

**Monroe 2-Orleans BOCES Regulation
Series 7000 – Instruction
Regulation #7123R – USE OF TIMEOUT, SECLUSION AND AVERSIVE
INTERVENTION**

Timeout Definition

Timeout is defined as, “a behavior management technique that involves the monitored separation of a student in 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.” If timeout is to be used, it must be used in conjunction with a behavioral intervention plan or used in a situation that poses an immediate concern for the physical safety of the student or others. If possible, staff should use timeout only when other less restrictive and intrusive interventions and de-escalation techniques cannot be used to prevent imminent danger of serious physical harm to the students or others. The space shall be monitored. The student’s BIP cannot contain seclusion.

Timeout cannot 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.

The definition of timeout does not include a student-initiated or student request for a student break to utilize coping skills, sensory input or self-regulation strategies; for teacher removal or in-school-suspension; for other appropriate disciplinary action; to assist a student to calm or self-regulate by using coping tools or activities in that location consistent with the student’s BIP. The use of timeout shall be governed by the following rules and standards:

Timeout Procedures

a) Locks and Monitoring

A timeout location shall be unlocked and the door must be able to be opened from the inside.

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

b) Factors which may precipitate the use of a timeout.

A timeout, if needed to be used, will be based on the following:

- Need to de-escalate and regain control
- Positive, proactive intervention strategies failed
- Less intrusive and restrictive de-escalation techniques fail
- Immediate concern for student’s physical safety or of others
- As indicated on the child’s BIP
- No medical contraindication to such use
- Prevent imminent danger of serious physical injury to the student or others

**Monroe 2-Orleans BOCES Regulation
Series 7000 – Instruction
Regulation #7123R – USE OF TIMEOUT, SECLUSION AND AVERSIVE
INTERVENTION**

c) Time limitations for the use of the timeout:

- Consistent with the student’s BIP but not to exceed 60 minutes, and as soon as the student has de-escalated, the student should be returned to their education program.
- The maximum amount of time a student will need to be in a timeout as a behavioral intervention as determined on an individual basis in consideration of the student’s age and individual needs.

d) Seclusion

Under no circumstances shall a timeout in a program be used for seclusion of the student. “Seclusion” means involuntary confinement of a student alone in a room or space that they are physically prevented from leaving or perceive they cannot leave at will.

e) Aversive Interventions

Use of aversive intervention on students is prohibited. Aversive intervention means an intervention used to induce pain or discomfort for the purposes of eliminating or reducing student behavior including:

- 1) contingent application of noxious, painful, intrusive stimuli or activities; strangling, shoving, deep muscle squeezes or other similar stimuli;
- 2) any form of noxious, painful or intrusive spray, inhalant or tastes;
- 3) contingent food programs that include the denial or delay of the provision of meals or intentionally altering staple food or drink in order to make it distasteful;
- 4) movement limitation used as a punishment; and
- 5) excluding such interventions as voice control, limited to loud, firm commands; time-limited ignoring of a specific behavior; token fines as part of a token economy system; brief physical prompts to interrupt or prevent a specific behavior; interventions medically necessary for the treatment or protection of the student; or other similar interventions.

f) Prone Restraint

The use of prone restraint is prohibited. A prone restraint is a physical or mechanical restraint used while the child is face down.

Staff Training

Staff training on the policies and procedures related to the use of timeout(s) shall include, but not be limited to, the following measures:

**Monroe 2-Orleans BOCES Regulation
Series 7000 – Instruction
Regulation #7123R – USE OF TIMEOUT, SECLUSION AND AVERSIVE
INTERVENTION**

Such training will occur annually related to the BOCES policy and procedures on use of the timeout; evidence based positive, proactive strategies; crisis intervention and prevention procedures and de-escalation techniques. In addition, staff who implement timeout shall receive annual evidence-based training in safe and effective developmentally appropriate timeout procedures.

