PROCEDURES FOR PHYSICAL RESTRAINT

The Worcester Public Schools policy reflects the content of Chapter 69, section 1B, and Chapter 71, section 37G of the Massachusetts General Laws. The purpose of these laws is to ensure that every student participating in a Massachusetts public education program is free from the unreasonable use of physical restraint.

POLICY:

Worcester Public School personnel are required to ensure that every student is free from the unreasonable use of physical restraint. Physical restraint shall be used only in emergency situations, after other less intrusive alternatives have failed or been deemed inappropriate, and with extreme caution. School personnel shall use physical restraint with two 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 imminent, serious, physical harm; and
2. To prevent or minimize any harm to the student as a result of the physical restraint.

It is the policy of the Worcester Public Schools to comply with state law and the Massachusetts Department of Elementary and Secondary Education (DESE) physical restraint regulations, 603 CMR 46.00 et seq. ("Regulations"). The Regulations apply not only at school but also at school-sponsored events and activities, whether taking place on school property or in the community.

PROCEDURES:

Use of Restraint

Physical restraint may be used only in the following circumstances:

- As an emergency procedure of last resort when non-physical interventions have been ineffective or are deemed to be inappropriate under the circumstances; and
- The student's behavior poses a threat of assault or imminent, serious, physical harm to self and/or others.

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.

Prohibitions

Physical restraint is prohibited in the following circumstances:
As a means of discipline or punishment;
When a student cannot be safely restrained because it is medically contraindicated;
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 assault, or imminent, serious, physical harm; or
As a standard response to an individual student.

Referral to Law Enforcement or Other State Agencies

These procedures support the referral to law enforcement or other state agencies utilizing the Worcester Public Schools guidelines.

- School personnel have the right to report to appropriate authorities a crime committed by a student or other individual, including staff members;
- Law enforcement, judicial authorities or school security personnel may exercise their responsibilities, including the physical detainment of a student or other person alleged to have committed a crime or posing a security risk; or
- School personnel must exercise their responsibilities, as mandated reporters required to report abuse or neglect cases pursuant to the Worcester Public School Protocol.

PROPER ADMINISTRATION OF PHYSICAL RESTRAINT

Trained Personnel

It is the intent of the Worcester Public Schools to provide a safe, non-harmful behavior management system designed to aid staff members by maintaining the best possible care and welfare for agitated or dysregulated students even during their most violent moments. The first phase of the training will involve all staff in six hours of training in methods to de-escalate incidents of disruptive student behavior to ensure both student and staff safety. Only school personnel who have received the complete twelve hour Nonviolent Crisis Intervention training established by the Crisis Prevention Institute (CPI) shall administer physical restraint on students except in an emergency situation.

At the beginning of each school year, the principal or his/her designee shall identify staff to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. Such staff shall participate in in-depth training in the use of physical restraint.

- Whenever possible, the administration of a restraint will be witnessed by at least one adult who does not participate in the restraint.
- The training requirement will not preclude a teacher, employee or agent of a public education program from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.

Use of Force
A person using a physical restraint will use only the amount of force necessary to protect the student or others from physical injury or harm.

**Safest Method**

A person administering physical restraint will use the safest method available and appropriate to the situation subject to the safety requirements set forth in 603 CMR 46.05(5). Floor restraints, including prone restraints are prohibited with limited exceptions permitted by law.

**Safety Requirements**

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 continuously monitor the physical status of the student, including skin color and respiration.

A restraint shall be released immediately upon a determination by the staff member administering the restraint that the student is no longer at risk of causing imminent physical harm to him or herself or others.

If a student is restrained for a period longer than twenty (20) minutes, staff shall obtain the approval of the principal. Such approval shall be based upon the student’s continued agitation during the restraint justifying the need for continued restraint.

Staff shall 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.

Restraint shall be administered in such a way so as to prevent or minimize physical harm. If at any time during a physical restraint, the student demonstrates significant physical distress, the student shall be released from the restraint immediately, and school staff shall take steps to seek medical assistance.

Following the release of a student from a restraint, the school shall implement follow-up procedures. These procedures shall include:

- Reviewing the incident with the student to address the behavior that precipitated the restraint. Reviewing the incident with the staff person(s) who administered the restraint to discuss whether proper restraint procedures were followed and consideration of any follow-up is appropriate for students who witnessed the incident.
- Assessing the student by the school nurse.

**REPORTING REQUIREMENTS**

**Circumstances**

School/Program staff shall report the use of all physical restraint as specified in 603 CMR 46.06.
Informing the Principal

The school/program staff member who administered the restraint shall verbally inform the school/program administration of the restraint as soon as possible and by written report no later than the next school working day.

