

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.

Prohibitions

Physical restraint is prohibited in the following circumstances:

- As a means of discipline or punishment;
- When a student cannot be safely restrained because 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;
- 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 assault, or imminent, serious, physical harm; or
- As a standard response to any individual student.

Mechanical restraint, medication restraint and seclusion are prohibited. Prone restraint is prohibited except on an individual student basis and only under specific circumstances.

Referral to Law Enforcement or Other State Agencies

These procedures support the referral to law enforcement or other state agencies utilizing the Worcester Public Schools guidelines.

- School personnel have the right to report to appropriate authorities a crime committed by a student or other individual, including staff members;
- Law enforcement, judicial authorities or school security personnel may exercise their responsibilities, including the physical detainment of a student or other person alleged to have committed a crime or posing a security risk; or
- School personnel must exercise their responsibilities, as mandated reporters required to report abuse or neglect cases pursuant to the Worcester Public School Protocol.

PROPER ADMINISTRATION OF PHYSICAL RESTRAINT

Trained Personnel

It is the intent of the Worcester Public Schools to provide a safe, non-harmful behavior management system designed to aid staff members by maintaining the best possible care and welfare for agitated or dysregulated students even during their most violent moments. The first phase of the training will involve all staff in six hours of training in methods for preventing student violence, self-injurious behavior and suicide, including individual crisis planning and methods to de-escalate incidents of disruptive or potentially dangerous student behavior to ensure both student and staff safety. Only school personnel who have received the complete twelve hour Nonviolent Crisis Intervention training established by the Crisis Prevention Institute (CPI) shall administer physical restraint on students except in an emergency situation.

At the beginning of each school year, the principal or his/her designee shall identify staff authorized to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. Such staff shall participate in in-depth competency based training in the use of physical restraint.

- Whenever possible, the administration of a restraint will be witnessed by at least one adult who does not participate in the restraint.
- The training requirement will not preclude a 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.

Use of Force

A person using a physical restraint will use only the amount of force necessary to protect the student or others from physical injury or harm, and, in the judgment of the trained staff member, such method is required to provide safety for the student or others present.

Safest Method

A person administering physical restraint will use the safest method available and appropriate to the situation subject to the safety requirements set forth in 603 CMR 46.05(5). Floor restraints, including prone restraints are prohibited with limited exceptions permitted by law.

Safety Requirements

No restraint shall be administered in such a way that the student is prevented from breathing or speaking. During the administration of a restraint, a staff member shall continuously monitor the physical status of the student, including skin temperature and color and respiration.

A restraint shall be released immediately upon a determination by the staff member administering the restraint that the student is no longer an immediate danger to himself or others or if the student is observed to be in severe distress, such as having difficulty breathing, or sustained or prolonged crying or coughing.

If a student is restrained for a period longer than twenty (20) minutes, staff shall obtain the approval of the principal. Such approval shall be based upon the student's continued agitation during the restraint justifying the need for continued restraint.

Staff shall review and consider any known medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans regarding the use of physical restraint on an individual student.

Restraint shall be administered in such a way so as to prevent or minimize physical harm. If at any time during a physical restraint, the student expresses or demonstrates significant physical distress, including, but not limited to difficulty breathing, the student shall be released from the restraint immediately, and school staff shall take steps to seek medical assistance.

Following the release of a student from a restraint, the school shall implement follow-up procedures. These procedures shall include:

- Reviewing the incident with the student to address the behavior that precipitated the restraint. Reviewing the incident with the staff person(s) who administered the restraint to discuss whether proper restraint procedures were followed and consideration of whether any follow-up is appropriate for students who witnessed the incident.
- Assessing the student by the school nurse.

REPORTING REQUIREMENTS

Circumstances

School/Program staff shall report the circumstances under which a physical restraint was used and the use of all physical restraint as specified in 603 CMR 46.06.

Informing the Principal

The school/program staff member who administered the restraint shall verbally inform the principal of the restraint as soon as possible and by written report no later than the next school working day.

The written report shall be provided to the principal or the director of the school/program or his/her designee, except that the principal or director shall prepare the report if the principal or director has administered the restraint. The principal/director will forward a copy of this report to the appropriate Instructional & School Leadership Manager.

The Instructional & School Leadership Manager shall maintain an ongoing record of all reported instances of physical restraint which may be made available for review by the parent or the Department of Elementary and Secondary Education, upon request.

Informing Parents

The principal or director of the school/program or his/her designee shall make reasonable efforts to verbally inform the student's parents/guardians of restraints within 24 hours of the event, and by written report sent within three (3) school working days following the use of restraint to an email address provided by the parent for communication about the student or by regular mail postmarked no later than three school working days of the restraint.

If the school/program customarily provides a parent/guardian of a student with report cards and other necessary school-related information in a language other than English, the written restraint report shall be provided to the parent in that language.

The principal, director or designee shall provide the student and the parent an opportunity to comment orally and in writing on the use of the restraint and on information in the written report.

