

PREVENTION AND CRITERIA FOR USE OF PHYSICAL RESTRAINT, SECLUSION AND TIME-OUT OF STUDENTS

The Webster Public Schools complies with the Massachusetts Department of Elementary and Secondary Education's (hereinafter "MA DESE") regulations governing the use of physical restraint, seclusion and time-out, which can be found at 603 CMR 46.00 et seq. (hereinafter "the Regulations"). According to their terms, the Regulations apply at school and also at school-sponsored events and activities, whether or not on school property. Additional information, including a copy of the Regulations, may be obtained from the Student Services Office or at <https://www.doe.mass.edu/lawsregs/603cmr46.html?section=all>.

PURPOSE. The purpose of this policy is to ensure that every student attending the Webster Public Schools is free from the use of physical restraint, seclusion or time-out that is inconsistent with the Regulations.

Consistent with the Regulations, nothing in this policy shall preclude a teacher, employee, or agent of the Webster Public Schools from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm or to implement school-based discipline (such as in school suspension) in accordance with due process and state laws/regulations. In addition, nothing in this Policy or the Regulations prohibits law enforcement or school security personnel from exercising their responsibilities, including physical detainment of an individual alleged to have committed a crime or posing a security risk.

DEFINITIONS. (603 CMR 46.02)

Mechanical Restraint: the use of any physical device or equipment to restrict a student's freedom of movement.

- Mechanical restraint does not include devices implemented by trained school personnel, or utilized by a student, which 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: 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.

Physical Escort: a temporary touching or holding, without the use of force, of the hand, wrist,

arm, shoulder, or back for the purpose of inducing a student who is agitated to walk to a safe location.

Physical Restraint: direct physical contact that prevents or significantly restricts a student's freedom of movement.

The following are not physical restraints:

- Brief physical contact to promote student safety.
- Providing physical guidance or prompting when teaching a skill;
- Redirecting attention
- Providing comfort
- Physical escort (as defined above)

Principal: the instructional leader of a public education school program or designee.

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. Webster Public Schools does not use prone restraints.

Seclusion: 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 following are not seclusion:

- 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;
- 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 as a behavioral support strategy (as defined below)

Time-Out: a behavioral support strategy in which a student temporarily separates from the learning activity or the classroom, either by choice or by direction from staff, for the purpose of calming. 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.

PHYSICAL RESTRAINT PROCEDURES

Use of Restraint (603 CMR 46.03)

Physical restraint is an emergency procedure of last resort and shall be prohibited in public education programs, including all Webster programs, **except when**:

1. the student's behavior poses a threat of assault, or imminent, serious, physical harm to self and/or others; and
2. the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions, or such interventions are deemed to be inappropriate under the

circumstances.

Physical restraint 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. School personnel shall use physical restraint to prevent or minimize any harm to the student. The staff member 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.

Prohibitions

Physical restraint shall not be used:

1. as a means of discipline or punishment;
2. when the student cannot be safely restrained because it is medically contraindicated for reasons including, but not limited to, asthma, seizures, cardiac conditions, obesity, bronchitis, communication-related disabilities, or risk of vomiting;
3. as a response to property destruction, disruption of school order, a student's refusal to comply with a policy or directive, or verbal threats when those actions do not constitute a threat of assault, or imminent, serious, physical harm; or
4. 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 only an emergency procedure of last resort.*

Prone restraints as defined by state regulations are not used in Webster programs.

Mechanical restraint, medication restraint, prone restraint, seclusion (unless permitted under the conditions described below) and the use of physical restraint in a manner inconsistent with 603 CMR 46.00 are strictly prohibited in the Webster Public Schools.

Proper Administration of Physical Restraint

Only Webster Public Schools personnel who have received training pursuant to the 603 CMR 46.04(2) or 603 CMR 46.04(3) (i.e., Required annual training for all staff or In-depth staff training, respectively) 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. As stated explicitly in the Regulations, however, the training requirements contained in 603 CMR 46.00 - and described in this policy - 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.

When administering a physical restraint, trained staff shall comply with the requirements

regarding use of force, method, duration of the restraint, and safety, as set forth in the Regulations. 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, as well as the safest method available and appropriate to the situation, subject to the safety requirements in the Regulations. In terms of 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.

Additional safety requirements for the use of physical restraint include:

1. 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.
2. 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.
3. 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.
4. 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.
5. After the release of a student from a restraint, program staff 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.

Staff Training

All school staff must receive annual training regarding the Webster Public Schools' Prevention and Criteria for Use of Physical Restraint, Seclusion and Time-Out of Students when restraint is used. Staff training must occur within the first month of each school year and, for employees hired after the school year begins, within a month of their employment. The schools should maintain documentation of the training.

