



# *Using Timeout in an Effective and Ethical Manner*

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# Extensions of Appreciation

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A special thanks to the two primary authors, Tim Knoster and Tricia Wells for allowing the combining of their writings so the document could reflect various aspects of timeout.

The editor is grateful to Linda Miller, Consultant; Norma Lynch, Consultant; Nancy Brees, Administrative Assistant; and Sharon Willis, Graphic Artist; Iowa Department of Education, for their many hours of assistance in preparing and reviewing this document for publication.

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Dr. Knoster received his undergraduate and graduate degrees in special education from Bloomsburg University of Pennsylvania. He earned his Educational Specialist and Doctorate in Special Education from Lehigh University. Dr.

Knoster was the recipient of Pennsylvania CASSP's Least Restrictive and Least Intrusive Award in 2000, as well as Lehigh University College of Education's Outstanding Contributions to Discipline Award in 2002. He has extensively published manuscripts, training materials, and other practitioner oriented publications concerning the linkage among research, policy, and practice in positive behavior support, interagency collaboration that is child and family centered, and inclusive school reform. He has also served as an advisor on matters of policy and best practices to agency directors, legal staff and court authorities, as well as elected officials. In addition, he has a national reputation of being a dynamic advocate, leader, and presenter across school and community settings.

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Ms. Wells was also a consultant for the U.S. Office of Special Education Programs where she worked with state directors of special education, school districts, parents and advocacy groups on issues of critical concern for at-risk children and youth. During the 1990s, as Director of the Iowa Behavioral Initiative, she created a statewide school improvement effort leading educators to rethink approaches to the

increasingly complex issues of student discipline.

During the past fifteen years, Ms. Wells has conducted workshops for general and special educators across the country on instructional approaches to schoolwide discipline and strategies for students with chronic and intense behaviors. She is an unrelenting advocate for all students, believing they deserve respectful and accountable services based on validated practices. She is knowledgeable about leadership change, school improvement and staff development, as well as pragmatic school and classroom strategies. Her approaches are based on a solid knowledge of behavioral science, effective schools literature, and social learning theory. She has a strong commitment to teachers and to making the complicated simple.

Ms. Wells is a proven “change agent” possessing a powerful ability to challenge old beliefs about troubled and troublesome students and offer practical strategies to effectively act on a new set of beliefs — Beliefs that focus on teaching students to be responsible; beliefs that lead to a more positive school climate, improved student relationships, and greater academic and social success for all students.

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The editor also extends appreciation to Kevin McDowell from the Indiana Department of Education for giving permission to include his memorandum on the latest court cases and other legal issues related to timeout.

## From the Editor

This resource is intended as a practical, hands-on guide for educators who are seeking research-based methods to improve student behavior. The primary audience is educators and parents who would like guidance on pre-planning, appropriate interventions, and follow-up to the use of timeout in Iowa classrooms. It is the wish of the editor that all other interventions be implemented before timeout is used for students with significant behavioral needs. Forness (1982) has suggested a system whereby, before using timeout, teachers more carefully assess the student's developmental or curriculum level, the type of materials being used for the task, the student's understanding of how to use the materials, and the student's needs for individual or small group instruction. The next step is to ensure that appropriate reinforcers such as teacher attention, praise, or checkmarks, have been appropriately used along with teacher ignoring for the behavior. After all these approaches have been exhausted, timeout may be the only appropriate intervention left to deal with the student's behavior. Another resource that educators should use is the "Assessment and Decision Making for Students with Behavioral Needs," November, 2001, Iowa Department of Education. For a copy, please contact the Iowa Department of Education, Bureau of Children, Family and Community Services.

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# Timeout

## Introduction

by Tim Knoster

**M**rs. Hillary laments to a close friend and colleague, “I just don’t get it. I have tried taking away all sort of activities... recess, special trips, points, ...as well as having John sit in the front of the room, in the back of the room in the quiet area, and most recently out in the hallway as a result of his increasing problem behavior. At the rate he is going, he will spend more time out in the hallway than in my classroom by the end of the year. I just can’t figure him out.” Accounts such as Mrs. Hillary’s are not uncommon. In fact, if a given student’s problem behavior persists long enough such accounts can become a common (or shared) folklore among school staff.

Effectively addressing student problem behavior is one of the most challenging tasks faced by classroom teachers every day in our schools. This teacher resource provides practical, evidence-based guidance on one procedure, timeout, used by educators who work with young children, adolescents, and young adults in school settings. Our desire is that the information contained in this document will lead to the effective use of timeout within a context of concern for program integrity and respect for the students with challenging behaviors that we strive so diligently to help.

In particular, this resource begins by providing a definition of timeout followed by an overview of timeout in the context of current practice based on scientifically based research – Positive Behavioral Supports (PBS). PBS provides a context in which teachers can use

timeout most effectively. A continuum of timeout procedures and guidelines for timeout is provided for teacher consideration. Finally, a pragmatic set of general and legal considerations are presented.

After studying this resource you will have a clear understanding of:

- what timeout is and how it has been used over time;
- the variations of timeout;
- how the use of PBS can help teachers maximize the effectiveness of timeout;
- step-by-step process for planning to use timeout;
- some general guidelines for the meaningful use of timeout in the classroom; and
- legal and ethical considerations in using timeout.

## Chapter One

### WHAT IS TIMEOUT?

by Tim Knoster

Timeout is a set of procedures that can be used to reduce inappropriate student

behavior as a result of the student being denied access to the opportunity to receive reinforcement for a fixed period of time. Examples of reinforcement in the classroom that may be withdrawn through the use of timeout include (but are not limited to) peer attention, adult attention, participation in activities, and the earning of points or awards. Common uses of timeout procedures in schools include withholding for a period of time a student's opportunity to participate in play activities (e.g. recess) and/or having a student remove him/herself from the classroom group activity for a period of time.

Viewed in the larger context of the PBS teaching approach, timeout is one form of feedback strategy that looks to reduce problem behavior (i.e., a reactive response to problem behavior). It is important to understand timeout in this larger program context as effective use of a timeout procedure with a given student will likely not, by itself, teach the given student socially acceptable alternative skills to obtain the same function as the problem behavior. Therefore, while the use of a timeout procedure may be appropriate with a given student, it will likely be necessary to pair the use of timeout with other proactive prevention and teaching approaches to achieve durable behavior change with the student.

For example, if it was determined that the function of John's disruptive behavior of talking in a loud voice and encroaching on his classmates' work space during group work in Mrs. Hillary's classroom was to gain peer attention, the exclusive use of a timeout procedure (regardless of the length of time) by itself would not directly teach John more socially acceptable alternative ways of gaining peer attention. It would be important for Mrs. Hillary to combine the use of timeout procedures with prevention approaches, such as making sure that both John and the classmates in his group understand the process of how they are to share materials and opportunities to lead the group. Further, it would be important, given the function of John's disruptive behavior (peer attention in this example), to directly teach John more socially acceptable ways to gain attention from his classmates during group work by instructing John how to appropriately (1) ask questions to his peers related to the assignment, (2) request a turn using materials related to the assignment, (3) accept help from a classmate in completing the assignment, or (4) provide help to a classmate during the assignment.

### **TIMEOUT IN A PBS CONTEXT**

The key for educators to address student problem behavior effectively and efficiently through positive means is in understanding the basic principles and underlying assumptions of what is referred to as PBS.

Specifically, it is essential for educators and parents to understand that (1) problem behavior results from unmet student needs, (2) that student problem behavior serves a function for the student, (3) that student problem behavior is related to context (i.e., influenced by environmental factors), and (4) that effective approaches to working with students who have a history of misbehavior involves understanding

the student and his/her behaviors in context through varying degrees of functional behavior assessment.

*(Editor's Note: It is important to note that problem behavior can also derive from specific psychiatric disorders such as ADHD or Obsessive Compulsive Disorder. Children with these disorders frequently behave in ways that are not always related to environmental context. However, the behavior of children with these disorders will, nonetheless, respond to behavioral interventions such as timeout. Judicious use of timeout can be very effective for certain children with ADHD or related disorders.)*

## Chapter Two

### THE CONTEXT FOR TIMEOUT: OVERVIEW OF PBS

by Tim Knoster

**P**ositive behavior support (PBS) represents a proactive teaching approach to addressing student behavior. The approach emphasizes determining contextual influences (environmental factors) that contribute to a student's problem behavior and identifying why the student engages in that problem behavior (e.g., to gain attention, to escape or avoid situations that he/she finds unpleasant, to have influence and a voice in the world).

The use of timeout procedures may be appropriate with particular students in your classroom, given that its use is paired with both prevention and teaching approaches associated with the PBS approach. Before consideration is given to using timeout as a reductive technique for the problem, behavior practitioners should consider the broader context in which the behavior occurs. As student behavior is communicative in nature, there are a series of consid-

erations to entertain when employing reductive procedures such as timeout. A series of guiding questions need to be addressed prior to implementation of timeout procedures. Before using timeout procedures, educators need to be able to answer yes to ALL of these questions.

These considerations are presented as a series of guiding questions.

- 1) Have you identified what fast and slow triggers tend to increase the likelihood that the student will engage in problem behavior?  
Yes \_\_\_\_\_ No \_\_\_\_\_
- 2) Have you put in place prevention strategies to address those identified fast and slow triggers?  
Yes \_\_\_\_\_ No \_\_\_\_\_
- 3) Have you operationally defined the behavioral expectations for the student of concern?  
Yes \_\_\_\_\_ No \_\_\_\_\_
- 4) Have you provided direct instruction to the student regarding the behavioral expectations on an ongoing basis?  
Yes \_\_\_\_\_ No \_\_\_\_\_
- 5) Have you reinforced the student's acquisition and/or use of the expected behaviors on a regular basis (i.e., catch him/her being good)?  
Yes \_\_\_\_\_ No \_\_\_\_\_
- 6) Are you working from a least to most intrusive approach with regard to your interventions?  
Yes \_\_\_\_\_ No \_\_\_\_\_

- 7) Have you personally sat down to talk with the student about his/her behavior in context of his/her personal goals?

