

Amesbury Public Schools

5 Highland Street, Amesbury MA 01913



Restraints and Seclusions:

District Policy - Procedures - Forms

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SCHOOL COMMITTEE POLICY

JKAA: TIME-OUT, SECLUSION, AND PHYSICAL RESTRAINT OF STUDENTS

The Amesbury 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, including prone restraint where permitted under 603 CMR 46.03, 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 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, **ensuring that the principal will verbally inform parents/guardians of an incident in which restraint or seclusion was applied as soon as possible before the close of the school day, and no later than 24 hours following said incident, and** providing written notice to the parent/guardian 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 **or designee** approval for seclusion or time out exceeding 30 minutes.

These procedures will be reviewed annually **by the Superintendent and appropriate staff**, provided to **all staff**, made **publicly accessible via the Amesbury Public School website at schools.amesburyma.gov**, as **well as included in all student handbooks**.

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 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: August 10, 2026

APS PROCEDURES FOR PHYSICAL RESTRAINT & SECLUSION

I. Introduction

These Procedures govern the use of restraint and seclusion with students within the Amesbury Public Schools. Their purpose is to promote a safe and productive educational environment for all students and employees of the District, and to ensure that every student is free from the use of restraint and/or seclusion that is inconsistent with the Massachusetts Department of Elementary and Secondary Education (DESE) regulations. Both physical restraint and seclusion shall be used only in emergency situations of last resort when needed to protect a student and/or member of the school community from assault or imminent, serious physical harm, and must be implemented with extreme caution in order to prevent or minimize any harm to the student. Whenever possible, other lawful and less intrusive alternatives should be attempted first. These Procedures apply not only at school, but also at school-sponsored events and activities, whether or not on school property.

These Procedures 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, these procedures shall not be construed to preclude any teacher, employee, or agent of the District from using reasonable and necessary force to protect students, other persons, or themselves from assault or imminent, serious physical harm.

II. Definitions

Consent shall mean agreement by a parent/guardian who has been fully informed of all information relevant to the activity for which agreement is sought, in the parent's/guardian's native language or other mode of communication, that the parent/guardian understands and agrees in writing to the carrying out of the activity, and understands that the agreement is voluntary and may be revoked at any time. In seeking parental consent, the District may not condition admission or continued enrollment upon agreement to the proposed use of any restraint or seclusion.

Mechanical restraint shall mean 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.

Medication restraint shall mean the administration of medication 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 medication restraint.

Parent/Guardian 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.

Physical escort shall mean 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.

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.

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, virtual school, or special education school or program approved under 603 CMR 28.09 (*Approval of Public or Private Day and Residential Special Education School Programs*) shall designate in the restraint and seclusion prevention and behavior support policy who will serve as Principal for purposes of 603 CMR 46.00.

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 the student in the face-down position.

Public education programs shall mean public schools, including charter schools, virtual schools, collaborative education programs, and the school day of special education schools approved under 603 CMR 28.09: *Approval of Public or Private Day and Residential Special Education School Programs*, as provided in 603 CMR 18.05(5)(h), and school events and activities sponsored by such programs. "Programs" may be used in 603 CMR 46.00 to refer to "public education programs." For purposes of 603 CMR 46.00, public education programs shall not include the educational services provided within the Department of Youth Services, Department of Mental Health, Department of Public Health, and County Houses of Correction operated or contracted facilities.

School working day shall mean a day or partial day that students are in attendance at the public education program for instructional purposes.

Seclusion shall mean 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. The term does not include: a classroom or school environment where, as a general rule, all students need permission to leave the room or area, such as to use the restroom; a behavior support technique that is part of the District's, a school's, or a program's designated procedures for behavior support, which involves the monitored separation of a student in an unlocked setting, from which the student is allowed to leave and it is implemented for the purpose of calming; or placing a student in a separate location within a classroom with others or with an instructor, so long as the student has the same opportunity to receive and engage in instruction.

Time-out shall mean 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. During time-out, a student must be continuously observed by a staff member in an unlocked setting from which the student is permitted to leave. Staff shall be with the student or immediately available to the student at all times. Time-out shall cease as soon as the student has calmed.

III. Administration of Physical Restraint

Only school personnel trained in accordance with 603 CMR 46.04 shall administer physical restraint. Whenever possible, the administration of a restraint shall be witnessed by at least one (1) adult who does not participate in the restraint. None of the training requirements shall preclude school personnel from using reasonable force to protect students, others, or themselves from assault or imminent, serious physical harm.

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.

A person administering a physical restraint shall use only the amount of force necessary to protect the student or others from physical injury or harm. Floor restraints, including prone restraint, shall be prohibited unless the staff member(s) administering the restraint have received in-depth training in accordance with the requirements of 603 CMR 46.04(3) and, in the judgment of the trained staff members, such methods are required to provide safety for the student or others present. A physical restraint must be terminated as soon as the student is no longer in immediate danger to themselves or others, the student indicates that they cannot breathe, or if the student is observed to be in severe distress, such as having difficulty breathing, or sustained or prolonged crying or coughing. A person administering physical restraint shall use the safest method available and appropriate to the situation subject to the following requirements:

- A. 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 state of the student, including skin temperature and color, and respiration.
- B. Restraint shall be administered in such a way as to prevent or minimize physical harm. If, at any time during physical restraint, the student expresses or demonstrates significant physical distress including, but not limited to, difficulty breathing, the student shall be released from the restraint immediately, and school staff shall take steps to seek medical assistance.
- C. If a student is restrained for a period longer than twenty (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.
- D. Program staff shall review and consider 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.
- E. After the release of a student from a restraint, the school shall implement follow-up procedures. These procedures shall include reviewing the incident with the student to address the behavior that precipitated the restraint, 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.

IV. Limitations on the Use of Restraint

The following restraints are prohibited:

- A. **Mechanical restraint** – the use of any device or equipment to restrict a student's freedom of movement. This 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 the device 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.

- B. **Medication restraint** – the administration of medication for the purpose of temporarily controlling behavior is prohibited unless prescribed by a licensed physician and authorized in writing by the parent for administration in the school setting.
- C. **Seclusion** – the involuntary confinement of a student alone in a room or area from which the student is prevented from leaving without access to school staff is prohibited, unless permitted pursuant to 603 CMR 46.07(2). The term does not include: a classroom or school environment where, as a general rule, all students need permission to leave the room or area, such as to use the restroom; a behavior support technique that is part of the district's, school's or program's designated procedures for behavior support which involves the monitored separation of a student in an unlocked setting, from which the student is allowed to leave and it is implemented for the purpose of calming; or placing a student in a separate location within a classroom with others or with an instructor, so long as the student has the same opportunity to receive and engage in instruction.
- D. **Physical restraint** – when used in a manner inconsistent with 603 CMR 46.00.
- E. **Prone restraint** – 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 the student in the face down position is prohibited except 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 a psychological or behavioral justification for the use of prone restraint and there are no psychological or behavioral contradictions, as documented by a licensed mental health professional;
 - e. The program has obtained consent to use prone restraint in an emergency set out in 603 CMR 46.03(1)(b), and such use has been approved in writing by the Principal; and
 - f. The program has documented 603 CMR 46.03(1)(b)(1)-(5) in advance of the use of prone restraint and maintains the documentation.

Physical restraint, including prone restraint where permitted, and seclusion shall be considered emergency procedures 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 directives or other lawful and less intrusive behavior intervention, or such interventions are deemed to be

inappropriate under the circumstances. All physical restraints, including prone restraint where permitted, shall be administered in compliance with 603 CMR 46.05.

