

POLICY	Year: 2021 Updated 2023 Policy #: 6205 Section: Students

Time Out Procedures and Policy at Genesee Valley BOCES

“Time out” is defined as the monitored separation of a student in a non locked setting that is implemented for the purpose of de-escalating, regaining control, and preparing the student to meet expectations to return to their education program. The use of time out in any Genesee Valley BOCES program will be consistent with state law and Commissioner’s Regulations. A “time out” is different from “seclusion” where a student is involuntarily confined in a room or space that they are physically prevented from leaving or they may perceive that they cannot leave at will.

A “Time out” does not include:

- A. Student-initiated or student-requested break.
- B. 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 as defined in section 200.1.
- C. A teacher removal, in-school suspension; or any other appropriate disciplinary action.

At a minimum, the use of time out and physical restraint shall be governed by the following rules and standards:

- 1) Timeout is authorized for limited use in response to an immediate concern for the physical safety of a student or others and when used in conjunction with a student with a disability’s behavioral intervention plan. The student shall be returned to their educational program as soon as they have safely deescalated, regained control and are prepared to meet expectations.
- 2) Physical restraint (Policy 6211) is authorized for limited use as necessary to prevent imminent danger of serious physical harm to students or others. 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. The use of physical restraint in response to the destruction of property is prohibited unless the property damage would result in imminent harm to the student or others.
- 3) Timeout and physical restraint (Policy 6211) may only be used 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 interventions have been trained in its safe and appropriate application.

- 4) Timeout and physical restraints (Policy 6211) 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.
- 5) Time out rooms may be within or outside a classroom and must comply with the following:
 - Be unlocked and able to be opened from the inside.
 - Provide for a means of continuous visual and auditory monitoring of the student.
 - Be of adequate width, length, and height to allow the student to move about and recline.
 - Have wall and floor coverings designed to prevent injury to the student.
 - Have adequate lighting and ventilation.
 - Be clean and free of objects and fixtures that could pose a potential danger.
 - Meet all local fire and safety codes.
 - Be within the normal temperature zone of the rest of the school.
- 6) Principals and Director of Special Education shall be responsible to the District Superintendent for establishing administrative practices and procedures for annual training of all Genesee Valley BOCES personnel pursuant to the adopted amendment of Section 19.5 of the Rules of the Board of Regents and Sections 100.2, 200.1, 200.7, 200.15, and 200.22 of the Regulations of the Commissioner of Education Commissioner's Regulations relating to the use of time out and physical restraints (Policy 6211).
- 7) Principals and Director of Special Education shall be responsible to the District Superintendent for establishing administrative practices and procedures for documentation and reporting requirements related to the use of timeout and physical restraint pursuant to the adopted amendment of Section 19.5 of the Rules of the Board of Regents and Sections 100.2, 200.1, 200.7, 200.15, and 200.22 of the Regulations of the Commissioner of Education.

