

# Physical Restraint, Time Out, and Isolated Time Out Bill of Rights



This Bill of Rights provides parents and guardians with an overview of the requirements and rights related to the use of physical restraint, time out, and isolated time out (RTO). RTO should be used as a last resort and only when the threat of imminent danger of serious physical harm exists. The information presented in this guide is not meant to be exhaustive and does not include a complete explanation of all the laws. However, at a minimum, parents and guardians should be aware of their rights when RTO is utilized to ensure the safety and well-being of their child.

## Terms to Know

- **Chemical Restraint:** Using medication to control a student's behavior or to restrict a student's movement.\*
- **Imminent Danger:** A situation in which a student presents a danger to the safety and well-being of himself, her self, or another person and is likely to cause immediate physical harm.
- **Isolated Time Out:** Involuntary confinement of a student alone in a time out room or other enclosure outside of the classroom without a supervising adult in the time out room or enclosure.
- **Mechanical Restraint:** Using a device or equipment that limits or prevents a student's movement.\*
- **Physical Restraint:** Holding or restricting a student's movement.
- **Prone Restraint:** A physical restraint in which a student is held face down and physical pressure is applied to the body to prevent movement.\*
- **Time Out:** Involuntary monitored separation of a student from classmates with a trained adult in the room for part of the school day or for a brief time in a non-locked setting.

## RTO Standards

RTO may be used when:	RTO must end when:	RTO must not be used if:
<ul style="list-style-type: none"><li>✓ Your child's behavior may cause serious physical harm to self or others.</li><li>✓ The school tried to calm your child down with other techniques before using RTO.</li><li>✓ Your child has no known health reasons that RTO should not be used.</li><li>✓ The staff members applying and supervising the RTO are trained and certified.</li></ul>	<ul style="list-style-type: none"><li>✓ Your child calms down and there is no longer a risk of serious physical harm to self or others.</li><li>✓ Your child says that he/she/they is unable to breathe.</li><li>✓ Staff recognize that your child is having a difficult time breathing.</li></ul>	<ul style="list-style-type: none"><li>✓ Your child has health concerns and using RTO could harm your child.</li><li>✓ Your child did not follow directions.</li><li>✓ Your child was verbally disrespectful or rude.</li><li>✓ Your child was cursing.</li><li>✓ Your child tried to damage property.</li><li>✓ The school staff wants to punish your child.</li></ul>

\*Not permitted to be used in Illinois public and nonpublic schools.



## Student Rights While Placed in a Time Out or Isolated Time Out

- The room must meet all safety requirements of the law. The door shall not be locked, and the doorway may not be blocked with furniture or other objects.
- During a timeout, an adult must remain in the room with the student.
- A student may only be placed in isolated time out when the supervising adult would be in danger of serious physical harm from the student. An adult will remain outside of the room.
- While in time out or isolated time out, a student must be allowed to go to the bathroom or take regularly scheduled medicine.
- If a time out or isolated time out occurs during lunch or a regularly scheduled snack time, food or drink must be offered to the student.
- Clothing items shall remain in place. Items may only be removed if there is a risk of self-injury or injury to others.
- Staff must never leave a student alone. They must continually check on the student to make sure the student has calmed down and can return to class.

## Parent/Guardian Bill of Rights After an RTO Event

1

### Notification

The school should attempt to notify you on the same day of the RTO event.

2

### Written Explanation

Within **one day** (unless the next day is a weekend or holiday), you should receive a written explanation of the event.

3

### Right to Meet

Within **two days** (unless the next day is a weekend or holiday), you should be notified of the right to schedule a meeting. The meeting should be held two days after your request is made. You may meet in person, via telephone, or virtually.

4

### Meeting

During the meeting, everyone should talk about what happened and what could have been done differently. You may ask questions, make suggestions, and share what works best for your child. The goal is to prevent future RTO events.

5

### Meeting Notes

You must be provided a copy of the meeting notes.

## How to File a Complaint

If you feel your child's rights have been violated during a RTO event, you may file a RTO state complaint. A complaint must be filed within one year of the RTO incident. There is no cost to file a complaint, and you do not need an attorney. To file a complaint or to request assistance, you may contact the Illinois State Board of Education at 217-785-5585 or by emailing [restrainttimeout@isbe.net](mailto:restrainttimeout@isbe.net).

For additional information about the use of RTO, including links to regulations and other guidance, please visit the ISBE [RTO webpage](#) or scan the QR code.

