

<i>Policy</i>	<i>Title</i> PREVENTION OF PHYSICAL RESTRAINT OF STUDENTS AND REQUIREMENTS IF USED	<i>Code</i> JKAA
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HOLLISTON

It is the policy of the Holliston Public Schools (HPS) to promote a safe and productive workplace and educational environment for its employees and students, and one that complies with the Massachusetts Department of Elementary and Secondary Education (DESE) Regulations, 603 CMR 46.00 et seq. (Regulations). These Regulations apply not only at school, but also at school-sponsored events and activities, whether or not on school property.

Key Terms:

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 providing a physical escort.

Physical escort shall mean temporary touching or holding a student 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.

Prone restraint shall mean a 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. Prone Restraint is prohibited in the Holliston Public Schools.

Chemical or medication restraint shall mean the administration of medication for the purpose of temporarily controlling behavior. Medication that is prescribed by a licensed physician and authorized by the parent or guardian for administration in the school setting is not considered medication restraint. Chemical or medication restraint is prohibited in the Holliston Public Schools.

Mechanical restraint shall mean 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 and does not include a protective or stabilizing device ordered by a licensed physician. Mechanical restraint is prohibited in the Holliston Public Schools.

Seclusion shall mean the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. This does not include the use of time out¹² procedures during which time a staff member remains accessible to the student. Seclusion restraint is prohibited in the Holliston Public Schools.

Time-out shall mean a behavioral support strategy 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.

Methods and Conditions for Implementation:

HPS school staff shall use physical restraint only with extreme caution as a last resort in emergency situations, after other lawful and less intrusive, non-physical interventions have failed or been deemed ineffective or inappropriate. HPS staff shall only administer physical restraint as a last resort when it is necessary to protect a student and/or a member of the community from imminent, serious, physical harm to self and/or others.

Physical restraint shall be limited to the use of the safest method, of such reasonable force as is necessary, for the least time necessary. It may not be used as a standard response for any student. 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. Additionally, the use of restraint may not be included in behavior plans or Individualized Education Programs (IEPs).

Only school staff who have been properly trained pursuant to the Regulations shall administer a physical restraint. When a physical restraint needs to be administered, school staff shall seek to prevent or minimize any harm to the student as a result of the use of the physical restraint. All physical restraint must be terminated as soon as the student is no longer an immediate danger to himself/herself or others, or the student indicates that he or she 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.

In addition, physical restraint is prohibited when it is medically contraindicated for reasons including, but not limited to: asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, and known or suspected history of trauma or risk of vomiting.

The Regulations do not prevent a teacher, employee, or agent of HPS 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. Further, the Regulations do not limit a person's right to report a crime; law enforcement, judicial authorities, or school security personnel from completing their responsibilities; or mandated reporting of neglect or abuse.

Staff Training:

All school staff must receive training with respect to the DESE Regulations and HPS's physical restraint policy, including receiving information about interventions that may preclude or prevent the need for restraint, types of restraint and related safety considerations, and the administration of physical restraint in accordance with known medical or psychological limitations and/or behavioral intervention plans that may be applicable to an individual student. The principal of each school will arrange for this training to occur in the first month of each school year, and within the first month of employment for those staff hired during the school year. Additionally, each principal must identify specific staff to serve as school-wide resources to assist in ensuring proper administration of physical restraint. These individuals must complete in-depth training with respect to restraint and implementation of the Regulations.

In depth training will include:

1. 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;
2. 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 to determine whether the use of restraint is warranted;
3. 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;
4. Instruction regarding documentation and reporting requirements and investigation of inquiries and complaints;
5. Demonstration by participants of proficiency in administering physical restraint;
6. Instruction regarding the impact of physical restraint on the student and family, including but not limited to psychological, physiological, and social-emotional effects.

HPS utilizes a certification training program that includes instruction in the content areas of Incident Prevention, Incident Minimization, Physical Safety, Physical Management, Post Incident Procedures and Role Plays. The complete initial training will range from 12-14 hours. Recertification training (within a specified time frame) will range from 6-8 hours to complete.

- Annual initial complete training is offered for new staff or staff whose training has lapsed. These staff are identified based on building programs and crisis teams.
- Annual recertification training is offered for previously trained staff.

