

Frequently Asked Questions

Restraint and Isolation for Students with Disabilities

Disclosure: The following is intended to guide practices but is not prescriptive. Each situation must be handled with the safety of the student and others around the student as the first priority.

1. *What is restraint?*

[T.C.A. § 49-10-1303](#) defines the various types of restraint. The only allowable type of restraint within schools is “physical holding restraint,” defined as “the use of body contact by school personnel with a student to restrict freedom of movement or normal access to the student's body.”

2. *What is isolation?*

[T.C.A. § 49-10-1303](#) defines isolation or seclusion as the confinement of a student alone in a room with or without a door, or other enclosed area or structure pursuant to § 49-10-1305(g) where the student is physically prevented from leaving.

3. *Is time-out considered isolation or seclusion?*

No, time-out is a behavior management procedure in which positive reinforcement is withheld for a specified time. A 2008 memo with guidance regarding time-out can be found [here](#).

4. *When is restraint and/or isolation allowable?*

Restraint and isolation may be used in an ***emergency situation only***. An emergency situation is defined as a situation in which “a child's behavior poses a threat to the physical safety of the student or others nearby.” To determine if the situation meets these criteria, it must be a situation in which a student is at risk of **serious harm to self or others**. Restraint is not allowable to prevent damage to property, since this is not considered an emergency situation if a student’s safety is not at risk.

- **Example of an emergency situation:** Student is repeatedly punching a glass window with the intent to punch through the glass.
- **Example of a non-emergency situation (this is a non-example):** Student lifts the computer in an apparent effort to destroy the computer against the floor.

5. *When is restraint not acceptable?*

Using restraint as coercion, convenience, forced compliance, or retaliation is unacceptable. This includes restraining a student by disabling equipment such as a motorized wheelchair, removing necessary mobility equipment such as a walker, or using physical supports as a restraint (e.g., a Rifton posture chair for the purpose of preventing movement). **Restraint and isolation are only ever to be used in emergency situations.**

6. *What is coercion?*

Coercion is defined as the use of force or intimidation to obtain compliance. The Tennessee Special Education Behavioral Supports Act clearly states that intervening in a situation by removal of the student's access to mobility or communication such as a wheelchair, brace, walker, assistive technology or augmentative device is not permitted. Training in positive behavior supports must include the elimination of coercive and punitive measures and should focus on positive supports, intervention strategies, and discipline procedures.

7. *Should I restrain a student who is eloping (running away)?*

If the student is running into traffic or an unsafe area—thus, creating an emergency situation—restraint may be appropriate. If the student is disruptively running within the building, or running somewhere with no immediate threat of danger, the student should not be restrained; instead, appropriate intervention should be implemented. The student's safety or risk of harm must be considered when determining the course of action.

8. *Can a mechanical restraint, like a seat belt, be used on the school bus for safety reasons?*

Yes, use of a seat belt or other device, including a belting system or harness, is allowable for the purpose of securing a child with a disability during transit on a bus operated by a school district or a provider contracted to serve the transportation needs of a local education agency. The safety of the child in transit, fellow passengers, the bus driver, and other motorists are of paramount concern.

9. *What restrictions are there regarding students with medical conditions in cases where restraint could be harmful (e.g., a student with a documented breathing problem)?*

This is a case-by-case and situation-based decision. Schools must consider the emergency situation alongside any known medical information about the student. Keeping student safe should always be top priority.

10. *What training are personnel required to have before isolating and/or restraining a student?*

The Tennessee Special Education Behavioral Supports Act requires each district to train any staff who may restrain and/or isolate a student. The training, to the extent possible, should include: evidence-based techniques to prevent restraint/isolation; techniques that maintain staff and student safety during a restraint; conflict prevention; de-escalation; functional behavior assessment (FBA); information related to state statute, policies, and rules, and; certification that requires regular renewal. The district will determine the training delivery and participants. Staff that commonly require this training include teachers, administrators, school counselors, school psychologists, paraprofessionals, bus assistants, and classroom assistants.

