

Policy On Use Of Isolated Time Out Or Physical Restraint

I. General Policy Statement

Regarding the use of isolated time out and/or physical restraint, the Board intends to comply with the provisions of federal law, the *School Code* of Illinois (105 ILCS 5/24-24 and 105 ILCS 5/14-8.05), and related applicable regulations, including 23 Ill. Admin. Code §1.280 *et seq.* This policy shall be implemented according to the accompanying administrative procedures.

Any reference to “parent” in this policy shall be deemed also to refer to “guardian”, as appropriate.

II. Circumstances under which isolated time out or physical restraint will be applied

Isolated time out and physical restraint, as defined in the procedures promulgated under this policy, will be applied at the discretion of staff and under the following circumstances:

A. Isolated time out may be used when a student demonstrates an inability or refusal to meet expectations for learning or behavior that disrupts the educational setting.

B. Physical restraint may be used when a student poses a physical risk to himself, herself, or others in the school building, on school grounds, during any school activity or outing, or on a school bus. Examples of situations when physical restraint may be used include when a student engages in or behaves in a way which could lead to self-injury, appears to be emotionally or physically out of control and at risk of harm, or engages in physically or verbally aggressive behavior which threatens the student’s safety or that of others.

The term “physical restraint” does not include techniques to physically manage or control a student which are momentary and designed to 1) prevent a student from completing an act that could result in physical harm to the student or another person; 2) prevent a student from completing an act that could result in damage to property; or 3) remove a disruptive student who is unwilling to leave an area voluntarily. The staff has discretion to determine whether such physical management of a student is necessary in a particular situation.

III. Procedures to be followed by staff**A. Isolated Time Out Procedures**

Staff will carry out the following procedures when a student receives an isolated time out:

1. A staff member will escort the student to the time-out area, staying in close proximity to the student at all times.
2. A student will not be kept in isolated time out for more than 30 minutes after he or she ceases presenting the specific behavior for which isolated time out was imposed or any other behavior for which it would be an appropriate intervention.
3. The staff member who is responsible for supervising the student will remain within two feet of the enclosure and must be able to see the student at all times.
4. A staff member will document the isolated time out using appropriate forms.

B. Physical Restraint

Physical restraint will be performed using only specific, planned techniques to hold or otherwise restrict a student in his or her movements. In performing physical restraint techniques, staff will strive to use the minimum amount of force needed to control the student and ensure the safety of the student and others. After an incident of physical restraint, the student will receive an isolated time out in accord with the procedures set out in Section III (A), above.

IV. School official to be informed of incidents and to maintain documentation

The program supervisor or his/her designee will be informed of all incidents of isolated time out and physical restraint, and will maintain any documentation required under the implementing procedures of this policy.

V. Process to evaluate incidents that result in injury

Any incident that results in a serious injury will be evaluated at the next scheduled weekly team meeting, at which time the team will review the incident, nature of the injury, the

circumstances leading up to the incident, and whether any factors could have lessened or avoided the injury.

VI. **Evaluation to Consider Alternative Strategies**

Whenever an isolated time out episode exceeds 30 minutes, a physical restraint episode exceeds 15 minutes, or repeated episodes of isolated time outs or physical restraints of a student have occurred during a three-hour period:

- A. A certified staff person knowledgeable about the use of isolated time out or trained in the use of physical restraint, as applicable, will evaluate the situation and the appropriateness of continuing to use the procedure, giving consideration to the student's potential need for medication, food, or use of a restroom.
- B. The certified staff person, with input from staff involved in the particular episode(s), shall consider the use of alternative strategies to be implemented with the student.
- C. The alternative strategies to be used at the discretion of the staff may include, but are not limited to, allowing the student to confer with a staff member; allowing the student to walk in a safe area, accompanied by a staff member; providing the student with redirection to an alternative activity; referring for assessment by a mental health crisis team; police assistance; and/or transporting the student by ambulance to a medical care facility.

VII. **Annual review**

At least once a year, the Cooperative will review the use of isolated time out and physical restraint. This annual review will include consideration of the number of isolated time out and physical restraint incidents; the location and duration of each incident; the staff members who were involved; occurrence of injuries or property damage; and the timeliness of parental notification and administrative review, if review was requested.

**Procedures Concerning The Use Of Isolated
Time Out or Physical Restraint**

I. General

Isolated time out and physical restraint, as defined below, will be used only to maintain a safe and orderly environment for learning and not as a form of punishment or means of disciplining a student. Isolated time out and physical restraint will be used only as needed to maintain a safe and orderly environment for learning and to preserve the safety of students and others.

The Policy On Use of Isolated Time Out or Physical Restraint and these implementing procedures do not apply to physical restriction of students' movement for purposes other than maintaining an orderly learning environment, such as regular use of safety belts in vehicles.

Any reference to "parent" in these procedures shall be deemed also to refer to "guardian", as appropriate.