Yes \_\_\_\_\_ No \_\_\_\_\_

N/A \_\_\_\_\_

- 8) Are there other prevention and/or teaching techniques that you could incorporate into your approach with this particular student?

Yes \_\_\_\_\_ No \_\_\_\_\_

N/A \_\_\_\_\_

- 9) Have you collaborated with other colleagues concerning this particular student?

Yes \_\_\_\_\_ No \_\_\_\_\_

N/A \_\_\_\_\_

If all the answers to the questions above have been yes, then a functional behavioral assessment of the student's behavior may be the next step.

### ***Functional Behavioral Assessment***

A functional behavioral assessment is the information gathering process that educators can use to gain understanding of a student and his/her problem behavior (i.e., to decode what the student is communicating through his/her behavior). Once contextual influences and the function of the student's problem behavior are summarized in the form of hypothesis statements (written educated guesses about *why* the student engages in the behavior), educators then design and implement a combination of strategies and interventions that test their hypotheses. Intervention using a PBS approach

involves (1) short-term prevention techniques that remove or minimize factors that appear to serve as fast or slow triggers to the problem behavior (i.e., address the antecedents and/or setting events), (2) teaching socially acceptable alternative behaviors to enable the student to achieve the same outcome (function) as he/she did with the problem behavior, (3) feedback procedures to reinforce the acquisition and use of the new social skills and to respond to problem behavior in the future, and (4) long-term prevention strategies that support the student in accomplishing personal goals related to his/her quality of life. The PBS approach is, first and foremost, an educative approach and therefore fits well within classroom settings in schools.

### ***Behavioral Intervention Plans***

It is important to understand timeout in this larger program context as effective use of a timeout procedure with a given student will likely not, by itself, teach that student socially acceptable alternative skills to obtain the same function as the problem behavior. Therefore, while the use of the timeout procedure may be appropriate with a given student, it will likely be necessary to pair the use of timeout with other proactive prevention and teaching approaches to achieve durable behavior change with the student.

## Chapter Three

### **THE TIMEOUT CONTINUUM**

by Tim Knoster

**T**here are a variety of ways to implement timeout procedures in the classroom. As such, methods of providing timeout occur along a continuum of procedures that includes (1) less intrusive—less resource intensive approaches (e.g., Planned Ig-

noring or Withdrawal of Materials), (2) moderately intrusive—moderately resource intensive approaches (e.g., Contingent Observation), and (3) more intrusive—more resource intensive approaches (e.g., Exclusionary timeout up through seclusion of a student for a period of time). Educators who employ timeout should work in a least to most intrusive manner taking into account a number of considerations (which will be outlined later in this resource), including the student’s response (i.e., change in behavior) following the use of the selected procedure.

Along with this continuum, there is a basic principle concerning the use of timeout procedures in school programs. This principle is that for timeout to have the desired effect on student behavior, “time-in” must be reinforcing. Timeout procedures are likely to be ineffective (and may result in increasing, as opposed to decreasing, the likelihood of future student problem behavior) if the function of the student’s problem behavior is escape motivated (i.e., they want to get out of work, leave the classroom, or avoid certain people in the classroom).

**Planned Ignoring** is the simplest form of timeout and involves the systematic withdrawal of social attention for a predetermined time period upon the onset of mild levels of problem behavior. Planned ignoring can be a powerful tool for educators with particular students who find social attention, especially with adults, as reinforcing. In its simplest form, the teacher does not interact with the student who is engaging in what Latham (2000) denotes as “junk” behavior (i.e., behavior that does not pose an imminent threat to personal or material safety). Ideally, the recommended classroom-based approach to Planned Ignoring is to integrate the procedure with the reinforcement of another student who is demonstrating the desired behavior in such a manner that the student presenting the “junk” behavior can see or hear this reinforcement occurring (e.g., prais-

ing a child nearby for his attention to his assignment). Upon cessation of the junk behavior (e.g., off task) by that same student, the teacher would then provide social praise to that student for the demonstration of the desired behavior. Latham (2000) describes this procedure as “Pivoting.” The key is that no interactions in the form of teacher comments or body language are provided to the student concerning the junk behavior. Rather, exclusive reinforcement of the desired behavior is used once that behavior is demonstrated.

One of the practical difficulties in employing Planned Ignoring (particularly if it is not implemented in context of the pivoting technique just described) is that some students’ misbehavior will likely escalate when teacher attention is withdrawn. Additionally, some teachers can find Planned Ignoring difficult to implement on a consistent basis as it can be difficult and feel unnatural to not react to a student’s misbehavior (e.g., “nipping it in the bud” before it grows any further).

**Withdrawal of Materials** is another example of timeout in its simplest form. The teacher simply removes the materials that the student is using upon the occurrence of the inappropriate behavior (e.g., removal of a toy for a young child or equipment/materials needed to complete an assignment for an older student). It is important for the teacher, as well as the other students, to ignore the student of concern for the period of time in which the materials are removed from the student. If, as previously noted, the principle of time-in is reinforcing, this procedure can easily be integrated into classroom settings and can be effective if the activity or materials that are removed have value to the student.

**Contingent Observation** is an approach that is more intrusive and usually requires more resources (e.g., time and energy by staff) than Planned Ignoring or Withdrawal of Materials.

This approach requires the student to remain in a position to observe the group without participating or receiving reinforcement for a specified period of time (e.g., the student is required to sit and watch his/her classmates). When a student's junk behavior escalates to the point where it can no longer be ignored, this approach enables the teacher to remove the student from the group in the least disruptive manner possible. Further, use of Contingent Observation still provides learning opportunities for the student as he/she is watching the other students perform in a socially acceptable manner while allowing the teacher to easily observe the student during the timeout period.

It is recommended that a debriefing session occur with the student following his/her timeout period in order to operationally identify what alternative behaviors and coping skills the student can/should use in the future if confronted with a similar set of problems as preceded this round of the problem behavior. This approach, of course, works best with a student whose problem behavior will not escalate while participating in Contingent Observation.

**Exclusionary Timeout** procedures are, by their nature, both highly intrusive and resource intensive to implement. Exclusionary Timeout occurs when the student is removed from the immediate instructional setting in response to behavior that requires immediate and direct cessation. Logically and ethically this form of timeout should only be used when the less intrusive reductive strategies described above have proven ineffective with the particular student and parental consent has been obtained. In addition, the less intrusive reductive strategies that proved ineffective should have also been previously paired with prevention and teaching strategies relevant to the PBS approach previously described.

Exclusionary Timeout involves a student being physically removed from an ongoing ac-

tivity resulting in the removal of opportunities for reinforcement for a set period of time. This form of timeout can take place within the same classroom (e.g., in a quiet space in a section of the classroom or in a nearby location that can be supervised by the teacher who is still working with the larger group). For obvious reasons, the physical setting and routines in each particular classroom influence the feasibility of implementing this form of Exclusionary Timeout procedure.

Sometimes, for various reasons, a student's problem behavior escalates to the point where he/she becomes so disruptive that the student cannot be maintained in the classroom at that time. In such cases **Seclusionary Timeout** serves as the most intrusive level on the continuum of timeout procedures. Seclusionary Timeout should occur within the parameters of a carefully developed and documented plan. Because this form of timeout represents the most intrusive and **most research intensive** approach, it should only be used when the student's behavior has escalated to the point that it significantly impedes the learning of that student and/or others, and/or when the student's problem behavior represents a clear and present danger to the welfare of people, facilities, or equipment. In Seclusionary Timeout the student is removed from the instructional setting, generally to a specified area, such as a designated room. Seclusionary Timeout should, for obvious reasons, be used sparingly and cautiously and never be used as the primary form of a behavior intervention plan.

## Debriefing

by Tricia Wells

**A**fter a timeout has occurred, the focus should shift to preventing the problem behavior(s) from arising again. *Debriefing* is an instructional follow-up pro-

cedure that focuses on problem solving (Colvin, 1993, 1997). Essentially, the teacher helps the student to identify the problem, recognize his or her inappropriate response, and determine options should the situation occur again. Debriefing is conducted at a neutral time, after the student has rejoined the group and is back on task. It should occur within a context of respect, caring and concern, which means selecting a time when both teacher and student no longer harbor any leftover emotions from the timeout experience.

Debriefing capitalizes on an important “teachable moment” when the learning is relevant to the student, and assists in getting closure to the problem as well as rebuilding relationships. This brief meeting uses a set format with key questions such as: *What did you do? What was your concern or need? What will you do next time that would be acceptable? Will you make a commitment to behave differently next time?* The teacher may want to use a structured worksheet to guide the discussion with the student. (See Appendix A) During debriefing, assist the student to:

- 1) Identify the triggers or events leading up to the behavior.
- 2) Pinpoint where he/she could have averted the timeout.
- 3) Select an alternative response for the problem.
- 4) Make a commitment to behave differently the next time the situation arises.
- 5) Understand your confidence that he/she can be successful.

Desirable behaviors compete with and prevent the occurrence of undesirable behavior. When we focus on teaching and encouraging desir-

able behavior, we increase the likelihood of future occurrences of that behavior and decrease the need for further corrective measures. Teachers considering the use of timeout should concurrently use these positive and instructional strategies designed to increase the frequency of desirable behavior. (See Appendix G)

## Chapter Four

### ADDRESSING THE ANTECEDENTS

by Tricia Wells

**S**ince timeout is a reductive strategy—a form of punishment—it should be used within the framework of a comprehensive plan to change behavior that also includes positive and proactive approaches. Punishment temporarily suppresses undesirable behavior. However, permanent behavior change can occur throughout the teaching and encouragement of alternative replacement behaviors.

