

Policy JKA – Restraint

The District is committed to the use of restraint as a last resort to address imminent danger of serious harm to a student’s self or to other students or staff. To maintain a safe learning environment, District employees may, within the scope of their employment and consistent with state law, use physical intervention and restraint with students in accordance with this policy and accompanying regulation. Such actions shall not be considered child abuse or corporal punishment if performed in good faith and in compliance with this policy and accompanying regulation.

Physical Intervention

Corporal punishment shall not be administered to any student by any District employee.

Within the scope of their employment, District employees may use reasonable and appropriate physical intervention with a student that does not constitute restraint as defined by this policy, to accomplish the following:

1. To quell a disturbance threatening physical injury to the student or others.
2. To obtain possession of weapons or other dangerous objects upon or within the control of the student.
3. For the purpose of self-defense.
4. For the protection of persons against physical injury or to prevent the destruction of property which could lead to physical injury to the student or others.

Under no circumstances shall a student be physically held for more than five minutes unless the provisions regarding restraint contained in this policy and accompanying regulation are followed. Pursuant to this policy and the accompanying regulation, any physical intervention constitutes a physical hold for the purposes of reporting.

Restraint

For purposes of this policy and accompanying regulation, restraint is defined as any method or device used to involuntarily limit a student’s freedom of movement, including but not limited to bodily physical force and seclusion. Restraint shall not include the holding of a student for less than five minutes by a District employee for the protection of the student or others and other actions excluded from the definition of restraint in state law. Physically limiting a student’s freedom of movement for under five minutes shall constitute a physical hold.

District employees shall not use physical holds or restraint as a punitive form of discipline or as a threat to control or gain compliance of a student’s behavior. District employees are also prohibited from restraining or holding a student by use of a prone hold, mechanical restraint, or chemical restraint, as those terms are defined by applicable state law and this policy’s accompanying regulation.

Exceptions

The prohibition on the use of mechanical or prone restraints in this policy and accompanying regulation shall not apply:

1. To certified peace officers or Department of Safety officers working in a school who meet the legal requirements of C.R.S. 26-20-111 (3):
 - a. Have received documented training in defensive tactics utilizing handcuffing procedures;
 - b. Have received documented training in restraint tactics utilizing prone holds; and
 - c. Have made a referral to a law enforcement agency.
2. When the student is openly displaying a deadly weapon, as defined in C.R.S. 18-1-901(3)(e).

(adoption date)

LEGAL REFS:

C.R.S. [18-1-703](#) (use of physical force by those supervising minors)
C.R.S. [18-1-901](#) (3)(e) (definition of a deadly weapon)
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. [22-32-109.1](#) (2)(a) (adoption and enforcement of discipline code)
C.R.S. [22-32-109.1](#) (2)(a)(I)(D) (policy required as part of safe schools plan)
C.R.S. [22-32-109.1](#) (2)(a)(I)(L) (policies for use of restraint and seclusion on students and information on the process for filing a complaint regarding the use of restraint or seclusion shall be included in student conduct and discipline code)
C.R.S. [22-32-109.1](#) (9) (immunity provisions in safe schools law)
C.R.S. [22-32-147](#) (use of restraints on students)
C.R.S. [26-20-101](#) et seq. (Protection of Persons from Restraint Act)
1 CCR [301-45](#) (State Board of Education rules for the Administration of the Protection of Persons from Restraint Act)

