

## 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
- 170 B. Use of pharmacological restraints;
- 171
- 172 C. Use of aversive stimuli;
- 173
- 174 D. Use of restraint or seclusion in any manner that restricts a student’s breathing or harms
- 175 the student, including prone and supine restraints;
- 176
- 177 E. Use of physical restraint as:
  - 178 1. punishment or discipline;
  - 179 2. a means of coercion or retaliation;
  - 180 3. a convenience;
  - 181 4. to prevent property damage; or
  - 182 5. in any manner other than as outlined in Sections III and IV of this policy;
  - 183
  - 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 Once the student demonstrates a return to calm, non-threatening behavior, the  
365 seclusion room door shall be moved to the open position, and staff shall direct the  
366 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: June 6, 2024  
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