



10.13 Emergency Safety Interventions Policy

Draft 2

Effective Date:
Authorized By: Utah State Board of Education

1. **Purpose:**

1.1. The purpose of this policy is to establish the standards, procedures, and limitations governing the use of Emergency Safety Interventions (ESI)—specifically, physical restraint and seclusion—within the Utah Schools for the Deaf and the Blind (USDB).

1.2. This policy ensures USDB complies with Utah Code §53G-8-301, R277-609, R392-200, R710-4, R277-608, and upholds USDB's commitment to maintaining a safe, supportive, and dignified learning environment for all students.

2. **Definitions:**

2.1. **Antecedent:** Any event, situation, or trigger that occurs immediately before a student's behavior, which may contribute to or provoke that behavior. Identifying antecedents helps staff understand why a behavior occurred, implement preventive strategies, and reduce the likelihood of future emergency interventions.

2.2. **Behavior:** Any observable and measurable action, response, or activity exhibited by a student. Documenting behavior accurately allows staff to identify patterns, determine antecedents and consequences, and develop effective positive behavioral interventions and supports.

2.3. **Behavior Intervention Plan (BIP):** A component of a student's educational program or IEP designed to address behaviors that interfere with the student's learning or that of others and behaviors that are inconsistent with school expectations, based on the results of a functional behavior assessment (FBA). (USBE Special Education Rules I.E.6)

2.4. **Chemical restraint:** The use of medication administered to a student, including medications prescribed by the student's physician or other qualified health professional, on an as-needed basis for the sole purpose of involuntarily limiting the student's freedom of movement as prohibited in R277-608-2(1).

- 2.5. **Consequence:** Any event, response, or outcome that follows a student's behavior. Consequences can either increase or decrease the likelihood of the behavior occurring in the future. Understanding consequences helps staff assess the effects of interventions and supports the development of effective, positive behavioral strategies.
- 2.6. **Corporal Punishment:** The intentional infliction of physical pain upon the body of a student as a disciplinary measure.
- 2.7. **De-escalation Techniques:** Strategies and interventions employed by school staff to reduce the intensity of a student's behavior or emotional state before it escalates to a level that requires an Emergency Safety Intervention (ESI).
- 2.8. **Emergency Safety Intervention (ESI):** The use of seclusion or physical restraint when a student presents an immediate danger to self or others.
- 2.9. **Emergency Safety Intervention Committee:** An emergency safety intervention committee as described in R277-608-6.
- 2.10. **Functional behavior assessment (FBA):** A systematic process used to understand the function and purpose of a student's specific, interfering behavior and factors that contribute to the behavior's occurrence and nonoccurrence for developing effective positive behavioral interventions, supports, and other strategies to mitigate or eliminate the interfering behavior.
- 2.11. **Immediate Danger:** Imminent risk of serious physical violence toward self or others, or other physical behaviors which are likely to cause imminent risk of substantial or serious bodily injury.
- 2.12. **Informed Consent:** Written or documented agreement from a parent/guardian acknowledging that they have been informed of, understand, and approve the interventions or supports [that may be](#) provided to their child.
- 2.13. **Key Identified School Employees:** At USDB, Key employees requiring ESI training include Associate Superintendents, Educational Directors, School Psychologists, School Counselors, Behavior Specialists, and Behavior Support Aides.
- 2.14. **Least Restrictive Behavior Intervention:** An intervention or strategy that minimizes the use of restrictive procedures, ensuring that any action taken allows the student the greatest possible freedom and choice while maintaining safety and well-being.
- 2.15. **Mechanical Restraint:** The use of any device or equipment to restrict a student's freedom of movement. Mechanical restraints are prohibited except for protective and stabilizing restraints as prescribed by an appropriate medical or related services professional, restraints required by law, including seatbelts or any other safety equipment when used to secure students during

- transportation, and any device used by a law enforcement officer in carrying out law enforcement duties. R277-608-2(10)
- 2.16. **Physical Escort:** A temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purpose of guiding a student to another location.
- 2.17. **Physical Restraint:** A personal restriction that immobilizes or reduces the movement of a student's arms, legs, body, or head freely.
- 2.18. **Seclusion:** The involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving, including placing a student in a locked room; or placing a student in a room where the door is blocked by furniture or held closed by staff. §53G-8-301(f).
- 2.19. **Student:** An individual who is under the age of 19 and receiving educational services, or under the age of 23 and receiving educational services as an individual with a disability.
- 2.20. **Timeout:** A non-locked, supervised calming space that does not meet the definition of seclusion.
- 2.21. **Trained Staff:** Personnel who have completed USDB-approved training in Emergency Safety Interventions, de-escalation techniques, and safe use of restraint and seclusion.

