STOUGHTON PUBLIC SCHOOLS

PHYSICAL RESTRAINT POLICY, PROCEDURES AND GUIDELINES

I. GENERAL INFORMATION

The Stoughton Public Schools seeks to promote a safe and productive workplace and educational environment for its employees and students. In accordance with the Code of Massachusetts Regulations (603 C.M.R. 46.00), the law governing the use of physical restraint on students in public schools, the Stoughton Public Schools seeks to ensure that every student in the Stoughton Public Schools is free from the unreasonable use of physical restraint. PHYSICAL RESTRAINT SHALL ONLY BE USED IN EMERGENCY SITUATIONS, AFTER OTHER LESS INSTRUSIVE ALTERNATIVES HAVE FAILED OR BEEN DEEMED INAPPRORIATE, AND WITH EXTREME CAUTION. *See* 603 C.M.R. 46.01(3).

School personnel shall only administer a physical restraint when it is needed to protect a student and/or a member of the school community from imminent, serious, physical harm. When a physical restraint needs to be administered, school personnel shall seek to prevent or minimize any harm to the student as a result of the use of the physical restraint.

Further nothing in the Code of Massachusetts Regulations (603 C.M.R. 46.00) or the Stoughton Public Schools Physical Restraint Procedures and Guidelines shall be construed to limit the protection afforded to publicly funded students under other federal and state laws, including those laws that provide for the rights of students who have been found eligible to receive special education services. Additionally, nothing in the Code of Massachusetts Regulations (603 C.M.R. 46.00) or the Stoughton Public Schools

The Physical Restraint Policy, Procedures, and Guidelines does not preclude 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.

II. INTERVENTIONS AND ALTERNATIVE METHODS THAT MAY PRECLUDE THE NEED FOR THE USE OF PHYSICAL RESTRAINT

There are a variety of appropriate responses to student behavior that may require immediate intervention. These alternative methods should be used first when seeking to prevent student violence, self-injurious behavior and/or de-escalating potentially dangerous behavior occurring among groups of students or with an individual student. Physical restraints only should be used in emergency situations after these other less intrusive alternatives have failed or been deemed inappropriate.

Examples of interventions and less intrusive methods that may preclude the need for the use of physical restraint, include but are not limited to, the following:

A. Verbal Prompt – A verbal prompt is communicating what is expected behavior by clearly stating instructions and expectations.

B. Full or Partial Physical Cue – A full or partial physical cue is anytime an adult needs to place their hands on a child or physically redirect a child. These are used at increasing levels as needed to return a child safely back to task. See Physical Redirection, Physical Escort and Physical Containment below.
C. Physical Escort – A physical escort is utilized if a child inappropriately wanders away from the task at hand, or does not comply to walk to a specific location, an adult "escorts" them back to where the task. A physical escort is done by standing just behind the child, grasping the child immediately above the elbow with one hand and placing the other hand between the child's shoulder blades and then "escorting" the child in a firm and brisk manner to the task.
D. Physical Redirection – When a child inappropriately gets out of his or her seat, the child should be physically "redirected" back to his or her chair. A physical redirection is done by placing one hand on each of the child's shoulders and returning the child back to his or her chair.
E. Physical Containment – Physical containment should be used when a child runs away from adult supervision (i.e., running around classroom, building, etc.) or when an adult anticipates that a child is at risk of darting. If the child moves more than one arm's length away from the supervising adult, the adult "contains" the child by grasping the child's arm just below the arm-pit and bringing the child immediately to the adult's side. The child is firmly "contained" at the supervising adult's side for approximately three second, then ask the child, "Why am I holding your arm . . . I am holding your arm because you cannot run here." The supervising adult then should release the child but be prepared to "contain" the child again, if necessary.
F. Time Out – A time out is a period of time in which the child is unable to access any form of rewarding consequences.

