January 31, 2019

To Superintendents and Principals within the Glenn County SELPA,

As you are all aware, Assembly Bill (AB) 2657, Statutes of 2018, Chapter 998, will go into effect on January 1, 2019. This bill involves the use of restraints and seclusion in the school setting and reporting these incidents. LEAs will be responsible for reporting these incidents to the California Department Education. Before this bill goes into effect I wanted to clarify Glenn County SELPA office’s current and ongoing position on using restraints and seclusion with students with identified disabilities. The Glenn County SELPA office does not support the use of any restraints or seclusion except as a last resort by trained personnel when the student “presents an immediate danger to self or to others” (Education Code Section 49005.1[a]). Immediate danger means a student will be injured or hurt if the restraint is not used. A student running away from staff or destroying campus property or classroom materials does not constitute an “immediate danger”. Any restraints shall only be used by trained personnel.

The Glenn County SELPA offers Crisis Prevention and Intervention (CPI) trainings twice each school year. Special arrangements can be made for site specific training upon request. This training is provided free of charge and is open to any school employee in the county. CPI training involves learning the proper techniques for using restraints as well as learning alternate and preventative techniques. Without this training the SELPA office does not support the use of restraints, there is too high a risk for incorrect or improper usage of restraints or injury to staff or students.

To clarify physical restraint is defined as “a personal restriction that immobilizes or reduces the ability of a pupil to move his or her torso, arms, legs, or head freely” (Education Code Section 49005.1[f][1]). This means “motoring”, pulling, or holding the hands or wrists of students while they are escorted to or from the classroom, to or from the office, or between rooms on campus is a physical restraint. To further clarify, this does not mean that staff cannot hold a student’s hand, what it does mean is a student can refuse physical contact that “reduces the ability of the pupil to move… arms freely” if they are not in immediate danger.

The SELPA office will be creating a Behavior Emergency Reporting form for LEAs to complete whenever a restraint is used on a student with an Individual Education Plan. This report should be submitted to the SELPA office for tracking and data analysis along with any reporting requirements from the CDE.

Thank you all for your time and attention on this matter.

Sincerely,

Jacki Campos