

## RESTRAINT AND SECLUSION OF STUDENTS

Maintaining a safe and productive environment for student learning is a high priority of Loudoun County Public Schools (LCPS) for both students and staff. A multi-tiered systemic approach, to include Positive Behavioral Interventions and Supports (PBIS), shall be used to address the needs of students with behavior challenges. Physical restraint and seclusion safety procedures shall only be used consistent with this policy and associated regulation. LCPS recognizes restrictive emergency procedures are used as a last resort and that every effort shall be taken to eliminate the use of restraint and seclusion.

A. Authorized Emergency Safety Procedures. Physical restraint and seclusion procedures apply to all students when the student is an imminent danger to self or others. Physical restraint and seclusion are not permitted except as emergency safety procedures that are used as a last resort in response to situations where the student's behavior poses a threat of imminent danger or serious physical harm to self or others.

B. Definitions.

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

- a. Briefly holding a student in order to calm or comfort the student;
- b. Holding a student's hand, wrist, arm, shoulder, or back to temporarily escort a student safely from one area to another;
- c. Using incidental, minor, or reasonable physical contact or other actions designed to maintain control, such as intervening in a fight or the brief use of reasonable and necessary force to protect oneself or others from physical injury or harm in an emergency.

2. Mechanical Restraint is the use of any material or equipment to restrict a student's freedom of movement. This term does not include devices implemented by trained school personnel, or utilized by a student that have been prescribed by an appropriate medical or related services professional and are used with parental consent and are for the specific and approved purposes for which such devices were designed, such as:

- a. 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;
- b. Vehicle restraints, including seat belts or harnesses when used as intended during the transport of a student in a moving vehicle;

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- c. Restraints for medical immobilization;
- d. Orthopedically prescribed devices that permit a student to participate in activities without risk of harm; or
- e. High chairs and feeding stations used for age or developmentally appropriate students used specifically for feeding.

3. Seclusion is the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving until the student no longer presents imminent danger to self or others. This includes any time a student is involuntarily alone in a room and prevented from leaving regardless of the intended purpose or the name of the area where the student is secluded. Provided that no such room or space is locked, seclusion does not include the following activities:

- a. Supervised in-school suspension or detention;
- b. Out of school suspension;
- c. Time-out, which is a behavioral management technique;
- d. Removal from classroom by the teacher for disruptive behavior;
- e. Student-requested breaks in a different location in a room or in a separate room;
- f. Removal of student for short periods of time from room or separate area of room to provide student with opportunity to regain self-control so long as student is not physically prevented from leaving;
- g. Removal of student for disruptive behavior from a classroom by a teacher, as provided in Code of Virginia [22.1-276.2](#);
- h. Confinement of a student alone in a room or area from which the student is physically prevented from leaving during the investigation and questioning of the student by school employees regarding student's knowledge of or participation in events constituting a violation of student conduct code, such as a physical altercation, or an incident involving drugs or weapons; or
- i. Placement decisions made by IEP teams, such as one-on-one instruction.

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### C. Prohibited Practices as Defined within the Regulation.

1. Physical restraint shall not include restraining the student in a chair or against a wall. Prone restraints (where the student is placed face down on his/her stomach), supine restraints (where the student is face up on his/her back), or any other physical maneuver that prevents a student from breathing or speaking, is strictly prohibited. (Refer to Section B-2 regarding mechanical restraints).

2. Aversive Stimuli
3. Corporal Punishment
4. Mechanical Restraint
5. Pharmacological Restraint

### D. Best Practices Must Be Followed.

1. Seclusion emergency procedures should rarely be used for students younger than 9 years of age.

2. Seclusion should last only as long as necessary to calm the student and resolve the actual risk of serious physical harm or injury and should rarely exceed 30 minutes.

E. Annual Training Required. The Principal or his/her designee is responsible for ensuring that each behavior-intervention team member has been trained in the use of physical restraint, seclusion, and the documentation of such instances. The Department of Pupil Services shall be responsible for the facilitation of employee training in the use of physical restraint, seclusion, and the documentation of such instances. Training shall be completed on an annual basis.

F. Monitoring and Intervention. The Department of Pupil Services shall regularly review the use of physical restraint and seclusion. The Department of Pupil Services will provide training, support, monitoring, and accountability for schools to promote consistent implementation of this policy and regulation. The Principal or his/her designee shall regularly review the use of physical restraint and seclusion at his/her school and take appropriate steps in accordance to the associated policy regulation.

### G. Notification and Awareness.

1. The Department of Pupil Services shall ensure annual parent and guardian notification of this policy and associated regulation. The case manager or school administrator shall make reasonable effort to ensure that direct contact is made with the parent/guardian, either in person or through telephone conversation, or other

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means of communication authorized by the parent/guardian, such as email, to notify the parent/guardian of the restraint or seclusion and any related first aid on the day the incident occurred.

2. If the restraint or seclusion has occurred outside the regular school day, notification shall be made as soon as practicable in compliance with the school division's school crisis/emergency management, and medical emergency response plan.

H. Exceptions. Nothing in this policy prevents a school employee from stopping a physical altercation to prevent physical harm to a student or another individual. This policy does not apply to School Resource Officers (SROs) who are performing law enforcement duties.

I. Data Collection and Reporting. In accordance with the associated regulation, each instance of physical restraint and seclusion shall be documented and recorded in the LCPS Student Information System. The Assistant Superintendent for Pupil Services shall publicly report physical restraint and seclusion quantitative data on an annual basis. The annual report shall contain the total number of physical restraint and seclusion instances as reported by schools, and information regarding employee training. The Assistant Superintendent for Pupil Services shall also report physical restraint and seclusion quantitative data as required to the U.S. Department of Education Office for Civil Rights.

J. The Superintendent shall promulgate administrative regulations for the proper implementation of this policy.

Adopted: 1/8/19

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Leg Refs: Code of Virginia [22.1-253.13:7](#), [8VAC20-81-160](#)

Cross Ref.: Policy 8205, Discipline Authority, Policy 8-30, Corporal Punishment Prohibited