

GREATER LOWELL TECHNICAL HIGH SCHOOL



ANNUAL REVIEW OF RESTRAINT LAWS AND REGULATIONS

MASSACHUSETTS GENERAL LAW

REGARDING "REASONABLE FORCE"

In accordance with M.G.L. C71 and 37G (b) any staff member may use "reasonable force as is necessary to protect pupils, other persons and themselves from an assault by a pupil."

GREATER LOWELL TECH

RESTRAINT POLICY

The Greater Lowell Technical High School is committed to maintaining an orderly, safe environment that is conducive to learning. All students of the district are protected by law from the unreasonable use of physical restraint.

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. A verbal notice to the parent /guardian of the use of restraint must be given within (24) hours followed by a written notice within three school working days. As defined on 603CMR 46.02:

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.

Greater Lowell Tech Restraint Policy (cont)

- ▶ **Extended Restraint:** A physical restraint the duration of which is more than twenty (20) minutes. Staff must obtain approval of the Assistant Superintendent–Principal or Designee.
- ▶ **Time out:** A behavioral support strategy developed pursuant to 603CMR46.04(1) in which the student temporarily separates from the learning activity or the classroom, either by choice or by direction from staff for the purpose of calming. Staff is present, continuously observing the student. Staff must obtain Principal approval to extend timeout longer than 30 minutes.
- ▶ **Physical Escort:** A temporary touching or holding, 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.

GREATER LOWELL TECH

RESTRAINT POLICY (CONT.)

The following are prohibited in public education programs:

Seclusion restraint: 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 a time-out as defined in 603CMR 46.02

Medication restraint: The administration of medication for the purpose of temporarily controlling behavior. Medication prescribed by a licensed physician and authorized by the parent for administration in the school setting is not medication restraint.

Mechanical restraint: The use of any device or equipment to restrict a student's freedom of movement.

Prone Restraint: Physical restraint in which the student is placed facedown on the floor or another surface, and physical pressure is applied to the student's body to keep the student in the face down position. * See 603 CMR 46.03(1)(b) 1-5 where use may be acceptable.

GREATER LOWELL TECH

RESTRAINT POLICY (CONT.)

Physical restraint is prohibited as a means of punishment or as a response to destruction of property or school disruption, including a student's refusal to comply with a school rule, staff directive or verbal threats that do not constitute a threat of imminent, serious physical harm. **Regulation 46.03(2)**

Ultimately staff should employ physical restraint only when other, nonphysical interventions have been tried and failed or are judged to be inadequate to the circumstances **Regulation 46.03(1)(b)** and a student's behavior poses a threat of assault or Imminent, Serious, Physical Harm to self and /or others.

Regulation 46.03(1)(C)

Each staff member will be trained regarding the district's physical restraint policy within in the first month of each school year; employees hired during the school year will be trained within thirty (30) days of their employment.

The Principal will identify staff members to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. These staff members will participate in an in-depth program in the use of physical restraint.

PROPER ADMINISTRATION OF PHYSICAL RESTRAINT

Regulation Section 46.05 and 46.05(5)

- ▶ Have an adult witness if possible.
- ▶ Use only the amount of force necessary to protect the student or others.
- ▶ Use the safest method. Do not use floor or prone restraints (if acceptable under 603 CMR 46.03(1)(b) 1-5) unless you have received in-depth training.
- ▶ Discontinue restraint ASAP or if the student indicates s/he cannot breathe

**Regulation
46.05(5)**

SAFETY REQUIREMENTS



- ▶ Make sure student is able to breathe and speak. If the student indicates that s/he cannot breathe the restraint must be stopped.
- ▶ Monitor physical well-being, monitor respiration, skin temperature and color.
- ▶ If student experiences physical distress -- release restraint and seek medical assistance immediately.
- ▶ Know students' medical and psychological limitations and behavior intervention plans, including known or suspected trauma history.

REGULATIONS DO NOT PROHIBIT OR LIMIT:

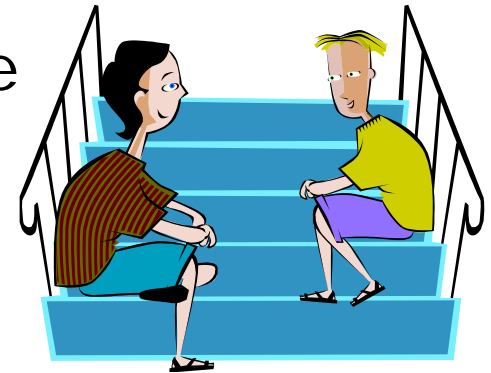
Regulation 46.03(4) and 46.01(4)

- ▶ The right to report a crime.
- ▶ Law enforcement, judicial authorities, or school security personnel from completing their responsibilities.
- ▶ Mandated reporting of neglect or abuse.
- ▶ The use of reasonable force to protect oneself, a student, or others.

