



ADMINISTRATIVE PROCEDURE

STUDENT BEHAVIOR INTERVENTIONS

5062

Procedure No.

February 1, 2011

Date

- I. **PURPOSE:** To provide guidance and procedures which assure compliance with regulations pertaining to student behavior interventions.

- II. **DEFINITIONS:**
 1. “Behavior intervention plan” means a proactive plan designed to address problem behaviors exhibited by a student in the educational setting through the use of positive behavioral interventions, strategies, and supports.
 2. “Business day” means any day that the school system is open.
 3. Communicate.
 - A. “Communicate” means to convey information verbally or nonverbally.
 - B. “Communicate” includes, but is not limited to:
 - (1) Speech;
 - (2) Gestures;
 - (3) Symbols; and
 - (4) American Sign Language.
 4. “Department” means the Maryland State Department of Education (MSDE).
 5. “Exclusion” means 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.
 6. “Functional Behavior Assessment”
 - A. “Functional behavior assessment” means the systematic process of gathering information to guide the development of an effective and efficient behavior intervention plan for the problem behavior. It includes:
 - (1) Identification of the functions of the problem behavior for the student;
 - (2) Description of the problem behavior exhibited in the educational setting; and



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- (3) Identification of environmental and other factors and settings that contribute to or predict the occurrence, nonoccurrence, and maintenance of the behavior over time.
7. “IEP” means an individual education program as defined and developed in accordance with COMAR 13A.05.01.
8. “IEP team” has the meaning stated in COMAR 13A.05.01.
9. “Mechanical Restraint.”
 - A. “Mechanical restraint” means 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 and that the student cannot easily remove.
 - B. “Mechanical restraint” does not include a protective or stabilizing device.
10. “Nonpublic school” means a school that receives funds from the Department for the purpose of providing special education and related services to students with disabilities in accordance with COMAR 13A.09.10.
11. “Parent” has the meaning stated in COMAR 13A.05.01 and the PGCPSS Special Education Handbook
12. Physical Restraint.
 - A. “Physical restraint” means the use of physical force, without the use of any device or material, that restricts the free movement of all or a portion of a student’s body.
 - B. “Physical restraint” does not include:
 - (1) Briefly holding a student 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) 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 in accordance with Education Article §7-307, Annotated Code of Maryland.



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13. “Positive behavior interventions, strategies, and supports” means the application of affirmative school-wide and individual student specific actions, instruction, and assistance to encourage educational success.
14. Protective or stabilizing Device.
 - A. “Protective or stabilizing device” means 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.
 - B. “Protective or stabilizing device” includes:
 - (1) Adaptive equipment prescribed by a health professional, if used for the purpose for which the device is intended by the manufacturer;
 - (2) Seat belts; or
 - (3) Other safety equipment to secure students during transportation in accordance with the public agency or nonpublic school transportation plan.
15. “Public agency” means Prince George’s County Public Schools.
16. “Restraint” means the use of a physical or mechanical restraint.
17. “School personnel” means an individual employed by a public agency or nonpublic school as defined in this chapter;
18. “Seclusion” means the confinement of a student alone in a room from which the student is physically prevented from leaving.
19. “Student with a disability” has the meaning stated in COMAR 13A.05.01 and the PGCPS Special Education Handbook.

III. GENERAL PROCEDURES:

- A. School personnel shall use an array of positive behavior interventions, strategies, and supports to increase or decrease targeted student behaviors.
- B. School personnel shall only use exclusion or restraint:



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1. After less restrictive or alternative approaches have been considered, and;
 - (a) Attempted; or
 - (b) Determined to be inappropriate;
 - (c) In a humane, safe, and effective manner;
 - (d) Without intent to harm or create undue discomfort; and
 - (e) Consistent with known medical or psychological limitations and the student's behavioral intervention plan.
- C. School personnel may initiate appropriate student disciplinary actions pursuant to Education Article § 7-305, Annotated Code of Maryland, COMAR 13A.08.01.11, and COMAR 13A.08.03; or
- D. Law enforcement, judicial authorities, or school security personnel may exercise responsibilities, including the physical detainment of a student or other person alleged to have committed a crime or posing a security risk in accordance with relevant law, regulation, policy, or procedures.

