

REGULATIONS FOR THE MANAGEMENT OF STUDENT BEHAVIORS IN EMERGENCY SITUATIONS

Alexandria City Public Schools (ACPS) believes that each child is valued as a contributor in the education process, and school staff must ensure that children are treated with dignity, respect, and special care. When there is a need to manage aggressive and violent student behaviors in emergency situations in the school setting, there must be a balance between ensuring practices that maintain an effective learning environment and those procedures that safeguard the rights and protections of students and staff. This policy ensures that when behaviors need special intervention, students are free from the unreasonable use of physical restraint, seclusion, and any other intervention methods that may not be the least restrictive intervention.

ACPS encourages the use of Positive Behavioral Interventions and Supports (PBIS) to reduce and prevent the need for the use of physical restraint and seclusion. To ensure the safety of all students and staff, physical restraint and seclusion may only be used:

- By trained and authorized ACPS staff for the purpose of behavioral intervention;
- In the rare cases where there is imminent risk of serious physical harm to self or others; and
- In accordance with this policy and the Virginia Board of Education (VBOE) *Regulations Governing the Use of Seclusion and Restraint in Public Elementary and Secondary Schools in Virginia*.

The use of mechanical or pharmacological restraint or abusive interventions, including the use of any method of restraint or seclusion that poses a significant danger to the student, are not authorized, permitted, or condoned in ACPS or any public school in Virginia. Corporal punishment is expressly prohibited by law.

I. DEFINITIONS

“**Aversive stimuli**” means interventions that are intended to induce pain or discomfort to a student for the purposes of punishing the student or eliminating or reducing maladaptive behaviors, such as:

1. Noxious odors and tastes;
2. Water and other mists or sprays;
3. Blasts of air;
4. Corporal punishment as defined in § 22.1-279.1 of the Code of Virginia;
5. Verbal and mental abuse;
6. Forced exercise when:
 - a. The student’s behavior is related to the student’s disability;
 - b. The exercise would have a harmful effect on the student’s health; or
 - c. The student’s disability prevents participation in such activities;
7. Deprivation of necessities, including:
 - a. Food and liquid at a time it is customarily served;
 - b. Medication; or
 - c. Use of a restroom.

47
48 **“Behavioral Intervention Plan” (BIP)** means a plan that utilizes positive behavioral
49 interventions and supports to address: (i) behaviors that interfere with a student’s learning
50 or that of others; or (ii) behaviors that require disciplinary action.

51
52 **“Citywide Program”** means full-day, self-contained, special education programs for
53 students with disabilities.

54
55 **“Corporal punishment”** means the infliction of, or causing the infliction of, physical pain
56 on a student as a means of discipline.

57
58 **“Day”** means calendar day unless otherwise designated business day or school day.

59
60 **“Evaluation”** means procedures used in accordance with 8 VAC 20-81 to determine
61 whether a child has a disability and the nature and extent of the special education and
62 related services the child needs.

63
64 **“Functional Behavioral Assessment” (FBA)** means a process to determine the
65 underlying cause or functions of a student’s behavior that impede the learning of the
66 student or the learning of the student’s peers. A functional behavioral assessment may
67 include a review of existing data or new testing data or evaluation as determined as set
68 forth in 8 VAC 20-750-70.

69
70 **“Individualized Education Program” (IEP)** means a written statement for a student with
71 a disability that is developed, reviewed and revised at least annually in a team meeting in
72 accordance with the Regulations Governing Special Education Programs for Children with
73 Disabilities in Virginia (8 VAC 20-81). The IEP specifies the individual educational needs
74 of the child and what special education and related services are necessary to meet the
75 child’s educational needs.

76
77 **“Multi-Tiered Systems of Support” (MTSS)** is a problem-solving model for schools to
78 provide academic and behavioral strategies, services and interventions for students with
79 varied levels of needs. The MTSS process is designed to identify students who need
80 interventions and supports beyond what is provided universally for all students and
81 provide intentional strategies to accelerate their performance to achieve or surpass
82 required levels of proficiency. The different tiers indicate the level of intensity or
83 individuality required for a given student based on data collected in a specific area of need.
84 Examples of interventions in the MTSS system could include: reading or math groups,
85 reinforcement systems, Check-In-Check-Out meetings, individual or small group
86 counseling, or outside agency support. MTSS teams may select PBIS interventions to meet
87 a student’s needs when developing a comprehensive plan.

88
89 **“Positive Behavioral Interventions and Supports” (PBIS)** is a structured approach to
90 teach and support positive behavior for all students. Schools design and implement a
91 school-wide system for teaching and recognizing positive student behaviors across the
92 variety of environments in a school (e.g., classrooms, hallways, cafeteria and bathrooms).

93 Customized visual reminders are placed throughout the building and positive rewards are
 94 provided to students who meet the expectations. When problem behavior arises, PBIS
 95 systems use evidence-based interventions to address each student’s needs. Some
 96 examples of PBIS include: school-wide expectations, class lessons on topics of
 97 citizenship and friendship, mentoring, restorative justice, and conflict resolution.
 98

99 **“Restraint”** means mechanical restraint, physical restraint or pharmacological restraint.

- 100 1. **“Mechanical restraint”** means the use of any material, device or equipment to
 101 restrict a student’s freedom of movement. **The term “mechanical restraint” does**
 102 **not include the devices implemented by trained school personnel or used by a**
 103 **student that have been prescribed by an appropriate medical or related service**
 104 **professional and are used with parent/guardian consent and for the specific**
 105 **and approved purposes for which such devices were designed**, such as:
 106 a. Adaptive devices or mechanical supports used to achieve proper body
 107 position, balance or alignment to allow greater freedom of mobility than would
 108 be possible without the use of such devices or mechanical supports;
 109 b. Vehicle restraints, including seat belts, when used as intended during the
 110 transport of a student in a moving vehicle;
 111 c. Restraints for medical immobilization;
 112 d. Orthopedically prescribed devices that permit a student to participate in
 113 activities without risk of harm; or
 114 e. High chairs and feeding stations used as age and/or developmentally
 115 appropriate for students.
- 116 2. **“Pharmacological restraint”** means a drug or medication used on a student to
 117 control behavior or restrict freedom of movement that is not: (i) prescribed by a
 118 licensed physician or other qualified health professional under the scope of the
 119 professional’s authority for the standard treatment of a student’s medical or
 120 psychiatric condition and (ii) administered as prescribed by a licensed physician or
 121 other qualified health professional acting under the scope of the professional’s
 122 authority.
- 123 3. **“Physical restraint”** means a personal restriction that immobilizes or reduces the
 124 ability of a student to move freely. The term “physical restraint” **does not** include:
 125 a. Briefly holding a student in order to calm or comfort the student;
 126 b. Holding a student’s hand or arm to escort the student safely from one area to
 127 another; or
 128 c. The use of incidental, minor or reasonable physical contact or other actions
 129 designed to maintain order and control.
- 130 4. **“Prone restraint”** means a restraint that places the individual's body in a prone
 131 (face down) position.
- 132 5. **“Supine restraint”** means a restraint that places the individual's body in a supine
 133 (face up) position.

134
 135 **“Seclusion”** means the involuntary confinement of a student alone in a room or area from
 136 which the student is physically prevented from leaving. Provided that no such room or
 137 space is locked, the term “seclusion” **does not** include:

- 138 1. Time out, as defined in this chapter;

- 139 2. In-school suspension;
- 140 3. Detention;
- 141 4. Student-requested breaks in a different location in the room or in a separate room;
- 142 5. Removal of a student for a short period of time from the room or a separate area of
- 143 the room to provide the student with an opportunity to regain self-control, so long
- 144 as the student is in a setting from which the student is not physically prevented
- 145 from leaving;
- 146 6. The removal of a student for disruptive behavior from a classroom by the teacher,
- 147 as provided in § 22.1-276.2 of the Code of Virginia; and
- 148 7. Confinement of a student alone in a room or area from which the student is
- 149 physically prevented from leaving during the investigation and questioning of the
- 150 student by school employees regarding the student’s knowledge of or
- 151 participation in events constituting a violation of the Student Code of Conduct, such
- 152 as a physical altercation, or an incident involving drugs or weapons.

