

Newton Public Schools Protocol For Training, Implementation, Documentation And Review: Time-Out, Seclusion, And Restraint Of Students

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Newton Public Schools complies with the Department of Elementary and Secondary Education (DESE) regulations governing the use of Physical Restraint (603 CMR 46.00). These regulations apply not only at school but also at school-sponsored events and activities, whether or not on school property. Additional information, including a copy of the regulations can be obtained from the Assistant Superintendent of Student Support Services Office or obtained at <https://www.doe.mass.edu/lawsregs/603cmr46.html?section=all>.

In accordance with the DESE regulations, Newton Public Schools shall engage parent(s) in discussions about Restraint prevention and the use of Restraint solely in an emergency situation of last resort. This Physical Restraint, Seclusion, and Time-Out Policy will be posted on the Newton Public Schools' website and within school handbooks. Parents are also welcome to request a meeting with the Principal or Team Chair to discuss any individual Restraint or to discuss Restraint, Seclusion, and time-out procedures in general use.

In any unsafe situation, Newton Public Schools staff will conduct a careful assessment of the risks and benefits of any intervention. In most cases, unsafe situations can be de-escalated by verbal intervention and the use of positive behavior support strategies. Newton Public Schools is committed to the prevention of physical Restraint and Seclusion whenever possible, and these procedures are used only as a last resort. If physical Restraint or Seclusion is necessary, the safe administration of these procedures is of the utmost importance and will be done in accordance with the regulations for the prevention and safe use of physical Restraint (603 CMR 46.00) and the new regulations set forth by DESE that are in effect as of August 17, 2026

Nothing in this policy shall preclude a teacher, employee, or agent of Newton Public Schools from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm. Nothing in this policy or the DESE regulations prohibits law enforcement or school security personnel from exercising their responsibilities, including physical detainment of an individual alleged to have committed a crime or posing a security risk.

Definitions:

1. 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.

2. Prone Restraint: 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 the student in the facedown position. The use of prone Restraint is prohibited unless where permitted under 603 CMR 46.03 only under exceptional and extremely rare situations with prior approval from DESE.
3. 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. This is not considered a Restraint. However, if the escort is performed against the active resistance of the student to go with the staff person, consider the procedure a Restraint and document its occurrence as such.
4. Time-Out: A behavioral support strategy in which a student temporarily separates from the learning activity or the classroom, either by choice or by direction from staff, for the purpose of calming..
5. Seclusion: The involuntary confinement of a student alone in a room or area, with or without adult supervision, from which the student is physically prevented from leaving. Seclusion does not include a time-out as defined above.
6. Mechanical Restraint: The use of any physical device or equipment to restrict a student's freedom of movement. Mechanical Restraint does not include devices implemented by trained school personnel, or utilized by a student, that have been prescribed by an appropriate medical or related services professional, 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. Mechanical Restraint is prohibited.
7. Medication Restraint: the administration of medication for the purpose of temporarily controlling behavior. Medication prescribed by a licensed physical and authorized by the parent for administration in the school setting is not medication Restraint. Medication Restraint is prohibited.

Prevention of Physical Restraint and Seclusion

1. Students, families, and school staff each play a role in preventing Restraint and ensuring the safety of the school community.

Students: Students are responsible for knowing and following the school rules and code of conduct, as outlined in the Student/Family Handbooks. Students are also encouraged to report to staff whenever another student evinces violent or dangerous behavior towards themselves or others.

Families: Families should be aware of and encourage adherence to the school rules and code of conduct, as outlined in the Student/Family Handbooks. Regular communication between parent(s) and school is important to facilitate support for any student experiencing difficulty.

School Staff: Staff are responsible for reviewing, attending training, and implementing the school policies and procedures, including those related to Physical Restraint and time-out. Staff are also responsible for discussing and explaining these policies and procedures to families and students to prevent misunderstanding.