3. **Positive Behavioral Supports:**

- 3.1. USDB shall prioritize positive behavioral supports, including Positive Behavioral Interventions and Supports (PBIS), de-escalation strategies, and preventive interventions, as described in the Least Restrictive Behavioral Interventions (LRBI) Technical Assistance Manual, before considering any Emergency Safety Intervention (ESI).
- 3.2. PBIS shall guide the development of school-wide systems, classroom strategies, and individualized supports to prevent behaviors that may lead to an ESI.
- 3.3. ESIs may only be used when:
- 3.3.1. Less restrictive interventions and other preventive measures have been attempted or deemed inappropriate; and
- 3.3.2. A student presents an immediate danger of substantial or serious bodily injury to self or others.

4. **Prohibitions:**

- 4.1. ESIs shall not be used:
- 4.1.1. As ~~an~~ a behavioral intervention or disciplinary practice;
- 4.1.2. For coercion, retaliation, or humiliation;

- 4.1.3. Due to inadequate staffing or for the convenience of the staff member.
- 4.1.4. In violation of known medical or psychological contraindications;
- 4.1.5. In a manner that restricts breathing or communication.
- 4.1.6. Corporal punishment is prohibited under Utah Code §53G-8-301.
 - 4.1.6.1. Any employee using corporal punishment will be sanctioned;
 - 4.1.6.2. Appeals for violating this policy will be consistent with DHRM rules and the Educator Employment Agreement.

5. Seclusion Areas:

- 5.1. USDB permits individual schools or programs to request approval to designate an enclosed area for the sole purpose of seclusion, subject to all state requirements and the approval process outlined in this policy.

6. Requirements for Designated Seclusion Areas

- 6.1. USDB may authorize a school to designate an enclosed area for seclusion only if the following conditions are met:
- 6.2. Data and Justification
 - 6.2.1. Incident data demonstrating the need for a designated space.
 - 6.2.2. Explanation of why Least Restrictive Behavior Interventions are insufficient.
- 6.3. Description of Proposed Space
 - 6.3.1. Dimensions and layout.
 - 6.3.2. Safety features comply with R392-200 (sanitation, ventilation, lighting, and construction) and R710-4 (fire code, egress, and alarms).
 - 6.3.3. Monitoring method ensuring continuous line-of-sight supervision.
- 6.4. Operational Procedures
 - 6.4.1. Conditions under which the room may be used.
 - 6.4.2. Seclusion should be used for the minimum time necessary to ensure safety, as reasonably understood by the school employee. R277-608-5(12)(a)
 - 6.4.3. The student must be observed at all times by a staff member who is familiar with the student and has received the comprehensive ESI training in accordance with R277-608-5 for the duration of the seclusion.
- 6.5. Review and Approval Process

- 6.5.1. The USDB Emergency Safety Intervention Committee shall review the proposal and provide a recommendation.
- 6.5.2. Final approval shall be granted only by the Utah State Board of Education as the governing Board for USDB.
- 6.5.3. Prior to implementation, the school must provide written notification to all parents/guardians in the school community explaining:
 - 6.5.3.1. The purpose of the designated area;
 - 6.5.3.2. Safety features;
 - 6.5.3.3. Parent rights and protections;
 - 6.5.3.4. Applicable state laws.

7. Use of Seclusion

- 7.1. Seclusion may only be used when a student presents an immediate danger to self or others and when no other safe or effective intervention is available.
- 7.2. Seclusion may only be used during emergencies, never as a planned intervention, disciplinary measure, or behavioral consequence.
- 7.3. Seclusion as an Emergency Safety Intervention is permitted only for a student in Grade 1 or higher.
- 7.4. When a Board-approved seclusion area is used during an ESI:
 - 7.4.1. The team must ensure that other, less restrictive interventions are used before resorting to seclusion and restraint.
 - 7.4.2. The student must be continuously monitored by personnel who have received the comprehensive ESI training with direct line of sight.
 - 7.4.3. The door must remain unlocked at all times consistent with the fire and public safety requirements described in Rules R392-200 and R710-4.
 - 7.4.4. Lighting, ventilation, and furnishings must comply with R392-200.
 - 7.4.5. Seclusion must end immediately when the student is no longer an immediate danger to themselves or others.
- 7.5. Seclusion **may not exceed 30 minutes.**
- 7.6. Staff must provide the student with:
 - 7.6.1. An explanation of the behavior that led to the intervention;
 - 7.6.2. Expectations for returning to the learning environments
- 7.7. A school shall notify parents and the school administration immediately, and not to exceed 15 minutes after the use, of any emergency safety intervention used on the parent's child, including seclusion or physical restraint.

