



## **TIMEOUT AND PHYSICAL RESTRAINT POLICY**

### **Purpose:**

St. Dominic's Family Services recognizes that students sometimes exhibit challenging behaviors that impede learning and pose concern for the physical safety of themselves and others. The ST. Dominic's Family Services 853 school utilizes positive, proactive, evidence-and research-based strategies through a multi-tiered system of supports, to reduce the occurrence of challenging behaviors, and the need to use student timeout or physical restraints to increase student safety and improve school climate for all students. St. Dominic's Family Services 853 School shall utilize strategies that include intervention, prevention, and de-escalation techniques to aid in keeping the school environment safe.

### **Scope:**

This policy affects all persons involved in administering the day-to-day activities of the 853 school Program including but not limited to Teachers, Aides, one-to-one staff and others operating under the aegis of St. Dominic's Family Services.

### **Policy:**

Pursuant to state regulations [8 NYCRR §19.5](#), St. Dominic's Family Services 853 School shall not utilize timeout and physical restraint 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. SDFS 853 School shall utilize timeout and physical restraint only when:

1. Other less restrictive and intrusive interventions and de-escalation techniques have been utilized and do not prevent imminent danger of serious physical harm to the student or others.
2. There is a review of and knowledge that there is no known medical contraindication to its use known by the individual implementing the timeout or physical restraint on the student; and
3. School staff using such interventions have been trained in their safe and appropriate application, as required by regulations.

For purposes of this policy and regulation, the term "parent" refers to parents/legal guardians and persons in parental relation.

## ***I. Precipitating Factors and Time Limitations***

St. Dominic's Family Services 853 School shall consider and implement timeout and physical restraint only when students exhibit behavior that puts themselves or others at risk of physical injury. Timeout and physical restraint will be used for the least amount of time necessary to de-escalate, a behavior that no longer poses a risk of injury to themselves or others.

In addition to situations posing an immediate concern for the physical safety of a student or others as described in this policy and administrative regulation, timeout may be used for students with disabilities after careful consideration and in conjunction with a behavioral intervention plan (BIP), as part of the student's individualized education program (IEP), and as permitted by state regulations [8 NYCRR §200.22](#).

## ***II. Staff training***

St. Dominic's Family Services will provide annual training to staff on the use of timeout and physical restraint as required by state regulations and outlined further in the accompanying administrative regulation. Additional training shall be provided as recommended and deemed appropriate.

## ***III. Information Provided to Parents***

St. Dominic's Family Services shall review and provide this policy and accompanying administrative regulation to the parents of students to inform of the Agency's timeout and physical restraint policy.

## ***IV .Parent Notification of Timeout or Restraint***

St. Dominic's Family Services 853 School Principal or designee shall ensure that parents are notified on the same day that timeout or physical restraint is used on a student, including a timeout used in conjunction with a student's BIP. The parents shall be offered an opportunity to meet with school personnel regarding the incident. Parents will also be provided with a documented copy of the incident that led to the use of time-out of a physical restraint within three school days of the event.

If the parent cannot be contacted after making reasonable attempts, the Principal shall ensure that notification-attempts are duly documented and the appropriate Committee on Special Education is informed.

## ***V. Data Collection to Monitor Patterns***

St. Dominic's Family Services shall document each incident and conduct a debrief following all incidents that result in the use of timeout, including time-out or physical restraints used in conjunction with a child's BIP The 853 School Principal shall

conduct monthly review of its documentation to monitor trends and patterns of timeout and physical restraint events.

#### **VI. *Prohibited Actions***

Saint Dominic's Family Services prohibits staff and people operating under the aegis of the agency from placing students in a locked room or space. Students placed in time-out must be continuously observed and supervised by school staff. The 853 School prohibits the use of all mechanical or other prone restraint such as a physical or mechanical restraint while the student is in a face down position.

Additionally, 853 School personnel, that includes but is not limited to, teachers, administrators, employees, or agent are prohibited from using all forms of corporal punishment, mechanical restraint, aversive interventions, or seclusion (which differs from timeout) against a student, as defined in state regulations.

#### **VII. *Public Availability and Posting of Policy***

This policy and accompanying administrative regulation will be made publicly available for review at the administrative offices of the Saint Dominic's Family Service 853 School and posted on the agency's website: <https://sdfs.org>

Ref:

[Education Law §4402\(9\)](#)

[8 NYCRR §200.22](#)