

Use of Time Out in Special Education Programs: Guidelines for Time Out Procedures

INTRODUCTION

Disruptive students served in special education programs require special attention from teachers and a wide range of behavioral management interventions. Many disruptive behaviors can be prevented through the development of proactive behavioral and academic interventions. Other behaviors can be managed through targeted reactive interventions in which specific behaviors are assigned specific consequences that are clearly communicated and understood by both the teacher and the student. There are instances, however, when it is necessary for both the teacher and the student to acknowledge that the immediate instructional strategy is not working, as evidenced by significant disruptive behavior on the part of the student. An effective and comprehensive behavioral management plan must include strategies designed to address these instances. Time out, in its many forms, has proven to be an effective set of interventions for such instances. As with all instructional strategies, time out interventions must be developed to meet the unique needs of the student and at the same time maintain the integrity of the classroom.

The purpose of this paper is to provide districts with information they can use in developing effective time out procedures. There are no current State Board of Education Rules that define time out procedures or requirements. Each district that uses time out has the responsibility for developing procedures that are educationally appropriate and ensure the provision of a safe educational learning environment at all times. Consequently, the information in this paper is provided as a guide for the development of time out procedures and strategies based on best practices. Much of the information presented here has been adapted from the procedures developed in Hillsborough, Pasco, and Pinellas County School Districts.

Background

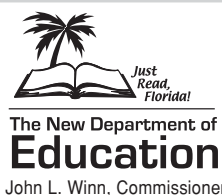
Time out is a behavioral management technique frequently used in special education and alternative education classrooms. When used appropriately, time out can help students with mild to severe disabilities gain control over a wide variety of behaviors such as tantrums, crying, yelling, aggression, and off-task behavior. However, when used inappropriately, time out can have a very deleterious effect on the student and teacher and can significantly disrupt the integrity of the classroom. Improper uses of time out frequently stem from the lack of clearly defined procedures, or difficulty on the part of the teacher in effectively implementing the procedures. Often time out is used in spite of negligible effects on student behavior.

Definition

Time out may be defined as a period of time in which the student is placed in a less reinforcing environment as the result of displaying a well-defined and articulated behavior. It is not synonymous with extended periods of seclusion. With some students, it may have no effect or may actually function as a reinforcer for the targeted behavior. Time out should not be viewed as punishment; rather, it is a consequence for the student who is exhibiting targeted, well-defined and understood behavior(s) that significantly disrupt the learning process of the student or the class.

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Legal Issues

Time out procedures should be consistent with any state statutes, rules, or local policies governing the implementation of such procedures, which include suspension, expulsion, safety, and facility requirements. Caution should be taken to ensure that any time out procedures would appear “reasonable” if they were brought before the courts on a charge of “cruel and unusual punishment.”

While time out procedures can be and have been used appropriately and effectively with students with various disabling conditions, inappropriate uses have occurred resulting in litigation. The current legal status of the use of time out was stated in two court cases, Morales v. Turman (1973) and Wyatt v. Stickney (1972).

In Morales v. Turman the court ruled that seclusion was sanctioned when it prevented immediate physical harm to the student or others, or when it prevented behavior that substantially disrupts routine. The court further stated that seclusion procedures were sufficiently severe in this case in terms of deprivation of liberty to require due process procedures. However, it was noted that time out for short periods did not warrant full due process procedures.

In Wyatt v. Stickney, a distinction was made between seclusion in a locked room and legitimate time out procedures that were supervised by professionals as part of an established behavioral program. The court also determined that individuals have the right to be free from seclusion. The decision permitted seclusion time out if and when less restrictive means for controlling behavior were proven ineffective or not feasible.

Administrators and teachers have the responsibility to protect the individual’s rights and to document the time out procedures implemented. To ensure that this happens, the following procedural steps should be followed prior to the initiation of any seclusionary/exclusionary behavioral intervention:

- seeking and obtaining informed consent from the student’s parents,
- assuring that the individual’s due process rights were observed, and
- selecting intervention consistent with the doctrine of the least restrictive alternative.

Classroom teachers must carefully review and adhere to any state, local or service agency policies and procedures regarding the use of time out.

Types of Time Out

There are three major forms of time out, varying in the degree to which the student is actually removed from the “time in” (desired classroom activity) setting. The first, or least restrictive form of time out, is termed **nonexclusion time out**. This form of time out allows the student to observe ongoing activities but not to participate. Nonexclusion time out can be implemented in a variety of ways. The most common procedures are to remove the student to a seat on the periphery of ongoing activities, or to turn away from a child who is misbehaving in a group activity.

