

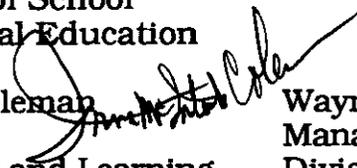
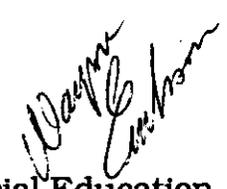
277

Minnesota Children

Minnesota Department of Children, Families & Learning

MEMORANDUM

TO: Superintendents of School
Directors of Special Education

FROM: Irma McIntosh Coleman  Wayne Erickson 
Director Manager
Office of Teaching and Learning Division of Special Education

DATE: November 19, 1996

SUBJ: Isolation Rooms

The purpose of this memorandum is to provide you with up-to-date information relating to locks on rooms that, by any title (isolation - time-out - holding - segregation - detention) are used to seclude students from a more general classroom setting in a school.

Our Office has been contacted by the Building Codes Standard Division of the Department of Administration and the State Fire Marshall's Office in the Department of Public Safety regarding locks on isolation rooms in schools. Their Offices have, over the last several months, found numerous violations to state laws and rules during routine building inspections. These are life-safety issues that are important considerations in their building inspections and in your decisions relating to physical facilities.

State Board of Education rules, 3525.2900 subpart 5D, governing the use and design of isolation or time-out rooms for students with disabilities are silent on the use of locks but they do provide that:

Time-out procedures that seclude a student in a specially designed isolation room or similar space must meet the following conditions:

10. all applicable fire and safety codes.

In general terms, building code standards apply to new construction and fire marshall rules apply to existing structures. The applicable Building Codes and proposed changes in the State Fire Marshall rules are attached for your information. We would encourage you to review them to assure that any isolation or time-out rooms in your schools meet requirements. Also, since the

Fire Marshall is proposing new rules, we suggest that you review the proposals and comment, to them, on their appropriateness for your situation.

The use of special rooms for time-out interventions as a part of a program to assist students in the development of self-control must be described in the student's IEP. While not included in the rule, research on this topic indicates that isolation for this purpose should start with very short (one to five minute) periods of time. It is also our belief that spaces used for this type of intervention do not need and should not be locked or lockable. Attached is a one-page summary of quotes from some of the literature on this topic.

The use of special rooms for purposes of restraint of a student who is violent and dangerous must also be described in a student's IEP. Rooms used for this purpose may need to be lockable but that is a decision that you must make based on district policy and your use of the room. If such a space is lockable, whether or not district policy is to lock the room when in use, it must meet building code and fire marshall requirements. These requirements are extensive and include such features as are described in detail on page one of the enclosure from the Building Codes Standard Division of the Department of Administration.

During October a copy of, "**Promising Practices in Designing and Using Behavioral Interventions,**" was mailed to all school districts and buildings by the Division of Special Education in the Department of Children, Families, and Learning. We encourage you to review that manual for additional information.

If you have questions about any of the above please contact: Wayne Erickson, Division of Special Education (612) 296-1793; Tom Lombard, Division of Monitoring and Compliance, (612) 297-7167 of the Department of Children, Families, and Learning; Steve Hernick of the Building Codes Standard Division of the Department of Administration (612) 296-4639; or Jon Nisja of the State Fire Marshall's Office in the Department of Public Safety (612) 215-0506.

XC: Tom Lombard - Division of Monitoring and Compliance
Steve Hernick - Building Codes Division, Department of Administration
Jon Nisja - State Fire Marshall's Office, Department of Public Safety

SUMMARY

QUOTES FROM SELECTED LITERATURE

ON THE USE OF

TIME-OUT ROOMS

"Evidence supports the efficacy of time-out procedures across a wide spectrum of populations and behavior problems."

Barkley, 1990; Barton Brulle & Repp, 1987; Brantner & Doherty, 1983; Kauffman, 1989; Kerr & Nelson, 1989; Meyer & Evans, 1989.

"The evidence does not conclusively support a specific optimal duration for time-out but most authors report that short duration (one to five minutes) are effective and should be used initially."

Ahern, 1988; Brantner & Doherty, 1983; Grayson et. al. 1979; Harris, 1985; Kerr & Nelson, 1989; Sulzer-Azaroff & Mayer, 1991.

