



# SOUTH SHORE CHARTER PUBLIC SCHOOL

*Inspiring every student to excel in academics, service, and life*

## **RESTRAINT-PREVENTION AND INTERVENTION PROCEDURES**

South Shore Charter Public School complies with the Department of Elementary and Secondary Education (DESE) restraint regulations, 603 CMR 46.00 et seq. (“Regulations”), to the extent required by law. According to their terms, the Regulations apply not only at school but also at school sponsored events and activities, whether or not on school property. At SSCPS, the Director of Student Services will serve as the Restraint Prevention Coordinator and manager of all restraint related documentation and policies.

### *Use of Restraint*

In accordance with 603 CMR 46.00, SSCPS prohibits the use of mechanical restraint, medication restraint, and seclusion. A prone restraint is 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 restraint 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 contradictions, 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 Director of Student Services; and
- F. The program has documented 603 CMR 46.03(1)(b) A-E in advance of the use of prone restraint and maintains documentation.

### *Physical Restraint*

May only be used as a last resort, as an emergency procedure, and prohibited at SSCPS 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 directives or other lawful and less intrusive behavior interventions, or such interventions are deemed to be inappropriate under the circumstances. Physical restraint shall be limited to the use of such reasonable force as is necessary to protect a student or another member of the school community from assault or imminent, serious, physical harm.

Physical restraint at SSCPS should never be used:

- A. As a means of discipline or punishment;
- B. When a 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 school rule or staff directive, or verbal threats that do not constitute a threat of imminent, serious, physical harm.
- D. As a standard response for any individual students. No written individual behavior plan or individual education program (IEP) may include the use of physical restraint as a standard response to any behavior.

### *Training Policy & Procedures*

SSCPS utilizes aspects of the *Nonviolent Crisis Intervention Model & Safety-Care Behavioral safety training*, which focuses on the safe management of disruptive and assaultive behaviors. The Director of Student Services or their designee will be responsible for the training of all SSCPS staff, maintaining paperwork, and oversight of program quality assurance.

All school staff, within the first month of a new school year, will receive training with respect to the SSCPS restraint policy. Training will include:

- The roles of the student, family, and staff in preventing restraint;
- The school's restraint prevention and behavior support policy and procedures, including the use of time out as a behavior support strategy and how it differs from seclusion;
- Information about interventions that may preclude the need for restraint, including de-escalation techniques and other alternatives to restraint in emergency situations;
- Types of restraint and related safety considerations;
- Administering restraint in accordance with medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans for individual students;
- The roles of the Crisis Team members and procedures for communicating with them;

The Director of Student Services will identify key members of the school faculty to participate on the Crisis Team. These members will complete a more in-depth training. Each person will complete a minimum of 3 hours annually. The Director of Student Service reserves the right to ask participants to complete a mid-year refresher at any time. This training will include;

- Appropriate procedures for preventing the use of physical restraint, including the de-escalation of problematic behaviors, 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 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 the impact of physical restraint on the student and family, recognizing that act of restraint has an impact, including but not limited to psychological, physiological, and social emotional effects.
- Instruction regarding documentation and reporting requirements and the investigation of injuries and complaints; (School Policy)
- Demonstration by participants of proficiency in administering restraint;

### *Administration of Physical Restraint*

Only SSCPS personnel that have received training pursuant to 603 CMR 46.04(2,3) shall administer physical restraint on a student. Whenever possible, for safety and reporting purposes, the administration of a restraint shall be witnessed by at least one adult who does not participate in the restraint. **Note: The training requirements of 603 CMR 46.00 shall not preclude a SSCPS staff member from using reasonable force to protect students, other persons or themselves from assault or imminent serious, physical harm.** Additional restraint requirements are as follows;

- A. 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.
- B. A person using 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).
- C. All physical restraints must be terminated as soon as the student is no longer an immediate danger to himself 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.
- D. 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 constantly monitor the physical status of the student, including skin temperature and color, and respiration.
- E. Restraint shall be administered in such a way so as to prevent or minimize physical harm.
- F. If a student is restrained for a period longer than 20 minutes, SSCPS staff will obtain the approval of the Director of Student Service or Principal. The approval shall be based upon the student's continued agitation during the restraint justifying the need for continued restraint.
- G. SSCPS staff will 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.
- H. After the release of a student from restraint, SSCPS shall implement follow-up procedures.

### *Methods of Physical Restraint*

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.

