

## **Restraint Prevention & Behavior Support Policy and Procedures Mass Academy of Math and Science**

### Roles of Individuals

Students, families, and school staff each play a role in preventing restraint and ensuring the safety of the school community:

*Students*- students should follow school rules and codes of conduct as outlined in school policies (e.g. student handbooks)

*Families*- families should be made aware of school rules and codes of conduct, as well as school policies and procedures; regular communication between parents and school is important to facilitate family support

*School Staff* - staff should inform students and parents of school rules and district policies, and abide by school policies and procedures, including adherence to Massachusetts restraint regulations.

Staff must also promptly inform the director or her/his designee of the use of restraint and must provide a written detailed report to the director/designee within one school working day.

### **De-escalation Techniques and Alternatives to Restraint**

Physical restraint should ONLY be used as a LAST RESORT when no other safe alternatives can be used. Alternative interventions to restraint must be considered and attempted.

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 public education program rule or staff directive, or verbal threats when those actions do not constitute a threat of assault, or imminent, serious, physical harm; or
- (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.

### Early Signs of Escalation

If a student is showing signs of escalating behaviors, staff should consider the environment and make some quick adjustments if needed to ensure the safety of the student and others. These may include:

- Removing potential weapons from the immediate area (e.g., scissors, sharp pencils, materials that could be used as a projectile, etc.)
- Attempting to redirect the student to another safer area, if possible
- Removing other students from the immediate area

Staff should also consider a variety of behavioral interventions that may be effective in de-escalating the student, such as:

- Offering choices of activities
- Reducing the demands/amount of work expected (without removing the expectations entirely)
- Reminding student of reinforcers available for engaging in appropriate behaviors (e.g., listen to music while you work)
- Prompting the student to use functional language to communicate their feelings or needs (e.g., if you are frustrated you can tell me “I need a break”)

While extremely rare at Mass Academy, whenever there is a behavior support plan in place for a student, staff should defer to the specific interventions outlined in the behavior plan. Be familiar with your students’ behavior support plans and/or individualized education programs and the interventions and accommodations recommended in those documents.

#### Limitations on Behavior Support Plans

No written Behavior Plan or Individualized Education Program (IEP) may include “physical restraint” as a standard response to any behavior.

***Physical Restraint is an emergency procedure and a last resort.***

#### **Crisis Intervention**

If a student’s behavior is significantly escalated, sometimes attempting to talk to the student can make them more agitated. Staff may consider using the “wait strategy” and limit their use of verbal language, while still visually monitoring the student at all times, and wait until the student shows signs of calming before they attempt to talk to the student. If a student cannot be safely maintained in an area, staff may also consider the use of a time-out space as a safer alternative to physical restraint. If a student’s behavior poses a threat of assault, or imminent serious physical harm to self or others and the student is non-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 shall be considered an emergency procedure of last resort, given these exceptions. ***This means staff may forcefully move a student if the above criteria are met, prior to the arrival of a staff member with in-depth restraint training. Only the amount of force necessary to protect the student or others from physical injury or harm should be used.***

#### A Few Words About Time-Out

- A student may choose time-out or a staff member may direct a student to the time-out area, for the purpose of calming
- Any student removal from the instructional area due to escalated behaviors is considered to be a “time-out” (e.g., guidance office, learning center room). It is not limited only to spaces labeled as a “time out” area
- Any student in a time-out space must be continuously observed by a staff member
- Staff shall always be with the student or immediately available
- The space must be clean and safe

## **Preventing Student Violence, Self-Injurious Behavior, and Suicide**

Mass Academy provides a multi-pronged approach to social emotional programming to address student violence, self-injurious behavior, and suicide.

- All juniors participate in a violence prevention and self-defense course as part of their physical education program.
- All juniors receive wellness lessons in mindfulness using the RIO (Recognition, Insight, Openness) model.
- All juniors receive wellness lessons in bullying, time management, stress management, and social media.
- All seniors participate in bystander training.
- All students have access to our school counselor.
- All juniors participate in a daily advisory where they can connect with peers or seek guidance from an adult.
- All seniors are assigned a faculty advisor and attend weekly meetings to ensure their academic and social-emotional needs are being met.
- All faculty participate in weekly student support team meetings as part of our regular faculty meeting.