- 7.8. A debriefing must be held for all witnesses, involved staff members, the student(s) who were secluded, and the parent/guardian of the student who was secluded.
- 7.9. If a student is placed in seclusion, the school employee shall provide documentation to the USDB's ESI committee and the student's parents, as described in R277-608-5, and document it within the student's information system (SIS) records.

8. Use of Physical Restraint

- 8.1. Physical restraint may only be used when reasonable and necessary
 - 8.1.1. in self-defense;
 - 8.1.2. to obtain possession of a weapon or other dangerous object;
 - 8.1.3. to protect a student or another individual from physical injury;
 - 8.1.4. to remove a student from a violent situation;
 - 8.1.5. or to protect property from being damaged, when physical safety is at risk;
 - 8.1.6. Physical restraint may only be used when a student presents an immediate danger to self or others, and the employee has first attempted to use the least restrictive intervention, including a physical escort, to address the concern. Additionally, it may only be used when no other safe or effective intervention is available.
 - 8.1.7. The restraint must be performed by staff who have received the Comprehensive ESI training.
 - 8.1.8. A restraint can last **no longer than necessary** and **never beyond 30 minutes**.
 - 8.1.9. Or when law enforcement intervenes.
 - 8.1.10. A physical restraint must be immediately terminated when:
 - 8.1.10.1. A student is no longer an immediate danger to self or others; or
 - 8.1.10.2. A student is in severe distress, and
 - 8.1.10.3. The use of physical restraint shall be for the minimum time necessary to ensure safety, as reasonably understood by the school employee.
 - 8.1.11. If a student is physically restrained, the school employee shall provide documentation to USDB's ESI committee for that school and the student's parents, as described in R277-608-5, and document it in the student's information system (SIS) records.

9. Prohibited Restraint Practices

- 9.1. A school employee may not use physical restraint as a means of discipline or punishment.
- 9.2. The following are prohibited restraint practices:
 - 9.2.1. Prone (face-down) restraint
 - 9.2.2. Supine (face-up) restraint
 - 9.2.3. Any restraint that restricts breathing or communication
 - 9.2.4. Pressure on the torso, neck, head, or back
 - 9.2.5. Mechanical restraint (unless medically prescribed)
 - 9.2.6. Chemical restraint
 - 9.2.7. Any other dangerous practices, as defined in the Least Restrictive Behavioral Interventions (LRBI) Technical Assistance Manual
 - 9.2.8. For a student with a disability, ESI's written into a student's individualized education program (IEP) as a planned intervention, unless:
 - 9.2.8.1. School personnel, the family, and the IEP team agree that Least Restrictive Interventions have been attempted;
 - 9.2.8.2. An FBA has been conducted;
 - 9.2.8.3. A positive behavior intervention, based on data analysis, has been written into the plan and implemented.

10. Notification and Documentation for each ESI must include:

- 10.1. Verbal/written notice must be given to the parents **immediately, and within 15 minutes after use of physical restraint or seclusion.**
 - 10.1.1. This notification should be reported by the school's administrator.
 - 10.1.2. The ESI Droplet form must be completed by the end of the day.
- 10.2. **Written notification to parents within 48 hours** from the administrator of the school using an ESI with a student, that the parent may request a copy of any notes or additional documentation taken during the use of the ESI, including:
 - 10.2.1. Antecedent events leading to the behavior
 - 10.2.2. Descriptions of the Behavior
 - 10.2.3. Consequence of the behavior
 - 10.2.4. Description of any activities used to reduce the need for an emergency safety intervention, including preventative measures and de-escalation interventions attempted
 - 10.2.5. Duration of the ESI
 - 10.2.6. Staff involved
 - 10.2.7. Any injuries or medical follow-up

- 10.2.8. Completed USDB Injury forms as needed
- 10.2.9. All documentation of ESIs shall be recorded in the Student Information System (SIS) and made available to parents upon request.
- 10.2.10. If a school employee uses an Emergency Safety Intervention (ESI), USDB shall provide the student's parent or guardian with a copy of all notes and documentation created during the ESI. This includes a description of the physical space where seclusion occurred or the type of physical restraint used, upon request.
- 10.2.11. Parents or guardians may request a meeting with school staff and administration to discuss the use of the ESI and any follow-up actions.

11. Training

- 11.1. All school employees who supervise students, or who may be asked to assist in managing a student's behavior, shall receive foundational behavior support training, which shall include:
 - 11.1.1. behavioral or emotional crisis management, including de-escalation strategies consistent with the (LRBI) manual incorporated by reference into R277-609-3; and
 - 11.1.2. USDB policies related to ESI.
- 11.2. The foundational behavior support training, described in R277-608-4(1), must be completed within two months or 30 days if working directly with a student with disabilities, of employment, and biannually thereafter.
- 11.3. Key identified school employees who have received comprehensive ESI training may use reasonable and necessary physical restraint in self-defense or when otherwise appropriate to the circumstances outlined in §53G-8-301
- 11.4. The Comprehensive ESI training shall include:
 - 11.4.1. The appropriate, safe, and effective use of ESI; and
 - 11.4.2. Documentation of ESI.
- 11.5. The comprehensive ESI training shall be completed before a school employee is authorized to use an ESI with a student and annually thereafter.
- 11.6.

12. ESI Committee

- 12.1. USDB shall maintain an Emergency Safety Intervention Committee that includes:
 - 12.1.1. At least one administrator;

- 12.1.2. At least one licensed educational professional with behavior support training and knowledge in both state law and USDB discipline policies related to ESIs;
- 12.1.3. At least one parent or guardian of a student enrolled in USDB and appointed by the USDB; and
- 12.1.4. At least one other licensed educator.
- 12.2. The committee shall:
 - 12.2.1. Meet often enough to monitor the use of ESI at USDB;
 - 12.2.2. Recommend professional learning needs;
 - 12.2.3. Develop policies for processes to resolve concerns regarding the use of ESIs;
 - 12.2.4. Review seclusion-area proposals;
 - 12.2.5. Recommend policy updates;
 - 12.2.6. Analyze ESI data for trends or concerns;
 - 12.2.7. Review the criteria and steps for using ESI with students with disabilities are consistent with state and federal law;
 - 12.2.8. Ensure that each emergency incident where a school employee uses an ESI is documented in the student information system (SIS) and reported to the USDB administration.

13. Students with IEPs or 504 Plans

- 13.1. The IEP/504 team must review any ESI incident to determine whether:
 - 13.1.1. An FBA is needed.
 - 13.1.2. The BIP should be revised.
- 13.2. Repeated ESIs constitute a change of placement.
- 13.3. If ESI is used with a student who has not previously been identified as having a disability, the student shall be referred to the IEP team for an evaluation immediately.
- 13.4. For a student with a disability, ESIs can be written into a student's individualized education program (IEP), as a planned intervention, only when:
 - 13.4.1. school personnel, the family, and the IEP team agree that less restrictive means have been attempted;
 - 13.4.2. an FBA has been conducted; and
 - 13.4.3. A positive behavior intervention, based on data analysis, has been written into the plan and implemented; the criteria and steps for using ESI with students with disabilities are consistent with state and federal laws.

14. Data Reporting

- 14.1. USDB shall annually collect and report data to the State Board of Education regarding incidents, which include:
 - 14.1.1. Duration of intervention
 - 14.1.2. Purpose of intervention
 - 14.1.3. Alternative interventions attempted
 - 14.1.4. Student demographic information (sex, gender, age, grade, and disability status)
 - 14.1.5. Relevant staff training offered and received by involved staff.

15. Compliance

- 15.1. School authorities shall take prompt and appropriate action, including in-service training and other administrative action, upon confirming a violation of this policy. An individual who makes a good faith report or cooperates in an investigation shall receive immunity from civil or criminal liability.
- 15.2. The reporting and investigation requirements of Title 80, Chapter 2, Part 6, Child Abuse and Neglect Reports, apply to all complaints of corporal punishment.
- 15.3. Any violations of this policy and its standards shall constitute an act of unlawful detention and result in a referral to local law enforcement and the Utah Professional Practices Advisory Commission.