

What are other ways to manage my child's behavior at school and home?



Behavior problems may be a sign of other issues. Sometimes teachers and families need help to find the best way to work with children with behavioral health needs. Parents can work with the school, their doctor, or other support professionals to find causes of problems and determine the best way to respond to a child and his or her specific needs. It is important to find ways to manage a child's behavior to avoid an emergency situation and to prevent the need for physical restraint.

Where can I Get Help?

You and the staff at your child's school may be able to create a plan based on your child's unique needs. You can ask for help from the Response to Intervention (RTI) Team, 504 Team, or IEP Team. Schools also have professional staff available with expertise in behavior management.

Your family doctor can determine if there are any medical reasons for your child's behavioral issues.

The Parent Support Network (PSN) understands what it is like to raise a child or adolescent with serious emotional, behavioral, or mental health challenges. It is an organization of families supporting families, sharing experiences, strengths, information, resources, and services. www.psnri.org (401) 467-6855.

RI Parent Information Network (RIPIN) provides information, support, and training to help all Rhode Islanders become their own best advocate at school, in health care... and in all areas of life. www.ripin.org (401) 270-0101.

Other resources to help you learn more about how to safely manage your child's behaviors at school and at home, and avoid the need for physical restraint, include:

The Action Signs Project

A toolkit to help parents, educators, and health professionals identify children at behavioral and emotional risk. www.thereachinstitute.org/files/documents/action-signs-toolkit-final.pdf

Partnering with Your Child's School: A Guide for Parents

www.hscfoundation.org/aboutus/publications/partnering_with_schools_english_guide.pdf

TASH
www.tash.org

Positive Behavioral Interventions & Support
www.pbis.org

Intervention Central
www.interventioncentral.org

What if:

- My child is being restrained too often or when it is not needed?
- Staff did not try other ways of stopping or calming my child before using restraint?
- Staff did not have the right training or any training on using physical restraints?
- Staff are not following my child's Behavior Intervention Plan, or he or she needs a Plan or needs the Plan changed?
- Staff are using methods of physical restraint on my child that cannot be used in Rhode Island?
- Staff used too much force to restrain my child, or my child was hurt or had medical problems because of a physical restraint?
- My child was restrained and school staff did not tell me within 2 days?
- My child was secluded (without access to school staff) or "time out" was misused?

You should talk to your child's school about your concerns. You can also file a complaint with your school district. Call your local school district office to find out how.

If you still have a concern, you can also request a hearing with:

The RI Department of Education

Mail or fax signed letter to:

Deborah A. Gist
Commissioner of Education
Rhode Island Department of Education
255 Westminster Street
Providence, RI 02903
Fax: (401) 222-6178

