



# Lawrence Public Schools

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### Summary

This criteria is being promulgated in compliance with Massachusetts Department of Education Regulations (603 CMR 46.00 as promulgated by the Board of Education pursuant to M.G.L. c. 69, § IB and c. 71, § 37G), **as revised and adopted on December 16, 2014**, regarding the use of physical restraint in the public school setting. **Implementation of the revised regulations will take effect on January 1, 2016.**

The Lawrence Public Schools is committed to the use of de-escalation techniques as a means of resolving difficult situations; however, there are situations where these techniques may not be effective in resolving the situation and there will be a need for further intervention, such as physical escort or physical restraint. **Physical restraint will only be used in emergency situations, as a last resort, after all other less intrusive alternatives have failed or been deemed inappropriate and a student's behavior poses a threat of assault, or imminent, serious, physical harm to self or others.** The goal of any physical restraint is to prevent or minimize any harm to students or staff using the least amount of force **to control the situation.** The scope of this physical restraint policy extends to all public schools, school programs, and school-sponsored events and activities. At no time, will students in the Lawrence Public Schools be subjected to mechanical, **medication, prone**, or seclusion restraints.

It should be noted that nothing in 603 CMR 46.00 precludes any 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.

### Definitions

- (1) Physical escort: **The 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.**
- (2) 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.**
- (3) Extended restraint: A physical restraint with duration of more than **twenty (20)** minutes.
- (4) Time Out: **A behavioral support strategy in which a student is temporarily separated from the learning activity or the classroom, either by**



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**choice or by direction from staff, to an appropriate space for the purpose of calming.**

### **Procedures for Addressing Student Behavior**

The Lawrence Public Schools has a comprehensive Discipline Code, which outlines a range of developmentally appropriate consequences for inappropriate student behavior. The procedures and consequences in the Discipline Code are reviewed annually and revisions are made as necessary. This code is reviewed with students and parents annually. Copies of the code are made available to all parents of enrolled students. In addition to the Discipline Code, there are procedures in place for addressing self-injurious or potentially dangerous student behavior.

When a staff member determines that or is made aware of student behavior which is violent, self-injurious, suicidal, or escalating to a potentially dangerous level, the following actions are to be taken:

- (1) Staff member immediately notifies the school administrator.
- (2) The BEST (Behavioral Emergency Support) Team is to be dispatched to the student's location to support the staff member and assist in containing the student's behavior from further escalation.
- (3) BEST Team members will escort the student to a quiet location to de-escalate the behavior or initiate a referral for an emergency evaluation. Parent or Guardian will be notified of the situation and advised of the action to be taken.
- (4) If the student refuses to go with the BEST Team to a quiet location, then the BEST Team members will remain with the student while the reporting staff member removes other students from the immediate vicinity. The de-escalation or referral process will proceed as noted in Step 3.
- (5) If the behavior of the student is violent, self-injurious, or suicidal, then all necessary measures, including physical restraint or police involvement, will be taken to ensure the safety of the student and all other school community members. In this case, the Counselor and/or School Nurse will contact the **Lawrence Emergency Services Crisis Team** to consult relative to the child's clinical presentation and the need for an emergency evaluation.

**The district also endorses the use of the following programs and strategies for addressing student behavioral issues in a proactive manner in order to minimize the chance that behavior will escalate to the point where a student's behavior poses a threat to self or others. The following programs are options:**

- (1) **Crisis Prevention Institute's (CPI) Nonviolent Crisis Intervention Training provides staff with methods to de-escalate student behavior;**



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- (2) Positive Behavioral Interventions and Supports (PBIS) provide a school-wide tiered system of supports and strategies to address student behavior across all school settings ranging from whole school expectations to individual student plans;
- (3) Trauma Informed Care provides staff with a better understanding of the needs of students who have a history of trauma and how that history may be influencing the behaviors that are being displayed in the school setting;
- (4) Restorative Justice works to empower students to talk about and solve problems they face in an appropriate manner and setting;
- (5) Social Emotional Learning (SEL) is a process through which children and adults acquire and effectively apply the knowledge, attitudes, and skills necessary to understand and manage emotions, set and achieve positive goals, feel and show empathy for others, establish and maintain positive relationships, and make responsible decisions.

Individual schools may select from this list or identify another program to provide staff with the skills to support students who are exhibiting difficulty and aggressive behaviors.