153
154 **“School personnel”** means individual(s) employed by ACPS on a full-time or part-time
155 basis or as independent contractors or subcontractors as instructional, administrative and
156 support personnel, and includes individuals serving as a student teacher or intern under the
157 supervision of appropriate school personnel.

158
159 **“Section 504 Plan”** means a written plan of modifications and accommodations under
160 Section 504 of the *Rehabilitation Act of 1974* (29 USC § 794).

161
162 **“Time-out”** means a behavioral intervention in which the student is temporarily removed
163 from the learning activity but in which the student is not confined.

164 165 **II. PROHIBITED ACTIONS**

166
167 The following actions are prohibited in Alexandria City Public Schools:

- 168 A. Use of mechanical restraints;
- 169 B. Use of pharmacological restraints;
- 170 C. Use of aversive stimuli;
- 171 D. Use of restraint or seclusion in any manner that restricts a student’s breathing or harms
- 172 the student, including prone and supine restraints;
- 173 E. Use of physical restraint as:
 - 174 1. punishment or discipline;
 - 175 2. a means of coercion or retaliation;
 - 176 3. a convenience;
 - 177 4. to prevent property damage; or
 - 178 5. in any manner other than as outlined in Sections III and IV of this policy;

184

- 185 F. Use of corporal punishment;
- 186
- 187 G. Use of seclusion rooms or freestanding units not meeting the standards set forth in this
- 188 policy;
- 189
- 190 H. Use of restraint or seclusion when medically or psychologically contraindicated as
- 191 stated in documentation provided to ACPS by the IEP team, 504 team, school
- 192 professionals, or by a licensed physician, psychologist, or other qualified health
- 193 professional under the scope of the professional’s authority; or
- 194
- 195 I. Use of seclusion for any student who is not in the full-day, self-contained special
- 196 education program for students with emotional and behavioral challenges (Citywide
- 197 Social Emotional Learning program).
- 198

199 Nothing in this section shall be construed to prohibit physical restraint or seclusion under
200 the conditions permitted in the *Regulations Governing the Use of Seclusion and Restraint*
201 *in Public Elementary and Secondary Schools in Virginia*.

202

203 **III. USE OF PHYSICAL RESTRAINT**

204

- 205 A. School personnel may only implement physical restraint when other interventions (e.g.,
- 206 offering the student’s preferred mode of communication, verbal redirection,
- 207 environmental modifications, directive statements, calming gestures, etc.) are
- 208 ineffective or would be ineffective, in the reasonable judgment of staff implementing
- 209 physical restraint in an emergency situation, and may only be used to:
- 210
 - 211 1. Prevent a student from inflicting serious physical harm or injury to self or
 - 212 others;
 - 213 2. Quell a disturbance or remove a student from the scene of a disturbance in
 - 214 which such student’s behavior or damage to property threatens serious
 - 215 physical harm or injury to persons;
 - 216 3. Defend self or others from serious physical harm or injury;
 - 217 4. Obtain possession of controlled substances or paraphernalia which are upon the
 - 218 person of the student or within the student’s control; or
 - 219 5. Obtain possession of weapons or other dangerous objects that are upon the
 - 220 person of the student or within the student’s control.
- 221
- 222 B. Physical restraint shall be discontinued as soon as the imminent risk of serious
- 223 physical harm or injury to self or others presented by the emergency situation has
- 224 dissipated. If imminent risk of serious physical harm continues, school personnel
- 225 implementing physical restraints will adhere to the maximum duration outlined in the
- 226 advanced, evidence-based training program.
- 227
- 228 C. School personnel are not required to attempt to implement a less restrictive
- 229 intervention prior to using physical restraint when, in the reasonable judgment of the

230 school personnel in an emergency situation, a less restrictive intervention would be
231 ineffective.

- 232
- 233 D. Unless a student’s damage to property creates an imminent risk of serious physical
234 harm or injury to the student or others, the damage of property does not itself indicate
235 an imminent risk of serious physical harm or injury and shall not be the justification
236 for the restraint of a student.
- 237
- 238 E. To ensure the student’s safety at all times, continuous visual monitoring of the use of
239 any physical restraint shall be maintained to ensure the appropriateness of such use and
240 the safety of the student being physically restrained, other students, school personnel,
241 and others, (except in emergency situations in which securing visual monitoring
242 before implementing the physical restraint would, in the reasonable judgment of the
243 school employee implementing the physical restraint, result in serious physical
244 harm or injury to persons).
- 245
- 246 F. Schools must be safe for all children and school personnel must be equipped to address
247 emergencies and disruptions effectively, while protecting the dignity of all students,
248 the integrity of the classroom, and the safety of all persons in ACPS facilities.
249 Alexandria Police Department (APD), staff shall not be involved in the physical
250 restraint of a student initiated by school staff unless there is imminent danger of serious
251 physical harm to self or others.
- 252
- 253 G. Any incident involving physical restraint in any of the circumstances described above
254 shall be subject to the requirements of 8 VAC 20-750-40 and as otherwise outlined in
255 Section III of this policy.
- 256

257 **IV. USE OF SECLUSION**

- 258
- 259 . School personnel may only implement seclusion in the full-day, self-contained,
260 special education program for students with emotional and behavioral challenges
261 (Citywide Social Emotional Learning program). Seclusion may only be considered
262 when other interventions (e.g., offering the student’s preferred mode of
263 communication, verbal redirection, environmental modifications, directive
264 statements, calming gestures, etc.) are ineffective or would be ineffective, in the
265 reasonable judgment of staff implementing seclusion in an emergency situation, and
266 may only be used to:
- 267 1. Prevent a student from inflicting serious physical harm or injury to self or
268 others;
 - 269 2. Quell a disturbance or remove a student from the scene of a disturbance in
270 which such student’s behavior or damage to property threatens serious
271 physical harm or injury to persons;
 - 272 3. Defend self or others from serious physical harm or injury;
 - 273 4. Obtain possession of controlled substances or paraphernalia which are upon the
274 person of the student or within the student’s control; or

275 5. Obtain possession of weapons or other dangerous objects that are upon the
276 person of the student or within the student’s control.
277

278 B. Seclusion shall be discontinued as soon as the imminent risk of serious physical harm
279 or injury to self or others presented by the emergency situation has dissipated. If
280 imminent risk of serious physical harm continues, school personnel implementing
281 seclusion will adhere to the maximum duration outlined in subsection V.C. of this
282 policy.
283

284 C. School personnel are not required to attempt to implement a less restrictive
285 intervention prior to using seclusion when, in the reasonable judgment of the school
286 personnel in an emergency situation, a less restrictive intervention would be
287 ineffective.
288

289 D. Unless a student’s damage to property creates an imminent risk of serious physical
290 harm or injury to the student or others, the damage of property does not itself indicate
291 an imminent risk of serious physical harm or injury and shall not be the justification
292 for the seclusion of a student.
293

294 E. To ensure the student’s safety at all times, continuous visual monitoring of the use of
295 any seclusion shall be maintained to ensure the appropriateness of such use and the
296 safety of the student being secluded, other students, school personnel, and others,
297 (except in emergency situations in which securing visual monitoring before
298 implementing the seclusion would, in the reasonable judgment of the school
299 employee implementing the seclusion, result in serious physical harm or injury to
300 persons).
301

302 F. Alexandria Police Department staff shall not be involved in the seclusion of a student
303 initiated by school staff.
304

305 G. Any incident involving seclusion in any of the circumstances described above shall be
306 subject to the requirements of 8 VAC 20-750-40, 8 VAC 20-750-50 and as otherwise
307 outlined in Sections IV and V of this policy.
308

309 **V. STANDARDS FOR USE OF SECLUSION**
310

311 A. To ensure the student’s safety at all times, any use of seclusion in the full-day, self-
312 contained special education program for students with emotional and behavioral
313 challenges (Citywide Social Emotional Learning program) in accordance with 8 VAC
314 20-750-50 will meet the following structural and physical standards for rooms or areas
315 designated by the school to be used for that purpose:
316

- 317 1. Any seclusion room or area shall be free of any objects or physical features that
318 may cause injury to the student;
- 319 2. Any seclusion room or area shall be of sufficient dimensions, and shall have
320 sufficient lighting, heating, cooling, and ventilation to comport with the

321 dignity and safety of the student at all times, including during a fire or other
 322 emergency. Sufficient dimensions are defined as allowing the student to stand,
 323 walk, sit or lay down comfortably with adequate space to allow for at least two
 324 other individuals to enter the room if needed to prevent self-injurious behavior;

- 325 3. Windows and/or viewing panels in the seclusion room shall be constructed to
 326 minimize breakage and otherwise prevent injury to the student; and
- 327 4. All space in the seclusion room shall be visible through the door, either
 328 directly or by mirrors.

