

Wrentham Public Schools

Physical Restraint and Time-Out Process, Procedures and Guidelines

Purpose

It is the policy of the Wrentham Public Schools to promote an orderly, safe environment for its students and employees that is conducive to learning; ensures that every student is free from unreasonable use of physical restraints, and ensures that physical restraints are used only in emergency situations after less intrusive alternatives have failed or have been deemed ineffective. In compliance with Massachusetts physical restraint regulations, 603 CMR 46.00, Wrentham Public Schools promotes the use of positive, preventative behavioral supports (including time-out procedures) that significantly limits the need for physical intervention, restricts the use of physical force, and ensures that physical restraint is only used when absolutely necessary to protect students, or school staff from **imminent, serious physical harm, including suicide**. School administrators, special education teachers, and or counselors, inform the parents of students whose disabilities and/or behaviors may require the use of a time-out or physical restraint of the district's process and procedures.

Definitions

Time-Out is defined in Massachusetts Law 603 CMR 46:00 as: a behavioral support strategy in which a student temporarily separates from the learning activity or classroom, either by choice or direction from staff, for the purpose of calming:

- **Inclusionary-** when the student is removed from positive reinforcement or full participation in classroom activities while remaining in the classroom (i.e. planned ignoring, neutral redirection) Inclusionary time out procedures are used to reduce external stimuli in the student's environment while keeping the student physically present and involved in learning. These are common practices used by teachers as part of their classroom behavior support tools. The use of inclusionary time-out functions well as a behavior support strategy while allowing the student to remain fully aware of the learning activities of the classroom and has proven to be a useful tool for classroom management.
- **Exclusionary-** separation of the student from the class either through complete visual separation or from actual physical separation. 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.

During an exclusionary time-out:

Student must be continuously observed by a staff member.

Staff must be with the student or immediately available to the student at all times.

The space used for exclusionary time-out must be: clean, safe, sanitary and appropriate for the purpose of calming.

Exclusionary time-out must cease as soon as the student has calmed.

Physical restraint is defined in Massachusetts Law 603 CMR 46:00 as: "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.

- **Physical Escort** shall mean touching or holding a student without the use of force for the purpose of directing the student.
- **Physical Restraint** shall mean the use of bodily force to limit a student's freedom of movement.
- **Extended Restraint** shall mean a physical restraint, the duration of which is more than twenty (20) minutes.

- **Restraint Other** shall mean limiting the physical freedom of an individual student by mechanical means or seclusion in a limited space or location, or temporarily controlling the behavior of a student by chemical means. **The use of seclusion is prohibited in Massachusetts.**

Physical Restraint Procedures

Determining When to Use a Physical Restraint:

- Physical restraint should **only** be used when all other less intrusive alternatives have failed, or would not be effective, or are deemed inappropriate to prevent a student's behavior from posing a threat of **imminent, serious, physical harm** to oneself and/or to others.

Prohibitions on Use of a Physical Restraint:

- Physical restraints are prohibited 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**. In addition, physical restraint cannot be used when medically contraindicated or as a standard response for any student (no written behavior plan or IEP may include the use of physical restraint as a standard response to any behavior). Caution should be used for students who have a known or a suspected history of trauma.

Required Training for all Staff:

- Each principal or 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:
 - The role of the student, family, and staff in preventing restraint
 - The program's restraint prevention and behavior support policy and procedures, including use of time-out as a behavior support strategy distinct from seclusion;
 - Interventions that may preclude the need for restraint, including de-escalation of problematic behaviors and other alternatives to restraint in emergency circumstances;
 - 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;
 - 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
 - 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 staff training in the use of physical restraint. At the beginning of each school year, the principal of each public education program or his or her designee shall identify program staff who are authorized to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. Such staff shall participate in in-depth training in the use of physical restraint. The Department recommends that such training be competency-based and be at least sixteen (16) hours in length with at least one refresher training occurring annually thereafter
- Content of in-depth training. In-depth training in the proper administration of physical restraint shall include, but not be limited to:

