



## LEARNING PREP SCHOOL

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### PHYSICAL RESTRAINT POLICY

#### Criterion 9.4

##### **Restraint Defined:**

- **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.
- **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.

Learning Prep School complies with all requirements under 603 CMR 46.00 during school hours. LPS physical restraint policies and procedures include the following:

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

Although Learning Prep is not a behavioral school, certain staff is trained in Non-Violent *Physical* Crisis Intervention in accordance with 603 CMR 46:00, in the unlikely event that a student is in imminent danger of harm to self or others. Learning Prep's consistent structure, routines and high behavioral expectations set the learning environment to assist in preventing student violence, self-injurious behavior, physical restraint and suicide. Learning Prep's Behavior Support Model provides additional 1:1 support, out of the classroom, to students during the school day on an individual basis in order to prevent escalation of behaviors (using the CPI de-escalation techniques) there by preventing the need for physical restraint. Students at all levels receive instruction through their Health and Student Issues class, in **Bully Proofing Your School**, a comprehensive, research based curriculum, which focuses on preventing student violence and increasing positive leadership as well as a safe learning environment. Students at all levels also receive 1:1 counseling services on their schedule. Counselors are available to provide individual crisis planning and de-escalation of potentially dangerous behavior for all of their students on their counseling caseload. Counselors also are in contact with parents on an ongoing basis and make referrals, if needed, to outside service providers to ensure that students get the emotional and social support that they need. These methods help to engage parents and students in discussions about restraint prevention and use. Students, family members and staff are also expected to reach out and inform the LPS counselor of any difficult/strong feelings or behaviors they are made aware of which may lead to a crisis (there by preventing the need of restraint).



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### **A description and explanation of the method of physical restraint used by LPS in an emergency situation**

Learning Prep School uses the Nonviolent Crisis Intervention Training Program from the Crisis Prevention Institute, Inc. (CPI). This crisis intervention program provides for the Care, Welfare, Safety and Security of all who are involved in a crisis situation. Two LPS staff who have participated in the Instructor Certification Program of the International Association of Nonviolent Crisis Intervention (IANCICI) train all staff at LPS. These certified trainers train all staff in Nonviolent Crisis Intervention, a comprehensive program containing de-escalation techniques (verbal and non-verbal) which reduce the need for restraints. In addition, these trainers also train a group of staff in Nonviolent Crisis Intervention, which includes the use of safe, non-harmful control and restraint positions to safely control an individual who is a danger to them self or someone else, until s/he can regain control of his/her behavior (no longer a danger to them self/someone else). Only program personnel who have received training pursuant to 603 CMR 46.04(2) or 603 CMR 46.04(3) shall administer physical restraint on students. 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.

### **Learning Prep School prohibits: medication restraint, mechanical restraint, prone restraint unless permitted pursuant to 603 CMR 46.03 (1)(b), seclusion, and the use of physical restraint in a manner inconsistent with 603 CMR 46.00.**

### **Physical restraints shall be used only in an emergency situation of last resort, after other lawful and less intrusive alternatives have failed or been deemed inappropriate**

At LPS, physical restraint may be used only in the following extreme emergency situations:

- the student's behavior poses a threat of imminent, serious, physical harm to self and/or others
- if it may be completed in a safe manner
- 3 trained individuals are present

#### **Limitations on use of physical restraint**

Physical restraint at LPS is 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.



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At LPS, physical restraint is not 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 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) includes use of physical restraint as a standard response to any behavior. Physical restraint is an emergency procedure of last resort.

### 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.

### **A description of the program's procedure for conducting periodic review of data and documentation on the program's use of restraint**

Restraints are extremely rare at Learning Prep School. After a restraint has occurred, the principal and counselor meet to conduct an individual student review. The review includes at least the following:

- (a) review and discussion of the written report 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;
- (b) analysis of the circumstances leading up to the 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 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 for that child in the future;
- (d) agreement on a written plan of action which includes the following:

1. **Safety Plan**- a plan specifically designed for the student to include extra emotional support through scheduled check-ins with his/her individual counselor or Dean of Students and a plan of what to do/where to go when feeling angry or upset.

2. **Positive Behavioral Supports**: Additional individualized strategies are put into place for the student to earn positive attention for increasing positive behaviors and managing emotions more effectively and safely.



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The Director and principal of the building in which the restraint occurred, conduct a review soon after the incident. This review considers 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 Director and principal 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.

The LPS Dean of Students in each building (MS and HS) maintain an on-going record of all instances of physical restraint in a NVPCI binder located in the DOS office. This binder will be made available for review by the Department upon request.