Physical restraint shall not be used as a means of discipline; when the student cannot be safely restrained because it is medically contraindicated for reasons including, but not limited to asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting; as a response to property destruction, disruption of school order, a student's refusal to comply with a 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; or as a standard response for any individual student. No written individual behavior plan or individualized education program may include use of physical restraint as a standard response to any behavior.

If the program uses time-out as a behavioral support strategy, the staff member administering the time out shall obtain Principal approval of time-out if the time-out exceeds thirty (30) minutes based on the individual student continuing agitation.

V. Administration of Seclusion

Seclusion is prohibited and may be used only in an emergency situation of last resort where a student's behavior poses an imminent threat of assault or serious physical harm to self or others and shall be administered in compliance with applicable law and Department of Elementary and Secondary Education (DESE) regulations.

- A. Any individual administering seclusion shall have received training in alternative behavior intentions and de-escalation techniques.
- B. A student placed in seclusion shall be continuously and actively monitored and observed by staff for the duration of the seclusion and staff shall remain immediately available to the student.
- C. The student shall remain observable in all parts of the room or area being used.
- D. Staff shall continue to use de-escalation and calming strategies unless doing so would be unsafe or counterproductive for the purpose of calming the student.
- E. Seclusion shall cease immediately as soon as the student's behavior no longer poses an imminent threat of assault or imminent serious physical harm to self or others, or if the student is observed to be in severe distress, including difficulty breathing.
- F. Approval of the Principal shall be obtained prior to the seclusion of a student in excess of thirty (30) consecutive minutes.
- G. Any room or area used for seclusion shall be:
 - a. Clean, safe, and sanitary;
 - b. Appropriate for calming the student;
 - c. Appropriate size for the student's age and needs;
 - d. Properly lighted, ventilated, and temperature controlled consistent with the remainder of the building;
 - e. Free of dangerous objects or fixtures that are inherently dangerous to the student;
 - f. Comply with applicable local fire and building codes; and
 - g. Comply with any additional standards established by the Department of Elementary and Secondary Education (DESE).

- h. Any such room must be inspected by the District for compliance with such requirements at a minimum of one (1) time per week during which the room or area is used.

VI. Limitations on the Use of Seclusion

Seclusion shall be prohibited unless used in an emergency situation of last resort where a student's behavior poses an imminent threat of assault or imminent serious physical harm to self or others, **and:**

- A. The student has a documented history of repeatedly causing serious injuries to self or other students or staff;
- B. The student is not responsive to directives or other lawful and less intrusive behavior interventions, or such interventions are deemed inappropriate under the circumstances;
- C. Other interventions 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 and there are no psychological or behavioral contraindications, as documented by a licensed mental health professional;
- F. The District has obtained consent to use it in an emergency situation from the student's parent/guardian and, if appropriate, the student, and such use has been approved in writing by the Principal;
- G. Any individual using it has received training on alternative behavior interventions and management techniques; and
- H. The District has documented compliance with items A, D-G above in advance of the use of seclusion.
- I. No written individual behavior plan or IEP may include use of seclusion as a standard response to any behavior.
- J. If the seclusion continues for longer than thirty (30) minutes, approval of the Principal or designee shall be obtained based upon the student's continued agitation and need for continued emergency intervention.
- K. It is not used as a means of discipline or punishment or as a standard response for any individual student's actions that do not constitute an imminent threat of assault or imminent serious physical harm to self or others.

VII. Reporting Requirements – Physical Restraint and Seclusion

- A. **Informing the Principal** – the program staff member who administered the restraint or seclusion shall verbally inform the Principal or designee of the restraint or seclusion as soon as possible, and by written report no later than the next school working day. The written report shall be provided to the Principal or designee for review of the use of the restraint or seclusion. If the Principal has administered the restraint or seclusion, the Principal shall prepare the report and submit it to an individual or team designated by the Superintendent for review. The Principal or designee shall maintain an on-going record of all reported instances of physical restraint or seclusion, which shall be made available for review by the parent/guardian or the Department of Elementary and Secondary Education upon request.
- B. **Informing parents or guardians** – the Principal or designee will verbally inform parents/guardians of an incident in which restraint or seclusion was applied as soon as possible before the close of the school

day, and no later than 24 hours following said incident, and providing written notice to the parent/guardian within three (3) school working days

- C. If the program customarily provides the parent(s)/guardian(s) of a student with report cards and other necessary school-related information in a language other than English, the written report shall be provided to the parent(s)/guardian(s) in that language. The Principal or designee shall provide the student and the parent(s)/guardian(s) with an opportunity to comment in writing on the use of restraint or seclusion and on information in the written report.
- a. Contents of the report shall include:
- i. The name of the student; the name(s) and job title(s) of the staff who administered the restraint or seclusion, and observers, if any; the date of the restraint or seclusion; the time of the restraint or seclusion began and ended; the name of the Principal or designee who was verbally informed following the restraint or seclusion; and, as applicable, the name of the Principal or designee who approved continuation of the restraint beyond twenty (20) minutes pursuant to 603 CMR 46.05(5)(c) or seclusion beyond thirty (30) minutes pursuant to 603 CMR 46.07(3)(a).
 - ii. A description of the activity in which the restrained or secluded student and other student(s) and/or staff in the same room or vicinity were engaged immediately preceding the use of physical restraint or seclusion; the behavior that prompted the restraint or seclusion; the efforts made to prevent escalation of behavior, including the specific de-escalation strategies used; alternatives to restraint or seclusion that were attempted; and the justification for initiating physical restraint or seclusion.
 - iii. A description of the administration of the restraint or seclusion, including the holds used and reasons such holds were necessary, if applicable; the student's behavior and reactions during the restraint or seclusion; how the restraint or seclusion ended; and documentation of injury to the student and/or staff, if any, during the restraint or seclusion and any medical care provided.
 - iv. Information regarding any further action(s) that the school has taken or may take, including any consequences that may be imposed on the student.
 - v. Information regarding opportunities for the student's parent(s)/guardian(s) to discuss with the school officials the administration of the restraint or seclusion, any consequences that may be imposed on the student, and/or any other related matter.
- D. **Individual student review** - the Principal shall conduct a weekly review of restraint and seclusion data to identify students who have been restrained or secluded multiple times during the week. If such students are identified, the Principal shall convene one (1) or more review teams as the Principal deems appropriate to assess each student's progress and needs. If the Principal directly participated in the restraint or seclusion, a duly qualified individual designated by the Superintendent shall lead the review team's discussion. The Principal shall ensure that a record of each individual student review is maintained and made available for review by the Department of Elementary and Secondary Education or the parent(s)/guardian(s), upon request. The assessment shall include at least the following:

- a. Review and discussion of the written reports submitted in accordance with 603 CMR 46.06 and any comments provided by the student and/or parent(s)/guardian(s) about such reports and the use of the restraints or seclusion;
- b. An analysis of the circumstances leading up to each restraint or seclusion, including factors such as time of day, day of the week, antecedent events, and individuals involved;
- c. Consideration of factors that may have contributed to escalation of behaviors, consideration of alternatives to restraint, including de-escalation techniques and possible interventions, and such other strategies and/or decisions as appropriate, with the goal of reducing or eliminating the use of restraint and seclusion in the future; and
- d. Agreement on a written plan of action by the program.

