

# Emery County School District



## Policy: JICKA—Emergency Safety Interventions

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Emery School District recognizes that every student should have the opportunity to learn in an environment that is safe, conducive to the learning process, and free from unnecessary disruption. At times, student behavior may present an immediate danger requiring emergency safety interventions (ESI). Behavioral interventions for students should promote and facilitate their safety and dignity. This policy outlines restrictions on, and allowable uses of, emergency safety interventions (ESI) for all students.

### Definitions

- An “emergency safety intervention” (ESI) is the use of seclusion or physical restraint when a student presents an immediate danger” of physical violence/aggression towards self or others likely to cause serious physical harm. An “emergency safety intervention” is not for disciplinary purposes.
- “Immediate danger” means the imminent danger of physical violence/aggression towards self or others likely to cause serious physical harm.
- “Physical restraint” means personal restriction immobilizing or reducing the ability of an individual to move his arms, legs, body, or head freely.
- “Seclusion” means the involuntary confinement of a student alone in an area from which the student is physically prevented from leaving. Seclusion is not timeout. Timeout is defined in this policy. In addition to the foregoing, and consistent with Utah Administrative Code R277-609, seclusion means that a student is:
  - Placed in a safe enclosed area:
    - By school personnel; and
    - In accordance with the requirements of Utah Administrative Code R392-200, which provides requirements for the design, construction, operation, sanitation, and safety of schools; and R710-4-3, which provides fire safety requirements;
  - Purposefully isolated from adults and peers; and
  - Prevented from leaving, or reasonably believes that the student will be prevented from leaving, the enclosed area.
- “Timeout” means a behavior management technique that may be part of an approved treatment plan involving the separation of the student from the group, in a non-locked setting, with the purpose of calming. Timeout is not seclusion.

## Policy

Appropriate school personnel will receive ongoing training in the use of effective alternatives to (ESI) as well as the safe use of (ESI) and release criteria.

ESI shall

- Be applied for the minimum time necessary to ensure safety;
- Be discontinued as soon as imminent danger of physical harm to self or others has dissipated;
- Be discontinued if the student is in severe distress;
- Never be used as punishment or discipline;
- In no instance be imposed for more than 30 minutes.

For a student with a disability, emergency safety interventions (ESI) written into a student's Individualized Education Program (IEP) must meet circumstances described in Utah Admin Code R277-609-4, a Functional Behavior Assessment (FBA) has been conducted, and a Behavior Intervention Plan (BIP) based on data analysis has been written into the plan and implemented. Use of (ESI) as a planned intervention under this paragraph requires notification of the Director of Special Education.

## Physical Restraint

Consistent with Utah Code Ann. Section 53G-8-302, nothing in this policy shall prohibit an employee, acting within the scope of employment, from using reasonable and necessary physical restraint or force in self-defense or otherwise appropriate to:

- Protect the student or another person from physical injury;
  - Obtain possession of a weapon or other dangerous object in the possession or under the control of a student; or
  - Remove from a situation a student who is violent or threatening.
- When an employee exercises physical restraint as an (ESI) on a student, the following types of physical restraint are prohibited:
  - Prone, or face-down;
  - Supine, or face-up;
  - Restraint which obstructs the airway or adversely affects the student's primary mode of communication;
  - Mechanical restraint, except for seatbelts or safety equipment used to secure students during transportation; or

- Chemical restraint, except as prescribed by a licensed physician and implemented in compliance with a students' Health Care Plan.

## **Seclusion**

A school employee may, when acting within the scope of employment, place a student in seclusion as an (ESI) under the following circumstances:

- The student presents an immediate danger of serious physical harm to self or others;
- All doors remain unlocked; and
- The student is within line sight of the employee at all times.

## **Parent / Guardian Notification**

- If a crisis occurs requiring an (ESI), the school or employee shall notify the student's parent/guardian, the school administrator, and the school director as soon as possible and no later than the end of the school day.
- If the (ESI) is applied longer than fifteen minutes, the school shall immediately notify the student's parent/guardian and school administration.
- Parent notifications made under this section shall be documented in the student information system as required by R277-609-6(C)(4). The (ESI) form is also required.
- Within 24 hours of using (ESI), the school shall notify the parent/guardian that they may request a copy of any notes or additional documentation taken during the crisis.
- Upon request of a parent/guardian, the school shall provide a copy of any notes or additional documentation taken during a crisis.
- A parent/guardian may request a time to meet with school staff and administration to discuss the crisis.

## **Emergency Safety Intervention Committee**

- The District shall establish an Emergency Safety Intervention (ESI) Committee. The District (ESI) Committee shall include:
  - At least two administrators;
  - At least one parent or guardian of a student enrolled in the District, appointed by the District; and
  - At least two professionals with behavioral training and knowledge in both state rules and District discipline policies;
- The District (ESI) Committee shall:
  - Meet often enough to monitor the use of emergency safety intervention in the District.

- Determine and recommend professional development needs.

### **Prohibition of Corporal Punishment**

A school employee may not inflict or cause the infliction of corporal punishment.