



Book	WARREN COUNTY PUBLIC SCHOOLS POLICY MANUAL
Section	J - STUDENTS
Title	RESTRAINT AND SECLUSION OF STUDENTS REGULATION
Code	JM-R
Status	Active
Cross References	<a href="#">BF - BOARD POLICY MANUAL</a> <a href="#">CH - POLICY IMPLEMENTATION</a> <a href="#">EB - SCHOOL CRISIS, EMERGENCY MANAGEMENT, AND MEDICAL EMERGENCY RESPONSE PLAN</a> <a href="#">IGBA - PROGRAMS FOR STUDENTS WITH DISABILITIES</a> <a href="#">JFC - STUDENT CONDUCT</a> <a href="#">JGA - CORPORAL PUNISHMENT</a> <a href="#">JGDA - DISCIPLINING STUDENTS WITH DISABILITIES</a> <a href="#">JGDB - DISCIPLINE OF STUDENTS WITH DISABILITIES FOR INFLICTION OF SERIOUS BODILY INJURY</a> <a href="#">KNAJ - RELATIONS WITH LAW ENFORCEMENT AUTHORITIES</a>
Adopted	December 15, 2020

## **RESTRAINT AND SECLUSION OF STUDENTS REGULATION**

### **Prohibited Actions**

The following actions are prohibited in the public elementary and secondary schools in Virginia:

- Use of mechanical restraints.
- Use of pharmacological restraints.
- Use of aversive stimuli.
- Use of restraint or seclusion in any manner that restricts a student's breathing or harms the student.
- Use of physical restraint or seclusion as: (i) punishment or discipline; (ii) a means of coercion or retaliation; or (iii) a convenience; (iv) to prevent property damage, or in any manner other than as provided in 8 VAC 20-750-40 and 8 VAC 20-750-50.
- Use of corporal punishment.
- Use of seclusion rooms or freestanding units not meeting the standards set forth in these regulations.
- Use of restraint or seclusion when medically or psychologically contraindicated as stated in documentation by the IEP team, 504 team, school professionals, or by a licensed physician, psychologist or other qualified health professional under the scope of the professional's authority.

### **Use of Physical Restraint and Seclusion**

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

- Prevent a student from inflicting serious physical harm or injury to self or others;

- Quell a disturbance or remove a student from the scene of a disturbance in which such student's behavior or damage to property threatens serious physical harm or injury to persons.
- Defend self or others from serious physical harm or injury;
- Obtain possession of controlled substances or paraphernalia which are upon the person of the student or within the student's control; or
- Obtain possession of weapons or other dangerous objects that are upon the person of the student or within the student's control.

If the damage of property does not itself indicate an imminent risk of serious physical harm or injury, it shall not be the justification for the restraint or seclusion of a student.

### **Notification and Reporting**

When any student has been physically restrained:

- The school 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 by the end of the school day of in which the incident occurred; and
- The school principal or the principal's designee, or other school personnel shall make a reasonable effort to ensure that direct contact is made with the parent, either in person or 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 on the day the incident occurred.
- As soon as practicable, but no later than two school days after an incident in which physical restraint or seclusion has been implemented, the school personnel involved in the incident or other school personnel, as may be designated by the principal, shall complete and provide to the principal or the principal's designee, a [written incident report](#). The school division shall provide the parent with a copy of the incident report within seven calendar days of the incident.

Following an incident of physical restraint or seclusion, within two school days, the principal or designee reviews the incident with all school personnel who implemented the use of physical restraint or seclusion to discuss:

- Whether the use of restraint or seclusion was implemented in compliance with this chapter and local policies; and
- How to prevent or reduce the future need for physical restraint and/or seclusion.

No later than two school days or upon the student's return to school, the principal or designee shall review the incident with the student(s) involved to discuss:

- Details of the incident in an effort to assist the student and school personnel in identifying patterns of behaviors, triggers or antecedents.
- Alternative positive behaviors or coping skills the student may utilize to prevent or reduce behaviors that may result in the application of physical restraint or seclusion.

### **Prevention; Multiple Uses of Restraint or Seclusion**

#### ***For Students with Disabilities***

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 504 team shall meet to discuss the incident and to consider, among other things, the need for:

- an FBA;
- 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;
- any new or revised behavioral goals;
- any additional evaluations or reevaluations.

#### ***For Students without Disabilities***

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: 1) the parent, 2) the principal or the principal's designee, 3) a teacher of the student, 4) school personnel involved in the incident (if not the teacher or administrator already invited), 5) other appropriate school personnel, such as a school psychologist, school counselor, or school resource officer; shall meet to discuss the incident and to consider, among other things, the need for:

- an FBA
- 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
- a referral for evaluation

### **Training**

- Ensure that all school personnel receive initial training that focuses on skills related to positive behavior support, conflict prevention, de-escalation, and crisis response;
- Ensure that all school personnel receive initial training regarding the regulations, policies, and procedures governing the use of physical restraint and seclusion;
- Provide advanced training in the use of physical restraint and seclusion for at least one administrator in every school building, and for personnel assigned to work with any student whose IEP or Section 504 team

- determines the student is likely to be physically restrained or secluded; and
- Ensure that any initial or advanced training is evidence-based.
- 

Adopted: December 15, 2020