"When time-out is used, it should always begin with the least amount of time necessary to effect behavior. Beginning with long periods may render shorter periods of time ineffective."

Sulzer-Azaroff & Mayer, 1991.

"The results of time-out have produced a variety of side effects both desirable and undesirable with little clarification concerning the important variables that affect these results."

Brantner & Doherty, 1983.

"Paradoxical results of time-out may occur and depend on the individual pupil and the nature of the time-in environment."

Brantner & Doherty, 1983; Kerr & Nelson, 1989; Meyer & Evans, 1989; Solnick, Rincover, & Peterson, 1977; Sulzer-Azaroff & Mayer, 1991.

"There is no "standard" time-out procedure that will reliably produce the desired effects across pupils and behaviors, thus it must always be considered on a case by case basis."

Brantner & Doherty, 1983.



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Building Code Requirements for provision of TIME OUT ROOMS or any locked room(s) where an individual has no control over their ability to exit. (and where there is statutory authority to provide such a room). 4/16/96

Summary: When timeout or similar rooms are locked within a residential or educational occupancy in a one-hour* fire-resistant building, the Building Code requires these rooms to be on the first floor, to be of one-hour fire resistive construction and separated from other parts of the building by at least one hour construction. In addition, these rooms must be protected by a fire sprinkler system and a fire alarm system. The locks must either automatically open in case of emergency or be monitored by a 24 hour control center. (**In non-rated buildings, a proposal must be submitted under UBC 104.2.7 Modifications or 104.2.8 Alternate materials and methods.*)

Specifically: Occupancy is the purpose for which a building is intended to be used. Per 1994 UBC Section 302.1, "When a building houses more than one occupancy, each portion of the building shall conform to the requirements for the occupancy housed therein." Therefore, any room(s) where the personal liberties of client(s) are restrained and the client(s) has no control over the restraint, shall be classified as an I-3 occupancy and that room(s) must conform to the requirements of the 1995 Minnesota State Building Code for an I-3 occupancy. See the following references for the requirements for an I-3 occupancy:

Type of Construction

Per 1994 UBC Section 308.2.2.2 Group I-3 occupancies shall be housed in buildings of Type I or Type II-F.R. construction. Exception: Such occupancies may be housed in one-story (not above the first story) buildings of Type II One-hour, Type III-One hour or Type V-One hour construction provided the floor area does not exceed 3,900 square feet....

Story/Height Limitations

Per 1994 UBC Section 302.1,An occupancy shall not be located above the story or height set forth in Table 5-B (or exceptions to Table 5-B)....

Occupancy Separation

1994 UBC Section 302.4 states "Occupancy separations shall be provided between the various groups and divisions of occupancies as set forth in Table 3-B."

Fire-Extinguishing System

1994 UBC Section 904.2.6 states " An automatic sprinkler system shall be installed in Group I Occupancies".

Fire Alarm Systems

1994 UBC Section 308.9 states "An approved manual and automatic fire alarm system shall be provided for Group I Occupancies..."



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Building Code Requirements for provision of TIME OUT ROOMS or any locked room(s) where an individual has no control over their ability to exit, (and where there is statutory authority to provide such a room), continued.

Locking

An I-3 occupancy is permitted to be locked under the provisions of the 1995 Minnesota State Building Code by the following: 1) Per MN 1305.1019 Section 1019.6 Hardware, Group I Occupancies and 2) Per the 1994 UBC, as amended by MN, appendix chapter 3, Section 324.6 Electrically Operable Exit Doors.

INTERPRETATION of MN1305.1019 Section 1019.6 Hardware, Group I Occupancies, Item 3:

3. If approved by the building official and where the clinical needs of the patients (clients) require specialized security measures for their safety, door locking arrangements are permitted in Group I occupancies or portions of Group I occupancies provided:

- 3.1 keys or devices that function like keys are carried by staff at all times;
- 3.2 in at least one egress path, not more than one such arrangement is located;
- 3.3 the Group I occupancy or portion of the Group I occupancy is protected by an approved automatic sprinkler system, an approved automatic smoke-detection system, and an approved fire alarm system;
- 3.4 locking devices automatically unlock upon activation of any of the following:
 - (a) automatic sprinkler system;
 - (b) automatic smoke detection system;
 - (c) automatic fire alarm system; or upon loss of electrical power;
- 3.5 locking devices can be remotely unlocked from an approved location (within the secured area when within a suite);
- 3.6 there is no public assembly space within the secured area;
- 3.7 24-hour patient (client) supervision is provided (within the secured area when within a suite);
- 3.8 relocking of the locking devices is by manual means only at the door; and
- 3.9 locking devices are designed to fail in the open position.

