

<b>FREDERICK COUNTY PUBLIC SCHOOLS</b>	<b>Reg. No. 400-44</b>
<b>Subject:           PHYSICAL RESTRAINT AND EXCLUSION                           PRACTICES</b>	<b>Issued:           11/10/04</b>
<b>Preparing Office:   Office of the Superintendent</b>	<b>Amended:           2/4/22</b>

I. Policies 403 and 508

(See also COMAR 13A.08.04.04 Use of Exclusion, 13A.08.04.05 General Requirements for the Use of Restraint and Seclusion, and 13A.08.04.06 Administrative Procedures)

II. Procedures

A. Purpose and Expectations for Practices Associated with Physical Restraint and Exclusion

1. All schools will have a safe, healthy, and inviting climate where desired learning and development can occur. It is the responsibility of everyone associated with the school to proactively promote student self-discipline and preserve the quality of the educational environment, in accordance with Frederick County Public Schools (FCPS) Regulation 400-08 *Discipline*.

All schools are encouraged to use an array of positive behavior interventions, de-escalation strategies, restorative practices to prevent future harm, and supports to increase or decrease targeted student behaviors accordingly.

In circumstances where previous interventions and supports are insufficient to address serious behavior, students may be subject to exclusion if the student's behavior unreasonably interferes with the student's learning or the learning of others.

Physical restraint is to be considered an option of last resort and used only in emergency situations for students when behavior presents an imminent, serious threat of serious bodily injury to self or others. While physical restraint is allowed in limited circumstances, those situations are crisis-oriented responses that should not be used in lieu of less intrusive, nonphysical interventions and are not to be used for discipline or staff convenience.

2. Trained school personnel shall only use exclusion or physical restraint:
  - a. After less restrictive or alternative approaches have been considered, attempted, and determined to be inappropriate.
  - b. In a humane, safe and effective manner.
  - c. After they have identified, attempted, documented, and exhausted the less intrusive, nonphysical interventions that will be used to respond to the student's behavior.
  - d. Without intent to harm or create undue discomfort.
  - e. Consistent with known medical or psychological limitations, including contraindications to the use of physical restraint based on medical history or past trauma and the student's behavior intervention plan (BIP).
  - f. As a last resort to address imminent, serious physical harm. [COMAR 13A.08.04.03]

3. Nothing in this regulation prohibits school personnel from initiating appropriate student disciplinary actions pursuant to Education Article §7-305, COMAR 13A.08.01.11 or COMAR 13A.08.03, or law enforcement or school security personnel from exercising their responsibilities, including the physical detainment of a student alleged to have committed a crime or posing a security risk in accordance with relevant law, regulation, policy, or procedure.

## B. Definitions

1. Behavior Intervention Plan (BIP) - proactive plan designed to address serious behaviors exhibited by a student in the educational setting through the use of positive behavioral interventions, strategies, and supports.
2. CPI – refers to the Crisis Preventions Institute, Inc. or any entity that replaces CPI in providing training to FCPS staff on de-escalation techniques and appropriate physical restraint, as a last resort.
3. Debriefing - a meeting, documented in writing, where participants and observers in physical restraint incident debrief on what they have just completed. A debriefing, in this example, is where the participant team reflects to determine fidelity to process expectations, alternative nonphysical interventions to implement, correct any recognized infidelity to the process, determine needs in revising student instructional programming, and refine restraint practices for improvement in alignment to process.
4. De-escalation Techniques – refers to a progression of non-verbal (e.g., body language, physical cues, and allowing personal space), verbal and environmental (e.g., clearing a room of all other students to reduce risk to the individual or to other students) interventions used to reduce behavior of a student that might pose a danger.
5. Emergency situation - arises when physical restraint is necessary to protect a student or other person from imminent, serious, physical harm or serious bodily injury after less intrusive, nonphysical interventions have failed or been determined inappropriate.
6. Excessive Exclusion – is defined as a pattern of frequent and consistent exclusion.
7. Exclusion - the removal of a student to a supervised area for a limited period of time, not to exceed 30 minutes, during which the student has an opportunity to regain self-control and is not receiving instruction including special education, related services, or support. The student is not physically prevented from leaving.
8. Functional Behavior Assessment (FBA) - the systematic process of gathering information to guide the development of an effective and efficient BIP for the behavior. This includes the identification of the functions of the serious behavior, as well as the description of the behavior exhibited in the educational setting and the identification of environmental and other factors and settings that contribute to or predict the occurrence, nonoccurrence and maintenance of behavior over time.
9. Imminent serious, physical harm - anticipated as about to happen serious bodily injury which involves: i) A substantial risk of death; ii) Extreme physical pain; iii) Protracted and obvious disfigurement; or iv) Protracted loss or impairment of the function of a bodily member, organ,