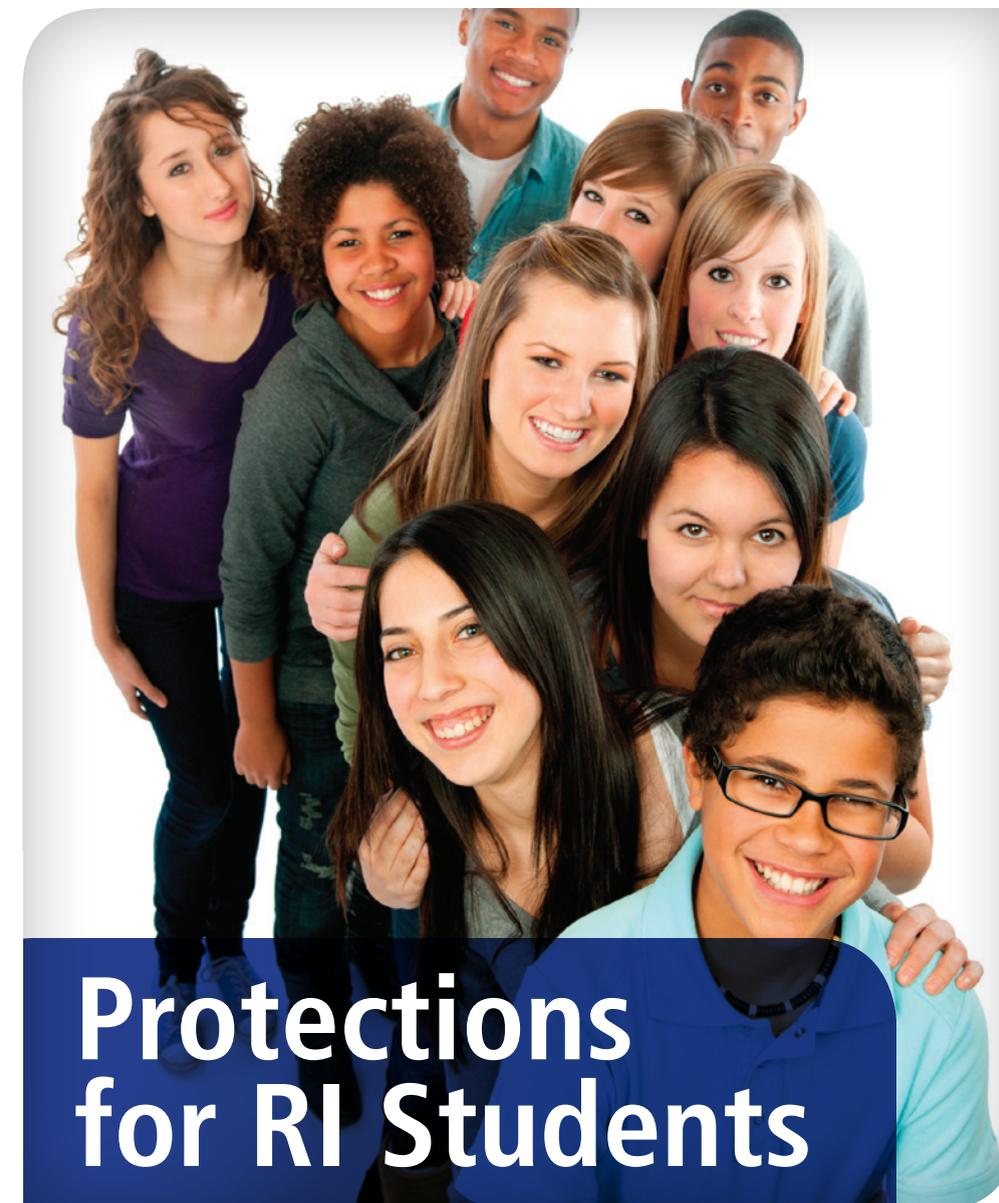
The Office for Civil Rights

ensures equal access to education, enforcing civil rights laws prohibiting discrimination on the basis of race, gender, disability (including ADA +504)
Boston Office
Office for Civil Rights
U.S. Department of Education
33 Arch Street, Suite 900
Boston, MA 02110-1491
Telephone: 617-289-0111
Fax: 617-289-0150; TDD: 877-521-2172
Email: OCR.Boston@ed.gov

Include a description of the problem, how you have tried to work things out with your child's school and school district, and how the school/district responded. Also include your name and address, your child's name and date of birth, the name of his or her school, a phone number where you can be reached, and e-mail address if possible.

To find out how to request a hearing, you can call the RIDE Legal Office at **(401) 222-8979**. If your child receives special education services, you can contact the RIDE Special Education Call Center at **(401) 222-8999** for additional information.

This brochure was developed in partnership by the Rhode Island Special Education Advisory Committee, the Rhode Island Department of Education, and the RI Technical Assistance Project, 2013



Protections for RI Students

UNDERSTANDING THE RI PHYSICAL RESTRAINT REGULATIONS

Learn about the use of proper physical restraint in Rhode Island schools and how our state regulations are designed to ensure that your child is safe at school.

What is physical restraint?

Physical restraint is the use of physical contact to limit a child's movement.

Lawful physical restraint is used only in an emergency, to protect a child from hurting him or herself or someone else.

There are 3 types of physical restraint:

- **Manual restraint** limits a child's movement using physical contact.
- **Mechanical restraint** limits a child's movement using devices such as mittens, straps, or a special chair.
- **Chemical restraint** occurs when medication is given for the purpose of restraint. **This is not allowed in Rhode Island schools.**



KNOW THE FACTS

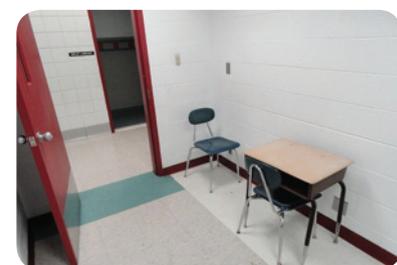
Physical restraint cannot be used as a punishment or to cause **injury, physical or emotional pain or trauma, or humiliation**. It cannot be used to stop a child from being able to **breathe, speak, see, hear, smell, taste, or feel**. A physical restraint cannot keep a child from having enough **sleep, water, food, bedding, use of the bathroom, or shelter**, such as forcing a child to stay **outside** or be **exposed to the weather**.

