

P5116 EMERGENCY SAFETY INTERVENTIONS

BOARD POLICY:

The Board of Education is committed to limiting the use of Emergency Safety Interventions (“ESI”). ESI in Wichita Public Schools can be used only in compliance with this policy, subject to all limitations, conditions, and requirements described below.

Administrative Implemental Procedures:

1. Scope

- a. This policy applies to all uses of ESI by District employees and contractors. ESI includes Seclusion and Restraint.
- b. “Seclusion” occurs when a student is placed
 - i. (1) alone, without adults or peers;
 - ii. (2) involuntarily; *and*
 - iii. (3) in a room or area that they are physically prevented from leaving or which they reasonably believe they are not free to leave, regardless of what that room is called (e.g., “cool-down,” “refocus,” “time-away,” “recovery,” or “reset” rooms).
- c. Seclusion does not include a student voluntarily going to an authorized location to engage in calming or de-escalating behavior.
- d. “Restraint” means *any* physical contact (1) in which a student involuntarily participates *and* (2) which either immobilizes the student *or* reduces their ability to freely move their torso, appendages, or head.
 - i. Any technique that satisfies the elements of 1(d) is a Restraint, regardless of label: it includes all “escorts,” “guided transports,” trained or untrained techniques, holding or grabbing a student to escort, compel or coerce the student to move to another location, and any use of a blocking pad or cushion to restrict the free movement of a student through involuntary physical contact.
 - ii. Restraint does not include consensual contact that provides comfort, assistance, or instruction, such as temporary contact with a student’s hand, wrist, arm, shoulder, or back without applying pressure or force to guide the student to a safe location.
- e. As used in this policy, a “Parent” means a student’s natural or adoptive Parent, legal guardian, or education advocate. In an appropriate case, a Parent may also include a person acting in that capacity in the absence of a natural Parent or legal guardian.

2. Seclusion Prohibited

- a. Seclusion is prohibited at Wichita Public Schools, subject to 2(c), below.
- b. Restraint is a disfavored last resort that may be utilized only in strict compliance with this policy.

- c. Seclusion may be used only at Bryant, Wells, Levy, and Sowers until January 1, 2025, subject to the conditions described in **P5116-B**. After January 1, 2025, Seclusion is prohibited at these schools.

3. Use of Restraint

- a. Restraint may be used only when all the following conditions are met:
 - i. A student’s behavior reasonably poses an immediate danger of substantial physical harm to the student or another person; *and*
 - ii. The student has the present ability to cause that harm; *and*
 - iii. All appropriate de-escalation techniques have been implemented without success and less restrictive interventions cannot reasonably be expected to stop the immediate risk of substantial physical harm.
- b. Restraint may not be used as a form of discipline or punishment, as a method of forcing compliance with staff directions, as a convenience to staff, or as a substitute for appropriate educational and/or behavioral support.
- c. Restraint must cease as soon as (i) the student’s behavior no longer creates an immediate risk of substantial physical harm, or (ii) a less restrictive intervention can prevent/eliminate the risk of harm created by the student’s behavior.
- d. Only approved and trained Restraint techniques should be used by District staff. The following may never be used:
 - i. Restraint in a prone (face-down) or supine (face-up) position;
 - ii. Restraint that obstructs a student’s airway;
 - iii. Restraint that impedes a student’s primary form of communication;
 - iv. Restraint that utilizes any zip tie, handcuff, ligature, bond, or other device (a/k/a “mechanical restraint”), except for the following:
 - 1. Protective or stabilizing devices required by law or pursuant to an authorized order; *or*
 - 2. Devices used by a certified law enforcement officer to carry out official duties; *or*
 - 3. Seatbelts or other devices used to secure students during transportation.
 - v. Chemical restraints, other than treatments prescribed for a medical or psychiatric condition by the student’s healthcare provider.
- e. Only building Crisis Prevention Team (CPT) members may ordinarily restrain a student. Non-CPT staff may restrain a student only if:
 - i. A CPT member has requested assistance because that CPT member reasonably believes such assistance is necessary to avoid substantial physical harm; *or*

