

E 2 b. Physical Restraint: (Voted 2/27/03, #03-12 and #03-13; 2/14/13, #13-12; 12/17/15, #15-84; _____)

General Policy Statement

The purpose of this policy is to ensure that our students are free from the unreasonable use of physical restraint, and that any use of physical restraint complies with applicable law, in particular, 603 C.M.R. 46.00, which governs the use of physical restraint on students in public schools. Any use of physical restraint shall comply with this policy and with applicable law, including 603 CMR 46.00. Nothing in 603 CMR 46.00 or this policy precludes any teacher, employee or agent of a public education program from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.

“Physical restraint” means direct physical contact that prevents or significantly restricts a student’s freedom of movement. Physical restraint does not include brief physical contact to promote student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing comfort, or a physical escort. “Physical escort” means a temporary touching or holding, without the use of force, of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is agitated to walk to a safe location.

Physical restraint shall be considered an emergency procedure of last resort and shall be prohibited except when a student’s behavior poses a threat of assault, or imminent, serious, physical harm to self or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions, or such interventions are deemed to be inappropriate under the circumstances. Physical restraint shall be limited to the use of such reasonable force as is necessary to protect a student or another member of the school community from assault or imminent, serious, physical harm.

Physical restraint may not be used as a means of discipline or punishment, or as a response to property destruction, disruption of school order, a student’s refusal to comply with a public education program rule or staff directive, or verbal threats when those actions do not constitute a threat of assault, or imminent, serious, physical harm. No written individual behavior plan or individualized education program (IEP) may include use of physical restraint as a standard response to any behavior. Physical restraint is permitted only as an emergency procedure of last resort.

This policy will be annually reviewed and provided to program staff and made available to parents of enrolled students.

This policy does NOT address timeout as a disciplinary measure which is addressed by the PSB Student Discipline Policy, Section J(8) of the PSB’s Policy Manual.

Conditions for Implementation

Only personnel who have received training pursuant to 603 CMR 46.04(2) or 603 CMR 46.04(3) shall administer physical restraint on students. Whenever possible, the administration of a restraint shall be witnessed by at least one adult who does not participate in the restraint. During

the administration of a restraint, a staff member shall continuously monitor the physical status of the student, including skin temperature and color, and respiration.

A person administering physical restraint shall use the safest method available and appropriate to the situation subject to the safety requirements set forth in 603 CMR 46.05(5). No restraint shall be administered in such a way that the student is prevented from breathing or speaking. Program staff shall review and consider any known medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans regarding the use of physical restraint on an individual student. Restraint may not be utilized when it is medically contraindicated for reasons including, but not limited to, asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting.

All physical restraint must be terminated as soon as the student is no longer an immediate danger to himself or others, or the student indicates that he or she cannot breathe, or if the student is observed to be in severe distress, such as having difficulty breathing, or sustained or prolonged crying or coughing.

With the exception of time-outs (see below), if a student is restrained for a period longer than 20 minutes, program staff shall obtain the approval of the principal. The approval shall be based upon the student's continued agitation during the restraint justifying the need for continued restraint.

Prohibited Types of Physical Restraints

The following forms and uses of physical restraint are **prohibited at all times**:

- Mechanical restraint. Any use of mechanical restraint is prohibited. Mechanical restraint means the use of any device or equipment to restrict a student's freedom of movement. The term does not include devices implemented by trained school personnel, or utilized by a student that have been prescribed by an appropriate medical or related services professional, and are used for the specific and approved positioning or protective purposes for which such devices were designed. Examples of such devices include: adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; vehicle safety restraints when used as intended during the transport of a student in a moving vehicle; restraints for medical immobilization; or orthopedically prescribed devices that permit a student to participate in activities without risk of harm.
- Medication restraint. Any use of medication restraint is prohibited. Medication restraint means the administration of medication for the purpose of temporarily controlling behavior. Medication prescribed by a licensed physician and authorized by the parent for administration in the school setting is not medication restraint.
- Prone restraint. Any use of prone restraint is prohibited. Prone restraint means a physical restraint in which a student is placed face down on the floor or another surface, and physical pressure is applied to the student's body to keep the student in the face-down position.

- Seclusion. Any use of seclusion is prohibited. Seclusion means the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. Seclusion does not include a time-out as defined in 603 CMR 46.02 and this policy.

Types of Physical Restraints with Specific Additional Limitations

Use of the following form of physical restraint is **limited as follows**:

- Time out. Time-out means a behavioral support strategy that is consistent with PSB written procedures and protocols in which a student temporarily separates from the learning activity or the classroom, either by choice or by direction from staff, for the purpose of calming. During time-out, a student must be continuously observed by a staff member. Staff shall be with the student or immediately available to the student at all times. The space used for time-out must be clean, safe, sanitary, and appropriate for the purpose of calming. Time-out shall cease as soon as the student has calmed. A time-out in excess of 20 minutes of duration shall not be except upon the principal's approval, which shall be based on the individual student's continuing agitation.

Written Procedures

The Superintendent shall develop and implement written procedures to implement 603 CMR 46.00 and this policy, including:

- methods for preventing student violence, self-injurious behavior, and suicide, including individual crisis planning and de-escalation of potentially dangerous behavior occurring among groups of students or with an individual student;
- methods for engaging parents in discussions about restraint prevention and the use of restraint solely as an emergency procedure;
- a description and explanation of the program's alternatives to physical restraint and method of physical restraint in emergency situations;
- a statement prohibiting medication restraint, mechanical restraint, prone restraint, seclusion, and the use of physical restraint in a manner inconsistent with 603 CMR 46.00;
- a description of training requirements, reporting requirements and follow-up procedures;
- a procedure for receiving and investigating complaints regarding restraint practices;
- a procedure for conducting periodic review of data and documentation on the use of physical restraints as described in 603 CMR 46.06(5) and (6);
- a procedure for implementing the reporting requirements as described in 603 CMR 46.06;
- a procedure for making reasonable efforts to orally notify a parent of the use of restraint on a student within 24 hours of the restraint, and for sending written notification to the parent within three school working days following the use of restraint to an email address provided by the parent for the purpose of communicating about the student, or by regular mail to the parent postmarked within three school working days of the restraint; and
- If the program uses time-out as a behavioral support strategy, a procedure for the use of time-out that includes a process for obtaining principal approval of time-out for more than 20 minutes based on the individual student's continuing agitation.

Staff are required to comply with such written procedures and with all requirements of 603 CMR 46.00 with regard to the above. Such written procedures shall be annually reviewed and provided to program staff and made available to parents of enrolled students.

Training

In the first month of each school year, all school staff will receive training with respect to the district's restraint policy and 603 C.M.R. 46.00, including receiving information about interventions that may preclude the need for restraint, types of restraint and related safety considerations, and administering physical restraint in accordance with known medical or psychological limitations and/or behavioral intervention plans applicable to an individual student. New hires during the year will be trained within the first month of their employment.

Each school will identify specific staff to serve as school-wide restraint team to ensure proper administration of physical restraint. These individuals must participate in an in-depth training with respect to restraint and implementation of this policy and 603 C.M.R. 46.00.

Complaints

The Office of Student Services shall make available to parents, guardians, and the public information about the complaint procedures associated with this policy.

Reporting

Data related to this policy including the frequency and nature of restraints used, will be reported monthly by each school principal/headmaster to the Deputy Superintendent for Student Services. The Deputy Superintendent for Student Services will report this data annually to the School Committee for review.