

SCHOOL BOARD OF THE CITY OF VIRGINIA BEACH
REGULATION 5-54.1

STUDENTS

Use of Physical Restraint and Seclusion- students

The use of restraint or seclusion is prohibited unless there is imminent risk of serious physical harm or injury to a student or others or when an emergency arises. When School Division personnel have determined that there is an imminent risk or an emergency has arisen, School Division personnel may use restraint and seclusion as set forth in this Regulation. This Regulation also sets forth those actions that do not meet the definitions of restraint or seclusion, the procedure for notifying a student's parents, and the procedures for reviewing the use of restraint and/or seclusion.

These procedures apply to all students and School Division personnel. Some students with disabilities are placed in private schools by the School Division as a means of providing a free appropriate public education (FAPE). These restraint and seclusion procedures do not apply to private school students. Regarding restraint and seclusion, those students are afforded the protections set forth by the private school.

A. Definitions

Aversive Stimuli means interventions that are intended to induce pain or discomfort to a student for 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 Code of Virginia §22.1-279.1, as amended.
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.
 - d. Deprivation of necessities, including:
 - 1) Food and liquid at a time when they are customarily served.
 - 2) Medication.

3) Use of a restroom.

Behavioral Intervention Plan or BIP is a plan that utilizes positive behavioral interventions and supports to address behaviors that interfere with the learning of a student, the learning of others, or that require disciplinary action.

Business day means Monday through Friday, 12 months of the year. It does not include federal and state holidays.

Calendar days mean consecutive days, including Saturdays and Sundays. Whenever an action expires on a Saturday, Sunday, or federal or state holiday, the period of time for taking such action is extended to the next day that is not a Saturday, Sunday, or a federal or state holiday.

Child with a disability or student with a disability means a student who is eligible under the Individuals with Disabilities Education Act (IDEA) or Section 501 of the Rehabilitation Act (Section 504).

Corporal punishment means the infliction of, or causing the infliction of, physical pain on a student as a means of discipline.

Crisis Intervention Program refers to a formal training program designed to teach school personnel how to effectively manage a potentially negative or even dangerous situation with students. Examples of crisis intervention programs include, but are not limited to, The Mandt System, Nonviolent Crisis Intervention, Safety-Care Behavioral Safety Training, and Handle With Care Behavior Management System.

Day means a calendar day unless otherwise designated as a business day or school day.

Evaluation means procedures used in accordance with the IDEA (or Section 504) to determine whether a child has a disability and the nature and extent of the special education and related services the child needs.

Functional Behavioral Assessment or FBA is a process to determine the underlying cause or functions of a student's behavior that impedes the learning of the student or the learning of the student's peers. A functional behavioral assessment can include a review of existing data or new testing data or evaluation.

Individualized education program or IEP means a written statement for a child with a disability that is developed, reviewed, and revised at least annually in a team meeting in accordance with the IDEA. The IEP specifies the individual educational needs of the child and what special education and related services are necessary to meet the child's educational needs.

Individualized education program team or IEP team means a group of individuals described in the Virginia special education regulations (at 8 VAC 20-81-110) that is responsible for developing, reviewing, or revising an IEP for a child with a disability.

Mechanical Restraint means the use of any material, device, or equipment to restrict a student's freedom of movement. This term does not include devices implemented by trained school personnel or used by a student that have been prescribed by an appropriate medical or related

service professional and are used with parental consent and for specific and approved purposes for which such devices were designed, such as:

1. Adaptive devices or mechanical supports used to achieve proper body position, balance or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports.
2. Vehicle restraints, including seat belts, when used as intended during the transport of a student in a moving vehicle.
3. Restraints for medical immobilization.
4. Orthopedically prescribed devices that permit a student to participate in activities without risk of harm.
5. Highchairs and feeding stations used for age and/or developmentally appropriate students.

Parent means the minor student's biological, adoptive, or foster parent, another adult who has been granted legal or physical custody rights to the minor student (legal guardian), or, in the case of an incapacitated adult student, an appointed guardian or other person/agency to make legal decisions concerning the student.

Pharmacological restraint means a drug or medication used on a student to control behavior or restrict freedom of movement that is not (i) prescribed by a licensed physician or other qualified health professional under the scope of the professional's authority for the standard treatment of a student's medical or psychiatric condition and (ii) administered as prescribed by a licensed physician or other qualified health professional acting under the scope of the professional's authority.

