

TENNESSEE PUBLIC CHARTER SCHOOL COMMISSION		
RESTRAINT AND ISOLATION (SPECIAL EDUCATION)		6500
ADOPTED: April 9, 2021	REVISED:	MONITORING: Review: Annually

Students receiving special education services shall not be restrained except as permitted by state law and regulations.^{1,2}

Each authorized charter school shall adopt a policy in compliance with state and federal laws, rules, and regulations, that, at a minimum, addresses the following:

- (1) Personnel authorized to use isolation and restraint;
- (2) Training requirements for personnel working with students receiving special education services; and
- (3) Incident reporting procedures.³

Each authorized charter school shall adopt administrative procedures to accompany the restraint and isolation policy.

Isolation or Restraint of Students. Students receiving special education services may be isolated or restrained only in emergency situations. In the event that restraint or isolation occurs, it shall be administered by school personnel who have completed a behavior intervention training program or by other school personnel when trained personnel are not immediately available.

When available, an additional staff member shall serve as an observer to any act of physical restraint performed on a student to monitor the health and safety of all involved.

When a student is in isolation, a staff member shall maintain a continuous direct line of sight of the student to monitor the health and safety of the student.

Training Requirements. Each authorized charter school shall identify personnel who are responsible for developing a training program, for certifying all school personnel who have completed a behavior intervention training program, and for maintaining a record of staff who have completed the training. Completion of a behavior intervention training program shall be completed on an annual basis.⁴ The following components shall be included in the training program:

- (1) Evidence-based techniques shown to be effective in the prevention of isolation and physical restraint;
- (2) Evidence-based techniques shown to be effective in keeping both school personnel and students safe when imposing physical restraint or isolation;
- (3) Evidence-based skills training on positive behavioral interventions and supports, conflict prevention, functional behavior assessments, de-escalation, and conflict management;
- (4) Information describing state statutes, policies, rules, and procedures on restraint and isolation; and
- (5) Identification and reporting of abuse and neglect in the school setting.

Incident Reporting. School personnel who must isolate or physically restrain a student receiving special education services shall report the incident to the principal or the principal's designee immediately. The authorized school personnel shall observe and evaluate the student's condition within a reasonable time after the isolation or restraint was used. The Commission will create a ~~who shall a~~ record of the use of the isolation or restraint and the facts surrounding such use utilizing the Tennessee Department of Education's isolation and restraint report form in EasyIEP. A copy of the report form must be provided to the charter school's director of special education who shall review the report and determine whether an Individualized Education Program (IEP) Team meeting must be convened pursuant to T.C.A. § 49-10-1304(d). The student's parent/guardian shall be notified the same day the isolation or restraint is used.

Each school shall maintain all isolation and restraint reports and shall ensure ~~on a monthly basis~~ that all reports of isolation and restraint ~~have been~~are submitted into EasyIEP within five (5) calendar days of the incident so that the ~~State Board~~Commission and the Department of Education staff may monitor isolation and restraint reports.

IEP Meeting. An IEP team meeting shall be convened within ten (10) days of use of restraint if:

- (1) The student's IEP does not provide for the use of a physical holding restraint generally;
- (2) The student's IEP does not provide for the use of restraint for the behavior precipitating the use of the restraint; or
- (3) An Extended Restraint is used.

An IEP team meeting shall be convened within ten (10) days of use of isolation if:

- (1) The student's IEP does not provide for the use of an isolation generally;
- (2) The student's IEP does not provide for the use of isolation for the behavior precipitating the use of the isolation; or
- ~~(1)~~(3) An Extended Isolation is used.

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

Legal References:

¹ T.C.A. § 49-10-1301 *et. seq.*

² TRR/MS 0520-01-09-.23

³ *Id.*

⁴ T.C.A. § 49-10-1304(f)(6)

⁵ T.C.A. § 49-10-1304(b)