or mental faculty. Physical restraint may not be used except to protect a student or other person from imminent, serious, physical harm, and should only be used by trained personnel.

10. Mechanical Restraint (MR) - 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. The use of mechanical restraint is prohibited in public agencies and nonpublic schools unless a public agency or nonpublic school is certified by and meets the requirements of the Joint Commission for the Accreditation of Health Care Organizations (Refer to section C4 on pages 7 & 8 for MR procedural guidelines).
11. Physical Restraint – the use of physical force, without use of any device or material, that immobilizes or reduces the ability of a student to move his or her torso, arms, legs, or head freely.
12. Receiving Instruction – may be defined as any interaction between the student and a staff member for the purpose of guiding or directing the student.
13. School Resource Officer (SRO) or Law Enforcement: a government employee appointed to enforce the law, such as a police officer or sheriff, specifically to support public schools.
14. Seclusion - the involuntary confinement of a student with or without supervision in a room from which the student is physically prevented from leaving. Seclusion is prohibited on Frederick County Public Schools (FCPS) property.
15. Serious Bodily Injury involves: i) A substantial risk of death; ii) Extreme physical pain; iii) Protracted and obvious disfigurement; or iv) Protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

## C. Procedural Guidelines

### 1. **Exclusion**

- a. Use of Exclusion- School personnel may use exclusion to address a student's behavior if:
  - (1) The student's behavior unreasonably interferes with the student's learning or the learning of others.
  - (2) 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, non-physical interventions have been determined inappropriate.
  - (3) The exclusion is requested by the student.
  - (4) The exclusion is supported by the student's behavior intervention plan.
- b. Any 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.
  - (3) Be unlocked and free of barriers to prevent egress.
  - c. School personnel shall monitor a student placed in exclusion and provide the student with an explanation of the behavior that resulted in removal and instructions on the behavior required to return to the learning environment.
  - d. School personnel shall ensure that each period of exclusion shall not exceed 30 minutes and is appropriate to the developmental level of the student and the severity of the behavior. Parents and school personnel may at any time request a meeting with the school administrator to: address the use of exclusion, conduct a functional behavior assessment (FBA), and/or develop, review, or revise the student's behavior intervention plan (BIP).
  - e. If a non-disabled student has experienced a pattern of frequent and consistent excessive exclusion, school personnel shall consider the need to refer to a student services team (SST) to determine if the student needs a behavior intervention plan (BIP), or to an individualized education program (IEP) team to determine if the student has a disability that requires provision of special education and related services.
  - f. If a student with a disability has experienced a pattern of frequent and consistent excessive exclusion, school personnel shall convene the appropriate team meeting to determine if the student Individualized Education Program or 504 and/or Behavior Intervention plan requires revision to reduce exclusion.
  - g. School personnel shall ensure the implementation of appropriate procedures in accordance with all state laws, rules, and regulations when a student with a disability has experienced excessive exclusions that may result in a change of placement. This shall include, but not be limited to, manifestation meetings, IEP team meetings, suspension or expulsion meetings as well as the "Stay Put" provision in any request for a due process hearing.
2. **Seclusion** - Use of Seclusion is prohibited on FCPS property.
3. **Physical Restraint (PR)**
- a. The following are not considered physical restraint and are acceptable practices:
    - (1) Briefly holding a student in order to calm or comfort the student.
    - (2) 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, when the contact does not continue after arriving at the safe location.
    - (3) Moving a disruptive student who is unwilling to leave the area if other methods (counseling, verbal interaction, etc.) have been unsuccessful.
    - (4) Intervening in a fight in accordance with Education Article, *Annotated Code of Maryland* §7-307 - A principal, teacher, school security guard, or other school system personnel in any public school may take reasonable action necessary to prevent

