

Article - Education

[Previous][Next]

§7-1102.

(a) The State Superintendent shall appoint a task force to propose regulations to the State Board regarding student behavior intervention practices.

(b) The task force shall consist of:

- (1) Representatives of the Department;
- (2) Representatives of local school systems, including teachers, administrators, school psychologists, and social workers;
- (3) Representatives of advocacy communities;
- (4) Representatives from nonpublic special education facilities; and
- (5) Individuals with knowledge of and expertise in positive behavioral interventions.

(c) The task force shall consider:

- (1) The circumstances under which, and the schools or types of schools in which, physical restraint, mechanical restraint, and seclusion shall be prohibited;
- (2) The definitions of involuntary and other types of time out;
- (3) The use of physical restraint, mechanical restraint, voluntary time out, and involuntary time out, including:
 - (i) The types of permissible and prohibited physical holds and mechanical restraints;
 - (ii) The size and characteristics of a time out room or other area; and
 - (iii) The amount of time and examples of circumstances under which students may be placed in physical restraint, voluntary time out, and involuntary time out;
- (4) The circumstances under which review of a student's individualized education program would occur if restraints or involuntary time out are used with the student as a behavior intervention;
- (5) The circumstances under which the special education evaluation process shall be initiated for students not in special education who are restrained or placed in involuntary time out as a behavior intervention;

(6) The circumstances under which a functional assessment and a behavior intervention plan will be conducted for the students described in items (4) and (5) of this subsection;

(7) Appropriate behavioral interventions, including but not limited to crisis intervention and prevention techniques;

(8) Definitions of “positive behavioral supports” and “behavior interventions and strategies plan”;

(9) How to document properly the need for and use of behavioral interventions with students, including notice requirements to parents;

(10) Training requirements for school staff regarding behavioral interventions, including the need to individualize behavioral interventions based on a student’s behavioral, medical, and psychological history and disability characteristics;

(11) Minimum requirements for policies and procedures to be developed by local school systems, State operated programs, and nonpublic schools; and

(12) Standards for monitoring compliance by local school systems, State operated programs, and nonpublic schools with the requirements of this subtitle.

(d) The Department shall submit proposed regulations to the State Board of Education on or before December 31, 2002.

[Previous][Next]