The second is **exclusion time out** and refers to excluding the student from participation in and observation of ongoing classroom activities without removing the student from the classroom. One way to implement exclusion time out is to turn the student’s desk/chair away from classroom activities. Other examples include placing the student behind a screen, turning the student’s chair away from the lunch table following inappropriate eating behavior, or removing a disruptive student to a time out corner in the classroom.

The third, or most restrictive form of time out, is **isolation**, where the student is placed in a separate (barren of reinforcement) area for a predetermined period of time. Empty conference rooms, offices, or specially designed isolation cubicles or booths are examples of settings used for isolation time out.

Effective and comprehensive time out procedures have provisions for all three types of time out.

Planning and Implementing Time Out

Time out is a complicated and intricate intervention that involves far more than simply withdrawing a student from ongoing activities and then returning the student after a predetermined period of time. Effective time out procedures are likely to vary a great deal, depending on variables such as who is administering the intervention, the student involved, and the setting. Time out should be considered a part of a more comprehensive behavioral management program requiring careful planning and consideration of the following steps:

1. Operationally define the behaviors targeted for time out. Define the behaviors in terms that are understood by the student, teacher, parent, and all who will implement the procedures.
2. Analyze the situations in which the targeted behavior may occur. Develop contingencies to be used prior to time out whenever possible.
3. Consider relevant characteristics of the student. Determine the extent to which these characteristics may impact the use of time out.
4. Determine initiation, duration, and termination of time out procedures.
5. Develop appropriate and adequate transition procedures that allow the student to return to classroom activities as quickly and with as much dignity as possible.
6. Define the types of time out to be used and the conditions of supervision.
7. Develop procedures for the reinforcement of desirable alternative behaviors. Communicate these to the student, teacher, parent, and all who will implement time out procedures.
8. Develop procedures for ensuring that the student understands the purpose and rules for time out. Merely developing a written handbook may not be enough. Each teacher should ensure that all students clearly understand the procedures and what is expected to return successfully to the classroom activity.
9. Plan for monitoring and evaluating the time out intervention. Evaluation criteria should include an assessment as to whether the disruptive behavior is de-escalating. This assessment should be documented through anecdotal records or through a standardized format developed by the school or district.

TIME OUT PROCEDURES - CRITICAL COMPONENTS

(Note: Effective time out procedures include multiple levels, with each level becoming more restrictive and exclusionary. It is important to note that for disruptive behavior requiring more restrictive interventions, once the behavior begins to de-escalate, transition to less restrictive forms of time out may make the return to regular classroom activities easier for the student. Because time out reduces the opportunity to implement the IEP as originally developed, efforts to reduce the level of the time out intervention should begin as soon as possible.)

First-Level Interventions (examples):

- Planned Ignoring - Ignore the student as long as possible if he or she is out of place or seat, noncompliant but not otherwise disruptive.
- Be (or have aide/ associate) available to counsel, provide one-to-one tutoring, or negotiate if the student is involved in a dispute.
- Modify/change student's assignment to get him or her reinvolved with learning. Select a task that will provide immediate success.
- Separate student from others (creative seat assignment).

- Send student out of room - on an errand, for a walk, to “cool off.”
- Offer a “time-in” situation with a support person outside the classroom.
- Quietly praise other students for ignoring inappropriate student behavior.
- When possible, talk to disruptive student out of classroom away from other students so that he or she can save face.

Prior to Second-Level Interventions:

- Post the rules and consequences; be sure students understand them.
- Identify the situations that reinforce the student’s inappropriate behavior.
- State explicitly the behavior that will result in time out.
- Attempt to control the inappropriate behavior with milder interventions (see above).
- Document the use of milder interventions before using exclusion or seclusion time out; indicate that they have been ineffective.

Second- and Third-Level Interventions - Exclusion/Seclusion Time Out:

Exclusion time out is more restrictive than the first-level interventions. It is the exclusion of a child from positive reinforcing activities of the classroom without removing him or her from the room.

- Follow written procedures when placing a student in exclusion or seclusion time out, such as the following:
 - a. Avoid lengthy explanations to student. Simply say: “Because you _____, you go to time out for ____ minutes.” Avoid other interaction.
 - b. Give students the opportunity to take their own time out after receiving the instruction from the teacher to maximize opportunities for self-control.
 - c. If students refuse to take their own time out or fail to respond to the teacher’s instructions (within 5 to 10 seconds), physically remove them to the time out area. It should be noted that **any staff person** who may be asked or required to physically remove a student should **first** be trained in appropriate physical restraint procedures.
 - d. Keep time out period brief—1 to 5 minutes. (Time out periods longer than 15 minutes rarely serve their intended purpose-temporary withholding of positive reinforcement. For time out periods longer than 30 minutes, a supervisory staff person should be consulted about the appropriateness of continuing the time out procedure.) In-school suspension or other out of class but in school interventions should be considered.
 - e. **Make release from time out contingent on student’s behavior.** An option of release from time out after one minute of no inappropriate responses will avoid reinforcing a child’s inappropriate behavior while he or she is in time out. Discretion based on an assessment of the individual child and specific incident should be used in determining when a student should be released from time out. Consideration for transition to a less restrictive form of time out may also be warranted for students not in total compliance but no longer requiring seclusion.