violence on school premises or on a school-sponsored trip, including intervening in a fight or physical struggle that takes place in his or her presence, whether the fight is among students or other individuals. The degree and force of the intervention may be as reasonably necessary to prevent violence, restore order and to protect the safety of the combatants and surrounding individuals.

b. The use of physical restraint is permitted under the following circumstances:

- (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 have been determined inappropriate. Imminent, serious physical harm has the same meaning as “serious bodily injury” as used in the Individuals with Disabilities Education Act (“IDEA”) and means bodily injury which involves: (i) A substantial risk of death; (ii) Extreme physical pain; (iii) Protracted and obvious disfigurement; or (iv) Protracted loss or impairment of the function of a bodily member, organ, or mental faculty.
- (2) The student’s behavior intervention plan (BIP) or individualized education program (IEP) describes the specific behaviors and circumstances in which physical restraint may be used. The IEP shall include what the IEP team considered in determining whether restraint could be used, including but not limited to considerations of existing health, physical, psychological, and psychosocial information, as well as any contraindications to the use of restraint based on medical history of past trauma. The BIP shall provide space for multiple function statements and function-based interventions can be listed, if necessary. The BIP forms will include space for a description of each problem behavior, global and specific hypotheses as to why the problem behavior(s) occurs, and prevention and intervention strategies that include positive behavioral supports and services to address the behavior(s).
- (3) The parents of a non-disabled student have otherwise provided written consent to the use of physical restraint while a behavior intervention plan (BIP) is being developed.
- (4) A review of available data to identify any contraindications to the use of physical restraint based on medical history or past trauma has been conducted.
- (5) Identify the less intrusive, nonphysical interventions that will be used to respond to the student’s behavior until physical restraint is used as a last resort in an emergency situation.

c. In applying physical restraint, school personnel shall ensure that:

- (1) Staff implementing the restraint are trained.
- (2) The risk of severe harm to the student or others is imminent.
- (3) The restraint is discontinued immediately when the student is calm and the risk of imminent, severe harm is no longer applicable.

- (4) The restraint shall be limited to the time necessary to prevent imminent, severe harm but may not exceed 30 minutes under any circumstances.
  - (5) The restraint does not place the student in a face down position or any other position that will: obstruct the student's airway or impair the student's ability to breathe, obstruct a staff member's view of the student's face, restrict the student's ability to communicate distress, place pressure on the student's head, neck, or torso, or straddle a student's torso.
- d. Training in physical restraint - Unless otherwise exempt per section II. A. 2. of this regulation, physical restraint shall be applied only by school personnel who are trained in the appropriate use of physical restraint consistent with COMAR 13A.08.04.06C. The school personnel applying restraint shall receive training in current professionally accepted practices and standards regarding positive behavior intervention strategies and supports and in planning the functional behavior assessment (FBA) and the behavior intervention plan (BIP).
  - e. A student who has been physically restrained shall be examined by school health personnel after every instance of restraint.
  - f. In extenuating circumstances when school health personnel are unavailable, a school administrator or designee will assess if an injury has occurred that may require additional medical attention.
  - g. Every instance of physical restraint will be debriefed using the attached EXHIBIT 2 – Physical Restraint Incident Debrief Report.
  - h. Documentation of Physical Restraint
    - (1) FCPS shall maintain a secure electronic system for storing all Physical Restraint Incident Reports.
    - (2) Only one (1) physical restraint should be documented per Incident Report form. <sup>1</sup>  
(See EXHIBIT 1 – Physical Restraint Incident Report)

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<sup>1</sup> The Incident Report shall include all the required information on the form itself rather than referring to attached behavior reports or other documents.

