

# Use of Timeout Procedures in Schools: A Review

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## What is Timeout?

(Behaviorist perspective)

- Behavior reduction procedure or form of punishment, in which students are suspended for a short period of time from access to all opportunities from reinforcement contingent upon their displaying inappropriate behavior.
- Thus: "Time Out From Positive Reinforcement"

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## What is Timeout?

(Other Perspectives)

- A place to go through a behavior problem solving procedure.
- A place to "cool down" (anger or other emotions) before returning to class.
- A place kids go who have behavior problems in the classroom.
- Others...
- In these: "Time Out" is not necessarily connected to "removal from positive reinforcement"!

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## Why is Timeout Important Now?

- Concern for time away from instruction in increased with No Child Left Behind and IDEA 04.
- Many students with more serious behavior problems may now be in less restrictive settings where these procedures are now being used more frequently- sometimes without documentation or staff training.
- There is concern for the overrepresentation of some minorities in various punishments- timeout may be one additional instance.
- There is a possibility for serious injury or death in inappropriate or unsupervised seclusionary timeout settings.

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## Four Types of Timeouts

1. Inclusion
2. Exclusion
3. Seclusion
4. Restrained Timeout

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## Inclusion

- Student placed in area of classroom where they can observe instruction.
- Denies student opportunity to participate in activities and receive reinforcement.

### Examples

- Contingent Observation
- Planned Ignoring
- Timeout Ribbon.

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## Exclusion

- Student separated in a designated area away from his/her peers.
- Denies student opportunity to either visually or orally observe educational environment.

### Examples

- Student placed in corner of classroom facing wall.
- Student placed behind partition in classroom
- Student placed outside of classroom in hallway.
- Student goes to nearby classroom (Think Time)

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## Seclusion

- Student is removed from classroom and placed in involuntary confinement in a room or area and physically prevented from leaving.
- Completely removes the student from educational environment and his/her peers.

### Examples

- Isolation
- Locked Timeout Room
- Quiet Room
- Comfort Room.

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## Restrained Timeout

- Staff member positions student into a timeout position (e.g., sitting in corner).
- Student compliance is attained through physical restraint.

### Examples

- Movement Suppression
- Therapeutic Holding

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## Literature Review 1964 - 2003

- 66 articles were located pertaining to timeout procedures for children and adolescents in an educational setting.
- 38 Research Articles
  - 29 of which incorporated an experimental design in which a timeout procedure was used as either the independent or dependent measure.
  - 9 surveys
    - Teachers (n=7)
    - Students (n=1)
    - Departments of Education (n = 1) 15 Procedural Articles
- 11 Position Statements
- 10 Legal Reviews
- 7 Literature Reviews

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## Prevalence

- Persi & Pasquali (1999) attempted to identify a relationship between the setting of protectiveness a student was placed in (e.g., special day, residential facility) and the number of seclusion timeouts that were performed.
- Found seclusion did not vary linearly with age, however there was a large increase in number of timeouts with onset of adolescence.
- Surmised timeout procedures may be less common among older students because staff:
  1. May believe intrusive procedures may be more developmentally appropriate for younger children
  2. May be apprehensive to perform these procedures on larger and stronger individuals.

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## Prevalence

- Skiba & Raison (1990) investigated the use of timeout among elementary self-contained students with EBD.
- Reported students received average of 6 – 8 timeouts per month with a duration of 10 minutes per incident.
- Students spent an average of 665 minutes in time out per year.
- However, two student spent over 6,000 minutes, (20 lost school days) in timeout.
- Costenbader & Reading-Brown (1995) reported average student in a special day school spent 23 hours in a seclusion timeout room per school year.
- Study in residential facilities reported each student was placed in seclusion timeout room an average of 120 times / year, with an average of 1366 minutes in isolation over the school year. Range = 115 minutes (2 hours) to 4174 minutes (70 hours).

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### *Methods of Reducing Timeouts:*

- Crisis intervention training for staff members effectively reduced average number of seclusion timeouts in residential facilities for students with EBD (Jones & Timbers, 2003) .
  - 6.5 incidents per month to 2.0 at one facility
  - 2.95 incidents per month to 0.4 at second facility.
- Professional staff training in crisis intervention likely factor in reduced use of seclusion timeout procedures by two-thirds (65.6%) in Special Day School (Ryan, Peterson & Tetreault).