- 1) Build Positive Adult-Student Relationships.

A significant body of research links the quality of teacher-student relationships directly to student behavior (Jones & Jones, 1995). Students who feel liked by their teachers have more productive behavior than do students who feel their teachers hold them in low regard. Students that present very difficult discipline problems and challenge the management skills of teachers, often produce strong emotional reactions in their teachers, are constantly under surveillance, are criticized more frequently, and are subjected to intense direct control measures including warnings, threats, negative sanctions, and dismissal from class (Brophy & Evertson, 1981). Teachers who are considering the use of timeout with challenging students must examine their attitude

toward the student(s) and systematically act to develop positive adult-child relationships.

- a) Establish high expectations for responsible behavior.

Teacher expectations are a well-documented factor in student behavior. In a variety of subtle (and unfortunately not-so-subtle) ways teachers of students with challenging behavior often communicate that the students are troublesome, incapable or irresponsible. Teachers must consciously monitor their own behavior to determine if they are communicating an expectation for respectful and responsible behavior, are encouraging, and conveying that they believe in the student's ability to achieve the high standards. Students take their cue from their teacher. When they feel that their teacher believes in them, they are more likely to match it with effort.

- b) Give and receive respect.

To earn student respect, teachers must first be respectful, as well as demonstrate that they are competent and that they care. Certain adult behaviors have been clearly linked to improved student attitudes toward their teacher, their classroom and school, increased cooperation, as well as improved learning. These preferred adult behaviors include: (1) communicating privately and respectfully, (2) maintaining a pleasant voice tone (even when correcting), (3) frequent smiles, (4) eye contact when communicating, (5) pleasant touch, and (6) use of the student's name. When concerns over student behavior occur, the teacher

should assess the presence of these basic relationship-building behaviors. Increasing the presence of these adult behaviors often significantly diminishes student challenges.

- c) Increase/improve personal interactions.

Numerous anecdotal reports and case studies recount significant changes in student behavior as a result of a designed effort to increase non-contingent attention including smiles, greetings, conversations, hugs, pats on the back, etc. that are initiated unconditionally. By systematically increasing the frequency of these personal interactions and positive contacts with students with challenging behaviors, behavior often significantly improves without the use of other interventions. If considering the use of timeout, it is essential to assess the amount of effort that has been invested in developing a personal relationship with the student. Teachers sometimes find it helpful to meet personally with students to "interview" and get to know them better, show an interest in their interests or activities, eat lunch with them, visit with them on the playground or during other "down" times, and write personal letters or notes for effort or improvement. A strong positive relationship diminishes the likelihood that challenging student behavior will occur. It is difficult to misbehave for those whom one likes and trusts and whom one feels likes you as well. Truly proactive teaching reflects the adage "an ounce of prevention is worth a pound of cure."

2) Teach Socially Acceptable Alternative Behaviors.

No matter how skillful a teacher may be at using timeout, if the student does not know the alternative desirable behavior, and has not practiced and received feedback on that behavior, change is not likely to occur. Until the student who tantrums when his/her requests are denied learns and practices accepting “no” for an answer calmly, no amount of punishment will eliminate the tantrums. The development of desirable behavior through proactive teaching and correction procedures should always precede the use of timeout or any behavior reduction strategy.

- a) **Planned teaching:** Effective teachers analyze the behaviors needed for success in their classrooms and teach them to students before the first time that they will need to use them. Clearly, the more time teachers invest in teaching and encouraging successful behaviors, the less time they will need to spend using punishment.

It may, of course, be necessary to repeat preventive teaching over time through brief reviews and reminders. Teaching is not telling and learning is not merely having been told. These reminders can take several forms, such as having the student read or repeat the expected behaviors to the teacher. In some cases, it may be necessary to practice the expected behaviors frequently. Daily reteaching or review of desired behaviors and the use of preventive prompts will increase the likelihood that alternative behaviors will be used. For example, a student who frequently responds argumentatively and defensively to

errors and teacher correction may need a brief “lesson” on accepting correction each morning. Then when the teacher needs to provide correction, prefacing that assistance with a preventive prompt such as, “Before I help you with your assignment, I want you to remember what we’ve learned about accepting correction” may create the conditions for student success and avoid the arguing or talking back.

- b) **Preteaching:** Needed right before the behavior precorrection. If behavior problems are expected, why not head them off and correct them before they occur instead of waiting until they happen? With precorrection, teachers become proactive instead of reactive because their response comes before the student misbehavior occurs.

Precorrection is similar to preventive teaching in its intent, but refers specifically to the process of chaining backwards from the misbehavior to identify the “triggers” or circumstances that cause a behavior, and then making adjustments—changing the conditions or events—to head off the problem behavior (Colvin, 1993). These adjustments might include teaching, behavioral rehearsal and reminders as earlier described in preventive teaching, but focus more on modifying tasks or routines and making contextual changes to set up the conditions for student success. A simple illustration of this is the teacher who notices that peer conflicts are developing on the way in from recess, resulting in extra time to settle down and much off-task behavior. The teacher could teach and rehearse with the students her expectations for entering the building, meet the students at

the door and escort them to the room, and have an entry task such as a math “brain teaser” on the board ready to be done upon entry to class. Changing these conditions could prevent discipline problems.

c) Preventive teaching/cueing: Preventive teaching, simply stated, is anticipating the behaviors required for any situation, and teaching those behaviors in advance (Wells, 1995). When behavior problems arise, teachers must first ask, does the student know the behaviors that are expected of him/her and, have I taught them to the student? If the answer is “no” to these questions, the teacher must begin by conducting a task analysis of the situational expectations, and clearly describing the behaviors necessary for student success. The description may reflect a classroom procedure or routine (e.g., how to signal for help during independent seatwork) or an interpersonal skill (e.g., how to accept correction or a consequence) and should carefully outline, step-by-step, the specific behaviors desired. Preventive teaching should take place at a neutral time and can be conducted with groups or privately with an individual student. The process includes six basic components:

- Provide initial praise or empathy. Beginning on a positive note by recognizing things the student does correctly or offering a statement of emotional understanding increases student receptivity.
- Introduce the expected behavior. Identify clearly the teaching agenda by naming or labeling the desired behavior.

- Specifically describe the behavior. Provide the student with a systematic description of the desired behavior. The behaviors should be clear and observable.
- Explain the reason or value. Help the student to understand the cause and effect of his/her behavior by providing rationales for using the desired behavior.
- Check for understanding. Verify student learning by checking his/her knowledge of the steps. Rehearse or practice the behavior if necessary.
- Plan for future use. Set expectations for the behavior and obtain a commitment from the student to use the behavior next time it is needed.

In another example, a teacher analyzed a child’s non-compliant behavior and identified that it regularly occurred when she gave directions for seatwork. It appeared that being out of his seat, talking with others and talking back functioned to avoid settling down and doing the assigned work. The teacher proposed that the behavior might be related to poor hearing, an inability to understand her instructions, difficulty doing the work, or a fear of failure and uncertainty about asking for help when needed. Rather than merely continuing to punish the child for his non-compliance, she set about to assess the antecedent conditions contributing to the behavior. When she ruled out hearing loss and academic deficits, her precorrection strategies included: (1) giving clearer instructions, both to the group and individually by going to the

student immediately for a private review, (2) talking with the student to make sure he understood that making mistakes was an acceptable part of learning, and (3) teaching and rehearsing how to ask for clarification or assistance. When these were combined with positive feedback for getting started on assignments quickly and seeking assistance appropriately, the behaviors of concern all but disappeared.

To use precorrection a teacher must be a keen observer of classroom events and conditions that influence student behavior. Only by carefully noting the circumstances that exist when the behavior occurs is the teacher able to identify causal factors. After careful observation, the teacher may conclude that there are as many as four or five possible events or conditions that could potentially influence the behavior. If any of these can be changed, then the teacher should begin by altering the one he/she considers to have the greatest potential influence, continuing until one (or more) is identified that serves to decrease the behavior.

The use of precorrection should be the very first approach considered in the task of changing student behavior. Some student behaviors may not be responsive to changes in the context only, or may be so strongly developed that they will require the manipulation of both the conditions that precede them and the consequences that follow. Use of precorrection may eliminate the need for timeout all together, or minimally, will enhance the outcomes when it must be used.

- d) Corrective teaching/reteaching: Independent practice with feedback

It may, of course, be necessary to repeat preventive teaching over time through brief reviews and reminders. Teaching is not *telling* and learning is not merely *having been told*. These reminders can take several forms, such as having the student read or repeat the expected behaviors to the teacher. In some cases, it may be necessary to practice the expected behaviors frequently. Daily reteaching or review of desired behaviors and the use of *preventive prompts* will increase the likelihood that alternative behaviors will be used. For example, a student who frequently responds argumentatively and defensively to errors and teacher correction may need a brief “lesson” on accepting correction each morning. Then, when the teacher needs to provide correction, prefacing that assistance with a preventive prompt such as, “Before I help you with your assignment, I want you to remember what we’ve learned about accepting correction” may create the conditions for student success and avoid the arguing or talking back.

Teachers who approach behavior change through a process of teaching and “coaching” the student to learn and use desirable behaviors find that they need to rely on reductive strategies less frequently. When they do need to use strategies such as timeout, their effectiveness is substantially enhanced.

- 3) Use Strategies for Increasing Positive Behavior.

Strategies to reduce undesirable behaviors, such as timeout, work only in conjunction with strategies to increase desirable behaviors. Historically, educators have focused on suppressing inappropri-

ate behavior rather than accelerating appropriate behaviors. Walker (1995) found that teacher responses to students with acting-out behaviors were characterized by high emotionality, and frequent negative attention, and lack praise and positive recognition. Studies demonstrate that there is a much higher probability of teacher disapproval of inappropriate behavior than praise for appropriate behavior in the typical classroom (White, 1975). This negative approach is generally met with a negative response from students and can actually strengthen the behaviors that triggered the teacher's criticism (Madsen et. al, 1968).