(3) Each time a student is in a physical restraint, school personnel shall fully and accurately complete the Restraint Incident Report documenting:

- (a) The day, date, and time a student is in a restraint.
- (b) The duration of the event, including the time it began and ended.
- (c) Other less intrusive interventions and de-escalation techniques that have failed or been determined inappropriate.
- (d) The precipitating event immediately preceding the behavior that prompted the use of restraint.
- (e) An objective description of the behavior that prompted the use of a restraint.
- (f) The names of the school personnel who observed the behavior that prompted the use of restraint.
- (g) The names and signatures of the staff members implementing and monitoring the use of restraint.
- (h) The name and signature of the school health professional who examined the student after the restraint.
- (i) Whether or not injury occurred to students or staff members as a result of the restraint.
- (j) The description of the restraint event, including the:
  - Type of restraint technique used.
  - Length of time in restraint, including the time the restraint began and ended.
  - Student's behavior and reaction during the restraint.
  - Role each staff person played in the incident.
  - Name and signature of the administrator informed of the use of restraint.

(4) The documentation described shall be maintained in the student's educational record and available for inspection by the student's parent or legal guardian.

(5) Each time physical 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 (BIP) or individualized education program (IEP). The completed Physical Restraint Incident Form must be provided to the parents within 3 school days of the incident.

#### **4. Mechanical Restraint (MR)**

- a. The use of a mechanical restraint is prohibited in FCPS.

- b. Mechanical restraint does not include a protective or stabilizing device. A protective or stabilizing device means any device or material attached or adjacent to the student's body that restrict 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. It includes adaptive equipment prescribed by a health professional, seat belts, or other safety equipment to secure students during transportation in accordance with school transportation plan.
  - c. School personnel are not prohibited from using a protective or stabilizing device as prescribed by a health professional or for a student with a disability, in accordance with a student's individualized education program (IEP) or behavior intervention plan (BIP).
5. In the case of a non-disabled student, restraint is prohibited unless 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, non-physical intervention have failed or been determined inappropriate or the parents of a non-disabled student have otherwise provided written consent to the use of physical restraint while a behavior intervention plan (BIP) is being developed.

D. Required Restraint Procedures for Student with Individualized Education Program (IEP)

- 1. If restraint is used for a student who has not been identified as a student with a disability, the student must immediately be referred to the school's student services team. A screening IEP team shall be convened.
- 2. If restraint is used for a student with a disability, and the BIP and IEP does not include the use of restraint, the IEP team must meet, in accordance with COMAR 13A.08.03, within 10 business days of the incident to consider:
  - i. the need for a functional behavior assessment (FBA)
  - ii. developing appropriate behavior interventions
  - iii. implementing a behavior intervention plan (BIP)
  - iv. existing health, physical, psychological, and psychosocial information
  - v. information provided by the parent
  - vi. observations by teachers and related service providers
  - vii. the student's current placement
  - viii. the frequency and duration of restraint events that occurred since the IEP team last met.  
[COMAR 13A.08.04.05C (1)-(2)]
- 3. Once physical restraint has been used or school personnel have made a student specific determination that it may need to be used through intentional conversation and discussion in the IEP process and development of the IEP, physical restraint may be included on a student's BIP and IEP to address the student's behavior in an emergency, 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 professional as appropriate;
  - ii. Identify the less intrusive, nonphysical interventions that will be used to respond to the student's behavior prior to the use of physical restraint in an emergency situation; and
  - iii. obtain written consent from the parent, consistent with Education Article §8-405, *Annotated Code of Maryland*. [COMAR 13A.08.04.05A(1)(b); COMAR 13A.08.04.05B(2)]
4. If physical restraint is used for a student with a disability, and the individualized education program (IEP) or behavior intervention plan (BIP) includes the use of restraint, the student's IEP or BIP shall specify how often the IEP team will meet to review or revise, as appropriate, the student's IEP or BIP.
5. Parental Consent
  - i. The IEP team must obtain the written consent of the parent if the team proposes to include physical restraint in the BIP and IEP to address the student's behavior. If the parent does not provide written consent, the IEP team must send the parent written notice within 5 business days of the IEP team meeting that states: i) the parent has the right to either consent or refuse to consent to the use of physical restraint and ii) if the parent does not provide written consent or a written refusal within 15 business days of the IEP team meeting, the IEP team may implement the proposed use of physical restraint. If the parent provides a written refusal, the IEP team may use the dispute resolution options listed in Education Article §8-413, *Annotated Code of Maryland*, to resolve the matter. [COMAR 13A.08.04.05C (6)].
  - ii. Physical restraint may only be used if 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. This is the case regardless of whether the parent has provided written consent or a written refusal to include physical restraint on a student's BIP and IEP. In any event, each time physical restraint is used, parents must be provided oral or written notification within 24 hours, unless otherwise provided for in a student's IEP and BIP. [COMAR 13A.08.04.05A(5); COMAR 13A.08.04.05B(9)]