### Procedures for Use of a Physical Escort

The Lawrence Public Schools views physical escort as a means to support a student, who would benefit from removing themselves from a situation or setting in which they are experiencing an increased level of agitation in an effort to reduce the risk of escalation to destructive or aggressive behavior. A physical escort should be employed as follows:

- (a) A staff member requests that the student use the option to leave the classroom or setting to go to the office or counselor to calm down;
- (b) Staff member employs a temporary touch or hold, without the use of force, on the student's hand, wrist, arm, shoulder, or back to support the student as they walk to a safe location.
- (c) Upon reaching the safe location, the staff member releases the touch or hold and student is allowed to enter the location and meet with the appropriate staff member to address the cause of his/her agitation; and
- (d) The staff member(s) who provided the physical escort completes the Physical Restraint/Physical Escort Form to document the physical escort.

### Procedures for Use of Time Out

Providing students with a short time out is a behavioral support strategy in which a student is temporarily separated from the learning activity or the classroom, either by choice or by direction from staff, to an appropriate space for the purpose of calming down. The space is



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to be safe, clean, sanity, and appropriate for calming down. Time out should be employed as follows:

- (a) A staff member offers the student the option for a time out so they can calm down in order to rejoin the activity – the time out may be either in the classroom or another location depending upon the situation;
- (b) If the student will be leaving the classroom to another location, he/she will be escorted to that location by a staff member;
- (c) Upon reaching the time out location, the student enters the space and can use any resources in the space to assist him/her in calming down;
- (d) During the time out, a staff member must continuously monitor the student and be immediately available to the student at all times;
- (e) Time out should be less than thirty (30) minutes, unless the Principal approves a longer time period due to the student's situation;
- (f) The time out ceases as soon as the student is calm and able to rejoin the activity with his/her peer group; and
- (g) The staff member who has monitored student in the time out space completes a Time Out Log to document the time out.

### Procedures for Administering Physical Restraint

(1) Physical restraint may be used only in the following circumstances: (a) the student's behavior poses a threat of imminent, serious, physical harm to self and/or others; and (b) **de-escalation and all other non-physical or less intrusive interventions have failed or been deemed inappropriate.**

(2) 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.

(3) Physical restraint is prohibited in the following circumstances: (a) as a means of **discipline or punishment**; (b) 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; (c) **when a student cannot be safely restrained because it is medically contraindicated for reasons including: asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting; or (d) as a standard response for an individual student (i.e.: cannot be part of a student's behavior plan or IEP) .**

(4) When physical restraint is necessary, the following is the hierarchy of restraints which are



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allowed to be used in the Lawrence Public Schools:

- (a) One Person Standing Basket Hold: Staff member stands with the student in front of them facing away from the staff member. Staff member holds the student's arms and upper body. Student is standing with head upright and arms are across the torso.
- (b) Two Person Standing Hold: Staff members stand on either side of the student facing the same direction as the student. Staff members hold the student by the shoulder and wrist. Student is standing with head upright and arms out from sides.
- (c) One Person Standing Hold: Staff member stands behind the student and wraps arms around the child securing the student's arms by their side. If the student is banging his/her head, then the staff member turns the student's head to one side and holds it to their chest. Student is standing with head upright (or turned to one side) and arms hanging down by their side.
- (d) One Person Seated Basket Hold: Staff member is seated on the floor behind the student with the student facing away from the staff member. Staff member holds the student's arms, upper body, and legs. Student is sitting with head upright, arms across the torso, and legs out in front of him/her.
- (e) One Person Chair Aided Basket Hold: Staff member is positioned behind the chair, securing the student in the chair. Staff member holds the student's arms and upper body. Student is seated with head upright, arms across the torso, and legs hanging down off the chair.
- (f) Two Person Seated Basket Hold: One staff member is seated on the floor behind the student with the student facing away from the staff member. This staff member holds the student's arms and upper body. The second staff member is kneeling in front of the student, holding the student's legs securely. Student is sitting with head upright, arms across the torso, and legs out in front of him/her.
- (g) Two Person Chair Aided Basket Hold: One staff member is positioned behind the chair, securing the student in the chair. This staff member holds the student's arms and upper body. The second staff member is kneeling in front of the student, holding the student's legs securely. Student is seated with head upright, arms across the torso, and legs hanging down off the chair.
- (h) Two Person Hurdler Hold: Staff members are seated on either side of the student while he/she is lying on the floor. Staff members hold the student by the shoulder and



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wrist. Student is lying with head to one side, arms out from sides, and legs stretched out flat.

- (i) Two Person Hold Down: One staff member is kneeling off to one side of the student, or straddling the student on knees, while he/she is lying **supine** on the floor. This staff member holds the student's arms while the second staff member, in the same position, holds the student's legs. Student is lying with head to one side, arms by his/her sides, and legs stretched out flat. (Note: no student with a history of sexual abuse may be straddled during the administration of this restraint.)
- (j) One Person Hold Down: Staff member is kneeling off to one side of the student, or straddling the student on knees, while he/she is lying **supine** on the floor. Staff member may also lay across the student resting on elbows to keep body weight off the student. The staff member primarily holds the student's arms and upper body; however, head and legs may be secured if student is banging his/her head or kicking his/her legs. Student is lying with head to one side, arms by his/her sides, and legs stretched out flat. (Note: no student with a history of sexual abuse may be straddled during the administration of this restraint.)