All physical restraints must terminate as soon as the student is no longer in immediate danger, or if the student indicates that he/she cannot breathe, or if the student is observed to be in severe distress. If any physical restraint approaches twenty (20) minutes, staff will obtain the approval of the building Principal or Director of Student Services to continue the restraint based upon the student's continued agitation. All physical restraints shall be administered in compliance with 603 CMR 46.00.

1. **Passive Protective Holds:** Passive Protective Holds are used by one or two staff to facilitate a short term emergency physical intervention. The individual is potentially causing harm to self/others or is engaged in major property destruction that could potentially lead to harm to self or others.
2. **Transports:** Transports are used to move an upset individual from one area to another area. This is used when the individual is not cooperating and may be aggressive/assaultive. Individuals must have their feet on the floor. The purpose of a transport is to move the individual from danger to safety, not from danger to destination.
3. **Immobilization Holds:** Immobilization Holds prevent the individual from moving freely and involve immobilizing head, arms and legs.

### *Alternatives to Physical Restraint*

1. Physical restraint shall not be used unless the following, less intrusive behavior interventions and supports have been unsuccessful or deemed inappropriate by school staff:
  1. Positive behavioral interventions
  2. Verbal redirection
  3. Verbal directive to cease behavior
  4. Opportunity for a break
  5. De-escalation techniques
  6. Loss of earned tokens/rewards/privileges
  7. Opportunity for time-out: Time-out shall cease as soon as the student has calmed. 1.
  8. **Physical Prompts and Assists:** Physical Prompt or Assists are used when the upset person is moving forward but with little resistance. Staff has hands on the individual,

but the individual is not displaying assaultive behavior or significantly resisting. Intention of this assist is to move the individual from one place to another and to release him/her upon arrival at desired location. Physical assists must be brief in nature.

9. Physical Escort: A physical escort is a temporary touch 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 or upset to walk to a safe location. Physical Escorts must be brief in nature.

### *Reporting Requirements and Follow-Up*

As soon as possible after a restraint has terminated, the incident should be reviewed with the student to address the behaviors that precipitated the restraint, review the incident with staff members involved to discuss proper restraint procedures and if they were followed, and discuss whether any follow-up is required from students who witnessed the restraint.

### *Reporting Procedures*

SSCPS staff should follow the reporting procedures anytime a physical restraint is administered, regardless of the duration of the restraint.

1. Verbally inform the Director of Student Services.
2. Complete a written report no later than the next working school day and submit the report to the Director of Student Services. If the Director of Student Services is completing the report, a copy will be issued to the respective principal. All reports will be filed and available upon request by the parent or Department of Education.
3. Parents will be informed of the restraint the same day the restraint occurs and a written report will be mailed or emailed within three working school days. Parents will be given the opportunity to discuss the restraint.
4. The Director of Student Services will complete a weekly review of restraint data to determine if a meeting needs to be convened for students identified as having been involved in multiple restraints. The meeting will be an assessment of student progress and needs and will involve; reviewing the written reports, the consideration of factors that may have led up to each restraint, including factors such as time of day, day of week, antecedent events, student and/or parents comments, and individuals involved, the 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. If the Director of Student Services was involved in the restraints being discussed, the principal shall chair the meeting. Records of the meeting will be kept and available by the Department of Education or the parent, upon request.

5. The Director of Student Services will review the school-wide restraint data monthly. This review shall consider patterns of use of restraint by similarities in the time of day, day of week, or individuals involved: the number and duration of physical restraints school-wide and for individual students; and the number and type of injuries, if any, resulting from the use of restraint. The Director of Student Services shall determine if any modifications or adjustments need to be made to SSCPS' restraint prevention and management policy, conduct additional staff training on restraint reduction/prevention strategies, such as trainings on positive behavioral interventions and supports, or take such other action as necessary or appropriate to reduce or eliminate restraints.
6. When a physical restraint has ended in an injury to a student or SSCPS staff member, SSCPS must send a copy of the report to the Department of Education no later than three school days after the incident. Required documentation shall include all restraints administered within the prior 30 school days.
7. SSCPS must maintain restraint data and submit data annually to the Department of Education.