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### *Implementation of Timeout Procedures:*

- Found it is ill advised to threaten students with timeout. When no warnings were provided to students their rate of immediate compliance to teacher demands increased
- When teachers threatened timeouts prior to administering them, student compliance was reduced (Twyman, Johnson, Buie & Nelson 1994).

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### *Duration of Timeout*

- Professionals frequently promote idea that duration of timeout procedures should vary depending upon student age.
  - Popular recommendations suggest duration of timeout should be one minute for each year of the student's age (e.g. 8 yr old = 8 minutes)
- Self imposed timeout duration was as effective as teacher imposed durations at reducing disruptive behaviors (Pease & Tyler, 1979).
- Demonstrated differential schedule of timeout was effective in reducing maladaptive behaviors (Barton, Brulle & Repp, 1987) .

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## Efficacy of Inclusion Timeouts

- Timeout Ribbon (n = 7)
  - Effectively Reduced Maladaptive Bxs:
    - Elementary General Education / SPED / MR
- Planned Ignoring (n = 3)
  - Effectively Increased Prosocial Bxs
    - Preschool students
  - Ineffective at Reducing Maladaptive Bxs:
    - Students with EBD / MR
- Sit & Watch (n = 3)
  - Effectively Reduced Maladaptive Bxs:
    - Elementary Gen Ed / EBD / MR
- Contingent Observation (n = 2)
  - As Effective as Exclusion Timeouts for Students with EBD

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## Efficacy of Exclusion Timeouts

- Effective in reducing disruptive behaviors in a general education elementary school classroom (Nau, Van Houten & O'Neil, 1981).
- More effective at reducing noncompliance than guided compliance technique with preschool children using guided hand over hand movement (Handen, Parrish, McClung, Kerwin & Evans, 1992).

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## Efficacy of Seclusion Timeouts

- Demonstrated large decrease in aggressive behaviors with single student with EBD (Webster, 1976).
- No affect at reducing maladaptive behaviors for several students with EBD and MR (Smith, 1981) .

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## Efficacy of Restrained Timeouts

- Reduced aggressive behaviors for student with EBD in a self-contained classroom (Noll & Simpson, 1979), & student with MR (Luiselli, Suskin & Slocumb, 1984).
- Reduced self-injurious behaviors (SIB) in a students with EBD in residential setting (Rolider & Van Houten, 1985).

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## Teacher Views of Timeout Procedures

- Both general and special education teachers reported timeouts are a complex intervention to perform due to the requirements of the teacher, but were acceptable for destruction of property and use of obscene language (Elliott, Witt, Galvin & Peterson, 1984).
- BD teachers were likely to assign timeout for specific behaviors including: aggression (63%), destruction of property (51%), refusal to work (47%), and inappropriate language (43%) (Zabel, 1986).
- BD teachers reported timeout procedures were typically incorporated into students behavior management plans in the event of either: physical aggression toward others (84%), verbal aggression (70%), physical aggression toward objects (64%), and physical aggression toward self (37%) (Ruhl & Hughes, 1985).
- While many BD teachers have timeouts as an official part of their behavior management plan, Esquivel & Pina (1983) procedure was more commonly used among general education teachers than their special educator counterparts.
- Zabel (1986) reported use of timeouts appears to decrease with age. Survey of BD teachers, reported how many teachers at different grade levels used timeouts:
  - Preschool Teachers (88%)
  - Elementary Teachers (78%)
  - Junior high teachers (65%)
  - High school teachers (51%) (Zabel, 1986).
- Researchers found gen ed & sped teachers were less likely to use isolation timeout procedures or other forms of aversive punishments if they are aware a student may be misbehaving due to a difficult family or personal situation (Alderman & Nix, 1997).

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## Student Views of Timeout Procedures

- 40 students with EBD drew a picture and described their experiences of a seclusion timeout.
- Students consistently perceived timeout procedures as punishment, emphasized by its use as a threat (Miller, 1986).

