



KIPP: MA Restraint Prevention and Behavior Support Policy and Procedures

I. Overview

KIPP: MA believes that all students have the right to a safe and secure environment when they attend school. Each individual school has developed systems and procedures around student culture and discipline that are regularly communicated to the staff, families and students via the Student Handbook annually.

In addition to the regular systems, KIPP: MA has invested in CPI Nonviolent-Crisis Intervention training for a subset of staff at each school site. The main focus of this program is to ensure that non-violent physical restraint is only used as an absolute last resort and only when the physical safety of a student or staff member is in jeopardy. The Director of Student Supports for KIPP: MA holds a certification as a “trainer” and runs all Non-Violent Crisis Intervention trainings in house. The primary focus of the training is on de-escalation and avoiding the use of physical restraint.

II. Methods for Preventing Student Violence, self injurious behavior and suicide

- A. Whole School: each school has whole school systems for student culture and behavior as well as bullying intervention plans. These plans are meant to support a positive student culture where incidents of student violence are discouraged. Additionally, each school has at least one full time school counselor who is would be called in to manage any situation where a student was threatening self injurious behavior or suicide. The counselors all have access to community resources, particularly emergency medical teams, that are also notified in these situations (upon parental approval)
- B. Individual Students: In a situation where a student demonstrates a safety concern to his/herself or others the student will be provided with regular counseling inside of school and crisis intervention plans are developed when necessary. For students with ongoing behavior concerns, the team can also initiate a functional behavioral analysis (FBA) in order to find root causes for the behavior and develop intervention plans to curb the behaviors.
- C. Crisis Management: In a situation where the safety of students or staff is in jeopardy the school leadership team will make every effort to secure the safety of the students. In most cases, this means either removing the individual(s) who are deemed at risk from harm and quick notification of parents and authorities when required.

III. Methods for Parental Engagement

A copy of this policy will be available (with translations) on the KIPP: MA website. Parents also have regular access to the student handbook and can schedule meetings with members of the school leadership team at any time.

IV. Crisis Response and De-escalation methods

Whenever there is an incident where a student or group of students demonstrate behaviors that could result in injury or self-harm, the school based crisis response team is called in. The first CPI trained staff member to arrive at the scene is designated the "Team Lead." As the Team lead, this person's role is to ensure that all students and staff remain safe and that the least invasive strategy is secure. The team lead likely will begin with verbal de-escalation of the student(s) involved. As additional trained staff members arrive, it is the team lead's job to assign them tasks related to securing the space which will likely involve:

- Removing the audience (asking other students and staff to leave the area)
- Securing the space (making sure the space is devoid of potentially harmful objects like scissors or open windows)
- Preparing in the event that physical restraint techniques need to be utilized

The goal of the team is to de-escalate the situation so that a hands-off strategy can be utilized. However, in a case where the team lead determines that the student(s) behavior is unsafe and thus physical restraint is required, the team lead can call a physical restraint strategy (CPI Team Position or the CPI Child's Pose) and safely place the student in a restraint. One staff member should be available as an auxiliary support to secure the space and ensure that the student is not suffering harm while in the restraint. During the restraint, team members should make every effort to de-escalate and remove the student from the restraint. Should an incident of injury occur, the team lead would consider removal of the restraint.

V. Use of Restraint

- A. Mechanical restraint, medication restraint, and seclusion are never used at KIPP:MA
- B. Prone restraint shall be prohibited at KIPP:MA except on an individual student basis, and only under the following circumstances:
 1. The student has a documented history of repeatedly causing serious self-injuries and/or injuries to other students or staff;
 2. All other forms of physical restraints have failed to ensure the safety of the student and/or the safety of others;
 3. There are no medical contraindications as documented by a licensed physician;
 4. There is psychological or behavioral justification for the use of prone restraint and there are no psychological or behavioral contraindications, as documented by a licensed mental health professional;
 5. The program has obtained consent to use prone restraint in an emergency as set out in 603 CMR 46.03(1)(b), and such use has been approved in writing by the principal; and,
 6. The program has documented 603 CMR 46.03(1)(b) 1 - 5 in advance of the use of prone restraint and maintains the documentation.

- C. Physical restraint, including prone restraint where permitted, shall be considered an emergency procedure of last resort and shall be prohibited at KIPP: MA except when a student's behavior poses a threat of assault, or imminent, serious, physical harm to self or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions, or such interventions are deemed to be inappropriate under the circumstances.
- D. All physical restraints, including prone restraint where permitted, shall be administered in compliance with 603 CMR 46.05.

Physical restraint at KIPP: MA shall not be used:

- A. As a means of discipline or punishment;
- B. When the student cannot be safely restrained because it is medically contraindicated for reasons including, but not limited to, asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting;
- C. As a response to property destruction, disruption of school order, a student's refusal to comply with a public education program rule or staff directive, or verbal threats when those actions do not constitute a threat of assault, or imminent, serious, physical harm; or
- D. As a standard response for any individual student. No written individual behavior plan or individualized education program (IEP) may include use of physical restraint as a standard response to any behavior. Physical restraint is an emergency procedure of last resort.
- E. Limitations on use of restraint: Physical restraint at KIPP: MA 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.

Referral to law enforcement or other state agencies. Nothing in these policies prohibits:

- A. The right of any individual to report to appropriate authorities a crime committed by a student or other individual;
- B. Law enforcement, judicial authorities or school security personnel from exercising their responsibilities, including the physical detainment of a student or other person alleged to have committed a crime or posing a security risk; or
- C. The exercise of an individual's responsibilities as a mandated reporter pursuant to G.L. c. 119, § 51A. 603 CMR 46.00 shall not be used to deter any individual from reporting neglect or abuse to the appropriate state agency.