## **Proper Administration of Physical Restraint**

### Trained Personnel

Only public education program personnel who have received training pursuant to 603 CMR 46.04(2) or 603 CMR 46.04(3) 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. The training requirements contained in 603 CMR 46.00 shall not preclude a 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.

### Use of Force

A person administering a physical restraint shall use only the amount of force necessary to protect the student or others from physical injury or harm.

### Safest Method

A person administering physical restraint shall use the safest method available and appropriate to the situation subject to the safety requirements set forth in 603 CMR 46.05(5). Floor restraints, including prone restraints otherwise permitted under 603 CMR 46.03(1)(b), shall be prohibited unless the staff members administering the restraint have received in-depth training according to the requirements of 603 CMR 46.04(3) and, in the judgment of the trained staff members, such method is required to provide safety for the student or others present.

### Types of Restraints Permitted

Only physical restraints, consistent with 603 CMR 46.00 are permitted to be used in schools. Mechanical restraints, medication restraints, and seclusion are **prohibited** in public education programs. Additionally, prone restraints (where a student is placed laying face-down on the floor) are also **prohibited**, (except in rare circumstances where there is explicit written consent to do so).

### Duration of Restraint

All physical restraint must be terminated as soon as the student is no longer an immediate danger to himself or others, or the student indicates that they cannot breathe, or if the student is observed to be in severe distress, such as having difficulty breathing, or sustained or prolonged crying or coughing.

A physical restraint the duration of which is more than twenty (20) minutes is considered an extended restraint. If a student is restrained for a period longer than 20 minutes, program staff shall obtain the approval of the director. The approval shall be based upon the student's continued agitation during the restraint justifying the need for continued restraint.

### Safety Requirements

Additional requirements for the use of physical restraint:

- (a) No restraint shall be administered in such a way that the student is prevented from breathing or speaking. During the administration of a restraint, a staff member shall continuously monitor the physical status of the student, including skin temperature and color, and respiration.
- (b) Restraint shall be administered in such a way so as to prevent or minimize physical harm. If, at any time during a physical restraint, the student expresses or demonstrates significant physical distress including, but not limited to, difficulty breathing, the student shall be released from the restraint immediately, and school staff shall take steps to seek medical assistance.
- (c) If a student is restrained for a period longer than 20 minutes, program staff shall obtain the approval of the director. The approval shall be based upon the student's continued agitation during the restraint justifying the need for continued restraint.
- (d) Program staff shall review and consider any known medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans regarding the use of physical restraint on an individual student.
- (e) After the release of a student from a restraint, the public education program shall implement follow-up procedures. These procedures shall include reviewing the incident with the student to address the behavior that precipitated the restraint, reviewing the incident with the staff person(s) who administered the restraint to discuss whether proper restraint procedures were followed, and consideration of whether any follow-up is appropriate for students who witnessed the incident.

### Risks of Restraint

*All restraints* pose a significant amount of **risk** for both the student and staff members implementing the restraint. Risks to the student may include: cuts/scrapes, bruises, broken bones, hyperthermia (overheating), psychological trauma, breathing problems/asphyxia, and death. Restraints should always be conducted in a

team approach. This will ensure that the restraint is being implemented properly and safely and avoid the potential for future litigation.

### **Considerations to Administering Physical Restraints**

#### What Types of Restraint Are Allowed in an Emergency?

- Only use the amount of force necessary to protect the student or others from physical injury or harm
- Use the safest method available and appropriate to the situation
- Prone restraints are prohibited unless an in-depth trained staff member judges that such a method is required to provide safety for the student or others present AND prior consent is obtained for the prone restraint.

#### What Should You Do If Faced with an Emergency?

1. Use only the amount of force necessary to move or contain the student and prevent injury or harm to the student or others.
2. Move the student to a close-by safe, protected area. This area should be free of breakable materials or materials that could be thrown.
3. Have someone call for the Restraint Team.
4. If possible, have a partner help you escort the student and then remain with you and the student until the Restraint Team member(s) arrive.