General guidelines for de-escalating potentially dangerous behavior occurring among groups of students or with an individual student include the following:

A. Remain calm - To possibly help prevent the likelihood of a student experiencing distress from escalating his/her behavior use a neutral and level tone of voice, control one's facial expressions and use a supportive non-threatening body language.
B. Obtain Assistance – Whenever possible, school personnel should immediately take steps to notify school administrators, the school's administrative response team and/or other school personnel of a potentially dangerous situation and to obtain additional assistance.
C. One Person Speaks - In order to minimize the likelihood of confusion and/or the likelihood of a student experiencing distress from escalating his/her behavior having one person providing overall direction to the response and the follow up procedures is advisable. This often may be either the first trained staff person on the scene or the staff person with the most information about the particular situation.
D. Remove Student If Possible – The feasibility of having a student experiencing distress leave an area with other students and move to another more private and safe area in order to de-escalate should be considered.
E. Remove Other Students – If it is not feasible to have a student experiencing distress move to a more private and safe area in order to de-escalate, consider the feasibility of having

other staff assist and monitor the removal of other students to another area within the school until the student de-escalates.

III. DISTRICT'S PHYSICAL RESTRAINT PROCEDURES

A. Definitions

"Physical restraint" shall mean the use of bodily force to limit a student's freedom of movement.

"Physical escort" shall mean the touching or holding of a student without the use of force for the purpose of directing the student.

"Extended restraint" shall mean a physical restraint the duration of which is more than twenty (20) minutes. Extended restraints increase the risk of injury and, therefore, require additional written documentation as described in 603 C.M.R. 46.06.

"Mechanical restraint" shall mean the use of a physical device to restrict the movement of a student or the movement or normal function of a portion of his or her body. A protective or stabilizing device ordered by a physician shall not be considered a mechanical restraint. The use of a mechanical restraint is prohibited unless explicitly authorized by a physician and approved in writing by the parent/guardian of the student.

"Seclusion restraint" shall mean physically confining a student alone in a room or limited space without access to school staff. The use of "time out" procedures during which a staff member remains accessible to the student shall not be considered a seclusion restraint. The use of a seclusion restraint is expressly prohibited.

"Chemical restraint" shall mean the administration of medication for the purpose of restraint. The use of a chemical restraint is prohibited unless explicitly authorized by a physician and approved in writing by the parent/guardian of the student.

B. Determining When to Use a Physical Restraint

If all other less intrusive alternatives have failed or been deemed inappropriate to prevent student violence, self-injurious behavior and/or de-escalating potentially dangerous behavior occurring among groups of students or with an individual student, a physical restraint may be used. In other words, a physical restraint can only be used when non-physical interventions would not be effective and the student's behavior poses a threat of imminent, serious physical harm to himself or herself or others. Any 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.

C. Prohibitions on Use of a Physical Restraint

The use of a physical restraint as a means of punishment or as a response to the 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 is expressly prohibited.

D. Proper Administration of a Physical Restraint: Only trained school personnel shall administer physical restraints.

Trained school personnel are those individuals who have received either the in-depth training detailed below in Section IV(B), or who have received the required basic training detailed below in Section IV(A).

Whenever possible, the administration of the physical restraint shall be witnessed by at least one adult who does not participate in the physical restraint. When administering a physical restraint, school personnel shall use only the amount of force necessary to protect the student or others from physical injury. Additionally, school personnel administering a physical restraint shall use the safest method available and appropriate to the situation in accordance with the safety requirements detailed below in subsection E, and shall discontinue the restraint as soon as possible. Floor and prone restraints are prohibited unless the school personnel administering the restraint has received in-depth training, and, in the judgment of the trained staff member, such method is required to provide safety for the student or others present.

It should be noted, however, that the training requirements of the Stoughton Public Schools Physical Restraint Procedures and Guidelines, which are detailed below, 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.

E. Safety Requirements: No restraints shall be administered in such a way that a student is prevented from breathing or speaking.

During the administration of a restraint, school personnel shall continuously monitor the physical status of the student, including skin color and respiration. A restraint shall be immediately released upon a determination by the school personnel administering the restraint that the student is no longer at risk of causing imminent physical harm to himself, herself or others. Additionally, restraints shall be administered in such a way as to prevent or minimize physical harm. If, at any time during a physical restraint the student demonstrates significant physical distress, the student shall be released from the restraint immediately, and school staff shall take steps to seek medical assistance.

