



SOUTH SHORE CHARTER PUBLIC SCHOOL

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

Use of Restraint, Time-out, and Seclusion of Students at SSCPS

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 Learning 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 contradictions 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 Learning 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 verbal 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 the *Nonviolent Crisis Intervention Model*, which focuses on the safe management of disruptive and assaultive Behaviors. The Director of Learning Services will maintain certification with the Crisis Prevention Institute as a certified CPI instructor. The Director of Learning Services 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 included:

- 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;
- Additionally, all staff will participate in a minimum of 3 hours of training in *Units I-VII of the Nonviolent Crisis Intervention Model*. Information will be reviewed annually and school staff will receive the full 3-hour training every two years. These units include;
 - The crisis development model;
 - Nonverbal behavior;
 - Paraverbal communication;
 - Verbal intervention;
 - Precipitating factors;
 - Rational detachment & integrated experience;
 - Personal safety techniques

The Director of Learning Services will identify key members of the school faculty to participate on the Crisis Team. At least one faculty member from each school level, the K-6 and 7-12 Principals, pupil adjustment counselors, and school nurse will be included on that team. These members will complete a more in-depth training of the *Crisis Intervention Model*. Each person will complete the full 12-16 hour training. Staff certifications will be valid for 2 school years with a formal refresher course (3-5 hours) after the first year. The Director of Learning Service reserves the right to ask participants to complete a mid-year refresher or revoke their certification if deemed necessary. All certification will be maintained through the *Crisis Prevention Institute*. 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; (Units I-V, CPI)
- 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; (Unit VII, CPI)
- 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; (Units VII-IX, CPI)
- Instruction regarding documentation and reporting requirements and the investigation of injuries and complaints; (School Policy)
- Demonstration by participants of proficiency in administering restraint;
- Instruction regarding the impact of physical restraint on the student and family. Recognizing the act has impact, including but not limited to psychological, physiological, and social emotional effects. (Unit X, CPI)

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 Learning 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.

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 followed-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 Learning Services.
2. Complete a written report no later than the next working school day and submit the report to the Director of Learning Services. If the Director of Learning 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 Learning 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, reviewing the circumstances that led up to each restraint, including factors such as time of day, day of week, antecedent events, and individuals involved, goals to eliminate restraint in the future, and a written action plan. If the Director of Learning 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 Learning Services will review the school-wide restraint data monthly and determine if any modifications or adjustments need to be made to SSCPS' restraint prevention and management policy. This may include additional trainings, or changes to the school-wide behavior management policy.

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;
- Staff must be with the student or immediately available to the student at all times;
- The space used for *exclusionary* time-out must be clean, safe, sanitary, and appropriate for the purpose of calming;
- *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.

Seclusion

603 CMR 46.02 defines seclusion as: The involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving.

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 Massachusetts.

Role of Parents

SSCPS encourages the involvement of parents in all aspects regarding restraint and behavior support strategies. Parents will be notified of all restraints in the timeframe mentioned in the reporting section of this document. SSCPS may request that the parents attend a planning meeting if restraint or time-outs are reoccurring. Additionally, parents may request a meeting to discuss concerns with the use of time-out and restraint in regards to their child.

Complaints

Complaints and investigations regarding restraint practices should be made orally or in writing to the Director of Learning Services.