

Walsh Academy Procedural Document for Use of Physical Restraint, Time Out, and Isolated Time Out

PURPOSE

Each school in the Walsh Academy will maintain a Crisis Response Team that will respond to maintain a safe learning environment in times of student crisis with an efficient and organized plan. The Crisis Response Team procedures follow all the regulations from the Illinois State Board of Education (23 Ill. Adm. Code §§1.280 Discipline and 1.285 Requirements for the Use of Isolated Time Out, Time Out, and Physical Restraint).

Physical restraint, time out, and isolated time out are only to be used when the student's behavior presents *an imminent danger of serious physical harm to the student or others, and other less restrictive and intrusive measures have been tried and proven ineffective* in stopping the imminent danger of serious physical harm.

Neither physical restraint, time out, nor isolated time out shall be used 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.

The training and methods of physical restraint used within the Altamont Walsh Academy follow Therapeutic Crisis Intervention guidelines. Staff shall also receive appropriate and applicable training for use of isolated time out and/or time out. Any staff responsible for implementing these interventions will be trained regarding the Walsh Academy's policy on the use of physical restraint, time out and isolated time out, procedures, oversight activities, as well as the Illinois State Board of Education regulations governing physical restraint and time out. Designated staff will receive de-escalation/therapeutic crisis intervention training and will be designated to serve on the Crisis Response Team in each school.

DEFINITIONS AND GENERAL PROCEDURES FOR USE OF PHYSICAL RESTRAINT, TIME OUT AND ISOLATED TIME OUT

A. Physical Restraint

“Physical restraint” means holding a student or otherwise restricting a student's movements. Physical restraint includes only the use of specific, planned techniques.

- 1. Interventions/Circumstances That Do Not Meet the Definition of Physical Restraint:** According to State regulation (i.e. Section 1.285 of the Illinois Administrative Code) and

ISBE guidance (June 2020), the following circumstances **do not** constitute physical restraint and, therefore, would not trigger an obligation to follow the procedures detailed herein.

- a. Momentary Physical Contact: 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 self or another or damage to property.
- b. Physical Escort: A physical escort is a temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is acting out to walk to a safe location. A temporary hold to transport that meets this physical escort definition, used momentarily and with limited force, does not constitute a physical restraint.

2. Use of Physical Restraint:

a. Permissible Use:

- Physical restraint may only be used when the student poses a physical risk to self or others, when there is no medical contraindication to its use, and when the staff applying the restraint have been trained in its safe application.
- A verbal threat does not constitute a physical danger unless a student also demonstrates a means of or intent to immediately carry out the threat.
- If physical restraint is imposed upon a student whose primary mode of communication is sign language or an augmentative mode, the student shall be permitted to have his or her hands free of restraint for brief periods, unless the supervising adult determines that this freedom appears likely to result in harm to the student or others.

b. Impermissible Use:

- Students shall not be subjected to physical restraint for using profanity or other verbal displays of disrespect for themselves or others.
- The use of 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.
- Chemical restraint is not allowed as a form of physical restraint. Chemical restraint is the use of medication to control a student's behavior or restrict a student's freedom of movement. Chemical restraint does not include medication

legally prescribed and administered as part of the student's regular medical regimen to manage behavioral symptoms and treat medical symptoms.

- Mechanical restraint is not allowed as a form of physical restraint. Mechanical restraint is the use of a device or equipment to limit a student's movement or hold a student immobile. Mechanical restraint does not include restraint used to:
 - Treat a student's medical needs;
 - Protect a student known to be at risk of injury resulting from lack of coordination or frequent loss of consciousness;
 - Position a student with physical disabilities in a manner specified in the student's IEP, 504 plan or other plan of care;
 - Provide a supplementary aid or services or an accommodation, including but not limited to, assistive technology that provides proprioceptive input or aides in self-regulation; or
 - Promote student safety in vehicles used to transport students.

The use of a blocking pad in a protective manner to safeguard an individual is not a mechanical restraint; however, the use of a blocking pad, mat, or other device or equipment as a means of restraint or during a restraint is considered mechanical restraint and is prohibited.

3. Limitations for Physical Restraint:

- a. The physical restraint must end immediately when the threat of imminent danger of serious physical harm ends, or the student indicates that he or she cannot breathe or staff supervising the student recognizes that the student may be in respiratory distress.
- b. The staff involved in physically restraining a student must periodically halt the restraint to evaluate if the imminent danger of serious physical harm continues to exist. If the imminent danger of serious physical harm continues to exist, staff may continue to use the physical restraint and the continued use may not be considered a separate instance of physical restraint.
- c. The student shall be released from physical restraint immediately upon a determination by the staff member administering the restraint that the student is no longer in imminent danger of causing serious physical harm to the student or others.

