Policy/Procedure: Physical Restraint Policies and Procedures
Reference #: 9.4
Legal Reference: 18.05(5); 603 CMR 46.00
Last Updated: August 17, 2026
Person Responsible: Shane Mayhew
ADDITIONAL DOCUMENTATION: Restraint Training Certification for Trainers

Purpose of Policy:

It is the purpose of this policy to ensure the safety and well being of individuals during the management of dangerous or self-injurious behavior, and to comply with the Department of Elementary and Secondary Education's (referred to below as the "Department") regulations regarding the circumstances and documentation of restraints. This policy applies to all direct services staff employed by Milestones Day School and as well as non-direct or ancillary designated staff. The program administers physical restraint only in emergency situations of last resort, after other lawful and less intrusive alternatives have failed or been deemed inappropriate. It will also be done in circumstances to protect a student and/or member of the school community from assault or imminent, serious physical harm and with extreme caution in order to prevent or minimize any harm to the student as a result of the use of physical restraint.

This policy shall not be construed to limit the protection afforded to publicly funded students under other federal and state laws, including those laws that provide for the rights of students who have been found eligible to receive special education services. Additionally, this policy shall not be construed to preclude any teacher, employee, or agent of a program from using reasonable force to protect students, other persons, or themselves from assault or imminent or serious physical harm.

Physical restraint is reduced or eliminated as much as possible and thought of as the most restrictive behavior intervention. Milestones Day School uses positive behavior support and incentive plans. These interventions prevent student violence, self-injurious behavior, and suicidal behavior, including de-escalating of potentially aggressive behavior occurring among groups of students or with an individual student. Physical restraint is used in emergency situations only of last resort when needed to protect a student and/or member of the school community from assault or imminent, serious, physical harm and with extreme caution in order to prevent or minimize any harm to the student as a result of the use of physical restraint. It is used only when other lawful and less intrusive alternatives have failed or been deemed inappropriate.

Engaging Parents and Students in Discussions about Restraint Prevention and Restraint Solely as an Emergency Procedure:
Prior to admission, parents/guardians/students will be informed of our policies and procedures for behavior support, and all families sign annual consent that they understand our behavior support policies. Should a restraint take place the student has the ability to process the event with a staff member and parents can have a meeting to discuss the event. During these meetings we will be discussing restraint prevention and use. On an annual basis parents are also notified of our behavior protocol and are provided an opportunity to engage in discussion to clarify any questions they may have regarding physical restraint and prevention strategies. The policy is also located on the Milestones Day School website.

Training Requirements:
This policy applies to all direct services staff employed by Milestones Day School as well as non-direct or ancillary designated staff. All staff receive training at least once per year in Safety Care including physical restraint training that focuses on restraint prevention and the requirements when restraint is used. The primary focus of the Safety Care system is on prevention, safety, and humane, supportive, evidence-based interventions. Such training shall occur within the first month of each school year; it occurs on the 2nd to last week of August, just prior to school starting. For employees hired after the school year, within one month of their employment. The School Operations Manager and other designees are certified restraint trainers in Safety Care and provide the staff training. They train staff on an annual basis with a refresher course every year as needed. The initial Safety Care training is 8 hours long and the annual refresher course is up to 5 hours long. All Milestones Day School Safety Care trainers have participated in the 3 day formal certification training program with Safety Care and have earned their certification. Milestones Day School trainers are re-certified as necessary prior to when their certification expires per Safety Care guidelines. Human Resources shall maintain documentation of participation in Safety Care training within each staff member's personnel file.

In-Depth Training shall include, but is not limited to:

- Appropriate procedures for preventing the use of physical restraint, including the de-escalation of problematic behavior, relationship building and the use of alternatives to restraint
- A description and identification of specific dangerous behaviors on the part of students that may lead to the use of physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted

- The simulated experience of administering and receiving physical restraint, instruction regarding the effect(s) on the person restrained, including instruction on monitoring physical signs of distress and obtaining medical assistance
- Instruction regarding documentation and reporting requirements and investigation of injuries and complaints
- Response and Intervention Protocols: Standard Responses to Behavior
- Demonstration by participants of proficiency in administering physical restraint
- Engaging Parents and Student in Discussions about restraint prevention and
- Instruction regarding the impact of physical restraint on the student and family, recognizing the act of restraint has impact, including but not limited to the psychological, physiological and social-emotional effects.

Staff Training shall include but is not limited to the following:

- The role of the student, family, and staff in preventing restraint;
- The program's restraint prevention and behavior support policy and procedures, including use of time-out as a behavior support strategy distinct from seclusion
- When behavior presents an emergency that requires physical restraint, the types of permitted physical restraints and related safety considerations, including information regarding increased risk of injury to a student when any restraint is used, in particular a restraint of extended duration
- Administering physical restraint in accordance with medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans applicable to an individual student
- Identification of program staff who have received in-depth training pursuant to 603 CMR 46.03(3) in the use of physical restraint.