School personnel 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.

School personnel should remember that at any time during the administration of a physical restraint, school personnel may seek to contact the Office of Special Education behavioral specialists, or the Crisis Intervention Team, or take other steps to seek medical assistance if it appears that the student is demonstrating significant physical distress.

F. <u>Follow-up Procedures and Reporting Requirements</u>

1. Follow-up Procedures

At an appropriate time after a student has been released from a restraint, the school shall implement the follow-up procedures set forth below:

A. review the restraint with the student to address the behavior that precipitated the restraint;
B. review the incident with school personnel who administered the restraint to discuss whether proper restraint procedures were followed; and
C. consider whether any follow-up is appropriate for the students who witnessed the incident.

2. Reporting Requirements

A. Staff shall notify the principal of any physical restraint under five minutes and the principal or designee will notify the parent/guardian, either verbally or in writing, of such physical restraint.
B. Any physical restraint of five minutes or longer and/or any physical restraint that results in an injury to a student or staff member shall be reported.
C. The school staff member who administers a physical restraint of five minutes or longer and/or who administers any physical restraint that results in an injury to a student or staff shall verbally inform the principal or his/her designee of the restraint as soon as possible and no later than the close of the school day in which the restraint was administered. A written report, in the form attached to these procedures and guidelines at Tab B, shall be completed and provided to the principal of the school no later than the next working day after the restraint was administered.
D. The principal of the school shall maintain an on-going record of all reported instances of physical restraint of five minutes or longer and/or any physical restraint that results in an injury to a student or staff. This record will be made available for review by the Massachusetts Department of Education upon its request.
E. The principal or his/her designee shall verbally inform the student's parents or guardians of any physical restraint of five minutes or longer and/or any physical restraint that results in an injury to a student or staff as soon as possible and by a written report postmarked no later than three school working days following the use of the physical restraint of five minutes or longer and/or any physical restraint that results in an injury to a student or staff. This notice should be issued to the parents/guardians in English and in the home language of the student.

The principal shall provide the Office of the Superintendent with a copy of the written report of a physical restraint when such restraint has resulted in a serious injury to a student or staff member, or when an extended restraint (20 minutes or longer) has been administered as well as a copy of the school's on-going record of all reported instances of physical restraint for the thirty days preceding the reported physical restraint. A copy of the Massachusetts Department of Education **Physical Restraint Report [603 CMR 46.06(5)]** must be completed with respect to the administration of an extended restraint (20 minutes or longer). **<u>This documentation must be provided to the Office of the Superintendent by no later than one school working day after the written report is received by the principal</u>**. The Office of the Superintendent will, in accordance with the requirements of 603 C.M.R. 46.06(5), provide this documentation to the Massachusetts Department of Education within three days of its receipt of the documentation.

IV. DISTRICT'S TRAINING REQUIREMENTS

1. For All Program Staff

Within the first month of each school year, the principal of each school shall provide all program staff with training on the Stoughton Public Schools Physical Restraint Procedures and Guidelines. Additionally, for all new school employees that are hired after the start of the school year, the principal shall within the first month of their employment provide the new employees with training on this Stoughton Public Schools Physical Restraint Procedures and Guidelines. The training shall consist of the following: (a) the Stoughton Public Schools Physical Restraint Procedures and Guidelines; (b) interventions that may preclude the need for restraint, including de-escalation of problematic behaviors; (c) types of restraints and related safety considerations, including information regarding the increased risk of injury to a student when an extended restraint is used; (d) administering physical restraint in accordance with known medical or psychological limitations and/or behavioral intervention plans applicable to an individual student; and (e) identification of program staff who have received in-depth training pursuant to 603 C.M.R. 46.03(3) in the use of physical restraint. *See* 603 C.M.R. 46.03(2).