11. Do I have to have a record of a restraint before I can request a functional behavior assessment (FBA) and/or behavior intervention plan (BIP)?

No, restraint is not required to request an FBA and/or BIP. An FBA may be requested for any chronic behavior that is impeding the student's access, progress and/or participation in school. The FBA and BIP are processes defined through the [Individuals with Disabilities Education Act \(IDEA\)](#).

12. What behavior intervention training(s) are encouraged for staff?

In order to be proactive in intervening appropriately and to reduce the need for restraint and isolation, it is recommended that training take place periodically in the areas of:

- Positive behavior supports;
- Antecedent control/support procedures to prevent non-productive behaviors;
- Certification in the use of restraint;
- Evidence-based practices to de-escalate a situation without the use of restraint/isolation;
- Describing state statutes, policies, rules, and procedures concerning restraint/isolation;
- The identification and reporting of abuse and neglect in the school setting (in-service training);
- Conducting a functional behavior assessment to determine the function of the behavior in order to develop a behavior intervention plan to provide positive supports while reducing the need for restraint/isolation.

13. What is the policy on notifying parents after a restraint or isolation incident?

If school personnel impose restraints or isolations in an emergency situation, the student's parent or guardian shall be notified, orally or by written or printed communication, the **same day the isolation or restraint was used** [T.C.A. § 49-10-1304 (d)(1)]. If a parent is notified orally, they should still be given a copy of the written restraint form.

14. What are the documentation reporting procedures?

For students with an IEP, the restraint or isolation must be reported using the EasyIEP system. Assistance in completing the report is found in the guidance documents on EasyIEP or by contacting the EasyIEP help desk.

15. Does an administrator need to be present during the restraint/isolation or just notified when a restraint and/or isolation occurred?

A principal or designee does not need to be present. However, they must be notified immediately once a restraint and/or isolation has occurred.

16. Does a student need to be seen by a school nurse following a restraint?

The student and any adult involved in the restraint should be evaluated to determine if any injuries occurred. This is preferably the school nurse, but it can be any knowledgeable person assigned this duty by the principal.

17. Can restraint and/or isolation be written into the IEP on a student's BIP?

Yes, the IEP team can choose to write restraint and/or isolation into a student's BIP. It is important to remember that restraint and isolation are for emergency situations only and are **not** instructional strategies.

18. What are the grievance procedures if a parent or guardian feels the school improperly isolated or restrained their student?

The IDEA Procedural Safeguards provide dispute resolution options and procedures for parents. The procedural safeguards can be found [here](#).

19. If restraint is frequently used, is the team required to consider alternatives such as other placements or an FBA and BIP?

The IEP team must use data to determine the services, supports, and programming for a student; they are not required to consider alternatives. However, it is best practice for the team to consistently consider the student's data, including the data regarding the behavior leading up to the restraint. The team can then make a data-based decision to determine if alternatives, such as a different placement or intervention, should be considered.

20. Is data regarding the use of restraint or isolation reported to the department or to the public?

Yes, the data is reported to the department and includes:

- 1) The number of incidents involving the use of isolation and restraint since the previous semiannual report;
- 2) The number of instances in which the school personnel imposing physical restraint or isolation were not trained and certified;
- 3) Any injuries, deaths, or property damage that occurred;
- 4) The timeliness of parental notification; and
- 5) Demographic information (T.C.A. § 49-10-1312 (b))

The statewide summary data is also reported publically and can be found [here](#). The summary-level data is used in order to protect confidentiality.

21. Are the restraint and isolation reports considered a part of the student's records and therefore protected by FERPA?

Yes, they are a part of the student's educational records and are protected by FERPA.

22. Where can I access the Tennessee Special Education Behavioral Supports Act or statute regarding restraint and isolation for students with disabilities?

Access to the act and statute can be found in the [Tennessee Code Unannotated](#) or [State Board of Education Rules](#).