During Safety Care, particular emphasis is also given to training staff on interventions that may preclude the need for restraint, including de-escalation of problematic behaviors and other alternatives to restraint in emergency circumstances such as but not limited to the following:

Definitions:

- ***Physical restraint:*** shall mean 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:*** shall mean a temporary touching or holding without the use of force, of the hand, arm, shoulder, or back for the purpose of inducing a student who is agitated to walk to a safe location.
- ***Structuring the environment:*** including thinking about where we choose to discuss situations, whether we sit or stand, the tone a staff member uses, etc.
- ***Touch reminder:*** lightly touching the student's hand, shoulder, or arm may provide a "reminder" that we are there which might provide the person with the additional support needed to remain in control (our staff are aware that in some instances, light touch can escalate a student and if known will not be used in these situations).
- ***Proximity control or taking space:*** having someone close to or further away from the person might be calming depending on his/her personality. This may also take the form of asking a student to move to a quiet, neutral, and safe area that minimizes visual and auditory stimulation and assists individuals in regaining control.
- ***Prompting/verbal cues:*** gentle verbal reminders to use appropriate behavior or learned coping skills or a verbal reminder to stop an undesirable behavior or inappropriate action. We would use one or two reminders before switching to a different technique.
- ***Non-verbal cues:*** using nods, signs, checklists, hand-gestures, or eye contact to remind the individual of behavioral expectations.
- ***Prompting:*** reminding the student of coping skills or the first few steps in conflict resolution.
- ***Choice making:*** providing at least two choices in daily activities, tasks, and routines.
- ***Planned ignoring with positive feedback:*** when students are engaging in attention seeking behavior and know alternative positive strategies to seek attention, but opt not to use them, the staff will use planned ignoring until the student participates in more appropriate behavior, at which time he/she will be praised for the appropriate behavior.
- ***Redirection:*** turning attention from an undesirable activity to one that is neutral or socially appropriate.
- ***Directive statements:*** informing the student of what he/she needs to do when the student's ability to make decisions for him/herself declines. Statements may range from requests to listening to rules to demands.

Description and explanation of the method of physical restraint used by the program in an emergency situation:

When using restraint, the minimum amount of bodily force necessary to manage the behavior will be used only in emergency situations of last resort and after other lawful and less intrusive alternatives have failed or been deemed inappropriate. It will also be done in circumstances to protect a student and/or member of the school community from assault or imminent, serious physical harm and with extreme caution in order to prevent or minimize any harm to the student as a result of the use of physical restraint. The physical interactions used by the program and as described in the Safety Care curriculum includes protective holds (i.e., 2-person standing restraint, escorts, and blocks). Milestones Day School follows the Safety Care definitions and best practices for these procedures.

Should an incident occur, the Principal will be notified immediately upon initiation of a physical restraint. If a student needs to be restrained beyond twenty (20) minutes, the staff must obtain Principal approval. In addition, parents will be notified as soon as possible but at least by the end of the day. Administrators will be kept abreast of all restraints and copies of incident reports will be sent to parents and the sending district. The report will also be filed in the student's record.

Whenever possible, the administration of the physical restraint will be witnessed by a principal (as defined by the Department, such as the Principal, School Operations Manager, or Board Certified Behavior Analyst) who does not participate in the physical restraint.

When necessary, Milestones Day School uses time out in a quiet space. Students will be observed for the entire duration of the period they are in time out. Students will not be in time out any longer than necessary for him/her to control his/her behavior and return to a calm state. Each incident of timeout requires documentation in the form of an incident report, which is kept in the student's file and sent to parents and the sending district.

Prohibitions on Use of a Physical Restraint:
The use of a physical restraint as a means of punishment or as a response to the minor destruction of property (unless the child may get injured), disruption of program order, a student's refusal to comply with a program rule or staff directive, or verbal threats that do not constitute a threat of imminent, serious, physical harm is expressly prohibited.

Proper Administration of Physical Restraints
Restraints are prohibited unless the program staff administering the restraint has received in depth training and is certified in Safety Care. And, in the judgment of the

trained staff member, such a method is required to provide safety for the student or others present. Whenever possible the administration of a restraint shall be witnessed by at least one adult who does not participate in the restraint.

It should be noted, however, that these training requirements shall not preclude a teacher, staff member, or agent of the program from using reasonable force to protect students, other persons, or him or herself from assault or imminent serious physical harm.

- 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 harm.
- 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 are prohibited
- 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.

Safety Requirements:
No restraints shall be administered in such a way that a student is prevented from breathing or speaking, including medication restraint, mechanical restraint, and prone restraint. During the administration of a restraint, program staff shall continuously monitor the physical status of the student, including skin temperature and color, and respiration. Additionally, restraints shall be administered in such a way as to prevent or minimize physical harm. At any time during the physical restraint the student demonstrates significant physical distress including, but not limited to, difficulty breathing, the student shall be released from the restraint immediately, and program staff shall take steps to seek medical assistance.
If a student is restrained for a period longer than 20 minutes, program staff shall obtain the approval of the principal. The approval shall be based upon the student's continued agitation during the restraint justifying the need for continued restraint.
Program staff shall review and consider any known medical or psychological limitations and/or behavioral interaction plans regarding the use of physical restraint on an individual student. This information will be obtained at the time of admission and reviewed with all staff involved with a particular student.
Definitions and Policies:

Mechanical restraint: shall mean the use of any physical device or equipment to restrict a student's freedom of the movement. The term does not include devices implemented by trained school personnel utilized by a student that have been prescribed by an appropriate medical or related service professionals, and are used for the specific and approved positioning or protective purposes for which such devices were designed. Examples of such devices include: adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; vehicle safety restraints when used as intended during the transport of a student in a moving vehicle, restraints for medical immobilization; or orthopedically prescribed devices that permit a student to participate in activities without risk of harm. **The use of a mechanical restraint is expressly prohibited.**

