

EASTHAMPTON PUBLIC SCHOOLS
Physical Restraint, Time Out and Behavior Support Procedures

These procedures comply with the revised physical restraint regulations at 603 CMR 46.01 et seq., effective on January 1, 2016

Physical restraint is defined as direct physical contact that prevents or significantly restricts a student's freedom of movement. Physical 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. Physical restraint shall only be used when needed to protect a student and/or a member of the Easthampton school community from assault or imminent, serious, physical harm. Furthermore, any such physical restraint shall be administered so as to prevent or minimize any harm to the student.

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.

These procedures shall be reviewed annually and provided to Easthampton Public Schools staff. Nothing in these procedures precludes any teacher, employee, or agent of the Easthampton Public Schools from using reasonable force to protect students, other persons, or themselves from assault or imminent, serious, physical harm.

1. Methods for Preventing Student Violence, Self-Injurious Behavior, and Suicide

- Clearly defined district policies including: student conduct, discipline, bullying, prohibited materials, weapons, violence
- School and classroom supports including clearly defined expectations, limits, and positive incentives; Positive Behavioral Intervention and Supports (PBIS)
- Annual training for staff all staff including: Massachusetts Restraint Regulations, AntiBullying, Crisis and Risk Management and Protocol, Confidentiality, Civil Rights
- Counselors and school psychologists facilitate social skills groups, lunch groups, and grief groups. Counselors and psychologists are also available for individual therapeutic sessions, crisis intervention, consultation with staff and parents, and developing recommendations for student supports.
- Nurses and counselors receive training in drug abuse prevention, self-injurious behavior, eating disorders, dangers of social media, and filing with the Department of Children and Families.
- Parent outreach to include: collaboration about the student's behavior, antecedents, reinforcement and strategies, recommendations for community agencies, collaboration with community-based providers.
- **Student** Support Teams (SST) at each school may offer specific recommendations for interventions including: classroom accommodations, consultation from psychologist, counselor, contracted behavioral consultant, school based work with the counselor or psychologist, screenings, assessments, referral for a Special Education Evaluation or 504 Evaluation.
- A Principal may engage consultation with counselor, psychologist or contracted behavioral consultant at his/her discretion.

- Consultation and collaboration with the student’s community-based providers with school counselor, psychologist, Student Support Program teacher, Principal
- When students engage in threats of self-harm, violence, suicide or homicide, school counselors or psychologists may administer a Risk Assessment which can be used develop a safety or crisis intervention plan.
- Psychologists may complete a Functional Behavior Assessment (FBA) and if recommended, a Behavior Intervention Plan (BIP).
- Collaboration between counselor, psychologist, Student Support Program teacher, general education teacher, administration, nurse, paraprofessional, related service provider, parent

DE-ESCALATION TECHNIQUES, STRATEGIES, AND INTERVENTIONS

- verbal de-escalation
- positive behavioral interventions and supports
- relaxation strategies
- moving and blocking to prevent harm
- modeling
- nonverbal redirection
- behavior modification strategies
- verbal redirection
- time out, wait time, quiet area
- planned ignoring
- providing choices
- clarifying expectations
- clarifying consequences
- removing peers from classroom
- restructuring the environment
- prompt student to implement known strategies
- name behavior, feelings
- praise compliance
- reduce demands, give extra time
- involve additional staff
- set clear limits
- escort to safe, low distraction area

2. Methods for Engaging Parents

- a. Any parent with concerns about the use of physical restraint at any school within Easthampton Public Schools may request a meeting with the building Principal or the Superintendent to discuss such concerns. Any individual who believes that a physical restraint of a student may have been unwarranted or conducted inappropriately may also make use of the Grievance Procedure described in Section 10, below.
- b. The Principal or designee shall make reasonable efforts to verbally inform the student’s Parent of the physical restraint within twenty-four (24) hours. Written notice shall be provided to Parent/guardian within three school days by postal mail. The Parent and/or student may respond to the Principal or designee to comment on the use of the physical restraint and the information in the written report. The Parent and/or student may also pursue the Grievance Procedure described in Section 10, below.

