

HOPKINTON SCHOOL COMMITTEE POLICY

PHYSICAL RESTRAINT OF STUDENTS

PURPOSE

Physical restraint must be used with extreme caution in emergency situations after other less intrusive alternatives have not been successful. To the degree possible, staff will emphasize de-escalation of harmful behavior to avoid the need for restraint. This physical restraint policy complies with 603 CMR 46.00 and has been adopted to ensure that Hopkinton Public Schools students are not restrained unreasonably.

PROHIBITIONS

The following is prohibited:

- (1) Physical restraint as a means of punishment or as a response to property destruction, disruption of school order, or refusal to comply, or verbal threats that do not constitute a threat of imminent, serious, physical harm;
- (2) Seclusion restraint, which is 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 will not be considered “seclusion restraint.”);
- (3) Chemical restraints (the administration of medication) or mechanical restraints (the use of a physical device to restrict movement), unless explicitly authorized by a physician and approved by a parent/guardian.

IMPLEMENTATION

Each school principal will identify an adequate number of staff to provide proper administration of physical restraint and ensure that these staff members have received in-depth training about restraint, including de-escalation techniques to reduce the need for restraint.

When it is deemed necessary to use physical restraint, the goal will be to prevent or minimize any harm to the student as a result of this restraint. The trained person administering the restraint will use the safest method available and discontinue the restraint as soon as possible. Restraint must be terminated immediately if the student demonstrates physical distress.

School staff may use physical restraint only

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

(3) Pursuant to a student's Individual Education Program (IEP) or other written plan developed in accordance with state and federal law and approved by the school and parent/guardian.

FOLLOW UP AND REPORTING REQUIREMENTS

Following the release of a student from a physical restraint, these follow-up procedures will be carried out:

- (1) The restrainer(s) must:
 - a. Immediately report the incident to the building principal, and
 - b. Complete the *Physical Restraint Reporting Form* (JKAA-R1) and provide it to the principal,
- (2) The principal must:
 - a. Review the incident with the student and with staff administering the restraint, and may include follow-up with the students or staff who witnessed the incident;
 - b. Verbally inform the student's parent/guardian as soon as possible (to the extent possible within one school day), and by written report postmarked no later than three working school days after the incident;
 - c. Maintain on-going records of all such reported instances, which will be made available in accordance with state and federal law and regulations;
 - d. Where a physical restraint lasts longer than twenty (20) minutes or results in serious injury to the student or staff member, provide a copy of the written report and a copy of the school's record of physical restraints covering the thirty-day period prior to the date of the restraint within five working school days after the restraint to the Massachusetts Department of Elementary and Secondary Education (DESE).

For students who require frequent restraint because of dangerous behaviors, school staff may seek the parent/guardian's written consent to waive individual reporting requirements for restraints administered to an individual student, unless the restraint extends over twenty minutes or more, or results in serious injury to the student or staff member or constitute extended restraint. The principal must report these incidents as in (d) above.

REQUIRED TRAINING FOR ALL STAFF

The principal of each school must provide annual training on the district's restraint policy within the first month of school or within a month of employment. The training must include:

- (a) The district's restraint policy;
- (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) Physical restraint administration in accordance with known medical or psychological limitations and/or behavioral intervention plans applicable to an individual student; and

(e) Identification of school staff who have received in-depth training pursuant to 603 CMR 46.03(3) in the use of physical restraint and may therefore restrain students if necessary.

COMPLAINT PROCEDURES

Any parent/guardian who has a complaint regarding physical restraint procedures may request a meeting with the principal to discuss his/her concerns. If the parent/guardian’s issues are not resolved at this level, the parent/guardian may request a meeting with the Superintendent, and if parent does not believe the issues are resolved at this level, they may bring their complaint to the School Committee, which will hear the complaints in Executive Session.

Nothing in this policy should interfere with or prohibit law enforcement authorities, judicial authorities, and mandated reporters from carrying out their responsibilities.

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Second Reading	February 17, 2011
Third Reading	
Adopted	November 21, 2002, February 17, 2011
Policy Amended	
Legal References	M.G.L. c. 69, § 1B, and c. 71, § 37G 603 CMR 46.00
Policy Cross Reference	
Procedure Reference	