

Use of Reasonable Force

It is the policy of the _____ board of directors that the district maintain a safe learning environment while treating all students with dignity and respect. All students in the district shall remain free from the unreasonable use of force.

District staff may use reasonable force to maintain order or to prevent a student from harming him/herself, other students and school staff or property.

Physical force is reasonable when needed to prevent or minimize imminent bodily injury or substantial or great bodily harm to self or others. If de-escalation interventions have failed or are inappropriate, reasonable physical force may be used to protect district property.

Mechanical restraint or chemical spray is reasonable only when used by authorized and trained district staff after de-escalation interventions have failed or are inappropriate:
a) if the student's behavior poses a threat of imminent bodily injury or substantial or great harm to self or others; or b) to prevent significant property damage.

Physical force, mechanical restraints, chemical spray or less than lethal devices will not be used as a form of discipline or punishment.

This policy is intended to address students enrolled in the district and not intended to prevent or limit the use of reasonable force or restraint as necessary with other adults or youth from outside the school as allowed by law.

The superintendent will annually report to the board on the use of force. The superintendent or a designee will develop procedures to implement this policy.

Legal references:

RCW	28A.150.300	Corporal Punishment Prohibited
	9A.16.020	Use of Force
	9A.16.100	Use of Force on Children
WAC	392-400-235	Corporal Punishment
	392-172A	Rules for the Provision of Special Education

Adoption date:

School district name:

Revised: 11.08

Classification: Priority

Use of Reasonable Force

I. Definitions:

- A. Physical force: Any use of bodily force or physical restriction that substantially immobilizes or reduces the free movement of a student through physical contact.
- B. Chemical sprays: The use of chemicals, such as OcSpray or similar chemical weapons to control a student or limit a student's freedom of movement.
- C. Mechanical restraint: The use of a mechanical device including, but not limited to metal handcuffs, plastic ties, ankle restraints, leather cuffs, or other hospital-type restraints, used to control a student or limit a student's freedom of movement.
- D. School resource officer: A commissioned law enforcement officer who provides law enforcement services and may perform other duties for the district; and is assigned by the employing police department or agency to work in collaboration with the district.
- E. School security officer: A classified or contracted school district employee other than a school resource officer who provides security services in the district under the direction of a school administrator.
- F. De-escalation: The use of strategies to defuse an individual who has lost self control, is non-compliant or is demonstrating unacceptable behavior. These strategies address behavior that is dangerous, disruptive or otherwise impedes the learning of a student or others.
- G. Seclusion: Confinement of a student alone in an enclosed space from which the student may not leave.
- H. Less than Lethal Devices: Physical or mechanical restraint or chemical sprays that are unlikely to cause permanent physical harm, impairment or death. Examples of less than lethal devices are batons and electrical impulse control devices.
- I. Bodily injury, physical injury or bodily harm: Physical pain or injury, illness or an impairment of physical condition.
- J. Substantial bodily harm: Bodily injury which involves a temporary but substantial disfigurement or which causes a temporary but substantial loss or impairment of the function of any bodily part or organ or which causes a fracture of any bodily part.
- K. Great bodily harm: Bodily injury which creates a probability of death or which causes significant serious permanent disfigurement or which causes a significant permanent loss or impairment of the function of any bodily part or organ.

II. Use of force continuum:

Whenever possible and practical, the use of force continuum will be followed. District staff shall only use the degree of force necessary to protect a student, students or staff from imminent bodily injury, substantial bodily harm or great bodily harm.

The generally accepted use of force continuum includes, in order:

1. Staff/School Security Officer presence;
2. Verbal/nonverbal communication, de-escalation;
3. Physical interventions;
4. Mechanical restraints;
5. Sprays or electrical devices; and
6. Other reasonable force as authorized by RCW 9A.16.020.

