

PHYSICAL RESTRAINT OF STUDENTS

It is the policy of the Weston Public Schools to comply with the Department of Elementary and Secondary Education (“DESE”) regulations governing the use of physical restraint, which can be found at 603 CMR 46.00 et seq. (the “Regulations”). According to their terms, the Regulations apply not only at school but also at school-sponsored events and activities, whether or not on school property.

Purpose. The Regulations protect students of the district from the unreasonable use of physical restraint. Such restraint shall be used only in emergency situations as a last resort and with extreme caution after other lawful and less intrusive alternatives have failed or been deemed inappropriate.

Definitions. Definitions of forms of restraint shall be as set forth in 603 CMR 46.02, and include the following:

- **Physical restraint** shall mean direct physical contact that prevents or significantly restricts a student's freedom of movement. Physical restraint 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.
- **Prone restraint** shall mean a physical restraint in which a student is placed face down on the floor or another surface, and physical pressure is applied to the student's body to keep the student in the face-down position.
- **Mechanical restraint** shall mean the use of any device or equipment to restrict a student's freedom of movement.
- **Medication restraint** shall mean the administration of medication for the purpose of temporarily controlling behavior. Medication prescribed by a licensed physician and authorized by the parent for administration in the school setting is not medication restraint.
- **Seclusion** shall mean the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving.
- **Time-out** shall mean a behavioral support strategy in which a student temporarily separates from the learning activity or the classroom, either by choice or by direction from staff, for the purpose of calming. During time-out, a student must be continuously observed by a staff member. Staff shall be with the student or immediately available to the student at all times. The space used for time-out must be clean, safe, sanitary, and appropriate for the purpose of calming. Time-out shall cease as soon as the student has calmed.

Use of Restraint. Physical restraint shall be considered an emergency procedure of last resort and shall be prohibited except when: 1) a student’s behavior poses a threat of assault, or imminent, serious, physical harm to themselves and/or others; 2) the student is not responsive to verbal directives; and 3) other lawful and less intrusive behavior interventions have failed or are deemed inappropriate.

Prone restraint is prohibited except in the limited circumstances set forth in 603 CMR 46.03. The use of mechanical restraint, medical restraint, and seclusion is prohibited. Seclusion does not include a time-out.

Physical Restraint shall not be used:

- As a means of punishment;
- 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 assault or imminent, serious physical harm to the student or others; or
- 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.

Staff Training. All school staff 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.

Additionally, 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 on the use of physical restraint.

Reporting Requirements. Staff shall report the use of any physical restraint as required by the Regulations. The staff member who administered the restraint shall notify the principal verbally as soon as possible and in writing no later than the next school working day. The report shall be maintained by the school and made available for review by the parent or DESE.

The principal or their designee shall make reasonable efforts to inform the parent(s) of the restraint within 24 hours of the event, and shall notify the parent(s) by written report within three school working days of the restraint. The report shall contain all information required by the Regulations.

The principal shall review restraint data periodically as required by the Regulations with the goal of reducing or eliminating the use of restraint in the school where appropriate. Such review may include, with regard to a particular student or students, convening appropriate personnel to assess the students' progress and needs, with the goal of reducing or eliminating the need for restraint.

All use of physical restraint that results in injury must be reported to DESE. The district will also comply with other data reporting requirements promulgated by DESE.

Prevention of Dangerous Behavior. As set forth in the Regulations, the district shall develop methods for preventing student violence, self-injurious behavior, and suicide, including individual crisis planning, behavior intervention plans, and de-escalation of potentially dangerous behavior occurring among groups of students or with an individual student.

Parent Engagement. In accordance with the Regulations, the district shall engage parents in discussions about restraint prevention and the use of restraint solely as an emergency procedure.

Complaints. Complaints regarding restraint practices should be directed to the building principal or the Superintendent. All investigations regarding restraint practices shall be conducted in accordance with the Regulations and procedures set forth by the Superintendent.

ADOPTED: July 25, 2017

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