

## SECTION 1.285 PERMANENT RULES ON ISOLATED TIME OUT, TIME OUT, AND RESTRAINT: KEY DIFFERENCES

ISOLATED TIME OUT AND TIME OUT		
Previous Rules (Prior to November 20, 2019)	Second Amended Emergency Rules (November 20, 2019 – April 8, 2020)	Permanent Rules (eff. April 9, 2020)
<ul style="list-style-type: none"> <li>Isolated time outs and physical restraint may only be used as a means of maintaining discipline and only to the extent they are necessary to preserve the safety of students and others.</li> <li>Defines “isolated time out” as the confinement of a student in a time out room or some other enclosure, whether within or outside the classroom, from which the student may not leave.</li> </ul>	<ul style="list-style-type: none"> <li>Isolated time outs, time outs, and physical restraint may only be for therapeutic purposes, or as a means of maintaining a safe environment for learning, to the extent necessary to preserve the safety of students and others.</li> <li>Defines “isolated time out” as 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.</li> <li>Defines “time out” as a behavior management technique that involves the monitored separation of a student from classmates with a trained adult for part of the school day, usually for a brief time, in a non-locked setting.</li> </ul>	<ul style="list-style-type: none"> <li>Isolated time outs, time outs, and physical restraint may only be used when the student’s behavior presents an <b>imminent danger of serious physical harm</b> to the student <b>and other less restrictive and intrusive measures have been tried and proven ineffective</b> in stopping the imminent danger of serious physical harm.</li> <li><b>Defines “isolated time out”</b> as the involuntary confinement of a student alone in a time out room or a clearly defined area from which the student is physically prevented from leaving without a supervising adult in the time out room or clearly defined area.</li> <li><b>Defines “time out”</b> as a behavior management technique for the purpose of calming or de-escalation that involves the involuntary monitored separation of a student from classmates with a trained adult for part of the school day, only for a brief time, in a non-locked setting.</li> <li>Isolated time outs and time outs do <b>not</b> include student-initiated or student-requested break, a student- or teacher-initiated sensory break, in-school suspension or detention, or any other appropriate disciplinary measure (removal to hallway or similar environment).</li> </ul>

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<b>ISOLATED TIME OUT AND TIME OUT (con't.)</b>		
<b>Previous Rules (Prior to November 20, 2019)</b>	<b>Second Amended Emergency Rules (November 20, 2019 – April 8, 2020)</b>	<b>Permanent Rules (eff. April 9, 2020)</b>
<ul style="list-style-type: none"> <li>• If an enclosure used for isolated time out has a door, then it shall be constructed of either steel or solid wood. If the door has a viewing panel, the panel shall be unbreakable. A supervising adult shall remain within two feet of the enclosure and be able to see the student as all times.</li>   <li>• Locking mechanism may be used on the enclosure.</li>   <li>• Student shall not be kept in isolated time out for longer than is therapeutically necessary, which shall not be for more than 30 minutes after student ceases presenting the behavior for which isolated time out was imposed.</li> </ul>	<ul style="list-style-type: none"> <li>• If an enclosure used for isolated time out is fitted with a door, the door shall not be locked at any time during the time out. A supervising adult must remain within two feet of the enclosure and always be able to see, hear, and communicate with the student.</li>   <li>• Door shall not be locked or held to block egress. A student in isolated time out shall not be supervised using cameras, audio recording, or any other electronic monitoring device.</li>   <li>• Student placed in isolated time out or time out must have reasonable access to food, water, medication, and toileting facilities. Except in circumstances in which there is a risk of self-injury or injury to staff or others, student shall not have his or her clothing removed (e.g., belt).</li>   <li>• Student shall not be kept in isolated time out or time out longer than is therapeutically necessary. Trained adult must assess once every 15 minutes whether student has ceased behavior for which the isolated time out or time out was imposed.</li> </ul>	<ul style="list-style-type: none"> <li>• Enclosure used for isolated time out/time out must include, among other things, <b>unlocked</b> (steel or wooden) door <b>or</b> door that is <b>not physically blocked</b> by furniture/inanimate object. For isolated time out, a supervising adult must remain within two feet of the enclosure and always be able to see, hear, and communicate with the student. For time out, a supervising adult must remain in the same room as the student at all times during the time out.</li>   <li>• Eliminates use of locking mechanism on door. Door shall not be locked or held to block egress. A student in isolated time out shall <b>not</b> be supervised using cameras, audio recording, or any other electronic monitoring device.</li>   <li>• Same as Second Amended Emergency Rules: Student placed in isolated time out or time out must have reasonable access to food, water, medication, and toileting facilities. Except in circumstances in which there is a risk of self-injury or injury to staff or others, student shall not have his or her clothing removed (e.g., belt).</li>   <li>• Student shall not be kept in isolated time out or time out longer than is <b>reasonably</b> necessary. Trained adult must assess once every 15 minutes whether student has ceased behavior for which the isolated time out or time out was imposed.</li> </ul>