Seclusion: is defined as the involuntary confinement of a student alone in a room or area, with or without adult supervision, from which the student is not permitted to leave.
Medication restraint: shall mean the administration 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 a medication restraint. **The use of medication restraint is expressly prohibited.**
Prone Restraint: Shall mean a physical restraint in which a student is placed face down on the floor or another surface, and physical pressure is applied to the student's body to keep a student in the face down position. **The use of prone restraints is expressly prohibited.**
Parent: shall mean a student's father, mother, or legal guardian or person or agency legally authorized to act on behalf of the student in place of or in conjunction with the father, mother, or legal guardian.
Principal: shall mean the instructional leader or headmaster of a public education school program or his or her designee. The board of directors of a charter school or virtual school, or special education school or program approved under 603 CMR 28.09, shall designate in the restraint prevention and behavior support policy who will serve as a principal for the purposes of 603 CMR 46.00.
Prohibition:

- Mechanical restraint, medication restraint, and seclusion shall be prohibited in Milestones Day School
- Prone Restraint shall be prohibited in Milestones Day School except on an individual student basis, and only under the following circumstances

a. The student has a documented history of repeatedly causing serious self-injuries and/or injuries to other students or staff

b. All other forms of physical restraints have failed to ensure the safety of the student and/or the safety of others
c. There are no medical contraindications as documented by a licensed physician
d. 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.
e. The program has obtained consent to use prone restraint in an emergency as set out in 603 CMR 46.03 (1)(b) 1-5 and such use has been approved in writing by the principal; and
f. The program has documented 603 CMR 46.03 (q)(b) 1-5 in advance of the use of prone restraint and maintains the documentation.

- Physical restraint, including prone restraint where permitted, shall be considered an emergency an emergency procedure of last resort and shall be prohibited in public education programs 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.
- All physical restraints, including prone restraints where permitted, shall be administered in compliance with 603 CMR 46.05. Physical Restraints shall not be used:

(a.) As a means of discipline or punishment

a. When the student cannot be safely restrained because it is medically contraindicated for reasons including but not limited to asthma, seizures, cardiac condition, obesity, bronchitis, communication related disorders, or risk of vomiting.
b. As a response to property destruction, disruption of school order, a students refusal to comply with 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
c. As a standard response for any individual student. No written individual behavior plan or individualized education program (IEP) may include the use of physical restraint as a standard response to any behavior. Physical restraint is an emergency procedure of last resort.

- Limitations on use of restraint: Physical restraint in Milestones Day School shall be limited to the use of such reasonable force as is necessary to protect a student or another member of a student or another member of the school community from assault or imminent, serious, physical harm.

a. Referral to law enforcement or other state agencies. Nothing in these regulations prohibit
b. The right of any individual to report to appropriate authorities a crime committed by a student or other individual
c. 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
d. The exercise of an individual's responsibilities as a mandated reporter pursuant to G.L.c. 119, and 51A. 603 CMR 46.00 shall not be used to deter any individual from reporting neglect or abuse to the appropriate state agency.

Follow-Up Procedures:
At an appropriate time by the end of the day after the student has been released from restraint, the program shall implement the following procedures:

- Address any physical implications/injuries and obtain appropriate medical attention or administer first aid, as needed; any injuries will be reported to the Department and parent as necessary
- Review the incident with program staff that administered the restraint to discuss whether proper restraint procedures were followed and offer emotional support, as needed
- Consider whether any follow-up is appropriate for the students who witnessed the incident. Written documentation accompanies all restraints and is available for the Department to review.

Reporting Requirements, Data Collection and Review of Documentation:
The program staff member who administers a physical restraint and/or who administers any physical restraint that results in an injury to a student or staff shall verbally inform the Principal or CEO or his/her designee of the restraint as soon as possible. This can be done in the form of radioing a crisis team. An incident report shall be completed and provided to the Principal or CEO of the program for review no later than the close of the working day that the restraint was administered. For extended restraints (twenty minutes or longer), the report shall describe the alternatives that were attempted, the outcome of those efforts, and the justification for administering the extended restraint. All such reports shall be maintained in the student's record. The Principal and School Operations Manager reviews all restraints after each incident occurs to ensure accuracy and appropriateness.

Any physical restraint that results in an injury to the student or staff member shall be reported to the Department. The school operations manager shall maintain an ongoing record of all reported instances of physical restraint and/or any physical restraint that results in injury to a student or staff. When a restraint has resulted in injury to a student or staff member the program, under Department regulations, shall electronically submit the report via the security portal dropbox and the Student/Staff Restraint Injury Report within three (3) days of the administration to the Department. The Program shall also electronically submit a copy of the record via the security portal dropbox of physical restraints maintained by the Operations Manager for the 30 day period prior to the date of the reported restraint to the Department. If additional action by Milestones is warranted, the Department will notify Milestones Day School within 30 calendar days of receipt of the required written report(s).

