

Prevention of Physical Restraint and Requirements If Used

Effective January 1, 2016

MASSACHUSETTS DEPARTMENT OF
ELEMENTARY AND SECONDARY
EDUCATION



Session Outcomes:

1

- Review changes in restraint regulations including updated definitions and safety requirements

2

- Clarify the prohibition of the use of prone restraints

3

- Improve understanding of the difference between the use of time out and seclusion

4

- Provide guidance regarding new training, policy, and reporting requirements

2



Physical Restraint:

603 CMR
46.02

Physical Restraint

“Direct physical contact that prevents or significantly restricts a student’s freedom of movement.”

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*.”

*Physical escort is a temporary touching or holding, without the use of force, to help induce a student to walk to a safe location



Physical Restraint Is:

603 CMR
46.03(1)(c)

- ★ An emergency intervention –a student’s behavior must pose a threat of assault, or imminent, serious physical harm to self or others
- ★ A last resort –all methods of de-escalation have been attempted



Physical Restraint is a last resort and is not to be used:

As discipline or punishment

When the student cannot be safely restrained

As a response to noncompliance, property destruction, or verbal threats

As a standard response for any individual student.
Remove from IEPs and behavior plans

603 CMR
46.03(2)

Safety Requirements:

- Know students' medical and psychological limitations
 - Including known or suspected trauma history
- Make sure the student is able to breathe and speak
- * **If the student indicates that s/he cannot breathe the restraint must be stopped immediately***

603 CMR
46.05(5)



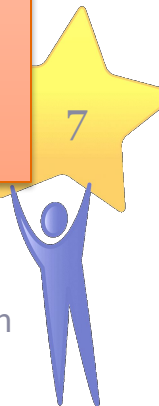
Safety Requirements:

- Monitor physical well-being, respiration, skin temperature, and color

If the student experiences physical distress -- release restraint and seek medical assistance immediately

603 CMR
46.05(5)

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Now Prohibited:

603 CMR
46.03(1)

- Mechanical Restraint
- Medication (Chemical) Restraint
- Seclusion
- **Prone Restraint**

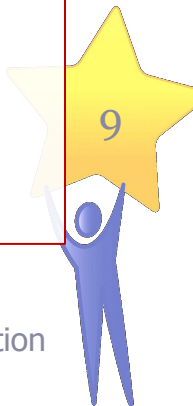


Seclusion:

603 CMR 46.02

Seclusion is the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving

Seclusion does not include the use of time out as defined in 603 CMR 46.02



Time-out:

603 CMR 46.02

Time-out is a behavioral support strategy

During a time-out, a student must be continuously observed by a staff member



Inclusionary 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 well as a behavior support strategy while allowing the student to remain fully aware of the learning activities of the classroom

Time-out advisory can be found at:
<http://www.doe.mass.edu/sped/advisories/2016-1ta.html>

Exclusionary Time-out

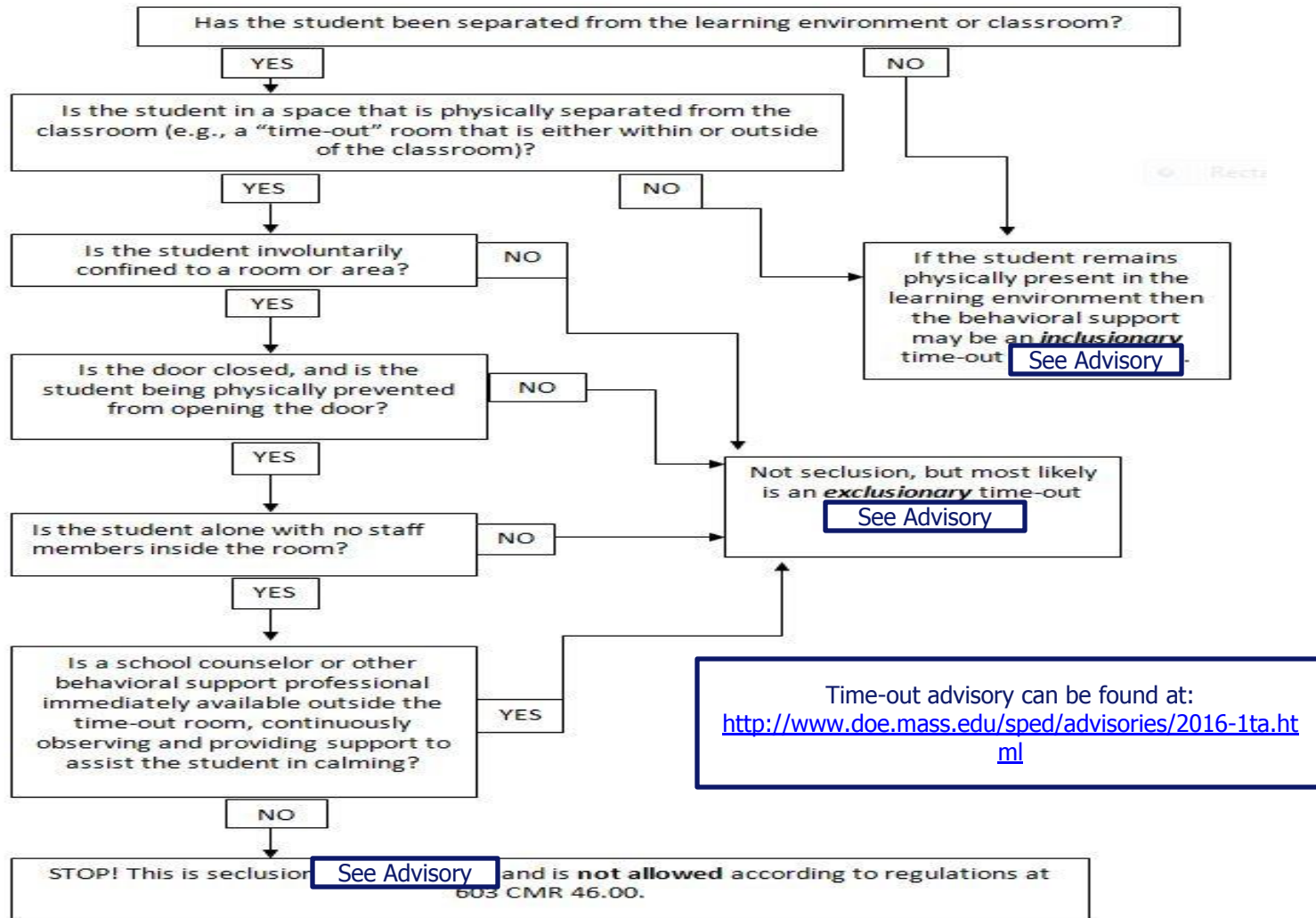
- ★ **Exclusionary** time-out as a staff- directed behavioral support should only be used when the student is displaying behaviors which present, or potentially present, an unsafe or overly disruptive situation in the classroom
- ★ **Exclusionary** time-out should not be used as a method of punishment for noncompliance, or for incidents of misbehavior that are no longer occurring.
- ★ During an **exclusionary** time-out:
 - ★ 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.