#### Considerations

Considerations for restraint should be made on an individualized basis for each student. Students may have medical/psychological limitations or known or suspected trauma histories that should be considered prior to implementing restraint:

*Medical/psychological limitations:* considerations may include specific types of restraints that students may not be able to participate in (e.g., chair holds, one-person holds where students arm crosses their body, etc.) or if medical/psychological limitations exclude them from being able to be restrained entirely

*Trauma History:* students who have known or suspected trauma histories may only be able to participate in restraints under certain circumstance (e.g., if a student had a history of abuse from a male individual, the protocol for restraint may include that only female staff can restrain the student in emergency situations as a last resort).

## **Reporting Requirements**

### Circumstances Under Which a Physical Restraint Must Be Reported

Program staff shall report the use of any physical restraint as specified in 603 CMR 46.06(2).

### Informing the Director

The program staff member who administered the restraint shall verbally inform the director of the restraint as soon as possible, and by written report no later than the next school working day. The written report shall be provided to the director for review of the use of the restraint. If the director has administered the restraint, the director shall prepare the report and submit it to the school's restraint team (in-depth trained staff) for review. The director shall maintain an on-going record of all reported instances of physical restraint, which shall be made available for review by the parent or the Department upon request.

### Informing Parents

The director shall make reasonable efforts to verbally inform the student's parent of the restraint within 24 hours of the event, and shall notify the parent by written report sent either within three school working days of the restraint to an email address provided by the parent for communications about the student, or by regular mail postmarked no later than three school working days of the restraint. If the program customarily provides a parent of a student with report cards and other necessary school-related information in a language other than English, the written restraint report shall be provided to the parent in that language. The director 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.

### Contents of Report

The written report required by 603 CMR 46.06(2) and (3) shall include:

- (a) The name of the student; the names and job titles of the staff who administered the restraint, and observers, if any; the date of the restraint; the time the restraint began and ended; and the name of the director or designee who was verbally informed following the restraint; and, as applicable, the name of the director or designee who approved continuation of the restraint beyond 20 minutes pursuant to 603 CMR 46.05(5)(c).
- (b) A description of the activity in which the restrained student and other students and staff in the same room or vicinity were engaged immediately preceding the use of physical restraint; the behavior that prompted the restraint; the efforts made to prevent escalation of behavior, including the specific de-escalation strategies used; alternatives to restraint that were attempted; and the justification for initiating physical restraint.
- (c) A description of the administration of the restraint including the holds used and reasons such holds were necessary; the student's behavior and reactions during the restraint; how the restraint ended; and documentation of injury to the student and/or staff, if any, during the restraint and any medical care provided.
- (d) Information regarding any further action(s) that the school has taken or may take, including any consequences that may be imposed on the student.

(e) Information regarding opportunities for the student's parents to discuss with school officials the administration of the restraint, any consequences that may be imposed on the student, and any other related matter.

### Individual Student Review

The director shall conduct a weekly review of restraint data to identify students who have been restrained multiple times during the week. If such students are identified, the director shall convene one or more review teams as the director deems appropriate to assess each student's progress and needs. The assessment shall include at least the following:

- (a) review and discussion of the written reports submitted in accordance with 603 CMR 46.06 and any comments provided by the student and parent about such reports and the use of the restraints;
- (b) an analysis of the circumstances leading up to each restraint, including factors such as time of day, day of the week, antecedent events, and individuals involved;
- (c) consideration of factors that may have contributed to escalation of behaviors, consideration of alternatives to restraint, including de-escalation techniques and possible interventions, and such other strategies and decisions as appropriate, with the goal of reducing or eliminating the use of restraint in the future;
- (d) agreement on a written plan of action by the program.

If the director directly participated in the restraint, a duly qualified individual designated by the Dean of Undergraduate Studies shall lead the review team's discussion. The director shall ensure that a record of each individual student review is maintained and made available for review by the Department or the parent, upon request.

