

VIRGINIA ACTS OF ASSEMBLY -- 2019 SESSION

CHAPTER 591

An Act to amend and reenact § 22.1-279.1:1 of the Code of Virginia, relating to the use of seclusion and restraint in public schools.

[H 2599]

Approved March 18, 2019

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-279.1:1 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-279.1:1. The use of seclusion and restraint in public schools; Board of Education regulations.

The Board shall adopt regulations on the use of seclusion and restraint in public elementary and secondary schools in the Commonwealth that (i) are consistent with its Guidelines for the Development of Policies and Procedures for Managing Student Behavior in Emergency Situations and the Fifteen Principles contained in the U.S. Department of Education's Restraint and Seclusion: Resource Document; (ii) include definitions, criteria for use, restrictions for use, training requirements, notification requirements, reporting requirements, and follow-up requirements; and (iii) address distinctions, including distinctions in emotional and physical development, between (a) the general student population and the special education student population and (b) elementary school students and secondary school students. *The Board shall specifically (1) identify and prohibit the use of any method of restraint or seclusion that it determines poses a significant danger to the student and (2) establish safety standards for seclusion.*