329
 330 A. Continuous visual monitoring of any instance of seclusion shall occur either by the
 331 presence of school personnel in the seclusion room or area or through observation by
 332 school personnel through a window, viewing panel, or half-door, except in emergency
 333 situations in which securing visual monitoring before implementing the seclusion
 334 would, in the reasonable judgment of the school personnel implementing the
 335 seclusion, result in serious physical harm or injury to persons.

336
 337 B. Seclusion shall be discontinued as soon as the imminent risk of serious physical harm
 338 or injury to self or others presented by the emergency situation has dissipated. The
 339 special needs of the student shall be considered when determining whether use of a
 340 seclusion room is appropriate. In determining whether or not the use of a seclusion
 341 room is reasonable and necessary, consideration should be given to factors such as the
 342 student's developmental age, disability, health concerns and background factors as well
 343 as the imminent risks to student, staff, and others. If, after consideration of less
 344 restrictive interventions, staff determines that the use of a seclusion room is a
 345 reasonable and necessary intervention to the emergency situation, the student may be
 346 placed in the seclusion room with the door secured in a closed position.

347
 348 The seclusion room door should not remain in the closed position beyond 10 minutes
 349 without opening the door to obtain a further assessment of the status of the student.
 350 Ten-minute time intervals should be adjusted accordingly to take into consideration the
 351 factors outlined above, such as developmental age. If the student does not demonstrate
 352 behavior that indicates they are calm and non-threatening, the door shall be secured,
 353 and the process begun again following consultation with the principal or designee and
 354 agreement that the student is continuing to demonstrate behavior that indicates an
 355 imminent risk to others. The seclusion room door should be opened as soon as these
 356 risks are no longer imminent. If a student is demonstrating behaviors which indicate
 357 harm to self while in a seclusion room, staff may need to consider the use of physical
 358 intervention to prevent self-injury to the student. These assessments should be clearly
 359 documented on the appropriate form (available on the ACPS website as Regulation
 360 JM-R). If the student continues to demonstrate destructive behavior for a period
 361 of time beyond 30 minutes, staff and the principal or designee should consider an
 362 alternative course of action, (e.g., parent/guardian involvement or emergency
 363 services assistance).

364
 365 Once the student demonstrates a return to calm, non-threatening behavior, the
 366 seclusion room door shall be moved to the open position, and staff shall direct the
 student to remain in the seclusion room. Staff will facilitate further de-escalation and

367 assess the student's ability to reintegrate into the learning environment. Upon
 368 completion of a short interval of time determined by staff (not to exceed 10 minutes),
 369 the student shall then be given a directive to exit the seclusion room and assisted to
 370 reintegrate into the learning environment.

371 **VI. NOTIFICATION, DOCUMENTATION AND REPORTING TO PARENTS/
 372 GUARDIANS**

373
 374 A. When any student has been physically restrained or secluded during the school day:

- 375
 376 1. The school personnel involved shall report the incident and the use of any related
 377 first aid to the school principal or designee as soon as possible and no later than by
 378 the end of the school day in which the incident occurred; and
 379 2. The school principal or designee shall ensure that direct contact is made with the
 380 parent/guardian, either in person or through telephone conversation, or other means
 381 of communication authorized by the parent/guardian, such as text or e-mail, to
 382 notify the parent/guardian of the incident and any related first aid on the day the
 383 incident occurred. Multiple efforts to reach the parent are required. The staff
 384 member(s) responsible for contacting the parent will maintain documentation of
 385 efforts to contact the parent/guardian on the day of the incident.
 386

387 B. When any student has been physically restrained or secluded before or after the
 388 regular school day, the notifications required by subsection A above shall be made as
 389 soon as practicable in compliance with the ACPS School Crisis, Emergency
 390 Management, and Medical Emergency Response Plan required by § 22.1-279.8 of the
 391 Code of Virginia.
 392

393 C. As soon as practicable, but no later than two school days after the incident in which
 394 physical restraint or seclusion has been implemented, the school personnel involved in
 395 the incident or other school personnel, as may be designated by the principal, shall
 396 complete and provide to the principal or designee a written incident report. The
 397 principal or designee shall provide the parent/guardian with a copy of the incident
 398 report within four school days of the incident.
 399

400 D. The principal or designee shall provide the Office of Specialized Instruction with a
 401 copy of the incident report within four school days of the incident. The written
 402 incident report shall contain the following information:

- 403 1. Student's name, age, gender, grade, ethnicity, and special education status with
 404 disability category, if applicable;
 405 2. Location of the incident;
 406 3. Date, time, and total duration of the incident, including documentation of the
 407 beginning and ending time of each application of physical restraint or seclusion;
 408 4. Date of the report;
 409 5. Name of the person completing the report;
 410 6. The school personnel involved in the incident, their roles in the use of physical
 411 restraint or seclusion, and their completion of the Division's training program;

- 412 7. Description of the incident, including the antecedent, resolution, and process of
 413 return of the student to their educational setting, if appropriate;
 414 8. A detailed description of the physical restraint or seclusion method used;
 415 9. The student’s behavior that necessitated the use of physical restraint or seclusion;
 416 10. A description of the events and circumstances immediately preceding the
 417 student’s behavior, to the extent known;
 418 11. Less restrictive interventions attempted prior to the use of physical restraint or
 419 seclusion and an explanation if no such interventions were employed;
 420 12. Whether the student has an IEP, a Section 504 plan, a Behavior Intervention Plan
 421 (BIP), or other plan;
 422 13. If the student involved in the restraint or seclusion sustained bodily injury, the date
 423 and time of school nurse notification and the treatment administered, if any, will be
 424 documented by the school nurse;
 425 14. If any other individual sustained bodily injury, the date and time of school nurse
 426 notification and the treatment administered, if any, will be documented by the
 427 school nurse;
 428 15. Date, time, and method of parent/guardian notification of the incident, as required
 429 by this section; and
 430 16. Date, time, and method of school personnel debriefing.
 431
 432 E. Following an incident of physical restraint or seclusion the school will ensure that,
 433 within two (2) school days, the principal or designee reviews the incident with all
 434 school personnel who implemented the use of physical restraint or seclusion to
 435 discuss:
 436 1. Whether the use of restraint or seclusion was implemented in compliance with 8
 437 VAC 20-750-40, 8 VAC 20-750-50 and School Board policies;
 438 2. How to prevent or reduce the future need for physical restraint or seclusion; and
 439 3. For each instance of physical restraint or seclusion of a student beyond the second
 440 use within a school year, a behavior support staff member from the Office of
 441 Specialized Instruction or the Department of Student Services will be included in
 442 the review.
 443
 444 F. As appropriate depending on the student’s age and developmental level, following each
 445 incident of physical restraint or seclusion, the school division will ensure that, as soon
 446 as practicable, but no later than two (2) school days or upon the student’s return to
 447 school, a School Support Team (SST) member will meet with the student to review the
 448 incident for the purposes of identifying a pattern of behaviors, triggers, or
 449 antecedents and discuss:
 450 1. Alternative positive behaviors or coping skills the student may utilize to prevent or
 451 reduce behaviors in the future that may result in the use of physical restraint or
 452 seclusion;
 453 2. The impact of restraint or seclusion on the student to provide support and/or
 454 identify the need for and facilitate the provision of additional social-emotional
 455 supports (e.g., meeting with the school counselor, social worker, or case manager
 456 if applicable) as appropriate;