Administration: Newton Public Schools will annually review its Physical Restraint and Time-Out Policy and related procedures, provide it to school staff, provide annual training to school staff, and make the policy and procedures available to families of enrolled students.

2. As set forth in the DESE regulations, Newton Public Schools shall develop methods for preventing student violence, self-injurious behavior, and suicide, including individual crisis planning, behavior intervention plans, and de-escalation of potentially dangerous behavior occurring among groups of students or with an individual student.
3. Physical Restraint is an emergency procedure of last resort. There are many strategies and programs that foster social emotional learning and behavioral regulation and may reduce the need for Physical Restraint.
4. These strategies and programs form a continuum of supports, ranging from school-wide strategies (Tier 1), less intensive supports to small groups or individuals (Tier 2), and intensive and individualized supports (Tier 3). Examples of supports include but are not limited to:

Tier 1

- Class- or School-Wide Behavior Support Systems
- Trauma Sensitive School Training

- Provision of Self-Regulation Strategies (e.g., movement breaks, sensory breaks, breathing exercises)
- Time-Out for the purpose of calming
- Safety-Care Incident Prevention Procedures

Tier 2

- Counseling/SEL Group
- Child Study Teams
- Collaborative Problem Solving
- Provision of Self-Regulation Strategies (e.g., movement breaks, sensory breaks, breathing exercises)
- Time-Out for the purpose of calming
- Safety-Care Incident Prevention and Minimization Procedures
- Check-In Check-Out

Tier 3

- Individualized Counseling
- Collaborative Problem Solving
- Individualized Functional Behavior Assessment and Behavior Support Plan Development
- Time-Out for the purpose of calming
- Safety-Care Incident Minimization Procedures

5. Newton Public Schools' staff may utilize a variety of behavioral interventions in order to de-escalate a student, including but not limited to:
- Offering choices of activities, work location, support staff, etc.
 - Verbal redirection
 - Verbal direction to cease behavior
 - Opportunity for a movement break
 - Opportunity for a sensory break
 - Breathing exercises
 - Access to a preferred, tangible item
 - Reducing the demands/amount of work expected
 - Reminding student of reinforcers available for engaging in appropriate behaviors (e.g. first work, then you can read)
 - Prompting the student to use functional language to communicate their feelings or needs (e.g. if you are frustrated you can tell me "I need a break")
 - Offering opportunities to speak with professionals (e.g. teacher, administrator, nurse, or guidance counselor)
 - Working in small groups outside classroom on academic related work
 - Time-Out for the purpose of calming
 - Whenever there is a behavior support plan in place for a student, staff should defer to the specific interventions outlined in the behavior plan.

6. If a student engages in challenging behavior, staff is encouraged to contact building-based supports: child study teams, school psychologist, social worker, counselor, behavior analyst, or special educator for assistance in developing behavioral supports that may reduce the likelihood of severe challenging behavior.

Use of Time-Out

1. Time-Out is a behavioral support strategy in which a student temporarily separates from the learning activity or the classroom, either by choice or by direction from staff, for the purpose of calming. Time-Out can either be inclusionary or exclusionary.
 - a. ***Inclusionary*** time-out is when the student is removed from positive reinforcement or full participation in classroom activities while remaining in the classroom.
 - b. ***Exclusionary*** time-out is a staff-directed behavioral support where the student is separated from the rest of the class either through complete visual separation or by actual physical separation. Exclusionary time-out should only be used when the student is displaying behaviors that present, or potentially present, an unsafe or overly disruptive situation in the classroom. Staff-directed ***exclusionary*** time-out should not be used as a method of punishment for noncompliance, or for incidents of misbehavior that are no longer occurring. Exclusionary time-out spaces include rooms designed exclusively for calming, other classrooms, or cubicle spaces.
2. During a Time-Out, the student will be continuously observed by staff, and staff should be helping the student to calm.
3. The Time-Out must occur in an unlocked setting from which the student is permitted to leave.
4. Any room or area used for Time-Out should be clean, safe, and sanitary. It should be appropriate for the purpose of calming students, including being of appropriate size for the students served. It should be appropriately lighted, ventilated, and heated and cooled, consistent with the remainder of the building. The space should be free of objects or fixtures that are inherently dangerous and should be in compliance with local fire and building code requirements. Sensory tools or calming materials (e.g., bean bag chairs, exercise balls, stress balls, etc.) will be available as appropriate for the student.
5. In rare instances when it might not be safe for the staff member to be

