Changes to Restraint & Seclusion Rules: What You Need to Know Now

Nicki Bazer
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WHY ARE WE HERE
THE QUIET ROOMS

Children are being locked away, alone and terrified, in schools across Illinois. Often, it's against the law.
Illinois to Take Emergency Action to Halt Isolated Timeouts in Schools

Gov. J.B. Pritzker called the practice of excluding children “appalling” and said he will work with legislators to end it.

by Jennifer Smith Richards, Jodi S. Cohen, Lakeidra Chavis and Dan Petrella, Nov. 20, 3:15 p.m. CST
THE QUIET ROOMS

There’s an Emergency Ban on Isolated Timeouts in Illinois Schools. What’s Next?

The state board of education said it will refer school workers to law enforcement if they are suspected of committing crimes against children as the emergency ban on seclusion in Illinois public schools goes into effect.

by Lakeidra Chavis, Jennifer Smith Richards and Jodi S. Cohen, Nov. 22, 9:04 p.m. CST
How will this effect my District?
Emergency Rules Apply to All Students Who Experience Time Out or Restraint.
Use of Time Out and Physical Restraint

**Old:** Shall be used only as a means of maintaining discipline in schools (that is, as a means of maintaining a safe and orderly environment for learning) and only to the extent necessary to preserve the safety of students and others.

**Emergency:** 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.

**Proposed:** Shall be used only 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.
Isolated Time Out

- Isolated time out prohibited
- Key factors
  - Involuntary confinement
  - Locked/Blocked
  - Alone
Definition of Time Out

- **Emergency Rules:**
  - 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.

- **Proposed Rules:**
  - 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.
Requirements for Time Outs

- WITH A TRAINED ADULT
- IN AN UNLOCKED SETTING
- ENCLOSURE MEETS CERTAIN REQUIREMENTS
Physical Restraint

- Prone and supine restraint restricted
- Banned if impairs student’s ability to breathe or speak normally
Management Issues

• What can a school do if a student cannot be safely managed
SB100 Discipline Requirements
Outplacement
Meeting: Effectiveness
POLICY
# Illinois State Board of Education

100 North First Street
Springfield, Illinois 62777-0001

**PHYSICAL RESTRAINT AND TIMEOUT FORM**

**Instructions:** Per 23 IAC 1.285(f)(1), a written record of each event involving a timeout or physical restraint must be maintained in the student’s temporary record. Public school districts, private special education schools, special education cooperatives, charter schools, regional safe school programs, and any other educational program serving Illinois public school students must complete this form in its entirety. Written parent notification must occur within 24 hours of the incident. This completed form must be sent to ISBE within 48 hours to restrainttimeout@isbe.net.

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Training
Complaints

Complaint Procedure

• Similar to a state complaint under Article 14
• State Superintendent will issue written decision
• Can order action, including technical assistance
• Not a limit on other rights
Questions?