- 457 3. If the student declines to engage in this meeting, the student’s request will be
458 honored;
 - 459 4. The SST member will document the date, time, and method of the student
460 debriefing. If a student declines to participate, this should be documented as well;
461 and
 - 462 5. The SST member who meets with the student may consult with ACPS Specialized
463 Instruction staff and/or Directors of SST staff to explore further resources as
464 needed.
- 465
- 466 G. Following an incident of restraint or seclusion, an SST member will provide the
467 student’s parent or guardian with contact information for the ACPS Parent Resource
468 Center to identify family supports and resources.
 - 469
 - 470 H. Following an incident of restraint or seclusion, staff may access support from the
471 Employee Assistance Program (EAP).
 - 472
 - 473 I. ACPS school-based staff may consult with their assigned behavior specialist
474 regarding the continuum of interventions and supports that may be utilized to develop
475 enhanced behavior plans for students. The Office of Specialized Instruction staff are
476 available to provide targeted training and ongoing coaching, thereby enabling all
477 students to be successful participants in the school community.
 - 478
 - 479 J. The principal or designee shall regularly, at least quarterly, review the use of physical
480 restraint or seclusion to ensure compliance with school division policy and
481 procedures, and when there are multiple incidents within the same classroom or by the
482 same individual, the principal or designee shall take appropriate steps to address the
483 frequency of use.
 - 484
 - 485 K. On a quarterly basis, the principal or designee, in conjunction with the Office of
486 Specialized Instruction, shall review incident reports submitted by schools to analyze
487 the use of physical restraint or seclusion and ensure compliance with school division
488 policy and procedures. When there are multiple incidents within the same classroom or
489 by the same individual, the principal or designee and the Office of Specialized
490 Instruction shall take appropriate steps to address the frequency of use. During the
491 quarterly meeting, the school’s incident reports will be reviewed, including data
492 regarding student primary disability categories, age, gender, race/ethnicity, and any
493 parent/guardian concerns.

494
495 **VII. PREVENTION**

- 496
- 497 A. In the initial development and subsequent review and revision of a student’s IEP or
498 Section 504 plan, the student’s IEP or Section 504 team shall consider whether the
499 student displays behaviors that are likely to result in the use of physical restraint or
500 seclusion. If the IEP or Section 504 team determines that a future use is likely, the team
501 shall consider, among other things, the need for:
 - 502 1. A Functional Behavioral Assessment (FBA);

- 503 2. A new or revised BIP that addresses the underlying causes or purposes of the
504 behaviors as well as de-escalation strategies, conflict prevention, and positive
505 behavioral interventions;
506 3. Any new or revised behavioral goals; and
507 4. Any additional evaluations or re-evaluations.
508
- 509 B. Within ten (10) school days following the second school day in a single school year on
510 which an incident of physical restraint or seclusion has occurred, the student’s IEP or
511 504 team shall meet to discuss the incident and to consider, among other things, the
512 need for:
- 513 1. An FBA;
514 2. A new or revised BIP that addresses the underlying causes or purposes of the
515 behaviors as well as de-escalation strategies, conflict prevention, and positive
516 behavioral interventions;
517 3. Any new or revised behavioral goals; and
518 4. Any additional evaluations or reevaluations.
519
- 520 C. For students not described in Subsection A, within ten (10) school days of the second
521 school day in a single school year on which an incident of physical restraint or
522 seclusion has occurred, a team consisting of the parent/guardian, the principal or
523 designee, one of the student’s teachers, school personnel involved in the incident (if
524 not the teacher or administrator already invited), and other appropriate school
525 personnel, such as a school psychologist, school counselor or other Central Office
526 support staff as determined by the school division, shall meet to discuss the incident
527 and to consider, among other things, the need for:
- 528 1. An FBA;
529 2. A new or revised BIP that addresses the underlying causes or purposes of the
530 behaviors as well as de-escalation strategies, conflict prevention, and positive
531 behavioral interventions; and
532 3. A referral for evaluation.
533
- 534 D. Nothing in this section shall be construed to:
- 535 1. Excuse the team or its individual members from the obligation to refer the
536 student for evaluation if the team or members have reason to suspect that the
537 student may be a student with a disability; or
538 2. Prohibit the completion of an FBA or BIP for any student, with or without a
539 disability, who might benefit from these measures but whose behavior has
540 resulted in fewer than two incidents of physical restraint or seclusion in a single
541 school year.
542

543 VIII. ANNUAL REPORTING

- 544
- 545 A. At least annually, each principal (or designee) submits to the Superintendent, through
546 the Executive Director of Specialized Instruction, a report on the use of physical
547 restraint and seclusion in the school based on the individual incident reports
548 completed and submitted to the principal or designee by school personnel in
549 accordance with 8 VAC 20-750-60. The report will include the following information

550 for each school: frequency of use and student primary disability category, age,
551 gender, and race/ethnicity. Data for full-day, self-contained special education
552 programs for students with disabilities (Citywide Programs) will be reported
553 separately within each base school report.

- 554
555 B. The Superintendent annually reports the frequency of such incidents to the
556 Superintendent of Public Instruction on forms provided by the Virginia Department of
557 Education (VDOE). Prior to ACPS' annual submission, the Superintendent reports to
558 the School Board on the Division's frequency of physical restraint and seclusion.
559

560 IX. TRAINING

- 561
562 A. ACPS will ensure that ALL school personnel receive initial, evidenced-based training
563 that focuses on the:
564 1. Skills related to positive behavior support, conflict prevention, de-escalation,
565 and crisis response including follow-up support and social-emotional strategy
566 support for students, staff, and families;
567 2. Regulations, policies, and procedures governing the use of physical restraint
568 and seclusion: and
569 3. Appropriate use of effective alternatives to physical restraint and seclusion.
570

571 The principal or designee or department director will monitor and track completion of
572 the initial training for all staff within the building or department. The data regarding
573 staff completion of the initial training will be reported annually to the Superintendent,
574 prior to the School Board presentation discussed in subsection VIII.B. above. The
575 Office of Specialized Instruction will send out annual notification of this requirement
576 to all principals and directors.
577

- 578 B. ACPS will provide evidenced-based, advanced training in the use of physical restraint
579 and seclusion. Advanced training will focus on (i) appropriate use of effective
580 alternatives to physical restraint and seclusion and (ii) the proper use of restraint and
581 seclusion. The following ACPS staff will receive advanced training:
582 1. At least one administrator in every school building;
583 2. Citywide program staff including teachers and instructional assistants;
584 3. At least two SST members as designated by a school-based administrator;
585 4. Personnel designated by the principal who work with any student whose IEP or
586 Section 504 team determines that the student is likely to be physically
587 restrained or secluded ; and
588
589 C. ACPS will conduct periodic reviews of its training programs to ensure they reflect
590 changes in state policy.
591

592 X. REGULATION PUBLICATION

- 593
594 A. Consistent with § 22.1-253.13:7.D, this regulation is posted on the ACPS website and
595 is available to employees and the public. Printed copies are available at the School

596 Board Office as needed for those who do not have online access. Notice of this
597 regulation is also included in the ACPS Family Handbook.
598

599
600 Adopted: New
601

602
603 Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-279.1, 22.1-279.1:1.
604

605 8 VAC 20-750-40.

606 8 VAC 20-750-50.

607 8 VAC 20-750-70.
608

609 Virginia Board of Education (VBOE) *Regulations Governing the Use of Seclusion*
610 *and Restraint in Public Elementary and Secondary Schools in Virginia* (2019).
611

612 Cross Refs.: BF Board Policy Manual
613 CH Policy Implementation
614 EB School Crisis, Emergency Management, and Medical Emergency
615 Response Plan
616 IGBA Programs for Students with Disabilities
617 JFC Student Conduct
618 JFC-R Standards of Student Conduct
619 JGA Corporal Punishment
620 JGDA Disciplining Students with Disabilities
621 JGDB Discipline of Students with Disabilities for Infliction of Serious
622 Bodily Injury
623 JM-R Management of Student Behaviors in Emergency Situations
624 Regulations
625 KNAJ Relations with Law Enforcement Authorities

**REGULATIONS FOR THE MANAGEMENT OF STUDENT BEHAVIORS IN
EMERGENCY SITUATIONS**

Commented [MS1]: This regulation is new and is a retitling of JM. Track changes are from the current JM.