Physical Restraint means a personal restriction that immobilizes or reduces the ability of a student to move freely. Physical restraint does not include:

1. Briefly holding a student in order to calm or comfort the student.
2. Holding a student's hand or arm to escort the student safely from one area to another.
3. The use of incidental, minor, or reasonable physical contact or other actions designed to maintain order and control.

Restraint means mechanical restraint, physical restraint, or pharmacological restraint.

School day means any day, including a partial day, that students are in attendance at school for instructional purposes. The term has the same meaning for all students in school, including students with and without disabilities.

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

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

1. In-school suspension.
2. Detention
3. Time-out
4. Student-requested breaks in a different location in the room or a separate room.
5. Removal of a student for a short period of time 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. Removal of a student for disruptive behavior from a classroom by the teacher as provided in Virginia Code § 22.1-276.2.
7. Confinement of a student alone in a room or area from which the student is physically prevented from leaving during an investigation and questioning by school personnel regarding the student’s knowledge of or participation in events constituting a violation of the code of student conduct (e.g., physical altercation, or an incident involving drugs or weapons) is not seclusion.

Section 504 Plan means a written plan of modifications and/or accommodations for qualified individuals under Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), as amended.

Student means any student, with or without a disability, enrolled in a Virginia public school (as defined by Code of Virginia § 22.1-1, as amended). It also includes those students who are:

1. Attending a public school on a less-than-full-time basis, such as those students identified in Code of Virginia, § 22.1-253.13:2.N, as amended.
2. Receiving homebound instruction pursuant to 8 VAC 20-131-180 and as defined in 8 VAC 20-81-10, as amended, without regard to special education eligibility.
3. Receiving home-based instruction pursuant to 8 VAC 20-81-10, as amended.
4. Attending a preschool program operated by the school division or receiving services in a preschool program from School Division personnel.
5. Under these procedures, a student does not include those children who are:
 - a. Enrolled in private, denominational, or parochial schools.
 - b. Receiving instruction by a tutor or teacher of qualifications approved by the Division Superintendent.
 - c. Receiving home instruction pursuant to Virginia Code § 22.1-254.

- d. Receiving instruction in a secured facility or detention home as defined in Code of Virginia § 16.1-288, as amended, or in a facility operated by the Virginia Department of Behavioral Health and Developmental Services.

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. In some instances, the student may self-select this procedure. Time-out is *not* seclusion.

B. Behavioral and preventative interventions and strategies

The School Division encourages the use of behavioral and preventative interventions and strategies to reduce and/or prevent the need for the use of physical restraint and seclusion. The following are some examples of behavioral and preventative interventions and strategies to consider:

1. Implementing comprehensive behavioral and preventative approaches to create a schoolwide environment that reinforces appropriate behaviors while reducing instances of dangerous behaviors that may lead to the need to use restraint or seclusion. Key elements of a schoolwide system or framework include (a) use of a continuum of increasingly intensive behavioral and academic interventions for children identified as being at risk; (b) an emphasis on teaching and acknowledging schoolwide and individual expected behaviors and social skills; and (c) systems to monitor the responsiveness of individual children to behavioral and academic interventions.
2. Having trained school staff use preventive assessments (e.g., FBAs) to identify where, under what conditions, with whom, and why specific inappropriate behavior may occur, as well as implementing de-escalation techniques to defuse potentially violent dangerous behavior. Preventive assessments can include (a) a review of existing records; (b) interviews with parents, family members, school staff, and/or students; and (c) examination of previous and existing behavioral intervention plans. Using data from such assessments could help schools identify the conditions when inappropriate behavior is likely to occur and the factors that lead to the occurrence of these behaviors; and develop and implement preventive behavioral interventions that teach appropriate behavior and modify the environmental factors that escalate inappropriate behavior.
3. Having planned behavioral strategies or plans (e.g., BIPs) in place to: (a) attempt to de-escalate potentially violent dangerous behavior; (b) identify and support positive behavior to replace dangerous behavior; and (c) support and positively reinforce appropriate behavior in class and/or throughout the school, especially if a student has a history of escalating dangerous behavior.
4. Any behavioral or preventative intervention used by School Division personnel should be consistent with a student's right to be treated with dignity and to be free from abuse.

