

COLCHESTER SCHOOL DISTRICT

POLICY: USE OF RESTRAINT AND SECLUSION

DATE ADOPTED: January 16, 2024

1. STATEMENT OF PURPOSE

The Colchester School District is committed to creating and maintaining a positive, orderly, civil and safe learning environment in all of its schools. The Board has adopted a comprehensive plan [16 VSA 1161a (a)] for responding to student misbehavior, including the promotion of positive behavioral interventions and supports in schools. (See Policy F1: Student Conduct and Discipline.)

2. POLICY

It is the policy of the district that its students not be subjected to physical restraint or seclusion, as defined by Vermont State Board of Education Rule 4500, except as permitted by that Rule. The district emphasizes the use of positive behavioral interventions and supports to address targeted student behaviors, and use of appropriate physical restraint and seclusion methods should occur only when less restrictive interventions have failed or would be ineffective in stopping imminent danger of physical injury. Restraint and/or seclusion shall not be used for the convenience of staff, as a substitute for an educational program, as a form of discipline or punishment, in response to a student's use of profanity or other verbal or gestural display of disrespect, or in response to a verbal threat unaccompanied by demonstrated means of or intent to carry out the threat.

3. DEFINITIONS

Rule 4500 definitions of the terms "physical restraint" and "seclusion" apply to those terms as used in this policy. "School personnel" means individuals working in the district who are employed by the district or who perform services for the district on a contractual basis, and school officers, while acting in that capacity.

4. TRAINING

All school personnel who engage in the physical restraint or seclusion of students shall have received training and certification in a State-recommended restraint training program. Certification shall be renewed annually. Training shall include training in all requirements of Rule 4500.

Restraint and seclusion shall not be imposed by staff not so trained unless trained personnel are not immediately available due to the unforeseeable nature of the danger.

Legal References: V.S.A. Title 16 § 1161A & VSBE Rule 4500

Last Reviewed: November 15, 2011
 Date Warned: December 22, 2023
 First Reading: January 2, 2024
 Second Reading: January 16, 2024

The Superintendent shall ensure that all principals receive training in Rule 4500 requirements no later than September 1 and that each newly hired principal receives such training upon commencement of employment.

5. REPORTING AND DEBRIEFING

It shall be the responsibility of each building principal to ensure that all reporting and debriefing requirements of Rules 4503-4505 are implemented as prescribed by those Rules.

6. NOTIFICATION

The Superintendent/designees shall ensure that annual notification is given to parents and personnel, at or before the beginning of the academic year, of the policies and procedures pertaining to the use of physical restraint and seclusion and of the school's intent to emphasize the use of positive behavioral intentions and supports and its intention to avoid the use of physical restraint or seclusion to address targeted student behavior.

7. INVESTIGATION

The Superintendent/designee and building principal shall ensure that all complaints regarding a use of restraint or seclusion are investigated, and written findings issued, within thirty (30) days of receipt of the complaint. If the findings do not resolve the complaint, the principal shall refer the findings to the Superintendent for review and final action. Students on IEPs or 504 plans may also use dispute resolution options available under the State Board of Education Rules 2365.1.4-2365.1.6. (See Policy D10: Public Complaints about Personnel.)

8. PROCEDURES

The Superintendent/designee shall prepare and promulgate procedures to implement this policy. The procedures shall also, at a minimum, comply with and implement Rule 4500. Copies of this policy and the procedures shall be posted on the district's website and shall be provided to school personnel and/or parents of students in attendance upon request.