

POLICY

2023

7619

1 of 6

Students

SUBJECT: USE OF TIMEOUT

"Timeout" is a behavior management technique that involves the monitored separation of a student in a non-locked setting and is implemented for the purpose of de-escalating, regaining control, and preparing the student to meet expectations to return to their education program. Timeout does not include the following:

- A student-initiated or student-requested break to utilize coping skills, sensory input, or self-regulation strategies;
- Use of a room or space containing coping tools or activities to assist a student to calm and self-regulate, or the use of such intervention strategies consistent with a student with a disability's behavioral intervention plan (BIP);
- Teacher removal, in-school suspension, or any other appropriate disciplinary action.

Except as provided below, the District will not employ the use of timeout as a means of regulating student behavior.

Apart from unanticipated or emergency use, if a timeout room is used, it must be used in conjunction with a BIP that is designed to teach and reinforce alternative appropriate behaviors. The student's individualized education plan (IEP) must also specify the use of a timeout. Timeouts may also be used in unanticipated situations that pose an immediate concern for the physical safety of a student and/or others. Unanticipated or emergency use requires proper documentation, in accordance with Commissioner's regulations.

The District has adopted and implemented the following policy governing school use of timeouts as part of its behavior management approach consistent with Commissioner's regulations, including the physical and monitoring requirements, parental rights, and IEP requirements for students with disabilities.

At a minimum, the use of timeout will be governed by the following rules and standards:

- a) The District prohibits placing a student in a locked room or space, or in a room where the student cannot be continuously observed and supervised.

The timeout room or space will be unlocked and the door will be able to be opened from the inside. The use of locked rooms or spaces for purposes of timeout or emergency interventions is prohibited.

Staff will continuously monitor the student in a timeout room. The staff will be able to see and hear the student at all times.

(Continued)

POLICY

2023

7619

2 of 6

Students

SUBJECT: USE OF TIMEOUT (cont'd)

Under no circumstances will a timeout room in a school program be used for seclusion of the student, where the term "seclusion" means the involuntary confinement of a student in a room or space that they are prevented from leaving or they may perceive that they cannot leave at will.

b) Physical Space Used for Timeout

The physical space used as a timeout will meet the following standards:

- i) The space will provide a means for continuous visual and auditory monitoring of the student;
- ii) The space will be of adequate width, length, and height to allow the student to move about and recline comfortably;
- iii) The wall and floor coverings should be designed to prevent injury to the student, and there will be adequate lighting and ventilation;
- iv) The temperature of the room will be within the normal comfort range and consistent with the rest of the building; and
- v) The room will be clean and free of objects and fixtures that could be potentially dangerous to a student and will meet all local fire and safety codes.

c) Factors Precipitating the Use of Timeout

Timeouts may only be used:

- i) With a student with a disability as a behavior management technique outlined in both the student's BIP and IEP;
and/or
- ii) To mitigate a situation that poses an immediate concern for the physical safety of the student and/or others;
and
- iii) Where other less restrictive and intrusive interventions and de-escalation techniques would not prevent imminent danger of serious physical harm to the student or others;
and
- iv) If the school staff conducting the timeout have been trained in its appropriate use.

(Continued)

POLICY

2023

7619

3 of 6

Students

SUBJECT: USE OF TIMEOUT (cont'd)

d) Minimizing the Use of Timeouts

Positive, proactive, evidence- and research-based strategies through a multi-tiered system of support shall be used to reduce the occurrence of challenging behaviors, eliminate the need for the use of timeout, and improve school climate and the safety of all students.

Timeout shall not be used as discipline or punishment, retaliation, or as a substitute for positive, proactive intervention strategies that are designed to change, replace, modify, or eliminate a targeted behavior.

Staff shall return the student to their educational program as soon as the student has safely de-escalated, regained control and is prepared to meet expectations.

e) Debriefing

As soon as practicable, and after every incident in which timeout is used on a student, a school administrator or designee shall conduct a debriefing session with school staff who participated in the use of the timeout. At that meeting, the group should discuss the following:

- i) the circumstances leading to the use of timeout;
- ii) the positive, proactive intervention strategies that were utilized prior to the use of timeout;
- iii) planning for the prevention and reduction of the future need for timeout with the student including, if applicable, whether a referral should be made for special education programs and/or other support services or, for a student with a disability, whether a referral for review of the student's individualized education program and/or behavioral intervention plan is needed;
- iv) designation of a staff member to conduct a debriefing session with the student.

The staff member designated in the staff debriefing session will meet the incident with the student in a manner appropriate to the student's age and developmental ability and to discuss the behavior(s) that precipitated the use of timeout.

f) Time Limitations for the Use of the Timeout

The IEP of a student with a disability will specify when a behavioral intervention plan includes the use of time, including the maximum amount of time a student will need to be in a timeout room as a behavioral intervention.