- 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; and,
- 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

Proper Administration of Physical Restraints:

- Only CALM trained Wrentham Public Schools staff shall implement physical restraint and physical escort procedures. Trained school personnel are those individuals who have received CALM (Crisis, Aggression, Limitation, and Management) training, which is a verbal and physical de-escalation program created by NECC (New England Center for Children). Calm-trained staff are re-certified annually.
- These training requirements shall not preclude a teacher or school employee from using reasonable force to protect students, other persons or themselves from assault or **imminent, serious, physical harm**.

Duration of Physical Restraint:

- Physical restraint must be terminated as soon as a student is no longer in immediate danger to himself or others, *or* the student indicates that he/she cannot breathe, *or* if the student is observed to be in severe distress such as prolonged coughing, crying, or difficulty breathing.
- If a student is restrained beyond 20 minutes, staff must obtain approval from the building principal. Approval must be based on the students' continued agitation justifying the need for continued restraint.

Reporting Requirements for Physical Restraint:

Reporting Timelines:

- Staff members must immediately verbally inform the principal, and must file a written report no later than the next school day.
- Principal must verbally inform the student's parents immediately and must send a detailed written report within 3 school days of the restraint (first-class or email)
- Restraints resulting in injury must be reported to DESE within 3 working days
- Principals must report all physical restraints annually to the DESE

Written Report Content:

- Name of student; names and job titles of the staff who administered restraint; observers (if any); date of restraint; time restraint began and ended; name of principal who was verbally informed following the restraint; and, as applicable, the name of the principal who approved continuation of the restraint beyond 20 minutes pursuant to 603 CNR 46.05 (5) (c).

- Description of activity in which the restrained student and other students and staff in the same room or vicinity were engaged in immediately prior to 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; the justification for initiating physical restraint.
- Description of the administration of restraint including the holds used and reasons such holds were necessary; the student's behavior and reactions during the restraint; how the restraint ended; documentation of injury to the student and/or staff, if any, during the restraint and any medical care provided.
- Information regarding any further school action(s) that the school has taken or may take, including any consequences that may be imposed upon the student.
- Information regarding opportunities for the student's parents to discuss with school officials the administration of the restraint, any consequences that may be imposed upon the student and any other related matter.

Reporting and Responding to Complaints:

- School and/or district administrators will respond to any parent complaints using the following process:
 - Any complaint regarding the administration of a physical restraint should be immediately forwarded to the Director of Student Services.
 - The Director of Student Services or his/her designee will collect the following information from the complainant:
 - Name, title and contact information of complainant
 - Date of incident
 - Names of staff involved, as well as witnesses present
 - Description of the complaint
 - Complaints regarding physical restraint may be oral or written. Oral reports made to a staff member shall be recorded in writing.
 - Complaint forms will be made available in the primary language of the student and/or parent.
 - As soon as possible, but within 10 days, the Director of Student Services or his/her designee will interview the student(s) and staff member(s) involved, as well as any witnesses.
 - Once the investigation is complete, the Director of Student Services or his/her designee will document the action steps necessary to resolve the complaint, and a copy will be provided to the complainant.

Administrative Review of Restraints

- Individual reviews will be conducted on a weekly basis by the building principal in order to determine if any student has been restrained multiple times during the week. If so, the principal will convene a review team to discuss and assess the written reports of any such student, with the goal of reducing or eliminating future restraint. The team will review and discuss the written restraint reports, analyze the factors that led to the restraint, consider the factors that may have contributed to the escalation of the behaviors and develop a written action plan.
- A monthly school-wide review will also be conducted by the building principal. This review shall consider patterns of restraint, number of restraints, duration of restraints and any injuries caused by restraints. The principal will determine whether it is necessary to modify the school's physical restraint process and procedures and/or whether there is a need for additional staff training on positive behavioral supports and de-escalation strategies.