- f. A plan for the transition from exclusion/seclusion to the regular classroom routine should be developed and communicated to students prior to implementing time out procedures. This plan should include a sequence of less restrictive time out settings to allow for gradual reentry and a more rapid elimination of the more restrictive settings when deemed appropriate.

■ Records should be kept for each occasion when time out is used; include the following:

- a. Student's name
- b. Description of episode resulting in student's placement in time out (i.e., behavior, activity, other students involved, staff person who made time out decision)
- c. Type of time out (observation, exclusion, seclusion)
- d. Date, time, and duration of time out
- e. All less restrictive interventions tried but found ineffective
- f. Parent notification
- g. Teacher's signature

Using Secured Seclusion (time out room):

■ Secured seclusion is the most restrictive intervention. It is the removal of a child from a positively rewarding environment and placement in a secured, nonstimulating room away from the classroom.

■ Secured seclusion should be used **only**

- a. when less restrictive intervention alternatives have been attempted and have failed, and this has been documented
- b. to prevent acute self-mutilative behavior
- c. in an emergency when student shows evidence that he or she may injure others.

■ Secured seclusion should **never** be indicated for the following situations:

- a. As corporal punishment
- b. As a punishment technique in a planned behavior modification program
- c. To correct inappropriate behavior in students who do not pose a threat of physical harm to themselves or others
- d. To correct verbally disruptive or threatening behavior
- e. To punish for destroying property

As in the other forms of time out, written procedures should be followed when placing a student in secured seclusion. The student must know in advance the actions that can result in time out. He must be told why he is to go to time out when this occurs.

■ **Students in secured seclusion must be observed continuously.**

■ Secured seclusion is not a long-term intervention. **If it exceeds 30 minutes, other intervention should be used.**

■ Personnel using secured seclusion should be authorized to do so by the building principal and should have completed inservice training covering the following:

- a. District philosophy and guidelines on secured seclusion
- b. Less restrictive interventions and strategies for transitioning students from time out back to regular classroom activities
- c. How to write comprehensive documentation
- d. How to observe secured seclusion appropriately.

- Parental notification is essential. Notification to parents should include the following steps and information:
 - a. Before secured seclusion can be used with a student, the school should have on file a permission slip signed and dated by the parent/guardian; this should be updated annually.
 - b. Parents must be notified each time secured seclusion is used with their child. Notification of the parents will be included in the report of secured seclusion.

- Every incidence of secured seclusion must be followed by a meaningful written report. This will include the information indicated in “Records” under “Exclusionary time out” as well as the following:
 - a. the name of the person observing secured seclusion
 - b. a brief summary that also identifies interventions used after secured seclusion
 - c. a written record of parent notification. Contact with parents after the use of secured seclusion should be mandatory. Written documentation of telephone notification should be included in the report. If telephone contact cannot be made, a letter or note should be sent, with a section for the parents’ signature, to be returned to the school to verify that the letter was received.
 - d. signature of building principal (designee) and person reporting the use of secured seclusion

- Reports of secured seclusion should be made to the school principal at least daily.

- An advisory committee, consisting of the teacher, principal, behavioral specialist, and parent, should be called to evaluate the appropriateness of using time out as a consequence for misbehavior if its effect in suppressing the behavior is questionable.

- A secured seclusion room must have the following characteristics:
 - a. must have at least 36 square feet
 - b. must be properly lighted (with the switch outside the room)
 - c. must be properly ventilated
 - d. must be free of objects and fixtures with which children could harm themselves
 - e. must be constructed so that an adult can continuously monitor all areas of the room, visually and auditorily
 - f. must not be locked. The door may be actively secured with a spring bolt or other latching device that automatically disengages when released by the person monitoring the student in the room
 - g. must meet all safety and fire code standards

SUMMARY

Time out is a valuable behavior modification strategy which, when used and administered appropriately, can be an effective intervention for the special education classroom teacher. Strict procedures and guidelines must be followed to ensure the protection of the child’s rights during the implementation of time out. The information provided in this paper is to serve as a guide for successful development of time out procedures and strategies based on best practices. Through an understanding of proper time out procedures, the common abuses associated with improper implementation can be avoided.