Alexandria City Public Schools (ACPS) believes that ~~each~~^{every} child is valued as a contributor in the education process, and school staff must ensure that children are treated with dignity, respect, and special care. When there is a need to manage aggressive and violent student behaviors in emergency situations in the school setting, there must be a balance between ensuring practices that maintain an effective learning environment and those procedures that safeguard the rights and protections of students and staff. This policy ~~shall~~^{ensures} that when behaviors need special intervention, students are free from the unreasonable use of physical restraint, seclusion, and any other intervention methods that may not be the least restrictive intervention.

ACPS encourages the use of Positive Behavioral Interventions and Supports (PBIS) to reduce and prevent the need for the use of physical restraint and seclusion. To ensure the safety of all students and staff, physical restraint and seclusion may only be used:

- By trained and authorized ACPS staff for the purpose of behavioral intervention;
- In the rare cases where there is imminent risk of serious physical harm to self or others; and
- In accordance with this policy and the Virginia Board of Education (VBOE) *Regulations Governing the Use of Seclusion and Restraint in Public Elementary and Secondary Schools in Virginia*.

The use of mechanical or pharmacological restraint or abusive interventions, including the use of any method of restraint or seclusion that poses a significant danger to the student, are not authorized, permitted, or condoned in ACPS or any public school in Virginia. Corporal punishment is expressly prohibited by law.

I. DEFINITIONS

“**Aversive stimuli**” means interventions that are intended to induce pain or discomfort to a student for the purposes of punishing the student or eliminating or reducing maladaptive behaviors, such as:

1. Noxious odors and tastes;
2. Water and other mists or sprays;
3. Blasts of air;
4. Corporal punishment as defined in § 22.1-279.1 of the Code of Virginia;
5. Verbal and mental abuse;
6. Forced exercise when:
 - a. The student’s behavior is related to the student’s disability;
 - b. The exercise would have a harmful effect on the student’s health; or
 - c. The student’s disability prevents participation in such activities;
7. Deprivation of necessities, including:
 - a. Food and liquid at a time it is customarily served;
 - b. Medication; or
 - c. Use of a restroom.

47
48 **“Behavioral Intervention Plan” (BIP)** means a plan that utilizes positive behavioral
49 interventions and supports to address: (i) behaviors that interfere with a student’s learning
50 or that of others; or (ii) behaviors that require disciplinary action.

51
52 **“Citywide Program”** means full-day, self-contained, special education programs for
53 students with disabilities.

54
55 **“Corporal punishment”** means the infliction of, or causing the infliction of, physical pain
56 on a student as a means of discipline.

57
58 **“Day”** means calendar day unless otherwise designated business day or school day.

59
60 **“Evaluation”** means procedures used in accordance with 8 VAC 20-81 to determine
61 whether a child has a disability and the nature and extent of the special education and
62 related services the child needs.

63
64 **“Functional Behavioral Assessment” (FBA)** means a process to determine the
65 underlying cause or functions of a student’s behavior that impede the learning of the
66 student or the learning of the student’s peers. A functional behavioral assessment may
67 include a review of existing data or new testing data or evaluation as determined as set
68 forth in 8 VAC 20-750-70.

69
70 **“Individualized Education Program” (IEP)** means a written statement for a student with
71 a disability that is developed, reviewed and revised at least annually in a team meeting in
72 accordance with the Regulations Governing Special Education Programs for Children with
73 Disabilities in Virginia (8 VAC 20-81). The IEP specifies the individual educational needs
74 of the child and what special education and related services are necessary to meet the
75 child’s educational needs.

76
77 **“Multi-Tiered Systems of Support” (MTSS)** is a problem-solving model for schools to
78 provide academic and behavioral strategies, services and interventions for students with
79 varied levels of needs. The MTSS process is designed to identify students who need
80 interventions and supports beyond what is provided universally for all students and
81 provide intentional strategies to accelerate their performance to achieve or surpass
82 required levels of proficiency. The different tiers indicate the level of intensity or
83 individuality required for a given student based on data collected in a specific area of need.
84 Examples of interventions in the MTSS system could include: reading or math groups,
85 reinforcement systems, Check-In-Check-Out meetings, individual or small group
86 counseling, or outside agency support. MTSS teams may select PBIS interventions to meet
87 a student’s needs when developing a comprehensive plan.

88
89 **“Positive Behavioral Interventions and Supports” (PBIS)** is a structured approach to
90 teach and support positive behavior for all students. Schools design and implement a
91 school-wide system for teaching and recognizing positive student behaviors across the
92 variety of environments in a school (e.g., classrooms, hallways, cafeteria and bathrooms).

93 Customized visual reminders are placed throughout the building and positive rewards are
94 provided to students who meet the expectations. When problem behavior arises, PBIS
95 systems use evidence-based interventions to address each student's needs. Some
96 examples of PBIS include: school-wide expectations, class lessons on topics of
97 citizenship and friendship, mentoring, restorative justice, and conflict resolution.
98

99 **“Restraint”** means mechanical restraint, physical restraint or pharmacological restraint.

- 100 1. **“Mechanical restraint”** means the use of any material, device or equipment to
101 restrict a student's freedom of movement. **The term “mechanical restraint” does**
102 **not include the devices implemented by trained school personnel or used by a**
103 **student that have been prescribed by an appropriate medical or related service**
104 **professional and are used with parent/guardian consent and for the specific**
105 **and approved purposes for which such devices were designed**, such as:
 - 106 a. Adaptive devices or mechanical supports used to achieve proper body
107 position, balance or alignment to allow greater freedom of mobility than would
108 be possible without the use of such devices or mechanical supports;
 - 109 b. Vehicle restraints, including seat belts, when used as intended during the
110 transport of a student in a moving vehicle;
 - 111 c. Restraints for medical immobilization;
 - 112 d. Orthopedically prescribed devices that permit a student to participate in
113 activities without risk of harm; or
 - 114 e. High chairs and feeding stations used as age and/or developmentally
115 appropriate for students.
- 116 2. **“Pharmacological restraint”** means a drug or medication used on a student to
117 control behavior or restrict freedom of movement that is not: (i) prescribed by a
118 licensed physician or other qualified health professional under the scope of the
119 professional's authority for the standard treatment of a student's medical or
120 psychiatric condition and (ii) administered as prescribed by a licensed physician or
121 other qualified health professional acting under the scope of the professional's
122 authority.
- 123 3. **“Physical restraint”** means a personal restriction that immobilizes or reduces the
124 ability of a student to move freely. The term **“physical restraint” does not** include:
 - 125 a. Briefly holding a student in order to calm or comfort the student;
 - 126 b. Holding a student's hand or arm to escort the student safely from one area to
127 another; or
 - 128 c. The use of incidental, minor or reasonable physical contact or other actions
129 designed to maintain order and control.
- 130 4. **“Prone restraint”** means a restraint that places the individual's body in a prone
131 (face down) position.
- 132 5. **“Supine restraint”** means a restraint that places the individual's body in a supine
133 (face up) position.

134
135 **“Seclusion”** means the involuntary confinement of a student alone in a room or area from
136 which the student is physically prevented from leaving. Provided that no such room or
137 space is locked, the term **“seclusion” does not** include:

- 138 1. Time out, as defined in this chapter;

2. In-school suspension;
3. Detention;
4. Student-requested breaks in a different location in the room or in a separate room;
5. Removal of a student for a short period of time from the room or a separate area of the room to provide the student with an opportunity to regain self-control, so long as the student is in a setting from which the student is not physically prevented from leaving;
6. The removal of a student for disruptive behavior from a classroom by the teacher, as provided in § 22.1-276.2 of the Code of Virginia; and
7. Confinement of a student alone ~~in~~ a room or area from which the student is physically prevented from leaving during the investigation and questioning of the student by school employees regarding the student's knowledge of or participation in events constituting a violation of the Student Code of Conduct, such as a physical altercation, or an incident involving drugs or weapons.