D. Administrative review – the Principal shall conduct a monthly review of school-wide restraint and seclusion data. This review shall consider patterns of use by similarities in the time of day, day of the week, or individuals involved; the number and duration of physical restraints and instances of seclusion school-wide and for individual students; the duration of the interventions; and the number and type of injuries, if any, resulting from the use of restraint or seclusion. The Principal shall determine whether it is necessary or appropriate to modify the school's relevant policies, conduct additional staff training on restraint or seclusion reduction/prevention strategies, such as training on positive behavioral interventions and supports, or take such other action as necessary or appropriate to reduce or eliminate restraint or seclusion.

E. Reports to the Department of Elementary and Secondary Education - When a physical restraint has resulted in an injury to a student or staff member, the District program shall send a copy of the written report required by 603 CMR 46.06(4) to the Department postmarked no later than three (3) school working days of the administration of the restraint. Under such circumstances, the District shall also send the Department a copy of the record of physical restraints maintained by the Principal pursuant to 603 CMR 46.06(2) for the 30-day period prior to the date of the reported restraint. The Department shall determine if additional action by the program is warranted and, if so, shall notify the program of any required actions within thirty (30) calendar days receipt of the required written report(s). Instances of seclusion shall be reported to the Department in the manner, form, and frequency specified by the Department pursuant to 603 CMR 46.07(3)(g).

VIII. District-Specific Procedures Regarding Appropriate Responses to Student Behavior that May Require Immediate Intervention

A. Methods for Preventing Student Violence, Self-Injurious Behavior, and Suicide. In accordance with 603 CMR 46.04(1)(a), the District shall implement methods for preventing student violence, self-injurious behavior, and suicide. These methods include:

- a. Interrupting – Interrupting is the first thing to do when trying to break a chain of behaviors, distracting the individual to another topic or something in the environment.
- b. Ignoring – Ignoring is used during the early stages of negative behavior to which the behavior is not visibly responded, in order to avoid inadvertently reinforcing it. It does not mean that early danger signs are truly ignored and does not mean that dangerous behaviors are ever ignored.

- c. Redirecting – Redirecting is used to manage a potentially dangerous behavior by deflecting or redirecting the behavior and then reinforcing a more appropriate behavior by rewarding the individual for displaying the more appropriate behavior.

Prevention also involves ensuring staff have training; appropriate staffing; policies/procedures in place including behavioral support plans; appropriate programming; and the ability to recognize individuals' strengths, weaknesses, and triggers.

B. Methods for De-Escalation of Potentially Dangerous Behavior. In accordance with 603 CMR 46.04(1)(a), the District shall implement methods for the de-escalation of potentially dangerous behavior. These methods include:

Safe, consistent, and sound classroom management is based on teacher and staff knowledge of students' needs as well as the consistency and routines of the classroom setting - predictability, prevention and skillful response are key elements.

- Being prepared is key in providing meaningful and effective support to students at such times. Specifically, teachers and staff need to have strategies and opportunities for addressing student needs in the classroom. This capacity is based in the mindset of prevention first, response later. Classroom escalation can be addressed through sound teaching practices such as:
- Being aware of and managing the environment relative to routines, noise, and adequate space for students to work;
- Employing instructional methodologies that meet the needs of students' needs;
- Understanding that good intentions can lead to the reinforcement of non-pro-social behaviors and or disruptive behaviors; and
- Established means of students being able to self-regulate, seek co-regulation and how to communicate those needs.

When school staff may need to implement strategies of deescalation?

- At the onset or early stages of escalated behavior/dysregulation;
- At times which tend to be less structured (recess or lunch) or predictable (such as transition to/from different activities or spaces);
- On occasions of interruption of preferred activities; or
- At times when behavior is escalating despite support being available and offered.

The 3 Strategies of *Safety Care*® to support verbal deescalation - Help, Prompt & Wait:

1. Help:

- Used early in the escalation cycle.
- Staff offer supportive communication to find out what the individual needs.
- Focuses on assisting the person to communicate their needs effectively.

2. Prompt:

- Used when **Help** is not enough, but you believe the person can still process and follow a simple request.

- Staff give a clear, direct, and polite instruction to engage in a safer, manageable behavior.
- Give the person 5 to 10 seconds to process the request.

3. Wait:

- Uses the acronym **WAIT** ("Why Am I Talking?").
- Used when talking, prompting, or helping seems to increase the person's agitation.
- Staff stop talking, touching, or staring, reduce environmental stimuli, and quietly monitor safety from a safe distance until the person shows signs of calming down.

Once the individual begins to calm, staff transition back to **Help** or **Prompt**.

Other considerations to keep in mind before a student's dysregulation leads to escalation:

- Be familiar with any early indicators of stress and frustration of your students - that is, be familiar with any Behavioral Support Plans, IEPs and 504 Plans;
- Be prepared to alter demands as may be indicated to alleviate a student's stress; and,
- Keep it private - have quiet, calm conversation with the student.

What to do in the moment when behaviors escalate in the classroom setting:

- Stay calm and acknowledge what the student may have shared;
- Reduce exposure to whatever seems to be cause of dysregulation and or escalation - offer to have them move to a quiet space, remove time demands of task completion; and,
- Prioritize communication and opportunity to co-regulate with the student rather than consequences.

Expectations for how and when to seek support from outside the classroom:

- There may be times when additional support is needed to ensure the safety of a student, peers and or adults in a classroom setting;
- Timely communication to the Principal or their designee should be initiated;
- This should only be used at times when all opportunities for deescalation have been exhausted.

C. Crisis Planning. In accordance with 603 CMR 46.04(1)(a), the District shall implement methods for crisis planning. These methods include:

- Individualized Crisis Plans – Developing written plans for students identified as at risk of self-injurious, aggressive, or unsafe behaviors. Plans should include triggers, warning signs, de-escalation strategies, and staff roles.
- Functional Behavior Assessments (FBAs) – Conducting assessments to understand the causes and functions of challenging behaviors, which inform crisis planning and prevention strategies.

- c. Behavior Intervention Plan (BIPs): Creating individualized interventions based on evaluative data, including positive behavior supports and strategies to prevent escalation.
- d. Staff Training on Crisis Recognition – Training staff to recognize early warning signs of escalation and to implement prevention strategies before a crisis occurs.
- e. Parent/Guardian Involvement – Consulting with parents/guardians when developing and reviewing crisis plans to ensure consistency between home and school strategies.

D. Alternatives to Physical Restraint or Seclusion: In accordance with 603 CMR 46.04(1)(c), the District shall implement alternatives to physical restraint or seclusion. Alternatives that may preclude the need for physical restraint or seclusion include:

- a. Verbal Prompt – A verbal prompt is communicating what expected behavior is by clearly stating instructions and expectations.
- b. Full or Partial Physical Cue – A full or partial physical cue is anytime an adult needs to place their hands on a child or physically redirect a child. These are used at increasing levels as needed to return a child safely to task. See Physical Escort and Physical Redirection below.
- c. Physical Escort – A physical escort is utilized if a child inappropriately wanders away from the task at hand or does not comply with walking to a specific location—an adult “escorts” them back to where the task is. A physical escort is done, for example, by standing just behind the child, grasping the child above the elbow with one hand and placing the other hand between the child’s shoulder blades, and then “escorting” the child in a firm and brisk manner to the task.
- d. Physical Redirection – When a child inappropriately gets out of their seat, the child should be physically “redirected” back to their chair. A physical redirection is done by placing one hand on each of the child’s shoulders and returning the child to their chair.
- e. Time-out – If the school uses time-out as a behavioral support strategy, the staff member administering the time-out shall obtain Principal approval of time-out if the time-out exceeds thirty (30) minutes based on the individual student’s continuing agitation.

