

PHYSICAL RESTRAINT OF STUDENTS IN DOVER-SHERBORN PUBLIC SCHOOLS

Maintaining an orderly, safe environment conducive to learning is an expectation of all staff members of the Dover-Sherborn Public Schools (the “Schools”). Further, students of the Schools are protected by law from the unreasonable use of physical restraint. Such 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.

When an emergency situation arises, and physical restraint is the only option deemed appropriate to prevent a student from self-injury or from injuring another student or school community member, a teacher, employee or agent of the Schools may use such reasonable force needed to protect students, other persons or themselves from assault or imminent, serious, physical harm.

It is the policy of the Schools to comply with the Department of Elementary and Secondary Education (“DESE”) regulations governing the use of physical restraint, which can be found at [603 CMR 46.00](#) et seq. (the “Regulations”). According to their terms, these Regulations apply not only at school but also at school-sponsored events and activities, whether or not on school property.

Definitions

The definitions of forms of restraint shall be as defined in [603 CMR 46.02](#), and include the following:

- 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.
- 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 shall mean 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.
- Medication restraint shall mean the administration of medication for the purpose of temporarily controlling behavior. Medication prescribed by a licensed physician and authorized by the parent for administration in the school setting is not medication restraint.
- Seclusion shall mean the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving.
- Time-out shall mean a behavioral support strategy developed pursuant to [603 CMR 46.04\(1\)](#) 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.

Prohibitions

The use of mechanical restraint, medication restraint, and seclusion is prohibited.

Physical restraint, including prone restraint where permitted under [603 CMR 46.03](#), shall be considered an emergency procedure of last resort and shall be prohibited except when a student's behavior poses a threat of assault, or imminent, serious, physical harm to self and/or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions, or such interventions are deemed to be inappropriate under the circumstances.

Physical restraint is prohibited as a means of discipline or punishment, or as a response to 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 to the student or others.

Physical restraint is prohibited when 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.

Physical restraint is prohibited 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.

The use of "time-out" procedures during which a staff member remains accessible to the student shall not be considered "seclusion" restraint.

Procedures and Training

The Superintendent will develop written procedures identifying:

- Appropriate responses to student behavior that may require immediate intervention;
- Methods of preventing student violence, self-injurious behavior, and suicide, including crisis planning and de-escalation of potentially dangerous behaviors among groups of students or individuals;
- Descriptions and explanations of alternatives to physical restraint as well as the school's method of physical restraint for use in emergency situations;
- Descriptions of the school's training and procedures to comply with reporting requirements, including but not limited to making reasonable efforts to orally notify a parent/guardian of the use of restraint within 24 hours of its imposition;
- Procedures for receiving and investigating complaints;
- Methods for engaging parents/guardians in discussions about restraint prevention and use of restraint solely as an emergency procedure;
- A statement prohibiting: medication restraint, mechanical restraint, prone restraint unless permitted by [603 CMR 46.03\(1\)\(b\)](#), seclusion, and the use of physical restraint in a manner inconsistent with [603 CMR 46.00](#);
- A process for obtaining Principal approval for a time-out exceeding 30 minutes.

Each building Principal will identify staff members to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. These staff members will participate in an in-depth training program in the use of physical restraint.

In addition, each staff member will be trained regarding the school's physical restraint policy and accompanying procedures. The Principal will arrange training to occur in the first month of each school year, or for staff hired after the beginning of the school year, within a month of their employment.

Review and Complaint

This policy and its accompanying procedures shall be reviewed and disseminated to staff annually and made available to parents/guardians of enrolled students. The Superintendent shall provide a copy of the Regulations to each Principal, who shall sign a form acknowledging receipt thereof.

Any student, parent/guardian, teacher or staff member may report a complaint concerning restraint practices under the procedures established by the Superintendent for receiving, investigating, and responding to such complaints.

LEGAL REF: M.G.L. c. 71, sec. 37G
603 CMR 46.00

FIRST READING: December 8, 2020

SECOND READING: January 19, 2021

ADOPTED: January 19, 2021
Previously adopted May 22, 2012
Previously adopted by Dover-Sherborn Regional School Committee November 6, 2001, by Dover School Committee November 14, 2001, and by Sherborn School Committee January 22, 2002

SOURCE: MASC