C. Prohibited actions by school personnel

The following actions are not permitted:

1. Use of mechanical restraints.

2. Use of pharmacological restraints.

3. Use of aversive stimuli.

4. Use of corporal punishment.

5. Use of restraint or seclusion under the following circumstances:

a. In any manner that restricts a student's breathing or harms the student. For example:

1) Prone (i.e., lying face down) restraints or other restraints that can restrict breathing or speaking should not be used.

2) Other maneuvers that place pressure or weight on the chest, lungs, sternum, diaphragm, back, neck, or throat should not be used.

a) Breathing or speaking can also be restricted if loose clothing becomes entangled or tightened or if the student's face is covered by a staff member's body part (e.g., hand, arm, or torso) and, thus, such techniques should not be used.

3) As punishment or discipline (e.g., disrespect, noncompliance, insubordination, out-of-seat behavior, etc.).

4) As a means of coercion or retaliation.

5) As a convenience.

6) To solely prevent property damage.

7) In any other manner not consistent with these procedures.

8) When medically or psychologically contraindicated as documented by an IEP team, 504 team, school professionals, a licensed physician, psychologist, or other qualified health professional under the scope of the professional's authority.

9) Use of seclusion rooms or freestanding units not meeting the standards set forth in Section E of these procedures.

Nothing in this section, however, shall be construed to prohibit the use of physical restraint or seclusion under the conditions outlined in Section D (Permitted actions by school personnel) and Section E (Structural and physical standards for rooms and areas used for seclusion).

D. Permitted actions by school personnel

School Division personnel may implement physical restraint or seclusion only when other interventions are, or would be, in the reasonable judgment of the school personnel implementing physical restraint or seclusion in an emergency situation, ineffective and only to:

1. Prevent a student from inflicting serious physical harm or injury to self or others.

2. Quell a disturbance or remove a student from the scene of a disturbance in which the student's behavior or damage to property threatens serious physical harm or injury to persons.
3. Defend self or others from serious physical harm or injury.
4. Obtain possession of controlled substances or paraphernalia or weapons or other dangerous objects that are upon the person of the student or within the student's control.
5. Other conditions.
 - a) The specific technique used should be safe for the student and appropriate to the student's age, disability, and medical needs.
 - b) A less restrictive intervention does not have to be attempted prior to using physical restraint and seclusion when, in the reasonable judgment of the School Division personnel in an emergency situation, a less restrictive intervention would be ineffective.
 - c) Property damage alone does not justify the use of physical restraint or seclusion. But physical restraint or seclusion might be justified in an emergency situation when a student's damage to property creates an imminent risk of serious physical harm or injury to the student or others.
6. Additional limitations on physical restraint and seclusion.
 - a) If physical restraint is used upon a student whose primary mode of communication is sign language or an augmentative mode, the student should be permitted to have a hand(s) free of restraint for a brief period of time, unless School Division personnel determines that such freedom appears to likely result in harm to the student or others.
 - b) Physical restraint and seclusion must be used only for limited periods of time using only the force that is necessary and should cease immediately when the emergency situation has dissipated. An alternative plan should be in place in the event that the student does not begin to calm down within a reasonable time period, usually just a few minutes.
 - c) The student should be continuously and visually observed and monitored while he or she is restrained or placed in seclusion. Those observing the application of a restraint should confirm that the restraint does not cause harm to the student, such as restricting the student's breathing. Continuous visual monitoring of restraint or seclusion includes, for example: (i) continuous assessment of staff and student status, including potential physical injuries; (ii) termination of restraint or seclusion when imminent danger of serious physical harm to self or others has dissipated; (iii) evaluation of how procedures are being implemented; and (iv) consideration of opportunities for redirection and defusing the dangerous behavior.
 - d) Exception to the visual monitoring requirement: Visual monitoring is not required during an emergency situation if securing someone to perform visual monitoring before

implementing the physical restraint or seclusion would, in the reasonable judgment of the School Division personnel, result in serious physical harm or injury to others.

- e) School Division personnel trained in the use of cardiopulmonary resuscitation (CPR) and first aid should be available in the event of an emergency related to the use of physical restraint or seclusion. A portable automatic electronic defibrillator (AED) should also be available in the school.

7. Following the use of physical restraint or seclusion

Following the use of physical restraint or seclusion, the following should be done.

