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PHYSICAL RESTRAINT OF STUDENTS

The Rochester School Board hereby authorizes school officials to use restraint to ensure the immediate physical safety of persons when there is a substantial and imminent risk of serious bodily harm to the child or others, and then only when all other interventions have failed or have been deemed inappropriate, and in a manner consistent with state law and regulations.

The Superintendent of Schools shall develop procedures for the use of child restraint.

For purpose of this policy and any accompanying procedures, the term “restraint” means any bodily physical restriction, mechanical devices, or any device that unreasonably limits freedom of movement. It includes mechanical restraints, physical restraints, and medication restraint used to control behavior in an emergency or any involuntary medication.

The following shall not be considered restraint:

- Holding a child to calm or comfort, holding a child’s hand or arm to escort the child safely from one area to another, or intervening in an ongoing assault or fight;
- Brief periods of physical restriction by person-to-person contact without the aid of medication or mechanical restraints, accomplished with minimal force and designed either to prevent a child from completing an act that potentially would result in physical harm to himself or herself or to another person, or to remove a disruptive child who is unwilling to leave an area voluntarily;
- Physical devices or other physical holding when necessary for routine physical examinations or when used to provide support for the achievement of functional body position or proper balance or to protect a person from falling, or to permit a child to participate in activities without the risk of physical harm;
- The use of seat belts, safety belts, or similar passenger restraints during transportation of a child in a motor vehicle.
- The use of force by a person to defend himself or herself or a third person from what the actor reasonably believes to be the imminent use of unlawful force by a child, when the actor uses a degree of force that he or she reasonably believes to be necessary for such purpose.

School staff shall not use or threaten to use any dangerous restraint techniques, any inappropriate aversive behavioral interventions, any medication restraints, or any mechanical restraints except as permitted for transporting students.

References: RSA 126-U:11, I to IV (2010) Ed 1113.04 to .07 (2014)

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