

JKAA PHYSICAL RESTRAINT AND BEHAVIOR SUPPORT

This policy complies with the revised physical restraint regulations at 603 CMR 46.01 et seq., effective on January 1, 2016.

The Oxford Public Schools is committed to maintaining a safe, secure and orderly school climate which supports academic achievement while respecting the rights of the individuals comprising the school community. Maintaining an orderly, safe environment conducive to learning is an expectation of all staff members of the school district. At times, physical restraint of a student may be necessary to protect that student or other individuals.

Physical restraint is defined as direct physical contact that prevents or significantly restricts a student's freedom of movement. Physical restraint shall be used only in emergency situations of last resort, after other lawful and less intrusive alternatives have failed or been deemed inappropriate, and with extreme caution. Physical restraint shall only be used when needed to protect a student and/or a member of the Oxford Public Schools community from assault or imminent, serious, physical harm. Furthermore, any such physical restraint shall be administered so as to prevent or minimize any harm to the student.

This policy shall be reviewed annually and provided to the Oxford Public Schools staff and made available to the Parents of enrolled students. Nothing in this policy precludes any teacher, employee, or agent of the Oxford Public Schools from using reasonable force to protect students, other persons, or themselves from assault or imminent, serious, physical harm.

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

A. Individual crisis planning/ Crisis Intervention Plans: When students present as being in crisis or aggressive, their case will be discussed with the Building Based Team (BBT) to determine a plan of action and appropriate staff will be identified to implement the plan. This plan may include, but is not limited to, a functional behavior assessment, clinical assessment, a behavior intervention plan, safety plan, and/or support from related service providers.

B. De-Escalation Techniques: Verbal or non-verbal de-escalation strategies are implemented when a student is showing signs of agitation, anxiety, and defiance. These behaviors may include shutting down, pacing, work refusal, inappropriate verbalizations, and destroying academic materials. The de-escalation response is to offer assistance, a break, space and quiet time to calm down, setting clear limits, or providing other positive choices to the current behavior.

Methods for Engaging Parents.

Any parent with concerns about the use of physical restraint at any school within Oxford Public Schools may request a meeting with the building Principal, Director of Special Education and Student Services or the Superintendent to discuss such concerns. Any individual who believes that a physical restraint of a student may have been unwarranted or conducted inappropriately may also make use of the Grievance Procedure described below.

Alternatives to Physical Restraint and Methods of Physical Restraint

A. Alternatives

Physical restraint shall not be used unless the following, less intrusive behavior interventions and supports have been unsuccessful or deemed inappropriate by school staff:

- Positive behavioral interventions
- Verbal redirection
- Verbal directive to cease behavior
- Opportunity for a break
- De-escalation techniques
- Loss of earned tokens/rewards/privileges
- Opportunity for time-out

B. Methods of Physical Restraint

Physical restraint shall not be used as a means of discipline or punishment; if the student cannot be safely restrained due to medical contraindications which have been documented by a licensed physician and provided to the District; as a response to property destruction, disruption, refusal to comply with rules or staff directives, or verbal threats when those actions do not constitute a threat of assault or imminent, serious, physical harm. Physical restraint shall not be used as a standard response for any individual student. Physical restraint is an emergency procedure of last resort.

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 an 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 to continue the restraint based upon the student's continued agitation. All physical restraints shall be administered in compliance with 603 CMR 46.00.

Description of Physical Restraint Hold Used by District: All staff members conducting restraints are trained by personnel certified by the District's training agency. The District only supports restraints supported by the training agency.

Prohibited Forms of Restraint.

A. Medication restraint, mechanical restraint, prone restraint, and seclusion restraint, as defined in 603 CMR 46.02, are prohibited in the Oxford Public Schools.

B. Any form of physical restraint used in a manner inconsistent with 603 CMR 46.00 is prohibited in the Oxford Public Schools.

Staff Training, Physical Restraint Reporting, and Follow-Up Process.

A. Staff Training

All staff/faculty will receive training regarding the District's physical restraint policy within the first month of each school year, and employees hired after the school year begins will receive training within one month of starting their employment.

Required training for all staff will include review of the following:

- Oxford Public Schools Physical Restraint and Behavior Support Policy
- School building-level physical restraint procedures, including the use of time-out as a behavior support strategy;
- The role of the student, family, and staff in preventing physical restraint;
- Interventions which may preclude the need for restraint, including de-escalation of problematic behaviors and alternatives to restraint;
- When in an emergency, the types of permitted physical restraints and related safety consideration, including information regarding the increased risk of injury to a student when any restraint is used;
- Identification of Oxford Public Schools' staff who have received in-depth training (as set forth below) in the use of physical restraint.

B. In-Depth Training

1. At the beginning of the school year, the building Principal and Director of Special Education and Student Services will identify those designated staff who will participate in in-depth training and who will then be authorized to serve school-wide resources to assist in ensuring proper administration of physical restraint.
2. Designated staff members shall participate in at least sixteen (16) hours of in-depth training in the use of physical restraint, with at least one refresher training annually.
3. In-depth training will include:
 - a. 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;
 - b. 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 the use of restraint is warranted;
 - c. 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;
 - d. Instruction regarding documentation and reporting requirements and investigation of injuries and complaints;
 - e. Demonstration by participants of proficiency in administering physical restraint; and
 - f. Instruction regarding the impact of physical restraint on the student and family, including but not limited to psychological, physiological, and social-emotional effects.