#### E. Law Enforcement Requested and Documentation

Each time staff requests that a School Resource Officer (SRO) or other law enforcement officer respond to student behavior, that staff person will complete a written report (See EXHIBIT 3 - Law Enforcement Requested Report) that lists the date and location of the event and the name, race, grade, and disability status of the student and describes:

1. The precipitating event leading up to the behavior;
2. A description of the behavior that led the staff person to request the SRO;
3. All De-escalation Techniques and other efforts used to address the student behavior before contacting the SRO or other law enforcement officer;
4. The type of Physical Restraint performed, if applicable; and
5. The names and titles of all staff and SRO(s) involved.

#### F. Professional Learning

1. Each school shall provide professional learning to school personnel designated by the administrator to use de-escalation techniques or physical restraint.
2. At the beginning of each school year, each school shall identify personnel authorized to serve as a school-wide resource to assist in ensuring proper administration of exclusion or restraint.
3. Professional learning shall be provided to designated school staff regarding positive behavior intervention strategies and supports, including methods for identifying and defusing potentially dangerous behavior. Training shall include:
  - Recognizing symptoms of physical distress and positional asphyxia
  - Providing alternatives to restraint
  - Trauma informed intervention
  - Functional Behavior Assessment and Behavior Intervention Plans
  - Exclusion
  - Restraint and alternatives to restraint
  - The prohibition of seclusion
  - First Aid and cardiopulmonary resuscitation, and
  - Individualized behavior interventions based on student characteristics, including disability, medical history, and past trauma.
4. The professional learning activity shall provide participants with examples, modeling, opportunities for practice and feedback, time for review and reflections, and include a written examination and physical demonstration of proficiency in the skills and competencies.
5. Professional learning in Crisis Prevention Intervention (CPI), Physical Restraint, and any other disciplinary policies and procedure, as well as behavioral interventions for students with disabilities will be available to School Resources Officers (SRO).

#### G. Grievance/Complaint Procedure

1. The grievance procedure identified below is intended to provide appropriate due process standards and facilitate the prompt and equitable resolution of complaints related to restraint and/or exclusion practices.
2. Complaints may be submitted orally or in writing by any student, parent, guardian, staff member, or other individual.
3. To facilitate the filing of a written complaint, individuals can complete the Restraint and/or Exclusion Complaint Form (EXHIBIT 4).
  - a. The complainant may return the completed complaint form to the School Principal via hand delivery, email, or mailing address.
  - b. If the complainant is unsure who to send the complaint to, call the Office of Student Services at (301) 644-5238.
4. Any staff receiving a complaint related to restraint and/or exclusion practices are required to refer complaints to the designated individual(s) identified below.

5. The following individuals have been designated to respond to complaints; School Principal, Instructional Director, Special Education Director, as appropriate.
  - a. The school principal shall immediately forward the complaint to the appropriate instructional and/or special education directors, as appropriate.
  - b. If the complaint is related to the school principal, complaints can be forwarded to the appropriate level instructional director.
  - c. The appropriate instructional and/or special education director will investigate the complaint.
  - d. As part of the investigation, the director may interview or take evidence from the complainant and affected parties.
  - e. The director will issue a written determination within thirty (30) calendar days of the receipt of the complaint.
  - f. The complainant may appeal that determination to the superintendent of schools for Frederick County. The superintendent of schools will review the matter and issue a decision within thirty (30) calendar days.
  - g. If dissatisfied with the superintendent's decision, the complainant may file a complaint with the Board in accordance with Policy 105 (Appeals to the Board).
  - h. The complainant may file a complaint with the Federal Office of Civil Rights.
  