- a) The school principal or designee should be notified of the incident and any related first aid as soon as possible and no later than the end of the school day.
- b) Reasonable efforts should be made to notify the student's parents of the incident and any related first aid on the same school day.
- c) An incident report, available to School Division personnel on the internal website, should be completed and submitted to the school principal within two school days and sent to the parents within seven calendar days.
- d) A debriefing should occur with everyone involved within two school days.
- e) See Section F for more detailed information regarding notification, reporting, and debriefing requirements.
- f) See Section H for a discussion of the required meetings following multiple uses of restraint or seclusion in a school year regarding a specific student.

E. Structural and physical standards for rooms and areas used for seclusion.

Dedicated seclusion rooms are not authorized in VBCPS buildings and may not be used by contractors in VBCPS buildings. If a student must be secluded in an emergency situation, the room or area used should meet the following specifications:

1. Be safe and free of any potential or predictable safety hazards.
2. Be of reasonable size permitting students to lie or sit down or stand.
3. Have adequate ventilation, including heat and air conditioning as appropriate.
4. Have adequate lighting.
5. All space in the room or area shall be visible through the door, either directly or by mirrors.
6. Provide for direct continuous visual and auditory monitoring of the student either by the presence of school personnel in the room or area or observation through a window, viewing panel, or half-door.
7. Windows shall be constructed to minimize breakage.

8. Permit automatic release of any locking device if fire or other emergency in the school exists.
9. In addition to the above requirements, the appropriate use and duration of seclusion should be based upon the age and development of the student.

F. Notification and reporting requirements following use of physical restraint or seclusion.

Whenever a student has been physically restrained or secluded, the school principal and the student's parent(s) must be promptly notified, and a written incident report must be completed.

1. Each incident of restraint and seclusion must be reported to the school principal and the student's parents on the day of the occurrence whenever possible.
 - a. Report to the school principal: School Division personnel involved shall report the incident and the use of any related first aid to the school principal or the principal's designee as soon as possible and, in no circumstance, later than the end of the school day in which the incident occurred.
 - b. Notice to parent: The school principal or the principal's designee, or other School Division personnel, shall make a reasonable effort to contact the student's parent, either in person, through telephone conversation, or other means of communication authorized by the parent such as email, to notify the parent of the incident and any related first aid administered to the student on the day the incident occurred.
 - 1) School Division personnel should document the parent contact and indicate the type of contact (phone, email, in-person, etc.) and content of the interaction.
 - 2) If the physical restraint or seclusion occurred after the regular school day, the above notifications shall be made as soon as practicable in compliance with the school division's school crisis, emergency management, and medical emergency response plan required by Code of Virginia § 22.1-279.8, as amended.
2. Following each instance of physical restraint or seclusion, School Division personnel must complete an incident report.
 - a. Within two school days of the incident: School Division personnel involved in the incident or other School Division personnel, as may be designated by the principal, should complete and provide the principal or designee a written incident report.
 - b. Within seven calendar days of the incident: the school division should provide the parents with a copy of the written incident report.
 - c. The written incident report should contain the following information:
 - 1) Student name, age, gender, grade, and ethnicity.
 - 2) Location of the incident.
 - 3) Date, time, and total duration of incident, including documentation of the beginning and ending time of each application of physical restraint or seclusion.

- 4) Date of report.
- 5) Name of person completing the report.
- 6) School Division personnel involved in the incident, their roles in the use of physical restraint or seclusion, and documentation of their completion of the School Division's training.
- 7) Description of the incident, including the resolution and process of return of the student to the student's educational setting, if appropriate.
- 8) Detailed description of the physical restraint or seclusion method used.
- 9) Student behavior that justified the use of physical restraint or seclusion.
- 10) Description of prior events and circumstances prompting the student's behavior, to the extent known.
- 11) Less restrictive interventions attempted prior to the use of physical restraint or seclusion, and an explanation if no such interventions were employed.
- 12) Whether the student has an IEP, a Section 504 plan, a BIP, or other plan.
- 13) If a student, School Division personnel, or any other individual sustained bodily injury, the date and time of nurse or emergency response personnel notification and the treatment administered, if any.
- 14) Date, time, and method of parental notification of the incident.
- 15) Date, time, and method of school personnel debriefing.
- 16) An incident checklist and a sample incident report form is available to School Division personnel on the internal website.