3. Alternatives to Physical Restraint and Methods of Physical Restraint

12/22/15, revised 12/14/22 (revisions are highlighted)

a. Alternatives

Physical restraint shall not be used unless the aforementioned less intrusive de-escalation strategies, behavior interventions and supports have been unsuccessful or deemed inappropriate by school staff.

b. Methods of Physical Restraint:

Physical restraint shall not be used as a means of discipline or punishment; if the student cannot be safely restrained due to medical contraindications which have been documented by a licensed physician and provided to the District; as a response to property destruction, disruption, refusal to comply with rules or staff directives, or verbal threats when those actions do not constitute a threat of assault or imminent, serious, physical harm. Physical restraint shall not be used 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.

The following forms of physical restraint shall only be administered by trained personnel, using only the amount of force necessary to protect the student or other member(s) of the school community from assault or imminent, serious, physical harm. The staff member(s) administering physical restraint shall use the safest method available and appropriate to the situation. Staff shall continuously monitor the physical status of the student during restraint, and the student shall be immediately released from the physical restraint if the student expresses or demonstrates significant physical distress. *Whenever possible, the administration of a restraint shall be witnessed by at least one adult that does not participate in the restraint.*

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 46.043(3) and, in the judgment of the trained staff members, such method is required to provide safety for the student or others present.

All physical restraints must terminate as soon as the student is no longer an immediate danger to *himself or others*, or if the student indicates that he/she cannot breathe, or if the student is observed to be in severe distress, *such as having difficulty breathing or sustained or prolonged periods of coughing or crying*. All physical restraints shall be administered in compliance with 603 CMR 46.00.

c. Additional Requirements of 46.05(5)

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.

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.

If a student is restrained for a period longer than 20 minutes, program staff shall obtain the approval of the principal. The approval shall be based upon the student's continued agitation during the restraint justifying the need for continued restraint.

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.

- **One person standing hold:** designed to be implemented with children and only those children who are smaller than the staff person when all other de-escalation strategies have proven ineffective in calming the student and to protect a student and/or a member of the Easthampton school community from assault or imminent, serious, physical harm
- **Two person standing hold:** designed to be implemented when all other de-escalation strategies have proven ineffective in calming the student and to protect a student and/or a member of the Easthampton school community from assault or imminent, serious, physical harm
- **Two person transport hold:** designed to be implemented to safely move a student
- **One person arm hold:** designed to be implemented to temporarily control both of a student's arms for a short period of time

4. Prohibited Forms of Restraint

- a. Medication restraint, mechanical restraint, and seclusion restraint, as defined in 603 CMR 46.02, are prohibited in the Easthampton Public Schools.
- b. Any form of physical restraint used in a manner inconsistent with 603 CMR 46.00 is prohibited in the Easthampton Public Schools.
- c. Prone restraint, as defined in 603 CMR 46.02, shall only be permitted under the following, limited circumstances:
 - i. The student has a documented history of serious self-injury and/or injuries to other students or staff;
 - ii. All other forms of physical restraint have failed to ensure the safety of the student and/or the safety of others.
 - iii. There are no medical contraindications documented by a licensed physician; iv. There are no psychological or behavioral contraindications documented by a licensed mental health professional;
 - iv. The student's Parent has provided voluntary, informed, written consent to the use of prone restraint; and
 - v. The building Principal, or designee, has provided written approval.

Easthampton Public Schools will not use prone restraint unless the above circumstances have been documented in advance.

5. Staff Training, Physical Restraint Reporting, and Follow-Up Process

a. Staff Training:

- i. All staff/faculty will receive training regarding the District's physical restraint policy within the first month of each school year, and employees hired after the school year begins will receive training within one month of starting their employment.
- ii. Required training for all staff will include review of 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.

iii. In-Depth Training

- 1) At the beginning of the school year, the building Principal will identify those designated staff who will participate in in-depth training and who will then be authorized to serve school-wide resources to assist in ensuring proper administration of physical restraint.
- 2) Designated staff members shall participate in at least **sixteen (16)** hours of in depth training in the use of physical restraint, with at least one refresher training annually.
- 3) In-depth training will include:
 - A. Appropriate procedures for preventing the need for physical restraint, including the de-escalation of problematic behavior, relationship building and the use of alternatives to restraint;
 - B. 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;
 - C. 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;
 - D. Instruction regarding documentation and reporting requirements and investigation of injuries and complaints;
 - E. Demonstration by participants of proficiency in administering physical restraint; and

- F. Instruction regarding the impact of physical restraint on the student and family, including but not limited to psychological, physiological, and social-emotional effects.

b. Physical Restraint Reporting

i. Report to building Principal:

