

## **Policy Statement #3215 (Students) Regarding Student Behavior Interventions**

### **I. Purpose**

- A. To establish a uniform continuum of positive behavioral interventions, strategies, and supports which is consistent with state requirements for use by school personnel before using exclusion, restraint or seclusion
- B. To establish methods for identifying and defusing potentially dangerous behaviors and preventing self-injurious behaviors
- C. To develop a detailed plan to reduce and ultimately eliminate the use of restraint and seclusion. The plan will include training for staff on positive, proactive strategies to de-escalate students in crisis, supporting students who have experienced trauma, implementing alternatives to restraint and seclusion and other topics deemed appropriate.
- D. To establish a uniform format for monitoring the use of exclusion, restraint, and seclusion
- E. To ensure that exclusion, restraint, and seclusion are used in compliance with state regulations
- F. To ensure staff members are trained in the use of student behavior interventions
- G. To ensure that monitoring data on the use of exclusion, restraint and seclusion is annually reported to the Board of Education and made publicly available.

### **II. Definitions**

- A. Positive behavior interventions, strategies, and supports: The application of school-wide and individual data-driven, trauma-informed actions, instruction, and assistance to promote positive social and emotional growth while preventing or reducing challenging behaviors in an effort to encourage educational and social emotional success
- B. 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: (1) briefly holding a student to calm or comfort the student, (2) 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; (3) moving a disruptive student who is unwilling to leave the area if other methods such as counseling have been unsuccessful, or (4) intervening in a fight.
- C. Mechanical restraint: The use of any device or equipment to restrict a student's freedom of movement.
- D. 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 that involves the monitored separation of the student in a non-locked setting and is implemented for the purpose of calming. Seclusion is not exclusion, which is 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.

- E. Emergency Situation: An emergency situation arises when physical restraint or seclusion is necessary to protect a student or other person from imminent, serious, physical harm after less intrusive, nonphysical interventions have failed or been determined inappropriate.
- F. Imminent, serious, physical harm: Imminent serious physical harm has the same meaning as serious bodily injury in 18 U.S. C. 1365(h)(3) and 34 CFR §300.530(i)(3). Serious bodily harm means bodily injury which involves:
  - 1. A substantial risk of death;
  - 2. Extreme physical pain;
  - 3. Protracted and obvious disfigurement; or
  - 4. Protracted loss or impairment of the function of a bodily member, organ or mental faculty.
- G. Trauma-Informed Intervention: An approach that is informed by the recognition of the impact that trauma, including violence, abuse, neglect, disaster, terrorism, and war may have on a student's physical emotional health and ability to function effectively in an educational setting.
- H. Physical Escort: The temporary touching or holding of the hand, wrist, arm, shoulder, or back for purposes of inducing a student who is acting out to walk to a safe location. By definition, a physical escort is NOT a prolonged action and does not restrict the student's ability to move freely. It is a limited attempt to redirect the student that still allows the student to move from one place to another.

### III. Policy Statement

- A. The Board of Education is committed to providing safe and supportive school environments that promote the social and emotional well-being, achievement and success of each student. In compliance with Maryland State Department of Education standards, the Board acknowledges the need for staff members to use an array of research-based positive behavior interventions and strategies to improve student behaviors. These behavior interventions and strategies must be clearly delineated and progressive in nature and must limit the exclusion of a student from the classroom environment, from physical restraint, or from seclusion, and may only be used when lesser interventions are ineffective. The school system must ensure that appropriate training is provided to staff, to make certain behavior interventions and strategies are implemented in accordance with federal, state, and local laws.

### IV. Standards

- A. Only trained school staff members may use exclusion, physical restraint, or seclusion after continued positive, less restrictive, or alternative approaches have been attempted, and determined to be inappropriate for the maintenance of a safe and supportive school environment.
- B. Effective classroom management strategies must be used by staff members followed by positive behavior interventions, strategies and supports to increase or decrease targeted student behavior.
- C. The use of physical restraint, or seclusion may only be used without intent to do harm, or create undue discomfort, in consistency with known medical or psychological limitations and the student's individualized education plan.
- D. The use of seclusion is prohibited unless the following conditions exist:

1. There is an emergency situation and seclusion 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 AND;
  2. The student's IEP describes the specific behaviors and circumstances in which seclusion may be used AND;
  3. The parent has provided written consent.
- E. The use of mechanical restraint is prohibited in Calvert County Public Schools.
- F. Designated staff members will be trained on the administration of physical restraint and seclusion. Only those trained staff will implement physical restraint or seclusion in accordance with all federal, state, and local laws.
- G. Monitoring and compliance
1. Schoolwide resource personnel will review and collect data quarterly pertaining to physical restraint and seclusion and forward it to the Department of Student Services
  2. Data will be collected by:
    - a. Total number of physical restraint and seclusion incidents;
    - b. Total number of students;
    - c. Type of physical restraint utilized;
    - d. Length of time of physical restraint or seclusion;
    - e. Student's gender, race, disability and grade;
    - f. Behavior that precipitated the use of physical restraint or seclusion, and
    - g. Number of students referred to the school's SST.
- V. Delegation of Authority
- A. The Superintendent is directed to develop administrative procedures to implement this policy in accordance with all local policies and local, state and federal laws and regulations and to communicate this policy and accompanying procedures to all relevant parties.
- VI. Exceptions
- A. There are no exceptions to this policy. However, the Board by majority vote may temporarily suspend all or part of this policy. Suspension of all or part of this policy, however, in no way relieves the Board of its obligation to comply with the pertinent local, state and federal laws and regulations or the rules and regulations of the Maryland State Board of Education and the Maryland State Department of Education.
- VII. Review
- A. This policy will be reviewed annually, in accordance with COMAR 13A.08.04.06(B), if approved by majority vote of the Board of Education in public session.
- VIII. Deadline
- A. By July 2021, we will prohibit seclusion except as approved in IEP's with parents written permission.
- IX. Effective Date
- A. This policy is effective September 12, 2019.

### Citations

State Law:

State Reg.: COMAR 13A.08.04

Federal Law:

Students #3215

Adopted: 3/11/04

Revised: 4/19/07; 6/17/10; 6/13/13; 7/13/17; 7/11/19; 9/12/19

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