

JKAA - PHYSICAL RESTRAINT OF STUDENTS

Maintaining an orderly, safe environment conducive to learning is an expectation of all staff members of the school district. Further, it is the policy of the Barnstable Public Schools to ensure that every student participating in a District program is free from the use of physical restraint that is inconsistent with the law. Physical restraint shall be used only in emergency situations of last resort after other lawful and less intrusive alternatives have failed or been deemed inappropriate, and with extreme caution.

When an emergency situation arises, and physical restraint is the only option deemed appropriate to prevent a student from injuring himself or herself, another student or school community member, a teacher or employee or agent of the school district may use such reasonable force needed to protect students, other persons or themselves from assault or imminent, serious, physical harm. The use of physical restraint must be done in a manner so as to prevent or minimize any harm to the student as a result of the use of physical restraint.

Physical restraint is generally defined as direct physical contact that prevents or significantly restricts a student's freedom of movement and 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. The definitions of all forms of restraint shall be as defined in 603CMR [46.02](#).

The use of restraint in a manner inconsistent with 603 CMR 46.00 is prohibited. Additionally, the use of mechanical restraint, medical restraint, and seclusion is strictly prohibited.

Physical restraint, including prone restraint where permitted under 603 CMR [46.03](#), shall be considered an emergency procedure of last resort and shall be prohibited except when a student's behavior poses a threat of assault, or imminent, serious, physical harm to themselves and/or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions are deemed inappropriate.

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.

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;

The use of "time out" procedures during which a staff member remains accessible to the student shall not be considered "seclusion restraint".

The Superintendent will develop procedures identifying:

- (a) Methods for preventing student violence, self-injurious behavior, and suicide, including individual crisis planning and de-escalation of potentially dangerous behavior occurring among groups of students or with an individual student;
- (b) Methods for engaging parents in discussions about restraint prevention and the use of restraint solely as an emergency procedure;
- (c) A description and explanation of the program's alternatives to physical restraint and method of physical restraint in emergency situations;

- (d) A statement prohibiting: medication restraint, mechanical restraint, prone restraint unless permitted pursuant to 603 CMR 46.03(1)(b), seclusion, and the use of physical restraint in a manner inconsistent with 603 CMR 46.00;
- (e) A description of the program's training requirements, reporting requirements, and follow-up procedures;
- (f) A procedure for receiving and investigating complaints regarding restraint practices;
- (g) A procedure for conducting periodic review of data and documentation on the use of physical restraints as described in 603 CMR 46.06(5) and (6);
- (h) A procedure for implementing the reporting requirements as described in 603 CMR 46.06;
- (i) A procedure for making reasonable efforts to orally notify a parent of the use of restraint on a student within 24 hours of the restraint, and for sending written notification to the parent within three school working days following the use of restraint to an email address provided by the parent for the purpose of communicating about the student, or by regular mail to the parent postmarked within three school working days of the restraint; and,
- (j) If the program uses time-out as a behavioral support strategy, a procedure for the use of time-out that includes a process for obtaining principal approval of time-out for more than 30 minutes based on the individual student's continuing agitation.

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.

In addition, each staff member will be trained regarding the school's physical restraint policy and accompanying procedures. 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.

This policy and its accompanying procedures shall be reviewed and disseminated to staff annually and made available to parents/guardians of enrolled students. The Superintendent shall provide a copy of the Physical Restraint regulations to each Principal, who shall sign a form acknowledging receipt thereof.

Nothing in this policy or the accompanying procedures precludes any teacher, employee or agent of the Barnstable Public Schools from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.

SOURCE: MASC

Revised" February __, 2021.

LEGAL REF.: M.G.L. [71:37G](#); 603 CMR [46.00](#)