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TO: District Superintendents
Superintendents, Public Schools and State-Operated Schools
Public School Leaders
Charter School Leaders
Regional Information Center Directors
Level 1 Primary and Secondary Data Warehouse Project Managers
Directors of Human Resources
Directors of Special Education
Administrators of Nonpublic Schools with Approved Special Education Programs

FROM: Yufan Huang, Executive Coordinator
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SUBJECT: Reporting Student Behavioral Interventions in 2024-25-Revised

DATE: November 30th, 2023

At the July 2023 Board of Regents meeting, the Board approved for [permanent adoption the amendment of sections 19.5 of the Rules of the Board of Regents and Sections 100.2, 200.1, 200.7, 200.15, and 200.22 of the Regulations of the Commissioner of Education](#). With the adoption of these amendments, beginning with the 2024-2025 school year, each public school district, Board of Cooperative Educational Services (BOCES), charter school, State-operated school pursuant to Articles 87 and 88 of the Education Law, and private residential school operated pursuant to Article 81 of the Education Law, must submit an annual report to the New York State Education Department (the "Department") on the use of physical restraint and timeout and substantiated and unsubstantiated allegations of use of prohibited interventions corporal punishment¹, mechanical restraint and other prohibited aversive interventions, prone physical restraint, and seclusion.

This annual Student Behavioral Interventions report — with new template and data elements — will replace the currently required reporting of incidents of Corporal Punishment that are collected bi-annually during the school year via the SED Monitoring application in the NYSED Business portal. Documentation should be maintained, and accompany all incidents, identifying the reason for such intervention. In addition, public school districts must have procedures in place for the collection and reporting of incident data for students for whom they are the district of residence, and whose schools do not report directly to the Department via the Student Information Repository System (SIRS), including students attending a State-supported school pursuant to Article 85 of the Education Law, in-state and out-of-state private residential or non-

¹ As of October 25, 2023, corporal punishment is prohibited in every school within the state of New York and is classified as child abuse (Education Law §1125 and § 305).

residential school for the education of students with disabilities approved pursuant to Article 89 of the Education Law, or preschool special education program approved pursuant to section 4410 of the Education Law.

The Student Behavioral Interventions data must be reported to the Department through the SIRS using the eScholar Student Restraint Event [template](#). The behavioral intervention datapoints to be reported to the Department via the SIRS are described below.

Data should be collected at the time of the incident and reporting to the Department on an on-going basis throughout the year is encouraged with attention paid to the 2024-25 SIRS reporting timeline. The 2024-25 templates and timeline will be posted prior to the new school year.

Select Fields to be reported to the SIRS (Refer to template for additional information)	
Template Field	Guidance
Restraint (Intervention) Event Location Code (Field 5)	Report the location code where the event occurred. This must be an active location as found in the Department’s SEDREF database.
Restraint (Intervention) Event ID (Field 6)	Create a record <u>for each instance</u> of physical restraint or timeout, and for <u>allegations</u> concerning prohibited intervention types. Multiple event records during a day for a student would be created only: (1) if a new situation occurs involving the student after the prior event had de-escalated and student had returned to the learning environment, or (2) when a new restraint or intervention response type is employed during the event. For example, during an event, a staff person employed a physical restraint on a student, and the situation escalated to the point where a timeout was used. The addition of the timeout would constitute an additional event record beginning with that application.
Restraint (Intervention) Event Date (Field 7)	Report the date the allegation occurred. Date must be between July 1 and June 30 of the current school year.
Restraint (Intervention) Response Type Code (Field 9)	Report the type of response used during the event. For other intervention responses, report an event when an allegation is made, and indicate if the allegation was substantiated by using the Yes/No Substantiated Event indicator. <i>See Codes table below.</i>
Restraint (Intervention) Event Timespan Code (Field 13)	Report the code that indicates the length of time for which the restraint or intervention occurred. <i>See Codes table below.</i>
Substantiated Event Indicator (Field 14)	Report “Y” (Yes) or “N” (No) only for allegations of prohibited intervention types (Aversive, Corporal, Mechanical, Prone, Seclusion) as determined by administration.
Response Reason Code (Field 15)	Report the code that identifies the primary reason that the restraint or other action was taken. Report when the response type was Physical, Timeout In Accordance with a BIP, or Timeout Not in Accordance with a BIP. <i>See Codes table below.</i>

Select Fields to be reported to the SIRS (Refer to template for additional information)	
Template Field	Guidance
Staff Training (Field 16)	What type of training did the staff person who performed the physical restraint receive? Only required for staff when the intervention response type was Physical.
Incident Comment (Field 17)	Provide a brief description of the incident.

Intervention/Restraint Response Type Codes and Descriptions		
Use codes below to identify the type of intervention or response that was taken during the incident. <i>*Identifies prohibited intervention response types.</i>		
Code	Description	Definition
Aversive*	Aversive Intervention	<p>An intervention that is intended to induce pain or discomfort for the purpose of reducing or eliminating student behavior, including such interventions as:</p> <ul style="list-style-type: none"> contingent application of noxious, painful, intrusive stimuli or activities; strangling, shoving, deep muscle squeezes or other similar stimuli; any form of noxious, painful or intrusive spray, inhalant or tastes; contingent food programs that include the denial or delay of the provision of meals or intentionally altering staple food or drink to make it distasteful; movement limitation used as a punishment, including but not limited to helmets and mechanical restraints; or other stimuli or actions similar to the interventions described in this paragraph. <p>The term does not include such interventions as voice control limited to loud, firm commands; time-limited ignoring of a specific behavior; token fines as part of a token economy system; brief physical prompts to interrupt or prevent a specific behavior; interventions medically necessary for the treatment or protection of the student; or other similar interventions.</p>
Corporal*	Corporal Punishment	<p>Any act of physical force upon a student for the purpose of punishing that student. This term does not include the use of physical restraints (as defined below) used to protect the student, another student, teacher, or any other person from physical injury when alternative procedures and methods not involving the use physical restraint cannot reasonably be employed to achieve these purposes.</p> <p>As of October 25, 2023, corporal punishment is prohibited in every school within the state of New York and is classified as child abuse (Education Law §1125 and § 305).</p>
Mechanical*	Mechanical Restraint	<p>The use of any device or equipment to restrict a student's freedom of movement. Mechanical restraint does not include devices implemented by trained school personnel or utilized by a student that have been prescribed by an appropriate medical or related services professional and are used for the specific and approved purposes for which such devices were designed, such as:</p> <ul style="list-style-type: none"> adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility

