Students

Administrative Procedure - Use of Isolated Time Out, Time Out, and Physical Restraint[1]

This administrative procedure applies to all students. Isolated time out, time out, and physical restraint shall only be used if the student's behavior presents an imminent danger of serious physical harm to the student or others, and other less restrictive and intrusive measures were tried and proven ineffective in stopping it. The District may not use isolated time out, time out, or physical restraint as discipline or punishment, convenience for staff, retaliation, a substitute for appropriate educational or behavioral support, a routine safety matter, or to prevent property damage in the absence of imminent danger of serious physical harm to the student or others. Any use of isolated time out, time out, or physical restraint by any staff member shall comply with the Ill. State Board of Education (ISBE) rules, Section 1.285, "Requirements for the Use of Isolated Time Out, Time Out, and Physical Restraint."

For further guidance, see ISBE's *Permanent Regulations for the Use of Time Out, Isolated Time Out, and Physical Restraint: Guidance and Frequently Asked Questions*, available at: www.isbe.net/Pages/restraint-time-out.aspx. **Note:** The special education committee of the Ill. Council of School Attorneys collaborated with ISBE on this guidance in its continuing commitment to help school boards and their districts comply with ISBE requirements.

A written record of each episode of isolated time out, time out, or physical restraint must be created by the Superintendent or designee using the ISBE Physical Restraint and Time Out form, available at: www.isbe.net/Pages/restraint-time-out.aspx. Additionally, ISBE's *Physical Restraint, Time Out, and Isolated Time Out Bill of Rights*, at: www.isbe.net/Documents/RTO-Bill-of-Rights.pdf, or a similar document can be provided to parents/guardians within one business day after each incident of isolated time out, time out, or physical restraint to meet notification requirements in 105 ILCS 5/10-22.33(g) and 23 Ill.Admin.Code §1.285(f)(3).

Isolated time out, time out, and physical restraint are defined as follows:

Isolated time out - the involuntary confinement of a student alone in a time out room or other enclosure outside the classroom without a supervising adult in the time out room or enclosure. Isolated time out does not include a student-initiated or student-requested break, a student-initiated or teacher-initiated sensory break, including a sensory room containing sensory tools to assist a student to calm and de-escalate, an in-school suspension or detention, or any other appropriate disciplinary measure, including a student's brief removal to the hallway or similar environment. 23 Ill.Admin.Code §1.285(a).

Time Out - a behavior management technique for the purposes of calming or de-escalation that involves the involuntary monitored separation of a student from classmates with an adult trained under 23 Ill.Admin.Code §1.285(i) for part of the school day, only for a brief time, in a non-locked setting. Time out does not include a student-initiated or student-requested break, a student-initiated or teacher-initiated sensory break, including a sensory room containing sensory tools to assist a student to calm and de-escalate, an in-school suspension or detention, or any other appropriate disciplinary measure, including a student's brief removal to the hallway or similar environment. 23 Ill.Admin.Code §1.285(a).

[1] 105 ILCS 5/10-20.33, amended by P.A. 102-339; 105 ILCS 5/22-100, added by P.A. 102-806, eff. 1-1-25; 23 Ill.Admin.Code §§1.280 and 1.285. The rules apply to all students. The rules are so filled with minutiae that schools have very few compliance options. One option is to adopt the Ill. State Board of Education (ISBE) rules by reference. This sample administrative procedure uses that option, which is noted explicitly in item #2, below. **Note: To comply with ISBE rules, the sample AP must include local practices**, for items #3, #4, and #5 below. Another option is to prohibit the use of isolated time out, time out, and physical restraint as those terms are defined in the rules. Contact the board attorney for further guidance.

©2024 **P**olicy **R**eference **E**ducation **S**ubscription **S**ervice
Illinois Association of School Boards. All Rights Reserved.
Please review this material with your school board attorney before use.

Physical restraint - holding a student or otherwise restricting a student's movements using a specific, planned technique. A physical restraint shall not impair a student's ability to breathe or communicate normally, obstruct a student's airway, or interfere with a student's ability to speak. 23 Ill.Admin.Code §1.285(b), (c)(3).

Prone physical restraint is a physical restraint in which a student is held face-down on the floor or other surface and physical pressure is applied to the student's body to keep the student in the prone position. Prone physical restraint is prohibited. 23 Ill.Admin.Code §1.285(c)(4).

Supine physical restraint is a physical restraint in which a student is held face up on the floor or other surface and physical pressure is applied to the student's body to keep the student in the supine position. Supine physical restraint is prohibited unless all of the criteria in 23 Ill.Admin.Code §1.285(c)(5) are met. 23 Ill.Admin.Code §1.285(c)(5).

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 prevent a student from completing an act that would result in potential physical harm to himself, herself, or another or damage to property. 23 Ill.Admin.Code §1.285(b).

The following also apply:

1. The circumstances under which isolated time out, time out, or physical restraint will be applied are limited to maintaining a safe and orderly learning environment, to the extent necessary to preserve the safety of the student and others. 23 Ill.Admin.Code §1.285(i)(1).
2. The ISBE rules are adopted as the District's written procedure to be followed by staff for the use of isolated time out or physical restraint. 23 Ill.Admin.Code §1.285(i)(2).
3. Staff members shall inform the Building Principal whenever isolated time out, time out, or physical restraint is used, and the Building Principal shall maintain the documentation required according to Section 1.285(j)(3). 23 Ill.Admin.Code §1.285(i)(3).
4. The Building Principal shall investigate and evaluate any incident that results in an injury to the affected student, parent/guardian, staff member, or other individual. 23 Ill.Admin.Code §1.285(i)(4).
5. The Superintendent or designee shall compile an annual review of the use of isolated time out, time out, or physical restraint. The Building Principal shall report the following information to the Superintendent or designee in order to facilitate the report's compilation: 23 Ill.Admin.Code §1.285(i)(5).
    a. The number of incidents involving the use of these interventions;
    b. The location and duration of each incident;
    c. Identification of the staff members who were involved;
    d. Any injuries or property damage that occurred; and
    e. The timeliness of parental or guardian notification and timelines for agency notification and administrative review.

LEGAL REF.: 105 ILCS 5/10-20.33.
23 Ill.Admin.Code §§1.280 and 1.285.

©2024 **P**olicy **R**eference **E**ducation **S**ubscription **S**ervice
Illinois Association of School Boards. All Rights Reserved.
Please review this material with your school board attorney before use.