B. Time Out and Isolated Time Out

“Time out” means 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.

“Isolated time out” means 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 is only allowed under limited circumstances and can only be used when the adult in the time-out room or enclosure is in imminent danger of serious physical harm because the student is unable to cease actively engaging in extreme physical aggression.

1. Interventions/Circumstances That Do Not Meet the Definition of Time Out and Isolated Time Out:

According to State regulation (i.e. Section 1.285 of the Illinois Administrative Code) and ISBE guidance (June 2020), the following circumstances **do not** constitute time out or isolated time out and therefore would not trigger an obligation to follow the procedures detailed herein. Those include:

- a. Student initiated or student requested break;
- b. Student initiated or teacher initiated sensory break;
- c. Sensory room containing sensory tools to assist a student to calm and de-escalate.
- d. In-school suspension or detention;
- e. Any other disciplinary measure, including a student’s brief removal to the hallway or similar environment;
- f. The use of a separate, quiet environment for a student;
- g. The use of study carrels or other similar, stable and non-enclosed partitions within the classroom, other classrooms or areas in the school that are designed for student work and study with fewer auditory and other distractions, and similar interventions (either at staff direction or upon student request);
- h. If a student requests to go to a different location in the school to self-regulate or seek staff support; and
- i. Evacuating other students from a classroom (i.e. clearing the classroom) when one student presents a risk of harm to self or others.

2. Requirements for Enclosure:

The following are requirements for any enclosure used for time out or isolated time out:

- a. Any enclosure shall meet the health/life safety requirements of 23 Ill. Adm. Code 180 and have the same ceiling height as the surrounding room or rooms and be large enough to

accommodate not only the student being placed in time out or isolated time out, but also, if applicable, any other individual who is required to accompany that student.

- b. The enclosure must be constructed of materials that cannot be used by students to harm themselves or others. It must 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.
- c. The enclosure must also be designed to permit continuous visual monitoring of and communication with the student and, if fitted with a door, be fitted with either a steel door or a wooden door of solid-core construction. If the door includes a viewing panel, the panel shall be unbreakable. The door shall not be fitted with a locking mechanism or be physically blocked by furniture or any other inanimate object at any time during the time out or isolated time out.
- d. For time out rooms that are contained within a classroom or other larger room or space, the time out room door must not be fitted with a locking mechanism of any sort, but the classroom or other larger room can be capable of locking and may be locked in a manner consistent with the school building's safety and security protocols.

3. Use of Time Out and Isolated Time Out:

a. Permissible Use:

- Time Out and Isolated Time Out may only be used when the student poses a physical risk to self or others, when there is no medical contraindication to its use, and when the staff utilizing the intervention have been trained in its safe application.
- A student placed in either time out or isolated time out must have reasonable access to food, water, medication, and toileting facilities. The deprivation of necessities needed to sustain the health of a person is prohibited.
- Except in circumstances in which there is a risk of self-injury or injury to staff or others, a student in time out or isolated time out shall not have his or her clothing removed, including, but not limited to, shoes, shoelaces, boots, or belts.
- Isolated Time Out:
 - For isolated time out, the adult responsible for supervising the student must remain within two feet of the enclosure and must be able to see, hear, and communicate with the student.

- For isolated time out, the door shall not be locked or held to block egress and the student shall not be supervised using cameras, audio recording, or any other electronic monitoring device.
- Time Out
 - For time out, the adult responsible for supervising the student must remain in the same room as the student at all times during the time out.

4. Time Limitations for Use of Time Out/Isolated Time Out:

- a. A student shall be released from isolated time out or time out immediately upon determination by the staff member that the student is no longer an imminent danger of serious physical harm to the student or others.
- b. At least once every 15 minutes, an adult who is trained in accordance with these guidelines must assess whether the student has ceased presenting the specific behavior for which the time out was imposed.
- c. Many students need additional time to deescalate and process after they are no longer displaying the behavior that necessitated the time out, and if that is the case, they may deescalate and process in the same location where the time out or isolated time out occurred. The time out or isolated time out ends when the student is no longer an imminent risk to self or others; however, other ongoing interventions should be documented as a postvention.