### **A description of the program's training requirements for all staff**

#### Required Training for all Staff

The LPS principal or director has determined that all Learning Prep School staff receives CPI (Non-Violent Crisis Intervention) training which includes the program's restraint prevention (NVCI de-escalation techniques) and behavior support policy and the safety requirements when restraint is used. For new staff (6 hours), this training occurs before beginning of each school year and, for employees hired after the school year begins, within a month of their employment. Annual refresher trainings for returning staff (3 hours) are held at the beginning of each school year during orientation before the students arrive.

#### Physical Restraint Training (Crisis Team)

Certain teachers, administrators, and counselors are trained in CPI's Non-violent *Physical* Crisis Intervention (restraint training) as well as CPI's de-escalation techniques. At the beginning of each school year, the LPS Principals and Director identify program staff that is authorized to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. Such staff participate in in-depth training in the use of physical restraint. This training includes extensive review and practice of the safe, non-harmful control and restraint positions to safely control a student who is a danger to them self or others. These staff members participate in above mentioned training as well as extensive training in situations where restraint may be used. The training occurs during orientation (6 hours) with practice sessions throughout the year (1-2 hours).

### **A description of the intensive training for staff who serve as restraint resources for the program**



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The two LPS staff who serve as CPI trainers at LPS, have participated in the Instructor Certification Program of the International Association of Nonviolent Crisis Intervention (IANCICI). This is an extensive, week long training program for certified trainers. They also are required to maintain their initial certification by successfully following the guidelines of the Instructor Excellence Renewal Process on a yearly basis.

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

Learning Prep School staff shall report the use of any physical restraint as specified in 603 CMR 46.06(2).

#### Informing the principal

The program staff member who led the restraint shall verbally inform the principal of the restraint as soon as possible and by written report (School Wide Incident Report) no later than the next school working day. The written report is provided to the principal for review of the use of the restraint. In the event that the principal is part of the crisis team and has administered the restraint, the principal prepares the report and submits it to an individual or team designated by the Director or board of trustees for review. The Principal or Dean of Students in each building maintains an on-going record of all reported instances of physical restraint, which can be made available for review by the Department upon request.

#### Informing parents

The Principal or Dean of Students will verbally inform the student's parent of the restraint within 24 hours of the event, and written notification will be sent to the parent by regular mail postmarked no later than three school working days of the restraint. If the 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/dean of students will 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.

#### Contents of report

The written report required by 603 CMR 46.06(2) and (3) shall include:

- (a) 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).



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(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 prevent escalation of behavior, including the specific de-escalation strategies used; 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) Information regarding any further action(s) that the school has taken or may take, including any consequences that may be imposed on the student.

(e) 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.

### LPS reports all physical restraints to the Department

LPS collects and annually reports data to the Department regarding the use of physical restraints. Such data is reported in a manner and form directed by the Department.

### LPS reports all restraint-related injuries to the Department

(Using the DESE “Student/Staff Restraint Injury Report” form found in both LPS Principal and Dean of Students offices) When a physical restraint has resulted in an injury to a student or program staff member, Learning Prep School 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. Learning Prep School will 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).

## A procedure for receiving and investigating complaints regarding restraint practices

- **Reporting Process**

A parent may register a complaint regarding LPS restraint practices by contacting Jennifer Thorell, High School Principal, regarding High School students and Amy Davis, Middle School Principal, regarding Middle School students and filling out a “Restraint Grievance Form” within 5 days of receiving a report of a restraint involving their child.

- **Investigating Process**



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Upon receipt of a parent or student complaint, the Principal of the respective school will discuss it more fully with the parents and student within three school working days and investigate the concern within seven school working days. A determination will be made regarding action steps and a written report will be prepared within fourteen school working days.

- **Appeals Process**

The parent shall have the right to appeal the decision regarding a complaint, to the Executive Director. The parent shall notify the Executive Director, in writing, of his/her request for an appeal no later than five school working days following the date of the determination. The Executive Director shall hold a hearing with the student and the student's parent or guardian within three school working days of receipt of the appeal. At the hearing, the student or parent shall have the right to present oral and written testimony and shall have the right to counsel. The Executive Director shall have the authority to overturn or alter the decision of the Principal. The Executive Director shall render a decision on the appeal within five school working days of the hearing. Such decision shall be the final decision of the school with regard to the complaint.

**The director 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**

The LPS Principal or Dean of Students in each building (MS and HS) will maintain an on-going record of all instances of physical restraint in a "NVPCI binder" located in the Principal or DOS office. This binder will be made available for review by the Department upon request.

LPS reports all physical restraints to the Department. LPS collects and annually reports data to the Department regarding the use of physical restraints. Such data is reported in a manner and form directed by the Department.