

PHYSICAL RESTRAINT POLICY AND PROCEDURES

Physical restraint is defined as the use of bodily force to limit a student's freedom of movement.¹ Physical restraint shall only be used as a behavior management tool when other less intrusive alternatives have failed or been deemed inappropriate. In the event that physical restraint is required to protect the safety of school community members, the Marshfield Public Schools has enacted the following policy and procedures to ensure the proper use of restraint and to prevent or minimize any harm to the student as a result of the use of restraint. These procedures shall be annually reviewed, provided to school staff, and made available to parents of enrolled students.

None of the foregoing paragraph or the policy/procedures which follow, precludes any teacher, employee or agent of the Marshfield Public Schools from using reasonable force to protect students, other persons or themselves from assault or imminent, serious harm.

1. Staff Training

- A. All staff/faculty will receive training regarding the school's restraint policy within the first month of each school year, and employees hired after the school year begins will receive training within one month of starting their employment.
- B. Required training for all staff will include review of the following:
 - (1) The District's restraint policy;
 - (2) Interventions which may preclude the need for restraint, including de-escalation of problematic behaviors;
 - (3) Types of restraints and related safety considerations, including information regarding the increased risk of injury to a student when an extended restraint is used;
 - (4) Administering physical restraint in accordance with known medical or psychological limitations and/or behavioral intervention plans applicable to an individual student; and
 - (5) Identification of program staff who have received in-depth training (as set forth below in section C) in the use of physical restraint.

¹ Physical escort is defined as the touching or holding a student without the use of force for the purpose of directing the student. Physical escort is not physical restraint and is not covered by this policy/procedures.

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C. Designated staff members shall participate in at least sixteen hours of in-depth training in the use of physical restraint.

(1) At the beginning of the school year, the principal will identify those staff who will participate in in-depth training and who will then be authorized to serve as school-wide resources to assist in ensuring proper administration of physical restraint.

(2) In-depth training will include:

- a. Appropriate procedures for preventing the need for physical restraint, including the de-escalation of problematic behavior, relationship building, and the use of alternatives to restraint;
 - b. A description and identification of dangerous behaviors on the part of a student that may indicate the need for physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted;
 - c. The simulated experience of administering and receiving physical restraint, instruction regarding the effect(s) on the person restrained, including instruction on monitoring physical signs of distress and obtaining medical assistance;
 - d. Instruction regarding documentation and reporting requirements and investigation of injuries and complaints; and
 - e. Demonstration by participants of proficiency in administering physical restraint.
- A. Staff/faculty will review any behavior plans pertaining to special techniques for identified students.

2. Administration of physical restraint

A. Physical restraint may only be used in the following circumstances:

- (1) When non-physical interventions would be ineffective; and
- (2) The student's behavior poses a threat of imminent, serious, harm to self and/or others.

B. Physical restraint is prohibited in the following circumstances:

- (1) As a means of punishment; or
- (2) As a response to property destruction, 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. However, if the property destruction or the refusal to comply with a school rule or staff directive could escalate into, or could itself lead to serious, imminent harm to the student or to others, physical restraint is appropriate.

- C. Only school personnel who have received required training or in-depth training pursuant to this policy shall administer physical restraint on students with, whenever possible, one adult witness who does not participate in the restraint. The training requirements, however, shall not preclude a teacher, employee or agent of the school from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.
- D. Physical restraint shall be limited to the use of such reasonable force as is necessary to protect a student or others from assault or imminent, serious, physical harm.
- E. A person administering physical restraint shall use the safest method available and appropriate to the situation. Floor or prone restraints may only be administered by a staff member who has received in-depth training as specified in this policy and, when in the judgment of the trained staff member, such method is required to provide safety for the student or others.
- F. Physical restraint shall be discontinued when it is determined that the student is no longer at risk of causing imminent physical harm to self or others.
- G. Additional safety requirements:
 - (1) A restrained student shall not be prevented from breathing or speaking. A staff member will continuously monitor the physical status of the student, including skin color and respiration, during the restraint.
 - (2) If at any time during a physical restraint the student demonstrates significant physical distress, as determined by the staff member, the student shall be released from the restraint immediately, and school staff shall take steps to seek medical assistance.
 - (3) Program staff shall review and consider any known medical or psychological limitations and/or behavioral intervention plans regarding the use of physical restraint on an individual student.
- H. At an appropriate time after release of a student from physical restraint, a school administrator or other appropriate school staff shall:
 - (1) review the incident with the student to address the behavior that precipitated the restraint;
 - (2) review the incident with the staff person(s) who administered the restraint to discuss whether proper restraint procedures were followed; and
 - (3) consider whether any follow-up is appropriate for students who witnessed the incident.