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## Disparity of Treatment

- Potential disparity of treatment in that 67% of students separated from class were African American students, while school was only 23% African American (Vacc & Siegel, 1980).
- Survey of 692 general and sped teachers found greater likelihood of using punishment and or exclusion with Asian American students, and less likely to use same aversive procedures with Hispanic American students (Ishii-Jordan, 2000)

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## Policy Related to Restraint

- *Legislation*
- *Court and Hearing Officer Decisions*

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## State Legislation Typically Contains:

1. Definitions of terms common to timeout;
2. Timeout space requirements (sq ft, ventilation, access)
3. Conditions when timeout can and cannot be used;
4. Guidelines for the proper administration of timeout (e.g., time limits);
5. Reporting requirements when restraint is employed.

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## Does Timeout Violate a Student's Individual's Rights?

- Plaintiffs typically argue timeouts violate an individual's rights under:
  - **Eighth Amendment:** which prohibits administering cruel or unusual punishment, and
  - **Fourteenth Amendment:** which provides for an individual's liberty interests in freedom of movement and personal security

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## Parental Options for Filing a Complaint

- The Office for Civil Rights (OCR) in the U.S. Department of Education serves as the primary administrative enforcement mechanism for Section 504 and the Americans with Disabilities Act (ADA) in relation to schools.
- Additionally, educational cases are frequently handled by the State Education Agency (SEA), which resolves disputes regarding the IDEA using impartial due process hearings, and at the state's option, a second-tier impartial administrative review.
- All OCR and SEA Hearing Officer Reports may also be appealed to federal court.

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### Individual Rights

Federal Court	Rulings
<i>Jackson v. Bishop</i> (1968)	Interventions not professionally indicated and unnecessarily restrictive may violate a patient's 14 <sup>th</sup> Amendment liberty interest.
<i>Bell v. Wolfish</i> (1979)	Supreme Court stressed that innocent persons have a right to be free from punishment
<i>Youngberg v. Romeo</i> (1982)	Supreme Court ruled students have the right to safe conditions. Established precedent of "Professional Judgment" to determine if a staff member's use of punishment was considered reasonable
<i>Converse v. Nelson</i> (1995)	Mass Superior Court ruled inappropriate behavioral programs that constitute punishment disguised as treatment should be subject to analysis under Eighth Amendment standards.

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**Rulings Concerning  
Inclusion Timeout**

- *Cole v. Greenfield Central Community Schools (1966)*
  - Federal district court ruled students with disabilities are not immune from schools disciplinary procedures including timeout (inclusion & exclusion).

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**Rulings Concerning  
Exclusion Timeout**

- *Sanger Unified School District (1983)*
  - Exclusion timeout permissible, however the amount of time a student can be restricted was limited.

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**Rulings Concerning Seclusion  
Timeout**

- *Jefferson v. Ysleta Independent School District (1987)*
  - Court ruled a reasonable teacher would know that placing a student in isolation timeout for an entire day without access to lunch or toilet facilities was unconstitutional.
- *Wyatt v. Stickney (1972)*
  - Court stated that right to treatment included the right to be free from seclusion with exceptions to prevent an individual from harming themselves or others, but place a time limitation of 1 hour.

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## Rulings Concerning Restrained Timeout

- The preponderance of rulings by the Courts, SEA and OCR found the use of any type of mechanical restraint other than a time out or tray chair to be unacceptable, and in clear violation of a student's individual rights.
- Courts, SEA, and OCR have consistently found ambulatory restraints may be used without violating an individual's rights or threatening their safety.

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### Mechanical Restraints

Federal Court	Rulings
<i>Jefferson v. Yselta Independent School District</i> (1987)	Teacher and principal did not have qualified immunity from liability for tying a second grade student to a chair.
<i>Ronnie Lee S. v. Mingo County Board of Education</i> (1997)	Elementary school did not have qualified immunity from liability when restraining a child with autism to chair by means of a vest.
SEA	Rulings
<i>Portland (ME) School District</i> (1987)	Teacher's strapping down of a student with profound retardation violated his Sec. 504 rights.
OCR	Rulings
<i>Oakland (CA) Unified School District</i> (1993)	Student's Sec. 504 and ADA rights had been violated when his mouth was taped shut
<i>Aiken County (SC) School District</i> (1995)	Student's Sec. 504 and ADA rights had been violated when his mouth was taped shut