EVALUATION AND REVIEW REQUIREMENTS RELATED TO INCIDENTS OF PHYSICAL RESTRAINT, TIME OUT OR ISOLATED TIME OUT

A. Evaluation Requirements for Lengthier Incidents:

**Evaluation in this context is not an evaluation for educational services or special education. The term evaluation in this section of the procedure refers to the review, consideration, and analysis of the restraint, time-out, or isolated time-out intervention.*

1. Whenever an episode of time out or isolated time out **exceeds 30 minutes**, an episode of physical restraint **exceeds 15 minutes**, or **repeated episodes have occurred during any three-hour period**, a licensed educator or licensed clinical practitioner knowledgeable about the use of time out or isolated time out trained in the use of physical restraint shall evaluate the situation.

2. The evaluation shall consider the appropriateness of continuing the procedure in use, including the student's potential need for medication, nourishment, or use of a restroom and the need for alternate strategies (i.e., an assessment by a mental health crisis team, assistance from police, or transportation by ambulance).
3. The results of the evaluation shall be committed to writing, and copies of this documentation shall be placed into the student's temporary student record and provided to the designated official.

B. Review Requirements for Multiple Incidents:

1. When a student experiences instances of physical restraint, time out, or isolated time out on any **3 days within a 30-day period**, the school personnel who initiated, monitored and supervised the incidents shall initiate a review meeting of the effectiveness of the procedures used, review the student's functional behavior assessment, and prepare an individual behavior plan for the student that provides either for continued use of these interventions or for the use of other, specified interventions.
2. The plan shall be placed into the student's temporary student record.
3. The review meeting shall also consider the student's potential need for an alternative program, for special education eligibility, or, for a student already eligible for special education, for a change in program.
4. The school team shall invite the student's parents or guardians to participate in this review meeting and shall provide ten days' notice of its date, time, and location. The notification shall inform the parent(s)/guardian(s) that the student's potential need for special education, an alternative program, or, for students already eligible for special education, the student's potential need for a change in program, will be considered and that the results of the review meeting will be entered into the temporary student record.
5. The review meeting can be held as an IEP meeting, 504 meetings, meeting to review BIP, or, for general education students, problem-solving meeting or meeting to consider initiating special education evaluation.

DOCUMENTATION AND REPORTING/NOTICE REQUIREMENTS

A. Documentation:

1. Each episode of physical restraint, time out, or isolated time out implemented requires a written record to be maintained in the student's temporary record.

2. A designated official shall also maintain a copy of each of these records.
3. Each record shall include, but is not limited to, all of the following:
 - a. The student's name;
 - b. The date of the incident;
 - c. The beginning and ending times of the incident;
 - d. A description of any relevant events leading up to the incident;
 - e. A description of any alternative measures that are less restrictive and intrusive that were used prior to the implementation of isolated time out, time out, or physical restraint and why those measures were ineffective and deemed inappropriate;
 - f. A description of the incident or student behavior that resulted in isolated time out, time out, or physical restraint, including the specific imminent danger of serious physical harm to the student or others;
 - g. For isolated time out, a description of the rationale of why the needs of the student cannot be met by a lesser restrictive intervention and why an adult could not be present in the time out room;
 - h. A log of the student's behavior in isolated time out, time out, or during physical restraint, including a description of the restraint techniques used and any other interaction between the student and staff;
 - i. A description of any injuries (whether to students, staff, or others) or property damage;
 - j. A description of any planned approach to dealing with the student's behavior in the future, including any de-escalation methods or procedures that may be used to avoid the use of isolated time out, time out, or physical restraint,
 - k. A list of the school personnel who participated in the implementation, monitoring, and supervision of isolated time out, time out, or physical restraint; and
 - l. The date on which parental or guardian notification took place. Additionally, the designated school official shall be notified of the incident as soon as possible, but no later than the end of the school day on which it occurred.

B . Reporting Requirements to the State Superintendent:

No later than two (2) school days after any use of physical restraint, time out, or isolated time out the school Walsh Academy or other entity serving the student shall complete the Illinois State Board Of Education's required "Physical Restraint and Time Out Form". The form will be maintained in the student's temporary record.

Within two (2) business days after any use of physical restraint, time out, or isolated time out, the Walsh Academy must also enter the data into ISBE's Student Information System ("SIS").