E. Receiving and Investigating Complaints Regarding Restraint Practices. In accordance with 603 CMR 46.04(1)(f), the District shall implement a procedure for receiving and investigating complaints regarding restraint practices:

- a. A parent/guardian or staff member can make a verbal or written complaint to the Principal or their designee. Upon receipt of a verbal or written complaint, the Principal or designee will conduct an investigation within a reasonable amount of time.

F. Process for Obtaining Principal Approval. In accordance with 603 CMR 46.04(1)(j), 603 CMR 46.05(5)(c), and 603 CMR 46.07(3)(b), school staff must obtain approval from the Principal or designee prior to a time-out or seclusion exceeding thirty (30) minutes and prior to the administration of a restraint in excess of twenty (20) minutes in duration. Under such circumstances, and for purposes of seeking said approval, the staff member administering the time-out, seclusion, or restraint shall immediately notify the Principal of the ongoing situation, receive approval from the Principal to continue the intervention or, if approval is not given immediately, stop the intervention.

- G.** The District shall examine alternatives and strategies for reducing and eliminating its use no later than three (3) years from August 17, 2026.

IX. Time Out as a Behavioral Support Strategy

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. During time-out, a student must be continuously observed by a staff member in an unlocked setting from which the student is permitted to leave upon request. Staff shall be with the student or immediately available to the student at all times while the student is in time-out. The removal of a student from the student's classroom solely in response to a disciplinary violation, and not for the specific purpose of calming, shall not constitute a time-out for purposes of these Procedures.

For time-outs in which the student is separated from the classroom and directed to a separate room, the location in which the student is participating in time-out must be:

- a. Clean, safe, and sanitary;
- b. Appropriate for calming the student;
- c. Appropriate size for the student's age and needs;
- d. Properly lighted, ventilated, and temperature controlled consistent with the remainder of the building;
- e. Free of dangerous objects or fixtures;
- f. In compliance with applicable fire and building codes; and
- g. In compliance with any additional standards established by the Department of Elementary and Secondary Education.

A time-out shall cease as soon as the student has calmed or upon the request of the student. Staff supervising the student should support co-regulation and closely monitor the student's physical cues, tone of voice, and demeanor to determine whether the student has calmed. Students should not be required to complete a specific task to demonstrate that they have calmed if their physical body, tone, and demeanor demonstrate regulation.

In the event that a student time-out is anticipated to exceed thirty (30) minutes, prior approval of the Principal shall be obtained prior to the student remaining in time-out in excess of thirty (30) minutes.

X. Training of District Personnel

All staff members will receive training in the District's restraint policy and accompanying procedures in the first month of each school year. Staff hired after the beginning of the school year shall be required to participate in said training within the first thirty (30) calendar days of beginning their employment within the District.

Training shall include information on the following:

- (a) the role of the student, family, and staff in preventing restraint;
- (b) the program's restraint prevention and behavior support policy and procedures, including use of time-out as a behavior support strategy distinct from seclusion;
- (c) interventions that may preclude the need for restraint, including de-escalation of problematic behaviors and other alternatives to restraint in emergency circumstances;

(d) when behavior presents an emergency that requires physical restraint, the types of permitted physical restraints and related safety considerations, including information regarding the increased risk of injury to a student when any restraint is used, in particular a restraint of extended duration;

(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 pursuant to 603 CMR 46.03(3) in the use of physical restraint. In addition, each building Principal will identify staff members to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. These staff members will participate in an in-depth training program in the use of physical restraint in addition to the training provided to all District personnel on an annual basis.

As noted previously, physical restraint shall be used only in emergency situations of last resort when needed to protect a student and/or member of the school community from assault or imminent, serious physical harm. Physical restraint must be implemented with extreme caution in order to prevent or minimize any harm to the student and other lawful and less intrusive alternatives should be attempted first. These Procedures apply not only at school, but also at school-sponsored events and activities, whether or not on school property.

NOTE: As of August 17, 2026:

- The Amesbury Public School employs the use of *Safety Care*® for purposes of deescalation, and physical restraint training.
- Each school has a *Safety Care*® certified team - members are recertified annually.
- *Safety Care*® does not include seclusion as a protocol.



AMESBURY PUBLIC SCHOOLS

Initiating Documentation for Physical Restraint Incident Report

To be completed and provided to the Building Principal no later than the end of the school day following the day of restraint. The Building Principal will confirm the accuracy of documentation and enter the incident into the official reporting form on the MA DESE Security Portal. A copy of that official report will be provided to the parent/s or guardian/s within three (3) days.

School: _____

Date of Report: _____

Student and Staff Information

Student Name: _____

Date of Restraint: _____

Number of Times Restrained This Week: _____

Time Restraint Began: _____ AM/PM

Special Education Student? ☐ Yes ☐ No

Time Restraint Ended: _____ AM/PM

Staff Administering Restraint (Name & Job Title):

Trained?

☐

☐

☐

Observers (Name & Job Title):

Principal/Designee **Verbally** Notified Following Restraint: _____

Restraint Continue Beyond **20 Minutes**? ☐ Yes ☐ No If yes, approved by: _____

Context of Incident

Description of Activity Immediately Prior to Restraint:

Behavior that Prompted Restraint:

De-Escalation Strategies Used:

Alternatives to Restraint Attempted:

Justification for Restraint (check all that apply):

- | | |
|--|---|
| ☐ Substantial Risk of Serious Physical Assault | ☐ Occurrence of Serious Physical Assault |
| ☐ Substantial Risk of Serious Self-Injurious Behavior | ☐ Individual Placed Self at Imminent Risk of Serious Physical Harm |
| ☐ Occurrence of Serious Self-Injurious Behavior | ☐ Individual Placed Others at Imminent Risk of Serious Physical Harm |

Administration of Restraint

Type of Restraint Used:

- | | | | |
|---|--|----------------------------------|---|
| ☐ Standing | ☐ Standing and Against Wall/Mat | ☐ Sitting | ☐ Lying Supine (on back) |
| ☐ Lying on Side | ☐ Lying Prone (on stomach) | ☐ Escort | |
| ☐ Other, describe: _____ | | | |

Reason for Use of Specific Restraint:

If a prone restraint was used, verify the following:

☐ **Not Applicable**

- ☐ The student has a documented history of repeatedly causing serious self-injuries and/or injuries to others;

- ☐ All other forms of physical restraints have failed to ensure the safety of the student and/or others;
- ☐ There are no medical, psychological, or behavioral contraindications as documented by a licensed physician or licensed mental health professional;
- ☐ There is psychological or behavioral justification for the use of prone restraint;
- ☐ The District has obtained consent to use prone restraint, and its use has been approved in writing by the principal;
- ☐ The District has documented the prior assertions and maintains the documentation.

Description of Student's Behavior During Restraint:

Reason for Removal of Restraint:

Injuries (if applicable)

Party Injured:

Injury:

Medical Care Provided:

If the restraint resulted in an injury to the student or a staff member, a copy of the written report shall be sent to the Department of Elementary and Secondary Education no later than three (3) school working days of the restraint.

Prepared by: _____ **Title:** _____

Signature: _____ **Date:** _____

Provide this report to the Principal or designee no later than the next school working day following the restraint.

