

INSTRUCTIONCURRICULUMTime Out Rooms

The District shall not employ the use of time out rooms as a means of regulating student behavior except as provided pursuant to 8 New York Code of Rules and Regulations (NYCRR) Section 200.22(c).

Pursuant to Commissioner's Regulations, a time out room is defined "as an area for a student to safely deescalate, regain control and prepare to meet expectations to return to his/her education program." If a time out room is to be used, it must be used in conjunction with a behavioral intervention plan (that is designed to teach and reinforce alternative appropriate behaviors) in which a student is removed to a supervised area in order to facilitate self-control or when it is necessary to remove a student from a potentially dangerous situation and for unanticipated situations that pose an immediate concern for the physical safety of a student or others.

The District's procedures governing school use of time out rooms as part of its behavior management approach are consistent with Commissioner's Regulations, including the physical and monitoring requirements, parental rights and individualized education program (IEP) requirements for students with disabilities.

The Director of Special Education shall be responsible for implementing this policy.

The Director of Special Education will be responsible for reviewing this policy annually.

Ref. Education Law Sections 207, 210, 305, 4401, 4402, 4403, and 4410  
8 New York Code of Rules and Regulations (NYCRR) Sections 19.5, 200.1,  
200.4, 200.7, 200.22, and 201.2

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First  
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Guidelines

1. The District prohibits placing a student in a locked room or space or in a room where the student cannot be continuously observed or supervised. The time out room shall be unlocked and the door must be able to be opened from the inside. The use of locked rooms or spaces for purposes of time out or emergency interventions is prohibited.

Staff shall continuously monitor the student in a time out room. Although staff is not required to enter the time out room with the student, they must be able to see and hear the student at all times.

Under no circumstance shall a time out room in a school program be used for seclusion of the student, where the term "seclusion" is interpreted to mean placing a student in a locked room or space or in a room where the student is not continuously observed and supervised.

2. Factors which may precipitate the use of the time out room:

A student may be placed in a time out room (1) in accordance with the student's Behavioral Intervention Plan (BIP), which is to include specification of factors to determine the need for use of the time out room and limitations for the time to be spent in the time out room or (2), if not designated on a BIP, when the student's behavior poses an immediate and unanticipated concern for the physical safety of that student or of others and it is determined by the professional staff working with the student that use of the time out room is the least restrictive means to enable the student or others to remain safe and/or to enable the student to safely deescalate and regain control.

NOTE: The designated time out room shall not be used for punitive purposes, for staff convenience, or to control minor misbehavior.

3. Time Limitations for the use of the time out room:

A student should remain in the designated time out room only for the necessary time for the student to compose him/herself sufficiently to return to the classroom with minimal risk that the behavior will quickly recur, in the opinion of school staff monitoring the intervention. This determination is made by the crisis team working directly with the student. If the student returns to the classroom, behavior is monitored by a member of the crisis team, such as a counselor, for a period of time to reintegrate the student.

School staff shall not keep a student in the designated time out room for more than the maximum amount of time indicated on the student's Individualized Education Plan (IEP), or if not so designated, a time not to exceed one hundred and twenty (120) minutes per incident. If the student is unable to safely return to his/her educational program after the time specified in the BIP, the staff shall adhere to the BIP for other behavioral intervention. If there is not a BIP, or if the BIP does not specify use of a time

out room, the student's parent may be called and arrangements made for the student's removal from school if the student is not able to safely return to his/her education program after 120 minutes.

If, at any point during the student's stay in the designated time out room, the building principal or his/her designee believes that the student cannot be maintained safely even in that setting, the building principal/designee shall call the student's parent/guardian to come pick up the student, and may also call other emergency personnel for the purpose of ensuring the student's safety.

Further, a student's IEP shall specify when a BIP includes the use of a time out room for a student with a disability, including the maximum amount of time a student will need to be in a time out room as a behavioral consequence as determined on an individual basis in consideration of the student's age and individual needs.

The logs for the time out room will be monitored by school administration or other personnel to identify patterns. This information will be considered when determining the effectiveness of the student's BIP and use of the time out room for the student.

4. Staff training on the policies and procedures related to the use of the time out rooms shall include, but not be limited to, the following measures:
  - a. The Director of Special Education shall be responsible to the Superintendent for establishing administrative practices and procedures for training all District personnel responsible for carrying out the provisions of Commissioner's Regulations relating to the use of time out rooms, including members of the Committee on Special Education (CSE) and Committee on Preschool Special Education (CPSE).
  - b. Staff members working with the students who have the use of the time out room as part of a BIP will:
    1. Receive full training in the policy and procedures for the use of the time out room.
    2. Participate in work sessions to review each student's BIP and receive specific instruction in the implementation of the plan.
    3. Participate in appropriate behavior intervention training that may include but is not limited to proactive strategies, physical crisis interventions and related workshop and trainings relevant to individuals and/or programs.

5. Data collection to monitor the effectiveness of the use of the time out rooms:

The District shall establish and implement procedures to document the use of time out rooms, including information to monitor the effectiveness of the use of the time out room to decrease specified behaviors. Such data would be subject to review by the State Education Department (SED) upon request.

Such data collection should appropriately include, but is not limited to, the following information:

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- a. A record for each student showing the date and time of each use of the time out room;
- b. A detailed account of the antecedent conditions/specific behavior that led to the use of the time out room;
- c. The amount of time that the student was in the time out room; and
- d. Information to monitor the effectiveness of the use of the time out room to decrease specified behaviors which resulted in the student being placed in the room.

6. Information to be provided to parents:

The District shall inform the student's parents prior to the initiation of a BIP that will incorporate the use of a time out room for a student, and shall give the parent the opportunity to see the physical space that will be used as a time out room and provide the parent with a copy of the school's policy on the use of time out rooms.

Additionally, parents should be notified if their child was placed in a time out room. Minimally, whenever a time out room is used as an emergency intervention pursuant to Commissioner's Regulations Section 200.22(d), the parent shall be notified of the emergency intervention. Such notification will be provided the same day whenever possible.

The parent is a member of the CSE or CPSE and the use of the time out room may be included on the student's IEP. The parent receives prior notice as to the recommendations on a student's IEP and may request due process in the event the parent does not agree with the CSE or CPSE recommendations.

Parent reports of alleged inappropriate interventions used in a time out room should be directed to school administrators.

7. The physical space used as a time out room must meet certain standards:
- a. The room shall provide a means for continuous visual and auditory monitoring of the student. Although staff is not required to enter the time out room with the student, they must be able to see and hear the students at all times.
  - b. The room shall be adequate width, length, and height to allow the student to move about and recline comfortably.
  - c. Wall and floor coverings should be designed to prevent injury to the student, and there shall be adequate lighting and ventilation.
  - d. The temperature of the room shall be within the normal comfort range and consistent with the rest of the building.
  - e. The room shall be clean and free of objects and fixtures that could be potentially dangerous to a student and shall meet all local fire and safety codes.