“**School personnel**” means individual(s) employed by ACPS on a full-time or part-time basis or as independent contractors or subcontractors as instructional, administrative and support personnel, and includes individuals serving as a student teacher or intern under the supervision of appropriate school personnel.

“**Section 504 Plan**” means a written plan of modifications and accommodations under Section 504 of the *Rehabilitation Act of 1974* (29 USC § 794).

“**Time-out**” means a behavioral intervention in which the student is temporarily removed from the learning activity but in which the student is not confined.

II. PROHIBITED ACTIONS

The following actions are prohibited in Alexandria City Public Schools:

- A. Use of mechanical restraints;
- B. Use of pharmacological restraints;
- C. Use of aversive stimuli;
- D. Use of restraint or seclusion in any manner that restricts a student's breathing or harms the student, including prone and supine restraints;
- E. Use of physical restraint as:
 1. punishment or discipline;
 2. a means of coercion or retaliation;
 3. a convenience;
 4. to prevent property damage; or
 5. in any manner other than as outlined in Sections III and IV of this policy;

- 185 F. Use of corporal punishment;
- 186
- 187 G. Use of seclusion rooms or freestanding units not meeting the standards set forth in this
- 188 policy;
- 189
- 190 H. Use of restraint or seclusion when medically or psychologically contraindicated as
- 191 stated in documentation provided to ACPS by the IEP team, 504 team, school
- 192 professionals, or by a licensed physician, psychologist, or other qualified health
- 193 professional under the scope of the professional's authority; or
- 194
- 195 I. Use of seclusion for any student who is not in the full-day, self-contained special
- 196 education program for students with emotional and behavioral challenges (Citywide
- 197 Social Emotional Learning program).
- 198

199 Nothing in this section shall be construed to prohibit physical restraint or seclusion under
200 the conditions permitted in the *Regulations Governing the Use of Seclusion and Restraint*
201 *in Public Elementary and Secondary Schools in Virginia*.

202 **III. USE OF PHYSICAL RESTRAINT**

- 203
- 204
- 205 A. School personnel may only implement physical restraint when other interventions (e.g.,
- 206 offering the student's preferred mode of communication, verbal redirection,
- 207 environmental modifications, directive statements, calming gestures, etc.) are
- 208 ineffective or would be ineffective, in the reasonable judgment of staff implementing
- 209 physical restraint in an emergency situation, and may only be used to:
- 210
- 211
 - 212 1. Prevent a student from inflicting serious physical harm or injury to self or
 - 213 others;
 - 214 2. Quell a disturbance or remove a student from the scene of a disturbance in
 - 215 which such student's behavior or damage to property threatens serious
 - 216 physical harm or injury to persons;
 - 217 3. Defend self or others from serious physical harm or injury;
 - 218 4. Obtain possession of controlled substances or paraphernalia which are upon the
 - 219 person of the student or within the student's control; or
 - 220 5. Obtain possession of weapons or other dangerous objects that are upon the
 - 221 person of the student or within the student's control.
- 222
- 223 B. Physical restraint shall be discontinued as soon as the imminent risk of serious
- 224 physical harm or injury to self or others presented by the emergency situation has
- 225 dissipated. If imminent risk of serious physical harm continues, school personnel
- 226 implementing physical restraints will adhere to the maximum duration outlined in the
- 227 advanced, evidence-based training program.
- 228
- 229 C. School personnel are not required to attempt to implement a less restrictive
- intervention prior to using physical restraint when, in the reasonable judgment of the

230 school personnel in an emergency situation, a less restrictive intervention would be
231 ineffective.

232
233 D. Unless a student's damage to property creates an imminent risk of serious physical
234 harm or injury to the student or others, the damage of property does not itself indicate
235 an imminent risk of serious physical harm or injury and shall not be the justification
236 for the restraint of a student.

237
238 E. To ensure the student's safety at all times, continuous visual monitoring of the use of
239 any physical restraint shall be maintained to ensure the appropriateness of such use and
240 the safety of the student being physically restrained, other students, school personnel,
241 and others, (except in emergency situations in which securing visual monitoring
242 before implementing the physical restraint would, in the reasonable judgment of the
243 school employee implementing the physical restraint, result in serious physical
244 harm or injury to persons).

245
246 F. ~~Role of School Resource Officers:~~ Schools must be safe for all children and school
247 personnel must be equipped to address emergencies and disruptions effectively, while
248 protecting the dignity of all students, the integrity of the classroom, and the safety of
249 all persons in ACPS facilities. ~~Therefore, in accordance with the Memorandum of~~
250 ~~Understanding (MOU) between ACPS and the~~ Alexandria Police Department (APD),
251 ~~School Resource Officers (SROs) staff~~ shall not be involved in the physical restraint
252 of a student initiated by school staff unless there is imminent danger of serious physical
253 harm to self or others.

Commented [MS2]: Generalized the role from School Resources Officers to Alexandria Police Department throughout the document.

254
255 G. Any incident involving physical restraint in any of the circumstances described above
256 shall be subject to the requirements of 8 VAC 20-750-40 and as otherwise outlined in
257 Section III of this policy.

258
259 **IV. USE OF SECLUSION**

260
261 School personnel may only implement seclusion in the full-day, self-contained,
262 special education program for students with emotional and behavioral challenges
263 (Citywide Social Emotional Learning program). Seclusion may only be considered
264 when other interventions (e.g., offering the student's preferred mode of
265 communication, verbal redirection, environmental modifications, directive
266 statements, calming gestures, etc.) are ineffective or would be ineffective, in the
267 reasonable judgment of staff implementing seclusion in an emergency situation, and
268 may only be used to:

- 269 1. Prevent a student from inflicting serious physical harm or injury to self or
270 others;
- 271 2. Quell a disturbance or remove a student from the scene of a disturbance in
272 which such student's behavior or damage to property threatens serious
273 physical harm or injury to persons;
- 274 3. Defend self or others from serious physical harm or injury;

- 275 4. Obtain possession of controlled substances or paraphernalia which are upon the
276 person of the student or within the student's control; or
277 5. Obtain possession of weapons or other dangerous objects that are upon the
278 person of the student or within the student's control.
279
- 280 B. Seclusion shall be discontinued as soon as the imminent risk of serious physical harm
281 or injury to self or others presented by the emergency situation has dissipated. If
282 imminent risk of serious physical harm continues, school personnel implementing
283 seclusion will adhere to the maximum duration outlined in subsection V.C. of this
284 policy.
285
- 286 C. School personnel are not required to attempt to implement a less restrictive
287 intervention prior to using seclusion when, in the reasonable judgment of the school
288 personnel in an emergency situation, a less restrictive intervention would be
289 ineffective.
290
- 291 D. Unless a student's damage to property creates an imminent risk of serious physical
292 harm or injury to the student or others, the damage of property does not itself indicate
293 an imminent risk of serious physical harm or injury and shall not be the justification
294 for the seclusion of a student.
295
- 296 E. To ensure the student's safety at all times, continuous visual monitoring of the use of
297 any seclusion shall be maintained to ensure the appropriateness of such use and the
298 safety of the student being secluded, other students, school personnel, and others,
299 (except in emergency situations in which securing visual monitoring before
300 implementing the seclusion would, in the reasonable judgment of the school
301 employee implementing the seclusion, result in serious physical harm or injury to
302 persons).
303
- 304 F. ~~Role of School Resource Officers (SROs): SROs-Alexandria Police Department staff~~
305 shall not be involved in the —seclusion of a student initiated by school staff.
306
- 307 G. Any incident involving seclusion in any of the circumstances described above shall be
308 subject to the requirements of 8 VAC 20-750-40, 8 VAC 20-750-50 and as otherwise
309 outlined in Sections IV and V of this policy.
310

311 V. STANDARDS FOR USE OF SECLUSION

312

- 313 A. To ensure the student's safety at all times, any use of seclusion in ~~in~~ the full-day, self-
314 contained special education program for students with emotional and behavioral
315 challenges (Citywide Social Emotional Learning program) in accordance with 8 VAC
316 20-750-50 will meet the following structural and physical standards for rooms or areas
317 designated by the school to be used for that purpose:
318
- 319 1. Any seclusion room or area shall be free of any objects or physical features that
320 may cause injury to the student;

2. Any seclusion room or area shall be of sufficient dimensions, and shall have sufficient lighting, heating, cooling, and ventilation to comport with the dignity and safety of the student at all times, including during a fire or other emergency. Sufficient dimensions are defined as allowing the student to stand, walk, sit or lay down comfortably with adequate space to allow for at least two other individuals to enter the room if needed to prevent self-injurious behavior;
3. Windows and/or viewing panels in the seclusion room shall be constructed to minimize breakage and otherwise prevent injury to the student; and
4. All space in the seclusion room shall be visible through the door, either directly or by mirrors.