For Completion by Principal or Designee

Further action taken, including any consequences imposed or planned:

Parent/Guardian Informed via: Phone ☐ In-Person ☐ Email ☒

If unable to contact parents, document reasonable attempts:

Attempt #1: _____

Attempt #2: _____

Attempt #3: _____

Parent/Guardian Feedback (if any):

Written Report Mailed to Parent(s)/Guardian(s) On: _____ by Email ☐ Mail ☐



AMESBURY PUBLIC SCHOOLS

Initiating Documentation for Seclusion Incident Report

To be completed and provided to the Building Principal no later than the end of the next school day following the day of restraint. The Building Principal will confirm the accuracy of documentation and enter the incident into the official reporting form on the MA DESE Security Portal. A copy of that official report will be provided to the parent/s or guardian/s within three (3) days.

School: _____

Date of Report: _____

Student and Staff Information

Student Name: _____

Number of Times Secluded This Week: _____

Special Education Student? ☐ Yes ☐ No

Prior Consent from Parent? ☐ Yes ☐ No

***Attach documentation of consent to report*

Date of Seclusion: _____

Time Seclusion Began: _____ AM/PM

Time Seclusion Ended: _____ AM/PM

Location: _____

Staff Supervising Seclusion (Name & Job Title):

*Check the corresponding box if the individual using seclusion has received training about alternative behavior interventions and management techniques***

_____	_____	☐
_____	_____	☐
_____	_____	☐

Principal/Designee **Verbally** Notified Following Seclusion: _____

Seclusion Continued Beyond **30 Minutes**? ☐ Yes ☐ No If yes, approved by: _____

Context of Incident

Description of Activity Immediately Prior to Seclusion:

Behavior that Prompted Seclusion:

De-Escalation Strategies Used:

Alternatives to Seclusion Attempted:

Justification for Seclusion (check all that apply):

- | | |
|---|---|
| ☐ Imminent Threat of Physical Assault | ☐ Imminent Threat of Serious Physical Harm to Others |
| ☐ Imminent Threat of Serious Physical Harm to Self | |

Administration of Seclusion

Verify the following:

- ☐ The student has a documented history of repeatedly causing serious self-injuries and/or injuries to others;
- ☐ There are no medical contraindications as documented by a licensed physician;
- ☐ There is psychological or behavioral justification for the use and there are no psychological or Behavioral contraindications, as documented by a licensed mental health professional;
- ☐ The program has obtained consent to use seclusion, and its use has been approved in writing by the Principal;
- ☐ The program has documented the prior assertions and maintains the documentation.

Description of Student's Behavior During Seclusion:

De-Escalation Strategies Used During Seclusion:

Injuries (if applicable)

Party Injured:

Injury:

Medical Care Provided:

If the seclusion resulted in an injury to the student or a staff member, a copy of the written report shall be sent to the Department no later than three (3) school working days of the restraint.

Prepared by: _____ **Title:** _____

Signature: _____ **Date:** _____

Provide this report to the Principal or designee no later than the next school working day following the use of seclusion.

For Completion by Principal or Designee

Action Steps Planned and/or Consequences Imposed (if any) on the Student :

Parent/Guardian Informed via: ☐ Phone ☐ In-Person ☐ Email

If unable to contact parents, document reasonable attempts:

Attempt #1: _____

Attempt #2: _____

Attempt #3: _____

Parent/Guardian Feedback (if any):

Written Report Mailed to Parent(s)/Guardian(s) on: _____ by ☐ Email ☐ Mail



AMESBURY PUBLIC SCHOOLS

Time-Out Log

School: _____

Date of Report: _____

Student and Staff Information

Student Name: _____

Date of Time-Out: _____

Location: _____

Time Time-Out Began: _____ AM/PM

Special Education Student? ☐ Yes ☐ No

Time Time-Out Ended: _____ AM/PM

Time out was voluntary and the student was free to leave? ☐ Yes

Staff Supervising Time-Out (Name & Job Title):

_____	_____
_____	_____
_____	_____

Time-Out Continue Beyond **30 Minutes**? ☐ Yes ☐ No If yes, approved by: _____

Context of Incident

Description of Activity Immediately Prior to Time-Out:

Behavior that Prompted Time-Out:

De-Escalation Strategies Used:

Alternatives to Time-Out Attempted:

_____	_____
_____	_____
_____	_____

Administration of Time-Out

Verify the following:

- ☐ The student was permitted to leave the time-out area/room;
- ☐ The student was continuously accompanied by a staff member;
- ☐ The area/room used for time-out was clean, safe, sanitary, appropriate for the purpose of calming the student served, including but not limited to being of appropriate size for the age and needs of the student, appropriately lighted, ventilated, and heated or cooled, consistent with the remainder of the building, free from inherently dangerous objects or fixtures, and in compliance with applicable fire and building code requirements.

Description of Student's Behavior During Time-Out:

Prepared by: _____ **Title:** _____

Signature: _____ **Date:** _____

Provide this report to the Principal or designee no later than the next school working day of the time-out.



AMESBURY PUBLIC SCHOOLS

Co-Regulation Log

School: _____

Date of Report: _____

Student Name: _____

Date of Co-Regulation: _____

Location: _____

Time COR Began: _____ AM/PM

Special Education Student? ☐ Yes ☐ No

Time COR Ended: _____ AM/PM

Co-Regulation was voluntary and the student was free to leave? ☐ No

Staff Supervising Co-Regulation (Name & Job Title):

_____	_____
_____	_____
_____	_____

Co-Regulation Continues Beyond **30 Minutes**? ☐ Yes ☐ No If yes, approved by: _____

Description of Activity Immediately Prior to Co-Regulation:

Behavior that Prompted Time-Out:

De-Escalation Strategies Used:

Alternatives to Co-Regulation Attempted:

_____	_____
_____	_____
_____	_____

Verify the following:

- ☐ The student was continuously accompanied by a staff member;
- ☐ The area/room used for time-out was clean, safe, sanitary, appropriate for the purpose of calming the student served, including but not limited to being of appropriate size for the age and needs of the student, appropriately lighted, ventilated, and heated or cooled, consistent with the remainder of the building, free from inherently dangerous objects or fixtures, and in compliance with applicable fire and building code requirements.

Description of Student's Behavior During Co-Regulation:

Prepared by: _____ Title: _____

Signature: _____ Date: _____

Provide this report to the Principal or designee no later than the next school working day of the time-out.



AMESBURY PUBLIC SCHOOLS

Parent/Guardian Consent For Use Of Seclusion

Student Name: _____

Student DOB: _____

School: _____

Grade: _____

Dear Parent/Guardian,

As part of our commitment to the safety and well-being of all students, the Amesbury Public Schools follows state regulations under 603 CMR 46.00 regarding the use of restraint and seclusion in schools. This intervention is used only as a last resort on an individual student basis in an emergency situation, where a student's behavior poses an imminent threat of assault or serious physical harm to self or others, with prior consent of the parent and other providers.

You have been provided with a copy of the **District's Procedures for the Use of Physical Restraint and Seclusion**, which describe:

- The circumstances under which seclusion may be used;
- Types of seclusion practices authorized;
- Staff training requirements;
- Documentation and reporting procedures;
- Parent notification procedures following any use of seclusion.

By signing this form, you acknowledge that you have:

- Received and reviewed the District's Procedures for the Use of Restraint and Seclusion;
- Had the opportunity to ask questions and discuss these procedures with school staff; and
- Been fully informed about the circumstances under which restraint or seclusion may be implemented in accordance with 603 CMR 46.00.

☐ I acknowledge that I have received, reviewed, and understand the District's procedures for restraint and seclusion.