Training shall include:

- Information on the role of the student, family, and staff in preventing restraint; • Webster Public Schools' Prevention and Criteria for Use of Physical Restraint, Seclusion and Time-Out of Students and procedures, including the use of time-out as a behavior support strategy distinct from seclusion;
- Interventions that may preclude the need for restraint, including de-escalation techniques and other alternatives to restraint in emergency circumstances; • Types

of permitted physical restraints and related safety considerations, including information about the increased risk of injury to a student when any restraint is used, in particular a restraint of extended duration;

- Administering physical restraint in accordance with medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans applicable to an individual student; and
- Identification of program staff who have received in-depth training in the use of physical restraint and who may serve as school-wide resources to assist in ensuring proper administration of physical restraint and implementation of the Regulations.

EMERGENCY SECLUSION PROCEDURES

Use of Seclusion (603 CMR 46.07(2))

Seclusion shall not be used 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.

Prohibitions

Seclusion may not be used in an emergency situation unless all of the following conditions are met:

- a. The student has a documented history of repeatedly causing serious self-injuries and/or injuries to other students or staff;
- b. The student is not responsive to directives or other less intrusive behavior interventions, or such interventions are deemed to be inappropriate under the circumstances;
- c. Other forms of intervention have failed to ensure the safety of the student and/or others;
- d. There are no medical contraindications, as documented by a licensed physician;
- e. There is psychological or behavioral justification for the use of seclusion and no psychological or behavioral contraindications, as documented by a licensed mental health professional;
- f. The program has obtained consent from the student's parent and, if appropriate, the student, to use seclusion in an emergency situation and such use has been approved in writing by the Principal;
- g. Any individual using seclusion has received training about alternative behavior interventions and management techniques; and
- h. The program has documented compliance with (a) and (d) through (g) above in advance of the use of seclusion and maintains the documentation.

Proper Administration of Emergency Seclusion

At all times during the emergency use of seclusion, a staff member must continuously and actively monitor and observe the student who must be observable in all parts of the room or area being used. The staff member must be immediately available to the student, and continue to use de-escalation and calming strategies with the student, unless it is unsafe or counterproductive for the purpose of calming the student.

The emergency use of seclusion must cease 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.

No written individual behavior plan or Individualized Education Program (IEP) may include use of seclusion as a standard response to any behavior.

The Principal's approval must be obtained if the emergency seclusion is used for a period longer than 30 minutes.

Any program of the Webster Public Schools that uses the emergency intervention of seclusion, consistent with the requirements above, must examine and adopt alternatives and strategies for reducing and eliminating its use no later than 3 years from the effective date of the Regulations (Regulations effective date is August 17, 2026).

REPORTING REQUIREMENTS FOR RESTRAINT AND EMERGENCY SECLUSION

Staff must report the use of **any** physical restraint or emergency seclusion as specified in the Regulations.

Reporting to Principal: The staff member who administered the restraint or emergency seclusion shall verbally inform the principal of the restraint or emergency seclusion as soon as possible and by written report no later than the next school working day. If the principal administered the restraint or emergency seclusion, the principal shall prepare the written report and submit it to the individual or team that the superintendent designates for review. The principal shall maintain an ongoing record of all reported instances of physical restraint and emergency seclusion of the individual student, which shall be made available for review by the individual student's parent or MA DESE upon request.

- **Maintain Ongoing Record:** The principal also shall maintain an ongoing record of all reported instances of physical restraint and emergency seclusion data regarding all students (the "Physical Restraint Log" and "Seclusion Log").
- **Weekly Review:** The principal shall conduct **a weekly review** of the Physical Restraint Log and Seclusion Log to identify students who have

been restrained and/or emergency secluded 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. If the principal directly participated in a restraint or emergency seclusion, a duly qualified person designated by the superintendent shall lead the review team's discussion.
- The review team's assessment shall include at least the following:
 - review and discussion of the written reports submitted in accordance with the Regulations and any comments the student and parent provided about the reports and the use of the restraints or emergency seclusion;
 - an analysis of the circumstances leading up to each restraint or emergency seclusion, including factors such as time of day, day of the week, antecedent events, and individuals involved;
 - consideration of factors that may have contributed to escalation of behaviors, consideration of alternatives to restraint or emergency seclusion, 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 or emergency seclusion in the future; and agreement on a written plan of action by the program.
- The principal shall ensure that a record of each individual student review team is maintained and made available for review by MA DESE or the parent, upon request.
- **Monthly Review:** The principal shall conduct **a monthly review** of the Physical Restraint Log and Seclusion Log. This review shall consider patterns of use of restraints and emergency seclusion by similarities in the time of day, day of week, or individuals involved; the number and duration of restraints and emergency seclusions school-wide and for individual students; the number and type of injuries, if any, resulting from use of restraint or emergency seclusion. The principal shall determine whether it is necessary or appropriate to modify the school district's policy, conduct additional training on restraint or emergency seclusion reduction/prevention strategies (e.g., positive behavioral interventions and supports) or take such other appropriate action necessary or appropriate to reduce or eliminate restraints or emergency seclusion.

