

603 CMR 18.00:

## Program and Safety Standards for Approved Public or Private Day and Residential Special Education School Programs

### Section:

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Most Recently Amended by the Board of Elementary and Secondary Education, December 16, 2014. Effective January 1, 2016.

*[Sections 18.01 through 18.04 were omitted, because no changes were made to them.]*

18.05: Required Policies and Procedures

*[Sections (1) through (4) were omitted because no changes were made to them.]*

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### (5) **Behavior Support.**

(a) Each school shall provide a written statement of the rules, policies and procedures for the behavior support of students. The statement shall contain a description of the safeguards for the emotional, physical and psychological well-being of the population served; measures for positive responses to appropriate behavior; and definition and explanation of behavior management procedures used in the facility including, where applicable:

1. Methods of assessing and monitoring students' progress in the program;
2. The type and range of restrictions a staff member can impose for behavior which is unacceptable;
3. The type of restraint used in an emergency; the array of interventions used as alternatives to restraint; and the controls on the misuse and abuse of restraint;
4. The use of the behavioral support strategy of time-out;
5. Any denial or restrictions of on-grounds program services.

(b) Students shall participate in the establishment of such rules, policies and procedures whenever feasible and appropriate.

(c) Prior to admission, the school shall provide students and parents with a written copy of its behavior support policy.

(d) The school shall inform parents and students of any significant changes in the behavior management procedures.

(e) No student shall be subjected to abuse or neglect, cruel, unusual, severe or corporal punishment, including the following practices:

1. Any type of physical hitting or pain inflicted in any manner upon the body;
2. Requiring or forcing the student to take an uncomfortable position such as squatting or bending or requiring or forcing the student to repeat physical movements when used as punishment;
3. Punishments which subject the student to verbal abuse, ridicule or humiliation;
4. Denial of visitation or communication privileges with family;
5. Denial of sufficient sleep;
6. Denial of shelter, bedding, food or bathroom facilities.

(f) The goal of behavior support shall be to maximize the growth and development of the student and to protect the group and the individuals in it.

(g) The school shall directly relate consequences to the specific misbehavior and shall apply such consequences without prolonged delay.

(h) Day educational programs approved under 603 CMR 28.09 shall develop a policy on the use of physical restraint, ~~and~~ administer physical restraint in accordance with the requirements of 603 CMR 46.00, **and comply with all requirements in 603 CMR 46.00.** Residential educational programs approved under 603 CMR 28.09 shall comply with the requirements contained in 102 CMR 3.00 except for the school day, during which the requirements of 603 CMR 46.00 shall apply for students enrolled in such programs. Educational programs within a program or facility subject to M.G.L. c. 123 or Department of Mental Health Regulations shall comply with the restraint requirements of M.G.L. c. 123, 104 CMR 27.12 or 104 CMR 28.05, as applicable.

(i) Any behavior support policy which results in a student being separated in a room apart from the group or program activities shall **comply with the requirements in 603 CMR 46.07 and** include, but not be limited to, the following:

1. Guidelines for staff in the utilization of such an ~~area~~ **intervention**;
2. Persons responsible for implementing such ~~procedures~~ **interventions**;

3. The duration of the procedures including procedures for approval by the chief administrative person or his/her designee for any period longer than 30 minutes, except that during the school day in a residential educational program, and in a day educational program approved under 603 CMR 28.09, the duration of the procedures shall be governed by 603 CMR 46.00;
  4. Requirement that students shall be **monitored observable** at all times ~~and in all parts of the room~~, and that the staff shall be in close proximity **to the student** at all times;
  5. A procedure for staff to directly observe the student at least every fifteen minutes;
  - ~~6. A means of documenting the use of such area including, at a minimum, length of time, reasons for this intervention, who approved the procedure, and who directly observed the student at least every fifteen minutes.~~
- (i) (j) Time out rooms shall not be locked.
- (ii) (k) Any room or space used for the practice of separation must be physically safe and appropriate to the population served by the facility.
- (l) If the program permits the use of the emergency intervention described in 603 CMR 46.07(2), its behavior support policy must include the requirements in 603 CMR 46.07(2) and (3).**

18.06: Effective Date

~~The effective date of 603 CMR 18.00, as amended, is January 1, 2016.~~

**The effective date of amendments adopted in [date] 2025 shall take effect on September 2, 2025.**