A. Appropriate use of force:

1. Physical force may be used to prevent or minimize imminent bodily injury, substantial bodily harm or great bodily harm to self or others, or if de-escalation interventions fail or are inappropriate to protect district property.
2. Mechanical restraint or chemical spray may be used when a student's behavior poses a threat of imminent, substantial or great bodily harm to self or others; or will cause significant property damage but shall be used only by personnel trained and authorized by the board to use these tools after de-escalation interventions fail or are inappropriate.
3. Mechanical restraint or chemical spray may be used as needed to obtain possession of a known or reasonably-suspected weapon or other dangerous object on a person or within the control of a person.
4. Less than lethal devices may be used only as necessary to prevent substantial bodily harm or loss of life and only by trained personnel who are authorized by the board to use such level of force. RCW 9A.16.020.
5. Consistent with the provisions found in WAC 392-172A-03120, nothing in this policy and procedure precludes the use of reasonable force to control unpredicted spontaneous behavior by a student with an IEP or 504 plan, when the behavior poses a clear and present danger: of serious harm to the student, to another person, or to property; or of seriously disrupting the educational process.

B. Inappropriate use of force:

1. Physical force, mechanical restraint or chemical spray will not be used as a form of discipline or punishment;
2. Physical force, mechanical restraint or chemical spray will not be used as an initial response to destruction of property, school disruption, refusal of the student to comply with school rules, or a staff directive; or a verbal threat that does not

constitute a threat of imminent bodily injury, unless other forms of de-escalation intervention fail or are inappropriate.

3. Physical force, mechanical restraints or chemical spray should not be used as an intervention, if the school employee, school resource officer or school security officer knows that the student has a health condition or physical problem and the condition or problem would be exacerbated by the use of force.

C. Degree of force:

1. Force shall not be continued if a determination is made by the staff member administering the force that the student is no longer at risk of causing imminent bodily injury to him or herself or others;
2. Force shall be administered in such a way so as to prevent or minimize physical harm. If, at any time during the use of force, the student demonstrates significant physical distress, the force shall be reduced immediately and, if necessary, school staff shall take immediate steps to seek medical assistance;

III. Monitoring:

An adult must continually monitor any student when force is used. The monitoring must be conducted by direct observation of the student. Monitoring must include regularly evaluating the student for signs of physical distress.

IV. Staff training requirements:

All training shall include instruction in positive management of student behavior, cultural sensitivity, effective communication for defusing and de-escalating disruptive or dangerous behavior and safe and appropriate use of force, seclusion and restraint. Annually, administrators will provide all staff with the district established policy and procedure regarding the use of reasonable force.

A. Physical force

All staff should be informed of de-escalation strategies and proper physical intervention procedures. Appropriate staff and those who are required or reasonably anticipated to provide physical force intervention will be trained in the use of physical force intervention.

B. Mechanical restraints or chemical spray

Only staff trained and authorized to use mechanical restraint or chemical spray procedures shall administer it to students. The appropriate personnel shall include those staff members who are most likely to be called upon to use mechanical restraint or chemical spray to prevent or address disruptive or dangerous student behavior.

V. Reporting requirements:

A. Processing the incident:

Following the release of a student from the use of force, the school shall implement follow-up procedures. These procedures shall include reviewing the incident with the student to address the behavior that precipitated the use of force, reviewing the incident with the staff person(s) who administered the force to discuss whether proper procedures were followed and consideration of whether any follow-up is appropriate for students who witnessed the incident.

B. Incident report:

Any school employee, school resource officer or school security officer who uses any chemical spray, mechanical restraint or physical force as defined in this procedure, shall immediately inform the building administrator or a designee and within two business days submit a written report of the incident to the district office.

The building administrator or a designee shall maintain a log of all instances of use of force, as defined by this procedure, which will be presented to the superintendent annually. The superintendent will provide an annual report to the board regarding the district's use of force, including identifying the individuals authorized and trained to use chemical spray or mechanical restraint.

C. Informing parents:

The principal or a designee shall make a reasonable effort to verbally inform the parents, within twenty four hours, of the incident and send written notification as soon as practical but postmarked no later than five business days after the use of force. If the language of the parents is other than English, the written use-of-force report shall be provided to the parent in the language of the home, if practicable.

VI. Resolution of concerns about the use of force:

A student or his/her parent or guardian who has concerns regarding a specific use of force may seek to resolve the concern by using the district's complaint process which is set forth in _____ (insert district's procedure number).