C. Notification to Parents or Guardians:

1. The school team must make a reasonable attempt to notify the student's parent/guardian on the same day that the physical restraint, time out, or isolated time out is imposed.
2. Within one business day after any use of physical restraint, time out, or isolated time out, the school team shall send a copy of the ISBE "Physical Restraint and Time Out Form" to the student's parent/guardian. The method of delivery is to be determined by the School.
The following information shall also be sent to the parent/guardian:
 - A copy of the standards for when time out and restraint can be used;
 - Information about the rights of parent, guardians, and students; and
 - Information about the parent/guardian's right to file a complaint with the State Superintendent of Education, the complaint process, or other information to assist the parent or guardian in navigating the complaint process.
3. No later than two school days after each incident of time out or restraint, the principal (or other designated administrator) will notify the parent/guardian that they may request a meeting with appropriate school personnel to discuss the incident. A student may not be excluded from school solely because a meeting has not occurred.
 - If the parent requests a meeting, the meeting will be convened within two school days after the request, provided that the 2-school day limitation shall be extended if requested by the parent/guardian. The parent/guardian may request that the meeting be held via telephone or videoconference.
 - The meeting shall be held separate and apart from IEP and 504 meetings.
 - A summary of the meeting and any agreements or conclusions reached during the meeting shall be documented in writing and will become part of the student's school record. A copy of the documents must be provided to the parent/guardian, as well.
 - If a parent/guardian does not request a meeting within 10 school days or does not attend a requested meeting, that fact shall be recorded and maintained in the student's record.
4. The Walsh Academy shall also provide annual notification to parents/guardians via information that is distributed annually or upon enrollment of the students of the Walsh Academy's policies regarding Use of Physical Restraint, Time Out, and Isolated Time Out pursuant to

Sections 10-20.14 and 14-8.05(c) of the School Code.

TRAINING REQUIREMENTS

A. Requirements for Training:

Any adult who is supervising a student in isolated time out or time out, or who is involved in a physical restraint, shall receive at least 8 hours of developmentally appropriate training annually. Except for training on physical restraint, online training may be utilized for all training areas. No individual may use physical restraint, time out, or isolated time out before receiving the required training and certificate. Any staff who applies physical restraint, time out, or isolated time out shall use only techniques which he or she has received prior to annual training.

Training is required in the following areas:

- Crisis de-escalation,
- Restorative practices,
- Identifying signs of distress during physical restraint, time out, and isolated time out,
- Trauma-informed practices, and
- Behavior management practices.

Behavioral Training is required in the following areas:

- Less restrictive and intrusive strategies and techniques to reduce the use of physical restraint, time out, or isolated time out, and
- Best practices and how to safely use physical restraint, time out, and isolated time out when those alternative strategies and techniques have been tried and proven ineffective.

All trained staff will be provided a copy of the Walsh Academy's policies on physical restraint, time out, and isolated time out.

B. For Administrator Use - Trainer Requirements Include the Following:

Provision of Training: The training required with respect to physical restraint, time out, or isolated time out may be provided either by the employer or by an external entity.

Qualifications of the Trainer:

- All persons or entities who provide training must be trained and certified in the effective use of less restrictive and intrusive alternatives to prevent imminent danger of serious physical harm to the student or others and safe application of physical restraint, time out, or isolated time out when less restrictive and intrusive alternatives have been tried and proven ineffective.

- An individual may provide training to others in a particular method of time out and physical restraint only if he or she has received written evidence of completing training in those techniques that meet the requirements listed in this section within the preceding one-year period.

Training Components: The training shall include, but need not be limited to:

- The dangers associated with the use of physical restraint, time out, or isolated time out and the need to use interventions that are less restrictive and intrusive to reduce the risk of harm to students;
- Appropriate procedures for preventing the need for physical restraint, time out, or isolated time out, including the de-escalation of problematic behavior, relationship-building, and the use of alternatives to restraint;
- Recognizing and responding appropriately to the antecedent of a student's behavior;
- Recognizing contraindications and other conditions and events that increase the risk of death;
- A description and identification of dangerous behaviors on the part of students that may indicate the need for physical restraint, time out, or isolated time out and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted;
- The simulated experience of administering and receiving a variety of physical restraint, time out, or isolated time-out techniques, ranging from minimal physical involvement to very controlling interventions;
- Instruction regarding the effects of isolated time out, time out, and physical restraint on the person in restraint, isolated time out, or time out, including instruction on monitoring physical signs of distress and obtaining medical assistance;
- Instruction regarding documentation and reporting requirements and investigation of injuries and complaints; and
- Demonstration by participants of proficiency in administering physical restraint, time out, and isolated time out.

COMPLAINT PROCEDURES

A. School-Based Complaint:

Any parent or guardian who believes that the school Walsh Academy has violated these procedures related to their student may bring their concerns to the school principal to discuss the incident(s) in question and work on possible solutions. **B. State Complaint:**

Any parent, guardian, individual, organization, or advocate may file a written complaint with the Home School Walsh Academy Administration, alleging that the Walsh Academy Staff has violated the ISBE Rules, 23 Ill. Adm. Code §§ 1.285 Requirements for the Use of Isolated Time Out, Time Out and Physical Restraint. The complaint must allege a violation occurring no more than one year prior to the date in which the complaint is received.