



## **Corporal Punishment/ Use of Physical Intervention and Restraint**

To maintain a safe learning environment, Colorado Early Colleges' (CEC) Crisis Prevention Intervention (CPI) team members may use physical intervention and/or restraint with students. "Restraint" is defined by CEC as any method or device used to involuntarily limit a student's freedom of movement, including, but not limited to bodily physical force, mechanical devices (use by armed security officers detaining a student for law enforcement purposes only), and seclusion. Such actions shall not be considered child abuse or corporal punishment if performed in good faith. Restraint shall be used only in an emergency and with extreme causation and after the failure of less restrictive alternatives or a determination that such alternatives would be inappropriate or ineffective under the circumstances. CEC shall not use restraint as a punitive form of discipline or as a threat to control or gain compliance of a student's behavior.

Restraint will only be administered by trained Crisis Prevention Intervention (CPI) team members, or school security staff, for the period of time necessary and using no more force than is necessary. No CEC staff member outside the CPI team or school security staff should physically restrain a student. No corporal punishment shall be administered to any student by any CEC employee. All procedures for handling physical intervention and/or restraint are outlined in each school's CPI Training Manual. CPI team members receive training on retraining every two years on:

- Prevention techniques;
- Environmental management;
- Continuum of de-escalation techniques;
- Nationally recognized physical-management and restraint practices, including, but not limited to techniques that allow restraint in an upright or sitting position and information about the dangers created by prone restraint;
- Methods to explain the use of restraint to the student who is to be restrained and to the individual's family;
- Appropriate documentation and notification procedures;
- Decision-making skills to match the response to the level of risk of the crisis;
- Identifying the least-restrictive response to ensure the care, welfare, safety, and security of students and staff, including recognizing stages of escalation and learning evidence-based techniques to de-escalate crisis situations.

It might become necessary for CPI team members or school security staff to use reasonable and appropriate physical intervention and/or restraint with a student to:

- Stop a disturbance that threatens physical injury to the student or others;
- Obtain possession of weapons or other dangerous objects upon or within the control of the student;
- For the purpose of self-defense; and
- Protect others against physical injury or prevent the destruction of property, which could lead to physical injury of the student or others.

If there is a reasonable probability that restraint might be used with a particular student, appropriate school staff must notify, in writing, the parents and, if appropriate, the student, of the restraint procedures (including types of restraints) that might be used, specific circumstances in which restraint might be used, and staff involved. For students with disabilities, if the parents request a meeting with school personnel to discuss the notification, school personnel must ensure that the meeting is convened. This notification may occur at the meeting where the student's Behavior Plan or IEP is developed/reviewed.

When restraints are used, a written report must be submitted to school administration within one (1) school day. The Head of School, or designee, shall verbally notify the parents as soon as possible, but no later than the end of the school day that the restraint was used. A written report based on the findings of the staff review must be emailed, faxed, or mailed to the parent within five (5) calendar days of the use of restraint. A copy of the written report on the use of restraint shall be placed in the student's confidential file.

The written report of the use of restraint must include:

- The antecedent to the student's behavior, if known;
- A description of the incident;
- Efforts made to de-escalate the situation;
- Alternatives that were attempted;
- The type and duration of the restraint used;
- Injuries that occurred, if any; and
- The staff present and staff involved in administering the restraint.

CEC shall conduct a review for each incident of restraint. The purpose of this review shall be to ascertain that appropriate procedures were followed and to minimize future use of restraint. The review shall include, but is not limited to:

- Staff review of the incident;
- Follow up communication with the student and his/her family;
- Review of the documentation to ensure use of alternative strategies; and
- Recommendations for adjustment of procedures, if appropriate.

A parent may request a meeting to review the incident. For students with IEPs or Section 504 Plans, such a review may occur through the IEP or Section 504 process. CEC will conduct an annual general review process to ascertain that all network schools are properly administering restraint, identifying additional training needs, minimizing and preventing the use of restraint by increasing the use of

positive behavior interventions, and reducing the incidence of injury to students and staff. The review shall include, but is not limited to:

- a) Analysis of incident reports, including, but not limited to procedures used during the restraint, preventative or alternative techniques tried, documentation, and follow up;
- b) Training needs of staff;
- c) Staff-to-student ratio; and
- d) Environmental considerations, including physical space, student seating arrangements, and noise levels.

**Additional Legal References:**

*C.R.S. 18-1-703 use of physical force by those supervising minors*

*C.R.S. 18-6-401(1) definition of child abuse*

*C.R.S. 19-1-103(1) definition of abuse and neglect*

*C.R.S. 22-2-107(1)(a) and (1)(c) State board power*

*C.R.S. 22-32-109.1(2)(a) adoption and enforcement of discipline code*

*C.R.S. 22-32-109.1(2)(a)(IV) policy required as part of safe schools' plan*

*C.R.S. 22-32-109.1(9) immunity provisions in safe schools law*

*C.R.S. 26-20-101 et seq. Protection of Persons from Restraint Act*

*C.R.S. 26-20-108 Protection of Persons from Restraint Act Rules*

*1 CCR 301-45 State Board of Education Rules for the Administration of the Protection of Persons from Restraint Act*

**Cross References**

*Student Restraint Incident Report Form*