STUDENT BEHAVIOR INTERVENTIONS - EXCLUSION, SECLUSION, AND PHYSICAL RESTRAINT

A. PURPOSE

To establish procedures to ensure the uniform use of exclusion, seclusion, and physical restraint as forms of student behavior interventions in schools.

B. BACKGROUND

In accordance with Code of Maryland Regulations (COMAR), Anne Arundel County Public Schools (AACPS) is committed to providing a safe instructional environment for all students. In order to achieve this goal, a range of behavior interventions shall be available to staff. Such interventions shall be clearly delineated and progressive in nature ranging from positive behavior interventions to more intensive interventions as outlined below.

C. DEFINITIONS

The following definitions are in accordance with COMAR.

1. Behavior Intervention Plan – a proactive, data-based, structured plan that is developed as a result of a functional behavioral assessment which is consistently applied by trained staff to reduce or eliminate a student’s challenging behaviors and to support the development of appropriate behaviors and responses.

2. Exclusion – the removal of a student to a supervised area for a limited period of time during which the student has an opportunity to regain self-control and is not receiving instruction including special education, related services, or support.

3. Mechanical Restraint – the use of any device or equipment to restrict student’s freedom of movement.
Mechanical restraint 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 for the specific and approved purposes for which such devices were designed

4. **Physical Restraint** – a personal restriction that immobilizes or reduces the ability of a student to move the student’s torso, arms, legs, or head freely. Physical restraint does not include:
   
a. Briefly holding a student to calm or comfort the student;
   
b. A physical escort, which is the temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purposes of inducing a student who is acting out to walk to a safe location;
   
c. Moving a disruptive student who is unwilling to leave the area if other methods such as counseling have been unsuccessful; or
   
d. Intervening in a fight in accordance with Education Article §7-307, Annotated Code of Maryland.

5. **Protective or stabilizing device** – any device or material attached or adjacent to the student’s body that restricts freedom of movement or normal access to any portion of the student’s body for the purpose of enhancing functional skills, preventing self-injurious behavior or ensuring safe positioning of a person.

6. **Seclusion** – the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. Seclusion does not include a timeout, which is a behavior management technique that is part of an approved program, involves the monitored separation of the student in a non-locked setting, and is implemented for the purpose of calming.

D. **PROCEDURES**

In accordance with State laws and regulations, AACPS school-based staff shall receive professional development on the use of behavior interventions. The use of student behavior interventions, including exclusion, seclusion, and physical restraint shall be in accordance with COMAR.

1. School personnel may only use exclusion or physical restraint:
   
a. After less restrictive or alternative approaches have been considered, and:
      
i. Attempted; or
      
ii. Determined to be appropriate.
b. In a humane, safe, and effective manner;

c. Without intent to harm or create undue discomfort; and

d. Consistent with known medical or psychological limitations and the student’s Behavioral Intervention Plan (BIP).

2. **Exclusion**

a. The use of exclusion of students shall be in accordance with COMAR.

b. School personnel may use exclusion to address a student’s behavior:

   i. If the student’s behavior unreasonably interferes with the student’s learning or the learning of others;

   ii. If the student’s behavior constitutes an emergency and exclusion is necessary to protect a student or other person from imminent, serious, physical harm after other less intrusive, nonphysical interventions have failed or been determined inappropriate;

   iii. If exclusion is requested by the student; or

   iv. If supported by the student’s BIP.

c. School personnel shall maintain anecdotal records regarding exclusion to contain, at a minimum, the name of the student, the location of the exclusion, the date and start and end time of the incident, and the behavior that prompted the use.

d. Placing a student outside the classroom without adult supervision is prohibited.

e. Each period of exclusion may not exceed 30 minutes. Students shall be assessed and consistently monitored within the period of exclusion to determine their ability to return to the classroom environment and re-engage with the instructional program.

f. If a student experiences repeated periods of exclusion, school personnel must refer the student to the school based problem solving team, 504 Team, or Individual Education Program (IEP) Team to determine the need for school-based interventions or to initiate a review of behavioral supports provided to the student.

g. The use of exclusion shall be documented in accordance with COMAR.
3. **Seclusion**

The use of seclusion is prohibited in AACPS schools. Seclusion may be used for AACPS students placed in MSDE-approved nonpublic settings when documented in the student’s IEP and in accordance with COMAR.

4. **Physical Restraint**

   a. In accordance with COMAR, the use of physical restraint is prohibited until there is an emergency situation and physical restraint is necessary to protect a student or other person from imminent, serious, physical harm after other less intrusive, nonphysical interventions have failed or been determined inappropriate. Once physical restraint has been used or school personnel have made a student-specific determination that it may need to be used consistent with COMAR, physical restraint may be included in a student’s BIP or IEP to address the student’s behavior in an emergency situation, provided that school personnel:

      i. Review available data to identify any contraindications to the use of physical restraint based on medical history or past trauma, including consultation with medical or mental health professionals as appropriate;

      ii. Identify the less intrusive, nonphysical interventions that will be used to respond to the student’s behavior until physical restraint is used in an emergency situation; and

      iii. Obtain written consent from the parent, consistent with Education Article, §8-405, Annotated Code of Maryland.

   b. Each time physical restraint is used, school personnel must debrief and document the restraint using the AACPS-approved *Documentation of Student Behavior Interventions/Restraint* form. This form documents information in accordance with COMAR. The documentation shall be maintained in the student’s educational record. Parents shall be notified within 24 hours, in writing, about the use of restraint.

   c. In the case of a student with disabilities, if the student’s IEP or BIP includes the use of restraint, the IEP or BIP must specify how often the IEP team shall meet to review or revise the student’s IEP or BIP. If the student’s IEP or BIP does not include the use of restraint, the IEP team shall meet within 10 business days of the incident resulting in the restraint to consider the need for a Functional Behavior Assessment to consider developing appropriate behavioral interventions, or consider implementing a BIP.
d. In the case of a student without disabilities who requires restraint, the student shall be immediately referred to the Student Support Team or the IEP team, if the student has an IEP, to determine an appropriate plan of action.

e. AACPS staff involved in the implementation of non-violent passive physical restraint shall be certified in the use of Non-Violent Crisis Intervention, in accordance with COMAR. Opportunities for certification and recertification in the use of Non-Violent Crisis Intervention shall be offered annually.

5. Mechanical Restraint

The use of a mechanical restraint on a student shall occur only as a stability or protective device in accordance with COMAR. These devices must be prescribed by an appropriate medical or related service professional or in accordance with the student’s IEP or BIP.

6. When it is determined that any of the above interventions is necessary, school personnel should make every effort to ensure that another adult is present.

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