II. Definitions and Specific Requirements

A. Isolated Time Out

1. "Isolated time out" means confinement of a student in a time-out room or other enclosure, whether within or outside the classroom, from which the student's egress is restricted.
2. A student will not be kept in isolated time out for more than 30 minutes after he or she ceases presenting the specific behavior for which isolated time out was imposed or any other behavior for which it would be an appropriate intervention.
3. Any enclosure used for isolated time out will:
 - a. have the same ceiling height as the surrounding room or rooms and be large enough to accommodate not only the student being isolated but also any other individual who is required to accompany that student;

- b. be constructed of materials that cannot be used by students to harm themselves or others; be free of electrical outlets, exposed wiring, and other objects that could be used by students to harm themselves or others; and be designed so that students cannot climb up the walls (including placing walls far enough apart so that they do not afford leverage for climbing); and
 - c. be designed to permit continuous visual monitoring of and communication with the student.
 4. If an enclosure used for isolated time out is fitted with a door, either a steel door or a wooden door of solid-core construction will be used. If the door includes a viewing panel, the panel will be unbreakable.
 5. A staff member who is responsible for supervising the student will remain within two feet of the enclosure and must be able to see the student at all times.
 6. If a locking mechanism is used on the enclosure, the mechanism will be constructed so that it will engage only when a key, handle, knob, or other similar device is being held in position by a person, unless the mechanism is an electrically- or electronically-controlled one that is automatically released when the building's fire alarm system is triggered. Upon release of the locking mechanism by the supervising adult, the door must be able to be opened readily.
- B. Physical Restraint
 1. "Physical restraint" is defined as holding a student or otherwise restricting his or her movements, except as provided in item 2 below.
 2. Physical restraint does not include momentary periods of physical restriction by direct person-to-person contact, without the aid of material or mechanical devices, accomplished with limited force and designed to either 1) prevent a student from completing an act that could result in physical harm to himself, herself, or another, or damage to property or 2) remove a disruptive student who is unwilling to leave the area voluntarily. Such actions are not subject to the policy and procedures concerning physical restraint, as they are not included within the definition of "physical restraint."

3. A student will be released from physical restraint as soon as the staff member administering the restraint determines that the student is no longer in imminent danger of causing physical harm to himself, herself, or others.
4. Permissible physical restraint includes only the use of specific, planned techniques, for example the "basket hold" and "team control," and may only be used when:
 - a. the student poses a physical risk to himself, herself or others;
 - b. there is no medical contraindication to its use; and
 - c. the staff applying the physical restraint have been trained in its safe application as is outlined in Section V below.
5. Any application of physical restraint will take into consideration the safety and security of the student. Physical restraint shall not rely upon pain as an intentional method of control.
6. In determining whether a student who is being physically restrained should be removed from the area where the restraint was initiated, the staff member(s) will consider the potential for injury to the student, the student's need for privacy, and the educational and emotional well-being of other students in the vicinity.
7. If physical restraint is imposed upon a student whose primary mode of communication is sign language or an augmentative mode of communication, the student will be permitted to have his or her hands free of restraint for brief periods, unless the staff member determines that such freedom appears likely to result in harm to the student or others.
8. Students will not be subjected to physical restraint for using profanity or other verbal displays of disrespect for themselves or others. A verbal threat will not be considered as constituting a physical danger unless a student also demonstrates a means of or an intent to carry out the threat.
9. Mechanical or chemical restraint will not be used with any students except as permitted by the administrative rules of a state agency operating or licensing a facility in which elementary or secondary educational services are provided, such as the Illinois Department of Corrections or the Illinois Department of Human Services. Mechanical or chemical restraint is the

use of any device other than personal physical force to restrict the limbs, head, or body of a student.

10. Medically-prescribed restraint procedures used to treat a physical disorder or to immobilize a person in connection with a medical or surgical procedure will not be used as means of physical restraint for purposes of maintaining a safe and orderly learning environment.

III. Documentation

- A. Each episode of isolated time out or physical restraint shall be documented. A copy of this documentation will be maintained in the student's temporary record, and a copy will be maintained by the program supervisor.
- B. Each written record of an isolated time out or physical restraint episode shall include:
 1. the student's name;
 2. the date of the incident;
 3. the beginning and ending times of the incident;
 4. a description of any relevant events leading up to the incident;
 5. a description of any interventions used prior to implementing isolated time out or physical restraint;
 6. a description of the incident and/or student behavior that resulted in isolated time out or physical restraint;
 7. a description of the student's behavior during isolated time out or during physical restraint, including a description of the restraint technique(s) used and any other noteworthy interaction(s) between the student and staff;
 8. a description of any injuries to students, staff, or others or any property damage;
 9. a description of any planned approach to dealing with the student's behavior in the future;

10. a list of the school personnel who participated in the implementation, monitoring, and supervision of isolated time out or physical restraint; and
 11. the date on which parental notification took place.
- C. The written record referred to in this Section shall be completed by the beginning of the school day following the episode of isolated time out or physical restraint.