Intervention/Restraint Response Type Codes and Descriptions

Use codes below to identify the type of intervention or response that was taken during the incident.

**Identifies prohibited intervention response types.*

Code	Description	Definition
		<p>than would be possible without the use of such devices or mechanical supports;</p> <ul style="list-style-type: none"> • vehicle safety restraints when used as intended during the transport of a student in a moving vehicle; • restraints for medical immobilization; or • orthopedically prescribed devices that permit a student to participate in activities without risk of harm.
Physical	Physical Restraint	<p>A personal restriction that immobilizes or reduces the ability of a student to move their arms, legs, body, or head freely.</p> <p>Physical restraint does not include a physical escort or brief physical contact and/or redirection to promote student safety, calm or comfort a student, prompt or guide a student when teaching a skill or assisting a student in completing a task, or for other similar purposes.</p>
Prone*	Prone Restraint	A physical or mechanical restraint while the student is in the face-down position.
Seclusion*	Seclusion	The involuntary confinement of a student alone in a room or space where they are physically prevented from leaving or that they may perceive that they cannot leave at will. Seclusion does not include timeout as defined below.
Timeout BIP	Use of Timeout in accordance with BIP	<p>Timeout means a behavior management technique that involves the monitored separation of a student in a non-locked setting and is implemented for the purpose of de-escalating, regaining control, and preparing the student to meet expectations to return to their education program.</p> <p>The term timeout shall not include:</p> <ul style="list-style-type: none"> • a student-initiated or student-requested break to utilize coping skills, sensory input, or self-regulation strategies; • use of a room or space containing coping tools or activities to assist a student to calm and self-regulate, or the use of such intervention strategies consistent with a student with a disability's behavioral intervention plan as defined in section 200.1(mmm) of this Title; or • a teacher removal, in-school suspension, or any other appropriate disciplinary action. <p>Report when the action taken was in accordance with the student's Behavioral Intervention Plan (BIP)</p>
Timeout No BIP	Use of Timeout not in accordance with BIP	<p>Timeout means a behavior management technique that involves the monitored separation of a student in a non-locked setting and is implemented for the purpose of de-escalating, regaining control, and preparing the student to meet expectations to return to their education program.</p> <p>The term timeout shall not include:</p> <ul style="list-style-type: none"> • a student-initiated or student-requested break to utilize coping skills, sensory input, or self-regulation strategies; • use of a room or space containing coping tools or activities to assist a student to calm and self-regulate, or the use of such intervention strategies consistent with a student with a disability's behavioral intervention plan as defined in section 200.1(mmm) of this Title; or

Intervention/Restraint Response Type Codes and Descriptions

Use codes below to identify the type of intervention or response that was taken during the incident.

**Identifies prohibited intervention response types.*

Code	Description	Definition
		<ul style="list-style-type: none"> • a teacher removal, in-school suspension, or any other appropriate disciplinary action. Report when the action taken was not in accordance with the student's Behavioral Intervention Plan (BIP).

Intervention Reason Codes and Descriptions

Use the codes below to identify the reason for physical restraint or timeout interventions or responses.

Regulation 8 NYCRR § 19.5 (d) governs the limited authorized use of physical restraints and timeout.

Please note that, pursuant to 19.5 (d) (1), except as provided in section 200.22(c) of this Title, a timeout shall only be used in a situation that **poses an immediate concern for the physical safety of the student or others.**

The authorized limited use of physical restraint is governed by 8 NYCRR § 19.5 (d) (2), which provides that “physical restraints shall only be used in a situation in which immediate intervention involving the use of reasonable physical force is necessary to **prevent imminent danger of serious physical harm to the student or others.**”

Code	Description	Definition
Self	Safety Concern Self	Report this code when there is immediate concern for the safety of the student.
Students	Safety Concern Students	Report this code when there is immediate concern for the safety of other students.
Staff	Safety Concern Staff	Report this code when there is immediate concern for the safety of the staff.
Others	Safety Concern Others	Report this code when there is immediate concern for the safety of other individuals that are not students or staff.
Non-authorized	Non-authorized	Report this code when a response intervention was applied not in accordance with regulations.

Event Timespan (Duration)

Use these codes to indicate in minutes the amount of time of the intervention response. For a physical restraint, report the amount of time in minutes that the physical restraint was in place.

Code	Description
1	1-5 minutes
2	6-10 minutes
3	11-20 minutes
4	21-60 minutes
5	60 or more minutes

For questions regarding the reporting of data to the Department's Student Information Repository System, please contact your [Level 1 Reporting Center or Big 5 point of contact](#).

For all other data reporting inquiries, please contact the Office of Information and Reporting Services at [Datasupport](#) with subject line "Student Behavioral Interventions."

Other non-data questions regarding the new requirements may be directed to the Office of Student Support Services at studentsupportservices@nysed.gov.

Questions regarding the requirements specific to students with disabilities may be directed to the Office of Special Education at speced@ysed.gov.