

October 3, 2023

Dear Parents and Caregivers,

This letter is to inform you that changes have been made to the New York State Commissioner of Education regulations governing timeout and physical restraint in schools. Summit Academy is currently updating its policies and procedures to reflect these changes. Many of our current procedures already comply with the regulations including same day notification provided to parents/caregivers on the use of timeout/restraint, maintaining documentation of each incident involving the use of timeout/restraint, school administrators regularly reviewing documentation on the use of timeout/restraint, and all staff receiving annual training on the use of timeout/restraint. Additionally, Summit has always prohibited corporal punishment, aversive interventions and prone restraint, as specified in these regulations.

Many of the changes to the regulations specifically addressed timeout. In the past, the use of time out in a behavior plan, or as an emergency intervention, was limited to the use of Summit's Environmental Time Out rooms (ETO). These are padded rooms with doors that allow the student to be alone while they are continuously monitored by staff. Now, the definition of timeout has expanded beyond the Environmental Time Out (ETO) room to include any space within the school. This means that much of what was considered a Separate Individual Area (SIA) on a student's behavior plan will now be considered timeout.

New York State now defines timeout in schools as:

“A behavior management technique that involves the monitored separation of a student in a non-locked setting and is implemented for the purpose of de-escalating, regaining control, and preparing the student to meet expectations to return to their education program.

The term timeout shall not include:

- a student-initiated or student-requested break to utilize coping skills, sensory input, or self-regulation strategies
- use of a room or space containing coping tools or activities to assist a student to calm and self-regulate, or the use of such intervention strategies consistent with a student with a disability's behavioral intervention plan”

Summit staff realize that the use of the ETO room is a more restrictive intervention than other timeout procedures. As a result, Summit will continue to separately track use of the ETO room and will notify you if ETO is being considered for inclusion in your child's behavior intervention plan. Therefore, you will be notified of every use of timeout and will also know if that timeout took place inside Summit's Environmental Time Out room by the use of the “ETO” code.

Attached to this letter is a summary of Summit's new timeout policy. If timeout is needed for your child, or if it is being considered for inclusion on your child's Behavior Intervention Plan or Interim Behavior Protocol, you will receive a phone call describing the incident. At any time, you have the opportunity to see the space or room that timeout was used in. In addition, following timeout, a staff member will meet with your child to debrief with them in a manner that is appropriate to their age and developmental ability.

Sincerely,

*Mary Bennett*

Mary Bennett, M.S.Ed., SBL, SDL  
Principal, Summit Academy

*Johanna Shaflucas*

Johanna Shaflucas, M.S.Ed., BCBA  
Coordinator, Behavior Support Department