IV. Notification, Evaluation, and Review

A. Notification to Program Supervisor

The program supervisor or his/her designee will be notified of any incident of isolated time out or physical restraint as soon as possible, but in any event, no later than the end of the school day on which it occurred. This will occur by either personally handing the program supervisor or his/her designee a copy of the written record of the episode or by placing such a copy in the mailbox of the program supervisor or his/her designee prior to the end of the school day.

B. Notification to Parents

1. Parents will be notified that the Cooperative's policies regarding the maintenance of discipline including the use of isolated time out or physical restraint as a part of the information distributed annually or upon enrollment pursuant to the *School Code*, 105 ILCS 5/10-20.14 and 105 ILCS 5/14-8.05(c).
2. Within 24 hours after any use of isolated time out or physical restraint, the Cooperative will send written notice of the incident to the student's parent(s), unless the parent has provided the Cooperative with a written waiver of this notification requirement. Notification sent to the parent(s) will include the student's name, the date of the incident, a description of the intervention used, and the name and telephone number of a contact person to be called for further information.

C. Evaluation to Consider Alternative Strategies

The following steps will be taken whenever an isolated time out episode exceeds 30 minutes, a physical restraint episode exceeds 15 minutes, or repeated episodes have occurred during a three-hour period:

1. A certified staff person knowledgeable about the use of isolated time out or trained in the use of physical restraint will evaluate the situation.
2. The evaluation will consider the appropriateness of continuing to use the procedure, taking account of the student's potential need for medication, food, or use of a restroom, the potential need for alternate strategies to be used with the student, and any other pertinent factors.
3. The results of this evaluation will be put in writing. A copy will be placed into the student's temporary student record, and a copy will be provided to the program supervisor.

D. Review

1. Review for students who have previously been identified as eligible for special education services and whose IEPs call for special education instruction in a behavior disorder program for 50% or more of the school day:
 - a. When a student experiences three instances of isolated time out or physical restraint within one week, the Cooperative will convene an IEP meeting to review of the effectiveness of the procedure(s) used.
 - b. At this IEP meeting, the Cooperative will consider the development or review of an individual behavior plan. Such a behavior plan may provide for the continued use of isolated time out and/or physical restraint or may provide for the use of and/or modification of any behavior plan applied to all students who are placed in that particular student's educational placement or program.
 - c. If an individual behavior plan is developed for the student, it will be part of that student's IEP.
 - d. At the IEP meeting, the Cooperative will consider the student's potential need for an alternative program.
 - e. The notice of the IEP meeting sent to the student's parent(s) will inform the parent(s) that an individual behavior plan may be developed for the student and that the student's potential need for an alternative program will be considered at the IEP meeting.

2. Review for students who have previously been identified as eligible for special education services but whose IEPs do not call for special education instruction in a behavior disorder program for 50% or more of the school day:
 - a. When a student first experiences three instances of isolated time out or physical restraint within one school year, the Cooperative will convene an IEP meeting to review of the effectiveness of the procedure(s) used.
 - b. At this IEP meeting, the Cooperative will consider the development or review of an individual behavior plan. Such a behavior plan may provide for the continued use of isolated time out and/or physical restraint or may provide for the use of and/or modification of any behavior plan applied to all students who are placed in that particular student's educational placement or program.
 - c. If an individual behavior plan is developed for the student, it will be part of that student's IEP.
 - d. At the IEP meeting, the Cooperative will consider the student's potential need for an alternative program.
 - e. The notice of the IEP meeting sent to the student's parent(s) will inform the parent(s) that an individual behavior plan may be developed for the student and that the student's potential need for an alternative program will be considered at the IEP meeting.

V. **Requirements for Training**

A. **Isolated Time Out**

The Cooperative shall provide orientation to its staff members regarding the policy and procedures concerning the use of isolated time out.

B. **Physical Restraint**

1. Physical restraint will be applied only by individuals who are certified in writing to have received and completed systematic training that includes all of the elements described below. An individual who applies physical

restraint will use only those techniques in which he or she has received such training within the preceding two years, as indicated by written evidence of participation.

2. Training concerning the use of physical restraint will include, but not be limited to the following:
 - a. appropriate procedures for preventing a need for physical restraint, including the de-escalation of problematic behavior, relationship-building, and the use of alternatives to restraint;
 - b. a description and identification of dangerous behaviors on the part of students that may indicate the need for physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of physical restraint is warranted;
 - c. the simulated experience of administering and receiving a variety of physical restraint techniques, ranging from minimal physical involvement to very controlling interventions;
 - d. instruction regarding the effects of physical restraint on the person being restrained, including instruction on monitoring physical signs of distress and obtaining medical assistance;
 - e. instruction regarding documentation, reporting requirements, and investigation of injuries and complaints; and
 - f. demonstration of proficiency by participants in the administration of physical restraint.
3. An individual may provide training to others in a particular method of physical restraint only if he or she has, within the preceding year, received written evidence of completing training in that method that meets the requirements listed in Section V(B)(2), above.

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