

NON-VIOLENT PHYSICAL CRISIS INTERVENTION

Franklin Public Schools complies with the DOE restraint regulations, 603 CMR 46.00 et seq. ("Regulations") to the extent required by law. 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. A brief overview of the Regulations is provided below.

Methods and Conditions for Implementation: School staff may use non-violent physical crisis intervention only when non-physical interventions would be ineffective and the student's behavior poses a threat of imminent, serious harm to self and/or others. The only other instance for the use of restraint techniques is pursuant to the implementation of student's IEP 504 Plan or other written plan developed in accordance with state and federal law and approved by the school and parent or guardian.

Physical Restraints: Physical restraint **may not be used 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 staff directive, or verbal threats that do not constitute a threat of imminent, serious, physical harm.** Chemical and mechanical restraints may only be used if explicitly authorized by a physician and approved by a parent or guardian. Seclusion/Isolation is prohibited unless it is an intervention documented in an IEP/504 Plan with the consent of the parent/guardian.

Regulations do not prevent a teacher, employee or agent of the District from using reasonable force to protect students, other persons or themselves from assault or imminent serious harm or from restraining students as otherwise provided in the Regulations.

Staff Training: All School staff must receive training with respect to the district's restraint policy (i.e., following the Regulations). including receiving information about interventions that may preclude the need for restraint, types of restraint and related safety considerations, and administering physical restraint in accordance with known medical or psychological limitations and/or behavioral intervention plans applicable to an individual student. Additionally, the school must identify specific staff to serve as school-wide resources to assist in ensuring proper administration of physical restraint. These individuals must participate in in-depth training with respect to restraint and implementation of the Regulations.

Reporting Requirements and Follow-up : In all instances where a physical restraint is implemented or results in injury to a student or staff member, the school staff must report the physical restraint to the principal or a designee. The principal/designee must maintain an ongoing record of all such reported instances, which will be made available in accordance with state and federal law and regulations. The principal/designee must also

verbally inform the student's parent or guardian of the restraint as soon as possible, and by written report postmarked no later than three school working days following the use of the restraint. The written restraint report must be provided to the parent or guardian in the language in which report cards and other necessary school-related information are customarily provided. A copy of the written report shall be forwarded to Director of Pupil/Personnel Services and the Superintendent of Schools.

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In the event that a physical restraint lasts longer than 20 minutes or results in serious injury to the student or staff member, the school must, within five school working days of reported restraint, provide a copy of the written report to DOE along with a copy of school's record of physical restraints covering the thirty-day period prior to the date of the restraint. Copies of the report shall be given to the parent, Director of Pupil/Personnel Services and the Superintendent of Schools.

Follow-up procedures for restraint include not only the reporting requirements set forth above but also reviewing the incident with the student, staff and consideration of whether follow-up is appropriate for students who witnessed the incident. Additionally, parents and school personnel should meet to discuss the incident and develop a plan which may include: a referral for a special education evaluation, a Section 504 evaluation, a functional behavioral assessment (FBA), or the initiation of other independent evaluations from qualified professionals.

Complaints: Complaints and investigations regarding restraint practices are covered by the Franklin Public Schools Harassment Policy, which sets forth the procedures for the investigations of all complaints. Complaints can be initiated by contacting the Office of the Superintendent of Schools. The Superintendent of Schools or the designee shall carry out investigations. Complainants will be guaranteed all due process rights during this process.

Additional information, including a copy of the regulations, can be obtained from the Director of Pupil Personnel Services who can be reached at the Administration Office of the Franklin Public Schools. A copy of the regulations may also be obtained at: www.doe.mass.edu/lawsregs/603cmr46.html or <http://www.doe.mass.edu/lawsregs/603cmr46.ppt>.