2. For Staff Authorized to Serve As A School-Wide Resource on the Proper Administration of Physical Restraints

At the beginning of each school year, the principal of each school shall identify program staff that are authorized to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. Consistent with the recommendation of the Massachusetts Department of Education, the Stoughton Public Schools recommends that such training be at least sixteen (16) hours in length. The content of the in-depth training shall include, but not be limited to: (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) description and identification of dangerous behaviors on the part of students 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. *See* 603 C.M.R. 46.03(3) and 46.03(4).

V. COMPLAINT PROCEDURES

1. Informal Resolution of Concern About Use of Physical Restraint

Before initiating a formal complaint procedure, a student or his/her parent/guardian who has concerns regarding a specific use of a physical restraint, may seek to resolve his/her concerns regarding a specific use of a physical restraint by raising the issue with the principal of the school. The student and/or his/her parent/guardian should direct their concerns regarding a specific use of a physical restraint to the principal within ten (10) days of the parent/guardian's receipt of the written

report from the school detailed above in Section III(F)(2)(e). The principal shall attempt, within his/her authority to work with the individual to resolve the complaint fairly and expeditiously. If the student and/or his/her parent/guardian is not satisfied with the resolution, or if the student and/or his/her parent/guardian does not choose informal resolution, then the student and/or his/her parent/guardian may proceed with the formal complaint process detailed below in Section V(B).

2. Formal Resolution of Concern About Use of Physical Restraint

A student or his/her parent/guardian who has concerns regarding a specific use of a physical restraint, may seek to resolve his/her concerns regarding a specific use of a physical restraint by submitting a written complaint to the Office of the Superintendent. The student and/or his/her parent/guardian should submit this letter to the Office of the Superintendent within twenty (20) days of the parent/guardian's receipt of the written report from the school detailed above in Section III(F)(2)(e). The written complaint shall include (a) the name of the student; (b) the name of the school where the physical restraint allegedly occurred; (c) the name of the individuals involved in the alleged physical restraint; (d) the basis of the complaint or concern; and (e) the corrective action being sought.

The Office of the Superintendent, through its designees, shall conduct an investigation into the complaint promptly after receiving the complaint. In the course of its investigation, the Office of the Superintendent and/or its designees shall contact those individuals that have been referred to as having pertinent information related to the complaint. Strict timelines cannot be set for conducting the investigation because each set of circumstances is different. The Office of the Superintendent and/or its designees will make sure that the complaint is handled as quickly as is feasible. After completing the formal investigation, the Office of the Superintendent shall contact the individual who filed the complaint regarding the outcome of its investigation and its determination as to whether any corrective action is warranted.

3. Other Complaint Processes Also Available

It should be noted that the provisions of this section does not preclude a student from using the complaint process set forth in the Stoughton Public Schools "Harassment Policy" to seek resolution of any complaints of discrimination or harassment that is based on a characteristic protected by law such as sex, race, color, ancestry, national origin, ethnicity, religion, age, disability, marital status or sexual orientation.

STOUGTON PUBLIC SCHOOLS

REPORTING FORM FOR INCIDENTS OF RESTRAINT

CONFIDENTIAL

Student Restrained: _____ SASID #: _____

Restraint by: _____

Observed by: _____

Reported by: _____

Place of Restraint: _____

Date & Time Restraint Began: _____

Date & Time Restraint Ended: _____

Name of School Administrator Who Received Report: _____

Date & Time of Report: _____

Description of Activity in Which Restrained Student and Other Students & Staff in Vicinity Were Engaged Immediately Preceding Use of Physical Restraint:

_____

_____

_____

_____

Description of Behavior That Prompted Restraint:

_____

_____

_____

_____

Description of Efforts Made to De-Escalate Situation:

_____

_____

_____

_____

Reason for Initiating Physical Restraint:

_____

_____

_____

_____

Description of Restraint(s) Administered (e.g., holds used and why necessary, and student's behavior and reaction during restraint):

_____

_____

_____

_____

Description of How the Restraint Ended:

_____

_____

_____

_____

Were there any injuries to student(s) and/or staff during restraint?