A. Continuous visual monitoring of any instance of seclusion shall occur either by the presence of school personnel in the seclusion room or area or through observation by school personnel through a window, viewing panel, or half-door, except in emergency situations in which securing visual monitoring before implementing the seclusion would, in the reasonable judgment of the school personnel implementing the seclusion, result in serious physical harm or injury to persons.

B. Seclusion shall be discontinued as soon as the imminent risk of serious physical harm or injury to self or others presented by the emergency situation has dissipated. The special needs of the student shall be considered when determining whether use of a seclusion room is appropriate. In determining whether or not the use of a seclusion room is reasonable and necessary, consideration should be given to factors such as the student's developmental age, disability, health concerns and background factors as well as the imminent risks to student, staff, and others. If, after consideration of less restrictive interventions, staff determines that the use of a seclusion room is a reasonable and necessary intervention to the emergency situation, the student may be placed in the seclusion room with the door secured in a closed position.

The seclusion room door should not remain in the closed position beyond 10 minutes without opening the door to obtain a further assessment of the status of the student. Ten-minute time intervals should be adjusted accordingly to take into consideration the factors outlined above, such as developmental age. If the student does not demonstrate behavior that indicates ~~he/she~~ they are calm and non-threatening, the door shall be secured, and the process begun again following consultation with the principal or designee and agreement that the student is continuing to demonstrate behavior that indicates an imminent risk to others. The seclusion room door should be opened as soon as these risks are no longer imminent. If a student is demonstrating behaviors which indicate harm to self while in a seclusion room, staff may need to consider the use of physical intervention to prevent self-injury to the student. These assessments should be clearly documented on the appropriate form (available on the ACPS website as Regulation JM-R). If the student continues to demonstrate destructive behavior for a period of time beyond 30 minutes, staff and the principal or designee should consider an alternative course of action, (e.g., parent/guardian involvement or emergency services assistance).

366 Once the student demonstrates a return to calm, non-threatening behavior, the
367 seclusion room door shall be moved to the open position, and staff shall direct the
368 student to remain in the seclusion room. Staff will facilitate further de-escalation and
369 assess the student's ability to reintegrate into the learning environment. Upon
370 completion of a short interval of time determined by staff (not to exceed 10 minutes),
371 the student shall then be given a directive to exit the seclusion room and assisted to
372 reintegrate into the learning environment.

373 **VI. NOTIFICATION, DOCUMENTATION AND REPORTING TO PARENTS/
374 GUARDIANS**

- 375 A. When any student has been physically restrained or secluded during the school day:
- 376
377
- 378 1. The school personnel involved shall report the incident and the use of any related
379 first aid to the school principal or designee as soon as possible and no later than by
380 the end of the school day in which the incident occurred; and
 - 381 2. The school principal or designee shall ensure that direct contact is made with the
382 parent/guardian, either in person or through telephone conversation, or other means
383 of communication authorized by the parent/guardian, such as text or e-mail, to
384 notify the parent/guardian of the incident and any related first aid on the day the
385 incident occurred. Multiple efforts to reach the parent are required. The staff
386 member(s) responsible for contacting the parent will maintain documentation of
387 efforts to contact the parent/guardian on the day of the incident.
- 388
- 389 B. When any student has been physically restrained or secluded before or after the
390 regular school day, the notifications required by subsection A above shall be made as
391 soon as practicable in compliance with the ACPS School Crisis, Emergency
392 Management, and Medical Emergency Response Plan required by § 22.1-279.8 of the
393 Code of Virginia.
- 394
- 395 C. As soon as practicable, but no later than two school days after the incident in which
396 physical restraint or seclusion has been implemented, the school personnel involved in
397 the incident or other school personnel, as may be designated by the principal, shall
398 complete and provide to the principal or designee a written incident report. The
399 principal or designee shall provide the parent/guardian with a copy of the incident
400 report within four school days of the incident.
- 401
- 402 D. The principal or designee shall provide the Office of Specialized Instruction with a
403 copy of the incident report within four school days of the incident. The written
404 incident report shall contain the following information:
- 405 1. Student's name, age, gender, grade, ethnicity, and special education status with
406 disability category, if applicable;
 - 407 2. Location of the incident;
 - 408 3. Date, time, and total duration of the incident, including documentation of the
409 beginning and ending time of each application of physical restraint or seclusion;
 - 410 4. Date of the report;
 - 411 5. Name of the person completing the report;

- 412 6. The school personnel involved in the incident, their roles in the use of physical
413 restraint or seclusion, and their completion of the Division’s training program;
414 7. Description of the incident, including the antecedent, resolution, and process of
415 return of the student to ~~his/her~~ their educational setting, if appropriate;
416 8. A detailed description of the physical restraint or seclusion method used;
417 9. The student’s behavior that necessitated the use of physical restraint or seclusion;
418 10. A description of the events and circumstances immediately preceding the
419 student’s behavior, to the extent known;
420 11. Less restrictive interventions attempted prior to the use of physical restraint or
421 seclusion and an explanation if no such interventions were employed;
422 12. Whether the student has an IEP, a Section 504 plan, a Behavior Intervention Plan
423 (BIP), or other plan;
424 13. If the student involved in the restraint or seclusion sustained bodily injury, the date
425 and time of school nurse notification and the treatment administered, if any, will be
426 documented by the school nurse;
427 14. If any other individual sustained bodily injury, the date and time of school nurse
428 notification and the treatment administered, if any, will be documented by the
429 school nurse;
430 15. Date, time, and method of parent/guardian notification of the incident, as required
431 by this section; and
432 16. Date, time, and method of school personnel debriefing.
433
- 434 E. Following an incident of physical restraint or seclusion the school will ensure that,
435 within two (2) school days, the principal or designee reviews the incident with all
436 school personnel who implemented the use of physical restraint or seclusion to
437 discuss:
438 1. Whether the use of restraint or seclusion was implemented in compliance with 8
439 VAC 20-750-40, 8 VAC 20-750-50 and School Board policies;
440 2. How to prevent or reduce the future need for physical restraint or seclusion; and
441 3. For each instance of physical restraint or seclusion of a student beyond the second
442 use within a school year, a behavior support staff member from the Office of
443 Specialized Instruction or the Department of Student Services will be included in
444 the review.
445
- 446 F. As appropriate depending on the student’s age and developmental level, following each
447 incident of physical restraint or seclusion, the school division will ensure that, as soon
448 as practicable, but no later than two (2) school days or upon the student’s return to
449 school, a School Support Team (SST) member will meet with the student to review the
450 incident for the purposes of identifying a pattern of behaviors, triggers, or
451 antecedents and discuss:
452 1. Alternative positive behaviors or coping skills the student may utilize to prevent or
453 reduce behaviors in the future that may result in the use of physical restraint or
454 seclusion;
455 2. The impact of restraint or seclusion on the student to provide support and/or
456 identify the need for and facilitate the provision of additional social-emotional