IV. **EXCLUSION:**

- A. School personnel may use exclusion to address a student's behavior:
 1. If the student's behavior unreasonably interferes with the student's learning or the learning of others;
 2. 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; If exclusion is requested by the student; or
 3. If supported by the student's behavior intervention plan.
- B. A setting used for Exclusion shall:
 1. Provide school personnel with the ability to see the student at all times;
 2. Provide adequate lighting, ventilation, and furnishings; and
 3. Be unlocked and free of barriers to prevent egress.



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- C. School personnel shall monitor a student placed in exclusion and provide a student in exclusion with an explanation of the behavior that resulted in the removal and instructions on the behavior required to return to the learning environment.
- D. School personnel shall ensure that each period of exclusion is
 - 1. Appropriate to the developmental level of the student and the severity of the behavior; and
 - 2. Does not exceed 30 minutes.
- E. Parents and school personnel may at any time request a meeting to address the use of exclusion and to:
 - 1. Conduct a functional behavioral assessment; and
 - 2. Develop, review, or revise a student's behavioral intervention plan.
- F. School personnel shall consider the need to initiate a referral to Student Services or IEP team if a nondisabled student has experienced excessive exclusion, to determine if the student has a disability that may require the provision of special education and related services.
- G. School personnel shall refer a student with a disability to the IEP team if he or she has experienced an excessive period of exclusion that may result in a change of placement.

IV. **RESTRAINT:**

- A. The use of physical restraint is prohibited in PGCPSS and nonpublic schools used by PGCPSS, unless:
 - 1. 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;
 - 2. The student's behavioral intervention plan or IEP describes the specific behaviors and circumstances in which physical restraint may be used; or



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3. The parents of a nondisabled student have otherwise provided written consent to the use of physical restraints while a behavior intervention plan is being developed.
- B. Physical restraint shall be applied only by school personnel who are trained in the appropriate use of physical restraint through the Department of Special Education.
 - C. In applying physical restraint, school personnel shall only use reasonable force as is necessary to protect a student or other person from imminent, serious, physical harm.
 - D. Physical restraint:
 1. Shall be removed as soon as the student is calm; and
 2. May not exceed 30 minutes.
 - E. In applying physical restraint, school personnel **may not**:
 1. Place a student in a face down position;
 2. Place a student in any other position that will obstruct a student's airway or otherwise impair a student's ability to breathe, obstruct a staff member's view of a student's face, restrict a student's ability to communicate distress, or place pressure on a student's head, neck, or torso; or
 3. Straddle a student's torso.
- V. **MECHANICAL RESTRAINT:**
- A. The use of mechanical restraint is **prohibited** in Prince George's County Public Schools. Mechanical Restraint is also prohibited in all nonpublic schools utilized by the school system unless the nonpublic school is certified by and meets the requirements of the Joint Commission for the Accreditation of Health Care Organizations.
 - B. School personnel may use a protective or stabilizing device:
 1. As prescribed by a health professional; or



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2. For a student with a disability, in accordance with the student's IEP or behavior intervention plan.

VI. **DOCUMENTATION OF THE USE OF RESTRAINT:**

- A. Each time a student is in a restraint, school personnel shall document:
 1. Other less intrusive interventions that have failed or been determined inappropriate;
 2. The precipitating event immediately preceding the behavior that prompted the use of restraint;
 3. The behavior that prompted the use of a restraint;
 4. The names of the school personnel who observed the behavior that prompted the use of restraint; and
 5. The names and signatures of the staff members implementing and monitoring the use of restraint.
- B. Documentation required by this Procedure shall include a description of the restraint event, including:
 1. The type of restraint;
 2. The length of time in restraint;
 3. The student's behavior and reaction during the restraint; and
 4. The name and signature of the administrator informed of the use of restraint.
- C. The documentation of the use of restraints shall be maintained in the student's educational record and available for inspection by the student's parent or legal guardian in accordance with COMAR 13A.08.02.
- D. Each time restraint is used, parents shall be provided oral or written notification within 24 hours, unless otherwise provided for in a student's behavior intervention plan or IEP.