Seclusion and "Time Out"

Seclusion means that a child is put in a closed space alone, without supervision or access to staff from the school.

This is not allowed in Rhode Island schools.

However, your child can be placed in a special space or room for "time out" if he or she is supervised and has access to school staff.



Can I refuse to have physical restraint used on my child?

Physical restraint is a protection to be used only when there are no other ways of keeping a child from hurting him or herself or someone else. Schools can't say for sure that they will never have to use a physical restraint to keep a child or someone else safe; schools must protect the physical safety of all students and staff.

If you have concerns about the use of restraint on your child, you should voice your concerns with school staff or administrators. You may also file a complaint with your child's school, or with officials from your school district. If your concerns are still not addressed, you may request a hearing with the RI Department of Education. You can find out more about how to request a hearing on the back of this brochure.



What are the rules for using physical restraint in our schools?

Rhode Island has regulations that set rules for the use of physical restraint in our schools. All public schools have to follow these regulations, as well as any school that receives public funding or has students who are placed there by public school districts. These include regional school districts, charter schools, special schools for children with educational disabilities, school programs run by the Department of Children, Youth and Families (DCYF), and regional collaboratives.

Each public education program must also have its own written policy on the use of physical restraint. You can ask your school for a copy of its restraint policy. To read the full text of Rhode Island Restraint Regulations, go to

sos.ri.gov/documents/archives/regdocs/released/pdf//DESE/DESE_3826.pdf

If you don't have a computer or Internet access, you can ask staff from your school for a copy of the Regulations.

How and when physical restraint can be used:

- Physical restraint can be used only when the child's behavior poses a threat of imminent serious physical harm, to self and/or others, and only when other ways of stopping him or her would not work.
- Only staff who have had restraint training can use physical restraint on a child. A staff person who has not been trained can use a physical restraint only if the child will hurt him or herself or others before a trained staff person can be found.
- If a child has a Behavior Intervention Plan, staff from the school must first follow all the steps in the plan.
- If a child misbehaves or refuses to do what a staff person asks but is not in danger of hurting him or herself or someone else, physical restraint cannot be used. **Physical restraint cannot be used as a punishment.**

While a physical restraint is being used:

- If staff have to use physical restraint on a child, they can use only the least amount of force that will stop the child from hurting him or herself or others. The staff must stop using physical restraint as soon as the child is no longer in danger of hurting him or herself or others.
- Staff must watch the child to be sure that the child is not getting hurt or having any medical problems. If the child is hurt, has medical problems, or starts getting sick during a physical restraint, the staff must stop the restraint right away and get the child medical attention.

After a physical restraint is used on a child:

- **The school must notify the child's parents as soon as possible, within 2 days at the latest.**
- The school staff must determine if the child needs a Behavior Intervention Plan. If the child already has a Plan, the school must check to see if staff followed all the steps in the Plan and must determine if the Plan needs to be changed.
- Staff may talk to the child about what happened if appropriate. A school administrator may review the restraint incident with the involved staff to ensure all procedures were followed. If other students saw the physical restraint being used on a child, the school staff may also talk to those students about what happened.

What is a Behavior Intervention Plan?



A Behavior Intervention Plan is a plan that sets and supports social, emotional, and behavioral goals for the child. The Plan is based on the results of a special assessment (called a functional behavioral analysis) in which the staff and parents use information about the child's environment and behavior to make a plan to support him or

her to meet behavioral goals. **A Behavior Intervention Plan does not typically include physical restraint.** The child doesn't need to receive special education to have a Behavior Intervention Plan. A plan can be created for any child who has behavioral needs, including behavior that may put him or herself or others at risk.

A Behavior Intervention Plan includes:

- A clear description of the specific behavior.
- A system for collecting information about the child's behavior and studying it in order to learn more about how to effectively help him or her meet behavioral goals.
- A plan for changing the child's environment, such as groupings, schedule, activities, approaches, structure, or strategies.
- Goals for improving or changing the child's behavior, including how much time is expected to meet those goals.
- A schedule of times for parents to go over the plan with staff to see how well their child is meeting the goals and to decide whether the plan needs to be changed.
- A plan for teaching the child new or more acceptable behavior by changing the who, what, when, and where at school and/or at home.
- A plan for how staff will react to the child's behaviors.
- A plan for teaching the child better ways to meet his or her needs, including prompts, rehearsal, redirection, encouragement, practice time, and support from staff, family, friends, or classmates.

If you have concerns about the use of restraint on your child, or to find out more about how to voice your concerns or file a complaint with your district, see the information on the back of this brochure.