When a teacher constantly warns, scolds or uses punishment, students often become uncooperative or hostile. The teacher then often reacts even more negatively, and a vicious cycle begins. Fortunately, a positive approach to students that focuses on recognizing and increasing well-defined desirable behaviors and only occasionally uses punishment, leads to positive, productive student behavior.

Though we often fall into the trap of believing that critical remarks will improve student behavior, research suggests that the opposite is true. To develop optimal adult-student relationships and create an environment that maximizes student behavior and learning, teachers must use a high rate of positive interactions. This involves recognizing student efforts and using positive reinforcements four times more frequently than negative interactions. This 4:1 ratio is considered optimal for motivation, learning and behavior change. This focus on the positive is especially important following the use of timeout. The child's behavior should be observed closely at this time and appropriate behavior recognized and reinforced at a high rate.

There is really only one way to increase or strengthen behavior—*reinforcement*. Positive reinforcement is the act of strengthening a behavior by following it with something the person likes, wants, or values. Social and activity reinforcers are most frequently used in schools and are perhaps the most effective. Social reinforcers include any form of verbal (praise and positive feedback,) or nonverbal (smiles, hugs, pats, winks, and thumbs up) approval.

There are many creative tools and techniques to assist teachers in “catching students being good,” such as home notes, contingency contracts, raffle tickets, or tracking cards (Rhode, Jenson & Reavis, 1995). Teachers should consider combining timeout with a structured reinforcement procedure. For example, teachers have found success in developing a contract with the student where he/she is reinforced for displaying the desirable behaviors that are incompatible with those that led to the timeout.

## Chapter Five

### IMPLEMENTING TIMEOUT

by Tim Knoster & Tricia Wells

**C**lassrooms are busy and thriving places. As such, there are many important decisions to make on a regular basis to simply keep the flow and pace of instruction moving in a manner that is conducive to growth and development by the students. Student problem behavior can create havoc in the planning process for teachers. In light of this reality, the following guidelines should be helpful for thoughtful planning for the use of timeout procedures with students.

The steps assume that the practitioner has considered the use of timeout within the broader

PBS approach by answering affirmatively the nine questions in Chapter 2, beginning with the process of a functional behavioral assessment.

1) **Conduct a Functional Behavior Assessment**

For what functions is timeout an effective strategy?

For what functions is timeout an ineffective strategy?

2) **Incorporate Timeout Within a Behavior Intervention Plan**

What combination of strategies and interventions will be used?

Will the strategies and interventions fit well within the classroom/school setting?

Have slow and fast triggers been identified?

What alternative behaviors will be taught?

What feedback will the student receive?

What long-term prevention strategies that support the student will be implemented?

3) **Establish the Timeout Environment**

The timeout area must be easily monitored. In the classroom, a small wide-angle mirror from an automotive store has been used to effectively monitor students in a cubicle or behind a screen while continuing instruction. If the timeout location is away from the classroom and the teacher cannot easily monitor it, arrangements must be made to have a paraeducator, principal or another adult assist with supervision.

In programs for students with more se-

vere behavior where seclusion timeout may be necessary, a special booth or therapy room may be used. Again, the room you choose should be well-lighted, well-ventilated, safe, and meet all fire code regulations. Locks should never be used in public school settings.

Finally, the place you choose should be arranged so you can send the student there with a minimum of time and effort and with as little distractions as possible. It should be a place the student can go in a few seconds with no more instructions than, "You need to go to timeout." Timeout arrangements that are cumbersome are rarely used consistently for each occurrence of the inappropriate behavior. Teachers often delay or wait until the behavior has escalated before using such inconvenient arrangements. The true test of the place you choose is whether it can be used swiftly and consistently, and whether or not it serves to decrease the behavior you have set out to change.

A major variable in the correct application of timeout is that the setting or activities from which the child is being removed must, in fact, be reinforcing for the child. Boredom, confusion regarding expectations, inappropriate learning tasks, or an emphasis on negative management strategies will undermine the effectiveness of timeout. If the teacher has not developed a positive, rewarding classroom with meaningful learning tasks, isolation conceivably could become the preferred activity.

Perhaps more than any other response weakening strategy, timeout from positive reinforcement must be used along with a high rate of positive attention in the classroom. As a general rule of thumb, the environment should provide the child with four times more positive interactions than

negative over the course of the day. This focus on the positive is particularly important after the student first returns to the classroom following timeout. At this time teachers may unknowingly hold a grudge or require that a student be “extra” good and, therefore, be restrained in their use of positive feedback. A student returning from timeout needs to receive honest and full recognition for effort to use acceptable behaviors, to accentuate clearly this preferred setting. A 4:1 ratio of positive to negative interactions by the teacher has been identified as an optimal environment that will not only heighten the effectiveness of reduction strategies, but more importantly enhance motivation, self-esteem and learning. This focus on the positive is essential when using timeout, and ongoing monitoring of the “time in” environment is critical.

#### 4) **Select Timeout Parameters**

Begin by pinpointing and measuring the behavior that may warrant a timeout. Then select the parameters of the timeout that you will use to address that behavior.

**Type.** Selecting a type of timeout should be based upon the nature of the student behavior, never using a more restrictive/intrusive intervention than is necessary to bring about change. If the behavior is relatively mild and sustained by the attention of the adult(s) or only a few students, then planned ignoring or withdrawal of materials will likely be effective. If the behavior is a bit more disruptive or maintained by attention of the group, contingent observation or exclusionary timeout may be effective. If the behavior is too disruptive to maintain the student in the classroom learning environment, it may be necessary to consider seclusion timeout, which places the child away from

the instructional setting. When considering using seclusion timeout, you must also take into account the capacity of staff to conscientiously carry out the observation, supervision, and documentation necessary for effective use.

**Location.** “Timeout without reinforcement” clearly implies that the timeout location should be free of opportunity to do or see anything that may be fun or rewarding. The timeout setting should be relatively dull and boring. Consequently, when a student goes to the timeout area, he/she should not be allowed to take along reading materials, objects to play with, or work assignments. Putting a student in the hall, a nurse’s room or the office usually does not provide a reinforcement-free environment. There are too many opportunities to interact with others and engage in mischief.

In the classroom, timeout can be the student’s own desk where materials have been removed, a corner or designated “thinking square,” a desk or chair away from other students, or an area behind a portable screen. Consider the dignity of the student. Hopefully, the days of the dunce cap in the corner are long past. Similarly, the student should not be afraid to go to the timeout place. It should be well lit and not so small as to be frightening. Placing a student in a coat room or walk-in closet is not only cruel, but also risky.

**Length.** Effective timeout is swift and brief. Most adults tend to make timeout last too long. This often happens to provide a respite for the teacher, rather than to do what is best for the student. Research supports the effectiveness of brief periods of timeout, no more than 5 to 15 minutes. A general rule of thumb is one minute per year of chronological age

(Hobbs et al., 1978; Nelson & Rutherford, 1983). In other words, a 10-year-old would stay in timeout no more than 10 minutes; a 4-year-old, 4 minutes. A timer can be used. When it rings, the student should be quiet for at least 30 seconds before he/she is released. Misuses of timeout involving duration include setting times that are too short, allowing students to determine timeout length, as well as the more common tendency, excessively extending timeout periods.

Longer times may prevent the student from exhibiting or practicing the desired behavior (quiet, calm, and reflective). Students in timeout beyond five minutes often become restless and agitated. This may be manifested by physical behaviors (squirming, getting out of seat, kicking the wall, rocking in a chair) or attempting to communicate with the adult (e.g., “How much longer do I have to stay here?”). If more time is added to punish the child for these behaviors, the more restless and agitated the child becomes and the more disruptive behaviors he/she is likely to exhibit.

Extensive lengths of time can also be punishing to the teacher, making it less likely that he/she will use the procedure consistently (i.e., every time the behavior occurs), thereby negatively impacting the likelihood of behavior change. Teachers who tire of extended battles, supervision requirements, and disruption to teaching time may raise tolerances, overlook the inappropriate behavior, and delay timeout until the student’s behavior has escalated and can no longer be tolerated. This reinforces a lot of inappropriate behavior and sets the stage for these protracted battles with students to continue.

Timeouts that exceed 30 minutes have

questionable value. If a child is not responsive to repeated timeouts of 20-30 minutes duration, then other procedures should be considered. (See Appendices D, E, & F)

#### 5) **Develop a Written Plan**

Once a teacher is relatively sure of the need to use timeout, he/she should write up a brief description of its use. This plan is often prepared collaboratively with a problem solving team. Committing the plan to writing will facilitate communication among staff and with parents, ensure greater clarity and consistency in use, and increase teacher comfort and ability to remain calm and matter-of-fact during implementation. A plan should include: (1) a breakdown of the problem behavior, (2) the pinpoints (maladaptive and target behaviors), (3) the current level of the behavior and goal, (4) the type of timeout to be used and any special procedures, (5) plans to ensure the time in environment is positive, and (6) the data that will be collected to guide use. Any intent to use seclusion timeout must be reviewed with the building administrator. A planning worksheet can be found in Appendix A. While developing a comprehensive written plan is essential for seclusion timeout, it is recommended for any use of timeout considered.

#### 6) **Prepare Staff**

Timeout has great potential for misuse if staff are untrained or if implementation is inconsistent. To ensure the integrity of the procedure it is best to take time to fully prepare all staff who might be involved in using timeout.