### Administrative Review

The director shall conduct a monthly review of school-wide restraint data. This review shall consider patterns of use of restraints by similarities in the time of day, day of the week, or individuals involved; the number and duration of physical restraints school-wide and for individual students; the duration of restraints; and the number and type of injuries, if any, resulting from the use of restraint. The director shall determine whether it is necessary or appropriate to modify the school's restraint prevention and management policy, conduct additional staff training on restraint reduction/prevention strategies, such as training on positive behavioral interventions and supports, or take such other action as necessary or appropriate to reduce or eliminate restraints.

### Report All Restraint-Related Injuries to the Department

When a physical restraint has resulted in an injury to a student or program staff member, the program shall send a copy of the written report required by 603 CMR 46.06(4) to the Department postmarked no later than three school working days of the administration of the restraint. The program shall also send the Department a copy of the record of physical restraints maintained by the director pursuant to 603 CMR 46.06(2) for the 30-day period prior to the date of the reported restraint. The Department shall determine if additional action by the program is warranted and, if so, shall notify the program of any required actions within 30 calendar days of receipt of the required written report(s).

### Report All Physical Restraints to the Department

Every program shall collect and annually report data to the Department regarding the use of physical restraints. Such data shall be reported in a manner and form directed by the Department.

### **Required Training for All Staff**

The director shall determine a time and method to provide all program staff with training regarding the program's restraint prevention and behavior support policy and requirements when restraint is used. Such training shall occur within the first month of each school year and, for employees hired after the school year begins, within a month of their employment. Training shall include information on the following:

- (a) The role of the student, family, and staff in preventing restraint;
- (b) The program's restraint prevention and behavior support policy and procedures, including use of time-out as a behavior support strategy distinct from seclusion;
- (c) Interventions that may preclude the need for restraint, including de-escalation of problematic behaviors and other alternatives to restraint in emergency circumstances;
- (d) When behavior presents an emergency that requires physical restraint, the types of permitted physical restraints and related safety considerations, including information regarding the increased risk of injury to a student when any restraint is used, in particular a restraint of extended duration;
- (e) 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; and
- (f) Identification of program staff who have received in-depth training pursuant to 603 CMR 46.03(3) in the use of physical restraint.

### **In-Depth Physical Restraint Training**

#### Who May Do Physical Restraints?

Only staff members who have received in-depth training are authorized to serve as a school-wide resource to assist in proper administration of physical restraint. ***However, this does not preclude a 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.***

#### In-Depth Training

Mass Academy identifies two (2) staff members each year to receive in-depth de-escalation and restraint training. An updated list of individuals with in-depth training will be shared with staff annually.

## Engaging Students and Families

Mass Academy does not have a history of using physical restraint. Mass Academy will engage students and families in restraint prevention and use by providing individuals with a copy of this policy upon request. Furthermore, if the staff determine physical restraint is necessary, the Director will discuss with the individual student's parent(s)/guardian(s) appropriate methods of preventing student violence and/or self-harm, alternatives to physical restraint, staff training and restraint use requirements, as well as behavioral support services available to student. Furthermore, the director will refer families to community-based resources and support, as needed.

### Summary

1. Regulations regarding physical restraint have changed in MA, and provide more explicit directives for staff in order to prevent unnecessary restraints of students
2. Prevention of escalation of behavior should always be a staff person's first intervention
3. Restraint may only be used in emergency situations to protect a student or staff member from assault, or imminent, serious, physical harm
4. Time-out, for the purpose of calming, may be used, provided a staff person is continuously observing the student and is immediately available to the student. Time-out should cease as soon as the student has calmed.
5. Seclusion, (when a student is involuntarily confined and is physically prevented from leaving), is prohibited.
6. There is a team of staff at Mass Academy who have received in-depth training. Know how to contact that team if necessary.
7. Nothing in the Regulations precludes any teacher, employee or agent of your school or district from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.

### "Time-Out" vs. Seclusion

**Seclusion** means the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. Seclusion does not include time-out as defined in 603 CMR 46.02.

***Seclusion is prohibited under 603 CMR 46.03.***

**Time-out** means the temporary separation from learning or the classroom but does not necessarily mean going to a special "time-out room"; it could mean moving to a desk outside of the classroom or to the guidance office to calm down.

### *Time-Out*

Time-out is 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 remain with the student or be always immediately available to the student.***

- The space 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.

