

Bartlett City Board of Education		4028
Descriptor Term: ISOLATION OR RESTRAINT OF STUDENTS RECEIVING IDEA SPECIAL EDUCATION SERVICES	Descriptor Code: Instructional Services	Issue Date: 4/24/2014
	Rescinds:	Revised: 07/28/2022

1 Bartlett City Schools encourages using positive behavioral interventions with students to promote
2 safety and support appropriate behavior. The District, however, recognizes that occasionally more
3 restrictive interventions may be necessary to effectively handle behaviors that present an emergency
4 situation. In such circumstances, the District shall support the reasonable use of isolation and/or
5 physical restraint as an approved behavior intervention for students receiving IDEA special education
6 services in accordance with such students' individualized education programs ("IEP's").

7 Nothing in this policy shall prohibit District staff from taking actions to break up a fight or to take a
8 weapon from a student; however, these acts shall be reported to the school Principal or his/her
9 designee.¹

10 **Definitions²**

11 1. "Behavior intervention training program" means a training program in evidence-based
12 positive behavioral supports, evidence-based crisis intervention, and evidence-based
13 techniques for the safe use of isolation and restraint.
14

15 2. "Chemical restraint" means a medication that is prescribed to restrict a student's freedom
16 of movement for the control of extreme violent physical behavior. Chemical restraints are
17 medications used in addition to, or in replacement of, a student's regular drug regimen to
18 control extreme violent physical behavior. The medications that comprise the student's
19 regular medical regimen, including PRN medications, are not considered chemical
20 restraints, even if their purpose is to treat ongoing behavioral symptoms;
21

22 3. "Emergency situation" means a student's behavior poses a threat to the physical safety of
23 the student or others nearby.

24 4. "Isolation" or "seclusion"

25 (A) Means the confinement of a student, alone, with no other students, staff, or persons
26 present, in a room with or without a door or other enclosed area or structure pursuant to
27 T.C.A.49-10-1305(g) where the student is physically prevented from leaving because a
28 door, object, ; and

29 (B) Does not include time out, a behavior management procedure in which the opportunity
30 for positive reinforcement is withheld, contingent upon the demonstration of undesired
31 behavior; provided, time-out may involve the voluntary separation of an individual student
32 from others.

¹ T.C.A. §49-10-1305

² T.C.A. §49-10-1303

- 1 5. "Isolation room" means any space, structure, or area pursuant to TCA 49-10-1305(g) used
2 to isolate a student.
- 3 6. "Mechanical restraint" means application of a mechanical device, material or equipment
4 attached or adjacent to the student's body, including ambulatory restraints, which the
5 student cannot easily remove and that restrict freedom of movement or normal access to
6 the student's body. Mechanical restraint does not include:
- 7 (A) The use of restraints for medical immobilization, adaptive support, or medical
8 protection; or
9 (B) The use of a seat belt or other device, including, but not limited to, a belting system or
10 harness, to secure a child with a disability during transit on a bus or vehicle operated
11 by an LEA or a provider contracted to serve the LEA's transportation needs.
12
- 13 7. "Noxious substance" means the use of any defense spray or substance as defined by
14 departmental rule.
- 15 8. "Physical holding restraint " means the use of body contact by school personnel with a
16 student to restrict freedom of movement or normal access to the student's body, except
17 for:
- 18 (A) The holding of a student by an adult in order to calm or comfort the student in the
19 absence of an emergency;
20 (B) Contact necessary to physically escort a student from one area to another in the
21 absence of an emergency;
22 (C) Assisting a student in completing a task or response if the student does not resist or if
23 the resistance is of minimal intensity or duration;
24 (D) Physically redirecting a student if the student does not resist or if the resistance is of
25 minimal intensity or duration; or
26 (E) School personnel blocking a student's exit or elopement by physically placing
27 themselves
- 28 9. "Positive Behavioral Supports" means a systematic approach using evidence-based
29 practices to improve school environments, and to prevent and respond to problem
30 behavior that
- 31 (A) Is proactive and instructional, rather than reactive and punitive;
32 (B) Operates on the following three (3) levels:
33 (i) Individual;
34 (ii) Group or classroom; and
35 (iii) The whole school;
36 (C) Includes a system of continual data collection;
37 (D) Utilizes data-based decision-making;
38 (E) Applies research-validated positive behavioral interventions; and
39 (F) Improves academic and social outcomes for all students, including those with the most
40 complex and intensive behavioral needs.
- 41 10. "Restraint" means a chemical restraint, mechanical restraint, or physical holding restraint.
- 42 11. "School personnel" means an individual employed on a full-time or part-time basis by a
43 public school.