Time-out advisory can be found at:
<http://www.doe.mass.edu/sped/advisories/2016-1ta.html>



Time-out or Seclusion:

Exclusionary time-out vs. seclusion



Proper Administration of Physical Restraint:

603 CMR
46.05

- ★ Only trained school personnel shall administer restraint
- ★ Have an adult witness if possible
- ★ Use only the amount of force necessary to protect the student or others



Proper Administration:

603 CMR
46.05

- ★ Use the safest method. Only those who have received in-depth training may participate in a floor restraint
 - ★ –for prone, all required steps must be completed beforehand
- ★ Discontinue restraint ASAP or if the student indicates that s/he cannot breathe
- ★ Physical restraint must be stopped after 20 minutes unless the principal has been made aware of the situation and approves the continuation of the restraint



Restraint Training:

603 CMR
46.04(2)

Must occur within the first month of school each year and must incorporate prevention strategies including:

The role of student and family in preventing restraint

The program's restraint prevention policy

Pre-restraint interventions

Student histories

Trauma informed care

Positive behavioral supports to reduce restraint

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In-depth Training Must Include:

Procedures for preventing restraint

603 CMR 46.04(3)&(4)

Identification of specific dangerous behaviors that may lead to the use of physical restraint

The simulated experience of administering and receiving restraint

Instruction on how to monitor the person being restrained for physical signs of distress

In-depth Training Must Include:

Demonstrated proficiency in restraint techniques

Instruction about documentation and reporting

Instruction on the impact restraint has on the student and family

603 CMR 46.04(3)&(4)



When is Parental Consent Required?

- ★ Restraint is an emergency intervention and does not require consent

603 CMR
46.03(1)(b)(5)
And 46.03(1)(c)



Notification and Reporting Requirements:

603 CMR
46.06

School principal must be notified immediately

Principal or designee notifies parents

Principal conducts weekly review of individual restraint data

Principal conducts monthly review of school-wide restraint data

All injuries sustained during a restraint must be reported to DESE

Every program collects and reports all restraint data to DESE annually

Parental Notification Requirements:

603 CMR
46.06

- ★ Parents **MUST** be notified within 24 hours
- ★ Written report emailed or sent within three working days of the restraint
- ★ Parents must be given an opportunity to provide feedback about the restraint



Written Report Must Contain:

- ★ Name of the student
- ★ Name and title of staff members involved
- ★ Observers
- ★ Date of restraint
- ★ Principal who was informed and if necessary approved the extension beyond 20 minutes

603 CMR
46.06(4)



Written Report Must Contain:

- ★ Information about imposed consequences
- ★ Justification for restraint
- ★ Description of antecedent activity
- ★ Behavior prompting restraint
- ★ De-escalation efforts
- ★ Alternatives attempted

603 CMR
46.06(4)



Written Report Must Contain:

- ★ Holds used
- ★ Documentation of injury (if any) and medical care provided
- ★ How the restraint ended
- ★ Information regarding opportunities for parents to discuss the restraint and the report

603 CMR
46.06(4)



Douglas Public Schools Restraint Policy

The current policy can be found here for review:

<https://z2policy.ctspublish.com/masc/browse/douglaset/douglas/JKAA>

This policy is currently being reviewed for needed updates.