If more than one adult will be working

with the child for whom timeout will be used, it is best to have staff work collaboratively on gathering baseline data and discussing and developing the written plan. Minimally, each staff member should read the procedures for using timeout prior to implementation. Role-playing, both informing the child and implementing the timeout prior to using the strategy, will increase adult comfort as well as consistency in implementation. (See the role-play checklist in the Appendix B.) Having adults role-play and experience the procedure personally will allow for affirmative answers to questions such as, “Have you been trained?” or “Did you try the procedure on yourself?” The role-play checklist can also be used as a self-check or reflection tool following each use of the strategy. Jenson and Reavis (1996) suggest that if using seclusion timeout, all staff should be required to read the procedures and take a test. They further suggest maintaining staff tests on file as proof of training and preparation.

#### 7) **Discuss With Parents**

When using timeout procedures that maintain the child in the classroom, it may be unnecessary to obtain parent agreement. However, engaging parents in the problem solving process and keeping them informed of the progress toward achieving targeted behaviors is strongly recommended. This reflects the collaboration between home and school, which can only maximize student success.

Seclusion timeout, on the other hand, should never be implemented unless it has been discussed with and agreed to by the student’s parent(s). The procedure should be explained to them, they should be shown the timeout area, and their concerns

and questions should be solicited and answered. A handout explaining timeout can be provided. The procedure must be documented in the student’s IEP. Written permission to use seclusion timeout with their child should be obtained (see the form, What is Timeout? in Appendix C). If parents do not give their permission, timeout should not be implemented.

Any behavior change effort works best when school and home are perceived by the student to be working together. Involving parents in identifying the behaviors of concern, the alternative or desirable behaviors to be strengthened, the strategies to be used, and the methods to determine if progress is being made is usually helpful. It serves to increase parental confidence in the school and create the “unified front” essential to successful behavior change.

#### 8) **Explain to Student**

All students need to understand clearly the behaviors that are expected of them at school and to be aware of behaviors that are unacceptable. This basic awareness is essential for any change effort to be effective. When using *planned ignoring*, *withdrawal of materials*, or *contingent observation*, it may not be necessary to provide a formal explanation of the timeout procedure. These strategies are often used as an ongoing part of the teacher’s classroom management, and a simple statement such as “I’ll be back after you’ve had a few minutes to think about how to accept correction” is likely to be a sufficient explanation. However, seclusion timeout requires an explanation to the student before its use. The explanation should be brief, concise, matter-of-fact and without anger:

- Sit down with the student at a neutral time and explain that you care and are concerned about him/her and that is why you are going to begin a procedure to help stop the problem behavior. Do not nag or scold.
- Explain the behavior that will result in timeout (the maladaptive pinpoint) and that timeout will occur every time the behavior occurs.
- Tell how long timeout will last and how the student will be informed that it is over.
- Explain that if he/she goes quietly and behaves, he/she will be able to return to class at the end of that time.
- Briefly review the appropriate or desired behavior that can help him/her avoid the timeout.
- If the student is young, practicing the procedure is necessary to ensure that the student understands.

## 9) **Implement Consistently**

As indicated earlier, consistent application is essential to the success of timeout. Once all the planning has occurred, staff must be willing to use the strategy each and every time the behavior occurs. Using the strategy intermittently (overlooking minor occurrences of the behavior or postponing implementation because of inconvenience) can strengthen the maladaptive behavior and promote student resistance to the strategy. Once you have explained timeout to the student, begin carrying it out the very next time the behavior occurs.

- Initiate the timeout procedure as soon as the behavior begins (within five seconds). This will cause the behavior to decrease more rapidly and will tend to stop the be-

havior before it becomes a major incident. Don't give in to the student who at this point "straightens up" and begins displaying the appropriate behavior. Failure to follow through, allowing the child to escape timeout, will teach the child that he can get away with misbehavior if he just "plays the game" at this point. Use of warnings has been demonstrated to be ineffective and actually serve to strengthen "limit testing" or repetition of the misbehavior.

- State the problem briefly along with a directive (e.g., "Spitting is not allowed. You need to go to timeout.") or, for young students, take the pupil by the hand and lead him/her to timeout.
- You may say something like, "In five minutes you can join the class again," though this is not necessary. Less communication is best.
- Ignore all protests or comments; do not respond to questions or be swayed by remarks such as "I don't care if I have to go to timeout!" Data, not the student's comments, will determine the impact.
- Set the timer or look at your watch as soon as the student enters timeout.
- Supervise, but do not engage in any communication with the student during the timeout period.
- Your written plan should specify the amount of time and conditions for release. Typically, the student must have maintained a quiet period of a minimal time before release. For example, if the student was quiet for three minutes and then banged on the wall loudly during the remaining two minutes, you might require that he/she be quiet for 30 seconds in order to gain release.

- Be sure to release the person from timeout as soon as the interval is over. The teacher may escort the student or let him/her return independently if the timeout area is in or very close to the room. Staying with the student is essential if the timeout area is a distance from the room.
- When the student is integrated back into the class activities, the teacher should reinforce appropriate behavior as soon as it occurs. There should be no further references, lectures, or jokes about timeout.
- Make certain that timeout is used only for the behavior you have selected and for which you have carefully planned. Do not shift to another behavior until the first one you have selected is under control. Be careful of generalized application to other behaviors not pinpointed for timeout use. Again, it is essential that staff not undertake the use of this relatively complex intervention unless they are committed to faithfully following through with planned and consistent use.

## 10) Collect Data and Make Decisions

Finally, it is important to continue observing the behavior to see if timeout has made a change. This data collection is really just a continuation of the information you counted and recorded earlier, which included frequency counts or the duration of the behavior. Be prepared to record the behavior during the first week you use timeout and compare the level with the average level before you began. Charting the behavior will give you a visual picture of the results. When comparing the data, some questions you might ask yourself include:

- Is there an increase, decrease or no change in the behavior?

- How did the student respond?
- Did the behavior get worse at first?
- When was improvement first noted?
- Were you able to carry out the procedure as planned?
- Do the results suggest continued use?

Continue to gather data during the entire time you use the procedure and be prepared to adjust procedures or parameters for use if the data indicated that it is not decreasing the behavior within a reasonable period to time (a two-week period). Do not assume that timeout will work for every student, or for all types of inappropriate behavior, in all types of settings.

## CAUTIONS

by Tricia Wells

**O**f all the strategies for weakening behavior, timeout from reinforcement is possibly the most controversial. When used improperly, it does not bring about the desired behavior change, and can damage adult-child relationships, increase aggression, and promote increase of the behavior. Some of the most common pitfalls in using timeout follow.

### Communicating with the Student

Talking with the student on the way to or during timeout is reinforcing and only serves to sustain or increase student verbalizations. Educators often engage in ongoing explanations, warnings, and even arguments with students regarding the procedures of timeout. Students quickly pick up on any hesitancy on the part of the teacher whose reluctance results in continued “testing” behavior by the student. Repeated explanations, com-

bined with warnings or threats, can render timeout ineffective. It is not so much the severity of the consequence, as the inevitability that a consequence will happen that changes behavior.

#### *Talking to the student on the way to timeout*

Students should be expected to report independently to timeout. If supervision is necessary, it should be carried out solemnly and silently. This is not the time for emotional reprimands or to explain what the student did wrong, why it is wrong or how timeout will be carried out. By definition, timeout without reinforcement should result in the removal of all attention. Therefore, once the simple direction, “You need to go to timeout,” has been given, there should be no further communication with the student until the timeout period is over.

#### *Talking to the student during timeout*

Once the student is in timeout, the teacher, again, should not talk with the student. While close supervision is essential, the adult must refrain from any tendency to talk or respond to the student. Commonly observed mistakes involving talking with the student in timeout include:

- arguing with the student about the misbehavior or about the fairness of being placed in timeout;
- answering questions posed by the student regarding how much more time he or she has remaining;
- countering misbehavior by penalizing with additional time;
- trying to calm the student down, cajoling or urging him/her to stop the misbehavior (i.e., tantruming, yelling, swearing, kicking, etc.) so that he/she may leave timeout (e.g., “If you are quiet, then timeout will soon be over.”); or

- responding to swearing or threats from the student regarding what he/she will do when out.

Teachers often want to add on more time for misbehavior that occurs on the way to timeout or during timeout. This is typically the result of an anger or control response on the part of the adult and usually includes the mistake of talking with the student, saying things such as “If you don’t go directly to timeout you will have additional time.” Or, “Since you are swearing you now have an additional five minutes.” The struggle that ensues between student and staff often results in extensive timeout lengths. Misbehavior during timeout should not be reacted to by “upping the ante.”

Any mess created or damage caused (e.g., displaced items, graffiti, etc.) should result in the student being held accountable to make amends and/or repairs. This restitution is best handled during a debriefing with the student later, after conclusion of the timeout. Similarly, a plan should exist that includes a set of escalated consequences (e.g., extra behavioral rehearsal time) in lieu of extended time if it is anticipated that the student might refuse to go to timeout.

While extending the length of time for misbehavior during timeout is counterproductive, it is wise to expect that the student should be quiet for a short period of time just prior to being released (e.g., 30 seconds). For example, at the end of a five-minute timeout for a 5-year-old, if the student is screaming or banging on the door, the teacher should simply wait until the student is quiet for 30 seconds before ending the timeout and returning the student to the classroom.

An exception to this stance against adding on time is when a student leaves timeout without permission. When this occurs, he/she should

be told to return and the timeout duration begins anew. This is not so much an extension of time, but rather the time begins when the student enters (or in this case re-enters) timeout.

On the other hand, teachers need to be certain that the duration of timeout is long enough to ensure that the behavior will be weakened. Teachers who are uncertain or hesitant to use timeout may make the mistake of beginning with a very short period and gradually increasing the length. For example, a teacher may use only a 30-second timeout initially. When it is ineffective in changing the behavior, the teacher then increases timeout by one minute, then two minutes, and then five, and so on until an excessive period of time results. This process serves to desensitize a student to a longer timeout. It is a trap that interferes with the success of timeout by diminishing the impact, developing within the student a tolerance for it, and creating resistance to change.