1 **Requirements for Using Isolation and Restraint**

2 To respect the dignity and rights of students receiving special education services and to ensure
3 that every student receiving special education services is free from the unreasonable, unsafe,
4 and unwarranted uses of isolation and restraint, isolation and restraint practices may only be used
5 in emergency circumstances. Isolation and restraint practices shall be administered in accordance
6 with state law and Board policy.

7 Individualized education programs that provide for the use of isolation or a physical holding
8 restraint for certain behavior must contain a data driven functional behavior assessment and a
9 plan for modification of the behavior developed and implemented by a qualified team of
10 professionals.

11 In the event that a physical holding restraint or isolation is imposed on a student, it shall be
12 imposed by:

- 13 1. School personnel who have been trained and certified for completing a behavior
14 intervention training program; or
- 15 2. Other school personnel when trained and certified personnel are not immediately

16 Any space used as an isolation room shall be³:

- 17 (1) unlocked and incapable of being locked;
- 18 (2) free of any condition that could be a danger to the student;
- 19 (3) well ventilated and temperature controlled;
- 20 (4) sufficiently lighted for the comfort and well-being of the student;
- 21 (5) Where school personnel are in continuous direct visual contact with the student at all times;
- 22 (6) At least forty square feet (40 sq. ft.); and
- 23 (7) in compliance with all applicable state and local fire, health, and safety codes.

24 Whenever possible, one additional staff member should observe any physical holding restraint to
25 monitor the health and safety of all involved. School personnel shall remain in the physical
26 presence of any restrained student and shall maintain a continuous direct line of sight to a student
27 who is in isolation to monitor the health and well-being of the student.

28 If school personnel impose isolation or restraint, then the school shall immediately contact the
29 school Principal or his/her designee. The Principal or his/her designee must observe and evaluate
30 the student's condition within a reasonable time after the isolation or restraint was used. The
31 Principal or his/her designee shall notify the student's parent or guardian orally or by written or
32 printed communication on the same day the isolation or restraint was used. The Principal or
33 his/her designee shall be held harmless for failure to notify a student's parent or guardian if
34 reasonable effort has been made to notify the student's parent or guardian as provided above.

35 In accordance with state law, physical contact falling into an identified exception to “physical
36 holding restraint” above is considered permissible and shall not require parental notification.

³ T.C.A. §49-10-1305

1 An IEP team meeting must be convened within ten (10) days of the use of a restraint if:

- 2 1. The student's IEP does not provide for the use of a physical holding restraint generally, or
3 for the behavior that precipitated the use of the restraint; or
- 4 2. A physical holding restraint is used for an extended period of time, as determined by the
5 state board of education.

6 An IEP team meeting must be convened within ten (10) days of the use of an isolation if:

- 7 1. The student's IEP does not provide for the use of an isolation generally, or for the behavior
8 that precipitated the use of the isolation; or
- 9 2. An isolation is used for an extended period of time, as determined by the state board of
10 education.

11 If the behavior that precipitated the isolation or restraint also warrants a change of placement,
12 then the student shall have all rights provided under applicable state and federal law.