☐ I give permission for my child to be subject to seclusion if deemed necessary by school personnel in accordance with District policy and state regulations.

☐ I do NOT give permission for my child to be subject to seclusion, except as otherwise required by law.

Parent/Guardian Name (Print): _____

Signature: _____

Date: _____



AMESBURY PUBLIC SCHOOLS

Parent/Guardian Consent For Use Of Prone Restraint

Student Name: _____

Student DOB: _____

School: _____

Grade: _____

Dear Parent/Guardian,

As part of our commitment to the safety and well-being of all students, the Amesbury Public Schools follows state regulations under 603 CMR 46.00 regarding the use of prone restraint in schools. Prone restraint is 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 the student in the face-down position. This intervention is used only as a last resort on an individual student basis in an emergency situation, where a student's behavior poses an imminent threat of assault, or imminent serious physical harm to self or others, with prior consent of the parent and other providers.

You have been provided with a copy of the **District's Procedures for the Use of Physical Restraint and Seclusion**, which describes:

- The circumstances under which prone restraint may be used;
- Types of restraint practices authorized;
- Staff training requirements;
- Documentation and reporting procedures;
- Parent notification procedures following any use of physical restraint.

By signing this form, you acknowledge that you have:

- Received and reviewed the District's Procedures for the Use of Physical Restraint and Seclusion;
- Had the opportunity to ask questions and discuss these procedures with school staff; and
- Been fully informed about the circumstances under which restraint or seclusion may be implemented in accordance with 603 CMR 46.00.

☐ I acknowledge that I have received, reviewed, and understand the District's **Procedures for the Use of Physical Restraint and Seclusion**.

☐ I give permission for prone restraint to be utilized with my child if deemed necessary by school personnel in accordance with District policies and state regulations.

☐ I do NOT give permission for my child to be subject to prone restraint, except as otherwise required by law.

Parent/Guardian Name (Print): _____

Signature: _____

Date: _____



AMESBURY PUBLIC SCHOOLS

Seclusion Authorization & Professional Determinations

Student Name: _____

Student DOB: _____

School: _____

Grade: _____

Please Indicate your role (check one):

☐ Principal or Designee ☐ Licensed Physician ☐ Licensed Mental Health Professional

As part of our commitment to the safety and well-being of all students, the Amesbury Public Schools follows state regulations under 603 CMR 46.00 regarding the use of restraint and seclusion in schools. This form is used to document the professional determinations and administrative approvals required in advance of any potential emergency use of seclusion for a student, consistent with state regulations.

Completion of this form does not authorize the routine use of seclusion; it confirms only that the required medical, psychological or behavioral, and programmatic conditions have been reviewed and documented.

I. Student History *(To Be Completed by Principal or Designee)*

☐ I have reviewed the student's record and the student has a documented history of repeatedly causing serious injuries to self or others.

Print Name & Title: _____

Signature: _____ **Date:** _____

II. Medical Determination *(To Be Completed by Licensed Physician)*

☐ I have reviewed available medical information and determined there are no medical contraindications to the emergency use of seclusion for this student.

Print Name: _____

Print Title: _____ **Lic.#:** _____

Signature: _____ **Date:** _____

III. Psychological/Behavioral Determination *(To Be Completed by Licensed Mental Health Professional)*

☐ I have reviewed available medical information and determined there is a psychological or behavioral justification for the emergency use of seclusion for this student.

☐ I have reviewed available medical information and determined there are no psychological or behavioral contraindications to its use.

Print Name: _____

Print Title: _____ **Lic.#:** _____

Signature: _____ **Date:** _____

Appendix A

603 CMR 46.00 Prevention of Physical Restraint and Requirements if Used

(effective August 17, 2026)

46.01: Scope, Purpose and Construction

1. **Scope.** 603 CMR 46.00 governs the use of physical restraint on students in publicly funded elementary and secondary education programs, including all Massachusetts public school districts, charter schools, virtual schools, collaborative education programs, and the school day of special education schools approved under 603 CMR 28.09: *Approval of Public or Private Day and Residential Special Education School Programs*, as provided in 603 CMR 18.05(5)(h). Educational programs in facilities operated by the Department of Youth Services, the Department of Mental Health, the Department of Public Health, or County Houses of Correction shall be governed by the restraint, seclusion, and time-out requirements of such agencies.
2. **Purpose.** The purpose of 603 CMR 46.00 is to ensure that every student participating in a Massachusetts public education program is free from the use of physical restraint that is inconsistent with 603 CMR 46.00. 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, and with extreme caution. School personnel shall use physical restraint with two goals in mind:
 - a. To administer a physical restraint only when needed to protect a student and/or a member of the school community from assault or imminent, serious, physical harm; and,
 - b. To prevent or minimize any harm to the student as a result of the use of physical restraint.
3. **Construction.** Nothing in 603 CMR 46.00 shall be construed to limit the protection afforded publicly funded students under other state or federal laws, including those laws that provide for the rights of students who have been found eligible to receive special education services. Nothing in 603 CMR 46.00 precludes any teacher, employee or agent of a public education program from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.

46.02: Definitions

As used in 603 CMR 46.00, the following terms shall have the following meanings:

Commissioner shall mean the commissioner of the Department of Elementary and Secondary Education appointed in accordance with M.G.L. c.15, §1F, or his or her designee.

Consent shall mean agreement by a parent who has been fully informed of all information relevant to the activity for which agreement is sought, in his or her native language or other mode of communication, that the parent understands and agrees in writing to carrying out of the activity, and understands that the agreement is voluntary and may be revoked at any time. The agreement describes the activity and lists the records (if any) which will be released and to whom. In seeking parental consent, a public education program shall not condition admission or continued enrollment upon agreement to the proposed use of any restraint or seclusion.

Department shall mean the Department of Elementary and Secondary Education.

Mechanical restraint shall mean 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.

Medication restraint shall mean the administration of medication 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 medication restraint.

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.

Physical escort shall mean 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.

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.

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: *Approval of Public or Private Day*

and Residential Special Education School Programs, shall designate in the restraint prevention and behavior support policy who will serve as principal for purposes of 603 CMR 46.00.

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 the student in the face-down position.

Public education programs shall mean public schools, including charter schools, virtual schools, collaborative education programs, and the school day of special education schools approved under 603 CMR 28.09: *Approval of Public or Private Day and Residential Special Education School Programs*, as provided in 603 CMR 18.05(5)(h), and school events and activities sponsored by such programs. "Programs" may be used in 603 CMR 46.00 to refer to "public education programs." For purposes of 603 CMR 46.00, public education programs shall not include the educational services provided within Department of Youth Services, Department of Mental Health, Department of Public Health, and County Houses of Correction operated or contracted facilities.

School Working Day shall mean a day or partial day that students are in attendance at the public education program for instructional purposes.

Seclusion shall mean 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. The term does not include: a classroom or school environment where, as a general rule, all students need permission to leave the room or area, such as to use the restroom; a behavior support technique that is part of the district's, school's or program's designated procedures for behavior support which involves the monitored separation of a student in an unlocked setting, from which the student is allowed to leave and it is implemented for the purpose of calming; or placing a student in a separate location within a classroom with others or with an instructor, so long as the student has the same opportunity to receive and engage in instruction.

Time-out shall mean a behavioral support strategy 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. During time-out, a student must be continuously observed by a staff member in an unlocked setting from which the student is permitted to leave. Staff shall be with the student or immediately available to the student at all times. Time-out shall cease as soon as the student has calmed.