- 1) Staff shall verbally inform the Principal of any physical restraint as soon as possible, and by written report within one (1) school day.
- 2) *If the principal has administered the restraint, the principal shall prepare the report and submit it to an individual or team designated by the superintendent for review.*
- 3) The Principal or designee shall maintain an ongoing record of all reported instances of physical restraint.

ii. Report to Parent(s) of Physically Restrained Student:

- 1) The Principal or designee shall make reasonable efforts to verbally inform the student's Parent of the physical restraint within twenty-four (24) hours.
- 2) The Principal or designee shall provide the Parent a written report of the physical restraint within three (3) school days via postal mail.
- 3) The Parent and/or student may respond to the Principal or designee to comment on the use of the physical restraint and the information in the written report. The Parent and/or student may also pursue the Grievance Procedure described in Section 10, below. *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 principal 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.*

iii. Report to Department of Elementary and Secondary Education (DESE):

- 1) Whenever a physical restraint results in injury to the student or any school community member, the District shall send a copy of the written report to DESE within three (3) school days. A copy of the ongoing physical restraint log from the past thirty (30) days will also be provided to DESE.
- 2) Easthampton Public Schools shall also report physical restraint data annually to DESE, as directed by DESE.

iv. Report to Law Enforcement and Other State Agencies:

- 1) Nothing in these procedures prevents any individual from reporting a crime to the appropriate authorities;
- 2) Nothing in these procedures prevents any individual from exercising their responsibilities as a mandated reporter under M.G.L, c. 119, §51A.

v. Contents of Written Report

- 1) The written report of any physical restraint shall include:
 - A. Name of the student; name(s) and job title(s) of staff who administered the physical restraint, and observers, if any; the date, time restraint began, and the time that restraint ended; the name of the Principal or designee who was verbally informed following the restraint, and who approved continuation of the restraint beyond twenty (20) minutes, if applicable.
 - B. A description of the activity in which the restrained student and other students and staff in the vicinity were engaged immediately preceding the use of the physical restraint; the behavior that prompted the restraint; the

efforts made to prevent escalation of behavior, including 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, 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 parent/guardian to discuss the administration of the restraint and any consequences with school officials.

c. Follow-Up Procedures

i. After a student is released from a physical restraint, staff shall implement follow-up procedures, including:

- a. Reviewing the incident with the student to address the behavior that precipitated the physical restraint;
- b. Reviewing the incident with the staff member(s) who administered the physical restraint to ensure proper restraint procedures were followed; and
- c. Consideration of whether any follow-up is appropriate for students who witnessed the physical restraint, if any.

ii. Individual Student Review: The principal 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 principal shall convene one or more review teams as the principal 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 principal directly participated in the restraint, a duly qualified individual designated by the superintendent shall lead the review team's discussion. The principal 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.

6. Grievance Procedures.

This grievance procedure is established to ensure procedures are in place for receiving and investigating complaints regarding physical restraint practices. Any individual who believes that a

physical restraint of a student may have been unwarranted or conducted inappropriately may file a complaint by utilizing this procedure:

The complaint must be submitted in writing or on audiotape to **the Director of Special Education, 413-529-1500 extension 129.**

The Director of Special Education will meet with the complainant within ten (10) school days of receipt of the complaint.

A thorough investigation will be conducted which may include interviewing witnesses, staff involved and/or the student; reviewing all written documentation leading up to and pertaining to the incident and all reports filed with the Director of Special Education and the Department of Elementary and Secondary Education.

A written report will be developed by the Director of Special Education and provided to the complainant.

- 7. Administrative Review:** *The principal 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 principal 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.*

- 8. Time Out:** *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.*
 - a. 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.*
 - b. 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:*
 - i.** *Student must be continuously observed by a staff member.*
 - ii.** *Staff must be with the student or immediately available to the student at all times.*

- iii.** *The space used for exclusionary time-out must be: clean, safe, sanitary and appropriate for the purpose of calming.*
 - iv.** *Exclusionary time-out must cease as soon as the student has calmed.*
- c.** *If a teacher determines that a student may need a time-out lasting longer than 30 minutes due to the student's continuing dysregulation, the teacher shall contact the principal. The principal will respond to the time out area to try de-escalation strategies. If determined that the student is still dysregulated and is not able to leave the time out area, the principal may determine that the timeout can continue longer than the 30 minutes.*
- d.** *All time outs shall be documented on a log adjacent to the time out space.*