



GLOBAL CONCEPTS CHARTER SCHOOL

Board of Trustees Policy

Policy Title: **Use of Time Out and Restraints**

Adopted: January 24, 2025

Purpose of Policy

GCCS is dedicated to ensuring that all students have a safe educational environment and is committed that use of restraints or time out rooms shall be utilized only as authorized by law, this policy, and the regulations of the Chief Executive Officer.

Description

No teacher, administrator, officer, employee or agent of GCCS shall use the following against a student:

- (1) corporal punishment
- (2) aversive interventions, or
- (3) seclusion

Authorized Limited Use of Timeout and Physical Restraint

Teachers, administrators, officers, employees and/or agents of this GCCS shall only use positive, proactive, evidence- and research-based strategies through a multi-tiered system of supports to reduce the occurrence of challenging behaviors, eliminate the need for the use of timeout and physical restraint, and improve school climate and the safety of all students.

As addressed below, timeout and physical restraint 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 interventions have been trained in its safe and appropriate application in accordance with the requirements of this policy.

Timeout and physical restraints 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.

Use of timeout

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. Staff who may be called upon to implement timeout shall receive annual, evidence-based training in safe and effective developmentally appropriate timeout procedures.

A student's IEP shall specify when a behavioral intervention plan includes the use of timeout, including the maximum amount of time a student will need to be in timeout as a behavioral consequence as determined on an individual basis in consideration of the student's age and individual needs.

GCCS will inform the student's parents prior to the initiation of a behavioral intervention plan that will incorporate the use of timeout and shall give the parent the opportunity to see the room or physical space that will be used and provide the parent with a copy of the district's policy on the use of timeout. GCCS Staff shall return the student to their educational program as soon as the student has safely de-escalated, regained control and is prepared to meet expectations.

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

- (1) be unlocked, and any door must be able to be opened from the inside. The use of locked rooms or physical spaces is prohibited
- (2) provide a means for continuous visual and auditory monitoring of the student
- (3) be of adequate width, length and height to allow the student to move about and recline comfortably
- (4) be clean and free of objects and fixtures that could be potentially dangerous to a student, and
- (5) meet all local fire and safety codes

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. The temperature of the room or physical space shall be within the normal comfort range and consistent with the rest of the building. Staff functioning as timeout monitors shall be trained in accordance with this policy and shall continuously monitor the student in a timeout room or space.

Use of physical restraint

Physical restraint shall only be used in a situation in which immediate intervention involving the use of reasonable physical force is necessary to prevent imminent danger of serious physical harm to the student 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 type of physical restraint used shall be the least restrictive technique necessary and be discontinued as soon as the imminent danger of serious physical harm has resolved. Physical restraint shall never be used in a manner that restricts the student's ability to breathe or communicate or harms the student.

The use of prone restraint (physical or mechanical restraint when a student is in the facedown position) is prohibited. Physical restraint shall not be used as a planned intervention on a student's individualized education program, Section 504 accommodation plan, behavioral intervention plan, or other plan developed for a student by GCCS.

Physical restraint shall not be used to prevent property damage except in situations where there is imminent danger of serious physical harm to the student or others and the student has not responded to positive, proactive intervention strategies.

Physical restraints shall be administered only by staff who have received annual, evidence-based training in safe and effective developmentally appropriate physical restraint procedures. Following a physical restraint, if an injury has been sustained or believed to have been sustained, the school nurse or other medical personnel (i.e., physician, physician assistant, or a nurse practitioner) shall evaluate the student to determine and document if any injuries were sustained during the incident.

Parental notification

GCCS shall provide same day notification to a parent or person in parental relation to the student following the use of timeout, including timeout used in conjunction with a student's behavioral intervention plan consistent with this policy, or use of a physical restraint. When the student's parent or person in parental relation cannot be contacted, after reasonable attempts are made, the school principal or building administrator shall record such attempts.

For students with disabilities, the school principal or building administrator shall report such attempts to the student's committee on preschool special education or committee on special education. Such notification shall offer the parent or person in parental relation to the student the opportunity to meet regarding the incident.

GCCS shall also provide the parent or person in parental relation to the student a copy of the documentation of the incident within three school days of the use of timeout or a physical restraint.

Documentation

GCCS will maintain documentation of each incident involving the use of timeout, including timeout used in conjunction with a student's behavioral intervention plan, and/or physical restraint on each student, which will 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/or physical restraint and any other persons involved
- (d) a description of the incident including duration, and for physical restraint, the type of restraint used
- (e) whether the student has an individualized education program, Section 504 accommodation plan, behavioral intervention plan, or other plan developed for the student by the school
- (f) a list of all positive, proactive intervention strategies utilized prior to the use of timeout and/or physical restraint; and for students with disabilities, whether those strategies were consistent with a student's behavioral intervention plan, if applicable

- (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 pursuant to this policy and whether a meeting was held, and
 - (i) the date the debriefing was held
 - (ii) documentation of the incident shall be reviewed by supervisory personnel and, as necessary, the school nurse or other medical personnel
 - (iii) documentation of each incident shall be maintained by the school and made available for review by the New York State Education Department upon request.

Debriefing

As soon as practicable, and after every incident in which timeout and/or a physical restraint is used on a student, a principal or designee will:

- (i) meet with the school staff who participated in the use of timeout and/or physical restraint to discuss:
 - (a) the circumstances leading to the use of timeout and/or physical restraint;
 - (b) the positive, proactive intervention strategies that were utilized prior to the use of timeout and/or physical restraint; and
 - (c) planning for the prevention and reduction of the future need for timeout and/or physical restraint 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
- (ii) 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 and/or physical restraint.

Review of documentation

The school principal or designee shall regularly review documentation on the use of timeout and physical restraint to ensure compliance with the district's policies 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.

Staff training

All staff shall receive annual training on the school's policies and procedures related to the use of timeout and physical restraint; evidence-based positive, proactive strategies; crisis intervention and prevention procedures and de-escalation techniques.

In addition, any staff who may be called upon to implement timeout or physical restraint, shall receive annual, evidence-based training in safe and effective developmentally appropriate timeout and physical restraint procedures.

The Chief Executive Officer is directed to develop regulations to create administrative practices and procedures regarding the use of timeout and physical restraint consistent with this policy and with the Regulations of the Board of Regents. Such procedures should identify:

- (a) factors which may precipitate the use of the timeout or physical restraint;
- (b) developmentally appropriate time limitations for the use of timeout and physical restraint
- (c) prohibiting placing a student in a locked room or space or in a room where the student cannot be continuously observed and supervised
- (d) prohibiting the use of prone restraint
- (e) the requirements in Commissioner's Regulations relating to students with disabilities whose behavioral intervention plan includes the use of timeout as a behavioral consequence
- (f) staff training
- (g) information to be provided to the parent or person in parental relation, including a copy of the timeout and physical restraint policy
- (h) notifying the parent or person in parental relation on the same day when a student is placed in a timeout or a physical restraint, and
- (i) data collection to monitor patterns of use of timeout and physical restraint.

This policy and the Chief Executive Officer's regulations shall be made publicly available for review at the district or school administrative office(s) and each school building, and posted on the schools' website.

Policy Review

The Policy shall be formally reviewed at minimum every three years or when revisions are necessary by actions of the Board of Trustees.