

To: Directors of special education
From: Theresa Nicholls, assistant commissioner, special
populations
Date: November 5, 2019

Subject: Reminders Regarding Required Actions Following Incidents of Restraint and/or Isolation

In accordance with TCA § 49-10-1306 and SBE Rule 0520-01-09-.23, districts must annually submit to the Tennessee Department of Education (the department) data on the use of restraint and isolation in their school district. Restraint and isolation data must be submitted to the department through the restraint and isolation tab on a student record in EdPlan. Below are a few reminders regarding reporting and meeting requirements following incidents of restraint or isolation:

- A reporting form must be completed for each individual incident of 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.” A reporting form must also be completed for each individual incident of isolation, defined as the “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.”
 - Although districts may develop forms that capture information related to multiple restraints and/or isolations, information related to each instance of restraint or isolation must be reported separately to the department through EdPlan (i.e., each time school personnel engage in a restraint or isolate a student), even if these separate instances occur within a short timeframe. A reinitiated hold should be counted as a separate hold and therefore must be reported as a separate instance of restraint.
- Districts must develop policies and procedures governing:
 - personnel authorized to use isolation and restraint;
 - training requirements; and
 - incident reporting procedures.
- In order to provide the most current and accurate data, schools should submit any reports of incidents of restraint and isolation to their special education director as soon as possible following the incident. It is recommended that reports be submitted to the department within five calendar days of the incident.
- An IEP team meeting must be held within 10 days of a restraint if:
 - the student's IEP does not provide for the use of restraint;
 - the student's IEP does not provide for the use of restraint for the behavior precipitating such action; or
 - if school personnel are required to use physical holding restraint:
 - lasting longer than five (5) minutes; or
 - lasting longer than the time provided in the child’s IEP.
- An IEP team meeting must be held within 10 days of the isolation if:
 - the student's IEP does not provide for the use of isolation;

- the student's IEP does not provide for the use of isolation for the behavior precipitating such action; or
- if school personnel are required to use isolation:
 - which lasts longer than one (1) minute per year of the student's age; or
 - which lasts longer than the time provided in the child's IEP.

Please contact Joanna Bivins, director of school psychology and behavior services at Joanna.Bivins@tn.gov with any questions or concerns.