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PHYSICAL RESTRAINT		
Previous Rules (Prior to November 20, 2019)	Second Amended Emergency Rules (November 20, 2019 – April 8, 2020)	Permanent Rules (eff. April 9, 2020)
<ul style="list-style-type: none"> <li>Defines “physical restraint” as holding a student or restricting their movements using specific, planned techniques.</li> <li>Physical restraint may be used only when certain criteria are met.</li> <li>Physical restraint must end immediately when staff administering the restraint determines the student is no longer in imminent danger of causing physical harm to themselves or others.</li> </ul>	<ul style="list-style-type: none"> <li>Defines “physical restraint” as holding a student or restricting their movements using specific, planned techniques. 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.</li> <li>Prone or supine physical restraint may be used only once certain criteria are met.</li> <li>Physical restraint must end immediately when threat of imminent serious physical harm ends, but in no event shall prone or supine physical restraint last longer than 30 minutes. If, after 30 minutes, the emergency has not resolved or if an additional emergency arises, continuation of restraint or additional prone/supine restraint may be authorized by school administrator in consultation with psychologist, school social worker, nurse, or behavior specialist.</li> <li>If student restrained in prone or supine physical restraint in at least 2 separate instances within a 30-school day period, school personnel must initiate review of effectiveness of procedures used.</li> </ul>	<ul style="list-style-type: none"> <li><b>Defines “physical restraint”</b> as holding a student or restricting their movements using specific, planned techniques. 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.</li> <li><b>Until 7/1/21</b>, prone or supine physical restraint may be used only once certain criteria are met.</li> <li>Physical restraint must end immediately when threat of imminent serious physical harm ends, student indicates s/he cannot breathe, or the student is observed to be in severe respiratory distress. <b>Staff involved in restraint must periodically halt restraint to evaluate if imminent danger of serious physical harm continues to exist.</b> Prone or supine physical restraint shall not last longer than 30 minutes. If, after 30 minutes, the emergency has not resolved or if an additional emergency arises, continuation of restraint or additional prone/supine restraint may be authorized by school administrator in consultation with psychologist, school social worker, nurse, or behavior specialist.</li> <li>If student restrained in prone or supine physical restraint in at least 2 separate instances within a 30-school day period, school personnel must initiate a <b>Restraint Review</b>.</li> </ul>

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<b>PHYSICAL RESTRAINT (con't.)</b>		
<b>Previous Rules (Prior to November 20, 2019)</b>	<b>Second Amended Emergency Rules (November 20, 2019 – April 8, 2020)</b>	<b>Permanent Rules (eff. April 9, 2020)</b>
<ul style="list-style-type: none"> <li>• Prohibits the use of mechanical and chemical restraints.                             <ul style="list-style-type: none"> <li>○ Does not define mechanical restraint or chemical restraint.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Prohibits the use of mechanical and chemical restraints.                             <ul style="list-style-type: none"> <li>○ Does not define mechanical restraint or chemical restraint.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Prohibits the use of mechanical and chemical restraints.                             <ul style="list-style-type: none"> <li>○ <b>Defines “chemical restraint”</b> as the use of medication to control a student’s behavior or restrict a student’s freedom of movement; does not include medication legally prescribed and administered as part of student’s regular medical regimen to manage behavioral and medical symptoms.</li> <li>○ <b>Defines “mechanical restraint”</b> as the use of any device of equipment to limit a student’s movement or hold a student immobile; does not include restraint used to treat student’s medical needs, protect student known to be at risk of injury from lack of coordination or consciousness, position student with physical disabilities, provide aid/service or an accommodation, or promote student safety in vehicles.</li> </ul> </li> <li>• Isolated time out, time out, or physical restraint <b>shall not be used</b> as discipline or punishment, as convenience for staff, as retaliation, as substitute for appropriate educational or behavioral support, as routine safety matter, or to prevent property damage in the absence of imminent danger of serious physical harm to the student or others.</li> </ul>