Contents of the Report

The written report required by 603 CMR 46.06(2) and (3) shall include:

- The name of the student; the 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;
 - the name of the administrator who was verbally informed following the restraint; and, as applicable,
 - the name of the administrator who approved continuation of a restraint beyond twenty (20) minutes.
- A description of the activity in which the restrained student and other students and staff in the room or vicinity were engaged immediately preceding the use of physical restraint:
 - the behavior that prompted the restraint;
 - the efforts made to prevent escalation of the behavior, including specific de-escalation strategies used;
 - alternatives to restraint that were attempted; and,
 - the justification for initiating the 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.
- Information regarding any further action(s) that the school/program has taken or may take, including any consequences that may be imposed on the student.
- Information regarding opportunities for the student's parents to discuss with school officials the administration of the restraint, any consequences that may be imposed on the student, and any other related matter.

Individual Student Review

The principal shall conduct a weekly review of restraint data to identify students who have been restrained multiple times during the week. With regard to any students identified, a review team(s) shall be convened as determined appropriate to assess the student's progress and needs. This assessment shall include the following:

- Review and discussion of the written restraint reports submitted and any student/parent comments;
- Analysis of the circumstances leading up to the restraint including factors such as time of day, day of the week, antecedent events, and individuals involved;
- Consideration of factors that may have contributed to escalation of behaviors, consideration of alternatives to restraint, including de-escalation techniques and possible interventions, and such

other strategies and decisions as appropriate with the goal of reducing/eliminating the use of restraint in the future; and

- Agreement on a written plan of action by the school.

If the principal directly participated in the restraint, the Superintendent shall designate a duly qualified individual to lead the review team's discussion. The principal shall ensure that a record of each individual student review is maintained and made available for review by the Department or the parent, upon request.

Administrative Review

The principal shall conduct a monthly review of school-wide restraint data. This review shall consider patterns of use of restraints by similarities in the time of day, day of the week, or individuals involved; the number and duration of physical restraints school-wide and for individual students; the duration of the restraints; and, the number and types or injuries, if any, resulting from restraint. The principal shall also determine whether it is necessary and appropriate to modify the school's restraint prevention and management policy, conduct additional staff training on restraint reduction/prevention strategies such as training on positive behavioral interventions and supports or take such other action necessary or appropriate to reduce or eliminate restraints. The principal shall provide copies of the monthly review to the Instructional & School Leadership Manager.

Reports to the Department of Education

When a physical restraint has resulted in any injury to a student or a school/program staff member, the school/program shall send a copy of the written report required by 603 CMR 46.06(4) to the Department of Elementary and Secondary Education postmarked no later than three (3) school working days of the administration of the restraint.

The school/program shall also provide the Department with a copy of the record of physical restraints maintained by the school/program administrator pursuant to 603 CMR 46.06(2) for the thirty (30)-day period prior to the date of the reported restraint.

The Department shall determine if additional action on the part of the public school/program is warranted and, if so, shall notify the public school/program of any required actions within thirty (30) calendar days of receipt of the required written report(s).

Every program shall collect and annually report data to DESE regarding the use of physical restraint; such data shall be reported in a manner and form directed by DESE.

Students with Disabilities

Physical restraint may not be used as a standard response for any individual student. Therefore, no written individual behavior plan or individualized education plan (IEP) may include use of physical restraint as a standard response to any behavior. Physical restraint is an emergency procedure of last resort. The Worcester Public Schools does not allow the use of medical, mechanical, and seclusion restraints.

DEFINITION OF TERMS

As used in 603 CMR 46.00, the following terms shall have the following meanings:

Mechanical Restraint:

The use of any device or equipment to restrict a student's freedom of movement. The term does NOT include devices implemented by trained school personnel, or utilized by a student that have been prescribed by an appropriate medical or related services professional, and are used for the specific and approved positioning or protective purposes for which such devices were designed. Mechanical Restraint is PROHIBITED in public education programs.

Medication Restraint:

The administration of medication for the purpose of temporarily controlling behavior. Medication Restraint is PROHIBITED in public education programs. Medical Restraint does not, however, include medication prescribed by a licensed physician and authorized by the parent for administration in the school setting.

Physical Escort:

Temporary touching or holding, without use of force, of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is agitated to walk to a safe location.

Physical Restraint:

Direct physical contact that prevents or significantly restricts a student's freedom of movement. Physical restraint does NOT include: brief physical contact to support student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing comfort, or physical escort.

Public Education Program:

Public schools, including charter schools, virtual schools, collaborative education programs, special education schools approved under 603 CMR 28.09, except as provided in 603 CMR 18.05(5)(h), and school events and activities sponsored by such programs.

School Working Day:

Any day or partial day that students are in attendance at the public education program for instructional purposes.

Seclusion:

Involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. Seclusion is PROHIBITED in public education programs. Seclusion does not, however, include timeout, which is permitted.

Time-Out:

A behavioral support strategy in which a student temporarily separates from the learning activity or 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.

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