(5) Nothing in this policy or the Department of Elementary and Secondary Education regulations shall prohibit a referral to law enforcement or other state agencies in conjunction with a physical restraint for individuals involved in any criminal activity or suspected abuse or neglect. Examples of the types of situations that may require a report to law enforcement of other state agencies include:

- (a) A criminal act committed by a student or other individual;
- (b) The physical detainment by law enforcement, judicial authorities, or school safety personnel exercising their responsibilities of a student or other person alleged to have committed a crime or posing a security risk;
- (c) The mandated reporting of suspected neglect or abuse pursuant to MGL c. 119, § 51A.

### **Proper Administration of Physical Restraint**

(1) Only school personnel who have received training **on the allowable restraints**, as described above, shall administer physical restraint on students. Whenever possible, the administration of a restraint shall be conducted by two staff members and witnessed by at least one staff member, who does not participate in the restraint. The training requirements in this policy shall not preclude a teacher, employee or agent of a public school program from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.



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(2) The staff member administering a physical restraint shall use only the amount of force necessary to protect the student or others from physical injury or harm.

(3) The staff member administering physical restraint shall use the safest method available and appropriate to the situation subject to the safety requirements. Floor (**supine**) restraints shall be prohibited unless the staff member administering the restraint has received in-depth training as described above and, in the judgment of the trained staff member; such method is required to provide safety for the student or others present.

(4) The staff member administering physical restraint shall discontinue such restraint as soon as safely possible. If, due to unusual circumstances, a restraint continues for more than **twenty (20) minutes**, it shall be considered an "extended restraint" for purposes of the reporting requirements to the Department of Elementary and Secondary Education. **No restraint may exceed twenty (20) minutes without prior approval from the Principal.** Since extended restraints increase the risk of injury, additional written documentation is required.

(5) All restraints shall be administered in such a way so as to prevent or minimize physical harm. 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 **temperature**, color, and respiration. 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 seek immediate medical assistance.

(6) 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/herself or others.

(7) School administration and staff shall review and consider any known medical or psychological limitations, **trauma history**, and/or behavioral intervention plans regarding the use of physical restraint on an individual student.

### **Restraint Follow-Up Procedures**

Following the release of a student from a restraint, the following steps must be taken:

- (a) The student must be immediately examined by the school nurse to document their physical condition and any injuries that may have resulted from the restraint.
- (b) The staff member(s) who administered the restraint must verbally notify the Principal of the restraint as soon as possible after the restraint is completed.



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- (c) **The staff member(s) who administered the restraint must be examined by the school nurse right after the student is examined to document their physical condition and any injuries that may have resulted from the restraint.**
- (d) The Principal or counselor must review the incident with the student following medical clearance prior to any disciplinary action being taken. This review must address the behavior that precipitated the restraint and the completion of a restraint summary by the student.
- (e) The Principal and impacted staff members shall make an assessment of whether or not there is a need for any follow-up for students who witnessed the incident.
- (f) The staff member(s) who administered the restraint must submit a written report about the restraint to the Principal no later than the next school working day. **The Principal will follow up with the staff member to review and discuss whether restraint procedures used.**

### Reporting Requirements

- (1) **Every restraint must be reported using the Physical Restraint/Physical Escort Form. A copy of this form is to be sent to the Assistant Superintendent's Office within 24 hours and the original maintained at the school or program office.**
- (2) **Every restraint, starting on January 1, 2016, must be entered into the Department of Elementary and Secondary Education's data reporting tool by each school or program and submitted to the Assistant Superintendent's Office on the last day of the month, so a composite file can be compiled for the district for submission to the Department at the end of the school year.**
- (3) **Any restraint resulting in any injury to a student or staff must be reported to the Department of Elementary and Secondary Education within three (3) school working days. The completed written report form for the specific restraint, along with the log of all physical restraints for the school for the 30 day period prior to the date of the reported restraint must be sent to the Department. If the Department determines additional action by the program is warranted, they will notify the program within 30 calendar days.**
- (4) The staff member who administered the restraint must verbally inform the Principal of the restraint as soon as possible and by written report no later than the next school working day. In the event that the Principal has administered the restraint, he/she shall prepare the report.
- (5) The Principal shall maintain a log of all physical restraints, which shall be made available for review by the Department **or parent**, upon request.
- (6) The Principal shall verbally inform the student's parents or guardians of the restraint as soon as possible, **but no later than 24 hours after the restraint, and by written report emailed to the email addressed provided by the parent for communication or postmarked no**