46.03: Use of Restraint

1. Prohibition.

- a. Mechanical restraint, medication restraint, and seclusion shall be prohibited in public education programs.

- b. Prone restraint shall be prohibited in public education programs except on an individual student basis, and only under the following circumstances:
 - 1. The student has a documented history of repeatedly causing serious self-injuries and/or injuries to other students or staff;
 - 2. All other forms of physical restraints have failed to ensure the safety of the student and/or the safety of others;
 - 3. There are no medical contraindications as documented by a licensed physician;
 - 4. 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;
 - 5. The program has obtained consent to use prone restraint in an emergency as set out in 603 CMR 46.03(1)(b), and such use has been approved in writing by the principal; and,
 - 6. The program has documented 603 CMR 46.03(1)(b) 1 through 5 in advance of the use of prone restraint and maintains the documentation.
 - c. Physical restraint, including prone restraint where permitted, shall be considered 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 directives or other lawful and less intrusive behavior interventions, or such interventions are deemed to be inappropriate under the circumstances.
 - d. All physical restraints, including prone restraint where permitted, shall be administered in compliance with 603 CMR 46.05.
2. Physical restraint shall not be used:
- a. As a means of discipline or punishment;
 - b. When the student cannot be safely restrained because it is medically contraindicated for reasons including, but not limited to, asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting;
 - c. As a response to property destruction, disruption of school order, a student's refusal to comply with a 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; or
 - d. As a standard response for any individual student. 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.

3. Limitations on use of restraint. Physical restraint in a public education program shall be limited to the use of such reasonable force as is necessary to protect a student or another member of the school community from assault or imminent, serious, physical harm.
4. Referral to law enforcement or other state agencies. Nothing in 603 CMR 46.00 prohibits:
 - a. The right of any individual to report to appropriate authorities a crime committed by a student or other individual;
 - b. 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; or
 - c. The exercise of an individual's responsibilities as a mandated reporter pursuant to M.G.L. c. 119, § 51A. 603 CMR 46.00 shall not be used to deter any individual from reporting neglect or abuse to the appropriate state agency.

46.04: Policy and Procedures; Training

1. Procedures. Public education programs shall develop and implement written restraint prevention and behavior support policy and procedures consistent with 603 CMR 46.00 regarding appropriate responses to student behavior that may require immediate intervention. Such policy and procedures shall be annually reviewed and provided to program staff and made available to parents of enrolled students. Such policy and procedures shall include, but not be limited to:
 - a. 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;
 - b. Methods for engaging parents in discussions about restraint prevention and the use of restraint solely as an emergency procedure;
 - c. A description and explanation of the program's alternatives to physical restraint and method of physical restraint in emergency situations;
 - d. A statement prohibiting: medication restraint, mechanical restraint, prone restraint unless permitted pursuant to 603 CMR 46.03(1)(b), seclusion unless permitted pursuant to 603 CMR 46.07(2), and the use of physical restraint in a manner inconsistent with 603 CMR 46.00;
 - e. A description of the program's training requirements, reporting requirements, and follow-up procedures;
 - f. A procedure for receiving and investigating complaints regarding restraint practices;
 - g. A procedure for conducting periodic review of data and documentation on the use of physical restraints as described in 603 CMR 46.06(5) and (6);
 - h. A procedure for implementing the reporting requirements as described in 603 CMR 46.06;

- i. A procedure for making reasonable efforts to orally notify a parent of the use of restraint on a student within 24 hours of the restraint, and for sending written notification to the parent within three school working days following the use of restraint to an email address provided by the parent for the purpose of communicating about the student, or by regular mail to the parent postmarked within three school working days of the restraint; and,
 - j. If the program uses time-out as a behavioral support strategy, a procedure for the use of time-out that includes a process for obtaining principal approval of time-out for more than 30 minutes based on the individual student's continuing agitation.
2. Required training for all staff. Each principal or director shall determine a time and method to provide all program staff with training regarding the program's restraint prevention and behavior support policy and requirements when restraint is used. Such training shall occur within the first month of each school year and, for employees hired after the school year begins, within a month of their employment. Training shall include information on the following:
 - a. The role of the student, family, and staff in preventing restraint;
 - b. The program's restraint prevention and behavior support policy and procedures, including use of time-out as a behavior support strategy distinct from seclusion;
 - c. Interventions that may preclude the need for restraint, including de-escalation of problematic behaviors and other alternatives to restraint in emergency circumstances;
 - d. When behavior presents an emergency that requires physical restraint, the types of permitted physical restraints and related safety considerations, including information regarding the increased risk of injury to a student when any restraint is used, in particular a restraint of extended duration;
 - 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 pursuant to 603 CMR 46.03(3) in the use of physical restraint.
3. In-depth staff training in the use of physical restraint. At the beginning of each school year, the principal of each public education program or his or her designee shall identify program staff who are authorized to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. Such staff shall participate in in-depth training in the use of physical restraint. The Department of Elementary and Secondary Education recommends that such training be competency-based and be at least sixteen (16) hours in length with at least one refresher training occurring annually thereafter.

4. Content of in-depth training. In-depth training in the proper administration of physical restraint shall include, but not be limited to:
 - a. 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;
 - b. 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;
 - c. 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;
 - d. Instruction regarding documentation and reporting requirements and investigation of injuries and complaints;
 - e. Demonstration by participants of proficiency in administering physical restraint; and,
 - f. Instruction regarding the impact of physical restraint on the student and family, recognizing the act of restraint has impact, including but not limited to psychological, physiological, and social-emotional effects.

46.05: Proper Administration of Physical Restraint

1. **Trained personnel.** Only public education program personnel who have received training pursuant to 603 CMR 46.04(2) or 603 CMR 46.04(3) shall administer physical restraint on students. Whenever possible, the administration of a restraint shall be witnessed by at least one adult who does not participate in the restraint. The training requirements contained in 603 CMR 46.00 shall not preclude a teacher, employee or agent of a public education program from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.
2. **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 injury or harm.
3. **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, including prone restraints otherwise permitted under 603 CMR 46.03(1)(b), shall be prohibited unless the staff members administering the restraint have received in-depth training according to the requirements of 603 CMR 46.04(3) and, in the judgment of the trained staff members, such method is required to provide safety for the student or others present.

4. **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.
5. **Safety requirements.** Additional requirements for the use of physical restraint:
 - a. 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.
 - b. Restraint shall be administered in such a way so as to prevent or minimize physical harm. If, at any time during a physical restraint, the student expresses or demonstrates significant physical distress including, but not limited to, difficulty breathing, the student shall be released from the restraint immediately, and school staff shall take steps to seek medical assistance.
 - c. 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.
 - d. Program staff shall review and consider 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.
 - e. After the release of a student from a restraint, the public education program shall implement follow-up procedures. These procedures shall include reviewing the incident with the student to address the behavior that precipitated the restraint, 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.

46.06: Reporting Requirements

1. **Circumstances under which a physical restraint must be reported.** Program staff shall report the use of any physical restraint as specified in 603 CMR 46.06(2).
2. **Informing the principal.** The program staff member who administered the restraint shall verbally inform the principal of the restraint as soon as possible, and by written report no later than the next school working day. The written report shall be provided to the principal for review of the use of the restraint. If the principal has administered the restraint, the principal shall prepare the report and submit it to an individual or team designated by the superintendent or board of trustees for review. The principal shall maintain an on-going record of all reported instances of physical restraint, which shall be made available for review by the parent or the Department upon request.

