

 <p style="text-align: center;">COLORADO Division of Youth Services</p>	POLICY S-14-3B	PAGE NUMBER 1 OF 10
	CHAPTER: Rules and Discipline	
	SUBJECT: Time-Out, Seclusion, and Program Refusal	
	EFFECTIVE DATE: April 1, 2018	
	 Anders Jacobson, Director	
THIS POLICY RELATES TO: Detention Youth Centers Treatment Youth Centers		

I. POLICY:

In order to maintain safe and trauma-informed responsive environments, self-initiated time-outs, program refusal, and seclusion may only be used under the circumstances outlined in this policy.

II. KEY TERMS: See the Division of Youth Services website for detailed definitions.

[DYS Policy Key Terms](#)

- A. Emergency
- B. Employee Directed Time-Out
- C. Seclusion
- D. Seclusion Individualized Action Plan
- E. Self-Initiated Time-Out
- F. Youth Record

III. ASSOCIATED FORMS:

- A. Program Refusal Check Sheet
- B. Extended Seclusion Room Check Sheet

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- C. Seclusion Room Check Sheet
- D. Self-Initiated Time-Out Check Sheet
- E. Supervisory Review Checklist
- F. Supervisory Review for Fights, Assaults, and Critical Incidents

IV. PROCEDURES:

- A. Self-Initiated Time-Out: A self-initiated time-out is an emotionally intelligent and socially responsible tool for youth to use when the youth requires time away from others for the reasons noted below. A self-initiated time-out is not a form of seclusion as the youth shall be afforded the ability to exit the time-out area upon request.
 1. A youth may request separation from others (self-initiated time-out). The reasons may include but are not limited to, time to collect their composure, and/or gain control over their behaviors.
 2. An employee shall process with the youth using strength-based trauma responsive behavior management strategies (such as verbal de-escalation, motivational interviewing and self- problem solving) prior to the youth taking a self-initiated time-out, in an attempt to keep the youth safely engaged in programming.
 3. Self-initiated time-outs shall take place in an open area unless doing so will compromise safety or not sufficiently meet the needs of the youth.
 4. Employees have the discretion to approve or deny a youth's request for a time-out in a room, however may recommend a time-out in an open area.
 5. A self-initiated time-out shall not exceed 60 minutes in duration. An employee may end the time-out at any point during the 60 minute period.
 6. Youth may request a self-initiated time-out in a room for the purpose of safety and security.
 - a. Any time a youth places themselves in a room for self-requested time, a visual check shall be done at a minimum of every five minutes and an employee shall conduct a verbal check and attempt to engage the youth back into programing at least every 15 minutes. Youth taking self- requested time in their room shall be granted immediate egress at their request.

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- b. Employees may leave room doors unsecured and open when a youth is in their room for a self-initiated time-out if the employee determines this would increase supervision and safety. Rooms shall remain secured during sleeping hours, prescribed program times, and whenever a youth is not in their room.
 - c. When the youth is placed behind a locked door, there shall be safety checks made at a minimum of every five minutes and documented on the Time-Out Check Sheet, and the employee shall conduct a verbal check between every 5-15 minutes and attempt to engage the youth back into programming and document the youth's response on the Time-Out Check Sheet.
 - d. Employees shall utilize strength-based trauma responsive behavior management strategies to engage the youth back into programming.
 - e. Youth taking self-requested time in their room shall be granted immediate egress at their request.
 - f. At the conclusion of the 60-minute period, if the youth refuses to leave the time-out area, refer below to section IV.D Program Refusal.
7. Self-initiated time-outs in a room shall be reported to the shift supervisor or lead worker upon initiation. The notification shall be documented on the Time-Out Check Sheet.
8. Documentation:
- a. A Self-Initiated Time-Out Check Sheet shall include the following:
 - i. The reasons for the time-out.
 - ii. The start time and end time.
 - iii. Documentation of the five minute visual safety checks, and 5-15 minute verbal check-ins.
 - iv. Documenting the employee has asked the youth if they are ready to exit the time-out and the youth's answer to this question.
 - b. The check sheet(s) and other documentation related to the time-out shall be placed in the youth's record.

