

RESTRAINT AND TIME-OUT	

Legal Framework: [Restraint and Time-Out](#)

Category: Restraint and Time-Out

Template update 2024

PERSONS RESPONSIBLE: Campus Administrator, Teacher or Persons Involved, PEIMS Clerk

TIMELINES: On the day of restraint, within one (1) school day

MATERIALS:

Restraint: Restraint Cover Letter (Frontline)
Written Summary of Restraint Use (Frontline)
Internal Tracking Review (Frontline)

Time-Out:
Time-Out Documentation (Frontline)
[Time-Out Documentation](#) (form)

Both: [NVC I Guidance Document](#)

Methods:

Tomball ISD uses Nonviolent Crisis Intervention training (NVC I). This comprehensive training includes de-escalation techniques, preventative strategies, and the use of physical restraint. There *are* NVC I certified trainers in Tomball ISD who train school employees on the use of NVC I. The initial NVC I training is a six (6) hour course that teaches these strategies. Candidates for initial certification are employees who have never been trained in Tomball ISD. The refresher course is three (3) hours that acts as an update for participants to become recertified. Candidates for refresher certification are employees who have received NVC I training in Tomball ISD. NVC I certification is good for one (1) calendar year. In conjunction with NVC I training, TISD trains staff on the appropriate and effective use of time-out as a behavior management intervention for students who require a separate area to de-escalate. Training focuses on implementing positive behavior supports in the classroom and teaching students strategies for calming down.

Definition of Restraint:

Restraint means the use of physical force or a mechanical device to significantly restrict the free movement of all or a portion of the student's body.

Restraint does not include:

- Physical contact or appropriately prescribed adaptive equipment to promote normative body positioning and/or physical functioning;

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- limited physical contact with a student to promote safety (e.g., holding a student's hand), prevent a potentially harmful action (e.g., running into the street), teach a skill, redirect attention, provide guidance to a location, or provide comfort;
- limited physical contact or appropriately prescribed adaptive equipment to prevent a student from engaging in ongoing, repetitive self-injurious behaviors, with the expectation that instruction will be reflected in the individualized education program (IEP) as required by 34 CFR, §300.324(a)(2)(i), to promote student learning and reduce and/or prevent the need for ongoing intervention; or
- seat belts and other safety equipment used to secure students during transportation.

Use of Restraint:

Restraint should only be used in emergency situations where the student's behavior poses an imminent and serious physical harm to themselves or others.

Restraint should be limited to the use of such reasonable force to address the emergency, and it must be discontinued at the point an emergency no longer exists. Restraint is never used to punish or coerce. It should be combined with other approaches that will help the individual learn more adaptive behavior (diminishing the need for physical intervention in the future).

Notification and Documentation of Restraint:

When a restraint happens, a campus administrator must be notified verbally or in writing regarding the use of restraint. On the day of the restraint, a good faith effort must be made to verbally notify the parent(s) regarding the use of restraint and documented with a call log completed either in Frontline or campus call log. Documentation of the restraint should be completed on the same day of the restraint.

1. In the Frontline ARD Forms, select the "Restraint Documentation" screen
2. Add restraint.
3. Fill out the form
4. Archive the "Restraint: Written Summary of Restraint" and "Restraint: Cover Letter"
5. Share the "Written Summary of Restraint" with parents through the "Document Share" application in Frontline and share with the PEIMS clerks through email.

Within one (1) school day of the use of restraint, written notification of the use of restraint must be provided to the parent(s) and sent to the PEIMS clerk to enter into PEIMS.

Monitoring the Use of Restraint: In Tomball ISD, the use of restraint is monitored through the documentation process through Frontline. In addition to the documentation process, restraints are monitored through PEIMS.

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Definition of Time-Out:

Time-out means a behavior management technique in which, to provide a student with an opportunity to regain self-control, the student is separated from other students for a limited period in a setting:

- (A) that is not locked; and
- (B) from which the exit is not physically blocked by furniture, a closed door held shut from the outside, or another inanimate object.

