

The Board of Education recognizes that students with disabilities sometimes exhibit inappropriate behaviors that impede learning. As a result, students with disabilities may require unique approaches to discipline so that they can continue to benefit from their educational program. The Board further acknowledges that the use of aversive behavioral intervention, as defined in §19.5 of the Commissioner's regulations, is prohibited unless the district has followed the procedures outlined below to allow for their use in a child-specific case.

The use of a time out room, physical restraint or aversive intervention will be in conformance with a child's individual education program (IEP). The district rarely uses a time-out rooms, physical restraint, or aversives, however if a particular student IEP need requires one of these measures, staff will adhere to all federal and state statutes and regulations as outlined in this policy.

#### *Time Out Room*

A time out room is an area for a student to safely deescalate, regain control and prepare to meet expectations to return to his/her educational program. The room will only be used in conjunction with a behavioral intervention plan, as part the student's IEP. The room will provide a supervised area in order to facilitate self-control, or when it is necessary to remove a student from a potentially dangerous situation or unanticipated situations that pose an immediate concern for the physical safety of the student or others. The location, size and access to the time out room will be in conformance with applicable laws and regulations. The Director of Special Services will be responsible for the development and implementation of regulations covering the use of a time out room, as well as monitoring compliance with those regulations.

The Director of Special Services will inform parents prior to the initiation of a behavioral intervention plan that will incorporate the use of a time out room. Upon request, the parent will be shown the space that will be utilized. In addition, the parent will be provided a copy of this policy.

#### *Physical Restraint*

Staff will not use physical restraint as a substitute for systematic intervention to modify inappropriate behavior. Staff who may be called upon to physically restrain a student will be trained on safe and effective ways to do so. Physical restraint may be used in an emergency where no other approach would be effective in controlling the student's behavior.

#### *Aversive Behavioral Intervention*

Aversive behavioral intervention, as defined in §19.5 of the Commissioner's regulations, shall not be the sole or primary approach to modifying inappropriate behavior. This approach will be limited to self-injurious or aggressive behaviors identified on the child's IEP. If the Committee on Special Education (CSE) or the Committee on Preschool Special Education (CPSE) is considering the use of aversive behavioral intervention for a specific child, they must submit an application to the Commissioner. If the application is approved, and if the CSE/CPSE decides to incorporate it into the IEP, they must then notify the Commissioner.

The IEP shall identify the specific targeted behavior, the aversive intervention to be used and, if applicable, the device to be utilized. The parent must provide informed written consent for the use of the aversive intervention.

The district will establish a Human Rights Committee to monitor the use of aversive behavior interventions. The committee will be comprised of individuals not employed by the school district and its membership will be in conformance with Commissioner's regulations.

*Training*

Training for staff on the policies and procedures related to the use of time out rooms, physical restraint, aversives, and related behavior management practices, will be provided annually or as needed.

The Director of Special Services will be responsible for implementation and oversight of this policy.

Ref: 8 NYCRR 200.22

Adopted November 2015