present with the student in the Time-Out room, school staff must be immediately available to the student and must continuously observe the student to make sure they are safe.

6. For students displaying self-injurious behavior, a staff member must be physically present in the same setting with the student.
7. If a student in the Time-Out room asks to use the bathroom or has some other basic necessity, those requests should be granted. If a student verbally or non-verbally communicates the desire to leave a Time-Out space, they should be allowed to leave unless the student's behavior poses a threat of assault, or imminent, serious, physical harm to self or others and all of the requirements for a Seclusion are in place.
8. Time-Out shall end as soon as the student has calmed, based on staff observation of the student's physical cues, tone of voice, and demeanor. The student should not be required to complete any specific task or checklist to demonstrate that they have calmed.
9. For any Time-out that may last longer than 30 minutes, staff must seek approval from the principal or designee for the continued use of Time-Out. It is recommended that the principal be contacted at the 20-minute mark of an exclusionary time-out. Any such approval will be based on careful consideration of the individual student's presentation and level of agitation. If, in the opinion of the principal or designee, the student has calmed, then the time-out will cease.
10. For any Time-Out approaching or exceeding 30 minutes duration, staff will also consider the need to follow-up and debrief the incident with the student at a later time and/or whether the student's behavior warrants convening a Team meeting; modifying an existing behavior plan; or creating a new behavior plan. Staff will attempt to contact the student's parent(s) within 24 hours and offer an opportunity to discuss the circumstances of the extended time-out.
11. If it appears that the use of Time-Out exacerbates the student's behavior, or the continuation of the Time-Out beyond 30 minutes has not helped the student to calm, then other behavioral support strategies should be attempted.
12. Time-Out does not include time spent meeting with administrators; visits to the nurse; performing an errand in another part of the school building; or working in small groups outside the classroom. Students may also take space for calming while remaining fully aware of the learning activities in the classroom. For example, "planned ignoring;" asking students to put their heads down; or placing a student in a different location within the

classroom are alternatives to time-out.

13. For each instance of Time-Out outside of the classroom, staff should record the student's name, date, location, time the time-out began, duration, behavior prior to Time-Out, person initiating the Time-Out, alternative behavior management strategies attempted, name of the staff present during Time-Out, strategies used to calm the student during the Time-Out, the written approval of the principal or designee if the Time-Out lasted longer than 30 minutes, and the attempts to notify the student's parent(s) if Time-Out lasted longer than 30 minutes.

Safe Use of Restraint

1. *Physical Restraint shall be considered an emergency procedure of last resort and can only be used 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.*
2. Physical Restraint should not be used as a means of discipline or punishment.
3. Physical Restraint should not be used as a response to property destruction, disruption of school order, a student's refusal to comply with a policy or directive, or verbal threats when those actions do not constitute a threat of assault, or imminent, serious, physical harm.
4. No written individual behavior plan or individualized education program (IEP) may include use of Physical Restraint as a standard response to any behavior. Physical Restraint is an emergency procedure of last resort.
5. Only Restraints taught as part of the in-depth training in the non-violent crisis intervention program used by the district (Safety-Care) may be used.
6. Physical Restraint should only be implemented by staff that have completed the in-depth training in the non-violent crisis intervention program used by the district (Safety Care) in the past year.
7. Staff shall attempt the least restrictive and safest method possible. More restrictive methods should only be used if less restrictive methods have failed or have been deemed inappropriate to the situation.
8. Prior to the use of Restraint, staff should have reviewed and considered any known medical or psychological limitations, known or suspected

trauma history, and/or behavioral intervention plans regarding the use of Physical Restraint on an individual student prior to the implementation of Restraint.