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### Ambulatory Restraints

Federal Court	Rulings
<i>Garland Independent School District v. Wilks</i> (1987)	Restraining a child with autism engaged in aggressive and self-injurious behavior was not considered to be excessive or violate the child's constitutional protection from cruel and unusual punishment
SEA	Rulings
<i>Florence (SC) County No. 1 School District</i> (1987)	School personnel had not violated student's Sec. 504 rights restraining him to prevent harm, despite language in the IEP forbidding corporal punishment.
OCR	Rulings
<i>Ohio County Public Schools</i> (1989)	Did not find evidence to support parent's claim that a teacher used excessive force in restraining a student.
<i>Wells-Ogunquit (ME) County Schools</i> (1990)	School district did not violate a student's Sec. 504 rights when using a physical restraint to control violent behavior
<i>Gateway (CA) v. Unified School District</i> (1995)	Determined a student's behavior modification plan permitted the use of physical restraint

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## Rulings Concerning Professional Training

### ■ *Wyatt v. King* (1992)

- U.S. Circuit Court determined staff working with mentally ill required specific training regarding interventions germane to their unique care.
- Court stated training should include psychopharmacology, psychopathology, psychotherapeutic interventions, as well as interviewing and assessment procedures for determining a patient's mental status.
- These findings are supported by national training prevention programs which advertise intensive staff training in schools reduced assaultive incidences by 80%, and resulted in a 77% reduction in disruptive incidents (Crisis Prevention Institute, 2002).

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## Unresolved Issues related to Exclusionary Time Out

- What is the effectiveness of exclusionary time out when the purpose is not "time out from positive reinforcement".
- What is the amount of time which is lost from instruction for exclusionary time out?
- What other management options might exist in lieu of exclusionary time out?
- When and where is seclusionary time out appropriate?

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## Recommended Procedures for Exclusionary & Seclusionary Timeout

1. School should have a written policy detailing the procedures for use of all types of timeout.
2. School should have parental/guardian permission to use exclusionary timeout.
3. Timeout should only be used when milder forms of intervention have proven to be ineffective (i.e., inclusion timeout & exclusion timeout).
4. All staff members who assign timeout should have training in conflict de-escalation.

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Additional Recommended Additional  
Procedures for  
**Seclusion Timeout** (1st of 4-Continued)

1. Seclusion timeout should only be conducted when a student displays behaviors that endanger him or herself, peers or staff members.
2. Visual and auditory monitoring by a trained adult should occur continuously during the time out period.
3. Room should be
  - 50 square feet at a minimum with 8 foot ceilings
  - Inspected carefully for hazards
  - Well lit & painted with calming colors.
  - Permit visual and auditory monitoring(Continued on next slide)

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Recommended Additional Procedures for  
**Seclusion Timeout** (2nd of 4-Continued)

3. Room should be (continued)-
  - Walls can not be damaged by assault.
  - Minimum of 75 watt light fixture that is tamper proof & no exposed wires.
  - Temperature & ventilation should be the same as other rooms in the facility.
  - Air conditioned even if other rooms in the facility are not.
  - If isolation room is fitted with a door, either a steel or wooden door of solid core construction should be used.
  - Should have a viewing panel that is unbreakable.
  - If door is locked, it should be interlocked with fire alarm system so that in case of emergency, the door automatically unlocks.
  - Set up so that the adult responsible for supervising the student is able to see the student in time out at all times.

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Recommended Additional Procedures  
for **Seclusion Timeout** (3rd of 4-Continued)

4. A detailed written record of each seclusion timeout should be maintained that includes:
  - A. student name
  - B. date of incident
  - C. time of incident
  - D. setting
  - E. duration of incident
  - F. description of antecedents that led to the incident
  - G. student behavior in timeout
  - H. school staff involved
  - I. description of any injuries to student or staff members
  - J. description of future interventions
  - K. date/time/method parent or guardian was notified.

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Recommended Additional Procedures  
for **Seclusion Timeout** (4<sup>th</sup> of 4-Continued)

- 5. Student should not be kept in seclusion timeout for more than 30 minutes after he or she ceases to display the dangerous behavior that required the intervention.
- 6. After each use, the room should be inspected for damage & potentially harmful objects (e.g., screws, nails)
- 7. Video monitoring cameras protected from tampering are optional.
- 8. After a student experiences 3 seclusion timeouts a functional behavioral assessment should be conducted, and/or current behavioral intervention plan should be reviewed.

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