**SECTION 1.285 PERMANENT RULES ON ISOLATED TIME OUT, TIME OUT, AND RESTRAINT:  
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<b>DOCUMENTATION, NOTIFICATION, AND COMPLAINT PROCEDURES</b>		
<b>Previous Rules (Prior to November 20, 2019)</b>	<b>Second Amended Emergency Rules (November 20, 2019 – April 8, 2020)</b>	<b>Permanent Rules (eff. April 9, 2020)</b>
<ul style="list-style-type: none"> <li>• A written record of each episode of isolated time out or physical restraint must be maintained in the student’s temporary record. This record must be completed by the beginning of the school day following the isolated time out or physical restraint.</li> <li>• Requires schools, within 24 hours, to provide written notice of the incident to the student’s parents, unless the parents have waived notification.</li> </ul>	<ul style="list-style-type: none"> <li>• A written record of each episode of isolated time out, time out, or physical restraint (ISBE form) must be maintained in the student’s temporary record. This record must be completed by the beginning of the school day following the isolated time out, time out, or physical restraint.</li> <li>• Requires schools, within 24 hours, to provide completed ISBE form to the student’s parents.</li> <li>• Requires schools, no later than 48 hours after any use of isolated time out, time out, or physical restraint to submit completed ISBE form to the State Superintendent.</li> <li>• Any parent or guardian, individual, organization, or advocate may file a signed, written complaint with the State Superintendent alleging a school district or other entity violated the rules on isolated time out, time out, or physical restraint not more than one year prior to the date on which the complaint is received. The State Superintendent shall issue a written, final decision to the complainant.</li> </ul>	<ul style="list-style-type: none"> <li>• A <b>written record</b> of each episode of isolated time out, time out, or physical restraint (<b>ISBE form</b>) must be maintained in the student’s temporary record.</li> <li>• Requires schools to make reasonable attempt to <b>notify the student’s parent on the same day</b> isolated time out, time out, or physical restraint is imposed and to <b>provide completed ISBE form to parents within one business day</b> after the incident.</li> <li>• Requires schools, <b>no later than 2 school days</b> after any use of isolated time out, time out, or physical restraint to <b>submit completed ISBE form to the State Superintendent</b>.</li> <li>• Any parent or guardian, individual, organization, or advocate may file a signed, written complaint with the State Superintendent alleging a school district or other entity violated the rules on isolated time out, time out, or physical restraint not more than one year prior to the date on which the complaint is received. The State Superintendent <b>shall carry out an independent investigation</b> and issue a written, final decision.</li> </ul>

**SECTION 1.285 PERMANENT RULES ON ISOLATED TIME OUT, TIME OUT, AND RESTRAINT:  
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<b>TRAINING REQUIREMENTS</b>		
<b>Previous Rules (Prior to November 20, 2019)</b>	<b>Second Amended Emergency Rules (November 20, 2019 – April 8, 2020)</b>	<b>Permanent Rules (eff. April 9, 2020)</b>
<ul style="list-style-type: none"> <li>Physical restraint shall only be applied by individuals who received systematic training and received a certificate of completion or other written evidence of participation. Only the physical restraint techniques learned during training within the preceding two years may be utilized.</li> </ul>	<ul style="list-style-type: none"> <li>Any adult supervising a student in isolated time out, time out, or physical restraint must be trained in de-escalation, restorative practices, and behavior management practices.</li> <li>Physical restraint shall only be applied by individuals who received systematic training and received a certificate of completion or other written evidence of participation. Only the physical restraint techniques learned during training within the preceding two years may be utilized.</li> </ul>	<ul style="list-style-type: none"> <li>Any adult supervising a student in isolated time out, time out, or physical restraint <b>must be trained in crisis de-escalation, restorative practices, identifying signs of distress during physical restraint and time out, trauma-informed practices, and behavior management practices.</b></li> <li>Any adult trained <b>must be provided a copy of the District’s policies</b> on isolated time out, time out, and physical restraint.</li> <li>Any adult who is supervising a student in isolated time out, time out, or who is involved in a physical restraint, shall receive <b>at least 8 hours of training annually</b> in crisis de-escalation, restorative practices, identifying signs of distress during physical restraint and time out, trauma-informed practices, and behavior management practices.</li> <li>Only individuals who have received <b>annual systematic training on less restrictive and intrusive strategies and techniques</b> shall apply isolated time out, time out, or physical restraint. Training must result in a certificate of completion. No individual may use isolated time out, time out, or physical restraint before receiving required training and certificate.</li> <li><b>Online training may be utilized for all areas, except physical restraint.</b></li> </ul>

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<b>TRAINING REQUIREMENTS (con't.)</b>		
<b>Previous Rules (Prior to November 20, 2019)</b>	<b>Second Amended Emergency Rules (November 20, 2019 – April 8, 2020)</b>	<b>Permanent Rules (eff. April 9, 2020)</b>
<ul style="list-style-type: none"> <li>For isolated time out training, the District, cooperative, or joint agreement shall provide orientation to its staff members covering at least the written procedures followed by the school.</li> <li>For physical restraint training, either the employer or an external entity may provide training.</li> </ul>	<ul style="list-style-type: none"> <li>For isolated time out or time out training, the District, cooperative, or joint agreement shall provide training.</li> <li>For physical restraint training, either the employer or an external entity may provide training.</li> </ul>	<ul style="list-style-type: none"> <li>Employer or external entity shall provide training for isolated time out, time out, and physical restraint. All persons or entities who provide training must be trained in the effective use of less restrictive and intrusive alternatives.</li> </ul>

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