

**POLICY RELATING TO PERSONNEL MANAGEMENT*****PHYSICAL RESTRAINT***

The Wachusett Regional School District recognizes that on occasion physical restraint is required to protect the safety of school community members from serious, imminent physical harm. Physical restraint is defined as the use of bodily force to limit a student's freedom of movement. Physical restraint shall only be used in emergency situations, in the judgment of the school staff member, when other less intrusive alternatives have failed or been deemed inappropriate, and with extreme caution.

**A. Training**

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:

- All staff will receive training regarding the District's restraint policy and will be reviewed annually and employees hired after the school year begins will receive training within one month of starting their employment, which will include the following:
  - The District's restraint policy;
  - Interventions, which may preclude the need for restraint, including de-escalation of problematic behaviors;
  - Types of restraints and related safety considerations, including information regarding the increased risk of injury to a student when an extended restraint is used;
  - Administering physical restraint in accordance with known medical or psychological limitations and/or behavioral intervention plans applicable to an individual student; and
  - Identification of program staff who have received in-depth training in the use of physical restraint.
- Designated staff members shall participate in a certified-in-depth training in the use of physical restraint. Those designated staff members will then be authorized to serve as school-wide resources to assist in ensuring proper administration of physical restraint.

**B. Administration of Physical Restraint**

- Physical restraint may only be used in the following circumstances:

**POLICY RELATING TO PERSONNEL MANAGEMENT*****PHYSICAL RESTRAINT (continued)***

- When non-physical interventions would be ineffective; and
  - The student's behavior poses a threat of imminent, serious harm to self and/or others.
- Physical restraint is prohibited in the following circumstances:
    - As a means of punishment; or
    - 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, in the judgment of the staff member, if the property destruction or the refusal to comply with a school rule or staff directive might escalate into, or could itself lead to serious, imminent harm to the student or to others, physical restraint is appropriate.
  - Only school personnel who have received required training pursuant to this policy shall administer physical restraint on students with, wherever possible, one adult witness who does not participate in the restraint.
  - The training requirements 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.
  - 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.
  - A person administering physical restraint shall use the safest method available and appropriate to the situation, subject to the safety requirements set forth in this policy. 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.
  - Physical restraint shall be discontinued, as soon as possible, when it is determined that the student is no longer at risk of causing imminent physical harm to self or others. (If, due to unusual circumstances, a restraint continues for more than twenty minutes, it shall be considered an "extended restraint" for purposes of the reporting requirements.)

**POLICY RELATING TO PERSONNEL MANAGEMENT*****PHYSICAL RESTRAINT (continued)***

- Additional safety requirements:
  - 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.
  - 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.
  - 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.
- At an appropriate time after release of a student from physical restraint, a school administrator or other appropriate school staff shall:
  - Review the incident with the student to address the behavior that precipitated the restraint;
  - Review the incident with the staff person(s) who administered the restraint to discuss whether proper restraint procedures were followed; and
  - Consider whether any follow-up is appropriate for students and staff members who witnessed the incident.

**C. Reporting**

Staff shall report the use of physical restraint to the school principal after administration of a physical restraint that results in injury to a student or staff member; or lasts longer than five minutes. The following reporting procedure will be followed:

- The staff member shall verbally inform the principal of the restraint as soon as possible and shall provide a written report no later than the next school working day.
- The written report shall be provided to the principal or designee. The principal shall prepare the report if the principal administered the restraint.

**POLICY RELATING TO PERSONNEL MANAGEMENT*****PHYSICAL RESTRAINT (continued)***

- The principal or 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.
- The principal shall send a copy of the report to the Superintendent at the Central Office.
- 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 days following the use of such restraint. 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. The written report shall include:
  - Names and job titles of the staff who administered the restraint and observers, if any; the date of the restraint; the time the restraint began and ended; and the name of the administrator who was verbally informed following the restraint.
  - A description of the activity in which the restrained student and other students and staff in the same room or vicinity were engaged immediately preceding the use of physical restraint; the behavior that prompted the restraint; the efforts made to de-escalate the situation; alternatives to restraint that were attempted; and the justification for initiating physical restraint.
  - A description of the administration of the restraint including the holds used and reasons such holds were necessary; the student's behavior and reactions during the restraint; how the restraint ended; and documentation of injury to the student and/or staff, if any, during the restraint and any medical care provided.
  - For extended restraints, the written report shall describe the alternatives to extended restraint that were attempted, the outcome of those efforts and the justification for administering the extended restraint.
  - 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.
  - Information regarding opportunities for the student's parent(s)/guardian(s) to discuss with school officials the administration of the restraint, any disciplinary sanctions that may be imposed on the student and/or any other related matter.

**POLICY RELATING TO PERSONNEL MANAGEMENT*****PHYSICAL RESTRAINT (continued)***

- When a restraint has resulted in a serious injury to a student or program staff member or when an extended restraint has been administered, the program shall provide a copy of the written report to the Department of Education within five (5) school days of the administration of the restraint. The program shall also provide the Department with 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.

**D. Special Circumstances**

- 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 to a staff member and do not constitute extended restraint.
- The Wachusett Regional School District may seek such individual waiver for students who present a high risk of frequent, dangerous behavior that may require the frequent use of restraint.
- The Wachusett Regional School District shall not require parental consent to such a waiver as a condition of admission or provision of services.
- Parent(s)/guardian(s) may withdraw consent to such waiver at any time without penalty.
- Extended restraints and restraint that result in serious injury to a student or staff member must be reported as described above, regardless of any individual waiver.
- 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:
  - 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) agree to waive; and
  - Specific information regarding when and how the parent(s)/guardian(s) will be informed regarding the administration of all restraints to the individual student.

**POLICY RELATING TO PERSONNEL MANAGEMENT**

***PHYSICAL RESTRAINT (continued)***

- Nothing herein shall be construed to allow a program or classroom to receive an exemption or waiver from any of the requirements of this policy on behalf of all of the students enrolled in a particular program or classroom.

E. Receiving/Investigating Complaints

Any student, or parent(s)/guardian(s) on said student's behalf, who believes he or she has been inappropriately restrained by an employee of the Wachusett Regional School District, should follow the procedure in P8151 **Policy Relating to Communication/Public Relations *Complaints About District Personnel***.

This policy shall be reviewed annually, provided to school staff, and shall be included in student handbooks.

(M.G.L. chapter 69, section 1B, and chapter 71, section 37G; Massachusetts Department of Education Regulation 603 CMR 46.00 Physical Restraint)

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