



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, N.Y. 12234

April 1994

TO: District Superintendents
Presidents of Boards of Education
Superintendents of Schools
Superintendents of State-Operated and State Supported Schools
Nonpublic School Administrators and Educators
State and Local Teacher Associations
New York City Board of Education
Developmental and Psychiatric Centers and State Agency Personnel
Executive Directors of Approved Private Schools
Directors of Approved Preschool Programs
Principals of Public Schools
Directors of Special Education
Chairpersons of Committees on Special Education
Chairpersons of Committees on Preschool Special Education
Directors of Pupil Personnel Services
Directors of Approved Preschool Programs and Preschool Educators
Commissioner's Advisory Panel on Special Education Services
Preschool Special Education Advisory Panel
Impartial Hearing Officers
SETRC Project Directors and Training Specialists
ECDC Project Directors and Coordinators
Student and Parent Advocacy Networks
Team Leaders

FROM: Arthur L. Walton *AW*

SUBJECT: Policy and Guidelines on the Use of Time Out Rooms

The State Education Department recognizes that behavior management practices for students sometimes include the use of time out rooms. It is the policy of the State Education Department that each school which uses a time out room as part of its behavior management approach should include in their school conduct and discipline policy

(8NYCRR100.2) procedures to ensure that the use of such a room is safe and therapeutic for all students. In establishing this policy on time out rooms, the State Education Department is not promoting their use. However, in those instances where an educational agency incorporates separate time out rooms for behavior management purposes, certain requirements must be met to insure that such rooms represent therapeutic and safe intervention. The information set forth in this memorandum is consistent with the regulations and policies of other State agencies involved in the education of students and is not to be interpreted as a substitute for more restrictive requirements of any other licensing or certifying agencies.

A time out room is an area for a student to safely de-escalate, regain control and prepare to meet expectations to return to program. Time out rooms are to be used in conjunction with a therapeutic behavior management intervention in which a student is removed to a supervised area in order to facilitate self control or to remove a child from a potentially dangerous environment. A time out room should only be used in conjunction with a behavior management program which teaches and reinforces acceptable behaviors.

Guidelines for the Use of Time Out Rooms: It is recommended that the school policy on the use of time out rooms be developed with parental input, that at least one parent of a student with a disability be included in this policy formation, and that the policy be reviewed annually. Minimally, this policy should incorporate the following components:

- o The use of the time out room in the larger context of behavior management and the school's conduct and discipline policies.
- o Location of the time out room.
- o Factors which may precipitate the use of the time out room.
- o Time limitations for the use of a time out room.
- o Inservice training for staff on the policies and procedures related to the use of time out rooms and related behavior management practices.
- o Data collection and review of effectiveness.
- o Parental rights regarding the use of a time out room.

IEP Requirements: When the behavior management plan for a student with a disability includes the use of a time out room, this must be specified in the student's Individualized Education Program (IEP). Data on the use of the time out room by a student, as described in the "Physical and Monitoring Requirements" section of this memorandum, must be included in the materials reviewed by the Committee on Special Education or Committee on Preschool Special Education.

Parental Rights: Parents must be informed prior to the initiation of a behavioral intervention for their child which will incorporate the use of a time out room. Upon request, parents must be shown the physical space that will be used for time out. Each school must provide parents with a copy of its policy on the use of time out rooms.

Time Restrictions: The amount of time a student will need to be in a time out room will vary with the student's age, individual needs and behavior management plan. Careful monitoring of the amount of time a student is in a time out room is required to insure that a time out room is not being used to the detriment of a student's educational program.

Physical and Monitoring Requirements: A time out room must include a means for continuous monitoring of the student, both visually and aurally. The room must be of an adequate size (width, length and height) to allow the student to move about and recline comfortably. The ceiling height must be consistent with the ceiling height throughout the building. Wall and floor coverings should be designed to prevent injury. There should be adequate lighting and ventilation and the temperature of the room should be within the normal comfort range and consistent with the rest of the building. The room must be clean and free of objects and fixtures that could be potentially dangerous to a student and must meet all local fire and safety codes.

The time out room must be unlocked and the door must be able to be opened at will from the inside at all times. The use of locked rooms or spaces for the purposes of time out is prohibited.

To insure a student's safety, staff assigned to monitor the time out room must be able to see and hear the student at all times. Individual determinations will be necessary to assess a student's need for direct adult supervision in the time out room.

It is recommended that a time out log be maintained for each use of the time out room to monitor the effectiveness of the time out procedure to decrease specified behaviors. Pertinent information to consider includes the student's name, factors precipitating the time out intervention, the times the student entered and exited the time out room, the student's behavior during and upon exit of the time out room, and the names of the staff member(s) who initiates the time out room placement, supervises the student during the time out procedure, and removes the student from the time out room.

Questions regarding this field memorandum may be directed to Thomas B. Neveline at (518) 474-5548.