

# USD 242 Emergency Safety Intervention Plan

“Emergency safety intervention” means the use of seclusion or physical restraint when a student presents an immediate danger to self or others. Violent action that is destructive of property may necessitate the use of an emergency safety intervention. Seclusion and/or physical restraint shall only be used only when student conduct meets the definition of necessitating an emergency safety intervention.

The following techniques are prohibited and shall not be utilized by any USD 242 employee.

- The use of prone, or face-down, physical restraint; supine, or face-up, physical restraint; physical restraint that obstructs the airway of a student; or any physical restraint that impacts a student’s primary mode of communication;
- The use of chemical restraint, except as prescribed treatments for a student’s medical or psychiatric condition by a person appropriately licensed to issue these treatments; and
- The use of mechanical restraint, except those protective or stabilizing devices either ordered by a person appropriately licensed to issue the order for the device or required by law, any device used by a law enforcement officer in carrying out law enforcement duties, and seatbelts and any other safety equipment when used to secure students during transportation.

## **The Appropriate Use of Physical Restraint**

Physical Restraint is defined in K.A.R. 91-42-1 as “bodily force used to substantially limit a student’s movement”. The use of physical restraint to substantially restrict or limit a student’s movement when the risk of harm to self and/or others is present should only be used as a last resort to preserve the safety of all involved.

- Physical restraint shall not be used as behavior modification, or for convenience of the staff.
- Physical Restraint shall not be used to coerce a student into complying with a command/directive when no immediate danger is evident.
- Physical Restraint shall only be used when it is determined by the staff involved that the student’s behavior is more dangerous than the inherent risk of the restraint technique.

## **The Use of Physical Restraint May be Considered When:**

- Non-physical de-escalation techniques have not effectively reduced the risk of danger;
- The threat of harm to self and/or others is imminent (an immediate and impending threat of a student causing physical injury)

- The risk of danger is presented spontaneously and the physical space, that is the opportunity for egress, is substantially limited;
- Individuals trained in the use of physical restraint are available;
- The risk of substantial damage to physical property is imminent and can logically be linked to potential danger for others in the area (i.e. smashing a window where students are seated on the other side);
- A student attempts to leave the classroom, facility or school premises and the safety of the student is likely to be compromised;
- The intent is to reduce danger or prevent harm and not to create undue physical or emotional discomfort.
- It can be provided with dignity and respect for the student in a safe and appropriate manner.

### **Procedures for the Use of Physical Restraint:**

- Physical restraint should only be used for the period of time necessary to accomplish its purpose, and release should not be contingent on additional compliance requests. The expectation for USD 242 is that an episode of restraint will not exceed three minutes. Attempts to release must be made within this time frame;
- When physical restraint is employed, procedures are in place to monitor the use of the restraint and the well being of the student and staff involved;
- Whenever possible, move other students from the immediate danger rather than attempting to move a student in crisis. Resist using restraint while other students are in the area;
- Physical restraint should be employed by those trained in a nationally recognized program to ensure that alternative de-escalation strategies are attempted first and that proper physical techniques are used;
- Training for the use of physical restraint should be recurrent with annual updates and should be appropriate to the school setting, age, developmental level, and support the needs of the students;
- If required, someone trained in CPR/First Aid is available when the individuals involved in the use of restraint needs such assistance;
- Because physical restraint should only be used as a last resort for safety, in most instances stating its use on the IEP is not required. However, in some circumstances that are clearly defined (chronic need to use physical restraint), the IEP team may determine that stating the use of physical restraint is appropriate for the student's IEP;
- When physical restraint is used the parent will be personally notified that day unless otherwise specified in the IEP;
- By the end of the following school day, after physical restraint is used, staff involved will document in writing, with Form 460 – Restraint Reporting Form, the event and will provide a copy of that documentation to the parent(s) and building administration;

- Building administrators are responsible for oversight and supervision of ESI and to ensure proper documentation and reporting procedures are in place for the use of physical restraint in their assigned buildings.

### **It is Recommended That:**

- A core team of personnel be trained in the use of restraint and that the team should include an administrator or designee and any general or special education staff who are likely to use restraint.
- In order to reduce the need for physical restraint, the core team should be trained in the use of proactive, positive behavioral support and de-escalation strategies for addressing student behavior.

