

POLICY	5480
	Adopted: April 9, 2013
	Revised: April 8, 2025
Student Policies	

SUBJECT: USE OF TIMEOUT

The Board believes that the safety of students is of paramount importance to the Greater Southern Tier BOCES and the community it serves. Therefore, no BOCES teacher, administrator, officer, employee or agent shall use seclusion against a student.

However, the Board authorizes the use of “timeout” as a resource for the safety of students and staff in accordance with the Regulations of the Commissioner of Education.

Definitions

De-escalation means the use of a behavior management technique that helps a student increase control over their emotions and behavior and results in a reduction of a present or potential level of danger to the student or others.

Multi-tiered system of supports means a proactive and preventative framework that utilizes data to inform instruction and the allocation of services to maximize achievement for all students and support students’ social, emotional and behavioral needs from a culturally responsive and strength-based perspective.

Physical escort means a temporary touching or holding of the hand, wrist, arm, shoulder or back for the purpose of inducing a student who is acting out to walk to a safe location.

Physical restraint means a personal restriction that immobilizes or reduces the ability of a student to move their arms, legs, body, or head freely. Physical restraint does not include a physical escort or brief physical contact and/or redirection to promote student safety, calm or comfort a student, prompt or guide a student when teaching a skill or assisting a student in completing a task, or for other similar purposes.

Seclusion means the involuntary confinement of a student alone in a room or space that they are physically prevented from leaving or they may perceive that they cannot leave at will. Seclusion does not include the term “timeout” as defined below.

Timeout means a behavior management technique that involves the monitored separation of a student in a non-locked setting and is implemented for the purpose of deescalating, regaining control, and preparing the student to meet expectations to return to their education program. The term “timeout” shall not include:

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- (1) a student-initiated or student-requested break;
- (2) use of a room or space containing tools or activities to assist a student to calm, or the use of such intervention strategies consistent with a student with a disability’s behavioral intervention plan; or
- (3) a teacher removal, in-school suspension; or any other appropriate disciplinary action.

Authorized limited use of timeout

Positive, proactive, evidence- and research-based strategies through a multi-tiered system of supports 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 may be used only when: other less restrictive and intrusive interventions and de-escalation techniques would not prevent imminent danger of serious physical harm to the student or others; there is no known medical contraindication to its use on the student; and school staff using such intervention has been trained in its safe and appropriate application in accordance with this policy. 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.

Timeout shall only be used in a situation that poses an immediate concern for the physical safety of the student or others. Staff shall return the student to their educational program as soon as the student has safely deescalated, regained control and is prepared to meet expectations.

Individualized Education Programs/Behavioral Intervention Plans

Except for situations that pose an immediate concern for the physical safety of a student or others, the use of timeout shall be used in conjunction with a behavioral intervention plan that is designed to teach and reinforce alternative appropriate behaviors. The behavioral intervention plan that includes the use of timeout for a student with a disability shall specify the maximum amount of time a student may be in timeout as a behavioral consequence as determined on an individual basis in consideration of the student’s age and individual needs.

The BOCES will give parents of and persons in parental relation to students the opportunity to see the physical space that will be used as timeout and provide such individuals with a copy of this policy.

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Use of Timeout Procedures

A room or physical space used for purposes of timeout may be located within a classroom or outside of the classroom and shall comply with the following requirements:

- (1) The room or physical space shall:
 - (a) be unlocked, and any door must be able to be opened from the inside. The use of locked rooms or physical spaces is prohibited.
 - (b) provide a means for continuous visual and auditory monitoring of the student;
 - (c) be of adequate width, length and height to allow the student to move about and recline comfortably;
 - (d) be clean and free of objects and fixtures that could be potentially dangerous to a student;
 - (e) have adequate lighting and ventilation; and
 - (f) meet all local fire and safety codes.
- (2) Wall and floor coverings shall, to the extent practicable, be designed to prevent injury to the student and there shall be adequate lighting and ventilation.
- (3) The temperature of the room or physical space shall be within the normal comfort range and consistent with the rest of the building.
- (4) No student will be placed in timeout for a period of time that is developmentally inappropriate for such student.

Staff shall continuously monitor a student in a timeout room or space. Staff functioning as timeout monitors shall be trained in this role and on this policy.

Factors in the Use of Timeout

The following factors are to be considered in determining whether timeout may be used when authorized by a behavioral intervention plan or in a potentially dangerous situation in unanticipated situations that pose an immediate concern for the physical safety of a student or others:

- (1) The student should be offered a verbal opportunity to control their behaviors.
- (2) Staff must employ proactive verbal de-escalation techniques in accordance with Therapeutic Crisis Intervention (TCI) techniques.