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- B. Employee Directed Time-Out: A employee directed time-out is a strengths-based trauma responsive behavior management strategy used by an employee to direct a youth to spend time away from others for the reasons noted below. Employee-directed time-outs shall be conducted in an open area with an employee present. An employee-directed time-out shall not occur behind a locked door.
1. An employee may direct a youth to take a time-out when the employee observes behaviors and/or attitudes that would lead a reasonable person to believe that without intervention the youth could escalate and pose a risk to safety or security.
 2. An employee shall process with the youth using strengths-based trauma responsive behavior management strategies (such as verbal de-escalation or motivational interviewing) prior to directing the youth to take an employee-directed time-out, in an attempt to keep the youth safely engaged in programming.
 3. Employee-directed time-outs shall not exceed 60 minutes in duration, nor shall time-outs be "stacked."
- C. Seclusion: Seclusion differs from self-initiated time-outs in that (1) a youth is alone in a room or area during non-sleeping hours and is not afforded the ability to request and receive egress, and (2) seclusion is only allowable in cases of emergency, (defined as a serious, probable, imminent threat of bodily harm to self or others where there is the present ability to effect such bodily harm and/or to prevent the continuation or renewal of an emergency). If medical observation assigned by an employee takes place behind a locked door from which egress is prevented it is considered seclusion.
1. Colorado Revised Statutes, Section 26-20-103 (1), defines the conditions under which seclusion may be used: In cases of emergency (as defined in C.R.S. Section 26-20-102 (3); and,
 - a. After the failure of less restrictive alternatives; or
 - b. After a determination that such alternatives would be inappropriate or ineffective under the circumstances.
 2. Section 26-20-103 (2) C.R.S., states that agencies that use seclusion shall do so:
 - a. For the purpose of preventing the continuation or renewal of an emergency.
 - b. For the period of time necessary to accomplish its purpose.

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3. Seclusion may also be used in cases where there is a court order mandating that the youth be kept separate from the general population.
4. When youth are placed in their room for seclusion, a visual check shall be done at a minimum of every five minutes, and an employee shall conduct a verbal check and attempt to engage the youth back into programming every 5-15 minutes.
5. Seclusion shall never be used as a form of punishment.
6. Justification for the continued use of seclusion shall be based upon the continuation of the emergency, or a court order requiring seclusion continues.
7. Placing youth in their rooms during scheduled sleeping hours is not seclusion.
8. Youth shall never be subjected to corporal or unusual punishment, humiliation, or mental or emotional abuse. There shall not be interference with the daily functions of living, such as eating, sleeping, or bathroom functions unless there is an imminent safety issue documented on the Seclusion Room Check Sheet.
9. The shift supervisor or lead worker shall be responsible for the oversight and monitoring of all seclusion incidents. The shift supervisor or lead worker shall ensure adherence to policy, and that appropriate documentation requirements are accurately and completely met.
10. Once seclusion begins:
 - a. The shift supervisor or lead worker shall be immediately notified of the seclusion. The notification shall be documented on the Seclusion Room Check Sheet.
 - b. Within the first 15 minutes of the seclusion episode, the shift supervisor or lead worker shall:
 - i. Meet with the youth and the employee who placed the youth in seclusion to gain an understanding of the circumstances and reasons for the seclusion, the less restrictive alternatives attempted, or why under the circumstances such alternatives would be inappropriate or ineffective.

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- ii. Remove the youth from seclusion if the supervisor determines that there is no emergency or the emergency has ceased.
 - iii. Brief the youth center director or designee using this information.
- c. If a youth continues to be secluded, the shift supervisor or lead worker shall meet with the direct care staff and behavioral health staff (if available) to discuss a plan to process the youth out of seclusion as soon as possible, ensuring the safety and security of the youth and other youth and employees.
- d. Within one hour after the beginning of the youth's seclusion period and every hour thereafter, the youth center director or designee shall be notified to receive their written approval of the seclusion. The written approval shall be kept with the correlating seclusion documents and placed in the youth's record.
- e. The youth center director or assistant director shall be contacted for all seclusion episodes that continue for two hours.
- f. Seclusion shall not extend beyond four hours, except in rare cases where an emergency continues beyond this time period and the following criteria are met and documented:
 - i. A qualified mental health professional or, if such professional is not available, the youth center director or designee determines that referral of the youth in seclusion to a mental health youth center is not warranted, and
 - ii. The director of the Division of Youth Services (DYS) or designee approves the continued use of seclusion at or before the conclusion of four hours, and every hour thereafter.
- g. Within 12 hours after the beginning of a youth's seclusion period, the shift supervisor or lead worker shall notify the youth's parent, guardian, or legal custodian and inform that person that the youth was in seclusion and the reason for the youth's seclusion.

