

Fall River Public Schools Restraint, Seclusion, and Time Out School Committee Policy

The Fall River Public Schools is committed to maintaining safe, secure and orderly school environments that support academic achievement while respecting the rights of the individuals comprising the school community. Maintaining an orderly, safe environment conducive to learning is an expectation of all staff members of the school district. At times, physical restraint and/or emergency seclusion of a student may be necessary to protect that student or other individuals from assault or imminent physical harm. This policy establishes the standards and procedures governing the use of restraint in accordance with 603 CMR 46.00 (as amended effective August 17, 2026.) Its purpose is to ensure the safety of students and staff while safeguarding students' legal rights and restricting the use of physical restraint or seclusion to emergency situations only. Students are protected by law from the unreasonable or unlawful use of restraint and seclusion, and the District adheres to all state requirements governing the safe, appropriate, and legally permissible use of physical restraint and seclusion in district schools.

Physical restraint and seclusion are emergency procedures of last resort and are permitted only when a student's behavior poses a threat of assault or imminent, serious physical harm to the student or others, and the student is not responsive to verbal directives or other lawful, less intrusive interventions. Any use of physical restraint shall be limited to the degree of force necessary to protect a student or another person from assault or imminent, serious physical harm.

The Superintendent will develop procedures identifying:

- Methods for preventing student violence, self-injurious behavior, and suicide, including individual crisis planning and de-escalation of potentially dangerous behavior occurring among groups of students or with an individual student;
- Methods for engaging parents in discussions about prevention of physical restraint and seclusion and the use of restraint and/or seclusion solely as an emergency procedure;
- Descriptions and explanations of alternatives to physical restraint or seclusion as well as the school's method of physical restraint or seclusion for use in emergency situations;
- A statement prohibiting: medication restraint, mechanical restraint, prone restraint unless permitted under the state regulations, seclusion unless permitted pursuant under the regulations, and the use of physical restraint in a manner inconsistent with 603 CMR 46.00;
- Descriptions of the school's training requirements and procedures to comply with the reporting requirements of 603 CMR 46.06, including, but not limited to, making reasonable efforts to inform a parent of the use of restraint or seclusion within twenty-four (24) hours and providing written notice to the parent within three (3) school working days;

- Procedures for conducting the required follow-up after each physical restraint or use of seclusion, including debriefing, review of the incident, and implementation of any necessary behavioral supports, consistent with 603 CMR 46.06(4);
- Procedures for conducting periodic review of data and documentation on the use of physical restraints and/or seclusion as described in 603 CMR 46.06(5) and (6);
- Procedures for receiving and investigating complaints regarding restraint and seclusion practices;
- Procedures governing the use of time-out within District schools; and
- A process for obtaining Principal approval for seclusion or time out exceeding 30 minutes.

These procedures will be reviewed annually, provided to program staff, and made available to parents and guardians of enrolled students.

The use of mechanical restraint and medication restraint is strictly prohibited. Prone restraint is prohibited except in the limited circumstances expressly permitted by 603 CMR 46.03. Seclusion is prohibited except in the limited circumstances expressly permitted under 603 CMR 46.07(2), and only in accordance with the specific conditions and safety requirements set forth in the regulations. Physical restraint or seclusion may never be used: as a means of discipline or punishment; when the student cannot be safely restrained or secluded because it is medically contraindicated; as a response to property destruction or disruption of school order; in response to a student's refusal to comply with a public education program rule or staff directive, or in response to verbal threats, when those actions do not constitute a threat of imminent assault, or imminent serious, physical harm or as a standard response for any individual student. No written individual behavior plan or individualized education program ("IEP") may include use of physical restraint or seclusion as a standard response to any behavior.

Nothing in this policy or 603 CMR 46.00 prohibits a staff member from using reasonable force to protect students, other persons, or themselves from assault or imminent, serious, physical harm. 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.

Legal Ref.: M.G.L. c. 71:37G; 603 CMR 46.00 (as amended effective August 17, 2026)
Adopted: July 23, 2026