Contents of Reports for Restraints Administered:

The written report must include: name of the student; names/job titles; signatures of the staff who administered the restraint, and observers if any; the date of the restraint; the duration of the restraint; the name of the principal or designee who was verbally informed following the initiation of the restraint; and, as applicable, the name of the principal or designee who approved continuation of the restraint beyond 20 minutes; and the location of the time out. 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; the justification for initiating physical restraint. A description of the administration of the restraint including which of the holds was used (i.e., team control or child control); the student's behavior and reactions during the restraint; how the restraint ended; documentation of injury to the student and/or staff, if any, during the restraint and any medical care provided; processing and review of the restraint with the student following the restraint; and information regarding any further action(s) that the school has taken or may take, including any consequences that may be imposed on the student. The student's parents are also provided an opportunity to discuss with school officials the administration of the restraint, any consequences that may be imposed on the student and any other related matter.

Documentation of Records:

- Milestones Day School documents all restraints, including any required administrative approval, and its processing and follow-up procedures in a physical restraint incident report. All incident reports are reviewed by the School

Operations Manager, and the original copy is kept in the student's file and is part of his/her educational record. These are available for the Department to review, upon request.

- The School Operations Manager (Shane Mayhew) must maintain an ongoing record of all ongoing instances of physical restraint that should be made available to the parent and/or the Department, upon request. Prior to the submission of any incident report, the School Operations Manager has consulted with pertinent team members, and verified the accuracy of the report. The principal is also provided a copy of the report. A weekly review of behavioral incidents (including but not limited to restraints) is conducted by a multi-disciplinary team to identify students who have been restrained multiple times during the previous week. If any more than 2 restraints occur in a week for one specific student, a meeting may be held to discuss and all attendees will sign in, and minutes will be taken. More commonly, Milestones Day School generally holds weekly supervision meetings for the elementary, middle school, and upper school staff (including respective speech and language pathologists, psychologists, occupational therapists, BCBA, school operations manager, principal), and students' presentations are regularly discussed so that changes, antecedents, interventions etc can be developed and reviewed.

Administrative Review. The Principal 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 modify the school's restraint prevention and management policy, conduct additional staff training on restraint reduction or 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.
Additionally, an annual report is provided to the department at the end of each school year which outlines all of the incident reports involving restraints. The School Operations Manager is designated to be responsible for the collection of the restraint data from the school and is responsible for ensuring that confidentiality and security is maintained. The School Operations Manager will collect data and submit one spreadsheet via a drop box on the security portal with all of the agency's restraint data to the Department on an annual basis.

- *Notification to Parents/Guardians:* The Case Manager, Principal or his/her designee shall make reasonable efforts to verbally inform the student's parents or

guardians of any physical restraint and/or any physical restraint that results in an injury to a student or staff member within 24 hours of the event. A student's parent/guardian shall be notified 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. Milestones Day School shall provide the student and parent an opportunity to comment orally and in writing ideally by the end of the day but within 24 hours on the use of the restraint and on information in the report in each instance. If applicable, such comments will be attached to the restraint incident form. If a family were to submit formal commentary, such comments will be attached to the restraint incident form for the school and the Departments review. Importantly, parents are always welcomed to schedule time to discuss, in more detail, the steps taken by Milestones Day School regarding restraint prevention and use. Milestones may request such meetings with the parents/districts, as appropriate.

Complaint Procedures:

Informal resolution of concern about the use of physical restraint: Before initiating a formal complaint procedure, a student or his/her parent/guardian who has concerns regarding a specific use of physical restraint may seek to resolve his/her concerns by raising the issue with the Principal or CEO within ten (10) days of the parent/guardian's receipt of the written report. The Principal or CEO shall attempt, within his/her authority, to work with the individual to resolve the complaint fairly and expeditiously. If the student and/or his/her parent/guardian are not satisfied with the resolution, or if the student and/or his/her parent/guardian does not choose informal resolution, then the student and/or his/her parent/guardian may proceed with a formal complaint process.

Formal resolution of concern about the use of physical restraint: A student or his/her parent/guardian, who has concerns regarding specific use of a physical restraint, may seek to resolve his/her concerns regarding a specific use of a physical restraint by submitting a written complaint to the Principal or CEO. The student and/or his/her parent/guardian should submit this letter to the CEO within twenty (20) days of the parent/guardian's receipt of the written report from the program. The written complaint shall include (a) the name of the student; (b) the name of the program where the physical restraint allegedly occurred; (c) the name of the individuals involved in the alleged physical restraint; (d) the basis of the complaint or concern; and (e) the corrective action being sought.

The Principal or CEO shall conduct an investigation into the complaint promptly after receiving the complaint. In the course of its investigation the Principal or CEO or designee(s) shall contact those individuals that have been referred to as having pertinent information related to the complaint. Written parent/guardian consent to speak to a student shall be required for all students under the age of eighteen (18). Strict timelines cannot be set for conducting the investigation because each set of circumstances is different. The Principal or CEO will make sure that the complaint is handled as quickly as is feasible.

After completing the formal investigation, the Principal or CEO shall contact the individual who filed the complaint regarding the outcome of its investigation and its determination as to whether any corrective action is warranted.

