

## Safe Schools

### ***Emergency Safety Interventions***

This policy governs the use of emergency safety interventions, which are used to address situations where a student presents an immediate danger (to self or others) but which are not used for disciplinary purposes.

#### **Definitions—**

“Emergency safety intervention” means the use of seclusionary time out or physical restraint when a student presents an immediate danger to self or others, and the intervention is not for disciplinary purposes.

“Seclusionary time out” means that a student is:

1. Placed in a safe enclosed area by school personnel (the area must meet applicable health department and fire marshal regulations);
2. Purposefully isolated from adults and peers; and
3. Is prevented from leaving (or reasonably believes that the student will be prevented from leaving) the enclosed area.

“Physical restraint” means personal restriction that immobilizes or reduces the ability of an individual to move the individual's arms, legs, body, or head freely.

“Immediate danger” means the imminent danger of physical violence or aggression towards self or others which is likely to cause serious physical harm.

[Utah Admin. Rules R277-609-2\(3\), \(5\), \(8\), \(17\) \(May 8, 2018\)](#)

#### **Emergency Safety Intervention—**

An emergency safety intervention is using seclusionary time out or physical restraint when a student presents an immediate danger to self or others (not for disciplinary purposes). The District shall implement policies and procedures for the use of emergency safety interventions for all students which are consistent with evidence-based practices.

Physical restraint as part of an emergency safety intervention may not be used with a student except within the guidelines stated below under Physical Restraint. Mechanical restraint may not be used as part of an emergency safety intervention, except those which are protective, stabilizing or required by law, or any device used by a law enforcement officer in carrying out law enforcement duties, including seatbelts or any other safety equipment when used to secure students during transportation. Chemical restraint may not be used as part of an emergency safety intervention, except as prescribed by a licensed physician, or other qualified health professional acting under the scope of the professional's authority under State law, for the standard treatment of a student's medical or psychiatric condition; and

administered as prescribed by the licensed physician or other qualified health professional acting under the scope of the professional's authority under state law.

Seclusionary time out as part of an emergency safety intervention may not be used with a student except when a student presents an immediate danger of serious physical harm to self or others and within the guidelines stated below under Seclusionary Time Out.

For a student with a disability, emergency safety interventions may not be written into a student's individualized education program as a planned intervention unless school personnel, the family, and the IEP team agree less restrictive means have been attempted to address the qualifying circumstances (that is, circumstances where the student presents an imminent danger of physical violence or aggression towards self or others which is likely to cause serious physical harm) have been attempted, a functional behavior analysis has been conducted, and a positive behavior intervention plan based on data analysis has been written into the plan and implemented.

[Utah Admin. Rules R277-609-4\(3\)\(k\) \(May 8, 2018\)](#)

[Utah Admin. Rules R277-609-5 \(May 8, 2018\)](#)

## **Physical Restraint—**

Physical restraint may only be used when a student presents a danger of serious physical harm to self or others. It may not be used as a means of discipline or punishment. The student may not be placed in a prone (face-down) or supine (face-up) position in physical restraint. No restraint may be used which obstructs the airway of a student or which adversely affects a student's primary mode of communication.

All physical restraint must be immediately terminated when the student either (a) is no longer an immediate danger to self or others, or (b) is in severe distress. The restraint must be for the minimum time necessary to ensure safety and the District's release criteria must be implemented. However, a student may not be physically restrained for more than 30 minutes.

[Utah Admin. Rules R277-609-4\(3\)\(k\)\(i\) \(May 8, 2018\)](#)

[Utah Admin. Rules R277-609-5 \(May 8, 2018\)](#)

## **Seclusionary Time Out—**

A seclusionary time out may only be used for purposes of maintaining safety and may not be used as a means of discipline or punishment. Seclusionary time out shall be used for the minimum time necessary to ensure safety and shall end according to the District's release criteria. However, a student may not be placed in seclusionary time out for more than 30 minutes. In using seclusionary time out, any door must remain unlocked and the student must be maintained within line of sight of the employee using the seclusionary time out and the employee must confirm that the area meets applicable health department and fire marshal regulations.

[Utah Admin. Rules R277-609-4\(3\)\(k\)\(vii\) \(May 8, 2018\)](#)

[Utah Admin. Rules R277-609-5\(6\), \(8\) \(May 8, 2018\)](#)

## **Parental Notice—**

When a crisis situation occurs that requires the use of an emergency safety intervention (physical restraint or seclusionary time out) to protect the student or others from harm, a school shall notify the student's parent or guardian and District administration immediately and in any event no later than the end of the school day. If a crisis situation occurs for more than 15 minutes, or if physical restraint or seclusionary time out is used for more than 15 minutes, the foregoing notice shall include that information.

The notice provided shall be documented in the student information system records.

The school shall, upon his or her request, provide to the student's parent or guardian a copy of any notes or additional documentation taken during a crisis situation. Within 24 hours of a crisis situation, the school shall notify the student's parent or guardian that such a request may be made. A student's parent or guardian may request a time to meet with school staff and administration to discuss the crisis situation.

[Utah Admin. Rules R277-609-4\(3\)\(k\) \(May 8, 2018\)](#)

[Utah Admin. Rules R277-609-5\(2\), \(4\), \(7\), \(9\) \(May 8, 2018\)](#)

[Utah Admin. Rules R277-609-8\(3\), \(4\) \(May 8, 2018\)](#)

## **ESI Committee—**

The District shall establish an Emergency Safety Intervention (ESI) Committee with members appointed by the Superintendent and consisting of two or more administrators, at least one parent or guardian of a student enrolled in the District, and at least two certified educational professionals with behavior training and knowledge of state rules and District discipline policies.

The ESI Committee shall meet often enough to monitor the use of emergency safety intervention in the District, shall determine and recommend professional development needs relating to emergency safety intervention; and shall develop policies for local dispute resolution processes to address concerns regarding disciplinary actions.

The District shall collect, maintain, and periodically review documentation and other records of the use of emergency safety interventions at schools within the District, according to procedures defined by the State Superintendent of Public Instruction. Such documentation and records shall be provided annually to the State Superintendent. In addition, the District shall submit all required UTREx discipline incident data elements as part of the District's daily UTREx submission.

[Utah Admin. Rules R277-609-7 \(May 8, 2018\)](#)

[Utah Admin. Rules R277-309-8 \(May 8, 2018\)](#)