G. Staff and student debriefing.

1. Following each incident of physical restraint or seclusion, the school principal must promptly review the incident with School Division personnel and, if appropriate, the student.
2. Within two school days, the principal or designee must review the incident with all School Division personnel who implemented the use of physical restraint or seclusion to discuss:
 - a. Whether the use of restraint or seclusion was implemented in compliance with these procedures.
 - b. How to possibly prevent or reduce the future need for physical restraint or seclusion.
3. Within two school days or upon the student's return to school, as appropriate, depending on the student's age and developmental level, the principal or designee should review the incident with the student involved to discuss the following:

- a. Details of the incident to assist the student and School Division personnel in identifying patterns of behaviors, triggers, or antecedents; and
 - b. Alternative positive behaviors or coping skills the student could use to reduce behaviors or prevent physical restraint or seclusion.
4. An incident documentation form is available to School Division personnel via the internal website.

H. Prevention/multiple uses of restraint or seclusion.

The use of physical restraint or seclusion, particularly when there is repeated use for an individual student, multiple uses within the same classroom, or multiple uses by the same individual, should trigger a review and, if appropriate, development or revision of behavioral strategies.

1. Required meetings for students who have an IEP or a 504 Plan.

In the initial development and subsequent review and revision of a student's IEP or Section 504 Plan, the student's IEP or Section 504 team shall consider whether the student displays behaviors that are likely to result in the use of physical restraint or seclusion. If the IEP or Section 504 team determines that future use is likely, the team shall consider, among other things, the need for:

- a. An FBA.
- b. A new or revised BIP that addresses the underlying causes or purposes of the behaviors as well as de-escalation strategies, conflict prevention, and positive behavioral interventions.
- c. Any new or revised behavioral goals.
- d. Any additional evaluations or reevaluations.
- e. Within 10 school days following the second school day in a single school year on which an incident of physical restraint or seclusion has occurred, the student's IEP or Section 504 team shall meet to discuss the incident and to consider, among other things, the need for:
 - 1) An FBA.
 - 2) A new or revised BIP that addresses the underlying causes or purposes of the behaviors as well as de-escalation strategies, conflict prevention, and positive behavioral interventions.
 - 3) Any new or revised behavioral goals.
 - 4) Any additional evaluations or reevaluations.

2. Required meeting for general education students.

Within 10 school days of the second school day in a single school year on which an incident of physical restraint or seclusion has occurred, a team consisting of the following individuals will meet to discuss the incident:

- a. The parent.
 - b. The principal or designee.
 - c. A teacher of the student.
 - d. School Division personnel involved in the incident, if available (if not the teacher or administrator already invited).
 - e. Other appropriate School Division personnel, such as a school psychologist, school counselor, or school resource officer, as determined by the School Division.
 - f. During the meeting, the team should discuss the incident and consider, among other things, the need for:
 - 1) An FBA.
 - 2) A new or revised BIP that addresses the underlying causes or purposes of the behaviors as well as de-escalation strategies, conflict prevention, and positive behavioral interventions.
 - 3) A referral for evaluation under the IDEA and/or Section 504 if the team suspects a disability.
3. Nothing in this section shall be construed to (i) excuse the team or its individual members from the obligation to refer the student for evaluation if the team or members have reason to suspect that the student may be a student with a disability; or (ii) prohibit the completion of an FBA or BIP for any student, with or without a disability, who might benefit from these measures but whose behavior has resulted in fewer than two incidents of physical restraint or seclusion in a single school year.
4. The school principal should regularly review incidents of restraint and seclusion to ensure that School Division personnel are complying with the School Division's procedures.
- a) In addition to the above-required team meetings, the school principal or designee should regularly review the use of physical restraint or seclusion within the school building to ensure compliance with School Division policy and procedures.
 - b) When there are multiple incidents of physical restraint or seclusion within the same classroom or by the same individual, the school principal should take appropriate steps to address the frequency of use, such as conducting additional training for School Division personnel, convening IEP and Section 504 team meetings, and completion of the FBA and BIP process, etc.

I. Training and staff development.

There are two levels of required training on the use of physical restraint and seclusion: initial and advanced. All School Division personnel, as defined herein, must complete the initial training. Select School Division personnel must complete the advanced training.