#### *Inclusionary vs. Exclusionary Time-Out*

The state has further defined “time-out” procedures to assist Districts in understanding how to use time-out using the least restrictive methods:

**Inclusionary Time-Out:** a behavior support strategy that allows the student to remain fully aware of the learning activities of the classroom. This can include: "planned ignoring," asking students to put their heads down, or placing a student in a different location within the classroom (this does not include walled off "time-out" rooms located within the classroom).

**Exclusionary Time-Out:** a behavior support strategy that includes the removal of a student from the learning environment. This should only be used when the student is displaying behaviors which present, or potentially present, an unsafe or overly disruptive situation in the classroom. Staff-directed exclusionary time-out should not be used as a method of punishment for noncompliance, or for incidents of misbehavior that are no longer occurring. Exclusionary time-out **cannot** include the use of a locked door. Closed doors are permitted as long as staff can continuously and always monitor the student.

#### *Further Restrictions on Time-Out*

- If an exclusionary time-out period lasts 30 minutes, the director or her/his designee must approve the continuation of time-out based on the student’s continuing agitation.
- The time-out procedure should include seeking director approval prior to the 30-minute timeframe in order to proceed with the time-out.
- The emphasis on the added definition of “time-out” in the regulations is to clearly identify time-out as a behavior support strategy that is non-punitive and where students are never left alone. A staff person is always in proximity and can always view the student.
- The amended regulations explicitly prohibit seclusion. It should NEVER be used with students. A student may not be left alone in a room until they calm down without a staff member continuously observing them.*

### **I. Definitions: The following definitions appear at 603 CMR 46.02:**

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

***Consent:*** shall mean agreement by a parent who has been fully informed of all information relevant to the activity for which agreement is sought, in his or her native language or other mode of communication, that the parent understands and agrees in writing to carrying out of the activity, and understands that the agreement is voluntary and may be revoked at any time. The agreement describes the activity and lists the records (if any) which will be released and to whom. In seeking parental consent, a public education program shall not condition admission or continued enrollment upon agreement to the proposed use of any restraint.

***Department:*** shall mean the Department of Elementary and Secondary Education.

***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.

**Parent:** shall mean a student's father, mother, or legal guardian or person or agency legally authorized to act on behalf of the student in place of or in conjunction with the father, mother, or legal guardian.

**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.

**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.

**Principal [Director]:** shall mean the instructional leader or his or her designee.

**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.

**School Working Day:** shall mean a day or partial day that students are in attendance at the public education program for instructional purposes.

**Seclusion:** shall mean the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. Seclusion does not include a time-out as defined in 603 CMR 46.02.

**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.

## **II. Procedures will include:**

1. methods of preventing student violence, self-injurious behavior, and suicide; including de-escalation of potentially dangerous behavior occurring among groups of students or with an individual student
2. a description and explanation of the district program's alternatives to physical restraint and method of physical restraint in emergency situation
3. a description of the school's training and reporting requirements and follow-up procedures
4. procedures for receiving and investigating complaints
5. methods for engaging parents in discussions about restraint prevention and the use of restraint solely as an emergency procedure
6. a statement prohibiting: medication restraint, mechanical restraint, prone restraint unless permitted pursuant to 603 CMR 46.03(1)(b), seclusion, and the use of physical restraint in a manner inconsistent with 603 CMR 46.00

7. a procedure for conducting periodic review of data and documentation on the use of physical restraints as described in 603 CMR 46.06(5) and (6)
8. a procedure for implementing the reporting requirements as described in 603 CMR 46.06
9. a procedure for making reasonable efforts to orally notify a parent of the use of restraint on a student within 24 hours of the restraint, and for sending written notification to the parent within three school working days following the use of restraint to an email address provided by the parent for the purpose of communicating about the student, or by regular mail to the parent postmarked within three school working days of the restraint
10. a procedure for the use of time-out that includes a process for obtaining principal [director] approval of time-out for more than 30 minutes based on the individual student's continuing agitation

### **III. Determining When Physical Restraint May Be Used**

Physical restraint, including prone restraint where permitted, 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 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. All physical restraints, including prone restraint where permitted, shall be administered in compliance with 603 CMR 46.05.