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**later than three (3) school working days following the use of restraint.** When the parent or guardian normally receives communication from the school in a language other than English, then the written restraint report shall be provided to the parent or guardian in that language. The written restraint report shall include:

- (a) **The name of the student** and 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; and the name of the Principal who was verbally informed following the restraint, **and if applicable, the name of the Principal who approved the continuation of the restraint beyond twenty (20) minutes.**
- (b) A description of the activity in which the restrained student and other students and staff in the same room or vicinity were engaged immediately preceding the use of physical restraint; the behavior that prompted the restraint; the efforts made to de-escalate the situation; alternatives to restraint that were attempted; and the justification for initiating physical restraint.
- (c) 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, during the restraint and any medical care provided.
- (d) For extended restraints, the written report shall describe the alternatives to extended restraint that were attempted, the outcome of those efforts and the justification for administering the extended restraint.
- (e) Information regarding any further action(s) that the school has taken or may take, including any disciplinary sanctions that may be imposed on the student.
- (f) Information regarding opportunities for the student's parents or guardians to discuss with school officials the administration of the restraint, any disciplinary sanctions that may be imposed on the student and/or any other related matter.

**(7) 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. If such students are identified, the Principal shall convene one or more review teams, as deemed appropriate, to assess each student's progress and needs. The assessment shall include at least the following:**

- (a) **A review and discussion of the written reports submitted and any comments provided by the student and parents about the reports and use of the restraints;**
- (b) **An analysis of the circumstances leading up to each restraint, including factors such as: time of day, day of the week, antecedent events, and individuals involved;**
- (c) **Consideration of factors that may have contributed to the behavioral escalation and of alternatives to restraint, including de-escalation techniques and possible interventions, and such other strategies and decisions as appropriate, with the**



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- goal of reducing or eliminating the use of restraint in the future; and
- (d) Agreement on a written plan of action by the school or program.
- (e) If the principal directly participated in the restraint, the Superintendent's designee shall lead the review team's discussion.

**(8) Administrative Review:** The Principal shall conduct a monthly review of school-wide restraint data to 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 individuals involved; and the number and type of injuries, if any, resulting from restraint. The Principal shall determine whether it is necessary or appropriate to modify the school's restraint prevention and management protocols, conduct additional staff training on restraint reduction/prevention strategies, or take such other action as needed or appropriate to reduce or eliminate restraints in the future.

### Training

(1) Each principal or program director shall determine a time and method to provide all program staff with training regarding the district's restraint policy. Such training shall occur within the first month of each school year and, for employees hired after the school year begins, within a month of their employment. Training shall include:

- (a) A comprehensive review of the district's restraint policy and procedures;
- (b) A review of the school or program's methods for preventing student violence, self-injurious behavior, including individual crisis planning and de-escalation of potentially dangerous behavior occurring with an individual student or among groups of students;
- (c) A description and explanation of the school or program's alternatives to physical restraint and the use of physical restraint solely as an emergency procedure;
- (d) Methods for engaging parents in discussions about restraint prevention and the use of physical restraint solely as an emergency procedure;
- (e) A description of the training requirements needed to be able to implement a physical restraint;
- (f) The requirements and procedures for: reporting restraints to parents and DESE, post restraint reviews, receiving and investigating restraint practices, and the periodic review of data and documentation on the use of physical restraints;
- (g) The procedure for making reasonable efforts to notify a parent of the use of restraint on a student within 24 hours of the restraint and written notification follow up to the parent within three (3) school working days through an email



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- address provided by the parent for the purpose of communication or by regular mail postmarked within three (3) school working days of the restraint; and
- (h) The procedure for the use of time-out as a behavioral support strategy.**

(2) At the beginning of each school year, the Principal for each school or program shall identify staff that are authorized 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. The Lawrence Public Schools will utilize the National Crisis Prevention Institute's Program (CPI) as the training model in order address the Department of Elementary and Secondary Education's recommendation for at least sixteen (16) hours of initial training on physical restraint and an annual refresher training thereafter.

(3) The in-depth training for staff shall include, but not be limited to:

- (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) Instruction regarding the impact of physical restraint on the student and family, recognizing that the act of restraint has impact, including but not limited to: psychological, physiological, and social-emotional effects;**
- (c) A description and identification of dangerous behaviors on the part of students that may indicate the need for physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted;
- (d) 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;
- (e) Instruction regarding documentation and reporting requirements and investigation of injuries and complaints; and
- (f) Demonstration by participants of competency and proficiency in administering physical restraint.

LEGAL REF: 603 CMR 46.00; 18.00

*Original adoption: 9/01*

*1<sup>st</sup> Reading: 9/01; as revised 9/06*

*2<sup>nd</sup> Reading: 9/01; as revised 9/06*

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*Proposed Reconsideration: 6/2020*