VII. **SECLUSION:**



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The use of Seclusion is prohibited in Prince George's County Public Schools.

VIII. **REFERRAL TO A PUPIL SERVICES OR IEP TEAM.**

- A. If restraint is used for a student who has not been identified as a student with a disability, the student shall immediately be referred to the school's pupil services team or an IEP team.
- B. If restraint is used for a student with a disability, and the student's IEP or behavior intervention plan does not include the use of restraint or seclusion, the IEP team shall meet within 10 business days of the incident to consider:
 - 1. The need for a functional behavioral assessment;
 - 2. Developing appropriate behavioral interventions; and
 - 3. Implementing a behavioral intervention plan.
- C. If restraint is used for a student with a disability, and the IEP or behavior intervention plan includes the use of restraint, the student's IEP or behavior intervention plan shall specify how often the IEP team shall meet to review or revise, as appropriate, the student's IEP or behavior intervention plan in accordance with the Special Education Handbook.
- D. When an IEP team meets to review or revise a student's IEP or behavior intervention plan, as specified in § C (3) of this regulation, the IEP team shall consider:
 - 1. Existing health, physical, psychological, and psychosocial information;
 - 2. Information provided by the parent;
 - 3. Observations by teachers and related service providers; and
- E. The student's current placement.
- F. The IEP team shall provide the parent of the student with written notice in accordance with COMAR 13A.05.01.12A when an IEP team proposes or refuses to initiate or change the student's IEP or behavior intervention plan that includes the use of restraint.



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- G. A parent may request mediation or a due process hearing if the parent disagrees with the IEP team decision to propose or refuse to initiate or change:
1. The student's IEP;
 2. The student's behavior intervention plan to use restraint or seclusion; or
 3. The student's placement.

IX. **TRAINING AND TECHNICAL ASSISTANCE:**

- A. At the beginning of each school year, the Department of Special Education and the Division of Student Services shall identify personnel to serve as school-wide resources to assist in ensuring the proper administration of exclusion and restraint. The contact information shall be posted on the school system's website, available to staff and parents.
- B. The individuals designated to provide technical assistance shall also conduct training for personnel who may administer restraint, in accordance with these procedures. The training shall include current professionally accepted practices and standards regarding positive behavior assessment and behavior intervention planning exclusion, restraint and alternatives to restraint and the symptoms of physical distress and positional asphyxia. The training regarding the symptoms of physical distress and positional asphyxia shall be conducted in collaboration with the Department of Health Services. The professional development shall also include a written examination and physical demonstration of proficiency in the described skills and competencies. The Department of Special Education shall maintain a list of all individuals trained each school year.

X. **MONITORING:**

- A. A student shall be referred to the School Instructional Team if he or she has been excluded, as described in these procedures, three times during a school year or sooner, if possible. The School Instructional Team shall determine whether a referral to the IEP Team is appropriate.
- B. The Principal shall review each incident of Restraint, including the Restraint Report. The Procedures described in Section VIII of these procedures shall be followed if a student is restrained at school.



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- C. Complaints regarding the use of exclusion or restraint shall be referred to the Area Office or the High School Consortium, as appropriate, for investigation. Complaints regarding the use of restraint shall also be referred to Security Services for investigation. Staff shall immediately report suspected abuse in accordance with the school system's Administrative Procedures if the complaint alleges that a student was improperly restrained or is injured as a result of a restraint. A report of the investigation shall be submitted to the Superintendent and Principal within 10 business days.
- XI. **RELATED PROCEDURES:** None.
- XII. **MAINTENANCE AND UPDATE OF THESE PROCEDURES:** These procedures will be maintained and updated by the Division of Academics, Department of Special Education and the Division of Student Services, as appropriate.
- XIII. **CANCELLATIONS AND SUPERSEDES:** None. This is a new Administrative Procedure.
- XIV. **EFFECTIVE DATE:** February 1, 2011.

Approved by:
William R. Hite
Superintendent of Schools

Attachment: Restraint Report

Distribution: Lists 1, 2, 3, 4, 5, 6, 10, and 11