

EMERGENCY SAFETY INTERVENTION FORM



Documentation of a Known Medical Condition

DIRECTIONS: This form is being provided to you for documentation of a known medical condition that could put the student named below in mental or physical danger as a result of using an emergency safety intervention. This form satisfies the requirement in K.S.A. 2016 Supp. 72-89d03(b), but does not include any required releases necessary to share or release information to the school. Please attach copies of any releases to this form. Additional information is provided on the back of this form.

STUDENT'S NAME: _____

STUDENT'S KIDS ID NUMBER (to be filled in by school staff): _____

STUDENT'S DIAGNOSIS: _____

EXPLANATION OF THE DIAGNOSIS and REASONS WHY AN EMERGENCY SAFETY INTERVENTION WOULD PUT THE STUDENT IN MENTAL OR PHYSICAL DANGER (attach additional sheets if necessary):

SUGGESTED ALTERNATIVES TO THE USE OF EMERGENCY SAETY INTERVENTIONS (attach additional sheets if necessary):

REGULATORY REQUIREMENTS FOR THE USE OF EMERGENCY SAFETY INTERVENTIONS
K.S.A. 2016 Supp. 72-89d01 through 72-89d08; and K.A.R. 91-42-1 through 91-42-7 (2016)

The following information concerning the use of emergency safety interventions is being made available for your convenience and is meant to be used only as a reference. While every effort has been made to accurately reproduce this information, it is not the official statutes and regulations of the State. The Kansas Statutes Annotated (K.S.A.), published by the Revisor of Kansas Statutes, http://www.kslegislature.org/li_2016/b2015_16/statute/, and the Kansas Administrative Regulations (K.A.R.), published by the Secretary of State, http://kssos.org/pubs/pubs_kar.aspx, should be consulted for the text of the official statutes and administrative regulations of the State.

An emergency safety intervention means the use of seclusion or physical restraint only when a student presents a reasonable and immediate danger of physical harm to such student or others with the present ability to effect such physical harm.

“Physical restraint” means bodily force used to substantially limit a student’s movement, except that consensual, solicited or unintentional contact and contact to provide comfort, assistance or instruction shall not be deemed to be physical restraint. Other forms of restraint are prohibited such as prone and supine restraint, or mechanical restraint except protective or stabilizing devices or devices used by law enforcement personnel. “Seclusion” means placement of a student in a location where all 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; and (3) the student is prevented from leaving, or the student reasonably believes that such student will be prevented from leaving, the enclosed area. Less restrictive alternatives to emergency safety interventions, such as positive behavior interventions support, shall be deemed inappropriate or ineffective under the circumstances by the school employee witnessing the student’s behavior prior to the use of any emergency safety intervention. The use of an emergency safety intervention shall cease as soon as the immediate danger of physical harm ceases to exist. Violent action that is destructive of property may necessitate the use of an emergency safety intervention. Use of an emergency safety intervention for purposes of discipline, punishment or for the convenience of a school employee shall not meet the standard of immediate danger of physical harm.

A school may not use an emergency safety intervention, seclusion or physical restraint, with a student if the student is known to have a medical condition that could put the student in mental or physical danger as a result of the emergency safety intervention. The existence of such medical condition must be indicated in a written statement from the student’s licensed health care provider, a copy of which shall be provided to the school and placed in the student’s file. The written statement shall include an explanation of the student’s diagnosis, a list of any reasons why an emergency safety intervention would put the student in mental or physical danger and any suggested alternatives to the use of emergency safety interventions. However, a student may be subjected to an emergency safety intervention, if not subjecting the student to an emergency safety intervention would result in significant physical harm to the student or others. K.S.A. 2016 Supp. 72-89d03(b). For example, a student with a documented medical condition who attempts to run out into a busy street may be restrained for safety.