### **Excessive Use of Timeout**

Because timeout, when used appropriately, can be a powerful procedure for eliminating serious undesirable behaviors; and because it removes the offending child and provides some relief for the teacher, there may be a tendency to use it to excess. It may be implemented for less serious behaviors before other positive or less intrusive reductive techniques have been tried systematically. For example, a teacher may begin using timeout when a student gets out of his/her seat, talks out, doesn't answer quickly enough, and so on. In these instances, timeout is not used thoughtfully, but instead is spontaneously used in reaction to any behavior that the teacher does not deem appropriate at that particular time. When applied to non-disruptive and relatively innocuous classroom behaviors timeout may constitute overkill.

When timeout is misused for minor student misbehavior, it can all too easily be broadly

applied to all students in a classroom rather than selectively used through individual treatment planning. Zabel (1986) found that 22 percent of teachers report using timeout without written guidelines. If not careful, this restrictive form of punishment can become a teacher's primary behavior management strategy.

Finally, punishment, and therefore timeout, has an inflationary nature—the more you use it, the less effective it becomes. Generalized use of timeout typically results in diminished gains and the high probability of damage to the classroom climate. Again, timeout should be a last resort strategy used selectively for serious misbehavior under the direction of a plan for conscientious implementation.

### **The Wrong Strategy for the Wrong Behavior**

#### *Escape and Avoidance*

Timeout may actually be reinforcing to a student when it functions as a consequence that allows him/her to escape from doing disliked tasks or complying with an adult demand. For example, work that is poorly suited to the child—too difficult, unclear, boring or tedious—may invoke misbehavior as the timeout appears more inviting to the student than struggling with the assigned work. From the student's perspective, timeout is a small price to pay for escaping the work.

Teachers report that they most frequently use timeout for aggressive behaviors, which typically occur at the point of teacher correction, feedback or directives (Zabel, 1986). If not careful, timeout may provide the student with a convenient way to escape having to be compliant, to get out of dealing with the teacher's correction or doing as told. In this case, timeout may actually function to strengthen the acting-out behavior. This is more likely to occur if the teacher fails to require the follow-through on the teacher's request that

led to timeout or completion of any tasks (academic work) missed while the student was in timeout following its use. Most importantly, it underscores the importance of the completion of a functional behavior analysis before timeout is included as a strategy within a behavior intervention plan.

If timeout serves either of these functions (e.g., the student is able to escape an undesired academic activity or avoid complying with the teacher), the behavior resulting in timeout will likely continue.

### *Practice of Undesirable Behaviors*

One of the drawbacks to using timeout is that it removes the child from classroom activities and deprives him/her from the opportunity to engage in appropriate or productive behaviors. Similar to escape, some students may actually prefer timeout as it allows them to retreat to a non-demanding environment where they can engage in daydreaming or self-stimulatory behaviors. In one study of a 6-year-old girl, increased tantrums resulted from timeout because the seclusion afforded her the opportunity to engage in self-stimulatory behavior which was more reinforcing apparently than anything occurring in the classroom from which she was removed (Solnick, Rincover, Peterson, 1977). Timeout should not be used with students who engage in withdrawal or self-stimulation. Once again, the importance of the functional behavior assessment cannot be overstressed.

Timeout can also provide repetitive practice of aggressive behaviors. The student who argues continuously or talks back when instructed to go to timeout, or who screams, swears, and kicks while in timeout, is given the opportunity to practice highly ineffective responses to problems, rather than to learn more acceptable and productive alternative behaviors, such as following directions, accepting correction or a consequence, or sharing disagreements calmly.

If timeout is functioning to heighten opportunities to practice maladaptive behaviors—either withdrawal or aggression—its use should be reconsidered.

### *Negative Reactions of Others*

When looking at the effectiveness of timeout, it is also important to consider the reactions of others. The student who challenges the adult by refusing to go to timeout, leaving or disrupting the classroom with shouting or profane language during timeout, may garner reinforcing laughter, comments or increased status from peers. These reactions not only will likely strengthen future occurrences of such acting-out behavior from the targeted student, but also may encourage, through modeling, similar behaviors from other students.

Such intense misbehaviors as screaming, swearing, and kicking can also result in increased anxiety or fear among student witnesses who may be concerned about the safety of their classroom environment or question the effectiveness of the teacher in keeping order. When tales of this behavior are reported at home, parental dissatisfaction may lead to diminished home-school support.

In still other cases, the student's out of control behavior may gain disdain from peers and adults, which then fosters disrespect and impedes the building of positive and supportive relationships. The outcomes of these reactions by others to the student's behavior must be weighed against any possible benefits to using timeout.

### **Refusal to Go to Timeout**

A serious pitfall of seclusion timeout that must be given grave consideration is the teacher's ability to enforce the student's removal. Seclusion timeout often leads to the use of physical control when a student refuses to go, becomes physically aggressive, causes damage to the classroom, or attempts to escape the

situation. The negative effects of physical control—potential escalation of the inappropriate behavior, adults modeling aggression, damage to relationships, and the reactions of other students—must be weighed carefully before using seclusion timeout. Two general guidelines should be remembered: (1) never use a behavioral intervention that is more disruptive than the behavior for which it is intended, and (2) avoid at all times any use of aversive physical touch or control.

Effective timeout occurs when the student can be removed from the classroom to the timeout area quickly, quietly and with little attention. Do not assist the student to timeout unless you are convinced you can do so quickly and easily without providing a “show” for the student’s peers. Sometimes walking to the student and standing by him/her as you state the directive may be enough to convince a reluctant student to go. This should be done, of course, with no comment other than the initial directive. Slightly larger students may respond to a teacher placing the palm of one hand on the small of the back and firmly guiding the student to the timeout area.

Teachers should never struggle physically with a student. If a struggle seems imminent, the teacher should seek assistance, avoiding any physical involvement with the student. In therapeutic settings where students may be aggressive or become violent when asked to leave the room, it may be necessary to have staff on call who can “assist” the student. This type of manual guidance is controversial in public schools and, when used in other settings, requires comprehensive staff training and careful monitoring of its use.

Because physical control should be avoided to force a student to timeout, a backup consequence that costs the person more than going quietly to timeout can be effective. For example, a student who protests or misbehaves

on the way to timeout may be sent to the office where an administrator or designee can work one-on-one with him/her, parents may be notified, and a comprehensive set of consequences applied and/or a plan for restitution developed.

Another related problem is the student who refuses to come out of timeout after the procedure is over. A common mistake is to rationalize, cajole or plead with the student to come out. It is best to simply wait outside with the door open, saying nothing. The student will, eventually, exit. In this case, it is essential that the student be held accountable for making up any work missed during such a delay, thereby discouraging any similar future resistance.

Before using timeout, the teacher should ask whether the procedure is likely to escalate to physical aggression. If the answer is “yes,” other approaches should be considered. If mild resistance is anticipated, plans for a backup consequence can be made, avoiding physical intervention.

### **Anger and Control Response of Adult**

Perhaps one of the most serious problems with timeout is the anger and control response of the teacher evoked by the punitive nature of the intervention. It is extremely important for the teacher to remain objective, calm and matter-of-fact when using timeout. If anger and control leads the teacher’s actions, all effectiveness is lost.

Many teachers use timeout for their own benefit rather than the student’s. Punishing the student with timeout serves as a release for pent-up frustrations over mounting stress. When this happens, it is difficult to use timeout without showing emotion. While such venting may aid the teacher emotionally, it often produces anger, resentment, fear or hurt feelings in the student. These feelings are counterproductive

to learning and the establishment of a positive trusting relationship between teacher and student necessary for behavior change.

Another way this anger response surfaces is when teachers ignore students after they emerge from timeout or require unusually good performance of the student. One study found that students with significant behavior problems received little or no recognition, even when they did behave appropriately (Walker 1995). This likely happens when the teacher harbors some anger about the student's behavior. In addition, some teachers seem to believe that children should not be reinforced closely in time following the delivery of punishment.

Anger, holding a grudge, disparate behavioral standards and failure to recognize appropriate student behavior upon return to the classroom can damage relationships and likely will increase future misbehavior. The student who feels the teacher holds a grudge against him/her or is overly critical, and holding him/her to higher standards than those for others is less inclined to try to change his/her behavior. If appropriate behavior is ignored, a student may learn that the most reliable way to gain the teacher's attention (although it is negative and unacceptable) is to behave inappropriately.

## **Editor's Note:**

The memorandum beginning on page 25 provides a summary of national court cases related to the use of timeout. The memorandum was contributed by Kevin C. McDowell, General Counsel to the Indiana Department of Education. It is included in this publication to assist Iowa educators in understanding the legal issues associated with the use of timeout as an intervention.

# MEMORANDUM

TO: Members of the National Council of State Education Attorneys (NCOSEA)

FROM: Kevin C. McDowell, General Counsel, Indiana Department of Education

RE: *Case of the Week: Peters v. Rome City School District*, 747 N.Y.S.2d 867 (N.Y. A.D. 4 Dept. 2002). **Time-Out Rooms**

DATE: January 8, 2003

The National Association of State Boards of Education (NASBE) publishes every Friday afternoon its Headline Review, providing one-paragraph summaries of education-related matters, especially those affecting state policy makers. In the Headline Review for January 3, 2002, under the lead-in “Minnesota Reverses Rule on Locked Timeout Rooms,” it was reported that the Minnesota Department of Children, Families and Learning “has decided to once again allow schools to use locked timeout rooms for misbehaving students.” The Department is engaged in public hearings over its new special education rules, which, in part, will require schools to register their locked timeout rooms with the state. A ban on timeout rooms, critics had warned, could result in more residential placements for students. An assistant commissioner was quoted as stating, “We heard a lot from special education administrators about why they needed these tools,” referring to locked timeout rooms.