#### ***1. 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
- c. as a response to property destruction, disruption of school order, a student's refusal to comply with a public education program rule or staff 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 individual education program (IEP) may include use of physical restraint as a standard response to any behavior

### ***IV. Training***

#### ***1. Required Training for All Staff:*** The following training is pursuant to 603 CMR 46.04:

The director shall determine a time and method to provide all program staff with training regarding the program's restraint prevention and behavior support policy and requirements when restraint is used. Such training shall occur within the first month of each school year and, for employees hired after the school year begins, within a month of their employment. Training shall include information on the following:

- (a) The role of the student, family, and staff in preventing restraint;
- (b) The program's restraint prevention and behavior support policy and procedures, including use of time-out as a behavior support strategy distinct from seclusion;
- (c) Interventions that may preclude the need for restraint, including de-escalation of problematic behaviors and other alternatives to restraint in emergency circumstances;

(d) When behavior presents an emergency that requires physical restraint, the types of permitted physical restraints and related safety considerations, including information regarding the increased risk of injury to a student when any restraint is used, in particular a restraint of extended duration;

(e) 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; and

(f) Identification of program staff who have received in-depth training pursuant to 603 CMR 46.03(3) in the use of physical restraint.

**2. *In-Depth Staff Training:*** The following training is pursuant to 603 CMR 46.04. The director 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, pursuant to 603 CMR 46.04.

The training will include:

- appropriate procedures for preventing the use of physical restraint, including the de-escalation of problematic behavior, relationship building and the use of alternatives to restraint
- a description and identification of specific dangerous behaviors on the part of students that may lead to the use of physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted
- 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
- instruction regarding documentation and reporting requirements and investigation of injuries and complaints
- demonstration by participants of proficiency in administering physical restraint
- instruction regarding the impact of physical restraint on the student and family, recognizing the act of restraint has impact, including but not limited to psychological, physiological, and social-emotional effects

#### ***V. Determining When Physical Restraint May Be Used***

1. ***Only school personnel*** who have received training pursuant to this policy and 603 CMR 46.04 shall administer physical restraint on students. The training requirements contained in 603 CMR 46.00 shall not preclude a 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.

2. *A person administering physical restraint* shall use the safest method available and appropriate to the situation and shall discontinue such restraint as soon as possible.

3. 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.

4. **Mechanical restraint, medication restraint, and seclusion shall be prohibited.**

5. ***Prone restraint*** shall be prohibited except on an individual student basis, and only under the following circumstances:

- a. the student has a documented history of repeatedly causing serious self-injuries and/or injuries to other students or staff
- b. all other forms of physical restraints have failed to ensure the safety of the student and/or the safety of others
- c. there are no medical contraindications as documented by a licensed physician
- d. there is psychological or behavioral justification for the use of prone restraint and there are no psychological or behavioral contraindications, as documented by a licensed mental health professional
- e. the program has obtained consent to use prone restraint in an emergency as set out in 603 CMR 46.03(1)(b), and such use has been approved in writing by the principal [director]
- f. the program has documented 603 CMR 46.03(1)(b) all circumstances in advance of the use of prone restraint and maintains the documentation

**Reporting Requirements, Process, and Procedures**

Staff administering the restraint provides verbal notification	Verbally notify the director <b>as soon as possible</b> after a restraint (603CMR <u>46.06. (2)</u> )
Staff administering the restraint provides written report	Written report provided to director no later than the end of the next working day (603 CMR <u>46.06. (2)</u> ) If the director has administered the restraint, the director should prepare and submit the report to the school’s restraint team (in-depth trained staff) by the end of the next working day (603 CMR <u>46.06. (2)</u> )
Director or designee maintains written report	Director or designee maintains a record of all reported instances of physical restraint, which shall be made available for review by parent or the Department on request (603 CMR <u>46.06. (2)</u> )
Director or designee verbally informs the student’s parents/guardians	Director or designee makes reasonable efforts to verbally inform the student’s parents/guardians within 24 hours of the event. (603 CMR <u>46.06. (3)</u> )
Director or designee provides written report to student’s parents/guardians	Director or designee either sends a written report by email (address provided by parents/guardians for communications about the student) within three school working days or by regular mail postmarked no later than 3 school working days of the restraint. The written report shall be in the language customarily used to provide oral and written information to the student and parent/guardian. (603 CMR <u>46.06. (3)</u> )