6. Retaliation, harassment, or negative educational consequence, is prohibited against the student or complainant (or any member of their family) for filing the complaint or otherwise participating in the complaint process.

Approved:



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Michael Markoe  
Interim Superintendent

# Physical Restraint Incident Report (Reg.400-44)

*(Physical Restraint of a student must end when it is no longer necessary to protect a student or other person from imminent, serious, physical harm)*

***(Seclusion is Prohibited)***

**Student ID:**

**Student Name:**

**Incident Date:**

**Incident Building:**

**Has restraint been used before?:**

**De-escalation Techniques**

- Access to calming space
- Provision of adequate space
- Limit number of adults involved
- Distract student/redirect thoughts
- Use simple, limited language
- Offer signs of tangible empathy

- Provision of privacy
- Use a calm voice
- Reduce or eliminate demands
- Provision of preferred calming tools
- Provision of controlled choices
- Give wait time

- Provision of face saving options
- Swap out staff
- Prompt to use or follow the model of an adult using a coping strategy
- Allow silence

**De-escalation Other:**

**Type of Restraint:**

**Start Time:**

**End Time:**

**Length of Time:** 0 Minutes

**Location:**

**Location Other:**

**List the precipitating event to the student behavior that led to the physical restraint:**

**List a description of the student behavior that led to the physical restraint:**

*(Student behavior must meet threshold of protecting student or other(s) from imminent, serious, physical harm):*

**Implementing Staff Name:**

**Implementing Staff Name:**

**Observers:**

**Notify Administrator:**

**Notify Counselor:**

**Notify Therapist:**

**Notify Classroom BCBA, if applicable:**

**Examination by Health Staff:**

**Was there any injury or damage?**

**Staff Injury?**

**Student Injury?**

**If yes, describe**

**Emergency Action Taken (e.g did you summon SRO/police, and/or medical help? SRO Called 911**

*(If yes, Law Enforcement Involvement Report MUST be completed) If yes, list the names of the law enforcement/SRO/Police.*

**Emergency Petition (EP)-Transported to hospital ER Accompanied By:**

**Does the student have a Functional Behavioral Assessment (FBA)?**

**Does the student have a Behavior Intervention Plan (BIP)?**

**Parent Notified** (date, time, method)

Each time physical 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 (BIP) or individualized education program (IEP)

**Name of Parent/Guardian Contacted:**

**Contact Method:**

**Contact Date:**

**Contact Time:**

**Contact Method Other:**

**Documented attempt(s) to contact parent/guardian if unable to contact:**

**Parent Invited for Conference:**

**Conference Date:**

**Conference Time:**

# Physical Restraint Incident Debrief Report (Reg.400-44)

*(Physical Restraint of a student must end when it is no longer necessary to protect a student or other person from imminent, serious, physical harm)*

***(Seclusion is Prohibited)***

**Student ID:**

**Student Name:**

**Incident Date:**

**Incident Building:**

**Debrief Date:**

**Debrief Time:**

**Debriefed By: (Name & Title)**

**Is/Are the staff member(s) trained?**

**Does the student have an IEP?**

**If yes, are there known medical or psychological limitations, including contraindications to the use of physical restraint based on medical history or past trauma evidenced in previous evaluations? If yes, describe. (\*An IEP team must be convened to document contraindications within 10 school days of the incident):**

**Does the student have an 504 plan?**

**Does the student have a current FBA?**

**Is there a current BIP?**

**Could the trigger for the behavior have been avoided or is there any way the altercation could have been avoided?**

**How did the student respond to de-escalation strategies?**

**Was the use of restraint necessary to prevent imminent, serious physical harm to a person?**

**Was the restraint ended as soon as the student no longer posed a threat of imminent, serious, physical harm to the student or others?**