VI. Proper Administration of Physical Restraint

- A. Trained personnel. Only KIPP: MA personnel who have received training pursuant to 603 CMR 46.04(2) or 603 CMR 46.04(3) shall administer physical restraint on students. Whenever possible, the administration of a restraint shall be witnessed by at least one adult who does not participate in the restraint. The training requirements contained in 603 CMR 46.00 shall 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.

- B. Use of force. A person administering a physical restraint shall use only the amount of force necessary to protect the student or others from physical injury or harm.
- C. Safest method. A person administering physical restraint shall 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 otherwise permitted under 603 CMR 46.03(1)(b), shall be prohibited unless the staff members administering the restraint have received in-depth training according to the requirements of 603 CMR 46.043(3) and, in the judgment of the trained staff members, such method is required to provide safety for the student or others present.
- D. Duration of restraint. All physical restraint must be terminated as soon as the student is no longer an immediate danger to himself or others, or the student indicates that he or she cannot breathe, or if the student is observed to be in severe distress, such as having difficulty breathing, or sustained or prolonged crying or coughing.
- E. Safety requirements. Additional requirements for the use of physical restraint:
 - 1. 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 and color, and respiration.
 - 2. 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 expresses or demonstrates significant physical distress including, but not limited to, difficulty breathing, the student shall be released from the restraint immediately, and school staff shall take steps to seek medical assistance.
 - 3. If a student is restrained for a period longer than 20 minutes, KIPP: MA staff shall obtain the approval of the school principal. The approval shall be based upon the student's continued agitation during the restraint justifying the need for continued restraint.
 - 4. KIPP:MA 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.
 - 5. After the release of a student from a restraint, KIPP: MA 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 whether any follow-up is appropriate for students who witnessed the incident.

VII Reporting Requirements

- A. Circumstances under which a physical restraint must be reported. KIPP: MA staff shall report the use of any physical restraint as specified in 603 CMR 46.06(2).

- B. Informing the principal. The KIPP: MA member who administered the restraint (the Team Lead) shall verbally inform the principal and the KIPP: MA Director of Student Support of the restraint as soon as possible, and by written report no later than the next school working day (24 hours). The written report shall be provided to the principal and Director of Student Support for review of the use of the restraint. If the principal has administered the restraint, the principal shall prepare the report and submit it to the KIPP: MA Executive Director and the Director of Student Support. The principal shall maintain an on-going record of all reported instances of physical restraint which will be shared with the Executive Director and Director of Student Support, which shall be made available for review by the parent or the Department upon request.
- C. Informing parents. The principal or his/her designee shall make reasonable efforts to verbally inform the student's parent of the restraint within 24 hours of the event, and shall notify the parent by written report sent either within three school working days of the restraint to an email address provided by the parent for communications about the student, or by regular mail postmarked no later than three school working days of the restraint. If the school or program customarily provides a parent 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 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.
- D. Contents of report. The written report required by 603 CMR 46.06(2) and (3) shall include:
1. 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; and the name of the principal or designee who was verbally informed following the restraint; and, as applicable, the name of the principal or designee who approved continuation of the restraint beyond 20 minutes pursuant to 603 CMR 46.05(5)(c).
 2. 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 prevent escalation of behavior, including the specific de-escalation strategies used; alternatives to restraint that were attempted; and the justification for initiating physical restraint.
 3. 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.
 4. Information regarding any further action(s) that the school has taken or may take, including any consequences that may be imposed on the student.
 5. 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.

- E. Individual student review. The principal and Director of Student Support 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 the principal deems appropriate to assess each student's progress and needs. The assessment shall include at least the following:
1. review and discussion of the written reports submitted in accordance with 603 CMR 46.06 and any comments provided by the student and parent about such reports and the use of the restraints;
 2. 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;
 3. consideration of factors that may have contributed to escalation of behaviors, consideration of alternatives to restraint, including de-escalation techniques and possible interventions, and such other strategies and decisions as appropriate, with the goal of reducing or eliminating the use of restraint in the future;
 4. agreement on a written plan of action by the program.
- F. If the principal directly participated in the restraint, a duly qualified individual designated by the Executive Director shall lead the review team's discussion. The principal shall ensure that a record of each individual student review is maintained and made available for review by the Department or the parent, upon request.
- G. Administrative review. The principal and Director of Student Support shall conduct a monthly review of school-wide restraint data. This review shall 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 individual students; the duration of restraints; and the number and type of injuries, if any, resulting from the use of restraint. The principal shall determine whether it is necessary or appropriate to modify the school's restraint prevention and management policy, conduct additional staff training on restraint reduction/prevention strategies, such as training on positive behavioral interventions and supports, or take such other action as necessary or appropriate to reduce or eliminate restraints.
- H. Report all restraint-related injuries to the Department. When a physical restraint has resulted in an injury to a student or staff member, the program shall send a copy of the written report required by 603 CMR 46.06(4) to the Department postmarked no later than three school working days of the administration of the restraint. The program shall also send the Department a copy of the record of physical restraints maintained by the principal pursuant to 603 CMR 46.06(2) for the 30-day period prior to the date of the reported restraint. The Department shall determine if additional action by the program is warranted and, if so, shall notify the program of any required actions within 30 calendar days of receipt of the required written report(s).
- I. Report all physical restraints to the Department. Every program shall collect and annually report data to the Department regarding the use of physical restraints. Such data shall be reported in a manner and form directed by the Department.