- 457 supports (e.g., meeting with the school counselor, social worker, or case manager
458 if applicable) as appropriate;
- 459 3. If the student declines to engage in this meeting, the student's request will be
460 honored;
- 461 4. The SST member will document the date, time, and method of the student
462 debriefing. If a student declines to participate, this should be documented as well;
463 and
- 464 5. The SST member who meets with the student may consult with ACPS Specialized
465 Instruction staff and/or Directors of SST staff to explore further resources as
466 needed.
- 467
- 468 G. Following an incident of restraint or seclusion, an SST member will provide the
469 student's parent or guardian with contact information for the ACPS Parent Resource
470 Center to identify family supports and resources.
- 471
- 472 H. Following an incident of restraint or seclusion, staff may access support from the
473 Employee Assistance Program (EAP).
- 474
- 475 I. ACPS school-based staff may consult with their assigned behavior specialist
476 regarding the continuum of interventions and supports that may be utilized to develop
477 enhanced behavior plans for students. The Office of Specialized Instruction staff are
478 available to provide targeted training and ongoing coaching, thereby enabling all
479 students to be successful participants in the school community.
- 480
- 481 J. The principal or designee shall regularly, at least quarterly, review the use of physical
482 restraint or seclusion to ensure compliance with school division policy and
483 procedures, and when there are multiple incidents within the same classroom or by the
484 same individual, the principal or designee shall take appropriate steps to address the
485 frequency of use.
- 486
- 487 K. On a quarterly basis, the principal or designee, in conjunction with the Office of
488 Specialized Instruction, shall review incident reports submitted by schools to analyze
489 the use of physical restraint or seclusion and ensure compliance with school division
490 policy and procedures. When there are multiple incidents within the same classroom or
491 by the same individual, the principal or designee and the Office of Specialized
492 Instruction shall take appropriate steps to address the frequency of use. During the
493 quarterly meeting, the school's incident reports will be reviewed, including data
494 regarding student primary disability categories, age, gender, race/ethnicity, and any
495 parent/guardian concerns.

496
497 **VII. PREVENTION**
498

- 499 A. In the initial development and subsequent review and revision of a student's IEP or
500 Section 504 plan, the student's IEP or Section 504 team shall consider whether the
501 student displays behaviors that are likely to result in the use of physical restraint or

502 seclusion. If the IEP or Section 504 team determines that a future use is likely, the team
503 shall consider, among other things, the need for:

- 504 1. A Functional Behavioral Assessment (FBA);
- 505 2. A new or revised BIP that addresses the underlying causes or purposes of the
506 behaviors as well as de-escalation strategies, conflict prevention, and positive
507 behavioral interventions;
- 508 3. Any new or revised behavioral goals; and
- 509 4. Any additional evaluations or re-evaluations.

510 B. Within ten (10) school days following the second school day in a single school year on
511 which an incident of physical restraint or seclusion has occurred, the student's IEP or
512 504 team shall meet to discuss the incident and to consider, among other things, the
513 need for:

- 514 1. An FBA;
- 515 2. A new or revised BIP that addresses the underlying causes or purposes of the
516 behaviors as well as de-escalation strategies, conflict prevention, and positive
517 behavioral interventions;
- 518 3. Any new or revised behavioral goals; and
- 519 4. Any additional evaluations or reevaluations.

520 C. For students not described in Subsection A, within ten (10) school days of the second
521 school day in a single school year on which an incident of physical restraint or
522 seclusion has occurred, a team consisting of the parent/guardian, the principal or
523 designee, one of the student's teachers, school personnel involved in the incident (if
524 not the teacher or administrator already invited), and other appropriate school
525 personnel, such as a school psychologist, school counselor or other Central Office
526 support staff as determined by the school division, shall meet to discuss the incident
527 and to consider, among other things, the need for:

- 528 1. An FBA;
- 529 2. A new or revised BIP that addresses the underlying causes or purposes of the
530 behaviors as well as de-escalation strategies, conflict prevention, and positive
531 behavioral interventions; and
- 532 3. A referral for evaluation.

533 D. Nothing in this section shall be construed to:

- 534 1. Excuse the team or its individual members from the obligation to refer the
535 student for evaluation if the team or members have reason to suspect that the
536 student may be a student with a disability; or
- 537 2. Prohibit the completion of an FBA or BIP for any student, with or without a
538 disability, who might benefit from these measures but whose behavior has
539 resulted in fewer than two incidents of physical restraint or seclusion in a single
540 school year.

541 VIII. ANNUAL REPORTING

542 A. At least annually, each principal (or designee) submits to the Superintendent, through
543 the Executive Director of Specialized Instruction, a report on the use of physical
544

549 restraint and seclusion in the school based on the individual incident reports
550 completed and submitted to the principal or designee by school personnel in
551 accordance with 8 VAC 20-750-60. The report will include the following information
552 for each school: frequency of use and student primary disability category, age,
553 gender, and race/ethnicity. Data for full-day, self-contained special education
554 programs for students with disabilities (Citywide Programs) will be reported
555 separately within each base school report.

556
557 B. The Superintendent annually reports the frequency of such incidents to the
558 Superintendent of Public Instruction on forms provided by the Virginia Department of
559 Education (VDOE). Prior to ACPS' annual submission, the Superintendent reports to
560 the School Board on the Division's frequency of physical restraint and seclusion.

561
562 **IX. TRAINING**

563
564 A. ACPS will ensure that **ALL** school personnel ~~and School Resource Officers (SROs)~~
565 receive initial, evidenced-based training that focuses on the:

- 566 1. Skills related to positive behavior support, conflict prevention, de-escalation,
567 and crisis response including follow-up support and social-emotional strategy
568 support for students, staff, and families;
- 569 2. Regulations, policies, and procedures governing the use of physical restraint
570 and seclusion; and
- 571 3. Appropriate use of effective alternatives to physical restraint and seclusion.

572
573 The principal or designee or department director will monitor and track completion of
574 the initial training for all staff within the building or department. The data regarding
575 staff completion of the initial training will be reported annually to the Superintendent,
576 prior to the School Board presentation discussed in subsection VIII.B. above. The
577 Office of Specialized Instruction will send out annual notification of this requirement
578 to all principals and directors.

579
580 B. ACPS will provide evidenced-based, advanced training in the use of physical restraint
581 and seclusion. Advanced training will focus on (i) appropriate use of effective
582 alternatives to physical restraint and seclusion and (ii) the proper use of restraint and
583 seclusion. The following ACPS staff will receive advanced training:

- 584 1. At least one administrator in every school building;
- 585 2. Citywide program staff including teachers and instructional assistants;
- 586 3. At least two SST members as designated by a school-based administrator;
- 587 4. Personnel designated by the principal who work with any student whose IEP or
588 Section 504 team determines that the student is likely to be physically
589 restrained or secluded ; and ~~School Resource Officers (SROs)~~.

590
591 C. ACPS will conduct periodic reviews of its training programs to ensure they reflect
592 changes in state policy.

593
594 **X. REGULATION POLICY REVIEW AND PUBLICATION**

Commented [3]: Struck as police are prohibited from participating in restraint and seclusion.

595
596 A. Consistent with § 22.1-253.13:7.D, this ~~regulation policy~~ is posted on the ACPS
597 website and is available to employees and the public. Printed copies are available at the
598 School Board Office as needed for those who do not have online access. Notice of this
599 ~~regulation policy~~ is also included in the ACPS Family Handbook.

600 ~~The Superintendent School Board will review this regulation policy at least annually and update it~~
601 ~~as needed considering:~~

602 ~~The distinctions in emotional and physical development between elementary and secondary~~
603 ~~students, and between students with and without disabilities; and~~

604 ~~Practices that encourage parent/guardian involvement and collaboration with regard to these~~
605 ~~matters.~~

Commented [4]: Not necessary as its in the policy

606
607 Adopted: New

608
609
610 Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-279.1, 22.1-279.1:1.

611 8 VAC 20-750-40.

612 8 VAC 20-750-50.

613 8 VAC 20-750-70.

614
615
616 Virginia Board of Education (VBOE) *Regulations Governing the Use of Seclusion*
617 *and Restraint in Public Elementary and Secondary Schools in Virginia* (2019).

618
619 Cross Refs.: BF Board Policy Manual
620 CH Policy Implementation
621 EB School Crisis, Emergency Management, and Medical Emergency
622 Response Plan
623 IGBA Programs for Students with Disabilities
624 JFC Student Conduct
625 JFC-R Standards of Student Conduct
626 JGA Corporal Punishment
627 JGDA Disciplining Students with Disabilities
628 JGDB Discipline of Students with Disabilities for Infliction of Serious
629 Bodily Injury
630 JM-R Management of Student Behaviors in Emergency Situations
631 Regulations
632 KNAJ Relations with Law Enforcement Authorities