- ii. No CPT member would be able to assist in a timeframe sufficient to address the immediate risk of substantial physical harm created by a student's behavior.
 - f. ESI should not be used with any student whose physical or mental health would be endangered by the use of ESI, unless the failure to use ESI would result in significant physical harm to the student or another. Relevant health condition(s) shall be documented in the student's file in a written statement from the student's licensed health care provider, explaining the student's diagnosis, the reasons why an ESI would endanger the student, and any suggested alternatives to the use of ESI.
- 4. After ESI Has Occurred
 - a. A student subject to ESI must be evaluated immediately by a trained medical professional to ascertain and ensure the treatment of any injury.
 - b. Parent Notification and Debrief
 - i. The student's Parent shall be notified of the use of ESI before the end of the day using the Parent's preferred method of contact.
 - ii. A separate notice shall be provided to the Parent for each ESI unless the Parent has agreed to receive a single notification for all uses of ESI occurring in a single day.
 - iii. Each notice under this subsection shall include a copy of this policy, the District's approved flyer describing Parent rights related to ESI, and information describing how a Parent may file and pursue an official complaint concerning the District's use of ESI. After the first use of ESI in a school year, this information shall be provided to the Parent in print and by email; after subsequent incidents, the Parent may be provided with the address of a web page containing this information.
 - iv. Each notice shall invite the Parent to discuss the circumstances of the ESI and ways to avoid future ESI. A summary of any such discussion and any actions taken as a result shall be recorded in the District's student information system.
 - v. Each notice shall also request the Parent's permission for a licensed mental health professional to conduct an evaluation of the student. Unless consent cannot be obtained, the mental health professional will provide ongoing psychological evaluation and any appropriate support and services to the student. Any risk of self-harm identified as a result of such an evaluation shall be handled according to the District's approved suicide risk assessment plan.
 - c. If school staff learn that a law enforcement officer has restrained a student on school grounds or during a school sponsored event, then a trained medical professional shall immediately evaluate the student to ascertain and ensure the treatment of any injury, unless circumstances make doing so impracticable. The District shall notify the parent on the same day the school becomes aware of the use of restraint by law enforcement, using the parent's preferred method of contact. If the District becomes aware of a risk of self-harm on the part of a student who has been restrained by law enforcement, the District shall address such risk according to the District's approved

suicide risk assessment plan.

5. Documentation of ESI

- a. All information identified in attachment **P5116-A** must be recorded in the District's student information system and provided to the student's Parents no later than the end of the school day following the day of the ESI.

6. Review of ESI

- a. After each use of ESI, the principal shall:
 - i. Review documentation and other relevant information to confirm that staff complied with District policy, fully documented the incident, and used appropriate crisis prevention and intervention procedures.
 - ii. Meet with staff involved in the ESI to discuss, review, and provide feedback on (a) staff's awareness and implementation of the student's BIP; (b) the use of crisis prevention procedures and protocols; (c) actions that escalated student behavior; (d) compliance with District policy; and (e) any corrective action necessary to address identified shortcomings.
- b. The review described by section 6(a) shall be completed within two school days of each ESI, or not later than four school days in the event that exceptional or exigent circumstances make such delay unavoidable. The cause of such delay must be thoroughly documented in the District's student information system.
- c. Conclusions reached and corrective action identified during the review and staff debrief described in 6(a)(i)-(ii) shall be recorded in the student information system.

7. Local Dispute Resolution and Formal Complaint Procedure

- a. Any Parent who believes ESI has been improperly used on such Parent's child may make a complaint to the principal of the school attended by the student, or to the Board of Education.
 - i. A principal who receives a complaint shall investigate the allegations of any such complaint and endeavor to resolve the complaint to the Parent's satisfaction. The documentation of the ESI shall be supplemented to include the allegations of the complaint; any findings from the investigation of such complaint; the resolution, if any; and any corrective action taken as the result of the complaint.
 - ii. A Parent may submit a formal complaint to the clerk of the Board of Education within thirty (30) days after the Parent is informed of the use of ESI that is the subject of their complaint. The complaint shall be investigated by an administrator designated by the Board president, and a report of findings, conclusions, and proposed corrective action shall be prepared by the Board's attorney and presented to the Board in executive session not later than thirty (30) days following the Board clerk's receipt of the complaint. The Board shall vote whether to approve the report, and a copy of the approved report shall be furnished to the Parents, the school principal, and the State Department of Education.