1. Initial Training

All School Division personnel should receive initial training on:

- a. Skills related to positive behavior support.
- b. Conflict prevention.
- c. De-escalation.
- d. Crisis response (to include follow-up support and social-emotional strategy support for students, staff, and families).
- e. Regulations, policies, and procedures regarding physical restraint and seclusion.
- f. The initial training should be evidence-based.
 - 1) The Virginia Department of Education (VDOE), in partnership with Old Dominion University (ODU), has developed a series of modules to provide professional development to Virginia school personnel on physical restraint and seclusion. According to the VDOE, these free, on demand, online modules fulfill the first level of training requirements. The series of modules can be found on the ODU-VDOE joint webpage.
 - 2) Attendance at each training session should be documented and such documentation should be maintained.

2. Advanced Training

In addition to completing the initial training, the following individuals must complete advanced training on physical restraint and seclusion:

- a. At least one administrator in every school building.
- b. Personnel assigned to work with any student whose IEP or Section 504 team determines that the student is likely to be physically restrained or secluded.
- c. Any other School Division personnel the Superintendent or designee deems appropriate to be trained on this Regulation.
- d. Advanced training should be evidence-based. The specific content of the advanced training is usually prescribed by the specific crisis intervention program selected by the School Division. Such training may include the following elements:
- e. Certification in a recognized behavior management system that addresses physical restraint and seclusion.
- f. Regular updates for training and recertification.

- g. Education in the use of positive, instructional, and preventative methods for addressing student behavior.
- h. Instruction in de-escalation strategies and conflict management.
- i. Identifiable conditions under which physical restraint and seclusion are allowed.
- j. Procedures to be followed when physical restraint and seclusion are implemented.
- k. Education about the potential harm of using restraint and seclusion.
- l. Methods for monitoring a student's well-being when using restraint and seclusion.
- m. Instruction regarding incident documentation and reporting requirements, and the procedures for investigating injuries and complaints.
- n. Attendance at each training session should be documented and such documentation should be maintained.

J. Investigation of complaints.

Any incident of physical restraint or seclusion that results in a complaint from a parent or a reported injury to a student or School Division personnel should be investigated pursuant to applicable School Board policies and regulations.

K. Annual review of the procedures.

This Regulation and related Policy shall be reviewed annually and revised as needed.

L. Annual reporting requirements

The school principals and the Superintendent or designee must annually prepare and file the following reports:

1. School Principal's or designee annual report
 - a. Each school principal or designee will submit to the Superintendent or designee each year a report on the use of physical restraint or seclusion in the school.
 - b. This report should be based on the incident reports completed by School Division personnel following each occurrence of physical restraint or seclusion.
2. Superintendent's annual report
 - a. The Superintendent or designee shall annually report the frequency of incidents of physical restraint and seclusion in the school division to the state Superintendent of public instruction.
3. This information should also be made available to the public.

M. Construction and Interpretation of these Procedures

Nothing in these procedures shall be construed to modify or restrict:

1. The initial authority of teachers to remove students from a classroom pursuant to Code of Virginia § 22.1-276.2 , as amended.
2. The authority and duties of school resource officers and school security officers, as defined in § 9.1-101 of the Code of Virginia, except to the extent governed by a memorandum of understanding between the local law enforcement agency and the School Division.
3. The authority of the Virginia Department of Juvenile Justice with regard to students in its custody at any of its sites or in any of its programs.
4. The civil immunity afforded teachers employed by local school boards for any acts or omissions resulting from the supervision, care, or discipline of students when such acts or omissions are within such teacher's scope of employment and are taken in good faith in the course of supervision, care, or discipline of students, unless such acts or omissions were the result of gross negligence or willful misconduct, as provided in Code of Virginia § 8.01-220.1:2, as amended.
5. A copy of this Regulation must be available to employees and the public.
6. A current copy of this Regulation must be posted on the School Division's website.
7. Printed copies should be available as needed for citizens who do not have online access.

Legal References:

Code of Virginia § 22.1-78, as amended. Bylaws and regulations

Code of Virginia § 22.1-279.1:1, as amended. The use of seclusion and restraint in public schools; Board of Education regulations.

Virginia Board of Education Regulations, 8VAC20-750-10, as amended. Regulations Governing the use of Seclusion and Restraint in Public Elementary and Secondary Schools in Virginia.

Adopted by Superintendent: February 2026