3. Methods of physical restraint:
 - A. Basket Hold – Standing
One staff person stands behind the student with the student's arms wrapped in front of him/her.
 - B. Basket Hold-Floor
The student sits with his/her legs out in front. One staff is behind the student holding his/her arms, which are wrapped in front, while the other staff person stabilizes the student's legs.
4. Chemical/Mechanical/Seclusion restraints prohibited
 - A. Chemical restraint - the administration of medication for the purpose of restraint – is prohibited unless explicitly authorized by a physician and approved in writing by the parent(s)/guardian(s).
 - B. Mechanical restraint - the use of a physical device to restrict the movement of a student or the movement or normal function of a portion of his/her body – is prohibited unless explicitly authorized by a physician and approved in writing by the parent(s)/guardian(s).
 - (1) A protective or stabilizing device, such as a harness, lap or other belts for securing a child in a chair, ordered by a physician or a therapist shall not be considered mechanical restraint.
 - C. Seclusion restraint - physically confining a student alone in a room or limited space without access to school staff- is prohibited.
 - (1) The use of "time out" procedures during which a staff member remains accessible to the student, although not necessarily present, shall not be considered "seclusion restraint."
5. Reporting requirements:
 - A. Program staff shall report the use of physical restraint after administration of a physical restraint that:
 - (1) results in injury to a student or staff member; or
 - (2) lasts longer than five minutes.
 - B. The staff member who administered such a 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.
 - (1) The written report shall be provided to the principal or his/her designee, except the Principal shall prepare the report if the principal administered the restraint;
 - (2) The Principal 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 Department of Education, upon request.

- C. The Principal or his/her designee shall verbally inform the student's parent(s)/guardian(s) of such restraint as soon as possible, and by written report postmarked no later than three school working days following the use of such restraint.
- (1) If the school customarily provides school related information to the parent(s)/guardian(s) in a language other than English, the written restraint report shall be provided in that language.
- D. The written report required by both sections B and C above shall include:
- (1) Names and job title of the staff who administered the restraint, and observers, if any;
 - (2) Date of restraint and time restraint began and ended;
 - (3) Name of administrator who was verbally informed following the restraint;
 - (4) Description of the activity the student, other students, and staff in the area were engaged in immediately preceding the use of physical restraint;
 - (5) Student's behavior that prompted the restraint;
 - (6) Efforts made to de-escalate the situation and alternatives to restraint that were attempted;
 - (7) Justification for initiating physical restraint;
 - (8) Description of administration of restraint including:
 - a. the holds used and reasons such holds were necessary
 - b. the student's behavior and reactions during the restraint
 - c. how the restraint ended and
 - d. documentation of injury to the student and/or staff, if any, during the restraint and any medical care provided;
 - (9) For extended restraints (restraints lasting more than twenty minutes), description of the alternatives to extended restraint that were attempted, the outcome of those efforts, and the justification for administering the extended restraint;
 - (10.) Information regarding any further action(s) that the school has taken or may take, including any disciplinary sanctions that may be imposed on the student; and
 - (11.) Information regarding opportunities for the student's parent(s)/guardian(s) to discuss with school officials the administration of the restraint, any disciplinary sanctions, and/or other related matters.

- E. The school will, within five school working days of the reported restraint, provide to the Department of Education a copy of the written report as described above and a copy of the record of physical restraints maintained by the program administrator for the thirty day period prior to the date of the reported restraint when:
- (1) a restraint has resulted in a serious injury to a student or program staff member;
or
 - (2) when an extended restraint has been administered.
- F. Parent(s)/guardian(s) may voluntarily waive the reporting requirements as stated above for restraints that do not result in serious injury to the student or a program staff member and do not constitute extended restraint.
- (1) Marshfield Public Schools may seek such individual waiver for students who present a high risk of frequent, dangerous behavior that may require the frequent use of restraint.
 - (2) Marshfield Public Schools shall not require parental consent to such a waiver as a condition of admission or provision of services.
 - (3) Parent(s)/guardian(s) may withdraw consent to such waiver at any time without penalty.
 - (4) Extended restraints and restraints that result in serious injury to a student or program staff member must be reported as described above regardless of any individual waiver.
 - (5) The following documentation regarding individual waiver of reporting requirements will be maintained on-site in the student's file and will be made available for inspection to the Department of Education upon request:
 - a. Informed written consent of parent(s)/guardian(s) to the waiver, which shall specify those reporting requirements listed above that the parent(s)/guardian(s) agrees to waive; and
 - b. Specific information regarding when and how the parent(s)/guardian(s) will be informed regarding the administration of all restraints to the individual student.

6. Grievance Procedures

- A. Should a parent/guardian have a complaint regarding the implementation of this policy in any manner, the complaint should be submitted to the building Principal in writing no later than ten school days after notification of the restraint procedures being implemented.

- B. Upon receipt of a written complaint, Principal shall offer parent/guardian an opportunity to meet directly with the staff member(s) involved to clarify the matter. Principal will submit a written summary of the meeting to parents/guardians and the Superintendent's office. Should a parent/guardian still have concerns regarding the implementation of this policy, they may appeal to the Superintendent's office.
- C. Nothing in this policy shall limit or restrict the parent/guardian from seeking a redress of their concerns through any other legal options available.

7. Students with Disabilities

- A. Restraints may be administered to a student with a disability pursuant to the student's Individualized Education Plan or other written and agreed upon plan developed in accordance with state and federal law, subject to the following exceptions:
 - (1) The limitations on chemical, mechanical, and seclusion restraint as stated above shall apply; and
 - (2) The training and reporting requirements described in this policy shall apply.

HANDBOOK PROVISION

"Marshfield Public Schools complies with the provisions of 603 CMR sect. 46.00 dealing with restraint of students in the public schools. To that end, the policy developed pursuant to those regulations is available upon request from the Principal, the Director of Special Education and Pupil Personnel Services, and the Superintendent's office. Further, the policy is posted in the main bulletin board of the school near the office.

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