

## **Title 6. Education**

### **Chapter I. Division of Elementary and Secondary Education**

#### **Subchapter E. Special Education**

#### **Part 130. Procedural Requirements and Program Standards**

#### **Subpart 20. Time-out Seclusion Room**

##### **6 CAR § 130-2001. General.**

(a) The time-out seclusion room is an extension of such techniques as turning a chair away from a group or placing a student in a corner or in the hallway.

(b) Time-out is only effective if the classroom environment from which the student is removed is more reinforcing than the isolation area in which he or she is placed.

##### **6 CAR § 130-2002. Definition — Time-out.**

As used in this subpart, “time-out” means the removal of the opportunity to engage in reinforced behavior.

##### **6 CAR § 130-2003. Restrictions on the use of a time-out seclusion room.**

(a)(1) Time-out seclusion should be used only for behaviors that are:

- (A) Destructive to property;
- (B) Aggressive toward others; or
- (C) Severely disruptive to the class environment.

(2) General noncompliance, self-stimulation, academic refusal, etc., can be responded to with less stringent and restrictive techniques.

(b) The time-out seclusion room should be used only as a last resort if and when less restrictive means of controlling behavior have proven ineffective.

(c)(1) The necessity of using physical force to place a student in a time-out seclusion room is inappropriate beyond that reasonably managed by the classroom teacher.

(2) Involuntary time-out must not be used with such students and, in general, time-out is not an appropriate intervention for classroom use with any students older than twelve (12) unless they have made a contractual agreement for its use.

(3) It is important that teachers realistically evaluate their ability to physically remove a student to the time-out room.

(4)(A) If there is a reasonable doubt concerning the capability of the teacher to physically remove the resistant student, the teacher should not begin to attempt the time-out procedure.

(B) In such a case, an alternative strategy should be implemented.

(d)(1) Time-out seclusion rooms must meet structural guidelines and provide for continuous monitoring, visually and auditorily, of the student's behavior by an adult.

(2) Refer to 6 CAR § 130-2004(i) for structural guidelines.

**6 CAR § 130-2004. Guidelines for appropriate use of a time-out seclusion room.**

(a) The teacher or behavioral specialist should have documentation that milder forms of time-out or other reduction techniques have proven ineffective in suppressing the inappropriate behavior.

(b)(1) The use of seclusion time-out and the behaviors that will result in its use must be explicitly stated in the student's IEP.

(2) Parent consent for the use of a time-out seclusion procedure should be documented.

(c)(1) Time-out must be paired with a behavioral plan to provide positive reinforcement for appropriate behaviors.

(2) This must also be included in the student's IEP.

(d) Written procedures must be developed and followed for each student whose IEP includes the use of time-out.

(e) The following guidelines should be adhered to for effective use of the timeout seclusion room:

(1)(A) Avoid lengthy verbal explanations.

(B) Behaviors resulting in time-out should be clearly explained prior to implementing the time-out program.

(C) Explanations provided during use of time-out should be brief, but should adequately inform the student of his or her misbehavior, such as, "Because you \_\_\_\_\_, you must go to time-out for \_\_\_\_\_ minutes."

(D) All other verbal interaction should be avoided;

(2)(A) To maximize opportunities to exercise self-control, students should be given the opportunity to take their own time-out after receiving instructions from the teacher.

(B)(i) However, if students refuse to take their own time-out, or if they fail to respond to the teacher's instructions within a reasonable time interval (five (5) to ten (10) seconds), the teacher should physically remove them to the time-out area.

(ii) Refer to 6 CAR § 130-2003(c) regarding physically removing the child to the time-out area; and

(3) For high intensity behavior (e.g., kicking, screaming), the student should immediately be escorted to the time-out room.

**(f) Time spent in time-out seclusion room.**

(1) Length of time spent in the time-out seclusion room must be documented and kept within the specified time limits:

(A) **Preschool.** No more than five (5) minutes for each exclusion;

(B) **Lower elementary.** No more than fifteen (15) minutes for each exclusion; and

(C) **Middle/upper elementary.** No more than twenty (20) minutes for each exclusion.

(2)(A) At the end of the prescribed time, the student should be offered the opportunity to rejoin the class.

(B) If the student chooses to stay in time-out, the door must be left open at this time.

(C)(i) When a student consistently chooses to stay in the time-out seclusion room beyond the prescribed time limit, the use of this procedure must be reviewed.

(ii) The time-out room may be providing more reinforcement than the environment from which the student was removed.

(3) Should there be a need for a time-out period to extend past the prescribed time limits, the appropriateness of continuing the time-out procedure should be evaluated immediately by knowledgeable professionals (i.e., principal, counselor, special education staff).

(4)(A) Careful consideration must be taken in extending the prescribed length of the time-out seclusion.

(B) The effectiveness of the time-out procedure is the result of its consistent use, rather than the length of stay in the timeout seclusion room.

(g) **Records must be kept of each occasion when time-out seclusion is used.** The records should include the:

- (1) Student's name;
- (2) Behavior for which time-out is being used, as specified in the IEP; and
- (3) Time of day the student was placed in and released from time-out.

(h)(1) When the use of time-out seclusion is included in a student's IEP, it is recommended that the use of time-out to address specific student behaviors be reviewed by a knowledgeable professional or professionals twice monthly.

(2) The use of the time-out seclusion procedure shall be altered or discontinued as a behavioral management technique if data do not support its effectiveness.

(3) The continued and/or frequent need for this type of behavioral intervention could indicate that behavioral objectives, management techniques, or other factors affecting the learning environment are not appropriately matched with the student's needs and behaviors.

(i) If a time-out room is to be employed, the time-out room should:

(1) Be at least four feet by four feet (4' x 4') and no larger than six feet by six feet (6' x 6') in size;

(2)(A) Be properly lighted (preferably recessed lighting, with switches outside the room).

(B) Lighting should remain on at all times;

(3) Be properly ventilated;

(4) Be free of objects and fixtures;

(5) Provide the means by which an adult can continuously monitor, visually and auditorily, the student's behavior;

(6) The door should be such that it cannot be locked; and

(7) Meet state and county fire and safety codes.

(j)(1) In addition, it is necessary that all personnel involved in designing and implementing behavioral management procedures, including the use of time-out seclusion, be adequately trained and supervised.

(2) It is imperative that these persons have attained levels of skill and competency so that their qualifications correspond to their responsibilities.