These could be very expensive tools, as the Case of the Week illustrates. In *Peters v. Rome City School District*, the student was awarded by a jury \$75,000 in damages plus attorney fees, finding that the school’s use of a timeout room (not locked but often held shut by school personnel) constituted false imprisonment, negligent infliction of emotional distress, and an unlawful seizure under the Fourth Amendment. The supreme court denied the school’s motion to set aside the jury verdict, and the appellate division affirmed the supreme court.<sup>1</sup>

The dispute began when the student was in the second grade. According to the decision, the evidence at trial indicated the student had a learning disability (LD), but this seems peculiar in light of the behavior plan developed and implemented through the student’s IEP, calling for the use of a timeout room as a last resort to correct inappropriate behavior the student had exhibited in the past. During a six-month period, the student was placed in the timeout room 75 times. The room was described as “small” without further elaboration. It was padded and unfurnished. The student was not permitted to leave the time-out room until he remained seated in an upright position without moving for three consecutive minutes. On one occasion, the student fell asleep in the time-out room, and there were occasions where he remained in the timeout room for periods in excess of one hour. The parent had consented to the use of a timeout room but had never observed it. The court was unwilling

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<sup>1</sup>For non-attorneys unfamiliar with New York’s judicial system, “supreme court” is not the highest court of appellate review. The New York Court of Appeals is the highest court of appellate review, analogous to the Supreme Court in most other states. The Appellate Division is analogous to the Court of Appeals in other states.

to construe the parent's consent for implementing the IEP as consenting to what the jury perceived as inappropriate use of the timeout room.

With respect to the cause of action for false imprisonment, we conclude that there was evidence from which the jury could rationally find that defendant intended to confine [the student]; that [the student] was conscious of the confinement; that in consenting to the IEP, plaintiff did not thereby consent to [the student's] confinement in the timeout room inasmuch as plaintiff was unaware of the conditions of the room or [the student's] reaction to placement in the room; and that the confined was not otherwise privileged. [Citations omitted.]

747 N.Y.S.2d at 869. The appellate court also noted that there was sufficient evidence "from which the jury could rationally find that the frequency, duration and manner of confinement were so outrageous in character, and so extreme in degree, as to go beyond all possible bounds of decency, and to be regarded as atrocious, and utterly intolerable in a civilized community." At 870 (internal punctuation omitted, citation omitted). There was some evidence that the student was placed facedown on the floor and physically restrained in the timeout room.

States wrestle with the use of timeout rooms, especially locked ones. A number of states have adopted the Uniform Fire Code of 1997, which forbids the use of locks on timeout rooms even with adult supervision. Under the Uniform Fire Code of 1997 (adopted in Indiana through the State Fire Marshall), all "exit doors" must be "openable" from the inside without the use of a key or some special knowledge or effort. Intermediate Care Facilities for the Mentally Retarded (ICF/MRs) have for years had regulations regarding timeout rooms and their use. The ICF/MR regulations do permit the door to be held shut by staff or by use of a mechanism that requires constant physical pressure from a staff member to keep the mechanism engaged but do not otherwise permit the timeout rooms to be locked.

There have been several reported cases involving the use of timeout rooms.

Covington v. Knox County School System et al., 205 F.3d 912 (6<sup>th</sup> Cir. 2000) involved a student with multiple disabilities who was reportedly locked in a timeout room for disciplinary reasons, sometimes for several hours. The 6<sup>th</sup> Circuit was addressing the issue as to whether IDEA administrative remedies had to be exhausted and not whether there had been any constitutional deprivations. Based on the complaint, the timeout room was approximately 4x6 feet, dark and "vault-like," with a concrete floor, no furniture, no heat, no ventilation, and only one small reinforced window located at least five feet above the floor. The student was reportedly locked in the room without adult supervision. The parent filed a complaint under 34 CFR §§ 300.660-300.662 with the Tennessee Department of Education, which referred the complaint to the local school district for resolution. The local school district responded to the complaint, denying some of the allegations and explaining others. No remedial actions were deemed warranted. The parent then sought an IDEA due process hearing, which was delayed repeatedly, often by the parent, such that no hearing had been held for three years. Although the hearing had not yet taken place, the parent initiated an action under 42 U.S.C. § 1983 in federal district court,

alleging violations of the student's Fourth, Fifth, and Fourteenth Amendment rights, as well as state-law claims of intentional infliction of emotional distress and false imprisonment. The federal complaint did not mention the IDEA at all. The federal district court, following *Hayes v. Unified School Dist. No. 377*, see *infra*, found that the parent had to exhaust administrative remedies because the issues involved the school's disciplinary practices incorporated into the student's IEP. The district court granted the school's Motion for Summary Judgment and dismissed the case without prejudice. On appeal, the parent abandoned the Fourth Amendment claim and the procedural due process claim under the Fourteenth Amendment, but raised a Seventh Amendment issue, claiming that requiring the exhaustion of IDEA administrative remedies would violate the student's right to a trial by jury. During these various maneuvers, the student graduated from school with a differentiated diploma. The 6<sup>th</sup> Circuit, noting the student's graduation, reversed the district court, finding that the student's graduation rendered any injuries that had occurred to be wholly in the past with the only remedy presently available to him would be monetary damages. IDEA's exhaustion of administrative remedies are not excused merely because the action was initiated under § 1983 and sought money damages, but exhaustion is excused where, as here, to do so at this date would be futile and inadequate. There being available no equitable relief that could make the student whole through the administrative scheme, assuming the alleged deprivations occurred, it would be futile to require the student to exhaust the due process hearing procedures when there is no adequate remedy.

In *Padilla v. Denver School District No. 1*, 35 F.Supp.2d 1260 (D. Colo. 1999), the district court found that IDEA administrative remedies would be futile where a student initiated an action against the school district for injuries sustained when she was placed in a timeout room. A teacher and an aide placed the 11-year-old student with multiple disabilities in a stroller and then placed the stroller in a closet as a means of restraint and "time out" when the student became unruly and refused to eat. The student was not supervised. The stroller toppled backwards, resulting in a skull fracture to the student. The use of the timeout room was not in accordance with the student's IEP. The school moved to have the complaint dismissed for failure to exhaust administrative remedies. The district court found that exhaustion was not required in this instance because the student had moved and lived outside the district. In addition, money damages are not available through IDEA's administrative due process procedures, making this avenue futile.

*Sabin v. Greenville Public Schools*, 31 IDELR ¶ 161 (W.D. Mich. 1999), involves a different conclusion. The court reasoned that the IDEA administrative remedies were adequate and were not excused because monetary damages were sought. Much of the relief sought could be obtained through the due process system. (This case has a number of particularly troubling aspects to it. The student had an emotional impairment, was prone to oppositional/defiant behavior, and had frequent episodes in the classroom. He often posed a danger to himself and others. He had destroyed one timeout "box" that had been employed in the classroom. When the student's father came to pick him up from school, he found the student in the timeout "box," which was held shut by an aide. He was naked and covered in his bodily waste. He had removed his own clothes and had urinated on the timeout "box." The aide removed his clothes from the box when he started to use his shoe strings to strangle himself.)

Washougal (WA) School District, 4 ECLPR ¶ 131 (OCR 1999) involved allegations the school denied a second-grade student a FAPE by allegedly placing him in a cold, unsupervised timeout area for approximately one hour and, on one occasion, withholding his lunch. The Office for Civil Rights (OCR) determined the school district did not violate either Sec. 504 or Title II of the A.D.A. The student's IEP called for the use of a quiet timeout area for the student. The student was placed in the timeout area only once, and this placement was supervised and lasted about 15 minutes. The student was never unsupervised. OCR's on-site investigation indicated the temperature of the timeout area was 70 degrees. The school district did not use denial of food as a form of discipline or behavior management. The student's lunch was delayed once for about thirty (30) minutes due to the student's lack of behavior control. Once control was established, his lunch was provided to him.

In Rasmus v. State of Arizona, 939 F.Supp. 709 (D. Ariz. 1996), an eighth-grade student with an emotional handicap alleged that his Fourth and Fourteenth Amendment rights were violated by a school's use of a locked, windowless timeout room. The room was really more of a closet in the school's alternative classroom. It was approximately 6' x 4' x 8' 10" with plywood walls and a carpeted floor. There was no furniture, but there was an overhead light, fire sprinkler, air vent and viewing peephole. The door was equipped with two exterior steel bolt locks. The student had become involved in an altercation with another student. A classroom aide separated the students, directing the plaintiff to remove his jacket and shoes and empty his pockets before entering the timeout room. The student spent approximately ten minutes in the locked room. The student exhibited no trauma when he exited the closet. In fact, he was not involved in any other incidents the remainder of the school year. The student's parents were notified the same day he was confined to the timeout room. The parents asked the Fire Department to investigate. A deputy fire marshal found that the locks violated the fire code. The locks were removed. The parents also initiated a complaint with the Arizona Department of Education (ADOE) under 34 CFR §§300.660-300.662 of the Individuals with Disabilities Education Act (IDEA). Although the ADOE has developed and disseminated guidelines for the use of non-aversive behavior management practices, including timeout rooms, ADOE's complaint investigator found no IDEA violations. The court noted, however, that the school violated many of the principles in the ADOE guidelines for timeout rooms, including the following:

- The student's individualized education program (IEP) contained no provision for seclusionary timeout.
- The written permission of the parents was never obtained.
- Seclusion occurred without regard to any specific behavior management program.
- The school had not developed any policies or procedures for the use of the timeout room, deferring instead to the discretion of the adult present.
- The timeout room violated the fire code.
- The timeout room did not permit staff to see the student at all times nor the student to see anyone outside.

