

CAMBRIDGE PUBLIC SCHOOLS PHYSICAL RESTRAINT POLICY

I. Introduction

It is the policy of the Cambridge School Committee to promote a safe and productive workplace and educational environment for its employees and students, and to ensure that every student in the Cambridge Public Schools is free from the unreasonable use of physical restraint, and that physical restraint shall only be used with extreme caution in emergency situations, after other less intrusive alternatives have failed or been deemed inappropriate.

School personnel shall only administer a physical restraint when it is needed to protect a student and/or a member of the school community from imminent, serious, physical harm. When a physical restraint needs to be administered, school personnel shall seek to prevent or minimize any harm to the student as a result of the use of the physical restraint.

This policy shall not be construed to limit the protection afforded to publicly funded students under other federal and state laws, including those laws that provide for the rights of students who have been found eligible to receive special education services. Additionally, this policy shall not be construed to preclude any 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.

The Superintendent will develop written procedures and guidelines related to this policy identifying:

- appropriate responses to student behavior that may require immediate intervention; and
- alternative methods should be used first when seeking to prevent student violence, self-injurious behavior and/or de-escalating potentially dangerous behavior occurring among groups of students or with an individual student.

II. District's Physical Restraint Procedures

A. **Definitions**

“Physical restraint” shall mean the use of bodily force to limit a student’s freedom of movement.

“Physical escort” shall mean the touching or holding of a student without the use of force for the purpose of directing the student.

“Extended restraint” shall mean 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 as described in 603 C.M.R. 46.06.

“Mechanical restraint” shall mean the use of a physical device to restrict the movement of a student or the movement or normal function of a portion of his or her body. A protective or stabilizing device ordered by a physician shall not be considered a mechanical restraint. **The use of a mechanical restraint is prohibited unless explicitly authorized by a physician and approved in writing by the parent/guardian of the student.**

“Seclusion restraint” shall mean 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 shall not be considered a seclusion restraint. **The use of a seclusion restraint is expressly prohibited.**

“Chemical restraint” shall mean the administration of medication for the purpose of restraint. **The use of a chemical restraint is prohibited unless explicitly authorized by a physician and approved in writing by the parent/guardian of the student.**

B. Determining When to Use a Physical Restraint

If all other less intrusive alternatives have failed or been deemed inappropriate to prevent student violence, self-injurious behavior and/or de-escalating potentially dangerous behavior occurring among groups of students or with an individual student, a physical restraint may be used. In other words, **a physical restraint can only be used when non-physical interventions would not be effective and the student’s behavior poses a threat of imminent, serious physical harm to himself or herself or others.** Any 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.

C. Prohibitions on Use of a Physical Restraint

The use of a physical restraint as a means of punishment or as a response to the 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 imminent, serious, physical harm is expressly prohibited.

D. Proper Administration of a Physical Restraint

Only trained school personnel shall administer physical restraints. Trained school personnel are those individuals who have received either the in-depth training detailed

below in Section IV(B), or who have received the required basic training detailed below in Section IV(A).

Whenever possible, the administration of the physical restraint shall be witnessed by at least one adult who does not participate in the physical restraint. When administering a physical restraint, school personnel shall use only the amount of force necessary to protect the student or others from physical injury. Additionally, school personnel administering a physical restraint shall use the safest method available and appropriate to the situation in accordance with the safety requirements detailed below in subsection E, and shall discontinue the restraint as soon as possible. Floor and prone restraints are prohibited unless the school personnel administering the restraint has received in-depth training, and, in the judgment of the trained staff member, such method is required to provide safety for the student or others present.

It should be noted, however, that these training requirements shall not preclude a teacher, employee or agent of the school from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.

E. Safety Requirements

No restraints shall be administered in such a way that a student is prevented from breathing or speaking. During the administration of a restraint, school personnel shall continuously monitor the physical status of the student, including skin color and respiration. A restraint shall be immediately released upon a determination by the school personnel administering the restraint that the student is no longer at risk of causing imminent physical harm to himself, herself or others. Additionally, restraints shall be administered in such a way as to prevent or minimize physical harm. **If, at any time during a physical restraint the student demonstrates significant physical distress, the student shall be released from the restraint immediately, and school staff shall take steps to seek medical assistance.** School personnel shall review and consider any known medical or psychological limitations and/or behavioral intervention plans regarding the use of physical restraint on an individual student.

At any time during the administration of a physical restraint, school personnel may seek to contact the Office of Special Education behavioral specialists, or the Crisis Intervention Team, or take other steps to seek medical assistance if it appears that the student is demonstrating significant physical distress.

F. Follow-up Procedures and Reporting Requirements

1. Follow-up Procedures

At an appropriate time after a student has been released from a restraint, the school shall implement the follow-up procedures set forth below:

- a. review the restraint with the student to address the behavior that precipitated the restraint;
- b. review the incident with school personnel who administered the restraint to discuss whether proper restraint procedures were followed; and
- c. consider whether any follow-up is appropriate for the students who witnessed the incident.

