

PHYSICAL RESTRAINT OF STUDENTS

The Mansfield Public Schools complies with the Massachusetts Department of Elementary and Secondary Education's (DESE) regulations 603 CMR 46.00 effective January 1, 2016 to the extent required by law, in order to protect students of the district from the use of unreasonable physical restraint at school and at school-sponsored events and activities, whether or not on school property.

Definitions

As used in 603 CMR 46.00, these terms will mean:

1. **Mechanical Restraint** – The use of any device or equipment to restrict a student's freedom of movement. The term does not include devices implemented by trained school personnel, or utilized by a student that have been prescribed by an appropriate medical or related services professional, and are used for the specific and approved positioning or protective purposes for which such devices were designed. Examples of such devices include: adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; vehicle safety restraints when used as intended during the transport of a student in a moving vehicle; restraints for medical immobilization; or orthopedically prescribed devices that permit a student to participate in activities without risk of harm.
2. **Medication restraint** – The administration of medication for the purpose of temporarily controlling behavior. Medication prescribed by a licensed physician and authorized by the parent/guardian for administration in the school setting is **not** medical restraint.
3. **Physical Escort** – A 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.
4. **Physical Restraint** – 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.
5. **Prone Restraint** – A physical restraint in which a student is placed 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.
6. **Seclusion** – Involuntarily confining a student alone in a room and from which a student is physically prevented from leaving. Seclusion does **not** include a "time out" as defined in 603 CMR 46.02
7. **Time Out** — A behavioral support strategy developed pursuant to 603 CMR 46.04(1) in which the 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 staff member must continuously observe the student.

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Staff will 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 will cease as soon as the student has calmed.

Proper Use and Administration of Restraint

The Mansfield Public Schools prohibits the use of mechanical restraint, medication restraint, prone restraint unless permitted pursuant to 603 CMR 46.03(1)(b), seclusion restraint, and the use of physical restraint in a manner inconsistent with 603 CMR 46.03.

School personnel will use physical restraint only as an emergency procedure of last resort and only after other less-intrusive alternatives have failed or been deemed inappropriate, with these goals in mind:

1. To administer a physical restraint only when needed to protect a student and/or a member of the school community from immediate, serious, physical harm; and
2. To prevent or minimize any harm to the student as a result of the use of physical restraint.

School personnel will not use physical restraint when it is medically contraindicated, as a means of punishment, or as a response to destruction of property, 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 to the student or others.

Only school personnel who have received training pursuant to 603 CMR 46.00 will administer physical restraint on students. Whenever possible, a staff member will administer physical restraint on a student in the presence of at least one adult who does not participate in the restraint. The person administering physical restraint will use only the amount of force necessary to protect the student from injury or harm and will discontinue the restraint as soon as possible.

Proper Use and Administration of Time-out

Inclusionary time-out is 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 functions as a behavior support strategy that allowing the student to remain fully aware of learning activities of the classroom. This includes practice opportunities the teacher may use as part of the class wide behavior support tools such as planned ignoring or asking a student to move to a different location within the classroom. A student is not separated from the learning activity if the student is physically present in the classroom and remains aware of the learning activities.

Exclusionary time-out is the separation of the student from the rest of the class either through complete visual or physical separation. Exclusionary time-out may only be used

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for calming the student. During the time-out, staff must constantly monitor the student and be available. The staff person, unless it poses a safety risk, must be physically present with the student. The space must be safe, sanitary, appropriate for calming and clean. If there is a safety risk to staff, the student may be in a time-out setting with a closed door. If the student is in this situation, a school adjustment counselor, school psychologist or behavior support personnel must be immediately available outside the time-out setting to continuously observe and communicate with the student, as well as determine when the student is calm. The student may never be locked in a room. Exclusionary time-out must end as soon as possible and may not extend beyond 30 minutes without Principal approval. The Principal may extend the duration based solely on the student's agitation.