Recourse and Appeal Process:

Students or parents/guardians wishing to challenge Milestones Day School's decision or course of action as it pertains to addressing their complaint should submit within 10 days of receiving the outcome of the investigation a written appeal to Robin Michaels (Vice President of Milestones Day School's Board of Directors). Ms. Michaels shall work with Milestones Day School's staff to investigate the appeal. During this period Ms. Michaels shall have access to the student's entire confidential file and access to all relevant contacts. The written completion of the investigation shall be completed within 10 school days and sent in writing to the person(s) who submitted the appeal thereafter. The person(s) submitting the appeal will be given the opportunity to meet with Ms. Michaels, Kim Rockers, and Alex Smith-Michaels.

Please send your information to:
Milestones Day School
410 Totten Pond Road
Waltham. MA 02451
Attn: Robin Michaels

Milestones is a day program and therefore needs to comply with 603 CMR 46.00 during school hours. We do not have a residential program and therefore 102 CMR 3.00 is not applicable.

Physical Restraint Policies and Procedures (9.4)

AGENCY NAME: Milestones Day School
PROGRAM NAME: Milestones Day School

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

Engaging Parents and Students in Discussions about Restraint Prevention and Restraint Solely as an Emergency Procedure:
Prior to admission, parents/guardians/students will be informed of our policies and procedures for behavior support, and all families sign annual consent that they understand our behavior support policies. Should a restraint take place the student has the ability to process the event with a staff member and parents can have a meeting to discuss the event. During these meetings we will be discussing restraint prevention and use. On an annual basis parents are also notified of our behavior protocol and are provided an opportunity to engage in discussion to clarify any questions they may have regarding physical restraint and prevention strategies. The policy is also located on the Milestones Day School website.

- 2. A description and explanation of the method of physical restraint used by the program in an emergency situation

Description and explanation of the method of physical restraint used by the program in an emergency situation:
When using restraint, the minimum amount of bodily force necessary to manage the behavior will be used only in emergency situations of last resort and after other lawful and less intrusive alternatives have failed or been deemed inappropriate. It will also be done in circumstances to protect a student and/or member of the school community from assault or imminent, serious physical harm and with extreme caution in order to prevent or minimize any harm to the student as a result of the use of physical restraint. The physical interactions used by the program and as described in the Safety Care curriculum includes protective holds (i.e., two person standing restraint, escorts, and blocks). Milestones Day School follows the Safety Care definitions and best practices for these procedures.

Should an incident occur, the Principal will be notified immediately upon initiation of a physical restraint. If a student needs to be restrained beyond twenty (20) minutes, the staff must obtain Principal approval. In addition, parents will be notified as soon as possible but at least by the end of the day. Administrators will be kept abreast of all restraints and copies of incident reports will be sent to parents and the sending district. The report will also be filed in the student's record.

Whenever possible, the administration of the physical restraint will be witnessed by a principal (as defined by the Department, such as the Principal, School Operations Manager, or Board Certified Behavior Analyst) who does not participate in the physical restraint.

When necessary, Milestones Day School uses time out in a quiet space. Students will be observed for the entire duration of the period they are in time out. Students will not be in time out any longer than necessary for him/her to control his/her behavior and return to a calm state. Each incident of timeout requires documentation in the form of an incident report, which is kept in the student's file and sent to parents and the sending district.

- 3. A statement prohibiting medication restraint, mechanical restraint and prone restraint unless permitted under 603 CMR 46.03(1)(b)

Mechanical restraint: shall mean the use of any physical device or equipment to restrict a student's freedom of the movement. The term does not include devices implemented by trained school personnel utilized by a student that have been prescribed by an appropriate medical or related service professionals, and are used for the specific and approved positioning or protective purposes for which such devices were designed. Examples of such devices include: adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; vehicle safety restraints when used as intended during the transport of a student in a moving vehicle, restraints for medical immobilization; or orthopedically prescribed devices that permit a student to participate in activities without risk of harm. **The use of a mechanical restraint is expressly prohibited.**

Seclusion: is defined as the involuntary confinement of a student alone in a room or area, with or without adult supervision, from which the student is not permitted to leave.
Medication restraint: shall mean the administration 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 a medication restraint. **The use of medication restraint is expressly prohibited.**
Prone Restraint: Shall mean a physical restraint in which a student is placed face down on the floor or another surface, and physical pressure is applied to the student's body to keep a student in the face down position. **The use of prone restraints is expressly prohibited.**

- 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

The program administers physical restraint only in emergency situations of last resort, after other lawful and less intrusive alternatives have failed or been deemed

inappropriate. It will also be done in circumstances to protect a student and/or member of the school community from assault or imminent, serious physical harm and with extreme caution in order to prevent or minimize any harm to the student as a result of the use of physical restraint.

Physical restraint is reduced or eliminated as much as possible and thought of as the most restrictive behavior intervention. Milestones Day School uses positive behavior support and incentive plans. These interventions prevent student violence, self-injurious behavior, and suicidal behavior, including de-escalating of potentially aggressive behavior occurring among groups of students or with an individual student. Physical restraint is used in emergency situations only of last resort when needed to protect a student and/or member of the school community from assault or imminent, serious, physical harm and with extreme caution in order to prevent or minimize any harm to the student as a result of the use of physical restraint. It is used only when other lawful and less intrusive alternatives have failed or been deemed inappropriate.