9. Restraint cannot be used if it is medically contraindicated because of medical reasons such as asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting. Student's IEP team should meet to discuss available alternatives if Restraint is not medically allowable for a student using the Pre-Restraint Safety Checklist.
10. The amount of force used should be the minimum necessary to protect the student and others from assault or imminent, serious, physical harm.
11. No Restraint shall be administered in such a way that the student is prevented from breathing or speaking. During the administration of a Restraint, a staff member shall continuously monitor the physical status of the student, including skin temperature and color, and respiration. Restraint methods should not prevent normal breathing or speaking.
12. All Physical Restraints must end as soon as the student is no longer an immediate danger to himself or others. A Restraint must be stopped immediately if the student indicates that he or she cannot breathe, or if the student expresses or is observed to be in severe physical distress, such as having difficulty breathing or sustained or prolonged crying or coughing. If that occurs, school staff should take steps to seek medical assistance immediately.
13. Whenever possible, the Restraint should be witnessed by more than one person. This person should be an individual not involved in the Restraint.
14. If it appears that a student may need to be restrained for more than 20 minutes, staff members must obtain the approval of the principal or designee *before* continuing Restraint beyond 20 minutes. By the 10-minute mark, the principal should be notified of the Restraint. Before making a decision on the extension, the principal must be informed of all critical details regarding the Restraint of the student, including the type of Restraint and the student's behavior and condition during the Restraint, so that they may determine whether continued Restraint is justified based on the student's continued agitation. The approval shall be based upon the student's continued agitation during the Restraint justifying the need for continued Restraint.
15. After the release of a student from a Restraint, the student's physical and psychological status should be evaluated by a licensed medical professional, typically the school nurse.

16. After the release of a student from a Restraint, follow-up procedures should be implemented. These procedures shall include reviewing the incident with the student to address the behavior that precipitated the Restraint (if appropriate), reviewing the incident with the staff person(s) who administered the Restraint to discuss whether proper Restraint procedures were followed, and consideration of whether any follow-up is appropriate for students who witnessed the incident.

Safe Use of Seclusion

1. Seclusion is the involuntary confinement of a student alone in a room or area, with or without adult supervision, from which the student is physically prevented from leaving. Seclusion is prohibited, except on an individual basis and when all of the following conditions, which require specific, advance documentation, are met:
 - a. The student has a documented history of repeatedly causing serious self-injuries and/or injuries to other students or staff;
 - b. The student is not responsive to directives or other less intrusive behavior interventions, or such interventions are deemed to be inappropriate under the circumstances;
 - c. Other forms of intervention have failed to ensure the safety of the student and/or others;
 - d. There are no medical contraindications, as documented by a licensed physician;
 - e. There is psychological or behavioral justification for the use of Seclusion and no psychological or behavioral contraindications, as documented by a licensed mental health professional;
 - f. The program has obtained consent from the student's parent and, if appropriate, the student, to use Seclusion in an emergency and the use has been approved in writing by the Principal;
 - g. Any individual using Seclusion has received training about alternative behavior interventions and management techniques; and
 - h. The program has documented all of the above before using Seclusion and maintains the documentation.
2. No written individual behavior plan or individualized education program (IEP) may include use of Seclusion as a standard response to any behavior.
3. At all times during the use of Seclusion, a staff member will continuously monitor and observe the student, be immediately available to the student, and continue to use calming and deescalation strategies with the student, unless it is unsafe or counterproductive to do so.