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- h. Youth shall not be held in seclusion under any circumstances for more than eight total hours in two consecutive calendar days without a written court order.
11. Any employee working with the youth may remove the youth from seclusion after consultation with an administrator, shift supervisor, or lead worker.
 12. Documentation:
 - a. The Seclusion Room Check Sheet shall include:
 - i. A description of the emergency outlining the facts demonstrating that the youth is a serious, probable, and imminent threat of bodily harm to self or others, that there is a present ability to effect such bodily harm, a determination that the emergency is continuing, and the less restrictive alternatives attempted or why, under the circumstances, such alternatives would be inappropriate or ineffective.
 - ii. Documentation of employee interventions, youth responses/behaviors, and any plan developed to assist the youth to safely return to the program.
 - iii. Documentation of current status at the hourly reviews and written approval for continued seclusion status.
 - iv. Documentation of the five-minute safety checks. In addition to documenting whether the youth is safe, the employee shall document the reasons to believe that an emergency is continuing.
 - v. When the youth is denied basic rights and the safety justification for denial.
 - vi. Documentation of the hourly youth center director or designee review and written approval for the continuation of seclusion.
 - vii. Documentation of the hourly review of the Division of Youth Services director or designee for the continuation of seclusion beyond four hours.
 - viii. Clear documentation of the time and reason the youth is removed from seclusion and who authorized the removal.

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- b. An incident/informational report shall be entered into the Colorado Trails Database, where available.
- c. The youth's room type shall be updated in the Colorado Trails Database to reflect seclusion (pathway: admit/rel, admit, room assignment, ad sec room).
- d. Documentation regarding the need for seclusion shall be completed in the Colorado Trails Database (pathway: admit/rel, admit, room assignment, ad sec room, and comments).
- e. The Seclusion Room Check Sheet, incident report, and any other associated documents shall be combined into one packet and be placed in the youth's record.
- f. A formal debrief shall take place for a seclusion episode that exceeds four hours.
- g. The youth center administrator or designee shall review all seclusion episodes within 72 hours.

D. Program Refusal:

- 1. If after 60 minutes a youth refuses to leave a self-initiated time-out and return to programming, the youth's status shall be changed to program refusal.
- 2. If the emergency ceases and the youth refuses to leave seclusion, the youth's status shall be changed to program refusal.
- 3. Under any other circumstances, youth who refuse to exit their room and join programming is deemed to be on program refusal status and the following procedures apply:
 - a. Any time a youth places themselves in a room for program refusal, a visual check shall be done at a minimum of every five minutes, and an employee shall conduct a verbal check and attempt to engage the youth back into programming every 5-15 minutes.
 - b. The shift supervisor or lead worker must be immediately notified of the program refusal. The notification shall be documented on the Program Refusal Check Sheet.

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- c. Within the first 15 minutes of the program refusal status, the shift supervisor or lead worker shall:
 - i. Meet with the youth and the employee to gain an understanding of the circumstances and reasons for the program refusal, the less restrictive alternatives attempted, or why under the circumstances such alternatives would be inappropriate or ineffective.
 - ii. Brief the youth center director or designee using this information.
 - d. If a youth continues to refuse to program or exit their room, the shift supervisor or lead worker shall meet with the direct care staff and behavioral health staff (if available) to discuss a plan to process the youth out of program refusal.
4. If the program refusal extends past 12 hours, and every 12 hours thereafter (excluding sleeping hours), the youth center director or their designee shall be contacted and the plan reviewed and approved.
5. Documentation:
- a. The Program Refusal Check Sheet shall include the following:
 - i. The reasons for the program refusal, the start time and end time, documentation of the five-minute safety checks, documentation of the youth's 5-15 minute verbal check-ins documenting the employee asked the youth if they are ready to exit the program refusal and the youth's answer to this question.
 - ii. When the youth is denied basic rights and the safety justification for denial.
 - iii. The 12-hour review, plan, and approval by the youth center director or their designee.
 - b. The check sheet(s) and other documentation related to the program refusal shall be placed in the youth's record.
- E. Monitoring:
- 1. Any youth placed in seclusion, self-initiated time-out, or program refusal shall be afforded access to medical services, education, living conditions and other basic rights available to the general population,

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e.g. the use of toilet facilities, mail, and meals as the general population.

2. Any exceptions to or denial of these rights shall be justified by clear evidence of risk.
3. Youth on suicide precaution monitoring shall be checked according to DYS Policy S-15-2 Suicide Assessment, Monitoring, and Intervention. These checks shall be documented on the Suicide Precaution Monitoring Check Form in addition to checks being documented on the Self-Initiated, Seclusion, or Program Refusal Form.
4. Each youth center director shall, on a monthly basis, review a report of all seclusions occurring within that monthly period. The report shall include the youth's name, the incident leading up to seclusion, the length of seclusion, and employees involved in each seclusion episode.
5. The youth center director shall immediately address any indication that an employee has been using seclusion excessively or inappropriately or that a particular youth has been placed in seclusion more often than other youth in the youth center.
6. The DYS leadership team shall review statewide seclusion data on a periodic basis.