



Frequently Asked Questions - Massachusetts changes to Time Out and Restraint Practices *Updated August 14, 2026*

Q: *What are the changes that are taking place?*

A: The updated regulations modify the definitions of seclusion and time out. The new verbiage on seclusion specifies emergency circumstances when seclusion may be used as a last resort if there is an imminent threat of assault or serious physical harm to the student or others. In such cases, an adult must be present and monitoring the student. Moreover, parents must provide prior written consent and documentation from a licensed mental health professional and physician before its use. Parents must also be notified if seclusion is used and schools must conduct review of the data on this use on a weekly and monthly basis. Finally, additional requirements for time out spaces must now include spaces that are appropriate in size based on the age and needs of the student; have appropriate lighting, ventilation, and heating and cooling consistent with the rest of the building; and be free of any objects that are dangerous to students.

Q: *When do these changes take effect?*

A: August 17, 2026

Q: *Do these practices exist at the Bi-County Collaborative?*

A: It is important to understand that for many students, these approaches are not used or needed in any capacity. Behavioral intervention is not employed unless and until a student demonstrates the need for additional assistance in this particular area.

Time-out is part of a continuum of behavioral approaches used in our programs. Time-out is a broad term used for a behavioral approach that provides a space for students to regulate when remaining in the classroom is not beneficial. (This can be a quiet area of the classroom, therapy room, break area, or other area that a student identifies as calming) Staff remains present and ready to support instruction during time out. Students may return to the classroom at any time during time out as long as they are safe and following school rules.

Seclusion is not used at the Bi-County Collaborative. Bi-County Collaborative does not have locked spaces used for seclusion. In cases of imminent danger, all staff are trained in crisis intervention practices and follow established protocols. Should further intervention be required, we would contact crisis or emergency services as well as parents/caregivers.

Q: *Where can I read more about the definitions of time-out, seclusion, and emergency use of seclusion?*

A: Massachusetts regulations governing physical restraint can be found [here](#).



Q: What documentation is required if seclusion is used?

A: If seclusion is used, the following documentation is required prior to its use:

- The student has a documented history of repeatedly causing serious self-injuries and/or injuries to other students or staff;
- There is documentation from a licensed mental health professional that there is psychological or behavioral justification for the use, and there are no psychological or behavioral contraindications;
- There is documentation from a licensed physician that there are no medical contraindications;
- There is consent from the student's parent or guardian and, if appropriate, the student, and such use has been approved in writing by an administrator.

Q: Why am I receiving this information?

A: You are receiving this information so that you are aware of changes in regulations before they take effect. Transparency is important- especially in our work with students. We want to partner with you in our work with your students. Proactively discussing your student's behavioral needs and our therapeutic approach will provide a deeper understanding between you as the parent and the Bi-County Collaborative as your school. Additionally, it is important for you to be aware of paperwork requirements outlined in these new regulations whether they are needed or not.

Q: Is there anything I need to do as a parent or caregiver right now?

A: You are not required to take any action at this time. It is always a good practice to review your student's IEP (individualized education program) and any associated BSP (behavior support plan) that you have. If you are unsure how this guidance applies to your student, please reach out to your program director so we can speak directly with you.

Q: Where can I read more about this guidance from the state?

A: The Department of Elementary and Secondary Education website is always a good resource for families to read more about guidance on a variety of topics. Program and safety standards for public day school programs can be found [here](#). Finally, the state of Massachusetts issued a press release outlining these changes [here](#).

Q: Will Bi-County Collaborative be offering any additional outreach to families to help them better understand the changes to the regulations?

A: Yes! We are planning a virtual event for early fall, once the 2026-2027 school year officially begins. Stay tuned for more details.