### *Contents of Restraint Report*

In compliance with 603 CMR 46.06(2) and (3), all reports must include the following:

- The name of the student; names and job titles of the staff that administered the restraint and observers
- Date and the time of the restraint; including start and end time of restraint
- Name of the person who was informed verbally following the restraint and, if applicable, the name of the person who approved continuation of restraint after 20 minutes
- Description of the activity and events preceding the restraint
- Behavior that prompted the restraint
- Efforts made to prevent escalation of behavior, include specific de-escalation strategies and alternatives attempted to avoid restraint
- Description of the administration of the restraint including; holds used and reason they were necessary, students behavior and reactions during the restraint, how the restraint ended, documentation of injury to student or staff, if any
- Information regarding any further action that the SSCPS has taken or may take
- Information for opportunities for the parent to discuss the restraint, and any consequences that the school may impose on the student

### *Inclusionary time-out*

The definition of time-out includes the practice of *inclusionary* time-out, i.e., when the student is removed from positive reinforcement or full participation in classroom activities while remaining in the classroom. The use of *inclusionary* time-out is a behavior support strategy that allows the student

to remain fully aware of the learning activities of the classroom. *Inclusionary* time-out includes practices used by teachers as part of their classroom behavior support tools. Examples of this are: "planned ignoring," asking students to put their heads down, or placing a student in a different location within the classroom, as long as it is not a walled off "time-out" room located within the classroom. Inclusionary time-out strategies are used to reduce external stimuli in the student's environment while keeping the student physically present and involved in learning.

### *Exclusionary time-out*

An *exclusionary* time-out is the separation of students from the rest of the class either through complete visual separation or from actual physical separation

*Exclusionary* time-out as a staff- directed behavioral support 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 at SSCPS:

- The student must be continuously observed by a staff member in an unlocked setting from which the student is permitted to leave;
- Staff must be with the student or immediately available to the student at all times;
- *Exclusionary* time-out must cease as soon as the student has calmed.
- When a student is separated from the learning environment in an *exclusionary* time-out, s/he must be in a safe and calming environment.
- For any *exclusionary* time-out that may last longer than 30 minutes, programs must seek approval from the Director of Learning Services or principal for the continued use of time-out. The Director of Learning Services or the principal may not routinely approve such requests but must consider the individual circumstances, specifically whether the student continues to be agitated to determine whether time-out beyond 30 minutes is justified.
- If it appears that the use of *exclusionary* time-out exacerbates the student's behavior, or the continuation of the *exclusionary* time-out beyond 30 minutes has not helped the student to calm, then other behavioral support strategies should be attempted.

In such circumstances, the student may either ask to leave the classroom, or the student may be directed to a separate setting for the purpose of helping the student to calm. Unless it poses a safety risk, a staff member must be physically present with the student who is in an *exclusionary* time-out setting. If it is not safe for the staff member to be present with the student, the student may be left in the time-out setting with the door closed. However, in order to ensure that the student is receiving appropriate support, a school counselor or other behavioral support professional must be immediately available outside of the time-out setting where the individual can continuously observe and communicate with the student as appropriate to determine when the student has calmed. Students must never be locked in a room. For students displaying self-injurious behavior, a staff member must be physically present in the same setting with the student. Exclusionary time-out must end when the student has calmed.

Any room or area used for time-out must be:

- Clean, safe, and sanitary;
- Appropriate for the purpose of calming the student served, including but not limited to being of appropriate size for the age and the needs of the student;
- Appropriately lighted, ventilated, and heated or cooled, consistent with the remainder of the building;
- Free of objects or fixtures that are inherently dangerous to the students;
- In compliance with any applicable local fire and building code requirements; and
- In compliance with any other standards listed by the Department in guidance.

### *Seclusion*

603 CMR 46.02 defines seclusion as: The involuntary confinement of a student alone in a room or area, with or without adult supervision, from which the student is not permitted to leave.

The key elements of this definition are two factors considered together, (1) the student is alone with no staff present or immediately available; and (2) the student is prevented from leaving the area. The use of seclusion is prohibited in a public school program except in an emergency situation as a last resort on an individual student basis, where a student's behavior poses an imminent threat of assault, or imminent serious physical harm to self or others, but on if:

