or the defense of others;
- for the protection of property;
- to remove a disruptive student from a school premises or motor vehicle or from school-sponsored activities;
- to prevent a student from inflicting harm on himself/herself, and;
- to protect the safety of others.

A school official, employee or agent may also use incidental, minor or reasonable physical contact designed to maintain order and control.

Seclusion and physical restraint, as defined by state law, shall only be used by designated school personnel and only when the student's behavior presents a clear, present and imminent risk to the physical safety of the student or others and it is the least restrictive intervention feasible. The use of seclusion or restraint as a behavioral intervention shall also be for the shortest time possible and shall be conducted and documented in accordance with applicable legal requirements. Verbal outbursts and threats do not constitute a threat to physical safety unless the student also demonstrates a means to carry out the threat. The purpose for using seclusion or physical restraint as outlined in this paragraph is to defuse a physically dangerous situation, protect the students and others from injury, and regain a safe and productive learning environment. Neither physical restraint nor seclusion should be used as a punishment or as a substitute for appropriate educational/behavioral intervention and support. Only designated staff members who have received required training may physically restrain a student, except that if a trained staff member is not immediately available due to the unforeseen nature of an emergency situation, then a staff member responding to the emergency who has not received training may physically restrain a student in a manner that is otherwise consistent with the requirements set forth in this paragraph.

All incidents involving the use of student seclusion under this policy and all incidents involving a significant physical encounter between a student and any District official, employee, or agent (including any incident in which a student is physically restrained but not including the use of any incidental, minor, or other reasonable physical contact that was designed to maintain order and control) shall be reported to the building principal and to the parents or guardians of the student involved.

School staff shall be informed of this policy via a reference in the Employee Handbook and through other role-appropriate training and staff development activities as determined by the administration.

ADOPTED: 031417

REVISED:

REVIEWED:

LEGAL REFERENCE:

Section 115.787(2)(i) [IEP team duties; use of seclusion or physical restraint]

Section 115.787(3)(b)1 [IEP team duties; behavioral interventions and supports]

Section 118.13 [student nondiscrimination]

Section 118.164 [student removal from class]

Section 118.305 [use of seclusion and physical restraint]

Section 118.31 [corporal punishment prohibited; staff use of reasonable and necessary authorized; policy required]

CONTRACT REFERENCE:

CROSS REFERENCE:

The School District of Waupaca is an Equal Opportunity Employer. The School District of Waupaca does not discriminate on the basis of sex, race, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional or learning disability.