

PHYSICAL RESTRAINT OF STUDENTS

The Acton-Boxborough Regional School District seeks to provide a safe and productive workplace and educational environment for its employees and students. In accordance with the Code of Massachusetts Regulations (603 CMR 46), the regulation governing the use of physical restraint of students, the Acton-Boxborough Regional School District seeks to ensure that methods of restraints used with any student will adhere to these regulations. **PHYSICAL RESTRAINT SHALL ONLY BE USED IN AN EMERGENCY AS A LAST RESORT AFTER OTHER METHODS 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 member of the school community from assault or imminent, serious physical harm, and
2. To prevent or minimize any harm to the student as a result of physical restraint.

The following definitions of forms of restraint are included in 603 CMR 46.02:

1. Physical Restraint: Direct physical contact that prevents or significantly restricts a student's freedom of movement.
2. Extended Restraint: A physical restraint lasting longer than 20 minutes.
3. Physical Escort: Not a restraint: temporary touching or holding a student (hand, arm, wrist, shoulder, back) without the use of force for the purpose of redirecting the student.
4. Time-out: Behavioral support strategy in which a student is temporarily removed from the learning activity or classroom either by choice or adult direction for the purpose of calming.

Prohibitions:

- Mechanical, medicinal, and seclusion restraints shall be prohibited in public education programs
- Prone restraint shall be prohibited in public programs except on an individual basis as follows:
 - When a student has a documented history of self-injurious behavior or injures other staff or students
 - When all other forms of physical restraint have failed
 - When there are no medical contradictions documented by a licensed physician
 - When there is psychological or behavioral justification for use of a prone restraint and no contradictions as documented by a licensed mental health professional
 - When the program has obtained consent to use prone restraint in an emergency as set out in 603 CMR 46.03 (1)(b) and approved in writing by the principal

- When the program has documented 603 CMR 46.03 (1)(b) in advance of the use of prone restraint and maintains the documentation
- Physical restraint is prohibited as a means of punishment, or as a response to destruction of property, disruption of school order, or in response to a student's refusal to comply with a school rule or staff directive, or verbal threats when those actions do not constitute a threat of imminent, serious physical harm to the student or others.
- Physical Restraint cannot be used as a standard response for any student. It cannot be written into an individual behavior plan or I.E.P. as a standard response to any behavior.
- Physical restraint is prohibited 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.

Training:

- Only school personnel who have received training pursuant to 603 CMR 46.04(2) or 603 CMR 46.04(3) shall administer physical restraint on students. Annually in September or within a month of employment for new hires principals shall provide all staff with training regarding the district's restraint prevention and behavior support policy and requirements when restraint is used. At the beginning of each school year, the principal shall identify program staff that are authorized to serve as a school-wide resource to assist in proper administrations of physical restraint. Such staff shall participate initially in 16-hour of in-depth training in the use of restraint and shall participate in refresher training annually thereafter.

Reporting

- The program staff member who administers a restraint shall verbally inform the principal of the event as soon as possible and in writing within 24 hours
- Principals shall verbally inform the student's parents of a restraint within 24 hours of the event and by written report within three (3) school working days. All reporting shall be provided in the parent's home language. Parents and student shall be given the opportunity to respond orally or in writing on the use of restraint and school reports of such
- Principals shall conduct weekly and monthly reviews of school-wide restraint data so as to identify student needs and patterns, frequency, types of restraints used.

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- When a physical restraint has resulted in an injury to student or program staff member, the program shall send a copy of the written report to the Department of Elementary and Secondary Education (DESE) by regular mail postmarked no later than three school working days of the restraint. The District will report data regarding the use of physical restraints to DESE annually in a form and manner directed by DESE.

The district will develop written restraint prevention and behavior support policy and procedures consistent with 603 CMR 46.00 regarding:

- Appropriate responses to students behavior that may require immediate intervention;
- Methods of preventing student violence, self-injurious behavior, and suicide including crisis planning and de-escalation of potentially dangerous behaviors among groups of students or individuals;
- Descriptions and explanations of alternatives to physical restraint as well as the schools' method of physical restraint for use in emergency situations;
- Descriptions of the school's training and procedures to comply with reporting requirements including, but not limited to making reasonable efforts to orally notify a parent of the use of restraint within 24 hours of its imposition;
- Procedures for receiving and investigating complaints;
- Methods for engaging parents in discussions about restraint prevention and use of restraint solely as an emergency procedure;
- A statement prohibiting: medication restraint, mechanical restraint, prone restraint unless permitted by 603 CMR 46.03(1)(b), seclusion, and the use of physical restraint in a manner inconsistent with 603 CMR 46.00;
- A process for obtaining Principal approval for a time out exceeding 30 minutes.
- A procedure for conducting periodic reviews of data and documentation of the use of restraint described in CMR 46.06 (5)(6)
- A procedure for implementing reporting requirements (CMR 46.06)
- Procedures for notifying parents within 24 hours of a restraint and in writing within 3 days.

Legal Reference: M.G.L. 71:37G; 603 CMR 46.00

Regulations: <http://www.doe.mass.edu/lawsregs/>

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