- A. The student has a documented history of repeatedly causing serious self-injuries and/or injuries to other students or staff;
- B. The student is not responsive to directives or other lawful and less intrusive behavior interventions, or such interventions are deemed to be inappropriate under the circumstances;
- C. Other forms of interventions have failed to ensure the safety of the student and/or the safety of others;
- D. There are no medical contraindications as documented by a licensed physician;
- E. There is psychological or behavioral justification for the use and there are no psychological or behavioral contraindications, as documented by a licensed mental health professional;
- F. The program has obtained consent to use it in an emergency situation as set forth in 603 CMR 46.07(2) from the student's parent and, if appropriate, the student, and such use has been approved in writing by the principal;
- G. Any individual using it has received training about alternative behavior interventions and management techniques;
- H. The program has documented compliance with 603 CMR 46.07(2)(a) and (d) through (g) in advance of its use and maintains the documentation;
- I. At all times during the emergency, a staff member is continuously and actively monitoring and observing the student and is immediately available to the student;
- J. The student is observable in all parts of the room or area being used;

- K. The staff member is continuing to use de-escalation and calming strategies with the student unless it is unsafe or counterproductive for the purposes of calming the student;
- L. It is not used as a means of discipline or punishment or as a standard response for any individual student's actions that do not constitute an imminent threat of assault, or imminent serious physical harm to self or others;
- M. It is used only in an emergency situation of last resort and its use ceases as soon as the student's behavior no longer poses a threat of assault or immediate serious physical harm to the student or others, or if the student is observed to be in severe distress, such as having difficulty breathing; and
- N. Any room or space used for the purposes of the emergency intervention described in 603 CMR 46.07(2) must meet the requirements listed in 603 CMR 46.07(1) and must be inspected by the public program for compliance with such requirements at a minimum of one time per week during which the room or area is used.
- O. No written individual behavior plan or IEP may include use of seclusion as a standard response to any behavior

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

1. Response To Intervention (RTI) process for non-crisis situations:
  - a. Who is involved: The teacher(s) of the student; building administration, counseling staff, psychologist and/or behavioral support staff, related services providers as appropriate (for example, speech pathologist, occupational therapist)
  - b. What is done: collaboration to create meaningful interventions to address the concerns brought forward, including accommodations and explicit instruction
  - c. Goal Attainment Plan, including goals, roles of persons, and data collection mechanism is developed.
  - d. Review in 6-8 weeks to evaluate effectiveness and next steps (such as referral to special education)
2. Individual crisis planning process:
  - a. Who is involved: The teacher(s) of the student; building administration; counselor, psychologist and/or behavior support team; and/or student services director are involved in collaboration and development of individual student crisis plans.
  - b. What is done: collaboration to review contexts and data surrounding behaviors of concern. Identification of triggers and signals leading up to student violence, self-injury and/or suicide. This may include informal or formal functional behavior assessment (FBA).
  - c. Plans are developed based on data.
    - i. Minimize or eliminate triggers where appropriate and applicable. And/or,
    - ii. Support is provided to teach the student(s) to respond to the triggers in a safer or therapeutic manner.
    - iii. Review period determined by individual situation

3. Process for Responding to Unpredictable/Unforeseeable Crisis:
  - a. Upon observed crisis behavior, a staff member will call for Crisis team support.
    - i. This is a team identified by building administration and members include those who have completed and passed annual competency of in-depth crisis de-escalation and response training
  - b. Staff move/remove potentially vulnerable peers, excessive audience, and/or items potentially used to harm or as projectiles. Monitor all for safety.
    - i. Implement prompts to access coping strategies or wait and monitor for safety as the response team arrives.
  - c. Response team arrives:
    - i. The response team implements trained interventions for de-escalation procedures.
4. Method for engaging parents. SSCPS acknowledges the vital role of parents in creating safe schools. We ask parents to be:
  - a. Knowledgeable about their role in supporting their student(s)
  - b. Knowledgeable of school rules and expectations
  - c. Familiar with our Code of Conduct and school expectations regarding respectful and safe behavior.

At various parent forums, such as Orientations, Back to School Nights, Open Houses, Parent Coffees, the role of the parent is emphasized. We work with our students to clarify school rules and norms and use developmentally appropriate language and groupings to support student understanding of safe behavior and ways to seek support and de-escalate potential conflicts.

Additionally, any parent with concerns about the use of physical restraint at SSCPS may request a meeting with the building Principal or the Director of Student Services to discuss such concerns.

### *Complaints*

SSCPS has established a complaint procedure 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:

1. The complaint must be submitted in writing or on audiotape to the Director of Student Services..
2. The Director of Student Services will meet with the complainant within ten (10) school days of receipt of the complaint.
3. 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 Student Services and the Department of Elementary and Secondary Education.
4. A written report will be developed by the Director of Student Services and provided to the complainant.

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