(Continued)

POLICY

2023

7619

4 of 6

Students

SUBJECT: USE OF TIMEOUT (cont'd)

When a timeout is used on an emergency basis to prevent imminent danger or serious physical harm, the duration of the timeout shall be determined on an individual basis in consideration of the student's individual needs.

g) Staff Training on the Use of Timeout

The Assistant Superintendent for Instruction will be responsible for ensuring that all staff receive annual training on the school's policies and procedures related to:

- i) the use of timeout;
- ii) evidence-based, positive, proactive strategies for helping students regulate their behavior; and
- iii) crisis intervention and prevention procedures, as well as de-escalation techniques.

Additionally, any staff who may be called upon to implement timeout shall receive annual, evidence-based training in safe, effective, and developmentally-appropriate timeout procedures.

h) Parental Notification

Prior to the initiation of a BIP that incorporates the use of a timeout, the district shall inform the student's parent that the student's BIP incorporates the use of a timeout, give the parent the opportunity to see the room or physical space that will be used, and provide the parent with a copy of the school's policy on the use of timeout.

On the same day as the incident, school staff will inform the student's parent or person in parental relation following the use of timeout. This notification requirement pertains to both the emergency use of timeout and to timeouts used in conjunction with a student's BIP.

When the student's parent or person in parental relation cannot be contacted, after reasonable attempts are made, the school principal or building administrator shall record such attempts. For students with disabilities, the school principal or building administrator shall report such attempts to the student's Committee on Preschool Special Education or Committee on Special Education.

Parental notification shall offer the opportunity to meet regarding the incident and provide the parent or person in parental relation to the student a copy of the documentation of the incident within three school days of the use of timeout.

(Continued)

POLICY

2023

7619

5 of 6

Students

SUBJECT: USE OF TIMEOUT (cont'd)

Parent reports of alleged inappropriate interventions used during a timeout should be directed to school administrators.

Parental notification shall include a copy of the District's formal timeout policy.

If a physical restraint was used in conjunction with a timeout, then the same communications shall serve as parental notification in both areas.

i) Documentation

- i) The school shall maintain documentation of each incident involving the use of timeout, including timeout used in conjunction with a student's BIP consistent with section 200.22(c) of the Commissioner's Regulations.
- ii) Documentation shall include the following:
 - 1) the name and date of birth of the student;
 - 2) the setting and location of the incident;
 - 3) the name of the staff who participated in the implementation, monitoring and supervision of the use of timeout and/or physical restraint and any other persons involved;
 - 4) a description of the incident, including its duration;
 - 5) whether the student has an IEP, Section 504 accommodation plan, BIP, or other plan developed for the student by the school;
 - 6) a list of positive, proactive intervention strategies utilized prior to the use of timeout, and for students with disabilities, whether those strategies were consistent with a student's behavioral intervention plan, if applicable;
 - 7) the details of any injuries sustained by the student or staff during the incident and whether the student was evaluated by the school nurse or other medical personnel;
 - 8) the date and method of notification to the parent or person in parental relation;
 - 9) whether a meeting was held with the parent or person in parental relation;
 - 10) the date of the staff and student debriefings.
- iii) Documentation of the incident shall be reviewed by supervisory personnel and, as necessary, the school nurse or other medical personnel.
- iv) Documentation of each incident shall be maintained by the school and made available for review by the department upon request.

(Continued)

POLICY

2023

7619

6 of 6

Students

SUBJECT: USE OF TIMEOUT (cont'd)

- v) If the timeout was used in conjunction with a physical restraint, then one set of documentation should cover both the timeout and the physical restraint.
 - vi) The Assistant Superintendent for Instruction or their designee shall regularly review data collection and documentation on the use of timeout to ensure compliance with the school's policy and procedures. When there are multiple incidents within the same classroom or involving the same staff, the school administrator or designee shall take appropriate steps to address the frequency and pattern of use.
- j) Annual Reporting

The district shall submit to the New York State Education Department an annual report on the use of timeouts. Additionally, the district shall report such data for students in out-of-district placements who are not otherwise reported by other local educational agencies.

The Assistant Superintendent for Instruction will be responsible for developing internal practices and procedures for the administration of timeouts in a manner consistent with this policy and with the Commissioner's Regulations.

A copy of this policy shall be made publicly available for review at the district office and on the district's website.

Education Law §4402
8 NYCRR §§ 19.5 and 200.22

Adopted 6/6/23
Amended 10/24/23
Amended 12/5/23