

**Proposed Policy Revision**  
**PREVENTION OF PHYSICAL RESTRAINT OF STUDENTS (JKAA)**  
*(formerly Physical Restraint of Students)*  
**First Reading: October 15, 2015**

The Westwood Public Schools complies with the Department of Elementary and Secondary Education (hereinafter “DESE”) regulations governing the use of restraint, which can be found at 603 CMR 46.00 et seq. (hereinafter “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 purpose of this policy is to ensure that every student attending the Westwood Public Schools is free from the unlawful use of physical restraint. 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. School personnel shall use physical restraint with two goals in mind:

- (a) To administer a physical restraint only when needed to protect a student and/or a member of the school community from assault or imminent, serious, physical harm; and
- (b) To prevent or minimize any harm to the student as a result of the use of physical restraint.

**Use of Restraint** Physical restraint<sup>1</sup> shall be considered an emergency procedure of last resort, and shall be prohibited in public education programs except when a student’s behavior poses a threat of assault, or other lawful and less intrusive behavior interventions and/or alternatives, or such interventions and/or alternatives are deemed to be inappropriate under the circumstances. Prone restraint<sup>2</sup> is prohibited except in limited circumstances set forth in the 603 CMR 46.03. All physical restraints, including prone restraints where permitted, shall be administered in compliance with 603 CMR 46.05.

Physical restraint shall not be used:

- (a) as a means of discipline or punishment;
- (b) when the 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;
- (c) as a response to property destruction, disruption of school order, a student's refusal to comply with a policy or directive, or verbal threats when those actions do not constitute a threat of assault, or imminent, serious, physical harm;
- (d) as a standard response for any individual student. No written individual behavior plan or individualized education program (IEP) may include use of physical restraint as a standard response to any behavior. Physical restraint is an emergency procedure of last resort.

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<sup>1</sup> **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. Physical escort shall mean a temporary touching or holding, without the 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.

<sup>2</sup> **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<sup>3</sup>, medication restraint<sup>4</sup>, and seclusion<sup>5</sup> shall be prohibited in public education programs. Seclusion does not include a time-out, as defined within the Regulations<sup>6</sup>.

The Regulations do not limit the protection afforded publicly funded students under other state or federal laws, including those laws that provide for the rights of students who have been found eligible to receive special education services.

**Proper Administration of Physical Restraint** Only Westwood Public Schools personnel who have received training pursuant to the Regulations shall administer physical restraint on students. Whenever possible, the administration of a restraint shall be witnessed by at least one adult who does not participate in the restraint. Nothing in this policy shall preclude a teacher, employee or agent of the Westwood Public Schools from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm. When administering a physical restraint, trained staff shall comply with the requirements regarding use of force, method, duration of the restraint, and safety, as set forth in the Regulations.

**Staff Training** All school staff must receive training with respect to the district's restraint prevention and behavior support policy and requirements when restraint is used. Training shall include information on the role of various individuals in preventing restraint, the restraint prevention and behavior support policy and procedures, interventions that may preclude the need for restraint, types of permitted physical restraints and related safety considerations, and administering physical restraint in accordance with medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans applicable to an individual student.

Additionally, the school must identify specific staff that are authorized to serve as school-wide resources to assist in ensuring proper administration of physical restraint. These individuals must participate in in-depth training in the use of physical restraint and implementation of the Regulations.

**Reporting Requirements** Program 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 or designee 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(s) or the DESE upon request.

The Principal or 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 information in the report shall be in conformance with 603 CMR 46.06(4). The written restraint report must be provided to the Parent(s) in the language in which report cards and other necessary school-related information are customarily provided. The Principal 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.

The Principal or designee shall review restraint data weekly to determine whether one or more students may have been restrained multiple times during the week. If so, the Principal or designee shall convene

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<sup>3</sup> **Mechanical restraint** means the use of any device or equipment to restrict a student's freedom of movement.

<sup>4</sup> **Medication restraint** means the administration of medication for the purpose of temporarily controlling behavior.

<sup>5</sup> **Seclusion** means the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving.

<sup>6</sup> **Time-out** means a behavioral support strategy developed 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.

one or more teams as deemed appropriate to assess the student's progress and needs, with the goal of reducing or eliminating the need for restraint. The Principal or designee shall also conduct a monthly review of school-wide restraint data and take steps to reduce or eliminate the use of restraint within the school where appropriate.

All physical restraints that result in injury must be reported to DESE. In addition, the district will collect and annually report data relating to the district's use of restraints to DESE.

**Prevention of Dangerous Behavior** As set forth in the Regulations, the Westwood Public Schools 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 Westwood Public Schools shall engage Parents in discussions about restraint prevention and the use of restraint solely as an emergency procedure.

**Complaint Procedures** A student or representative who has a complaint regarding the District's restraint practices may report the matter to the building Principal. In the event the Principal is alleged to have engaged in improper restraint practices, the report should be made to: Westwood Public Schools, Director of Student Services, 220 Nahatan Street, Westwood, MA 02090, (781) 326-7500 x1345.

Complaints must be filed in writing within 30 school days of the event giving rise to the complaint and must include (1) a description, in as much detail as possible, of the alleged events; (2) the date and location of occurrence; and (3) all persons who have knowledge of the events (witnesses), as can be reasonably determined.

District personnel will investigate the reported events, including interviewing witnesses deemed necessary and appropriate, to determine the facts relevant to the complaint. Such investigation will generally be completed and a written disposition made within twenty school days of receiving the complaint. If this timeline is not met, the reason(s) for not meeting will be documented. If the complaint is not satisfied with an initial disposition, the grievant may appeal to the Superintendent, who can be contacted at 220 Nahatan Street, Westwood, MA 02090, (781) 326-7500 x1341.

**Students with Disabilities** Restraints may be administered to a student with a disability pursuant to the student's Individualized Education Plan or other written and agreed upon plan developed in accordance with state and federal laws, subject to the following exceptions:

- (1) The limitations on chemical, mechanical, and seclusion restraint as stated above shall apply; and;
- (2) The training and reporting requirements described in this policy shall apply (603 CMR 46.05)