2. Reporting Requirements

- a. Any physical restraint of five minutes or longer and/or any physical restraint that results in an injury to a student or staff member shall be reported.
- b. The school staff member who administers a physical restraint of five minutes or longer and/or who administers any physical restraint that results in an injury to a student or staff shall verbally inform the principal or his/her designee of the restraint as soon as possible and no later than the close of the school day in which the restraint was administered. A written report shall be completed and provided to the principal of the school no later than the next working day after the restraint was administered.
- c. The principal of the school shall maintain an on-going record of all reported instances of physical restraint of five minutes or longer and/or any physical restraint that results in an injury to a student or staff.
- d. The principal or his/her designee shall verbally inform the student's parents or guardians of any physical restraint of five minutes or longer and/or any physical restraint that results in an injury to a student or staff as soon as possible and by a written report postmarked no later than three school working days following the use of the physical restraint of five minutes or longer and/or any physical restraint that results in an injury to a student or staff.
- e. The principal shall provide the Office of the Superintendent with a copy of the written report of a physical restraint when such restraint has resulted in a serious injury to a student or staff member, or when an extended restraint (20 minutes or longer) has been administered as well as a copy of the school's on-going record of all reported instances of physical restraint

for the thirty days preceding the reported physical restraint.
This documentation must be provided to the Office of the Superintendent by no later than one school working day after the written report is received by the principal.

III. District's Training Requirements

A. For All Program Staff

Within the first month of each school year, the principal of each school shall provide all program staff with training on this policy. Additionally, for all new school employees that are hired after the start of the school year, the principal shall within the first month of their employment provide the new employees with training on this policy. The training shall consist of the following: (a) this policy and related procedures and guidelines developed by the Superintendent; (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) administering physical restraint in accordance with known medical or psychological limitations and/or behavioral intervention plans applicable to an individual student; and (e) identification of program staff who have received in-depth training pursuant to 603 C.M.R. 46.03(3) in the use of physical restraint. *See* 603 C.M.R. 46.03(2).

B. For Staff Authorized to Serve As A School-Wide Resource on the Proper Administration of Physical Restraints

At the beginning of each school year, the principal of each school shall identify program staff that is authorized to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. The content of the in-depth training shall include, but not be limited to: (a) appropriate procedures for preventing the need for physical restraint, including the de-escalation of problematic behavior, relationship building and the use of alternatives to restraint; (b) description and identification of dangerous behaviors on the part of students that may indicate the need for physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted; (c) the simulated experience of administering and receiving physical restraint, instruction regarding the effect(s) on the person restrained, including instruction on monitoring physical signs of distress and obtaining medical assistance; (d) instruction regarding documentation and reporting requirements and investigation of injuries and complaints; and (e) demonstration by participants of proficiency in administering physical restraint. *See* 603 C.M.R. 46.03(3) and 46.03(4).

IV. Complaint Procedures

A. Informal Resolution of Concern About Use of Physical Restraint

Before initiating a formal complaint procedure, a student or his/her parent/guardian who has concerns regarding a specific use of a physical restraint, may seek to resolve his/her concerns regarding a specific use of a physical restraint by raising the issue with the principal of the school. The student and/or his/her parent/guardian should direct their concerns regarding a specific use of a physical restraint to the principal within ten (10) days of the parent/guardian's receipt of the written report from the school detailed above in Section II(F)(2)(d). The principal shall attempt, within his/her authority to work with the individual to resolve the complaint fairly and expeditiously. If the student and/or his/her parent/guardian are not satisfied with the resolution, or if the student and/or his/her parent/guardian does not choose informal resolution, then the student and/or his/her parent/guardian may proceed with the formal complaint process detailed below in Section IV(B).

B. Formal Resolution of Concern About Use of Physical Restraint

A student or his/her parent/guardian, who has concerns regarding a specific use of a physical restraint, may seek to resolve his/her concerns regarding a specific use of a physical restraint by submitting a written complaint to the Office of the Superintendent. The student and/or his/her parent/guardian should submit this letter to the Office of the Superintendent within twenty (20) days of the parent/guardian's receipt of the written report from the school detailed above in Section II(F)(2)(d). The written complaint shall include (a) the name of the student; (b) the name of the school where the physical restraint allegedly occurred; (c) the name of the individuals involved in the alleged physical restraint; (d) the basis of the complaint or concern; and (e) the corrective action being sought.

The Office of the Superintendent, through its designees, shall conduct an investigation into the complaint promptly after receiving the complaint. In the course of its investigation, the Office of the Superintendent and/or its designees shall contact those individuals that have been referred to as having pertinent information related to the complaint. Strict timelines cannot be set for conducting the investigation because each set of circumstances is different. The Office of the Superintendent and/or its designees will make sure that the complaint is handled as quickly as is feasible. After completing the formal investigation, the Office of the Superintendent shall contact the individual who filed the complaint regarding the outcome of its investigation and its determination as to whether any corrective action is warranted.

C. Other Complaint Processes Also Available

It should be noted that the provisions of this section does not preclude a student from using the complaint process set forth in the Cambridge Public Schools "Anti-Harassment and Sexual Harassment Policy" to seek resolution of any complaints of discrimination or

harassment that is based on a characteristic protected by law such as sex, race, color, ancestry, national origin, ethnicity, religion, age, disability, marital status or sexual orientation. It also should be noted that the provisions of this section does not preclude a student from using the complaint process set forth in Section 23.0 of the *Cambridge Public Schools Rights and Responsibilities Handbook* to seek resolution of any complaints regarding a student's deprivation of rights set forth in the *Cambridge Public Schools Rights and Responsibilities Handbook*.