

MANAGEMENT OF STUDENT BEHAVIORS IN EMERGENCY SITUATIONS

The Alexandria City Public Schools believe that 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 ensure 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. The use of abusive interventions are not authorized, permitted, or condoned in the public schools of Virginia and the Alexandria City Public Schools. Corporal punishment is expressly prohibited by law.

Physical and mechanical restraint and seclusion may only be used consistent with this policy and only by persons trained and authorized.

Definitions

As used in this policy,

“Physical restraint” means the use of physical force to restrict the free movement of all or a part of a student’s body. Excluded from this definition is the use of procedures the use of which is documented in the student’s Individualized Education Program (IEP), Section 504 plan, or Behavior Intervention Plan;

“Mechanical restraint” means the use of any device or material (such as bus harnesses, lap belts, chairs with lap belts for safety purposes, and similar devices) attached to a student’s body that restricts freedom of movement or normal access to any portion of the student’s body and that the student cannot easily remove. Excluded from this definition is the use of devices or materials the use of which is documented in the student’s IEP, Section 504 plan, or behavior intervention plan;

“Seclusion” means the confinement of a student alone in a separate enclosed space, in a manner that prevents the student from leaving. Seclusion is permitted in accordance with a student’s IEP, Section 504, or behavior intervention plan, or to prevent injury to the student or others. When a student is placed in seclusion, he or she will be monitored by at least two (2) trained staff members in close proximity with visual and/or physical contact to the student. A student placed in seclusion will be released from seclusion upon cessation of the behaviors that led to the seclusion; after a reasonable period of time in the seclusion setting during which it is determined that the seclusion will not be effective; or in accordance with the student’s IEP, Section 504 plan, or Behavior Intervention Plan. The space used for seclusion must be appropriately lighted, ventilated, and heated or cooled, and free from objects that unreasonably expose the student or others to harm.

Restraint

The use of physical or mechanical restraint in managing severe student behavior is prohibited for all personnel employed by the school division or program or any other person working in the school division or program unless:

1. There is an emergency situation and physical restraint is necessary to protect the student or another person, after other less intrusive interventions have been attempted and failed to manage that particular behavior and there is a substantial explanation for why other interventions were deemed inadequate or inappropriate;
2. The student's parents have provided informed and voluntary consent in writing for the use of physical restraint;
3. The physical restraint is used only for a period of time that is necessary to contain the behavior of the student, so that the student no longer poses an immediate threat of causing physical injury to himself;
4. The use of force in the application of physical restraint does not exceed the force that is reasonable and necessary under the circumstances that precipitated the use of the physical restraint.
5. As needed to protect an individual from his or her own actions;
6. As needed to quell a disturbance;
7. As needed to gain possession of weapons or other dangerous objects on the person or within the control of a student;
8. As needed to escort a student safely from one area to another;
9. As reasonably needed to prevent imminent destruction to school or another person's property; and
10. As authorized by a student's IEP, Section 504 plan, or Behavior Intervention Plan.

Seclusion

The use of seclusion in managing severe student behavior is prohibited for all personnel employed by the school division or program or any other person working in the school division or program unless:

1. There is an emergency situation and seclusion is necessary to protect a student or another person, after other less intrusive interventions have been attempted and failed to manage that particular behavior, and there is a substantial explanation for why other interventions were deemed inadequate or inappropriate;
2. Members of the school staff are trained in behavior management programming;

3. As authorized by a student's IEP, Section 504 plan or Behavior Intervention Plan;
4. The seclusion is used only for a period of time that is necessary to contain the behavior of the student so that the student no longer poses an immediate threat of causing physical injury to himself or others;
5. The seclusion is monitored at all times; and
6. The use of force in the application of seclusion does not exceed the force that is reasonable and necessary under the circumstances that precipitated the use of the seclusion.

Corporal Punishment

Nothing in this policy is intended to limit the application of Va. Code § 22.1-279.1, which provides generally that no teacher, principal or other person employed by the School Board shall subject a student to corporal punishment. This prohibition of corporal punishment shall not be deemed to prevent

- the use of incidental, minor or reasonable physical contact or other actions designed to maintain order and control;
- the use of reasonable and necessary force to quell a disturbance or remove a student from the scene of a disturbance that threatens physical injury to persons or damage to property;
- the use of reasonable and necessary force to prevent a student from inflicting physical harm on himself or herself;
- the use of reasonable and necessary force for self-defense or the defense of others;
- the use of reasonable and necessary force to obtain possession of weapons or other dangerous objects or controlled substances or paraphernalia which are upon the person of the student or within his control;
- physical pain, injury, or discomfort caused by participation in practice or competition in an interscholastic sport; or
- participation in physical education or an extracurricular activity.

Documentation and Notice to Parents

A parent/guardian or responsible family member shall be notified in writing by close of business on the day of the incident after any use of:

- physical restraint; or
- seclusion resulting in observed physical injury to the student.

Attempts to contact the parent or guardian must occur within one hour of the incident by phone if physical injury occurs or no later than close of business on the day of the incident if no physical injury occurs. The staff member who utilizes restraint or seclusion will be responsible for making a record of information using the Seclusion or Emergency Restraint Report Form. The Restraint or Seclusion Reporting Form must be sent to the Office of Special Education Services and to the parent/guardian or responsible family member. A copy of the reporting form shall be placed in the student's file. Documentation is not required when using mechanical devices that are authorized and utilized for the student's safety or physical support such as bus harnesses, lap belts, chairs with lap belts for safety purposes, and similar devices. However, use of such

devices shall be documented in the student’s IEP. This policy does not permit the use of a restraining device to limit a student’s mobility when that device is not ordinarily used with the student.

Training on the Use of Seclusion and Restraint

The school division will provide training on the use of seclusion and retraining to all personnel who are likely to be in situations where such measures may be required.

Regulations

The Superintendent is authorized to implement regulations related to this policy.

Adopted: June 11, 2015

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-279.1.

Cross Refs.:	IGBA	Programs for Students with Disabilities
	JFC	Student Conduct
	JFC-R	Standards of Student Conduct
	JGA	Corporal Punishment
	JGDA	Disciplining Students with Disabilities
	JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury