

Wamego USD 320 Public Schools

Emergency Safety Interventions (ESI)

The Wamego USD 320 Board of Education has adopted a local board policy on the use of Emergency Safety Interventions (ESI) which is available online at www.usd320.com. The Emergency Safety Interventions (ESI) policies for all students will:

- *Promote safety and prevent harm to students, school personnel, and visitors.*
- *Foster a climate of dignity and respect in the use of discipline and behavior management techniques.*
- *Provide school personnel with clear guidelines about the use of seclusion and restraint in response to emergency situations.*
- *Provide parents/guardians information about state guidelines and district policies related to the use of discipline, behavior management, behavior interventions, and responses to emergency situations.*
- *Promote the use of non-aversive behavioral interventions, including positive behavior support techniques.*

Building principals are responsible for ensuring all school staff are trained annually in positive behavior intervention techniques, de-escalation strategies, ESI regulations and district ESI policy/procedures.

Standards for the use of ESI

Emergency Safety Interventions (ESI) refers to the use of seclusion or physical restraint. District personnel may use seclusion and/or physical restraint only when less restrictive alternatives were determined by the school employee to be inappropriate or ineffective, and when a student's behavior presents an immediate physical danger to self or others. Violent actions that are destructive of property may necessitate the use of ESI. The use of ESI shall stop as soon as the immediate danger or physical harm ceases to exist.

Physical Restraint

Physical restraint may be used when the student's behavior presents an immediate physical danger to self or others or is violently destructive of property, and other interventions, such as positive behavior supports, to prevent dangerous behaviors are inappropriate or ineffective under the circumstances. When physical restraint is used, the following principles apply:

- The use of physical restraint shall stop as soon as the immediate danger of physical harm ceases to exist.*
- School personnel will use the safest method with the least amount of force, for the shortest amount of time possible during ESI.*

•The student's status will be visually monitored continuously throughout the process to ensure the appropriateness of its use and safety of the child, other children, teachers, and other personnel.

The following physical restraint procedures are prohibited:

•Use of restraint for purposes of discipline, punishment, or for the convenience of a school employee is prohibited.

•The use of prone physical restraint, supine physical restraint, physical restraint that obstructs the airway of a student, or any physical restraint that affects a student's primary mode of communication is prohibited.

•The use of chemical restraint, except as prescribed treatments for the student's medical or psychiatric condition by a person appropriately licensed to issued such treatments, is prohibited.

•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 or other safety equipment when used to secure students during transportation is prohibited.

Seclusion

Seclusion may be used when the student's behavior presents an immediate physical danger to self or others or is violently destructive of property, and other interventions, such as positive behavior supports, to prevent dangerous behaviors are inappropriate or ineffective under the circumstances. When seclusion is used, the following principles apply:

•The use of seclusion shall stop as soon as the immediate danger of physical harm ceases to exist.

•A student shall not be subjected to seclusion if the student is known to have a medical condition that could put the student in mental or physical danger as a result of seclusion. The medical condition must be documented by the student's licensed health care provider, a copy of which has been provided to the school and placed in the student's health file.

•During seclusion a school employee shall be able to see and hear the student at all times. All seclusion rooms equipped with a locking door shall be designed to ensure that the lock automatically disengages when the school employee viewing the student walks away from the seclusion room, or in case of emergency, such as fire or severe weather.

•A seclusion room shall be a safe place with the proportional and similar characteristics as other rooms where students frequent. Such room shall be free of any condition that could be a danger to the student and shall be well-ventilated and sufficiently lighted.

Multiple ESI Incidences

Upon the third ESI for a single student within a school year, a meeting will take place within 10 days that will include the IEP team, 504 team, or a general education team that includes the parents, teacher, staff member involved in the ESI, building administrator and any other district employee deemed appropriate by the school principal. In all cases, the student shall be invited to the meeting. The time for calling such a meeting may be extended beyond the 10-day limit if the parent of the student is unable to attend within that time-period.

During the meeting, the team will discuss the incident(s), consider the need for a functional behavioral assessment, creation or changes to a behavior intervention plan, and if the student should be evaluated for services if the student has not been identified for a 504 plan or special educational services.

Nothing in this section shall prohibit the development and implementation of a functional behavior intervention plan for any student who has not had three ESI incidents in a school year. This process may be modified by the agreement of the IEP or 504 team.

Parent Rights & Notification

- Upon use of an ESI, the school must notify the parent the same day of the incident. If the parent cannot be contacted, the school must notify the emergency contact listed in the student record.
- Written documentation, which includes date and time of the intervention, the type of intervention, and the length of time the intervention was used, and the school personnel who participated in or supervised their intervention, shall be provided to the student's parents no later than the next school day.
- The first written ESI incident report shall be accompanied with a copy of the district ESI, parent's rights, local dispute resolution process, the complaint process of the state board of education (when available), and information that will assist the parent in navigating the complaint process, including contact information for Families Together and the Disability Rights Center of Kansas. For each subsequent incident, the parent notification form shall include a direct website address that contains all required ESI information.

Complaint Investigation Procedure

- The Board of Education has delegated to the Superintendent or his/her designee the authority to receive parental written complaints regarding the use of ESI.
- Upon receipt of a complaint, the Superintendent or his/her designee will investigate the complaint and develop a written report which will include findings of fact, conclusions relevant to the requirements of this policy or regulations of the KSDE and, if necessary, a corrective actions to remedy an instance of noncompliance. The Superintendent or his/her designee shall

submit the report to the Board of Education in executive session. The Board may approve the report or require additional information before approving the report.

•The written report will be submitted to the parents, the school, the Board of Education, and the the KSDE within 30 calendar days from the date the complaint is received in the Superintendent's office. Once such a procedure has been developed, a parent may file a complaint under the state board of education complain process within thirty (30) days from the date a final decision is issued pursuant to the local dispute resolution process.

Complaint Investigation Request Form ([Link](#))

USD 320 Wamego Public School District www.usd320.com

USD 320 Board Policy Emergency Safety Interventions ([Link](#))

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Kansas Department of Education (KSDE) ESI <http://www.ksde.org/Default.aspx?tabid=571>

- **Technical Assistance Network (TASN)** <http://ksdetasn.org/tasn/emergency-safety-interventions-esi-resources>

Parent Training and Information

- **Families Together-** (888) 815-6364 <http://famiestogetherinc.org/index.php/who-i-am/links-by-topic/topics-starting-with-d-f/emergency-safety-intervention-esi/>
- **Family Guide to the Use of Emergency Safety Interventions** (Seclusion and Restraint) in Kansas <http://famiestogetherinc.org/index.php/who-i-am/links-by-topic/topics-starting-with-d-f/emergency-safety-intervention-esi/>

Protection and Advocacy System

- **Disability Rights Center of Kansas-** (877) 776-1541 or (785) 273-9661
<http://www.drckansas.org/>