



#262-21

**Commonwealth of Virginia
Virginia Department of Education
Superintendent's Memo #262-21**

DATE: September 10, 2021
TO: Division Superintendents
FROM: James F. Lane, Ed.D., Superintendent of Public Instruction
SUBJECT: **Second Year 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 ensure implementation of the *Regulations Governing the Use of Seclusion and Restraint in Public Elementary and Secondary Schools* in Virginia. The 2021 General Assembly passed an appropriation that provides fiscal year 2022 funding to support statewide training and assistance for local school divisions to implement the Board of Education's final regulations effective January 1, 2021.

Per the proposed regulations, two levels of training are required. The VDOE in partnership with the Center for Implementation and Evaluation of Education Systems (CIEES) at Old Dominion University (ODU) presents a series of modules to provide professional development to Virginia school personnel on the proposed Regulations Governing the Use of Seclusion and Restraint in Public Elementary and Secondary Schools in Virginia. These free, on demand, online modules fulfill the first level of training requirements detailed in the Regulations, focusing on developing school personnel skills related to positive behavior support, conflict prevention, de-escalation and crisis response. The modules should be completed in order and are followed by a cumulative quiz that will earn the participant a certificate of completion and ensure that the local educational agency (LEA) remains in compliance with the

Regulations. The [CIEES Initiatives Restraint and Seclusion](#) series of modules can be found on the ODU VDOE joint webpage and participants are welcome to submit comments via a Feedback Survey after viewing each module, prior to completing the cumulative quiz. 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.

Appropriated funds will be allocated to regional fiscal agents in support of second level training. In order to obtain fiscal year 2022 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**) and must be submitted no later than **October 1, 2021**, by a regional fiscal agent for all of 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 as well as facilitate completion of the Certification Submission Template (**Attachment B**). The regional fiscal agents are also expected to retain supporting documentation, to verify allowable fund uses, and approve budget amendments needed after funding is approved and allocated.

For more information

If you have any questions or comments, please contact the Department of Special Education and Student Services at (804) 786-8079 or by email at special.ed.assistantsuperintendent.memo@doe.virginia.gov.

JFL/SMH

- A. Attachment: [Budget Worksheet and Application Submission Template](#) (PDF)
- B. Attachment: [Certification Submission Template](#) (PDF)