



A Quick Guide To Restraint In School

What is a physical restraint?

Kentucky law defines a physical restraint as “a personal restriction that immobilizes or reduces the ability of a student to move the student’s torso, arms, legs, or head freely.” It does not include assisting a student to move voluntarily to a safe location or physical guidance/prompting when teaching a skill or redirecting the students attention.

There are four types of restraints that can never be used in Kentucky schools.

1. Chemical restraints: the use of medicine (including over the counter medicine) other than as prescribed by the child’s doctor to control a student’s behavior or restrict their movement.
2. Mechanical restraints: the use of a device or equipment to restrict a student’s freedom of movement. Mechanical restraints don’t include medical, adaptive, or orthopedic devices or vehicle safety restraints when used as intended.
3. Prone restraints: restraints that place and hold a child in a face down position.
4. Supine restraints: restraints that place and hold a child in a face up position.

Kentucky law also prohibits the use of physical restraint when staff knows they should not be used because of the child’s disability, health care needs, or medical or psychiatric condition.

School staff can only use restraints in limited situations.

Restraints can only be used when the child’s behavior “poses an imminent danger of physical harm to self or others”. The restraint cannot interfere with the child’s ability to communicate in their primary language, unless the child uses sign language or a communication device and allowing use of hands for brief periods would likely result in physical harm to self or others.

The child’s physical and psychological well-being must be monitored for the duration of the restraint;

Restraint can be initiated only after less restrictive behavioral interventions have been ineffective, unless there is a clearly unavoidable emergency situation.

Only specially trained staff can restrain students, unless there is a clearly unavoidable emergency situation. In such an emergency, trained staff must be called in as soon as possible.

Parents **MUST** receive notice of all restraints.

The school must notify a parent of any restraint as soon as possible within 24 hours of the restraint. If the parent cannot be reached within 24 hours, a letter must be mailed to the parent through US mail.

If you have questions about the use of restraint in schools, please call Kentucky P&A.



Telephone: 502-564-2967

Toll Free: 800-372-2988

www.kypa.net

Restraint Records

The school must place a report of every restraint in the child's educational record by the end of the next school day following the restraint. The record must be "informed" by an interview with the child and must contain the following information:

- ⇒ Student name, date of restraint, and school personnel involved;
- ⇒ Description of the restraint, including beginning and ending times, restraint techniques used, and interactions between the student and staff during the restraint;
- ⇒ Description of any behavioral interventions used immediately before the restraint;
- ⇒ Description of the behavior that resulted in the use of restraint and the events leading up to the restraint, including factors contributing to the behavior, the student's behavior during the restraint, and the staff's response to the behavior;
- ⇒ Description of any injuries to students, school staff, or others;
- ⇒ Description of how the student's behavior posed an imminent danger of physical harm to self or others and whether the restraint de-escalated the situation;
- ⇒ Date the parent was notified;
- ⇒ Description of planned positive behavioral interventions that will be used to reduce the future need of restraint; and
- ⇒ Documentation of a referral for services under Section 504 of the Rehabilitation Act or the Individuals with Disabilities Education Act or the basis for declining to refer the student.

The Debriefing

A debriefing session can be held to discuss the restraint and try to understand how to prevent any further restraints. One will only be held if the parent requests it. It must be held no later than five (5) school days after the request, unless the parent and school agree in writing. The following people must participate in the debriefing:

- ⇒ The staff who performed the restraint;
- ⇒ At least two (2) other staff who were in proximity of the student immediately before or during the restraint;
- ⇒ The parent and the student at the parent's request; and
- ⇒ Supervisory and administrative school personnel.

The following things must be discussed during the debriefing:

- ⇒ Identification of the events leading up to the restraint;
- ⇒ All information in the students records and from teachers, parents, other school professionals, and the student;
- ⇒ Planning for the prevention and reduction of the need for restraint, with consideration of recommended appropriate PBIS and interventions for implementing IEP, 504 or RTI;
- ⇒ Consideration of whether PBIS and interventions were implemented with fidelity; and
- ⇒ Whether the student should be referred for special education services.

The Kentucky Department of Education's [Restraint and Seclusion webpage](#) is an excellent source of additional guidance!