

### **Physical Restraint**

603 CMR 46.00 was promulgated by the Board of Education to govern the use of physical restraint on students in publicly funded elementary and secondary school programs. The purpose of 603 CMR 46.00 is to ensure that every student participating in a Massachusetts public education program is free from unreasonable use of physical restraint.

Physical restraint shall be used only in emergency situations, after other less intrusive alternatives have failed or been deemed inappropriate, and with extreme caution and for the following reasons:

- To protect a student and/or a member of the school community from imminent, serious, physical harm; and
- To prevent a student from harming him or herself.

The use of physical restraint is prohibited 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 directive, or verbal threats that do not constitute a threat of imminent, serious or physical harm.

In accordance with 603 CMR 46.00, restraint is defined as follows:

1. Extended restraint: A physical restraint the duration of which is more than twenty (20) minutes. Extended restraints increase the risk of injury and, therefore, require additional written documentation.
2. Physical escort: Touching or holding a student without the use of force for the purpose of directing the student.
3. Physical restraint: The use of bodily force to limit a student's freedom of movement.
4. Restraint – Other: Limiting the physical freedom of an individual student by mechanical means or seclusion in a limited space or location, or temporarily controlling the behavior of a student by chemical means. The use of chemical or mechanical restraint is prohibited unless explicitly authorized by a physician and approved in writing by the parent or guardian. The use of seclusion restraint is prohibited in public education programs.

603 CMR 46.03 requires that public education programs develop written procedures regarding appropriate responses to student behavior that may require immediate attention.

Such procedures are annually reviewed and provided to school staff and parents. Such procedures include methods for preventing student violence, self-injurious behavior and suicide. It further requires that school policy be established that explains the program's method of restraint, a description of the training requirements, reporting requirements and follow-up procedures, and a procedure for receiving and investigating complaints regarding restraint practices.

To ensure procedural compliance with 603 CMR 46.03, the Saugus School Committee commits to the following:

- *Required training for all staff.* Each principal or supervisor shall provide training regarding the school's restraint policy within the first month of each school year and, for employees hired after the school year begins, within a month of their employment. Such training shall include information on the following: restraint policy, intervention, types of restraint, administration of restraint, and identification of program staff certified to administer restraint.
- *In-depth staff training in the use of physical restraint.* Each Principal or Supervisor shall annually identify program staff that serve as authorized school-wide resources for proper administration of physical restraint. These individuals are trained and certified in Crisis Prevention Intervention (C.P.I.) which includes appropriate procedures for preventing the need for physical restraint, description and identification of dangerous behaviors, instruction regarding documentation and reporting, and demonstrated proficiency with prevention techniques.
- *Advisement of right of referral to law enforcement agencies.* Nothing in the regulations prohibits any individual from reporting to appropriate authorities a crime committed by a student; law enforcement authorities from detaining a student or other person alleged to have committed a crime or posing a risk; or an individual's responsibilities as a mandated reporter pursuant to MGL c. 119, §51A to report neglect or abuse of a child to the appropriate state agency.
- *Proper administration of restraint.* Only school personnel who have received training shall administer physical restraint on students. If possible, the administration of restraint should be witnessed by at least one adult not participating in the restraint. However, the training requirements shall not preclude an employee or agent of a public education program from using reasonable force to protect students, other students, or themselves from assault or imminent, serious, physical harm. Administering physical restraint shall be restricted to only the amount of force necessary to protect the student or others from physical harm or injury. The person administering the restraint is to use the safest method available and appropriate as learned through in-depth training. The use of physical restraint should cease as soon as possible. If, due to unusual circumstances, a restraint continues for more than twenty (20) minutes, it shall be considered an "extended restraint" for purposes of reporting requirements in 603 CMR 46.06.

- *Safety requirements.* No restraint shall be administered so as to prevent the student's breathing or speaking. Restraint shall be administered in such a way so as to prevent or minimize physical harm. Program staff should review and consider any medical or psychological limitations that the student may have. All incidents of restraint must be debriefed to include restraint staff, student, and witnesses.
- *Reporting Requirements.* Program staff must report the use of physical restraint after administration of a physical restraint that results in any injury to a student or staff member, or any physical restraint of duration longer than five (5) minutes. The program staff member administering the restraint must verbally inform their supervisor of the restraint as soon as possible and by written report no later than the next school working day. The report shall be provided to the principal or supervisor who will maintain a record of such incidents, and which shall be made available for review by the Department of Education, upon request. Upon notification of a restraint, the principal or supervisor shall notify parents verbally as soon as possible and by written report postmarked no later than three (3) school working days following the use of restraint. The contents of the report are prescribed in 603 CMR 46.06. 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 working days of the administration of the restraint. The program shall also provide the Department of Education with a record of physical restraints maintained by the program administrator for the thirty (30) day period prior to the date of the reported restraint.
- *Special Circumstances - Students with Disabilities.* Restraint administered to a student with a disability pursuant to an IEP or other written plan developed in accordance with state and federal law to which the public education program and the student's parent have agreed shall be deemed to meet the requirements set forth in 603 CMR 46.02 (except the limitations on chemical, mechanical, and seclusion restraint), the training requirements set forth in 603 CMR 46.03, and the reporting requirements set forth in 603 CMR 46.06 shall apply.

Saugus School Committee Policy  
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