

MANAGEMENT OF STUDENT BEHAVIORS IN EMERGENCY SITUATIONS

Alexandria City Public Schools (ACPS) believes 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.

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

50
51 **“Citywide Program”** means full-day, self-contained, special education programs for
52 students with disabilities.

53
54 **“Corporal punishment”** means the infliction of, or causing the infliction of, physical
55 pain on a student as a means of discipline.

56
57 **“Day”** means calendar day unless otherwise designated business day or school day.

58
59 **“Evaluation”** means procedures used in accordance with 8 VAC 20-81 to determine
60 whether a child has a disability and the nature and extent of the special education and
61 related services the child needs.

62
63 **“Functional Behavioral Assessment” (FBA)** means a process to determine the
64 underlying cause or functions of a student’s behavior that impede the learning of the
65 student or the learning of the student’s peers. A functional behavioral assessment may
66 include a review of existing data or new testing data or evaluation as determined as set
67 forth in 8 VAC 20-750-70.

68
69 **“Individualized Education Program” (IEP)** means a written statement for a student
70 with a disability that is developed, reviewed and revised at least annually in a team
71 meeting in accordance with the Regulations Governing Special Education Programs for
72 Children with Disabilities in Virginia (8 VAC 20-81). The IEP specifies the individual
73 educational needs of the child and what special education and related services are
74 necessary to meet the child’s educational needs.

75
76 **“Multi-Tiered Systems of Support” (MTSS)** is a problem-solving model for schools to
77 provide academic and behavioral strategies, services and interventions for students with
78 varied levels of needs. The MTSS process is designed to identify students who need
79 interventions and supports beyond what is provided universally for all students and
80 provide intentional strategies to accelerate their performance to achieve or surpass
81 required levels of proficiency. The different tiers indicate the level of intensity or
82 individuality required for a given student based on data collected in a specific area of
83 need. Examples of interventions in the MTSS system could include: reading or math
84 groups, reinforcement systems, Check-In-Check-Out meetings, individual or small group
85 counseling, or outside agency support. MTSS teams may select PBIS interventions to
86 meet a student’s needs when developing a comprehensive plan.

87
88 **“Positive Behavioral Interventions and Supports” (PBIS)** is a structured approach to
89 teach and support positive behavior for all students. Schools design and implement a
90 school-wide system for teaching and recognizing positive student behaviors across the
91 variety of environments in a school (e.g., classrooms, hallways, cafeteria and bathrooms).
92 Customized visual reminders are placed throughout the building and positive rewards are

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

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

- 99 1. **“Mechanical restraint”** means the use of any material, device or equipment to
 100 restrict a student’s freedom of movement. **The term “mechanical restraint”**
 101 **does not include the devices implemented by trained school personnel or used**
 102 **by a student that have been prescribed by an appropriate medical or related**
 103 **service professional and are used with parent/guardian consent and for the**
 104 **specific and approved purposes for which such devices were designed, such**
 105 **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
 108 would 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
 121 or 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
- 143 of the room to provide the student with an opportunity to regain self-control, so
- 144 long as the student is in a setting from which the student is not physically
- 145 prevented 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,
- 152 such 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
157 the 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
- 172 harms 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
- 188 this 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
- 206 (e.g., 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
 - 219 the 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 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
240 and the safety of the student being physically restrained, other students, school
241 personnel, and others, (except in emergency situations in which securing visual
242 monitoring before implementing the physical restraint would, in the reasonable
243 judgment of the school employee implementing the physical restraint, result in
244 serious physical 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) shall not be involved in the physical restraint of a
252 student initiated by school staff unless there is imminent danger of serious physical
253 harm to self or others.
- 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 A. 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
276 the 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 shall not be involved in the
305 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,
314 self-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
317 areas 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
320 that may cause injury to the student;

- 321 2. Any seclusion room or area shall be of sufficient dimensions, and shall have
322 sufficient lighting, heating, cooling, and ventilation to comport with the
323 dignity and safety of the student at all times, including during a fire or other
324 emergency. Sufficient dimensions are defined as allowing the student to stand,
325 walk, sit or lay down comfortably with adequate space to allow for at least
326 two other individuals to enter the room if needed to prevent self-injurious
327 behavior;
- 328 3. Windows and/or viewing panels in the seclusion room shall be constructed to
329 minimize breakage and otherwise prevent injury to the student; and
- 330 4. All space in the seclusion room shall be visible through the door, either
331 directly or by mirrors.
- 332
- 333 B. Continuous visual monitoring of any instance of seclusion shall occur either by the
334 presence of school personnel in the seclusion room or area or through observation by
335 school personnel through a window, viewing panel, or half-door, except in emergency
336 situations in which securing visual monitoring before implementing the seclusion
337 would, in the reasonable judgment of the school personnel implementing the
338 seclusion, result in serious physical harm or injury to persons.
- 339
- 340 C. Seclusion shall be discontinued as soon as the imminent risk of serious physical harm
341 or injury to self or others presented by the emergency situation has dissipated. The
342 special needs of the student shall be considered when determining whether use of a
343 seclusion room is appropriate. In determining whether or not the use of a seclusion
344 room is reasonable and necessary, consideration should be given to factors such as the
345 student's developmental age, disability, health concerns and background factors as
346 well as the imminent risks to student, staff, and others. If, after consideration of less
347 restrictive interventions, staff determines that the use of a seclusion room is a
348 reasonable and necessary intervention to the emergency situation, the student may be
349 placed in the seclusion room with the door secured in a closed position.
- 350

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

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

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

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

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

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

497

498 **VII. PREVENTION**

499

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

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

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

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

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

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

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

536
 537 D. Nothing in this section shall be construed to:

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

545
 546 **VIII. ANNUAL REPORTING**

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

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

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

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 565 A. ACPS will ensure that **ALL** school personnel and School Resource Officers (SROs)
 566 receive initial, evidenced-based training that focuses on the:
 567 1. Skills related to positive behavior support, conflict prevention, de-escalation,
 568 and crisis response including follow-up support and social-emotional strategy
 569 support for students, staff, and families;
 570 2. Regulations, policies, and procedures governing the use of physical restraint
 571 and seclusion; and
 572 3. Appropriate use of effective alternatives to physical restraint and seclusion.
 573

574 The principal or designee or department director will monitor and track completion of
 575 the initial training for all staff within the building or department. The data regarding
 576 staff completion of the initial training will be reported annually to the Superintendent,
 577 prior to the School Board presentation discussed in subsection VIII.B. above. The
 578 Office of Specialized Instruction will send out annual notification of this requirement
 579 to all principals and directors.
 580

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

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- A. Consistent with § 22.1-253.13:7.D, this policy is posted on the ACPS website and is available to employees and the public. Printed copies are available at the School Board Office as needed for those who do not have online access. Notice of this policy is also included in the ACPS Family Handbook.
- B. The School Board will review this policy at least annually and update it as needed considering:
 - 1. The distinctions in emotional and physical development between elementary and secondary students, and between students with and without disabilities; and
 - 2. Practices that encourage parent/guardian involvement and collaboration with regard to these matters.

Adopted: June 11, 2015

Amended: February 18, 2021

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

8 VAC 20-750-40.

8 VAC 20-750-50.

8 VAC 20-750-70.

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

Cross Refs.:	BF	Board Policy Manual
	CH	Policy Implementation
	EB	School Crisis, Emergency Management, and Medical Emergency Response Plan
	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
	JM-R	Management of Student Behaviors in Emergency Situations Regulations
	KNAJ	Relations with Law Enforcement Authorities