The written report shall be provided to the principal or the director of the school/program or his/her designee, except that the principal or director shall prepare the report if the principal or director has administered the restraint. The principal/director will forward a copy of this report to the appropriate Manager of Instruction and School Leadership.

The Manager of Instruction and School Leadership shall maintain all physical restraint reports in a permanent file, which may be made available for review by the Department of Elementary and Secondary Education, upon request.

Informing Parents

The principal or director of the school/program or his/her designee shall verbally inform the student's parents/guardians of restraints of all duration as soon as possible, and by written report postmarked no later than three (3) school working days following the use of restraint.

If the school/program customarily provides a parent/guardian of a student with report cards and other necessary school-related information in a language other than English, the written restraint report shall be provided to the parent in that language.

The principal, director or designee shall provide the student and the parent an opportunity to comment orally and in writing on the use of the restraint and on information in the written report.

Contents of the Report

The written report required by 603 CMR 46.06(2) and (3) shall include:

- The name of the student; the names and job titles of the staff who administered the restraint, and observers, if any:
  - the date of the restraint;
  - the time the restraint began and ended;
  - the name of the administrator who was verbally informed following the restraint; and, as applicable,
  - the name of the administrator who approved continuation of a restraint beyond twenty (20) minutes.

- A description of the activity in which the restrained students and other staff in the room or vicinity were engaged immediately preceding the use of physical restraint:
  - the behavior that prompted the restraint;
  - the efforts made to prevent escalation of the behavior, including specific de-escalation strategies used;
- alternatives to restraint that were attempted; and,
- the justification of initiating the restraint.

- 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;
  - documentation of injury to the student and/or staff, if any, during the restraint, and any medical care provided;
  - the outcome of those efforts, and
  - the justification for administering the extended restraint.

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

- Information regarding opportunities for the student’s parents to discuss with school officials the administration of the restraint, any consequences that may be imposed on the student, and any other related matter.

### Individual Student Review

The principal shall conduct a weekly review of restraint data to identify students who have been restrained multiple times during the week. With regard to any students identified, a review team(s) shall be convened as determined appropriate to assess the student’s progress and needs. In making this assessment, the team should consider the following:

- The written restraint reports submitted and any student/parent comments;
- Analysis of the circumstances leading up to the restraint;
- Consideration of factors leading up to the restraint, alternatives to restraint, de-escalation techniques, etc., with the goal of reducing/eliminating need for restraint in the future; and
- Agreement on a written plan of action.

### Administrative Review

The principal shall conduct a monthly review of school-wide restraint data. This review shall consider patterns of use of restraints; the number and duration of physical restraints school-wide; and, the number and types or injuries, if any, resulting from restraint. The principal shall also determine what actions are necessary and appropriate to reduce or eliminate future restraint, including but not limited to, modification of the school’s physical restraint prevention and management policy and/or additional staff training. The principal shall provide copies of the monthly review to the Manager of Instruction and School Leadership.

### Reports to the Department of Education

When a restraint has resulted in any injury to a student or a school/program staff member, the school/program shall provide a copy of the written report required by 603
CMR 46.06(4) to the Department of Elementary and Secondary Education no later than three (3) school working days of the administration of the restraint.

The school/program shall also provide the Department with a copy of the record of physical restraints maintained by the school/program administrator pursuant to 603 CMR 46.06(2) for the thirty (30)-day period prior to the date of the reported restraint.

The Department shall determine if additional action on the part of the public school/program is warranted and, if so, shall notify the public school/program of any required actions within thirty (30) calendar days of receipt of the required written report(s).

Every program shall collect and annually report data to DESE regarding the use of physical restraint in a manner and form directed by DESE.

**Students with Disabilities**

Physical restraint may not be used as a standard response for any individual student. Therefore, no written individual behavior plan or individualized education plan (IEP) may include use of physical restraint as a standard response to any behavior. Physical restraint is an emergency procedure of last resort. The Worcester Public Schools does not allow the use of medical, mechanical, and seclusion restraints.

**DEFINITION OF TERMS**

As used in 603 CMR 46.00, the following terms shall have the following meanings:

**Physical Escort:**
Temporary touching or holding, without 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.

**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 support student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing comfort, or physical escort.

**Public Education Program:**
Public schools, including charter schools, virtual schools, collaborative education programs, special education schools approved under 603 CMR 28.09, except as provided in 603 CMR 18.05(5)(h), and school events and activities sponsored by such programs.

**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 the devices were designed. Mechanical Restraint is PROHIBITED in public education programs.

**Seclusion Restraint:**
Involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. Seclusion is PROHIBITED in public education programs. Seclusion does not, however, include timeout, which is permitted.

**Time-Out:**
A behavioral support strategy in which a student temporarily separates from the learning activity or 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. The space used for time-out must be clean, safe, sanitary, and appropriate for the purpose of calming. Time-out shall cease as soon as the student is calm.

**Medication Restraint:**
The administration of medication for the purpose of temporarily controlling behavior. Medication Restraint is PROHIBITED in public education programs. Medical Restraint does not, however, include medication prescribed by a licensed physician and authorized by the parent for administration in the school setting.

**School Working Day:**
Any day or partial day that students are in attendance at the public education program for instructional purposes.
WORCESTER PUBLIC SCHOOLS
Written Report of Physical Restraint for Parents and School Record

Student ID: ___________________________ SASID: ___________________________
Student name: ___________________________ Date of Restraint: ___________________________
School/Program: ___________________________ Date of Report: ___________________________

Name of Staff Completing Report: ___________________________

Restraint began: ___________________________ AMPM
Restraint ended: ___________________________ AMPM

Restraint category: □ Less than 5 minutes □ Between 5 and 20 minutes □ More than 20 minutes

Staff administering restraint: ___________________________ Title: ___________________________
Staff administering restraint: ___________________________ Title: ___________________________
Staff administering restraint: ___________________________ Title: ___________________________

Name(s) of any observer(s) present:

Name(s) of any observer(s) present:

Name(s) of any observer(s) present:

Name(s) of any observer(s) present:

Was anyone injured during the restraint: □ No □ Yes

If yes please fill out and submit to DESE a Restraint Injury Report within 3 days of the restraint.

Name of principal or designee who was verbally informed as soon as possible after the restraint:
Name: ___________________________
Name: ___________________________

If applicable, name of principal or designee who approved continuation of the restraint beyond 20 minutes per 603 CMR 46.05(5)(c):

Name: ___________________________
Name: ___________________________

Subject Period:
□ Academic □ Enrichment □ Other:
□ Homeroom □ Lunch
□ Study Hall □ Recess

Activity the restrained student and other students and staff in the same room or vicinity were engaged in immediately preceding the use of physical restraint:

What efforts were made to prevent escalation of the behavior including specific de-escalation strategies?
□ Prompting/cueing □ Verbal Redirection □ Limit Setting
□ Offered Options/Choices □ Offered Coping Skills □ Allow Venting
□ Removed Audience □ Other: ___________________________

What alternatives to restraint were attempted?
□ CPI Supportive Stance □ Empathetic Listening □ Change of Setting
□ Change of Staff □ CPI Personal Safety Techniques/Disengagement Skills
□ Time-Out □ Other: ___________________________

COMPLETE WRITTEN REPORT IN (3) SCHOOL WORKING DAYS OF THE RESTRAINT
AND SEND COPY IMMEDIATELY TO DESE AND QUADRANT OFFICE.

Revised: April 6, 2016
What behavior prompted and justified the need to use restraint?

Student was screened by the School Nurse: Please check □ Yes or □ No

What is the justification for initiating physical restraint?
- □ To protect student from imminent, serious, physical harm
- □ To protect other student/staff from imminent, serious, physical harm

Additional Comment(s):

Describe the administration of the restraint including holds used and reasons such holds were necessary:

**CPI Legacy Restraints**

□ CPI Standing Hold
□ CPI Seated Hold
□ CPI Children’s Control Hold

□ CPI Team Control Position
□ CPI Transport Technique

Reason such hold(s) were chosen/necessary:

Describe the student’s well-being, behavior and reactions during the restraint and how it was monitored:

How did the restraint end?
- □ Determination by staff that student was no longer a risk to self or others
- □ Student indicated that they could not breathe
- □ Student observed to be in severe distress (i.e. - difficulty breathing, or sustained or prolonged crying)
- □ Restraint/hold could no longer be maintained safely
- □ Administrator (or designee) ordered restraint/hold to be released
- □ Law enforcement personnel arrived
- □ EMT/medical personnel arrived
- □ Other:

Name any injuries to the student and/or staff, if any, during the restraint and any medical care needed:

Name any further action(s) the school has taken or may take, including any consequences/discipline that may be imposed on the student:

What opportunities have been provided for the student’s parents to discuss with school officials the administration of the restraint, any consequences imposed on the student and any other related matter?

