

PHYSICAL RESTRAINT OF STUDENTS

Maintaining an orderly, safe environment conducive to learning is an expectation of all staff members of the Plainville School District. Further, students of the district are protected by law from the unreasonable use of physical restraint.

Physical restraint shall be used only in emergency situations after other less intrusive alternatives have failed or been deemed inappropriate, and with extreme caution. School personnel shall use physical restraint with two goals in mind:

1. To administer a physical restraint only when needed to protect a student and or a member of the school community from immediate, serious, physical harm; and
2. To prevent or minimize any harm to the student as a result of the use of physical restraint.

The following definitions appear at 603CMR 46:02:

1. Extended Restraint: A physical restraint the duration of which is longer than twenty (20) minutes.
 2. Physical escort: 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.
 3. Physical restraint: 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.
- (a) Mechanical restraint, medication restraint, and seclusion shall be prohibited in public education programs. Prone restraint shall be prohibited in public education programs except on an individual student basis, and only under the following circumstances:
- The student has a documented history of repeatedly causing serious injury to self or others;
 - All other forms of restraint have been unsuccessful in ensuring safety;
 - There are no medical contraindicators as documented by a licensed physician;
 - There is psychological or behavioral justification for the use of prone restraint and there are no psychological or behavioral contraindicators as documented by a licensed mental health professional;
 - The program has obtained consent from parents to use prone restraint in an emergency and the consent has been approved in writing by the principal; and
 - The program has documented all of the above in advance of the use of prone restraint.

Mechanical restraint: 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.

Medication restraint: 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.

The Superintendent will approve written procedures identifying:

- Methods of preventing student violence, self-injurious behavior, and suicide;
- Descriptions and explanations of the school's methods of physical restraint;
- Descriptions of the school's training and reporting requirements;
- Procedures for receiving and investigating complaints.

Seclusion shall mean 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

Each building Principal will identify staff members to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. These staff members will participate in an in-depth training program in the use of physical restraint.

Only school personnel who have received training pursuant to 603CMR 46.00 shall administer physical restraint on students. Whenever possible the administration of physical restraint shall be administered in the presence of at least one adult who does not participate in the restraint. A person(s) administering physical restraint shall only use the amount of force necessary to protect the student or others from injury or harm.

In addition, each staff member will be trained regarding the school's physical restraint policy. The Principal will arrange training to occur in the first month of each school year, or for staff hired after the beginning of the school year, within a month of their employment.

Physical restraint is prohibited as a means of punishment, or as a response to destruction of property, disruption of school order, a student's refusal to comply with a school rule or staff directive, or verbal threats that do not constitute a threat of imminent, serious physical harm to the student or others.

Any employees or agents of the school committee shall not be precluded from using such reasonable force as is necessary to protect pupils, other persons or themselves from an assault by a pupil.

The program staff member who administered the restraint shall verbally inform the principal of the restraint as soon as possible and by written report no later than the next school working day. The written report shall be provided to the principal for review of the use of the restraint. The principal or Administrator of Special Education or his/her designee shall maintain an on-going record of all reported instances of physical restraint, which shall be made available for review by the parent or the Department upon request.

The principal or Administrator of Special Education or his/her designee shall make reasonable efforts to verbally inform the student's parent of the restraint within 24 hours of the event, and shall notify the parent by written report sent either within three school working days of the restraint to an email address provide by the parent for communications about the student, or by regular mail postmarked no later than three school working days of the restraint.

When a physical restraint results in any injury to a student or program staff member, the program must send a copy of the written report required by 603 CMR 26.06(4) to the Department postmarked no later than three school working days following administration of the restraint. The program must also send the Department a copy of the record of physical restraints maintained by the principal pursuant to 603 CMR 46.06(2) for the 30-day period prior to the date of the reported restraint.

In addition when an extended restraint (20 minutes or longer in length) has been administered, the program shall provide a copy of the required report to the Department of Elementary and Secondary Education within three (3) school working days following administration of the restraint. Furthermore, if it appears that a student may need to be restrained for more than 20 minutes, program staff members must obtain the approval of the principal before continuing the restraint beyond 20 minutes.

LEGAL REF.: 603 CMR 46.00
M.G.L. 71:37G

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