C. Physical Restraint Reporting

1. Report to Building Principal:
 - a. Staff shall verbally inform the Principal of any physical restraint as soon as possible, and by written report within one (1) school day.
 - b. The Principal or designee shall maintain an ongoing record of all reported instances of physical restraint.

2. Report to Parent(s) of Physically Restrained Student:
 - a. The Principal or designee shall make reasonable efforts to verbally inform the student's Parent of the physical restraint within twenty-four (24) hours.
 - b. The Principal or designee shall provide the Parent a written report of the physical restraint within three (3) school days. This written report may be provided via email, if the Parent has provided the District with an email address.
 - c. The Parent and/or student may respond to the Principal or designee to comment on the use of the physical restraint and the information in the written report. The Parent and/or student may also pursue the Grievance Procedure described below.

3. Report to Department of Elementary and Secondary Education (DESE):
 - a. Whenever a physical restraint results in injury to the student or any school community member, the District shall send a copy of the written report to DESE within three (3) school days. The District will also comply with whatever additional requirements are promulgated by DESE.
 - b. Oxford Public Schools shall also report physical restraint data annually to DESE, as directed by DESE.

4. Report to Law Enforcement and Other Agencies:
 - a. Nothing in this policy prevents any individual from reporting a crime to the appropriate authorities;
 - b. Nothing in this policy prevents any individual from exercising their responsibilities as a mandated reporter under M.G.L, c. 119, §51A.

5. Contents of Written Report
 - a. The written report of any physical restraint shall include:
 - i. Name of the student; name(s) and job title(s) of staff who administered the physical restraint, and observers, if any; the date, time restraint began, and the time that restraint ended; the name of the Principal or designee who was verbally informed following the restraint, and who approved continuation of the restraint beyond twenty (20) minutes, if applicable.
 - ii. A description of the activity in which the restrained student and other students and staff in the vicinity were engaged immediately preceding the use of the physical restraint; the behavior that prompted the restraint; the efforts made to prevent escalation of behavior, including specific de-escalation strategies used; alternatives to restraint that were attempted; and the justification for initiating physical restraint.
 - iii. A description of the administration of the restraint including the holds used and reasons such holds were necessary; the student's behavior and reactions

during the restraint; how the restraint ended; and documentation of injury to the student and/or staff, if any, and any medical care provided.

iv. Information regarding any further action(s) that the school has taken or may take, including any consequences that may be imposed on the student.

v. Information regarding opportunities for the student's Parent(s) to discuss the administration of the restraint and any consequences with school officials.

b. Follow-Up Procedures

After a student is released from a physical restraint, staff shall implement follow-up procedures, including:

i. Reviewing the incident with the student to address the behavior that precipitated the physical restraint;

ii. Reviewing the incident with the staff member(s) who administered the physical restraint to ensure proper restraint procedures were followed; and

iii. Consideration of whether any follow-up is appropriate for students who witnessed the physical restraint, if any.

Building Principals Shall Implement Procedures for Period Review of Physical Restraint Data through two types of administrative reviews.

A. A weekly review of physical restraint data to identify individual students who have been restrained multiple times during the week, and if any such student(s) is identified, to convene a review team to assess the progress and needs of such student, with the goal of reducing or eliminating future restraint. The team will review and discuss the written restraint reports, analyze the factors that led to the restraint, consider the factors that may have contributed to the escalation of the behavior and develop a written action plane.

B. A monthly, administrative review of school-wide physical restraint data will be conducted. This review will consider patterns of restraints, number of restraints, duration of restraints and any injuries caused by restraints, and whether there is a need for additional staff training on restraint reduction and restraint prevention strategies.

Building Principals Shall Implement a Procedure for the Use of Time-Out.

A. Time-Out is defined as a behavioral support strategy, developed pursuant to 603 CMR 46.04(1), 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.

DESE's *Technical Assistance Advisory SPED 2016-1*, issued on July 31, 2015, provides the following additional definitions pertaining to time-out:

B. Inclusionary time-out: 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 well as a behavior support strategy which includes practices used by teachers as part of their classroom behavior support tools, such as planned ignoring, asking student to put their heads down, or placing a student in a different location within the classroom. These strategies, used to reduce external stimuli in the student's environment while keeping the student physically present and involved in

learning, have proven to be useful tools for classroom management. A student is not “separated from the learning activity” if the student is physically present in the classroom and remains fully aware of the learning activities. Inclusionary time-out does not include walled off “time-out” rooms located within the classroom; use of those is considered to be exclusionary time-out.

C. Exclusionary time-out: The separation of the student from the rest of the class either through complete visual separation or from actual physical separation. Exclusionary time-out is an intervention that should be reserved for use only when students are displaying behaviors which present, or potentially present, an unsafe or overly disruptive situation in the classroom. In such circumstances, the student may be directed to a separate setting for the purpose of helping the student to calm. In order to ensure that the student is receiving appropriate support, a school counselor or other behavioral support professional must be immediately available to the student in an exclusionary 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.

Such procedure shall include the process by which staff will obtain the Principal’s approval upon discussion with the Director of Special Education and Student Services for any time-out lasting longer than thirty (30) minutes. Such approval shall be based on the student’s continuing agitation.

Grievance Procedures.

This grievance procedure is established 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:

The complaint must be submitted in writing or on audiotape to the Director of Special Education and Student Services.

The Director of Special Education and Student Services will meet with the complainant within ten (10) school days of receipt of the complaint.

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 Special Education and Student Services and the Department of Elementary and Secondary Education.

A written report will be developed by the Director of Special Education and Student Services and provided to the complainant.

[Adopted - September 26, 2016]