**Physical Restraint Policy**

NEARI staff physically restrain students only in emergency situations to protect a student and/or other members of the school community from assault or imminent, serious, physical harm. All restraints shall be conducted with extreme caution to prevent or minimize any harm to the student and staff.  Written notice of NEARI’s policy about physical restraint is provided to parents and/or guardians in the admission packet.

1.   **Methods for engaging parents and students in discussions about restraint prevention and use**

Engaging parents and students in discussion about restraint prevention and use starts with a discussion of The Behavior Management Support Policy.  NEARI’s approach to preventing restraints and the circumstances when they will be used are explained to the parent and/or guardian and discussed as part of the intake process.  Parents are given a copy of the behavior management policy and de-escalation techniques, and they are invited to suggest additional techniques that may help calm their child.  Parents will then be asked sign a form indicating that the policy has explained to them and that they understand it.

Parent Advisory meetings are held two times per school year, during which parents are invited to ask questions about the restraint policy and make suggestions to improve it.

Case Managers contact parents following a restraint and discuss restraint prevention techniques that were used and what techniques could be more effective in the future for each individual student.

**2. Method of physical restraint used by the program in an emergency situation**

The form of restraint used by staff is passive physical restraint.  The program prohibits seclusion restraint (see Time Out Policy).  NEARI’s passive physical restraint conforms to M.G.L. c123, 104 CMR 27.12 or 104 CMR 28.05 and 603CMR 46.00.00.

Restraints may only be initiated in emergency situations as a last resort when the student poses a danger to self or others. No student shall be restrained for purposes of punishment or for the convenience of others.  When circumstances allow, staff will use a range of verbal de-escalation techniques, described above, before initiating a restraint.  When such restraints are necessary, and the student’s behavior allows for such intervention, staff will begin by placing a student in a standing restraint, move to a sitting restraint, and only after such techniques have failed to calm the situation and make it safe, move to a supine position restraint.  If the student’s behavior indicates that a supine-restraint is necessary to ensure safety, such restraints may be initiated immediately.

·   Only the necessary number of staff are present to create physical security and provide a witness.

·   The student’s arms are secured from behind by staff wrapping their arms around the student’s torso just above the elbows.

·   Staff places their head against the student’s back and lower neck to avoid head butting.

·   If a student is unable to be maintained safely in a standing position, a supine position restraint may be initiated.

·   It may be necessary to secure the student’s legs with staff wrapping their arms around them just below the knees.

·   As the youth begins to calm down and relax, parts of the body are released slowly.

·   Adjustments will be made accordingly, including total release of the restraint for any student who voices or shows signs of physical distress while in a restraint.

**3.  NEARI does not use seclusion, medication restraint, prone restraint, or mechanical restraint under any circumstances.**

**4.  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.**

**5.  Procedure for periodic review of data and documentation**

Monthly Restraint Data Review and Individual Restraint Review Records are used to analyze circumstances when restraints have been used, to consider whether other strategies could have been used instead of restraint, and to create action plans based on fact finding.  Restraint Reviews are chaired by the Administrator or designee.

**6.  NEARI restraint training for all staff**

As part of a new employee’s orientation training, he or she must complete restraint training within the first month of employment.  That training includes both the physical and psychological components of a restraint for both staff and students, new regulatory requirements (effective January 2016) around implementation of restraints and the type and time allowed for such interventions.  Staff must either have assisted in a number of restraints or participated in practice restraint exercises with other staff before being approved to initiate and lead a restraint.  Documentation of successful completion of this training, signed by the trainer and/or supervisor, must be placed in the personnel file of each employee.

All program staff are required to participate in restraint training conducted by senior NEARI staff at the beginning of each school year.  This training covers positive behavior support and restraint prevention, as well as the necessary requirements for restraining a student

**7.  NEARI intensive training for staff who serve as restraint resources**

In-depth restraint training takes place at the beginning of each school year.  This training is provided to staff who serve as school resources for proper administration of physical restraints.  Areas covered include early intervention and other strategies to de-escalate situations with the intent to prevent physical restraints.

Staff will also learn how to evaluate and identify behaviors that may pose risk of harm to students or staff, what constitutes imminent danger and why physical restraints are used only as the last resort.  Staff will discuss the psychological, physiological and social/emotional impact the restraint has on the student and family.

All participating staff must show proficiency in NEARI restraint techniques and shall experience what a physical restraint feels like to a student.  Also discussed in the training will be how to identify the physical signs of distress that could be present during a restraint.  Staff will know the procedures when and if medical assistance is necessary.

Finally, a review of report writing and required documentation shall be provided.

**8.  Reporting requirements and follow-up procedures for reports to parents/guardians and to the Department**

Parents are notified by email or telephone by the end of the day whenever their child has been restrained.  The Case Manager will provide a description of the precipitants to the restraint, techniques used to avoid the restraint, and the resolution of the restraint.  A written report about the restraint will be mailed to the parent within three school days.

The Administrator will ensure that NEARI staff document all restraints on a restraint report.  Administrator will ensure that these reports are kept in the student’s file consistent with DESE regulations.  Any restraint that exceeds twenty-minutes will be documented on the DESE Restraint Form and submitted to the agency in a timely manner.  Copies of documentation of any restraint will be sent to parents, legal guardians and/or the Special Education Director (or his/her designee) of the sending school district.

When a physical restraint has resulted in an injury to a student or program staff member, the program shall send a copy of the written ‘Student / Staff Restraint Injury Report’ required by 603 CMR 46.06(4) to the Department postmarked no later than three school working days from the date of the restraint.  The program shall also send the Department a copy of the record of physical restraints maintained by the school pursuant to 603 CMR 46.06(2) for the 30-day period prior to the date of the reported restraint.

Information about all restraints will be entered at least weekly in the DESE Student Restraint Data Collection system.

**9.  Procedure for receiving and investigating complaints about restraints**

Any complaint from any source (i.e. staff, student, parent, other) will be thoroughly investigated.  Any NEARI employee receiving such a report will ensure that their supervisor is notified immediately and that the supervisor has notified the program director/principal.  Within 24 hours of receipt of the complaint, the program director/principal will initiate a formal investigation.  If preliminary conversations with relevant parties indicate a possibility that the complaint is valid, the program director/principal will notify the executive director of any and all complaints and of the initiation of the formal investigation.  The Administrator will submit a written report regarding the complaint within 48 hours with findings and recommendations to the Executive Director.  The Executive Director will review the report and authorize the Administrator to inform all relevant parties of the outcome of the investigation, consistent with the requirements of standard personnel procedures.

**10. The Administrator or his/her designee shall maintain an on-going record of all instances of physical restraint, which shall be made available for review by the Department upon request.**