**Did all of the participants feel safe during the incident? Are there concerns by staff about the restraint?**

**Outcome?**

**Supplemental Information (if applicable)?**

Copy: BCaBA Supervisor, Classroom BCBA, Student Record (attached to Physical Restraint Incident Form)

Incident ID:



### LAW ENFORCEMENT REQUESTED REPORT

Every time FCPS staff requests law enforcement\* respond to student behavior, the Administrator will complete the following report, regardless if physical restraint was performed or not. If physical restraint was performed, this report must match the details verbatim as documented on the Physical Restraint Incident Report.

*\*[School Resource Officer (SRO) or other Law Enforcement Officer]*

<b>Staff Name and Title Completing Report</b>		<b>Date and Time of Incident</b>	
<b>Student Name</b>		<b>Student Grade</b>	
<b>Student Race</b>		<b>Student Disability Status</b>	<input type="checkbox"/> IEP <input type="checkbox"/> 504 Disability Status          (e.g. Autism) <input type="checkbox"/> No Disability
<b>Precipitating event leading up to the student behavior</b>			
<b>Description of the student behavior that led the staff person to request the SRO</b>			
<b>List de-escalation techniques used to address the student behavior before contacting Law Enforcement</b>			



Physical Restraint was performed?	<input type="checkbox"/> Yes <input type="checkbox"/> No			
If Yes, type of Physical Restraint performed	<input type="checkbox"/> Cc-Children Control	<input type="checkbox"/> Tc-Team Control	<input type="checkbox"/> High Level-HL Hold/Standing	<input type="checkbox"/> High Level-HL Hold/Seated
<b>Law Enforcement Information</b>				
Names and titles of all staff and SRO/Law Enforcement involved				
Requested Law Enforcement took over to intervene in student behavior	<input type="checkbox"/> Yes <input type="checkbox"/> No  If Yes, enter Police Report Number here:			
SRO/Law Enforcement trained in Crisis Prevention Intervention (CPI), Physical Restraint, disciplinary policies, and behavior interventions for students with disabilities utilized by FCPS	Yes <input type="checkbox"/> NO <input type="checkbox"/> (If no, consult BCBA Supervisor to coordinate training)			

*\* All Law Enforcement Requested Reports completed will be reviewed by the BCBA Supervisor within two school days of their completion to evaluate compliance with the system expectations. The BCBA Supervisor will immediately report to the Superintendent, in writing, any incident that does not comply with these expectations. For each such incident, the District will take immediate, effective remedial action.*



**EXHIBIT 4**

**RESTRAINT AND/OR EXCLUSION COMPLAINT FORM**  
**Reference FCPS Regulation 400-44, Section G**

*This form is to be completed to file a complaint regarding restraint and/or exclusion practices. Form to be submitted to: School Principal (hand delivery, email or regular mail).*

**I. Contact Information**

Name of Complainant: \_\_\_\_\_

Date: \_\_\_\_\_

Email: \_\_\_\_\_

Phone Number(s): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

I prefer to receive communication via:  Email  U.S. mail  Phone

**II. Details of the Complaint**

I am submitting this complaint based on:

Physical restraint

Physical exclusion

Individual(s) I believe acted contrary to the regulation: (if applicable)

1. Name: \_\_\_\_\_

Position (if known): \_\_\_\_\_

2. Name: \_\_\_\_\_

Position (if known): \_\_\_\_\_

The incident occurred on \_\_\_\_\_ (date) at \_\_\_\_\_ (time) at \_\_\_\_\_ (location).

A brief description of the incident is described below:

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(additional pages may be attached if needed)

**III. Desired Outcome**

The outcome I am seeking is identified below:

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This form may be submitted to the School Principal via hand delivery, email or U.S. mail to the school address. If the complaint is regarding the School Principal, it may be submitted to the Instructional Director who supervises the School Principal. If the complainant is unsure, call the Office of Student Services at (301) 644-5238.