- 5. A description of the program's procedure for conducting periodic review of data and documentation on the program's use of restraint

Documentation of Records:

- Milestones Day School documents all restraints, including any required administrative approval, and its processing and follow-up procedures in a physical restraint incident report. All incident reports are reviewed by the School Operations Manager, and the original copy is kept in the student's file and is part of his/her educational record. These are available for the Department to review, upon request.
- The School Operations Manager (Shane Mayhew) must maintain an ongoing record of all ongoing instances of physical restraint that should be made available to the parent and/or the Department, upon request. Prior to the submission of any incident report, the School Operations Manager has consulted with pertinent team members, and verified the accuracy of the report. The principal is also provided a copy of the report. A weekly review of behavioral incidents (including but not limited to restraints) is conducted by a multi-disciplinary team to identify students who have been restrained multiple times during the previous week. If any more than 2 restraints occur in a week for one specific student, a meeting may be held to discuss and all attendees will sign in, and minutes will be taken. More commonly, Milestones Day School generally holds weekly supervision meetings for the elementary, middle school, and upper school staff (including respective speech and language pathologists,

psychologists, occupational therapists, BCBA, school operations manager, principal), and students' presentations are regularly discussed so that changes, antecedents, interventions etc can be developed and reviewed. Additionally, an annual report is provided to the department at the end of each school year which outlines all of the incident reports involving restraints. The School Operations Manager is designated to be responsible for the collection of the restraint data from the school and is responsible for ensuring that confidentiality and security is maintained. The School Operations Manager will collect data and submit one spreadsheet via a drop box on the security portal with all of the agency's restraint data to the Department on an annual basis.

The Principal 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 modify the school's restraint prevention and management policy, conduct additional staff training on restraint reduction or 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.

- 6. A description of the program's training requirements for all staff

Training Requirements:
This policy applies to all direct services staff employed by Milestones Day School as well as non-direct or ancillary designated staff. All staff receive training at least once per year in Safety Care including physical restraint training that focuses on restraint prevention and the requirements when restraint is used. The primary focus of the Safety Care system is on prevention, safety, and humane, supportive, evidence-based interventions. Such training shall occur within the first month of each school year; it occurs on the 2nd to last week of August, just prior to school starting. For employees hired after the school year, within one month of their employment. The School Operations Manager and other designees are certified restraint trainers in Safety Care and provide the staff training. They train staff on an annual basis with a refresher course every year as needed. The initial Safety Care training is 8 hours long and the annual refresher course is up to 5 hours long. All Milestones Day School Safety Care trainers have participated in the formal certification training program with Safety Care and have earned their certification. Milestones Day School trainers are re-certified as necessary prior to when their certification expires per Safety Care guidelines. Human

Resources shall maintain documentation of participation in Safety Care training within each staff member's personnel file.

Training shall include but is not limited to the following:

- The role of the student, family, and staff in preventing restraint;
- The program's restraint prevention and behavior support policy and procedures, including use of time-out as a behavior support strategy distinct from seclusion
- When behavior presents an emergency that requires physical restraint, the types of permitted physical restraints and related safety considerations, including information regarding increased risk of injury to a student when any restraint is used, in particular a restraint of extended duration
- Administering physical restraint in accordance with medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans applicable to an individual student
- Identification of program staff who have received in-depth training pursuant to 603 CMR 46.03(3) in the use of physical restraint.

During Safety Care, particular emphasis is also given to training staff on interventions that may preclude the need for restraint, including de-escalation of problematic behaviors and other alternatives to restraint in emergency circumstances such as but not limited to the following:

Definitions:

- ***Physical restraint:*** shall mean 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:*** shall mean a temporary touching or holding without the use of force, of the hand, arm, shoulder, or back for the purpose of inducing a student who is agitated to walk to a safe location.
- ***Structuring the environment:*** including thinking about where we choose to discuss situations, whether we sit or stand, the tone a staff member uses, etc.
- ***Touch reminder:*** lightly touching the student's hand, shoulder, or arm may provide a "reminder" that we are there which might provide the person with the additional support needed to remain in control (our staff are aware that in some

instances, light touch can escalate a student and if known will not be used in these situations).

- ***Proximity control or taking space:*** having someone close to or further away from the person might be calming depending on his/her personality. This may also take the form of asking a student to move to a quiet, neutral, and safe area that minimizes visual and auditory stimulation and assists individuals in regaining control.
- ***Prompting/verbal cues:*** gentle verbal reminders to use appropriate behavior or learned coping skills or a verbal reminder to stop an undesirable behavior or inappropriate action. We would use one or two reminders before switching to a different technique.
- ***Non-verbal cues:*** using nods, signs, checklists, hand-gestures, or eye contact to remind the individual of behavioral expectations.
- ***Prompting:*** reminding the student of coping skills or the first few steps in conflict resolution.
- ***Choice making:*** providing at least two choices in daily activities, tasks, and routines.
- ***Planned ignoring with positive feedback:*** when students are engaging in attention seeking behavior and know alternative positive strategies to seek attention, but opt not to use them, the staff will use planned ignoring until the student participates in more appropriate behavior, at which time he/she will be praised for the appropriate behavior.
- ***Redirection:*** turning attention from an undesirable activity to one that is neutral or socially appropriate.
- ***Directive statements:*** informing the student of what he/she needs to do when the student's ability to make decisions for him/herself declines. Statements may range from requests to listening to rules to demands.
- 7. A description of the intensive training for staff who serve as restraint resources for the program