Reporting Requirements

School personnel will report the use of physical restraint immediately. The staff member will inform the school administration of the physical restraint as soon as possible, and by written report, no later than the end of the school day. The Principal will maintain an ongoing record of all reported instances of physical restraint, which, upon request, will be made available to DESE. The Principal will make reasonable efforts to verbally inform the student's parent within 24 hours. The Principal will email or mail the report to the parent within three school days of the restraint. There are no waivers permitted for these reporting requirements.

When a restraint has resulted in any injury to a student or program staff member, the program will provide a copy of the required report to DESE within three (3) school working days of the administration of the restraint. Additionally, the program must also send the DESE a copy of the record of physical restraints maintained by the Principal, pursuant to 603 CMR 46.06(2) for the 30-day period prior to the date of the reported restraint.

The report will include:

- Names and titles of those involved, including observer
- Date and time the restraint began and ended
- Name of the Principal who was verbally informed, and if needed, the name of the Principal who approved extending the restraint beyond 20 minutes and when that approval was obtained
- What was happening before the restraint and efforts staff used to de-escalate the student
- Alternatives to the restraint that staff attempted
- Justification for initiating the restraint
- Description of the holds used and why they were necessary
- Description of the students behavior and reaction during the restraint
- Any medical care given
- Information regarding further actions the school has or will take

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- Information regarding opportunities for the student's parents to discuss the restraint with school personnel, including any potential consequences

Each building Principal will review restraint data weekly. The Principal will convene one or more review teams to assess each student's progress and needs through 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. The review team will analyze the circumstances leading up to each restraint, including factors such as time of day, day of the week, antecedent events, and individuals involved. Consideration of factors that may have contributed to escalation of behaviors, alternatives to restraint, including de-escalation techniques and possible interventions, and such other strategies with the goal of reducing or eliminating the use of restraint in the future will be discussed.

The District administrative team will review the restraint data district wide during the last meeting of each month. This will include reviewing all data and documentation on the use of restraints with ongoing conversation about student safety. Participants in this review, include, but not limited to, at least one building Principal per school. This review will 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 will 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.

If a Principal receives a complaint about any restraint, a review team will be assembled to investigate the complaint. The team will be minimally comprised of a school psychologist, special and general education teacher, building Principal, and one Principal from another school. This team will begin the investigation within two (2) school days and complete the investigation within 10 school days with a written report of the findings being mailed or emailed to the person making the complaint and any other pertinent people.

The District will report all instances of restraint annually in accordance with 603 CMR 46.00 and in the manner and form directed by the Department of Elementary and Secondary Education.

Required Training

Each building Principal will serve as a school-wide resource to assist in ensuring proper administration of physical restraint. The Principal will designate school staff members to

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participate in an in-depth training program in the use of physical restraint, which DESE recommends be at least 16 hours in length, with annual recertification.

In addition, every staff member will be trained regarding the school district's physical restraint policy. The Principal will arrange training to occur in the first month of each school year, or for staff hired after the beginning of the school year, within a month of their employment.

Procedures

The Superintendent will develop written procedures identifying:

1. Appropriate responses to student behavior that may require immediate intervention;
2. Methods of preventing student violence, self injurious behavior, and suicide; including crisis planning and de-escalation of potentially dangerous behaviors among groups of students or individuals
3. Descriptions and explanations of the school's method of physical restraint; as well as the school's method of physical restraint for use in emergency situations
4. Descriptions of the school's training and reporting requirements; including, but not limited to making reasonable efforts to orally notify parents of the use of restraint as soon as possible, within the same day.
5. Procedures for receiving and investigating complaints.
6. Methods for engaging parents in discussions about restraint prevention and the use of restraint solely as an emergency procedure.
7. A process for obtaining Principal approval for a time out exceeding 30 minutes and for establishing individual student review and administrative review by the building Principal.

Notice

The Superintendent will disseminate this policy and its accompanying procedures to staff annually and will make a copy of this policy and procedures available to parents through the Mansfield Public Schools website.

Revised: January 15, 2019
 September 12, 2016
 October 27, 2015

LEGAL REF.: 603 CMR 46.00 Prevention of Physical Restraint and Requirements If
 Used
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