### **Physical Restraint does not include:**

- Briefly holding a student in order to calm or comfort the student. This should only occur if the student allows calming and comforting. If the student resists, then it is a restraint;
- Physical Escort, which according to K.A.R. 91-42-1 means the temporary touching or holding the hand, wrist, arm, shoulder, or back of a student who is acting out, for the purpose of inducing the student to walk to a safe location.
- Separating students when a physical confrontation is underway. Students fighting calls for a response, even if staff are not trained in the use of physical restraint; and,
- Using protective or stabilizing devices, including adaptive equipment prescribed by medical care professionals, such as medical doctors, physical therapists and occupational therapists.

### **The Appropriate Use of Seclusion**

Seclusion should only be used as a last resort in cases of danger to the student and/or others. The immediate goal of seclusion is to defuse a dangerous situation, protect the student and others from injury, and regain a safe, controlled, productive learning environment.

**Seclusion**, according to K.A.R. 91-42-1, when used with a student, means that all of the following conditions are met:

1. The student is placed in an enclosed area by school personnel.
2. The student is purposefully isolated from adults and peers.
3. The student is prevented from leaving, or reasonably believes that the student will be prevented from leaving, the enclosed area.

### **Seclusion May be Considered When:**

- Less restrictive measures have not effectively reduced the risk of danger;
- The threat of harm to self and/or others is imminent (a realistic, immediate and impending threat of a student causing substantial physical injury);
- The advantage of safely separating the escalated student from other individuals in the environment is preferable to remaining engaged physically with the student;
- The duration does not exceed the time required to resolve the actual risk of danger or harm;
- Procedures for supervision and documentation of the use of seclusion are implemented.

### **Procedure for the Use of Seclusion:**

- Any staff member who is using seclusion must have training in conflict prevention and positive behavior support strategies;
- Staff members who serve students requiring seclusion must be trained to supervise safety and document and report episodes of seclusion;
- Each building should designate a space with adequate lighting, ventilation, and free from physical danger that will be used for students who require seclusion;
- Seclusion rooms or designated spaces will meet the requirements set forth by the Kansas State Guidelines for the use of seclusion;
- A minimum of one adult staff member will maintain constant supervision (both visually/seeing and auditorally/hearing) of the student in seclusion;
- Training for the use of seclusion should be recurrent with annual updates and should be appropriate to the school setting and the age and developmental level of the students;
- If required, someone trained in the use of CPR and First Aid is available if the individuals involved in the use of seclusion need such assistance;
- To reduce the use of seclusion, appropriate general and special education staff should be trained in the use of preventative positive behavioral support strategies for addressing aberrant behavior;
- When seclusion is used the parent will be notified that day unless otherwise specified in the IEP;
- By the end of the following school day, after using seclusion, staff involved will provide written documentation (Form 461 –Seclusion Reporting Form) of the event and provide a copy to the parent and building administration;
- Building administrators are responsible for oversight and supervision of ESI and to ensure proper documentation and reporting procedures are in place for the use of seclusion in their assigned buildings.
- In the event that seclusion is used with an IEP student who does not currently have the use of seclusion documented on their IEP, the IEP team (including the parent) must meet within 10 school days to determine if there is a need to include information in the student's IEP regarding the use of seclusion. If it is determined that the use of seclusion will be included in the student's IEP, the IEP team should discuss and specify in the IEP such things as the number of times a student may be placed in seclusion and the duration of the seclusion sessions.

**Seclusion does not include:**

- Time-out, which means a behavioral intervention in which a student is temporarily removed from a learning activity without being confined.
- Situations in which the student is comforted by separation into a confined space or area, but is capable of self-regulating access to, and departure from, that space or area.

**Availability of this Written Policy**

These written policies and procedures of the use of Emergency Safety Interventions are accessible on the USD 242 website at [www.weskanschools.org](http://www.weskanschools.org), and will also be published in the USD242 Board Policies and Procedures Manual.

Parents of students who demonstrate the potential need of Emergency Safety Interventions shall be annually provided with these written policies and procedures of the use of Emergency Safety Interventions. This annual notice should be a part of the annual IEP review.

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