Documentation

BOCES programs shall establish and implement procedures to document the use of timeout for each student's incident and when used in connection with the student's BIP.

Such documentation shall include, but not be limited to, the following information:

1. Name and date of birth of the student;
2. Setting and location of incident;
3. Name of staff who participated in the implementation, monitoring, and supervision of use of timeout;
4. Name of other staff involved;
5. A record for each student showing the date and time of each use of the timeout;
6. A detailed account of the antecedent conditions/specific behavior that led to the use of the timeout;
7. The amount of time that the student was in timeout, considering developmental appropriate time;
8. Information to monitor the effectiveness of the use of timeout which resulted in the student being placed in timeout;
9. Whether student has an IEP, BIP or other plan;
10. List of all positive, proactive intervention strategies used prior to the use of timeout and whether those strategies were consistent with the student's BIP;
11. Details of any injuries sustained by student/staff;
12. Whether student was evaluated by the nurse or medical staff;
13. Date and method of contacting the parents, whether a meeting was held with the parent and if the documentation was sent to the parent within three (3) days;
14. Date of a debriefing if held; and
15. Date the incident was reviewed by supervisory personnel and by medical staff (as necessary).

Parent Notice

The BOCES shall inform the student's parents prior to the initiation of a behavioral intervention plan that will incorporate the use of a timeout for a student. The parent has the opportunity to view the physical space that will be used as a timeout and be provided with a copy of the policy on the use of timeout.

The parent(s) shall be notified on the same day a timeout is used including if used in conjunction with the student's BIP. The Program Administrator must keep a record of the attempts to contact the parent(s). If, after reasonable attempts are made and the parent(s) cannot be contacted, the BOCES shall contact the home district CSE chairperson. The notice to the parent shall offer the parent the opportunity to meet regarding the incident.

**Monroe 2-Orleans BOCES Regulation
Series 7000 – Instruction
Regulation #7123R – USE OF TIMEOUT, SECLUSION AND AVERSIVE
INTERVENTION**

BOCES must provide the parent a copy of documentation of the incident within three (3) school days of the use of a timeout.

Reporting

BOCES will report the data annually to the New York State Education Department on a form prescribed by the New York State Education Department.

Physical Space Used As A Timeout Space

The physical space or location used as a timeout may be within a classroom or outside the classroom and must meet certain standards.

- a) The space shall provide a means for continuous visual and auditory monitoring of the student.
- b) The space shall be of 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 space shall be within the normal comfort range and consistent with the rest of the building.
- e) The space shall be clean and free of objects and fixtures that could be potentially dangerous to a student.
- f) The space shall be unlocked and any door shall be capable of being opened from the inside of the space.
- g) The space shall meet local fire and safety codes.

Debriefing With Staff

After use of every timeout, the Program Administrator shall meet with staff who participated in the use of timeout to discuss the circumstances leading to the use of timeout, the positive, proactive strategies that were utilized prior to the use of timeout and the plan for the prevention and reduction of the future need for timeout including whether a referral for special education services should be made or a review of a student's existing IEP or BIP. A staff member will be designated to debrief with the student.

Debriefing With Students

A staff member will debrief with the student to discuss the behavior that precipitated use of the timeout in a manner that is age appropriate and according to the child's developmental ability.

Review of Documentation

The Program Administrator shall regularly review the documentation on the use of timeout to ensure compliance with the policy, regulation and procedures. If there are multiple incidents in the same classroom or program involving the same staff, the Administrator shall take appropriate steps to address the frequency and pattern of use and bring to the Director's/designee's attention.

Monroe 2-Orleans BOCES Regulation
Series 7000 – Instruction
Regulation #7123R – USE OF TIMEOUT, SECLUSION AND AVERSIVE
INTERVENTION

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

Adopted: 10/17/2012
Reviewed: 10/21/2015
Reviewed: 9/19/2018
Revised: 9/15/2021
Revised: 4/19/2023
Revised: 8/16/2023
Revised: 9/27/2023