4. Any room or area used for Seclusion should be clean, safe, and sanitary. It should be appropriate for the purpose of calming students, including being of appropriate size for the students served. It should be appropriately lighted, ventilated, and heated and cooled, consistent with the remainder of the building. The space should be free of objects or fixtures that are inherently dangerous and should be in compliance with local fire and building code requirements. Any room used for Seclusion will be inspected by the program for compliance with such requirements at least weekly.
5. The emergency use of Seclusion will cease as soon as the student's behavior no longer poses a threat of assault or imminent serious physical harm or if the student is observed to be in severe distress.
6. The Principal's approval must be obtained if Seclusion is used for a period longer than 30 minutes.
7. Any program or school within Newton Public Schools which uses Seclusion, consistent with the requirements above, must examine alternatives and strategies for reducing and eliminating its use no later than 3 years from the effective date of the Regulations

Staff Training

1. All staff must complete a one-hour training on the safe use and prevention of Restraint and behavior support policy. This training must be completed within one month of employment. Training should include:
 - a. Information on the role of various individuals in preventing Restraint;
 - b. The Time-Out, Seclusion, and Physical Restraint Policy and procedures;
 - c. Interventions that may preclude the need for Restraint, including de-escalation techniques;
 - d. Types of permitted Physical Restraints and related safety considerations;
 - e. 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; and
 - f. Identification of program staff who have received in-depth training in the use of Physical Restraint, who may serve as school-wide resources to assist in ensuring proper administration of Physical Restraint.
2. Staff who work directly with students with a documented history of unsafe behavior and other staff identified as members of school-based crisis intervention teams must receive competency-based, in-depth training.

Refresher trainings must be held annually. The non-violent crisis intervention program currently adopted by the district is Safety Care.

3. The in-depth training must be provided by an instructor who has been certified in the crisis intervention program in use in Newton Public Schools (Safety Care).

Documentation and Notification

Any and all instances of Physical Restraints or Seclusion, regardless of duration, will be reported to the Principal, the Parents, and the Department of Elementary and Secondary Education (DESE) as indicated below.

1. Any staff member who administers a Restraint/Seclusion shall notify the Principal or designee as soon as possible and in writing no later than the next school working day. If the Principal administered the Restraint, the Principal shall prepare the report and submit it to the Superintendent.
2. All schools will maintain electronic Restraint and Seclusion folders for any student who has had a Physical Restraint, a physical escort against active resistance, or a Seclusion. The electronic folders will contain copies of any Restraint/Seclusion reporting forms pertaining to that student.
3. Each instance of Restraint or Seclusion should be recorded on the NPS Restraint Google Form or the NPS Seclusion Google Form. Items/Questions on the forms with an asterisk (*) are required to be answered.
4. Any use of Time-Out outside of the classroom, whether identified as a calming strategy on the student's BSP or not, should be documented using the internal NPS Time-Out Log Form. The time-out logs are kept electronically and shared with the building Principal and Supervisor of ABA Services.
5. NPS Restraint and Seclusion Report Google Forms should be completed within 24 hours. These are automatically shared with the building principal and other necessary school staff, as well as with the Supervisor of ABA services. The Supervisor of ABA Services is responsible for sharing Restraint Reports with the DESE.
6. If any injury occurs to a student or program staff member during a Restraint or Seclusion, the NPS injury report should be completed and shared with the building principal and the Supervisor of ABA Services. The questions related to injuries should also be fully completed on the NPS Restraint or Exclusionary Time-Out Report Google Form.

