

Southbridge Public Schools Physical Restraint Procedure

**Adapted from the Massachusetts Department of Elementary
and Secondary Education & Accept Education Collaborative
Presentations**

Caution

- This presentation provides an overview of the regulatory requirements for the use of physical restraint, but does not iterate all of the detail in the regulations.
- All school staff should read and be familiar with the regulations.

Find the Regulations

- **Prevention of Physical Restraint and Requirements If Used at:**

<http://www.doe.mass.edu/lawsregs/> under
Recently Approved Regulations

Read the Regulations

- 603 CMR 46.00 -- these regulations apply to all public education programs including day schools, school events and school sponsored activities.
- Viewing this presentation does not substitute for a careful reading of the full regulatory requirements.



Training is IMPORTANT Because



- A safe school environment is better able to promote effective teaching and learning.
- Preparing appropriate responses to potentially dangerous circumstances helps to eliminate or minimize negative consequences.

Key Aspect: Training and Awareness

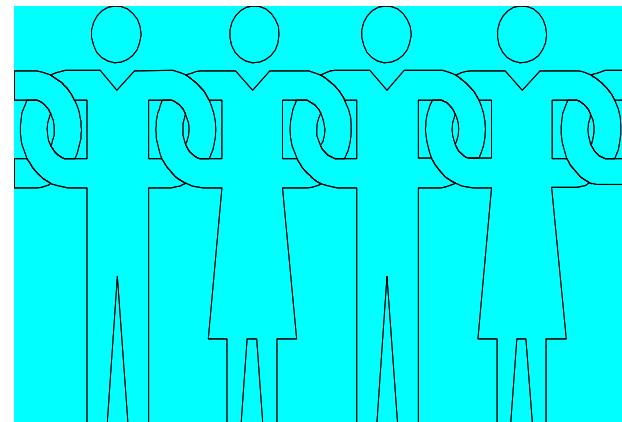
Regulation
46.03(1 & 2)
& 46.04(2)

- Annually, For ALL staff - Review:
 - School restraint policy.
 - The school's prevention and behavior support policy and procedures including individual crisis planning.
 - Methods of prevention of need for physical restraint and alternatives to restraint.
 - Types of restraint and related safety considerations.
 - Administering restraint in accordance with student's needs/limitations including known or suspected trauma history.
 - Required reporting & documentation.
 - Identification of selected staff to serve as information resource to school.

For Selected Staff: In-Depth Training - Contents

- Prevention techniques.
- Identifying specific dangerous behaviors.
- Experience in restraining and being restrained.
- Demonstration of learned skills.
- Recommended 16 hours.
- Instruction on the impact physical restraint has on the student and family.

Regulation
46.03(4) &
46.04(4)



Knowing the terminology:

Physical restraint

"The use of bodily force to limit a student's freedom of movement."

Physical restraint

"Direct physical contact that prevents or significantly restricts a student's freedom of movement."

Regulation 46.02(3) &
Regulation Section
46.02

Terminology

Regulation 46.02(3) &
Regulation Section 46.02

NOT physical restraint:

“Touching or holding a student without the use of force --- includes physical escort, touching to provide instructional assistance, and other forms of contact that do not include the use of force.”

NOT physical restraint:

“Brief physical contact to promote student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing comfort, or a physical escort.”

Other Terminology:

- Chemical restraint/Medication Restraint - is prohibited. Medication that is prescribed by a physician and authorized by the parent is not medication restraint.
- Mechanical restraint - do not use without physician's order and parental consent – as of 1/1/16 prohibited in all instances.
- Seclusion - “physically confining a student alone in a room or limited space without access to school staff.”
“The involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving.”

Don't do it.

Regulation
46.02(5)
&
Regulation
Section
46.02

Minimal Use of Restraints

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.

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

Preventing Restraint

- 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 district policies (e.g. student handbooks)
- *Families*- families should be made aware of school rules and codes of conduct, as well as district policies and procedures; regular communication between parents and school is important to facilitate family support

Preventing Restraint

- *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.

Methods for engaging parents in discussions about restraint prevention and use

- Agenda item for the Sped Pac
- The Southbridge Public School Restraint Policy is included in the student handbook
- SPS policy is speak with parents whenever a restraint occurs .

A description and explanation of the program's alternatives to physical restraint and method of physical restraint in emergency situations

- Southbridge School District has a restraint prevention and behavior support policy, that includes:
- Applied Non-Violence (ANV) that relies on early recognition and the use of verbal skills 75% of the time.
- The use of physical restraint will be limited to emergency situations, according to regulation (603 CMR 46.01 (3)).
- Is only used when there is a substantial risk of serious assault or self-injury occurring.

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

Early Signs of Escalation

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. first work, then you can read)
- 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")

Early Signs of Escalation

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.