FOLLOW-UP PROCEDURE: PREVENTION/LEARNING FROM THE EXPERIENCE

Regulation 46.05(5)(e)

- ▶ Following every restraint action taken, the circumstances should be discussed with the student, and with others, as appropriate.
- ▶ Ask: “How can we avoid this happening again?”



KEY REPORTING REQUIREMENTS

Regulation Section 46.06

- ▶ When to Report: (State Policy) Report the use of **all** restraints and any case of an injury (to student or staff). GLTHS Policy = Immediately Report all use of restraints to Senior Assistant Principal.
- ▶ Notify School Administration: Notify school administration as soon as possible, & provide written report by the next school working day.
- ▶ Notify Parents: The principal or his/her designee of the program notifies the parent, verbally as soon as possible (verbally within 24 hours) and by written report within 3 school working days.
- ▶ Students and parents must be allowed to comment.

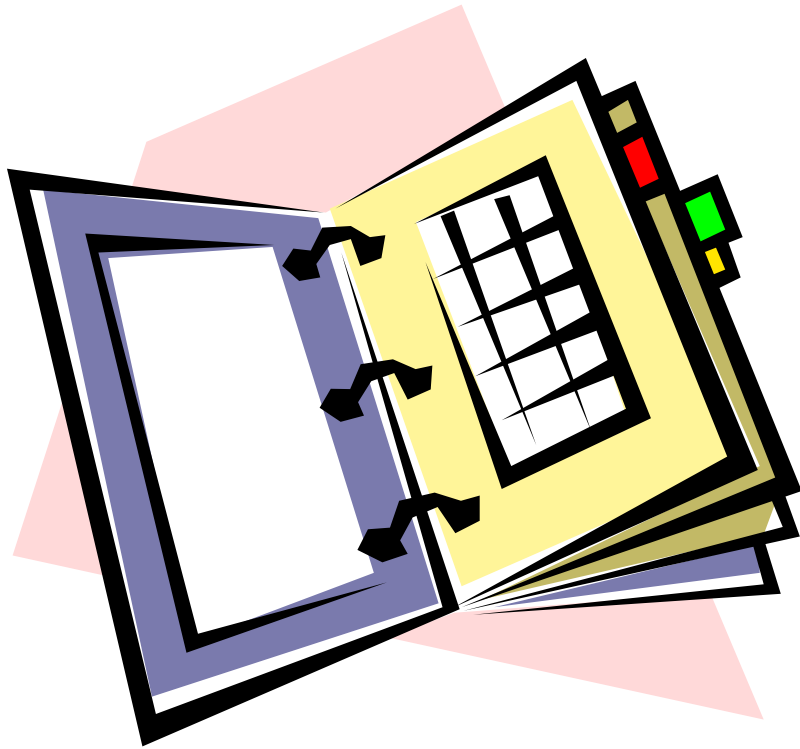
CONTENT OF WRITTEN REPORT

Regulation 46.06(4)

- ▶ Who was restrained? Who participated in the restraint? Observers? Who was informed and when?
- ▶ If longer than 20 minutes the name of the principal or designee who approved the continuation.
- ▶ When did the restraint occur? (date/time)
- ▶ What was happening before, during, and after the restraint? Describe alternative efforts attempted and the outcomes of those efforts. What behavior prompted the restraint? Describe the restraint – holds used and reasons for their use.
- ▶ Documentation of any injury to students or staff.
- ▶ Has the school taken, or will it take, any further actions, including disciplinary consequences?

KEY DATA KEEPING ASPECT: ONGOING LOG

Regulation 46.06(2)



- ▶ School district maintains a log of all reported instances of physical restraint in the school.
- ▶ Use the log for review of incidences and consideration of school safety policies and procedures.

REPORTING TO THE DEPARTMENT OF EDUCATION

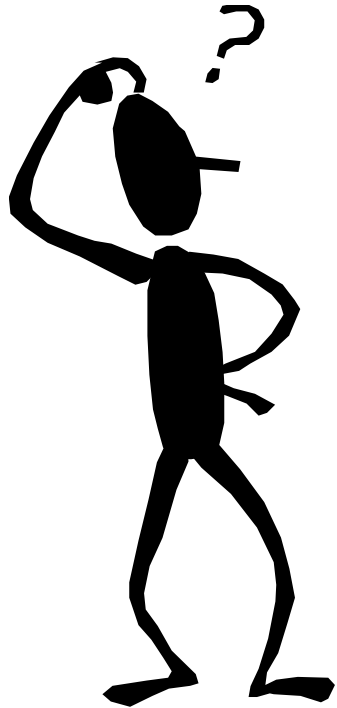
Regulation 46.06(7&8)

- ▶ Collect and annually report all physical restraints to the Department.
- ▶ Report all restraint related injuries to the Department within 3 school working days.
- ▶ Department may determine additional required action.

FIND THE REGULATIONS:

<http://www.doe.mass.edu/lawsregs>

See 603 CMR 46.00



ANY QUESTIONS?

PLEASE CONTACT

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