The School Operations Manager and other designees are certified restraint trainers in Safety Care and provide the staff training. They train staff on an annual basis with a refresher course every year as needed. The initial Safety Care training is 8 hours long and the annual refresher course is up to 5 hours long. All Milestones Day School Safety Care trainers have participated in the 3 day formal certification training program with Safety Care and have earned their certification. Milestones Day School trainers are re-certified as necessary prior to when their certification expires per Safety Care guidelines. Human Resources shall maintain documentation of participation in Safety Care training within each staff member's personnel file.
In-Depth Training shall include, but is not limited to:

- Appropriate procedures for preventing the use of physical restraint, including the de-escalation of problematic behavior, relationship building and the use of alternatives to restraint
- A description and identification of specific dangerous behaviors on the part of students that may lead to the use of physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted
- The simulated experience of administering and receiving physical restraint, instruction regarding the effect(s) on the person restrained, including instruction on monitoring physical signs of distress and obtaining medical assistance
- Instruction regarding documentation and reporting requirements and investigation of injuries and complaints
- Response and Intervention Protocols: Standard Responses to Behavior
- Demonstration by participants of proficiency in administering physical restraint
- Engaging Parents and Student in Discussions about restraint prevention and
- Instruction regarding the impact of physical restraint on the student and family, recognizing the act of restraint has impact, including but not limited to the psychological, physiological and social-emotional effects.
- 8. Reporting requirements and follow-up procedures for reports to parents/guardians and to the Department

Follow-Up Procedures:
At an appropriate time by the end of the day after the student has been released from restraint, the program shall implement the following procedures:

- Address any physical implications/injuries and obtain appropriate medical attention or administer first aid, as needed; any injuries will be reported to the Department and parent as necessary
- Review the incident with program staff that administered the restraint to discuss whether proper restraint procedures were followed and offer emotional support, as needed
- Consider whether any follow-up is appropriate for the students who witnessed the incident. Written documentation accompanies all restraints and is available for the Department to review.

Reporting Requirements, Data Collection and Review of Documentation:
The program staff member who administers a physical restraint and/or who administers any physical restraint that results in an injury to a student or staff shall verbally inform the Principal or CEO or his/her designee of the restraint as soon as possible. This can

be done in the form of radioing a crisis team. An incident report shall be completed and provided to the Principal or CEO of the program for review no later than the close of the working day that the restraint was administered. For extended restraints (twenty minutes or longer), the report shall describe the alternatives that were attempted, the outcome of those efforts, and the justification for administering the extended restraint. All such reports shall be maintained in the student's record. The Principal and School Operations Manager reviews all restraints after each incident occurs to ensure accuracy and appropriateness.

Any physical restraint that results in an injury to the student or staff member shall be reported to the Department. The school operations manager shall maintain an ongoing record of all reported instances of physical restraint and/or any physical restraint that results in injury to a student or staff. When a restraint has resulted in injury to a student or staff member the program, under Department regulations, shall provide a copy of the report and the Student/Staff Restraint Injury Report within three (3) days of the administration to the Department. The Program shall also send the Department a copy of the record of physical restraints maintained by the Operations Manager for the 30 day period prior to the date of the reported restraint. If additional action by Milestones is warranted, the Department will notify Milestones Day School within 30 calendar days of receipt of the required written report(s).

Contents of Reports for Restraints Administered:

The written report must include: name of the student; names/job titles; signatures of the staff who administered the restraint, and observers if any; the date of the restraint; the duration of the restraint; the name of the principal or designee who was verbally informed following the initiation of the restraint; and, as applicable, the name of the principal or designee who approved continuation of the restraint beyond 20 minutes; and the location of the time out. 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; the justification for initiating physical restraint. A description of the administration of the restraint including which of the holds was used (i.e., team control or child control); the student's behavior and reactions during the restraint; how the restraint ended; documentation of injury to the student and/or staff, if any, during the restraint and any medical care provided; processing and review of the restraint with the student following the restraint; and information regarding any further action(s) that the school has taken or may take, including any consequences that may be imposed on the student. The

student's parents are also provided an opportunity to discuss with school officials the administration of the restraint, any consequences that may be imposed on the student and any other related matter.

Notification to Parents/Guardians: The Case Manager, Principal or his/her designee shall make reasonable efforts to verbally inform the student's parents or guardians of any physical restraint and/or any physical restraint that results in an injury to a student or staff member within 24 hours of the event. A student's parent/guardian shall be notified 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. Milestones Day School shall provide the student and parent an opportunity to comment orally and in writing ideally by the end of the day but within 24 hours on the use of the restraint and on information in the report in each instance. If applicable, such comments will be attached to the restraint incident form. If a family were to submit formal commentary, such comments will be attached to the restraint incident form for the school and the Departments review. Importantly, parents are always welcomed to schedule time to discuss, in more detail, the steps taken by Milestones Day School regarding restraint prevention and use. Milestones may request such meetings with the parents/districts, as appropriate.

- 9. A procedure for receiving and investigating complaints regarding restraint practices

Complaint Procedures:

Informal resolution of concern about the use of physical restraint: Before initiating a formal complaint procedure, a student or his/her parent/guardian who has concerns regarding a specific use of physical restraint may seek to resolve his/her concerns by raising the issue with the Principal or CEO within ten (10) days of the parent/guardian's receipt of the written report. The Principal or CEO shall attempt, within his/her authority, to work with the individual to resolve the complaint fairly and expeditiously. If the student and/or his/her parent/guardian are not satisfied with the resolution, or if the student and/or his/her parent/guardian does not choose informal resolution, then the student and/or his/her parent/guardian may proceed with a formal complaint process.

