

Felicity School
Behavior and Physical Management, Time Out, and Restraint Policy

The purpose of this new policy is to comply with action taken by the Illinois State Board of Education ("ISBE") to ban the use of seclusion and certain physical restraints in Illinois schools and to improve data collection on all instances of time out and physical restraint. ISBE filed emergency rules effective November 20, 2019 (23 Ill. Adm. C. 1.285) and as amended. This policy sets forth requirements, restrictions and procedures related to the use of physical restraints and time-outs for Felicity students in accordance with ISBE's rules.

Felicity Schools will evaluate any incident that results in the injury of a student during the course of a physical restraint or time out. The Building Principal shall investigate and evaluate any incident that results in a serious injury as reported by the affected student, parent/guardian, staff member, or other individual. [§1.280\(c\)\(4\)](#).

Felicity Schools' annual review for the use of isolated time out, time out, or physical restraint, shall include:

- The number of incidents involving the use of these interventions
- The location and duration of each incident
- Identification of the staff members who were involved
- Any injuries or property damage that occurred
- The timeliness of parental or guardian notification, timelines of agency notification, and administrative review

The following are Felicity School's requirements for parental/guardian notification after each incident involving the use of physical restraint, time out, or isolated time out during the school year, either in written form or email:

- A copy of standards for when isolated time out, time out, and physical restraint can be used.
- Information about the rights of parents/ guardians and students.
- Information about the parent or guardian right to file a complaint with the Illinois State Board of Education, the complaint process, and other information to assist the parent/guardian through the complaint process.

The following also apply:

1. The circumstances under which isolated time out or physical restraint will be applied are limited to maintaining a safe and orderly learning environment. [§1.280\(c\)\(1\)](#).
2. The ISBE rules are adopted as the Felicity School's written procedure to be followed by staff for the use of isolated time out or physical restraint. [§1.280\(c\)\(2\)](#).
3. Staff members shall inform the principal whenever isolated time out or physical restraint is used and the principal shall maintain the documentation required according to [Section 1.285](#). [§1.280\(c\)\(3\)](#).
4. The principal shall compile a description of alternative strategies that will be implemented when determined advisable pursuant to [Section 1.285\(f\)\(4\)](#). [§1.280\(c\)\(5\)](#).
5. The site owners shall compile an annual review of the use of isolated time out or physical restraint. The principal shall report the following information to the site owners in order to facilitate the report's compilation: [§1.280\(c\)\(6\)](#).
 - 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/guardian notification and administrative review.

I. Overview

1. Time out and physical restraint as defined in Emergency Rule 23 Ill. Adm. C. 1.285 shall be used only 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.
2. Neither time-out nor physical restraint shall be used as a form of punishment.
3. When a student experiences three instances of non-therapeutic time out or physical restraint, the school personnel who initiated, monitored, and supervised the incidents shall initiate a review of the effectiveness of the procedures used 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. The plan shall be placed into the student's temporary student record. The review shall also consider the student's potential need for an alternative program or for special education eligibility, or, for a student already eligible for special education, change in program.
4. Any adult who is supervising a student in time out or applying physical restraint shall be trained in de-escalation, restorative practices, and behavior management practices.

II. Physical Restraint

1. Physical Restraint means holding a student or otherwise restricting the student's movements. Physical restraint as permitted pursuant to Emergency Rule 23 Ill. Adm. C. 1.285 includes only the use of specific, planned techniques (e.g., the "basket hold" and "team control"). A physical restraint shall not impair a student's ability to breathe or speak normally.
2. The use of a Physical Restraint must be authorized by, and included in, a student's IEP where deemed appropriate by the student's IEP team. A Physical Restraint shall be used in compliance with a student's IEP. Physical Restraints shall not be used as a means of punishment.
3. The use of Physical Restraints is prohibited except when (i) authorized by the IEP, (ii) used by trained school staff, (iii) a student poses a physical risk to himself, herself, staff or others, and/or (iv) use of the restraint is not known to be medically contraindicated. Only trained security personnel or other staff who have been appropriately trained in the safe application of Physical Restraints may employ a Physical Restraint with a student.
4. Effective November 20, 2019, and in line with New rules regarding the use of restraint and time out ([23 IAC 1.285](#)) that went into effect on April 9, 2020, all school staff are required to document any use of physical restraint using the "Physical Restraint and Time-Out Form" found [here](#). The completed form must be:
 - A. Sent to the student's parents or guardians within 24 hours of the use of physical restraint;
 - B. These completed forms are to be kept in the student's temporary record. All serving entities will be required to enter specific data components from the forms into the Student Information System (SIS) within two school days of the incident per these [instructions](#).

5. Nothing herein prevents school personnel from employing a momentary physical intervention in accordance with Felicity CPI-trained and LSCI-trained interventions with students.

III. Time-Out

1. "Time-out" means 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.

2. Effective November 20, 2019, all school staff are required to document any use of time-out using the form titled "Physical Restraint and Time Out Form" attached and available on the ISBE website at <https://www.isbe.net/Documents/11-01-Physical-Restraint-Time-Out-Form.pdf>.

The completed form must be:

- A. Sent to the student's parents or guardians within 24 hours of the use of time out;
- B. Emailed to ISBE at restrainttimeout@isbe.net within 48 hours of the use of time out.

3. A trained adult who is responsible for supervising the student must remain with the student at all times during the time out. A student shall not be kept in time out for longer than is therapeutically necessary. No less than once every 15 minutes, the trained adult must assess whether the student has ceased presenting the specific behavior for which the time out was imposed.

4. Use of isolated time-out is prohibited.

All staff shall employ physical restraints and time-outs in accordance with the requirements of this policy as adopted by Felicity School.

Legal References:

23 Illinois Administrative Code 401.140(a);
23 Illinois Administrative Code 1.285;
105 ILCS 5/14-8.05

And former Legal References:

105 ILCS 10-20.33;
105 ILCS 5/34-18.20;
105 ILCS 5/2-3.130;

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