3. **Informing parents.** The principal shall make reasonable efforts to inform the student's parent of the restraint within 24 hours of the event, and shall notify the parent 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. If the program customarily provides a parent of a student with report cards and other necessary school-related information in a language other than English, the written restraint report shall be provided to the parent in that language. The principal shall provide the student and the parent an opportunity to comment orally and in writing on the use of the restraint and on information in the written report.
4. **Contents of report.** The written report required by 603 CMR 46.06(2) and (3) shall include:
 - a. The name of the student; the names and job titles of the staff who administered the restraint, and observers, if any; the date of the restraint; the time the restraint began and ended; and the name of the principal or designee who was verbally informed following the restraint; and, as applicable, the name of the principal or designee who approved continuation of the restraint beyond 20 minutes pursuant to 603 CMR 46.05(5)(c).
 - b. A description of the activity in which the restrained student and other students and staff in the same room or vicinity were engaged immediately preceding the use of physical restraint; the behavior that prompted the restraint; the efforts made to prevent escalation of behavior, including the specific de-escalation strategies used; alternatives to restraint that were attempted; and the justification for initiating physical restraint.
 - c. A description of the administration of the restraint including the holds used and reasons such holds were necessary; the student's behavior and reactions during the restraint; how the restraint ended; and documentation of injury to the student and/or staff, if any, during the restraint and any medical care provided.
 - d. Information regarding any further action(s) that the school has taken or may take, including any consequences that may be imposed on the student.
 - e. Information regarding opportunities for the student's parents to discuss with school officials the administration of the restraint, any consequences that may be imposed on the student, and any other related matter.
5. **Individual student review.** The principal shall conduct a weekly review of restraint data to identify students who have been restrained multiple times during the week. If such students are identified, the principal shall convene one or more review teams as the principal deems appropriate to assess each student's progress and needs. The assessment shall include at least the following:
 - a. review and discussion of the written reports submitted in accordance with 603 CMR 46.06 and any comments provided by the student and parent about such reports and the use of the restraints;

- b. an analysis of the circumstances leading up to each restraint, including factors such as time of day, day of the week, antecedent events, and individuals involved;
- c. consideration of factors that may have contributed to escalation of behaviors, consideration of alternatives to restraint, including de-escalation techniques and possible interventions, and such other strategies and decisions as appropriate, with the goal of reducing or eliminating the use of restraint in the future;
- d. agreement on a written plan of action by the program.

If the principal directly participated in the restraint, a duly qualified individual designated by the superintendent or board of trustees shall lead the review team's discussion. The principal shall ensure that a record of each individual student review is maintained and made available for review by the Department or the parent, upon request.

6. **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 determine whether it is necessary or appropriate to modify the school's restraint prevention and management policy, conduct additional staff training on restraint reduction/prevention strategies, such as training on positive behavioral interventions and supports, or take such other action as necessary or appropriate to reduce or eliminate restraints.
7. **Report all restraint-related injuries to the Department.** When a physical restraint has resulted in an injury to a student or program staff member, the program shall send a copy of the written report required by 603 CMR 46.06(4) to the Department postmarked no later than three school working days of the administration of the restraint. The program shall also send the Department a copy of the record of physical restraints maintained by the principal pursuant to 603 CMR 46.06(2) for the 30-day period prior to the date of the reported restraint. The Department shall determine if additional action by the program is warranted and, if so, shall notify the program of any required actions within 30 calendar days of receipt of the required written report(s).
8. **Report all physical restraints to the Department.** Every program shall collect and annually report data to the Department regarding the use of physical restraints. Such data shall be reported in a manner and form directed by the Department.

46.07: Safeguards

1. Any room or area used for time-out must be:

- a. Clean, safe, and sanitary;
 - b. Appropriate for the purpose of calming the student served, including but not limited to being of appropriate size for the age and the needs of the student;
 - c. Appropriately lighted, ventilated, and heated or cooled, consistent with the remainder of the building;
 - d. Free of objects or fixtures that are inherently dangerous to the student;
 - e. In compliance with any applicable local fire and building code requirements; and
 - f. In compliance with any other standards listed by the Department in guidance.
2. Seclusion shall be prohibited in a public education program except in an emergency situation as a last resort on an individual student basis, where a student's behavior poses an imminent threat of assault, or imminent serious physical harm to self or others, but only if:
- 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 lawful and less intrusive behavior interventions, or such interventions are deemed to be inappropriate under the circumstances;
 - c. Other forms of interventions have failed to ensure the safety of the student and/or the safety of others;
 - d. There are no medical contraindications as documented by a licensed physician;
 - e. There is psychological or behavioral justification for the use and there are no psychological or behavioral contraindications, as documented by a licensed mental health professional;
 - f. The program has obtained consent to use it in an emergency situation as set forth in 603 CMR 46.07(2) from the student's parent and, if appropriate, the student, and such use has been approved in writing by the principal;
 - g. Any individual using it has received training about alternative behavior interventions and management techniques;
 - h. The program has documented compliance with 603 CMR 46.07(2)(a) and (d) through (g) in advance of its use and maintains the documentation;
 - i. At all times during the emergency, a staff member is continuously and actively monitoring and observing the student and is immediately available to the student;
 - j. The student is observable in all parts of the room or area being used;
 - k. The staff member is continuing to use de-escalation and calming strategies with the student unless it is unsafe or counterproductive for the purposes of calming the student;
 - l. It is not used as a means of discipline or punishment or as a standard response for any individual student's actions that do not constitute an imminent threat of assault, or imminent serious physical harm to self or others;

- m. It is used only in an emergency situation of last resort and its use ceases as soon as the student's behavior no longer poses a threat of assault or immediate serious physical harm to the student or others, or if the student is observed to be in severe distress, such as having difficulty breathing; and
 - n. Any room or space used for the purposes of seclusion or time-out must meet the requirements listed in 603 CMR 46.07(1) and must be inspected by the public program for compliance with such requirements at a minimum of one time per week during which the room or area is used.
- 3. Any public education program that uses the emergency intervention described in 603 CMR 46.07(2) must adopt and follow a procedure for:
 - a. obtaining the approval of the principal if such an emergency intervention is used for a period longer than 30 minutes;
 - b. making reasonable efforts to notify a parent of its use with a student within the same timelines and in the same manner as described in 603 CMR 46.06(3) and (4);
 - c. verbally informing the principal of its use as soon as possible, and by written report no later than the next school working day. The written report shall be provided to the principal for review of the use of the emergency intervention. If the principal used the emergency intervention, the principal shall prepare the report and submit it to an individual or team designated by the superintendent or board of trustees for review. The principal shall maintain an on-going record of all reported instances of the use of such emergency intervention;
 - d. conducting a weekly review of the data to identify students with whom such an emergency intervention has been used multiple times during the week, in a manner consistent with 603 CMR 46.06(5). If such students are identified, the principal shall convene one or more review teams as the principal deems appropriate to assess each student's progress and needs;
 - e. conducting a monthly review of school-wide data relating to use of such an emergency intervention, in a manner consistent with 603 CMR 46.06(6);
 - f. examining and adopting alternatives and strategies for reducing and eliminating its use no later than 3 years from the date of effectiveness in 603 CMR 46.08; and
 - g. reporting such use to the Department in a manner, form, and with frequency specified by the Department.
- 4. The Department shall collect the data reported pursuant to 603 CMR 46.07(3)(g) with the goal of reducing and eliminating the use of such emergency interventions in public education programs.
- 5. No written individual behavior plan or IEP may include use of seclusion as a standard response to any behavior.