The school argued that the guidelines should not have legal effect because they were merely guidelines that had not been incorporated into law. The court noted that the ADOE referred to the guidelines and incorporated references to these principles when it conducted its IDEA complaint investigation. Although the court found the ten-minute, timeout seclusion period to be a *de minimus* violation of the student's Fourteenth Amendment rights such that the school was entitled to summary judgment on this issue, the court found there was sufficient merit to the Fourth Amendment issue that trial would be warranted. The court noted that timeout rooms do not necessarily offend the Fourth Amendment, but in this case the seemingly unfettered discretion permitted employees to place students in the timeout room for indeterminate periods without regard to a student's age or emotional disability may be excessively intrusive and thus may violate the relaxed Fourth Amendment standard for school officials.

For other cases involving timeout rooms, see the following:

1. Hayes v. Unified School Dist. No. 377, 877 F.2d 809 (10th Cir. 1989). Recent court decisions rely heavily upon Hayes, even when distinguishing facts (as in the Rasmus dispute, *supra*). The two students in Hayes had behavioral problems. The students' parent was advised of her IDEA procedural safeguards prior to giving written permission for the students' placement in a behavioral management program (Personal/Social Adjustment, or PSA, program). At times during the school year, the students were required to stay in a 3' x 5' timeout room. The parent never challenged this through IDEA due process nor sought a change of placement. Failure to exhaust IDEA remedies precluded the civil rights action in court. Notwithstanding this, the 10th circuit court made the following observations or adopted them from the district court:
  - Short-term removals for disciplinary reasons are not "changes of placement."
  - However, the use of timeout rooms can be challenged through IDEA procedures.
  - The school's use of timeout rooms was related to the provision of appropriate educational services to these students because:
    - (a) The use of the timeout room was rationally related to the school's educational function to teach students rather than suspend them out of school;
    - (b) The students could be directly supervised at all times;
    - (c) The location of the timeout room allowed the students placed there to continue with their classroom instruction; and
    - (d) The school had a policy which strictly regulated the placement of students in the timeout room.



# Appendix



# Timeout Planning Worksheet

Student: \_\_\_\_\_ Teacher: \_\_\_\_\_

Age/Grade: \_\_\_\_\_ Date: \_\_\_\_\_

Describe the behavior(s) of concern. Focus on *what*, *where*, and *when*: \_\_\_\_\_

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Specifically define the behavior: \_\_\_\_\_

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Current level of behavior. Report data (how frequently it occurs, how long it lasts): \_\_\_\_\_

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Goal for target behavior: \_\_\_\_\_

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Timeout procedures. Type, location, length of time, special considerations: \_\_\_\_\_

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“Time in” environment. Ways to ensure classroom is reinforcing: \_\_\_\_\_

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Data collection. Indicate how you will measure progress: \_\_\_\_\_

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# Role-playing Timeout

STEP	ADULT ROLE-PLAYING		
<p><b>Practice with Student</b></p> <p>Explained behavior of concern, what he/she must do, how long timeout will last in simple language.</p> <p>Explained what behaviors will lead to avoiding timeout.</p> <p>Used a calm voice and positive language; conveyed caring and concern.</p> <p>Ignored all arguments or objections.</p> <p>Practiced timeout procedures.</p>			
<p><b>Implementation</b></p> <p>Used timeout within five seconds after behavior occurred.</p> <p>Briefly stated problem behavior and gave a directive to go to timeout.</p> <p>Kept voice calm and pleasant, but firm if necessary.</p> <p>Ignored arguments or objections.</p> <p>Began timing as soon as student was in timeout location.</p> <p>Did not give attention to student during timeout.</p> <p>Informed student promptly and allowed him/her to leave when time passed.</p> <p>Praised the student for appropriate behavior as soon as possible.</p>			

**Directions:** Role-play with each adult who will be responsible for using timeout. Insert adult name and use a check (✓) or a zero (0) to indicate if each step was done correctly or not. Maintain in student file for documentation of staff preparation.

# What is timeout? How is it used?

## Information for Parents

Timeout is a strategy that is used to decrease intense behaviors such as serious teacher defiance, tantrums, property destruction, physical aggression toward others, or grossly inappropriate behaviors. The procedure is very much like having your child sit in a chair or go to their room for a short period as a consequence for misbehavior. The purpose of timeout is to remove the student from an activity or environment that is reinforcing, one in which he/she receives attention, and to place him/her in an area that provides no reinforcement. For example, if the student is in the classroom where attention from others, praise, special activities or points may be earned for appropriate behavior, when misbehavior occurs he/she would be removed immediately to a timeout area where no reinforcement may occur. The hope is that the student enjoys the reinforcing classroom environment, and he/she will stop the unacceptable behaviors in order to remain there and avoid being removed.

The length of timeout is generally one minute per year of age of the child. For example, a six-minute timeout would be used with a 6-year-old student, a 10-minute timeout for a 10-year-old. A quiet time of 30-60 seconds may also be required before the student may leave timeout. These times are determined by the problem solving team with your input prior to the use of timeout. In addition, the team will clearly identify the problem behavior and the alternative or desirable behavior to strengthen. Every effort will be made to teach your child the preferred ways to behave and encourage those behaviors to avoid timeout.

If the misbehavior occurs, the staff will calmly instruct your child to go to timeout. Gentle assistance may be necessary. A timer will be set and when the time has passed, he/she will then be welcomed back into the classroom. A private meeting with the student later in the day will help him/her to review what happened and

consider how timeout can be prevented in the future.

A trained staff member is always in attendance when timeout is used. A detailed account of all use of timeout is kept and you will be informed each time it has been used with your child.

The effectiveness of timeout will be continuously watched. If it is not improving your child's behavior, you will be asked to join the problem solving team to make adjustments or reconsider its use. You may also request a review of the timeout procedures at any time.

While timeout has been used with good results for behavior much like your child's, there are possible drawbacks:

- Some students find isolation in a timeout area reinforcing.
- Some students require assistance from school staff when going to timeout.
- Sometimes the problem behavior initially gets worse before it gets better when using timeout.
- Your child may briefly miss some school activities while in timeout.

The staff here at school are genuinely concerned and want to help your child to be successful not only at school but also in life. We feel that timeout will assist in achieving this goal.

Student: \_\_\_\_\_

Teacher: \_\_\_\_\_

Administrator: \_\_\_\_\_

Date: \_\_\_\_\_

*The timeout procedure has been explained to me, I have seen the timeout area, and a copy of the plan has been provided. I support the school in its use.*

\_\_\_\_\_  
*Parent Signature*





## Timeout Legal Rights Checklist<sup>2</sup>

The following is a set of questions that can be used when considering timeout or any behavioral intervention that necessitates a change in a child's program. The checklist may be kept on record in the student's file to document careful planning.

Student \_\_\_\_\_ Age \_\_\_\_\_ Grade \_\_\_\_\_

School \_\_\_\_\_ Teacher \_\_\_\_\_ Date \_\_\_\_\_

Inappropriate Behavior \_\_\_\_\_

\_\_\_\_\_

Target Behavior \_\_\_\_\_

\_\_\_\_\_

**Directions:** Check (✓) statements that accurately reflect your planning and make comments to clarify or to explain after each item.

### 1. Inappropriate Behavior

- The student's inappropriate behavior is presently or potentially interfering with his/her (or his/her peers) physical, emotional, social or academic growth.

\_\_\_\_\_

\_\_\_\_\_

- The inappropriate behavior is occurring regularly enough to justify intervention.

\_\_\_\_\_

\_\_\_\_\_

- The school has a legitimate interest in the behavior that it is attempting to modify.

\_\_\_\_\_

\_\_\_\_\_

<sup>2</sup> Based on Martin, 1975. Legal Challenges to Behavior Modification.

## 2. Target Behavior

- The target behavior is in the best interest of the student and will benefit him/her more than it will benefit the school or the staff initiating the intervention.

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- The target behavior has been written specifically, objectively, and in measurable terms based upon data.

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- The target behavior reflects a positive change (i.e., strengthening a desirable behavior) rather than weakening an undesirable behavior.

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- It has been determined through the problem solving process that the student has all the prerequisites to perform the behavior.

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- Changing someone else's behavior or making contextual changes could not solve the student's problem behavior.

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## 3. Intervention

- The use of the intervention (timeout) will not call for the student to lose a constitutionally protected right.

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- That to which the student is legally entitled will not be withheld and used as a reward.

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- The intervention (timeout) has been proven effective with students presenting similar behavior(s) of concern.

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Less aversive interventions have been tried and demonstrated not to be effective.

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The intervention will be used in conjunction with positive and proactive strategies to increase the target behavior.

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The student will not be needlessly isolated from others during the timeout; safeguards will be in place to assure that it can only be used for the designated period, never to exceed 30 minutes.

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The timeout area will be safe and continuously supervised.

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#### 4. Data Gathering and Decision Making

Accurate records will be maintained on the use (date, time, behavior, supervising staff, length, etc.) of timeout.

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The student's progress will be reviewed continuously so that a change in intervention may be implemented quickly if no progress is evident.

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#### 5. Due Process

A meeting has been held to discuss the intervention with the student and his/her parents. They have been shown the timeout area.

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All concerned parties have consented to participate in the use of timeout.

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Plans have been made to keep all concerned parties (including parents) informed of use and the progress being made.

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# Debriefing: Problem Solving to Avoid Future Behavior Problems

**Directions:** This interview format guides teachers as they meet with students following a behavioral episode to help them reflect on the behavior and acceptable future alternatives. The form serves to direct the discussion and, when notes are taken, it may serve to document the discussion. While not necessarily intended for student completion, older students may be asked to reflect and make written responses before a meeting with the teacher. With simple modifications, it can be used with all ages.

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1. What happened? What did *you* do? Before? During? After? \_\_\_\_\_

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2. What was your *concern* or *need*? What were you trying to accomplish? \_\_\_\_\_

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3. Did your behavior violate a school or classroom rule? Did your behaviors *help* you?

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4. What could you do *next time* that would be acceptable? What would have worked without violating rules and procedures? \_\_\_\_\_

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5. What plan can you make to behave differently next time? What agreement can you make to resolve or avoid the problem in the future? \_\_\_\_\_

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