Reporting to Parents: The principal shall make reasonable efforts to inform the student's parent of the restraint or emergency seclusion within 24 hours of the event and shall notify the student's parent by written report sent within three school working days of the restraint or emergency seclusion either to an email address provided by the parent for communication about the student or by regular mail postmarked no later than three school working days of the restraint or emergency seclusion. The written report must contain the information set forth in 603 CMR 46.06(4). The principal must ensure that the written restraint or emergency

seclusion report provided to the student's parent is provided to the parent in the language in which report cards and other necessary school-related information are customarily provided to the parent. The principal shall provide the student and the parent an opportunity to comment orally and in writing on the use of the restraint or emergency seclusion and on information in the written report.

Reporting to MA DESE: When a physical restraint or emergency seclusion has resulted in an injury to either a student or staff member, the Webster Public Schools shall send a copy of the written report (or electronic version if approved by MA DESE) of that restraint or emergency seclusion to MA DESE no later than three (3) school working days of the administration of the restraint or emergency seclusion, along with a copy of Physical Restraint Log and Seclusion Log, if any, for the 30-day period prior to the reported restraint or emergency seclusion.

Additionally, the Webster Public Schools must collect and annually report data to the MA DESE regarding the use of physical restraints and emergency seclusion. Webster shall report the data in the manner and form the MA DESE directs.

TIME-OUT PROCEDURES

Use of Time-out (603 CMR 46.02, 46.04(1)(j))

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. 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.

If a program uses time-out as a behavioral support strategy, the program must have 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. Time out strategies and usage shall be used in accordance with DESE guidance and regulations. Each school that utilizes time out as a behavioral strategy will have written procedures consistent with state laws and regulations.

SAFEGUARDS FOR AREAS USED FOR TIME-OUT OR EMERGENCY SECLUSION

Any room or area used for time-out or emergency seclusion must be clean, safe, and sanitary; appropriate for the purpose of calming students, including, but not limited to, being of appropriate size for the age and the needs of the student; appropriately lighted, ventilated, and heated or cooled (consistent with the remainder of the building); free of objects or fixtures that are inherently dangerous to the student; and in compliance with any applicable local fire and building code requirements and any other standards listed by the MA DESE in guidance.

Twice a school year, the school principal and the District's Director of Student Services (or their designees) shall inspect any room or area used for time-out or emergency seclusion, with one inspection occurring at the beginning of a school year. Additionally, any time a room or area actually is used for emergency seclusion, the school principal (or designee) must inspect the room or area a minimum of one time per week during which the room or area actually is used for emergency seclusion.

PREVENTING STUDENT VIOLENCE, SELF-INJURIOUS BEHAVIOR, AND SUICIDE

As set forth in the Regulations, the Webster Public Schools shall develop 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.

PARENT ENGAGEMENT

In accordance with the Regulations, the Webster Public Schools shall engage parents in discussions about restraint prevention and the use of restraint solely as an emergency procedure of last resort. Webster Public Schools will post this policy regarding the Prevention and Criteria for Use of Physical Restraint, Seclusion and Time-Out of Students on the school district's website and will include the policy in school handbooks. Webster Public Schools welcomes parents to request a meeting with their child's principal or IEP Team Chair to discuss any individual use of physical restraint or emergency seclusion or physical restraint, time-out procedures, and emergency seclusion in general.

COMPLAINT PROCEDURE

The Webster Public Schools will consider and investigate any complaints that the school district receives regarding the school district's physical restraint practices, including, but not limited to, complaints related to time-out and emergency seclusion practices.

Webster has developed a complaint form to assist individuals with sharing their concerns (**[insert link to complaint form here](#)**). Webster accepts online submissions of this complaint form as well as complaints submitted via fax, email, US mail, and in-person. Anyone who prefers or needs a paper copy of the complaint form, has difficulty accessing the online form, has additional questions or requires assistance with submitting a complaint may contact the Webster Public Schools' Student Services office at:

Webster Public Schools
Shari Haire, Director of Student Services
77 Poland Street
Webster, MA 01570
shaire@webster-schools.org

Complaints must be filed within sixty (60) school days of the event giving rise to the complaint.

The District will investigate the complaint, including interviewing any witnesses deemed necessary and appropriate and reviewing relevant written documentation and data related to the concern. The District's investigation generally will be completed within twenty (20) school days of receiving the complaint. If this general timeline is not met, the District will document the reason(s) for not meeting the timeline. If the complainant is dissatisfied with the determination following the investigation, the complainant may appeal to the Superintendent of Schools who may be reached at:

Monique Pierangeli
77 Poland Street
Webster, MA 01570
mpierangeli@webster-schools.org

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