

**Physical Restraint
and Seclusion:
Policy and Procedure
Implications**

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Policy and Procedure Implications

704 KAR 7:160 – Pertinent Provisions

KSBA Model Policy 09.2212

**KSBA Model Administrative
Procedure 09.2212 AP.21**

Responding to Complaints

Pertinent KAR Provisions Section 2

DISTRICT REQUIREMENTS

Ensure school personnel are aware of and parents are notified how to access the physical restraint and seclusion policy and procedure.

Require school personnel to be trained in accordance with the requirements outlined in Section 6 of the KAR.

Pertinent KAR Provisions Section 2 (continued)

DISTRICT REQUIREMENTS

Outline procedures to be followed during and after each use of physical restraint or seclusion, including -

1. Notice to parents,

2. Documentation of the event in the student information system, and

3. Process for the parent or emancipated youth to request a debriefing session.

Pertinent KAR Provisions Section 2
(continued)

DISTRICT REQUIREMENTS

Require notification, within twenty four (24) hours, to the Kentucky Department of Education and local law enforcement in the event of, and when such results from the use of physical restraint or seclusion -

1. Death,

2. Substantial risk of death,

3. Extreme physical pain,

4. Protracted and obvious disfigurement or protracted Loss or impairment of the function of a bodily member, organ, or mental faculty.

Pertinent KAR Provisions Section 2 (continued)

DISTRICT REQUIREMENTS

1. Outline a procedure by which parents may submit a complaint regarding the physical restraint or seclusion of their child, which shall require the district and school to investigate the circumstances surrounding the physical restraint or seclusion, make written findings, and if appropriate, take corrective action.

2. Outline a procedure to regularly review data on physical restraint and seclusion usage and revise policies as needed.

Pertinent KAR Provisions Section 5

All physical restraints and seclusions shall be documented by a written record of each use of seclusion or physical restraint and be maintained in the student's education record.

Pertinent KAR Provisions Section 6

ALL SCHOOL PERSONNEL SHALL BE:

1. Trained in state administrative regulations and school district policies and procedures regarding physical restraint and seclusion.

2. Trained annually to use an array of positive behavioral supports and interventions.

Training on Policy & Procedure

After training is provided, employees should understand:

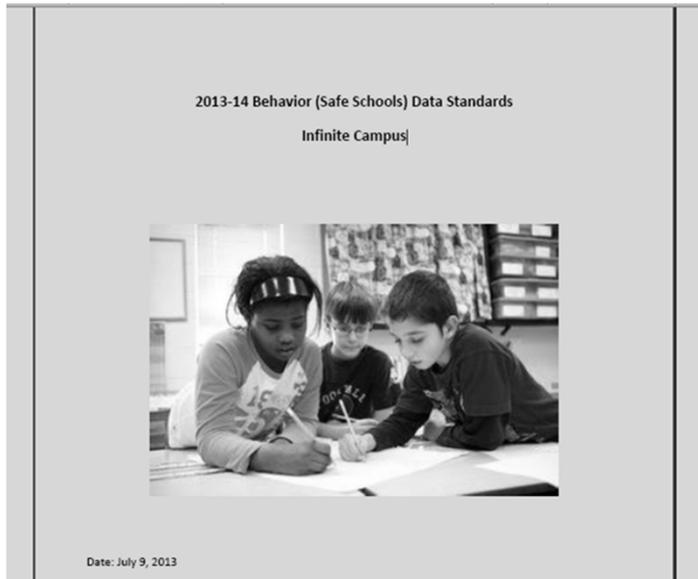
- 1. How are “physical restraint and “seclusion” defined?**
- 2. Under what circumstances may any school employee restrain a student?**
- 3. In all such instances, what measures must the employee take?**
- 4. Under what other situations may core trained personnel use physical restraint?**
- 5. When may seclusion of a student be utilized?**

Training on Policy & Procedure

(continued)

- 6. What training requirements apply to ALL school employees?**
- 7. What additional training requirements apply to core team personnel?**
- 8. How does an employee document the use of physical restraint or seclusion?**
- 9. Do employees know they are to contact the Principal when either measure is used?**
- 10. Do employees understand they must make written documentation by the end of the next school day?**
- 11. Do they know how to report the data required in the state student information system?**

Guidance Posted 7/9/13



<http://education.ky.gov/school/sdfs/Documents/2013-14%20Behavior%20Data%20Standards.pdf>

12. Does each principal understand parent and KDE/law enforcement notification requirements?
13. Are designated employees prepared to conduct a debriefing session if so requested?
14. If a parent presents a statement from a licensed physician that a student is not to be subjected to physical restraint or wishes to file a complaint about a restraint or seclusion incident, do staff know how to respond?

**Training on Policy & Procedure
(continued)**

