

Policy for Prohibition of Corporal Punishment, Aversive Interventions, and Seclusion

Regulatory basis: 9.5(b)(4) and 200.22(c),

This policy is established as part of the school's corrective action response to the identified violation that approved preschool programs are prohibited from using corporal punishment, aversive interventions, and seclusion to reduce or eliminate student behaviors. This policy applies to all school staff, including administrators, teachers, paraprofessionals, therapists, related service providers, substitutes, consultants, contractors, and any other personnel working with or on behalf of the school.

Regulatory Basis

This policy is adopted in accordance with Regulatory Citation 9.5(b)(4) and 200.22(c), and consistent with New York State requirements prohibiting corporal punishment, aversive interventions, and seclusion in approved preschool programs and schools. New York State regulations prohibit the use of these practices and require schools to use positive, proactive, evidence-based behavioral supports and interventions to address student needs safely and appropriately.

Definitions

- Corporal punishment means any act of physical force upon a student for the purpose of punishing that student.
- Aversive interventions means interventions intended to induce pain or discomfort for the purpose of eliminating or reducing student behavior.
- Seclusion means the involuntary confinement of a student alone in a room or space that the student is physically prevented from leaving or may reasonably perceive that they cannot leave at will.
- Positive behavioral support and interventions means proactive, evidence-based strategies designed to prevent challenging behaviors, promote regulation and safety, and support student learning and participation.

Policy Statement

ADAPT Community Network utilizes non-restraint Crisis Prevention Institute (CPI) strategies and other evidence-based de-escalation approaches as the primary means of responding to challenging behavior. Staff shall employ proactive behavioral support, verbal de-escalation, environmental modifications, and other preventive interventions to promote student safety and regulation.

Physical restraint shall never be used as punishment, discipline, coercion, retaliation, convenience, or as a planned behavioral intervention.

The school strictly prohibits the use of corporal punishment, aversive interventions, and seclusion by any member of staff under any circumstances for the purpose of reducing, eliminating, punishing, or responding to student behavior.

Staff shall not use any behavioral practice that inflicts pain, causes discomfort as punishment, or isolates a student alone in a manner that prevents or appears to prevent the student from leaving. All staff are required to use positive, preventive, and developmentally appropriate behavioral supports, de-escalation techniques, and other approved interventions consistent with student needs and applicable law.

ADAPT will use timeout for a student when there is a situation that poses an immediate concern for the physical safety of the student or others, except as provided in 8 NYCRR 200.22(c) (governing use of timeout for students with disabilities whose IEPs specify when a behavioral intervention plan includes the use of timeout). Timeout may be used consistent with a student with a disability IEP when such IEP specifies when a behavioral intervention plan includes the use of timeout. In such instances, the use of timeout consistent with a student's BIP is designed to teach and reinforce alternative appropriate behaviors [8 NYCRR 19.5(d)(1), 200.22 (c)]. C-8) . Except for situations that pose an immediate concern for the physical safety of a student or others as provided for in section 19.5(d)(1) of the Title, the use of timeout shall be used in conjunction with a behavioral intervention plan that is designed to teach and reinforce alternative appropriate behaviors.

- (1) Each school shall ensure that timeout is used consistent with the requirements of section 19.5(d)(1) of this Title.
- (2) A student's IEP shall specify when a behavioral intervention plan includes the use of timeout, including the maximum amount of time a student will need to be in timeout as a behavioral consequence as determined on an individual basis in consideration of the student's age and individual needs.
- (3) The school district shall inform the student's parents prior to the initiation of a behavioral intervention plan that will incorporate the use of timeout and shall give the parent the opportunity to see the room or physical space that will be used and that will be used and provide the parent with a copy of the school's policy on the use of timeout

ADAPT schools will use sensory breaks based on the individual student's needs and accommodations. These can be student-initiated breaks to utilize coping skills, sensory input, or self-regulation strategies, sensory activities and/or breaks, and check-ins with clinical staff. The use of calming space in classrooms or other rooms containing coping tools or activities to assist

a student to calm and self-regulate. These calming spaces or rooms will not be locked. The intention is that the “calming” spaces or rooms are a temporary intervention strategy, and that students will return to class as soon as they are able, ready to learn, and missing as little instructional time as possible.

ADAPT schools will monitor the use of this strategy by documenting each time a student is given a timeout. If this strategy is used on a more frequent basis for any student, it may warrant a functional behavioral assessment to ensure that behavior is not interfering with academic and social progress, and the student is receiving supports to return to class as soon as possible.

Staff Responsibilities

- Use positive behavioral support, de-escalation techniques, and approved strategies to address challenging behavior.
- Immediately refrain from and report any observed or alleged use of corporal punishment, aversive interventions, or seclusion.
- Participate in required training on behavior supports, student safety, de-escalation, mandated reporting, and the limited lawful use of any permitted emergency interventions as well as training on how to utilize a timeout area
- Cooperate fully with administrative review, incident documentation, family notification processes, and corrective measures.
- Consistently maintain student dignity, safety, and supervision at all times.

Administrative Response and Corrective Action

1. Any allegation, concern, or incident involving possible corporal punishment, aversive intervention, or seclusion shall be reported immediately to school administration.
2. The administration shall promptly secure student safety, separate involved parties as appropriate, and begin an internal review of the incident.
3. Parents or guardians shall be notified promptly in accordance with applicable law, regulation, and school procedures and require same-day parental notification following each incident of “timeout.”
4. The school shall document the incident, findings, actions taken, and any required follow-up measures and the documentation of the use of timeout will be provided to the parent within three school days.

5. Where a violation is substantiated, the school shall implement corrective action, which may include retraining, increased supervision, disciplinary action, referral to outside authorities when required, and revision of practices or procedures.
6. The school shall review whether additional student support, behavior planning, or staff coaching are needed to prevent recurrence. The policy requires that parents be provided with the program's timeout policy and given the opportunity to view any designated timeout space prior to implementation;
7. The policy will be available publicly on the agency's website specifically in the education section of the website, administrative offices and at each program site.

Training, Monitoring, and Compliance

All school staff shall receive training on this policy and on approved behavioral support and interventions. Training shall include the prohibition of corporal punishment, aversive interventions, and seclusion; recognition of prohibited practices; de-escalation strategies; incident reporting obligations; and staff responsibilities for maintaining student safety and dignity.

The school shall monitor implementation of this policy through supervision, review of incidents and complaints, staff support, and corrective action planning as needed. Failure to comply with this policy may result in disciplinary action consistent with school policy, collective bargaining obligations, and applicable law.

Implementation

This policy shall be disseminated to all school staff, incorporated into staff orientation and ongoing professional development, and maintained as part of the school's corrective action documentation. The administration is responsible for ensuring implementation, oversight, and periodic review of this policy to maintain compliance with all applicable requirements.