All staff must receive training with respect to the District's restraint prevention and behavior support policy and requirements for when restraint is used. Training will include the following:

- The role of the student, family and staff in preventing restraint;
- The District's restraint prevention and behavior support policy;
- Interventions that may preclude the need for restraint, including de-escalation of problematic behaviors, and other alternatives to restraint;
- The types of permitted physical restraint (to be used only when behavior presents an emergency that requires physical restraint), including information regarding the increased risk of injury to a student when restraint is used;
- Administering physical restraint in accordance with medical or psychological limitations, known or suspected trauma history, and/or behavior intervention plans as applicable to the individual student;
- Identification of specific staff who have received in-depth training in the use of physical restraint to serve as a school-wide resource to assist in ensuring the proper administration of physical restraint. These individuals must participate in the in-depth training as explained above.

Methods for Prevention of Student Violence, Self-Injurious Behavior and Suicide

Individual crisis and safety planning, proactive building-based strategies, faculty training, support teams and meetings, functional behavior assessments, behavior intervention plans, therapeutic supports and interventions by trained staff such as the school psychologists, counseling staff, education within general and special education curriculum/ health classes, referrals to community based agencies, communication to outside providers, parent consultation. Re-entry meetings and interventions for students returning from hospitalization; outreach to 24-hour emergency services as needed; de-escalation techniques.

- Positive behavioral interventions
- Allowing personal space
- Use of supportive words
- Appropriate tone, volume and rhythm when speaking to the individual
- Verbal redirection
- Verbal directive to cease behavior
- Opportunity for a break
- Opportunity for time-out
- Use of specific training program techniques

Prevention of Dangerous Behavior:

HPS shall also develop methods for preventing student violence, self-injurious behavior, and suicide, including individual crisis planning, behavior intervention plans, and de-escalation of potentially dangerous behavior occurring among groups of students or with an individual student.

Methods of Engaging Parent and Youth in Discussions About Restraint Prevention

HPS encourages an educational partnership with parents/guardians. Physical management of a student should be discussed with the parent/guardian within the parameters of a Behavioral Support Plan or Individualized Education Program (IEP) which may include a crisis plan. When appropriate, providers shall model the use of various physical interventions prior to implementation whenever possible.

Reporting Requirements and Follow-Up:

All instances of physical restraint must be reported to the principal or principal's designee as soon as possible. The school staff member who administered the restraint shall verbally inform the principal of the event as soon as possible and must provide a written report to the principal/designee no later than the following school day. Failure to do so may result in disciplinary action. The principal/designee must maintain an ongoing record of all such reported instances, which will be made available in accordance with the Regulations and state and federal law.

The principal/designee must also make reasonable effort to verbally inform the student's parent or guardian of the restraint as soon as possible, but within 24 hours of the event and 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 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. The principal shall provide the student and the parent or guardian an opportunity to comment orally and in writing on the use of the restraint and on information in the written report. The information in the report shall be in conformance with 603 CMR 46.06(4).

All physical restraints must be reported to the DESE. HPS shall collect and annually report data to the DESE regarding the use of physical restraints. Such data shall be reported in a manner and form directed by the DESE. The principal or designee shall review restraint data weekly to determine whether one or more students has been restrained multiple times during the week. If so, the principal shall convene one or more teams as deemed appropriate to assess the students' progress and needs, with the goal of reducing or eliminating the need for restraint. The principal shall also conduct a monthly review of school-wide restraint data and take steps to reduce or eliminate the use of restraint within the school where appropriate.

All restraint-related injuries must be reported to the DESE. When a physical restraint has resulted in an injury to a student or staff member, HPS shall send a copy of the written report required by the Regulations to the DESE postmarked no later than three school working days of the administration of the restraint. HPS shall also send the DESE a copy of the record of physical restraints maintained by the principal for the 30-day period prior to the date of the reported restraint. The DESE shall determine if additional action is warranted and, if so, shall notify HPS of any required actions within 30 calendar days of receipt of the required written report(s).

Follow-up procedures for restraint include not only the reporting requirements set forth above, but also reviewing the incident with the student and staff and consideration of whether additional services may be appropriate for students who witnessed the incident. Also, in accordance with the Regulations, HPS shall engage parents or guardians in discussions about restraint prevention and the use of restraint solely as an emergency procedure.

Complaints:

Complaints and investigations regarding restraint practices are covered by HPS Policy KE, Public Comments or Complaints.

Additional information, including a copy of the Department of Elementary and Secondary Education (DESE) Regulations, can be obtained from the Office of the Superintendent (508-429-0654). A copy of the Regulations may also be obtained at <http://www.doe.mass.edu/lawsregs/603cmr46.html>.

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