Formal resolution of concern about the use of physical restraint: A student or his/her parent/guardian, who has concerns regarding specific use of a physical restraint, may seek to resolve his/her concerns regarding a specific use of a physical restraint by submitting a written complaint to the Principal or CEO. The student and/or his/her parent/guardian should submit this letter to the CEO within twenty (20) days of the

parent/guardian's receipt of the written report from the program. The written complaint shall include (a) the name of the student; (b) the name of the program where the physical restraint allegedly occurred; (c) the name of the individuals involved in the alleged physical restraint; (d) the basis of the complaint or concern; and (e) the corrective action being sought.

The Principal or CEO shall conduct an investigation into the complaint promptly after receiving the complaint. In the course of its investigation the Principal or CEO or designee(s) shall contact those individuals that have been referred to as having pertinent information related to the complaint. Written parent/guardian consent to speak to a student shall be required for all students under the age of eighteen (18). Strict timelines cannot be set for conducting the investigation because each set of circumstances is different. The Principal or CEO will make sure that the complaint is handled as quickly as is feasible.

After completing the formal investigation, the Principal or CEO shall contact the individual who filed the complaint regarding the outcome of its investigation and its determination as to whether any corrective action is warranted.

Recourse and Appeal Process:

Students or parents/guardians wishing to challenge Milestones Day School's decision or course of action as it pertains to addressing their complaint should submit within 10 days of receiving the outcome of the investigation a written appeal to Robin Michaels (Vice President of Milestones Day School's Board of Directors). Ms. Michaels shall work with Milestones Day School's staff to investigate the appeal. During this period Ms. Michaels shall have access to the student's entire confidential file and access to all relevant contacts. The written completion of the investigation shall be completed within 10 school days and sent in writing to the person(s) who submitted the appeal thereafter. The person(s) submitting the appeal will be given the opportunity to meet with Ms. Michaels, Kim Rockers, and Alex Smith-Michaels.

Please send your information to:
Milestones Day School
410 Totten Pond Road
Waltham. MA 02451
Attn: Robin Michaels

- 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

Documentation of Records:

- Milestones Day School documents all restraints, including any required administrative approval, and its processing and follow-up procedures in a physical restraint incident report. All incident reports are reviewed by the School Operations Manager, and the original copy is kept in the student's file and is part of his/her educational record. These are available for the Department to review, upon request.
- The School Operations Manager (Shane Mayhew) must maintain an ongoing record of all ongoing instances of physical restraint that should be made available to the parent and/or the Department, upon request. Prior to the submission of any incident report, the School Operations Manager has consulted with pertinent team members, and verified the accuracy of the report. The principal is also provided a copy of the report. A weekly review of behavioral incidents (including but not limited to restraints) is conducted by a multi-disciplinary team to identify students who have been restrained multiple times during the previous week. If any more than 2 restraints occur in a week for one specific student, a meeting may be held to discuss and all attendees will sign in, and minutes will be taken. More commonly, Milestones Day School generally holds weekly supervision meetings for the elementary, middle school, and upper school staff (including respective speech and language pathologists, psychologists, occupational therapists, BCBA, school operations manager, principal), and students' presentations are regularly discussed so that changes, antecedents, interventions etc can be developed and reviewed. Additionally, an annual report is provided to the department at the end of each school year which outlines all of the incident reports involving restraints. The School Operations Manager is designated to be responsible for the collection of the restraint data from the school and is responsible for ensuring that confidentiality and security is maintained. The School Operations Manager will collect data and submit one spreadsheet via a drop box on the security portal with all of the agency's restraint data to the Department on an annual basis.

NOTE: A residential educational program must comply with ESE restraint requirements under 603 CMR 46.00 during school hours and EEC restraint requirements under 102 CMR 3.00 during residential hours.
Milestones Day School is a day program and therefore needs to comply with 603 CMR 46.00 during school hours. We do not have a residential program and therefore 102 CMR 3.00 is not applicable.

NOTE: A program within a program or facility subject to M.G.L. c. 123 or Department of Mental Health Regulations must comply with the restraint requirements of M.G.L. c. 123, 104
CMR 27.12 or 104 CMR 28.05, where applicable.

NOT APPLICABLE, Milestones Day School is a Day School

NOTE: Physical restraint training must be provided to all program staff during the annual staff training days scheduled typically in August each year, regarding restraint prevention and the requirements when restraint is used.
For employees hired after the school year begins, physical restraint training must be provided and completed within one month of the date of hire of the employee.
This policy applies to all direct services staff employed by Milestones Day School as well as non-direct or ancillary designated staff. All staff receive training at least once per year in Safety Care including physical restraint training that focuses on restraint prevention and the requirements when restraint is used. The primary focus of the Safety Care is on prevention, safety, and humane, supportive, evidence-based interventions. Such training shall occur within the first month of each school year; it occurs on the 2nd to last week of August, just prior to school starting. For employees hired after the school year, within one month of their employment. The initial Safety Care training is 8 hours long and the annual refresher course is up to 5 hours long.