8. Training

- a. All principals, assistant principals, and certified or non-certified staff who work directly with children shall receive role-appropriate training in the District's ESI policies.
- b. Staff at each school who are designated as members of the building's Crisis Prevention Team shall be trained in the use of Restraint according to CPI/NCI standards by a trainer who has personally completed all applicable training for trainers.

P5116-A – ESI DOCUMENTATION REQUIREMENTS

The documentation of each ESI shall include at least the following items:

- a. A continuous narrative description of the incident, in chronological order, that includes each ESI (if there were multiple ESIs used) rather than breaking up the narrative by ESI;
- b. The time the incident started and ended, and the time each ESI started and ended;
- c. The context for the incident (for example, the individuals in the location, the behavior of those individuals, and what learning or other activity the student was engaged in when the incident began);
- d. The behavior of the student that prompted each ESI and the actions by staff immediately prior to that action by the student, including, as a unique field in the data system, the name of each staff member who performed such action;
- e. Objective descriptions of the student’s behavior using behavioral language that avoids the use of subjective terms (e.g., “student knocked books off a peer’s desk” rather than “student was angry”);
- f. A description of all De-escalation Techniques implemented prior to the use of the ESI that demonstrate that less restrictive interventions would not have been effective, including the name of each staff member who participated in the implementation of each such technique. “De-escalation Techniques” refers to the progression of non-verbal (e.g., body language, physical cues, and allowing personal space), verbal, and environmental interventions used to prevent or moderate escalation of student behavior;
- g. The student’s response to each De-escalation Technique;
- h. A clear description of the Restraint procedures, including a description of each hold and physical technique (attempted and successful), the name(s) of all CPI-approved physical holds and techniques, detailed descriptions of all non-CPI holds, and the staff member(s) who employed or attempted to employ each CPI-approved or non-CPI-approved hold;
- i. Where the student went after the ESI;
- j. The name of each staff member who observed the incident and who has not yet been identified pursuant to any of the foregoing subsections (a) through (i); and
- k. A description of matters discussed during the initial debrief of the incident described in P5116 AIP(6)(a)(ii)

P5116-B: LIMITED USE OF SECLUSION AT DAY SCHOOLS

1. Seclusion is allowed until January 1, 2025, only at the following schools and only in strict compliance with this policy. Seclusion is prohibited at all other schools.
 - a. Bryant
 - b. Wells
 - c. Levy
 - d. Sowers
2. A student in Seclusion must be visible and audible to at least one staff member at all times.
3. Seclusion is prohibited unless the student's behavior reasonably poses an immediate danger of substantial physical harm to the student or others *and* the student has the present ability to cause such physical harm.
4. Seclusion may be used only at the explicit direction of a member of a Crisis Prevention Team. Such Team member may only order Seclusion as a last resort, after all appropriate De-escalation Techniques have been employed.
5. Seclusion must cease as soon as (i) the student's behavior no longer creates an immediate danger of substantial physical harm, or (ii) a less restrictive intervention will effectively address the danger created by the student's behavior.
6. A student may not be secluded in an area equipped with a locking door unless such lock automatically disengages when the staff member leaves the area or is not otherwise actively and manually engaging with the locking mechanism (i.e., "dead man's switch" mechanism).
7. Any area of Seclusion must be safe and comparable in terms of ventilation, lighting, and other pertinent characteristics to other areas frequented by students.
8. The use of Seclusion shall be documented as provided in P5116 AIP(5). Staff shall comply with P5116 AIP(4) following any Seclusion.
9. The Office of Behavior will be notified immediately by the school of any use of Seclusion and is required to go to the school to investigate the incident within one (1) school day.
10. Within three (3) school days of a Seclusion, the Office will determine: i) whether Seclusion was appropriate and in compliance with District policy; ii) whether the Seclusion is indicative of a pattern involving behavior, staff members, other students, or any other circumstances or stimulus; and iii) what alternatives to Seclusion should have been used. The Office will use the results of its investigation to train staff on how to manage student behavior without the use of Seclusion.

11. The Office will debrief with staff involved in the Seclusion within five (5) days to review the Office's conclusions and take any appropriate corrective action necessary to minimize or eliminate the risk of further Seclusions.
12. The Office's review, analysis, staff debrief, and corrective action will be thoroughly documented.