<p>Director or designee provides opportunity for student and/or parent comment</p>	<p>Director or designee shall provide the student and the parent/guardian an opportunity to comment orally and in writing on the use of the restraint and on information in the written report to the director by phone, email, or mail within 3 school working days. (603 CMR <u>46.06</u>. (3))</p>
<p>Director or designee reports to DESE</p>	<p>Director reports all restraint-related injuries to the Department. The director sends a copy of the written report required by 603 CMR <u>46.04</u>(4) to the Department postmarked no later than three school working days after the administration of the restraint that resulted in an injury to student or staff.</p> <p>The director also sends the Department a copy of the record of physical restraints maintained by the director pursuant to 603 CMR <u>46.06</u>(2) for the 30-day period prior to the date of the reported restraint. The Department shall determine if additional action by the program is warranted, and if so, shall notify of required actions within 30 calendar days of receipt of the required written report(s).</p>
<p>Director shall conduct a weekly review of restraint data to identify students who have been restrained multiple times during the week.</p>	<p>If such students are identified, the director shall convene one or more review teams to assess each student's progress and needs. The assessment shall include at least the following:</p> <ul style="list-style-type: none"> <li>· Review and discussion of the written reports and any comments provided by the student and/or parent</li> <li>· Analysis of the circumstances leading up to each restraint, including factors such as time of day, day of the week, antecedent events and individuals involved</li> <li>· Consideration of factors that may have contributed to escalation of behaviors, consideration of de-escalation techniques and possible interventions and such other strategies and decisions as appropriate</li> <li>· Agreement on a written plan of action by the program</li> <li>· If the director participated in the restraint, a qualified person designated by the director or Dean of Undergraduate Studies shall lead the team's discussion.</li> <li>· Director ensures that a record of each individual student review is maintained and made available for review by the Department or parent, upon request</li> </ul>

<p>Director shall conduct a monthly review of school-wide restraint data</p>	<ul style="list-style-type: none"> <li>· Consider patterns of use of restraints</li> <li>· The number and duration of physical restraints school-wide and for individual students</li> <li>· The duration of restraints</li> <li>· The number and type of injuries, if any, resulting from the use of restraint</li> <li>· Director considers whether it is necessary or appropriate to modify the school's restraint prevention and management policy, conduct additional staff training on restraint reduction/prevention strategies, such as training on positive behavioral interventions and supports, or take such other action as necessary or appropriate to reduce or eliminate restraints.</li> </ul>
<p>Director must report all restraint-related injuries to the Department</p>	<ul style="list-style-type: none"> <li>· The director shall send a copy of the written report to the Department postmarked no later than three school working days of the administration of the restraint</li> <li>· The director shall also send the Department a copy of the record of physical restraints maintained by the director pursuant to 603 CMR 46.06 (2) for the 30-day period prior to the date of the reported restraint.</li> </ul>
<p><b>Other Considerations</b></p>	
<p>Complaints</p>	<p>A parent/guardian, student and/or Mass Academy staff member may file a complaint about restraint practices with the director or designee. A building or WPI administrator will be assigned to investigate the complaint by reviewing records and/or interviewing relevant parties. The building/WPI administrator investigating the complaint will notify the complainant of the findings and if applicable, any corrective action steps.</p>

Referral to law enforcement or other state agencies	Nothing prohibits: <ul style="list-style-type: none"><li>• The right of any individual to report to appropriate authorities a crime committed by a student or other individual;</li><li>• Law enforcement, judicial authorities or school security personnel from exercising their responsibilities, including the physical detainment of a student or other person alleged to have committed a crime or posing a security risk; or</li><li>• The exercise of an individual's responsibilities as a mandated reporter pursuant to G.L. c. 119, § 51A. 603 CMR 46.00 shall not be used to deter any individual from reporting neglect or abuse to the appropriate state agency.</li></ul>
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*Special thanks to the Framingham Public Schools for their assistance and permission to use some of the language in this document.*