Administrative Review of Physical Restraint Reports and Time-Out Logs

1. Only the NPS Restraint and Seclusion Report Google Forms should be used to document Restraints and Seclusions,
2. The NPS Time-Out Log Form should be used to document any use of Time-Out with a student outside of the classroom.
3. Each principal should be notified of a Restraint or Seclusion as soon as possible and by written report no later than the next school working day.
4. Each principal or designee should make reasonable effort to notify the student's parents or guardian within 24 hours of the Restraint or Seclusion and by written report by email or mail within no more than 3 school working days. The written Restraint or Seclusion report must be provided to the student's parent(s) in the language in which report cards and other necessary school-related information are customarily provided.
5. Each principal or designee should offer parents/guardians an opportunity to discuss with school officials the Restraint/Seclusion, consequences that may be imposed on the student, or any related matter. Parents/guardians wishing to discuss any of these concerns should contact the building principal.
6. Any complaint or concern regarding Physical Restraint/Seclusion should be brought to the Assistant Superintendent of Student Services, Casey Ngo-Miller. Additionally, the Massachusetts Department of Elementary and Secondary Education provides mechanisms to file complaints and request investigations, the processes which are set forth in [Parent's Notice of Procedural Safeguards - Special Education](#) and more information can be found on the DESE website, [Technical Assistance - Documents - Special Education](#).
7. Each principal shall identify a building-based review team or teams to review incidents of Physical Restraint and Seclusion. Time-Out logs should also be reviewed.
8. The Principal or designee shall conduct **a weekly review** of the Restraint Report Google Forms and the Seclusion Report Google Forms to identify student(s) who have been restrained/secluded multiple times during the week and convene teams to review the student's needs, as appropriate. The review team will review the written Physical Restraint/Seclusion reports; analyze the circumstances leading up to each Restraint, including factors such as time of day, day of the week, antecedent events, and individuals involved; consider factors that may have contributed to escalation of behaviors and alternatives to Restraint/Seclusion, with the

- goal of reducing or eliminating the use of Restraint/Seclusion in the future; and create a written plan of action, if appropriate. The Principal shall ensure that a record of any such individual student review team is maintained and made available to DESE or the Parents upon request.
9. The Principal shall also conduct **a monthly review** of the Restraint Report Google Forms and the Seclusion Report Google Forms in order to consider patterns in the time of day, day of week, or individuals involved; the number and duration of Restraints/Seclusions school-wide and for individual students; the number and type of injuries, if any, resulting from use of Restraint; and the need for additional staff training, policy modifications, or other action to reduce or eliminate Restraints.
 10. The Physical Restraint Forms and Seclusion Forms, if any, shall be made available for review by a parent (in accordance with student records regulations) or the DESE upon request.
 11. All NPS Restraint and Seclusion Report Google Forms are automatically shared with the Supervisor of ABA Services who reviews them within 24 hours and reaches out to schools/staff with any questions or concerns. The Supervisor of ABA Services shares the information from Restraint Reports with DESE.
 12. If a Physical Restraint or Seclusion results in injury to either a student or a staff member, a copy of the written report of that Restraint or Seclusion should be sent to the DESE within three (3) school working days, along with a copy of any Physical Restraint Report Forms and Seclusion Report Forms, if any, for the 30-day period prior to that Restraint/Seclusion. Additionally, the Newton Public Schools will annually report Physical Restraint and Seclusion data to DESE in a manner and form directed by DESE.
 13. The district supervisor of ABA services will be available to assist each team with developing clinical and educational suggestions with the goal of reducing future incidents of Physical Restraint or removal from the educational setting.

Grievance Procedure

Newton Public Schools will consider and investigate any complaints that it receives regarding the use of Physical Restraint, Seclusion, or time-out in school. Any individual who believes that a Physical Restraint or Seclusion of a student may have been unwarranted or conducted inappropriately may submit a written complaint to the Principal. The written complaint should include the time, date, and location of the incident; the names of all students and staff involved; and references to which aspects of this policy or the Regulations that the complainant believes have not been followed. The Principal or designee will

conduct a thorough investigation which may include interviewing the complainant, witnesses, staff, and/or the student; reviewing all written documentation leading up to and pertaining to the incident; and reviewing available data on Physical Restraint and/or time-outs within the building. The Principal or designee will provide a written response to the complainant summarizing the investigation, conclusions, and corrective action, if any.