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**Isolation and Restraint Reporting, Rule**

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**The Background:**

Public Chapter 457 of the Acts of 2011 amended the Special Education Behavioral Supports Act to require the State Board of Education to promulgate rules that mandate a standard reporting format to be used by LEAs when reporting incidents of isolation or restraint of children with disabilities.

Counsel for the State Board of Education, counsel for the Department of Education, representatives of advocacy groups and school districts met and developed proposed rule amendments and a report form.

Department of Education staff presented the proposed rule amendments and the report form to the Advisory Council for the Education of Students with Disabilities.

**The Master Plan Connection:**

This item provides sufficient resources to help school personnel report physical restraint and isolation of children with disabilities.

**The Recommendation:**

Staff and counsel from each of the agencies and groups listed above recommend acceptance on first reading.

**Isolation and Restraint Reporting  
Proposed Rule Revision**

0520-01-09-.23(1) Isolations and Restraint for Students Receiving Special Education Services is amended by deleting subsections (a) and (d) in their entirety and re-numbering the remaining subsections.

0520-01-09-.23(7) Isolations and Restraint for Students Receiving Special Education Services is amended by deleting the language "T.C.A. § 49-10-1304(b)" and substituting instead the language "T.C.A. § 49-10-1304".

0520-01-09-.23 Isolations and Restraint for Students Receiving Special Education Services is amended by adding the following new subsection:

(9) Reports.

School personnel who must isolate or restrain a student shall report the incident to the school principal or the principal's designee. The Department of Education shall develop a report form which shall be used by school personnel when reporting isolation or restraint to the school principal or the principal's designee.

- (a) The report form must include the following information:
- i. Student's name, age and disability;
  - ii. Student's school and grade level;
  - iii. Date, time and location of the isolation or restraint;
  - iv. Length of time student was isolated or restrained;
  - v. Names, job titles and signatures of the personnel who administered the isolation or restraint;
  - vi. Whether the personnel who administered the isolation or restraint were certified for completing a behavior intervention training program;
  - vii. Names and job titles of other personnel who observed or witnessed the isolation or restraint;
  - viii. Name of the principal or designee who was notified following the isolation or restraint and time of notification;
  - ix. Description of the antecedents that immediately preceded the use of isolation or restraint and the specific behavior being addressed;
  - x. Any space used for isolation is at least forty (40) square feet;
  - xi. School personnel are in continuous direct visual contact at all times with a student who is isolated;

- xii. How the isolation or restraint ended, including the student's demeanor at the cessation of the isolation or restraint;
- xiii. Physical injury or death to the student, school personnel or both;
- xiv. Medical care provided to the student, school personnel or both;
- xv. Property damage; and
- xvi. Date, time and method of parent notification.

(b) A copy of the report form must be provided to the local education agency's director of special education who shall determine whether an IEP Team meeting must be convened pursuant to T.C.A. § 49-10-1304.