1994 UBC Appendix Chapter 3, Section 324.6 Electrically Operable Exit Doors, (as amended by MN)

All exit doors (except those opening directly to the exterior of the building) and door from cells and holding rooms in detention and correctional occupancies(I-3) shall be electrically operable from the facility control center, (interpretation 24-hour).

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ST. PAUL, MN 55101-2156
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STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY

SUBJECT: Policy #E-018 Requirements for "Time-Out" Rooms in Schools

"Time-Out" rooms are occasionally found in school buildings to control behavior problems of some of the students. These are generally small rooms with limited combustibles where the student is placed on a temporary basis and which are capable of being locked. The following are the requirements for these rooms:

LOCKS:

All locks on doors to these areas must release upon any of the following conditions:

1. Activation of the fire alarm system,
2. Activation of the automatic sprinkler system (if provided),
3. Loss of electrical power.

STAFF:

Staff must be provided in these areas whenever these rooms are being occupied.

CONSTRUCTION:

The rooms must be constructed of non-combustible materials. The interior finish of the wall and ceiling surfaces must not exceed a Class III (or Class C) flame spread rating.

ALARM/DETECTION:

Automatic smoke detection must be provided in these rooms or areas. If walls of the "time-out" room(s) do not extend to the ceiling, automatic detection can be provided in the adjacent room or area provided that there are no substantial obstructions to delay activation of the smoke detection.

Date of Issue: 06-22-92

1 Subp. 5. Sec. 1207.8. Sec. 1207 of the Uniform Fire Code is amended by adding sections to
2 read:

3 **Sec. 1207.8 Special Locking Arrangements.** Special locking arrangements meeting the requirements
4 of this section are permitted for rooms, other than cells as defined in the Building Code, Appendix
5 Chapter 3, where the occupants are being restrained for safety or security reasons. The use of this
6 section may be revoked by the chief or building official for due cause.

7 **1207.8.1 Locking hardware.** Locking devices shall release upon any of the following conditions:

- 8 1. Activation of the automatic sprinkler system,
- 9 2. Activation of any automatic fire detection device,
- 10 3. Automatic fire alarm system,
- 11 4. Loss of electrical power to the locking device or the fire alarm system, or
- 12 5. Activation of the fire alarm trouble signal.

13 All locking devices shall be designed to fail in the open position. Following the release of the locking
14 devices for any of the conditions specified above, relocking of the devices shall be by manual means
15 only at the door.

16 **1207.8.2 Fire extinguishing system.** When special locking arrangements are used, the room or area
17 being secured must be protected with quick-response sprinklers.

18 **1207.8.3 Fire alarm and detection.** When special locking arrangements are used, the room or area and
19 spaces between the room or area and an outside exit door shall be protected with automatic smoke
20 detection connected to the building's fire alarm system. If the walls of the room or area do not extend to
21 the ceiling, automatic smoke detection can be provided in the adjacent room or area provided that there
22 are no substantial obstructions to delay activation of the smoke detection.

23 **1207.8.4 Construction.** Rooms or areas containing these special locking arrangements shall be
24 constructed of noncombustible materials having a minimum of one-hour fire-resistive construction.
25 Doors separating the room from other spaces must have a fire-protection rating of not less than 20
26 minutes. Doors need not be self-closing. The interior finish of the wall and ceiling surfaces must not
27 exceed a Class III (or Class C) flame spread rating.

28 **1207.8.5 Testing of devices.** Special locking arrangements shall be tested at least monthly to ensure
29 that they will release under the conditions set forth in this section. Locking arrangements which are
30 found not to comply with the requirements of this section shall not be used.