

## Article - Education

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§7-1101.

(a) In this subtitle the following terms have the meanings indicated.

(b) “Behavior intervention plan” means a proactive plan designed to address problem behavior exhibited by a student in the educational setting through the use of positive behavioral interventions, strategies, and supports.

(c) “Exclusionary time out” means the circumstance in which a student is removed to a designated time-out room or other area for a fixed period not to exceed 30 minutes.

(d) “Functional behavior assessment” means the systematic process of:

(1) Describing problematic behavior exhibited in the educational setting, including identification of environmental and other factors and settings that contribute to or predict:

(i) The occurrence or nonoccurrence of the behavior; and

(ii) The maintenance of the behavior over time; and

(2) Using the information gathered to guide the development of an effective and efficient behavior intervention plan.

(e) (1) “Mechanical restraint” means the use of 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.

(2) “Mechanical restraint” does not include a protective or stabilizing device ordered by a physician when it is used as prescribed.

(f) “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.

(g) (1) “Physical restraint” means the use of physical force, without the use of any device or material, to restrict the free movement of all or a portion of a student’s body.

(2) “Physical restraint” does not include:

(i) Briefly holding a student in order 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 when other methods such as counseling have been unsuccessful; or

(iv) Breaking up a fight in the school building or on school grounds.

(h) "Seclusion" means the confinement of a student in a locked room, closet, box, or other space from which the student is physically prevented from leaving.

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