Southbridge Public Schools prohibits the use of :

- medication restraint,
- mechanical restraint,
- prone restraint unless permitted pursuant to 603 CMR 46.03(1)(b),
- seclusion,
- the use of physical restraint in a manner inconsistent with 603 CMR 46.00

Time-Out

- Time-out definition - staff remains accessible. Staff is present, continuously observing the student.
- Procedure for obtaining principal approval to extend time out longer than 30 minutes.
- See Advisory at:
<http://www.doe.mass.edu/sped/advisories/2016-1ta.html> for a flow chart distinguishing between exclusionary time-out and seclusion.

Prone Restraint until 1/2016

- 46.05(3) Safest method. ...Floor or prone restraints shall be prohibited unless the staff member administering the restraint has received in-depth training ...and, in the judgment of the trained staff member, such method is required to provide safety for the student or others present.



Prone Restraint

Regulations 46.03(1)(b)
and 46.05(3) Safest method

- Prone restraint is prohibited except if ALL of the below is true and documented:
 - The student has a documented history of repeated dangerous behavior to self or others.
 - All other forms of restraint have been unsuccessful
 - There are no medical contraindications.
 - There is psychological/behavioral justification with no contraindications.
 - The program has obtained consent to use prone restraint.
 - The program has documented all of the above in advance of the use of prone restraint
- Then, prone restraint only by people with in-depth training.

Extended Restraint

Regulation 46.02(1) and
Regulation 46.05(5)(c)

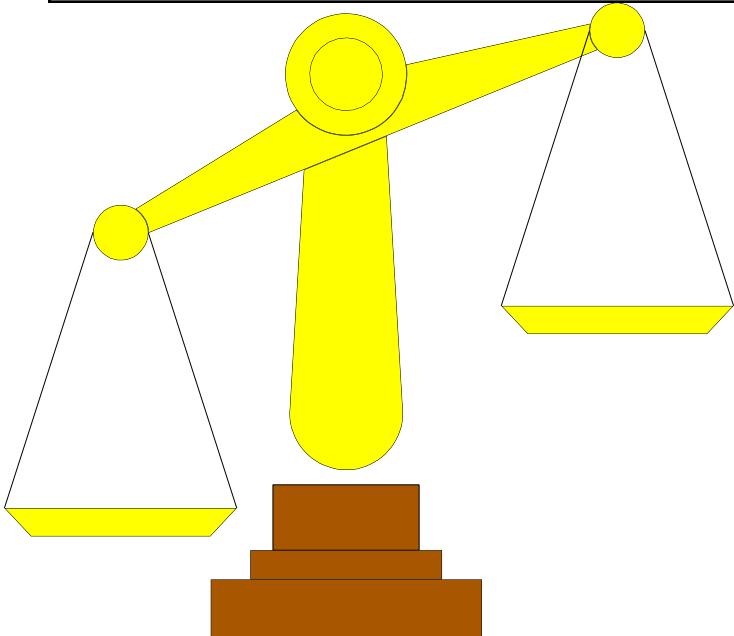


- Longer than 20 minutes.
- Increases the risk of injury.
- Requires approval of the principal prior to the restraint exceeding 20 minutes.
- Requires additional written documentation and report to the Department of Education.
After 1/16 Reported to DESE at the same time as any restraint is reported.

The use of restraint.

Regulation 46.03(1)(c)
retains this same
language.

- Restraint is not a form of treatment or punishment.
- Restraint is an emergency procedure.
- Restraint is to be used only as a last resort when a student's behavior poses a threat of assault, or imminent, serious, physical harm to self or others.



Do not use physical restraint



Regulation
46.04(3) &
Regulation
46.03(2)

- When the student cannot be safely restrained including medical contraindications.
- As a standard response for any student.
- When non-physical interventions could be used.
- As a means of discipline or punishment.
- As a response to property destruction, school disruption, refusal to comply, or verbal threats.
- The use of restraint may not be included in behavior plans or IEPs.

Proper Administration of Physical Restraint

Regulation Section
46.05 (current) and
46.05 (new)

- Remember training considerations.
- Have an adult witness if possible.
- Use only the amount of force necessary to protect the student or others.
- Use the safest method. Do not use floor or prone restraints unless you have received in-depth training —for prone, all required steps must be completed beforehand.
- Discontinue restraint ASAP or if the student indicates that s/he cannot breathe.



Safety requirements

Regulation
46.05(5) &
Regulation
Section
46.05

- Know students' medical and psychological limitations, including known or suspected trauma history.
- Make sure student is able to breathe and speak. If the student indicates that s/he cannot breathe the restraint must be stopped.
- Monitor physical well-being, respiration, skin temperature, and color.
- If student experiences physical distress -- release restraint and seek medical assistance immediately.

Regulations do not prohibit or limit:

- The right to report a crime.
- Law enforcement, judicial authorities, or school security personnel from completing their responsibilities.
- Mandated reporting of neglect or abuse.
- The use of reasonable force to protect oneself, a student, or others.

Regulation 46.04(4)

Regulations 46.03(4) & 46.01(4)

Follow-Up Procedure: Prevention/Learning from the Experience

- Following every restraint action taken, the circumstances should be discussed with the student, and with others, as appropriate.
- Ask: “How can we avoid this happening again?”