Use of Time-Out:

Physical force or threat of physical force must NOT be used to place a student in time-out.

Time-out may only be used in conjunction with an array of positive behavior intervention strategies and techniques and must be included in the student's IEP and/or behavior improvement plan or behavioral intervention plan if it is utilized on a recurrent basis to increase or decrease a targeted behavior.

Use of time-out must NOT be implemented in a fashion that precludes the ability of the student to be involved in and progress in the general curriculum and advance appropriately toward attaining the annual goals specified in the student's IEP.

Use of time-out or a cool down room must not be used as a punishment, but rather an opportunity to help students regain physical and/or emotional control. Strategies that are recommended for use in a cool down room include but are not limited to: using short concise phrases/language, visual supports, reminders for individualized strategies such as belly breathing, counting back from 10, wall push-ups, etc. It is recommended that 2 people remain in the cool down room with the student while the student is escalated for student and staff safety.

Notification and Documentation of Time-Out:

Necessary documentation or data collection regarding the use of time-out, if any, must be addressed in the IEP and/or behavior improvement plan or behavioral intervention plan. The ARD committee must use any collected data to judge the effectiveness of the intervention and provide a basis for making determinations regarding its continued use.

When the use of time-out happens, a campus administrator must be notified verbally or in writing regarding the use of time-out. Documentation of the time-out should be completed on the same day of the time-out.

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For students receiving special education services not in a self-contained setting or PASS:

1. In the Frontline ARD Forms, select the "Time-Out Documentation" screen
2. Add the time-out.
3. Fill out the form
4. Archive "Time-Out: List of Occurrences During the Current Reporting Period"

For students served in a special education self-contained setting or PASS

1. Complete the [Time-Out Documentation](#) form
2. Upload the form as a pdf and archive it at the end of each reporting period and at the end of the annual ARD year.

For students not in special education:

1. Complete the [Time-Out Documentation](#) form

Monitoring the Use of Time-Out: In Tomball ISD, the use of time-out is monitored through the documentation process through Frontline.

Use of Aversive Techniques: An aversive technique is defined as a technique or intervention that is intended to reduce the likelihood of a behavior occurring by intentionally inflicting significant physical or emotional discomfort to a student.

The use of aversive techniques is prohibited in Tomball ISD. Aversive techniques include, but are not limited to:

electric shock, pressure points, joint locks, noxious, toxic, and unpleasant spray near a student's face, denying food, sleep, air, shelter, bedding, physical comfort, supervision, or a restroom, verbal abuse, ridiculing or demeaning a student, impairing the student's breathing, restricting a student's circulation, securing a student to a stationary object, chemical restraint, inhibiting, reducing and hindering the student's ability to communicate and any time out that does not allow the student to be involved in and progress appropriately in the required curriculum or annual goals.

"No child should be subjected to the abusive or potentially deadly use of seclusion or restraint in a school. Importantly, the Individuals with Disabilities Education Act (IDEA) promotes the use of positive behavioral interventions and supports to address behavior that impedes learning; neither the IDEA nor other federal laws specifically prohibit the use of seclusion and restraint techniques in schools. However, if the use of seclusion and restraint is implemented in a school in a discriminatory manner on the basis of race, color, national origin, sex, or disability, the Department's Office for Civil Rights would have jurisdiction over such use pursuant to Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act, or Title II of the Americans with Disabilities Act." [OSERS Letter to Anonymous \(December 16, 2010\)](#).

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Application Guidance

- [Texas Behavior Support \(TBS\)](#) (Region 4 ESC)
- [Positive Behavioral Interventions and Supports \(PBIS\)](#) (TBS)
- [Written Summary of Restraint Use Sample Form](#) (TEA)

Through the implementation of the policies and procedures as outlined in the Legal Framework for the Child-Centered Special Education Process, the ensures that restraint and time-out are administered in accordance with the IDEA and its accompanying federal regulations, state statutes and regulations.