_____ YES _____ NO

If so, please identify name(s) of individual(s) injured, a brief description of the injury and what medical care, if any was provided:

_____

_____

_____

Printed Name of Faculty Member Making the Report: _____

Signature of Faculty Member Making the Report: _____

Date: _____

STOUGHTON PUBLIC SCHOOLS
WRITTEN REPORT TO PARENTS/GUARDIAN
REGARDING PHYSICAL RESTRAINT

[Insert Date]

[Insert Name and Address of
Parent/Guardian of Student]

Dear [*Insert Name of Parent/Guardian]*,

This is to inform you that your son/daughter, *[Name of Student],* was restrained on *[Date]* by *[Name & Title of Staff Member(s) Who Administered Restraint]*. The restraint was observed by *[Name & Title of Staff Member(s) Who Observed Restraint]*. The restraint, which consisted of *[Describe administration of restraint including holds used and why holds necessary]* began at *[Time]* and ended at *[Time]*. Your son/daughter's behavior and reactions during the restraint were as follows: *[Describe Behavior and Rections]*. The restraint ended with *[Describe How the Restraint Ended]*. Following the restraint, *[Name of Faculty Member]* informed *[Name of Administrtor]* that the restraint had taken place.

Immediately preceding the use of the physical restraint the staff and students were engaged in the *[Identify Activity]*. The behavior of your son/daughter that escalated the situation was *[Identify Behavior]*. Efforts to de-escalate the situation were attempted prior to initiating the physical restraint. These efforts included *[Describe the alternatives to the restraint that were attempted, the outcome of those efforts and the justification for administering the restraint.]* The reason for ultimately initiating the physical restraint was [*Describe Reason of Initiating the Restraint*].

USE EITHER ALTERNATIVE PARAGRAPH A OR PARAGRAPH B
ALTERNATIVE PARAGRAPH A: There was no injury to your son/daughter and/or to staff during the restraint.

ALTERNATIVE PARAGRAPH B: There was an injury to *[Student or Faculty Member]* during the restraint. As a result of this injury medical care was provided. *[Student Only: A copy of the injury report is enclosed with this letter.]*

If it is determined that the behavior which was the basis for this physical restraint is of a more serious nature as to warrant disciplinary action, you will be notified in writing of the date of the suspension hearing by a separate letter.

If you wish to meet with me to discuss the administration of the restraint, any disciplinary sanctions that may be imposed and/or any other related matter with respect to your son/daughter, please do not hesitate to contact me. Additionally, a copy of the Stoughton Public Schools Physical Restraint Policy, Procedures and Guidelines are enclosed for your reference.

Sincerely,
Principal

Enclosure(s):
Stoughton Public Schools Physical Restraint Policy, Procedures and Guidelines
[Injury Report if the Student was Injured]

Cc: Superintendent of Schools

STOUGHTON PUBLIC SCHOOLS
PHYSICAL RESTRAINT WAIVER FORM

In accordance with state regulations and Stoughton Public Schools policy, parent(s)/legal guardian(s) may waive the reporting requirements which are part of the restraint process if the restraint does not result in serious injury to the student or a program staff member, and does not constitute extended restraint.

The following conditions shall guide agreement to this waiver:

- The student presents a high risk of frequent, dangerous behavior that often requires the use of a restraint.
- Parental signature on this waiver form shall in no way impact the student's opportunity to gain access to or to receive services.
- The parent(s)/legal guardian(s) may withdraw consent to this waiver at any time without penalty.
- Extended restraints and restraints that result in serious injury to a student or program staff member must be reported as described in the policy of the Stoughton Public Schools.

The parent(s)/legal will be informed of all restraints administered for the student. This communication of information will take place by (please check all that apply):

- ☐ letter
- ☐ phone call
- ☐ meeting
- ☐ other: _____

within: _____ days of the restraint.

I agree to the waiver of the reporting requirement which is part of the physical restraint process and understand and agree to the afore-mentioned conditions which are part of this waiver.

_____	_____
Parent(s)/Legal Guardian(s)	Building Principal or Designee
_____	_____
Date	Date

A copy of this form will be maintained in the student's Cumulative Folder and will be made available for inspection to the Department of Education upon request.