

Office of Pupil Services
Newburyport Public Schools
70 Low Street
Newburyport, MA 01950

Physical Restraint Policy

Maintaining an orderly, safe environment conducive to learning is an expectation of all staff members of the Newburyport Public Schools. Further, students of the district are protected by law from the 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. School personnel shall use physical restraint with two goals in mind:

1. To administer a physical restraint only when needed to protect a student and/or a member of the school community from immediate, serious, physical harm; and
2. To prevent or minimize any harm to the student as a result of the use of physical restraint.

The following definitions appear at 603 CMR 46.02:

1. Extended Restraint: A physical restraint the duration of which is longer than twenty (20) minutes.
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.

The use of mechanical or chemical restraint is prohibited according to newly revised regulations. The use of seclusion restraint is prohibited in public education programs.

- Mechanical restraint – 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.
- Seclusion restraint – 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 “seclusion restraint”.
- Chemical restraint – The administration of medication for the purpose of restraint.
- Physical restraint is prohibited as a means of 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.

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 (Safety Care) in the use of physical restraint, which the Department of Elementary and Secondary Education recommends be at least 16 hours in length.

Only school personnel who have received training pursuant to 603CMR 46.00 shall administer physical restraint on students. Whenever possible the administration of physical restraint shall be administered in the presence of at least one adult who does not participate in the restraint. A person administering physical restraint shall only use the amount of force necessary to protect the student from injury or harm. In addition, each staff member will be training regarding the school's physical restraint policy. 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.

Restraint may not be written into an Individual Education Program (IEP). Students who present a high risk of frequent, dangerous behavior that may frequent the use of restraint must have an up-to-date Safety Plan and an up-to-date Behavior Support Plan attached to their current IEP.

A member of the School Committee or any teacher or any employees or agent of the school committee shall not be precluded from using such reasonable force as is necessary to protect pupils, other persons or themselves from an assault by a pupil.

The program staff shall report the use of physical restraint that lasts longer than five minutes, or results in injury to the student or staff member. The staff member shall inform the administration of the physical restraint as soon as possible, and by written report, no later than the next school day. The Principal or director or his/her designee shall maintain an ongoing record of all reported instances of physical restraint, which, upon request, shall be made available to the Department of Elementary and Secondary Education. All restraints must be documented and provided to the Director of Pupil Services immediately.

When a restraint has resulted in 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 required report to the Department of Elementary and Secondary Education within five (5) school working days of the administration of the restraint.