□ Parent notified by phone (within 24 hrs.) by (Name/Title):

Date: ____________________ Time: ____________________

Record any parent comments here:

□ Written report sent to parent within 3 school days (via email, U.S. mail, backpack, in person):

Date: ____________________ By (Name/Title): ____________________

□ Parent requested a meeting to discuss this incident.

Attention Parent/Guardian Section:
In accordance with these regulations, parents and/or guardians must receive an opportunity to comment orally and in writing on the use of the restraint and on information provided in the written report. Therefore, after review of this report if you wish to exercise this right, please contact your child's principal and/or designee to schedule a meeting to discuss this incident.
NOTE: This report is required to be submitted to the Department of Elementary and Secondary Education, Director of Program Quality Assurance Services, by a publicly funded education program if a physical restraint of a Massachusetts student results in an injury to a student or staff member. This report must be sent to the ESE within three (3) school working days of the administration of the restraint.

IDENTIFYING INFORMATION:
Name of School District, Charter School, Educational Collaborative or Approved Private Special Education Program:

Name of Student/Staff member Injured: __________________________ Date of restraint: ________________

Name of Student Restrained: __________________________ Age: _____ Gender: _____ Grade Level: _____

Student Date of Birth: __________________________

Does student currently receive special education services? Yes: [ ] No: [ ]

Date of this report: __________________________ Site of restraint: __________________________

This report prepared by: __________________________ Position: __________________________

Address: __________________________ Telephone: __________________________

Staff administering restraint:

Name: __________________________ Title: __________________________ Completed in-depth restraint training program: No [ ] Yes [ ]

Name: __________________________ Title: __________________________ Received prior restraint training: Yes [ ] No [ ]

Name: __________________________ Title: __________________________

Name of restraint methodology: __________________________

Observers (if any):

Name: __________________________ Title: __________________________

Name: __________________________ Title: __________________________

Reported by: __________________________ Title: __________________________

Administrator who was verbally informed following the restraint:

Name: __________________________ Title: __________________________

Reported by: __________________________ Title: __________________________

Parent who was informed of this restraint:

Name: __________________________ Telephone: __________________________

Called by: __________________________ Title: __________________________
Description of injury to student and/or staff and any medical or first aid care provided:

Was needed medical treatment sought promptly?

What hospital was student/staff taken to?

PRECIPITATING ACTIVITY:
Thorough description of activity in which the restrained and other students were engaged immediately preceding use of physical restraint:

Behavior that prompted and justified the restraint:

Thorough description of efforts made to prevent escalation of behavior and alternatives to restraint that were attempted:

DESCRIPTION OF PHYSICAL RESTRAINT:
Justification for initiating physical restraint (check all that apply):
- ☐ Non-physical interventions were not effective
- ☐ To protect student from imminent, serious, physical harm
- ☐ To protect other student/staff from imminent, serious, physical harm

Describe holds used and why such holds were necessary:

Student's behavior and reaction during restraint:

Time restraint began: ___________________________  Time restraint ended: ________________
CESSATION OF RESTRAINT:
How restraint ended (check all that apply):
☐ Determination by staff member that student was no longer a risk to himself or others
☐ Intervention by administrator(s) to facilitate de-escalation
☐ Law enforcement personnel arrived
☐ Staff sought medical assistance
☐ Other (describe):

FURTHER ACTION TO BE TAKEN: (Attach separate page if necessary.)
☐ The school will take the following action and/or disciplinary sanctions (check as many as apply):
☐ Review incident with student to address behavior that precipitated the restraint.
☐ Review incident with staff to discuss whether proper restraint procedures were followed.
☐ Consider whether follow-up is necessary for students who witnessed the incident.
☐ Conduct a local investigation of any complaint regarding this restraint (describe investigation procedures):
☐ Disciplinary action/sanctions taken by the program (describe):
☐ Contact with parents, responsible school district, other state agency (describe):

PARENT/GUARDIAN NOTIFICATION
Verbally informed of restraint on ____________________________ by teacher/administrator/other or documented attempts to contact verbally (describe):

Written report sent within 3 school working days of administration of restraint injury to parent/guardian on ____________________________ by (teacher/administrator/other) at the following address:
Parent/Guardian Name: ____________________________
Street Address: ____________________________
City, State, Zip code: ____________________________

☐ Sent in native language of the parent/guardian (language): ____________________________

Parent/guardian was offered opportunity to discuss with school officials the administration of restraint and consequences that may be imposed on the student. Results of discussion (Attach separate page if necessary):

☐ Please ensure the copy required by 46.06(2) of the log of all physical restraints for the 30-day period prior to the date of the reported restraint for all students in this program is attached to this report for ESE review. The log must indicate dates of each restraint, student initials and length of each restraint.