Regulation
46.05(5)(d)

Regulation 46.05(5)(e)



Key Reporting Requirements



- When to Report: report ALL restraints
- Notify School Administration: Notify school administration as soon as possible, & provide written report by the next school working day.
- Notify Parents: The principal or director of the program notifies the parent, verbally as soon as possible (**verbally within 24 hours**), and by written report within 3 school working days.
- **Student and parents must be allowed to comment**

Regulation Section 46.06 (current) & 46.06 (new)

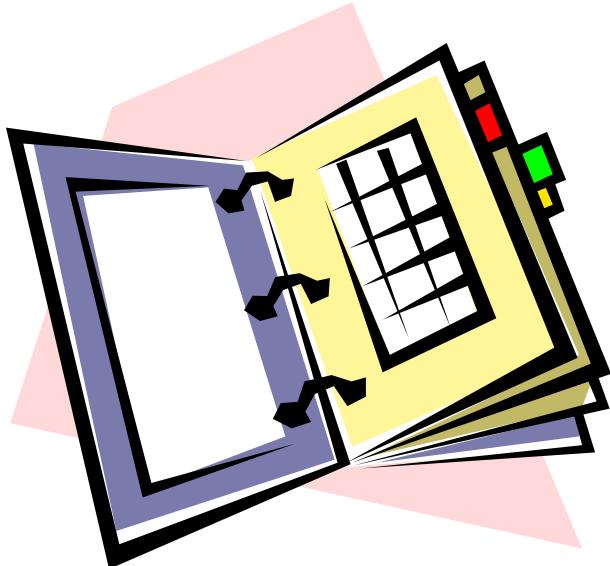
Content of Written Report

Regulation
46.06(4) (current)
and new

- Who was restrained? Who participated in the restraint? Observers? Who was informed and when?
- If longer than 20 minutes the name of the principal or designee who approved the continuation.
- When did the restraint occur? (date/time)
- What was happening before, during, and after the restraint? Describe alternative efforts attempted. What behavior prompted the restraint? Describe the restraint –holds used and reasons for their use.
- Documentation of any injury to students or staff.
- Has the school taken, or will it take, any further actions, including disciplinary consequences?

Key Data Keeping Aspect: Ongoing Log

Regulation
46.06(2)
(current)
and new



- School district maintains a log of all reported instances of physical restraint in the school.
- Use the log for review of incidences and consideration of school safety policies and procedures.
- **The following two slides detail additional restraint data review requirements.**

Individual Student Review (weekly)

Regulation
46.06(5)

- Principal is to identify individual students restrained multiple times within the previous week and convene a review team to consider:
 - Reports about the use of restraint, and comments provided by parents and the student.
 - Analyze circumstances and factors leading up to the perception of need for the use of restraint.
 - Consider strategies to reduce or eliminate the use of restraint for this student in the future.
 - Review team agreement on a written plan of action.

Administrative Review (monthly)

- The principal shall conduct a monthly review of school-wide restraint data.
- Consider patterns of use, looking for commonalities.
- Principal will consider modification(s) to the restraint policy.
- Determine need for additional training.
- Determine other necessary actions to reduce the need for the use of restraint.

Regulation
46.06(6)

Reporting to the Department

- Extended restraints (restraints over 20 minutes).
 - Any time there is a serious injury.
 - Send report within 5 school working days of restraint. Include log for 30 day period prior to restraint.
 - Department may determine additional required action.
- Collect and annually report all physical restraints to the Department.
 - Report all restraint related injuries to the Department within 3 school working days.

Regulation
46.06(5) &
46.06(7&8)



A procedure for receiving and investigating complaints

- All staff is responsible for reporting complaints to the Principal or Designee
- A complaint can be from a student, family member or staff member
- A complaint can be verbal or written

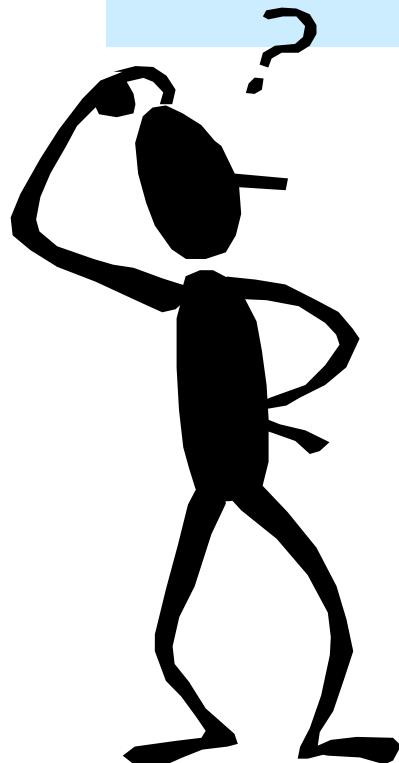
Find the Regulations:

<http://www.doe.mass.edu/lawsregs>

See 603 CMR 46.00

The revised regulations can be found under:

**Recently Approved Regulations and Regulations
Amendments**



Any questions?