

POLICY

Queen Anne’s County Public Schools

EPS File Code:
BOE Resolution Number:

Policy Number:

Page of 1

POLICY TITLE: Student Behavior Interventions		
ADOPTION/EFFECTIVE DATE:	MOST RECENTLY AMENDED:	MOST RECENTLY REAFFIRMED:
POLICY/PROCEDURE MANUAL SUMMARY CATEGORY: Students		

A. Purpose

The purpose of this regulation is to promote positive behavior interventions and to establish procedures to ensure the uniform use of exclusion, seclusion, and physical restraint as forms of student behavior interventions in schools are limited to necessary/critical situations.

B. Policy Statement

In accordance with COMAR 13A.08.04, The Board of Education of Queen Anne’s County will encourage school personnel to use an array of positive behavior interventions, strategies, and supports to increase or decrease targeted student behaviors. School personnel shall only use exclusion, restraint, or seclusion set forth in procedures.

C. Rationale

Each child is valued as a contributor in the education process and schools must ensure that children are treated with respect and dignity and that the learning environment is safe for all students and staff. When there is a need to manage aggressive or violent behavior of students in emergency situations, there must be a balance between maintaining an effective and safe learning environment for children and school staff and safeguarding the rights and protections of students.

In Maryland, “School personnel are encouraged to use an array of positive behavior interventions, strategies, and supports to increase or decrease targeted student behaviors” [COMAR 13A.08.04.03]. The use of exclusion, restraint, and seclusion may be used only after less restrictive or alternative approaches have been considered and attempted or determined not to be appropriate.

Positive behavior interventions, strategies, and supports are defined as “the application of affirmative school-wide and individual student specific actions, instruction, and assistance to encourage educational success” [COMAR 13A.08.04.02]. Positive behavior interventions, strategies, and supports focus on proactive ways of preventing targeted challenging behaviors instead of reacting to a challenging behavior after its occurrence.

If positive behavior interventions, strategies, and supports are implemented appropriately, the use of restraint and seclusion, as set forth in COMAR, should be truly limited to unavoidable emergency situations

Positive behavior interventions, strategies, and supports may include but are not limited to:

1. Positive Behavior Intervention Support (PBIS)
2. Initiatives which promote character development, positive school climate, pro-social behaviors, etc.
3. School-wide guidance programs
4. Use positive/proactive language
5. Provide clear and consistent visual schedules, calendars, consistent routines, etc. so that the person knows what is coming next.
6. Provide a safe place and teach when to use it. For example, a calming room or corner, and/or objects or activities that help to calm (e.g. bean bag) provide opportunities to regroup and can be helpful in teaching self-control.
7. Teach skills and replacement behaviors
8. Social skills training
9. Mentoring
10. Therapeutic Aggression Control Techniques (TACT2) strategies
11. Student Services Team interventions
12. Behavior Contracts
13. Behavior Intervention Plans

D. Definitions

The terms exclusion, seclusion, physical restraint, mechanical restraint, and protective or stabilizing device shall have the meanings ascribed to them in COMAR 13A.08.04.

1. 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.
2. 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.
 - a. Mechanical restraint does not include a protective or stabilizing device.
3. 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.
 - a. Physical restraint does not include:
 - i. Briefly holding a student to calm or comfort the student;
 - ii. Holding a student's hand or arm to escort the student safely from one area to another;
 - iii. Moving a disruptive student who is unwilling to leave the area if other methods such as counseling have been unsuccessful; or
 - iv. Intervening in a fight in accordance with Education Article §7-307, Annotated Code of Maryland.

4. 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.
 - a. Protective or stabilizing device includes:
 - i. Adaptive equipment prescribed by a health professional, if used for the purpose for which the device is intended by the manufacturer;
 - ii. Seat belts; or
 - iii. Other safety equipment to secure students during transportation in accordance with the public agency or nonpublic school transportation plan.
5. Seclusion means the confinement of a student alone in a room from which the student is physically prevented from leaving.

E. Evaluation

The Superintendent will provide the Board of Education a review of this policy by (???). The focus of this review will be the effectiveness of the elements of this policy in assisting the Board in fulfilling its mission.

