Jennifer Patterson convened the meeting at 5:35 p.m. and asked Clint Cogswell and Tom Croteau to serve as members of the Committee for this meeting. She reviewed the two agenda items: revision of Policy #430 to align with changes to state law, and to consider changes to the special education manual (Policy #625).

1. Policy 430 Physical Restraint and Seclusion

Assistant Superintendent Donna Palley explained that the law governing physical restraint was revised in the last legislative session. The law now governs the use of seclusion as well as physical restraint. She reviewed the very specific definition of seclusion in the law, noting what is included in the definition of seclusion and what is not considered seclusion. For example, if the student is in a space voluntarily or an adult is with the student, this is not considered seclusion. Ms. Palley reviewed the changes to Policy #430 to comply with the law – including the addition of seclusion, definitions, conditions for its use, and exclusions.

Ms. Palley reviewed the conditions under which seclusion can be used and the committee suggested the addition of language that if a student is to be secluded, it might take place in a room that meets the conditions of the room as defined in the law.

Ms. Palley noted the change in the reporting requirement to notify the parent about a restraint or seclusion by the end of that day. Tom Croteau reported on the kinds of testimony he heard when he attended and testified at a legislative hearing, and noted the importance of teachers and administrator following the reporting requirements.

Ms. Palley noted that the language describing restraint in the law has been clarified and made more specific. There are three kinds of restraint: physical, mechanical and medication. Schools are not permitted to use mechanical restraint except in transportation (seat belts). She drew committee members’ attention to the section of the policy that clarifies what is not physical restraint. For example, brief touch or holding to calm, comfort, encourage or guide a child, so long as limitation of freedom of movement of the child does not occur. The temporary holding of the hand, wrist, arm, shoulder, or back for the purpose of inducing a child to stand, if necessary, and then walk to a safe
location is not prohibited so long as the child is in an upright position and moving toward a safe location.

Ms. Palley reviewed the new section that requires student IEP or 504 teams to review the student’s plan when physical restraint or seclusion is used for the first time.

She noted that the new section about intentional physical contact states that whenever a school employee has intentional physical contact with a student which is in response to a student’s aggression, misconduct, or disruptive behavior, the notification and reporting procedures described in Section VII shall be used.

She noted that the District forms now ask the staff member to identify whether the report is for physical restraint or seclusion, but otherwise the forms have not changed.

Committee members asked about the numbers of people trained; Ms. Palley explained the use of PROACT as the program on which teams of administrators and selected school staff are trained.

The Committee voted 4-0 to bring the policy to the full Board for a first reading at the December meeting (motioned by Kass Ardinger, seconded by Mr. Croteau).

2. Special Education Manual

The Manual was last formally approved July 2010 and the Board’s policy requires a formal review by the Board every three years.

Ms. Palley reviewed the Table of Contents, pointing out that many changes involve the addition of references to the special education regulations. In addition, there has been one major change in the section that describes how a student is identified as learning disabled. The Manual (and regulations) now have an additional method of determining whether a student has a learning disability. A student may be identified with a learning disability if the child does not make sufficient progress to meet age or state-approved grade-level standards in one or more area (e.g. oral expression, listening comprehension, etc.) when using a process based on the child’s response to scientific, research-based intervention.

The Committee requested paper copies of the full manual to review. The manual, with the proposed changes, will be posted on the district website.

The Committee voted 4-0 to recommend approval of the Superintendent’s changes to the full Board at the December meeting (motioned by Clint Cogswell, seconded by Ms. Ardinger).

The Committee members will also review the Special Education Manual and identify any additional areas they want reviewed and discussed at a subsequent meeting.

The meeting adjourned at 6:35 p.m.

Respectfully submitted,

Chris Rath, Recorder