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- (3) If the student does control their behaviors, they should be allowed to remain in the classroom (if appropriate) or they may be placed in another appropriate setting outside the classroom.
- (4) If the student is not able to control his/her physical behaviors and continues to be out of control, staff must remove all environmental stimuli factors. If the student is still not able to control such behaviors:
 - (a) The staff member responsible for such student must call the program principal or his/her designee.
 - (b) The responsible staff member(s) must perform a physical restraint, if necessary, in accordance with TCI techniques. If such a restraint is performed, the student will be examined by a nurse.
 - (c) A two-person escort should be used to transport the student to the timeout location once s/he has a decrease in physical and emotional energy.
- (5) Once the student arrives at the timeout location, s/he will be notified that they need to have their behaviors in control. The student will be given an appropriate amount of time to regain composure. Verbal intervention will be limited to responses to a student question.
- (6) If the student regains composure, s/he will be removed from the timeout location and returned to his/her classroom or another appropriate location.
- (7) The staff members who manage such location shall assess whether the student needs the use of timeout to safely deescalate, regain control, and prepare to meet expectations to return to program.
- (8) If such staff determine that the use of a timeout room is necessary, the student will be placed in the timeout room. The door to the room will remain open if the student is safely deescalating. If not, the door will be gently closed. The program principal or designee will be informed regarding the use of the timeout room for the student.
- (9) When a student is placed in a timeout room, a notation must be completed contemporaneously in the student's individual log noting the date, time the student enters and exits the timeout room, the name of the staff member supervising the timeout room, the student's behaviors, and the factors precipitating the disruptive event.
- (10) After a student has deescalated and exited a timeout room, a post-intervention debriefing will be held, as soon as practicable, and after every incident in which timeout is used on a student. The principal or designee shall:
 - (a) meet with the school staff who participated in the use of timeout to discuss:
 - (i) the circumstances leading to the use of timeout;
 - (ii) the positive, proactive intervention strategies that were utilized prior to the use of timeout; and

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- (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; and
 - (b) direct a school staff member to debrief the incident with the student in a manner appropriate to the student's age and developmental ability and to discuss the behavior(s), if any, that precipitated the use of timeout.
- (11) If a student is unable to control themselves after the use of the timeout room or space, the program principal will make a determination to contact the family to pick up the student or report a mental health situation to the police or emergency medical support. In the event a student is removed to a local medical facility, a staff member will remain with the student until the family arrives.
- (12) The program principal or designee will notify the parent or person in parental relation on the same day when a student is placed in timeout. When the student's parent or person in parental relation cannot be contacted, after reasonable attempts are made, the principal or assistant principal shall record such attempts. For students with disabilities, the principal or assistant principal shall report such attempts to the student's committee on special education. Such notification shall offer the parent or person in parental relation the opportunity to meet regarding the incident and provide such individual a copy of the documentation of the incident within three (3) school days of the use of timeout.
- (13) Staff shall document each incident involving the use of timeout, including timeout used in conjunction with a student's behavioral intervention plan, on each student, which shall include:
 - (a) the name and date of birth of the student;
 - (b) the setting and location of the incident;
 - (c) the name of the staff who participated in the implementation, monitoring and supervision of the use of timeout and any other persons involved;
 - (d) a description of the incident including duration;
 - (e) whether the student has an individualized education program, Section 504 accommodation plan, behavioral intervention plan, or other plan developed for the student;
 - (f) a list of all 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;

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- (g) 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;
 - (h) the date and method of notification to the parent or person in parental relation and whether a meeting was held; and
 - (i) the date of the debriefing was held.
- (14) Documentation of the incident shall be reviewed by supervisory personnel and, as necessary, the school nurse or other medical personnel. Documentation of each incident shall be maintained by the BOCES and made available for review by the New York State Education Department upon request.

Requirements for Programs with Timeout Resources

Any BOCES program that has a timeout room or space available for use with the students in that program shall:

- (1) provide annual training to staff on this policy, evidence-based positive, proactive strategies, safe and effective developmentally appropriate timeout procedures, crisis intervention and prevention procedures and de-escalation techniques;
- (2) provide annual notification to the parents of or the persons in parental relation to students that timeout rooms or space may be used in that program; and
- (3) collect data to monitor the effectiveness of the use of timeout rooms or space. Such program shall establish and implement procedures to document the use of the timeout room or space, including information to monitor the effectiveness of the use of the timeout room or space to decrease specified behaviors.

The principal or designee shall regularly review documentation on the use of timeout to ensure compliance with BOCES' policy and procedures. When there are multiple incidents within the same classroom or involving the same staff, the principal or designee shall take appropriate steps to address the frequency and pattern of use.

Reference: Commissioner's Regulations §§ 19.5 and 200.22(c)