F. References

Code of Maryland Regulations (COMAR) 13A.08.04, Student Behavior Interventions

Education Article, §§2-205, 7-301, 7-303—7-305, 7-307, 7-308 and 7-1101—7-1104, Annotated Code of Maryland

Maryland State Department of Education Division of Special Education/Early Intervention Services, Technical Assistance Bulletin #18, Revised September 2012

Board Approval Acknowledged By:

 Dr. Carol A. Williamson, Secretary and Treasurer
 Board of Education of Queen Anne’s County

POLICY

Queen Anne’s County Public Schools

Policy Number: _____

Page of _____

Policy Action Dates					
ACTION	DATE	ACTION	DATE	ACTION	DATE

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Responsibility for Policy Maintenance & References		
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Policy Number:

Page 2 of 2

Service Animals in Schools - Procedures

I. Access to Public Services, Programs, or Activities

Individuals with disabilities are permitted to be accompanied by their service animals in all areas of QACPS properties, as relevant, where members of the public, students, and employees are allowed to go.

1. When an individual with a disability brings a service animal to an QACPS property, QACPS employees shall not ask about the nature or extent of a person's disability, but may make the following two inquiries to determine whether an animal qualifies as a service animal:
 - a. If the animal is required because of a disability
 - b. What work or task the animal has been trained to perform
2. QACPS employees shall not make these inquiries of an individual with a disability bringing a service animal to a QACPS property when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability.
3. An individual with a disability may not be required to provide documentation such as proof that the animal has been certified, trained, or licensed as a service animal.

II. Requirements

1. The animal must be a dog or, under certain conditions, a miniature horse.
2. The animal must be individually trained to do work or a task for the individual with a disability.
3. The animal must be immunized against diseases common to that type of animal.
4. A service animal must be under the control of its handler. A service animal must have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).
5. QACPS is not responsible for the care or supervision of a service animal. The owner or handler of a service animal is solely responsible for the supervision and care of the animal, including any feeding, exercising, or clean up.
6. Owners of service animals are liable for any harm or injury caused by the animal to other students, staff, visitors, and/or property.

III. Making Arrangements for Service Animals Required by Employees or Students

1. The Department of Human Resources is the contact for QACPS employees who may require service animals and is responsible for assisting employees and schools, as necessary, with making arrangements for service animals required by employees.
2. The QACPS Office of Special Education is the resource for parents of students who may require service animals and is responsible for assisting parents, students, and schools with making arrangements for service animals required by students.
3. Employees using service animals and parents of students with disabilities using service animals should proactively collaborate with school staff members to make arrangements for the service animal at school. The following are examples of arrangements that may be considered, as necessary:
 - a. A rest place and rest time for the service animal
 - b. Appropriate areas and times of the day for the service animal to relieve itself
 - c. Information, as needed, for employees and students about the service animal
 - d. Clarification, as needed, of emergency procedures
4. Individuals with disabilities, employees, or parents of students with disabilities, who are assisted by service animals, are responsible for providing supplies and equipment needed by the service animal.

IV. Access Provided in a School Setting/School Bus

1. Individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of a school where members of the public, participants in services, programs or activities, or invitees, as relevant, are allowed to go.
2. An individual with a service animal cannot be refused transportation service nor can the individual be segregated from other passengers. The service animal must be permitted to accompany its owner on school buses or other school use vehicles. However, service animals may not block aisles or exits, or otherwise interfere with the movement of or access to other passengers.

V. Liability and Care

1. Owners of service animals are liable for any harm or injury caused by the service animal to other students, staff, visitors, and/or property.

2. The Board of Education of Queen Anne's County and its staff will not be held liable for any harm or injury caused by the service animal to other students, staff, visitors, and/or property.

VI. Conditions for removal or exclusion of Service Animal

A school administrator may ask an individual with a disability or parents/ guardians of a student with a disability to remove a service animal from a QACPS property if any one of the following circumstances occurs:

1. The animal is out of control and the animal's handler does not take effective action to control it.
2. The animal is not housebroken.
3. The animal's presence would fundamentally alter the nature of the school related service, program, or activity.
4. If staff properly excludes a service animal, the individual with a disability shall be given the opportunity to participate in the school related service, program, or activity without having the service animal on the premises, with the use of alternative accommodations.

VII. Responsibilities of Students and Staff Regarding a Service Animal

Service animals work and perform tasks and are not pets. The recommended 'best practices' when interacting with service animals include:

1. Do not touch or feed a service animal unless invited to do so.
2. Do not deliberately distract or startle a service animal.
3. Do not physically separate, or attempt to separate, a service animal from the individual using the animal's service.

VIII. Service Dog 'In Training'

A service animal trainer may accompany a service animal in training to any facility where a person with a disability would be permitted to bring a service animal. Service animals in training may only be excluded if there would be a clear danger of disturbance or physical harm to those in the facility.