13 **Restrictions on Isolation and Restraint⁴**

14 Administering a chemical restraint to a student receiving special education services, as defined
15 by T.C.A. §49-10-102, is prohibited; provided, that nothing shall prohibit the administration of a
16 chemical restraint when administered for therapeutic purposes under the direction of a physician
17 and with the student's parent or guardian's consent to administer such chemical restraint.

18 Administering a noxious substance to a student receiving special education services, as defined
19 by T.C.A. §49-10-102, is prohibited.

20 The use of any mechanical restraint on any student receiving special education services as
21 defined by T.C.A. §49-10-102, is prohibited.

22 Any form of life-threatening restraint, including restraint that restricts the flow of air into a person's
23 lungs, whether by chest compression or by other means, to a student receiving special education
24 services, as defined by T.C.A. §49-10-102, is prohibited.

25 The use of isolation or restraint as a means of punishment, coercion, retaliation or convenience
26 on any student receiving special education services is prohibited.

27 Removing or disabling any equipment or device that a student requires, including, but not limited
28 to, a power wheelchair, brace, augmentative communication device, or walker, as a means of
29 coercion, punishment, convenience, or retaliation on any student receiving special education
30 services is prohibited.

31 The use of a locked door, or any physical structure, mechanism, or device that substantially
32 accomplishes the function of locking a student in a room, structure, or area, is prohibited.

⁴ T.C.A. §49-10-1305

1 **Documentation, Notification and Reporting (including reporting of suspected criminal**
2 **activity)⁵**

3 All records of isolation and restraint of any student receiving special education services must be
4 maintained by the Principal at the school in accordance with T.C.A. § 49-10-1306.

5 On a semiannual basis, each school shall submit a report to the Department of Exceptional
6 Children that includes:

- 7 1. The number of incidents involving the use of isolation and restraint since the previous
8 semiannual report;
- 9 2. The number of instances in which the school personnel imposing an isolation or restraint
10 were not trained or certified;
- 11 3. Any injuries, deaths, or property damage that occurred;
- 12 4. The time at which the student's parent or guardian was notified on the day the isolation or
13 restraint was used; and
- 14 5. Demographic information to determine whether disproportionate use of these
15 interventions exists.

16 The District shall use the information obtained from records of isolation and restraint in developing
17 its behavior intervention training program.

18 Reporting Criminal Activity

19 School personnel should report a suspected crime by calling a law enforcement official.

20 School personnel may file a juvenile petition against a student receiving special education
21 services, but only after conducting a manifestation determination review in compliance with the
22 requirements of 34 C.F.R. §300.530 that results in a determination that:

- 23 1. The conduct in question was not caused by, and did not have a direct and substantial
24 relationships to, the student's disability; and
- 25 2. The conduct in question was not the direct result of the LEA's failure to implement the
26 student's IEP.

27 A school resource officer may upon witnessing an offense, take the student into custody.

28 **Training⁶**

29 The District will provide training for all BCS administrators and special education teachers
30 concerning behavior intervention. At each school site, a minimum of one school administrator,
31 and as deemed appropriate, school staff members providing special education services must
32 receive annual training and maintain certification through the Crisis Prevention Institute and/or
33 the Professional Crisis Management Association. Training shall include but not be limited to the
34 following components:

- 35 1. Training in evidence-based techniques shown to be effective in the prevention of isolation
36 and physical restraints;

⁵ T.C.A. §49-10-1306

⁶ T.C.A. §49-10-1301

- 1 2. Training in evidence-based techniques shown to be effective in keeping both school
2 personnel and students safe when imposing a physical holding restraint or isolation;
 - 3 3. Evidence-based skills training on positive behavioral interventions and supports, conflict
4 prevention, functional behavior assessments, de-escalation, and conflict management;
 - 5 4. Information describing state statutes, policies, rules, and procedures on restraint and
6 isolation; and
 - 7 5. Training in the identification and reporting of abuse and neglect in the school setting.
- 8 Certifications for school personnel who have completed a behavior intervention training program
9 shall be renewed on an annual basis as determined by the Superintendent or his/her designee.