# Superintendent’s Memo #029-20


**COMMONWEALTH of VIRGINIA
Department of Education**

DATE: February 7, 2020

TO: Division Superintendents

FROM: James F. Lane, Ed.D., Superintendent of Public Instruction

## SUBJECT: State Funds for Implementation of the *Regulations Governing the Use of*

##  *Seclusion and Restraint in Public Elementary and Secondary Schools in*

##  *Virginia*

The Virginia Department of Education (VDOE) is offering a grant opportunity to encourage school divisions to prepare for the implementation of the Regulations Governing the Use of Seclusion and Restraint in Public Elementary and Secondary Schools in Virginia. The 2019 General Assembly passed an appropriation that provides fiscal year 2020 funding to support statewide training and assistance for local school divisions to implement the Board of Education’s final regulations.

Per the proposed regulations, two levels of training are required. The Department of Special Education and Student Services in VDOE is in the process of developing a free, on-demand online module that fulfills the first level of training which requires the training of school personnel to focus on skills related to positive behavior support, conflict prevention, de-escalation and crisis response. Additional details regarding this online module will follow in another memo. Local school divisions will also be required to ensure that all school personnel receive initial training regarding the regulations, policies, and procedures governing the use of physical restraint and seclusion per their division policy.

A portion of the appropriated funds will be allocated to regional fiscal agents in support of second level training. In order to obtain fiscal year 2020 state funding for the second level of training, an application process through a regional fiscal agent is required. Successful applications will receive funding to support local school divisions in meeting the training requirements. This requires evidence-based advanced training in the use of physical restraint and seclusion for at least one administrator in every school building and for school personnel assigned to work with any student whose Individualized Education Program (IEP) or Section 504 Team determines that the student is likely to be physically restrained or secluded.

Applications are required ([Attachment A](http://www.doe.virginia.gov/administrators/superintendents_memos/2020/029-20a.docx)) and must be submitted by a regional fiscal agent for all the participating local school divisions within the region. Applications must provide supporting details as to how the use of the funding meets the training requirements detailed above. Regional applications approved for state funding will receive a lump sum payment. Funding amounts submitted in the regional applications may be reduced in order to equitably meet the funding requests of all qualifying applications submitted. After receipt of the state funds, regional fiscal agents are expected to ensure timely distribution of funds to the local school divisions within the region as appropriate.

If you have any questions or comments, please contact the Department of Special Education and Student Services at (804) 786-8079.

JFL/SMH

### Attachments

# [Application for Funding to Support Local School Division Implementation of the Proposed *Regulations Governing the Use of Seclusion and Restraint in Public Elementary and Secondary Schools in Virginia*](http://www.doe.virginia.gov/administrators/superintendents_memos/2020/029-20a.docx)(Word)

1. [Proposed *Regulations Governing the Use of Seclusion and Restraint in Public Elementary and Secondary Schools in Virginia*](http://www.doe.virginia.gov/administrators/superintendents_memos/2020/029-20b.docx)(Word)
2. [Certification Submission Template](http://www.doe.virginia.gov/administrators/superintendents_memos/2020/029-20c.docx) (Word)