

1. EMERGENCY SAFETY INTERVENTIONS

1.1. A school employee may not subject a student to physical restraint or seclusionary time out unless utilized as a necessary emergency safety intervention (ESI) in compliance with this section.

1.2. Definitions

1.2.1. An “emergency safety intervention (ESI)” is the use of seclusionary time out or physical restraint when a student presents an immediate/imminent danger of physical violence/aggression towards self or others likely to cause serious physical harm. An “emergency safety intervention” is not for disciplinary purposes.

1.2.2. “Physical restraint” means personal restriction immobilizing or reducing the ability of an individual to move his arms, legs, body, or head freely.

1.2.3. “Seclusionary time out” means that a student is placed in a safe enclosed area, isolated from adults and peers, and the student is, or reasonably believes, he will be prevented from leaving the area.

1.2.4. General Procedures

1.2.4.1. Teachers and other personnel who may work directly with students shall be trained on the use of effective alternatives to ESI as well as the safe use of ESI and a release criteria.

1.2.4.2. ESI shall:

- [a] be applied for the minimum time necessary to ensure safety;
- [b] be discontinued as soon as imminent danger of physical harm to self or others has dissipated;
- [c] be discontinued if the student is in severe distress;
- [d] never be used as punishment or discipline;
- [e] in no instance be imposed for more than 30 minutes

1.3. ESI Committee

1.3.1. Utah Military Academy’s ESI committee is comprised of the Director, the appropriate Dean of Students, an appointed parent of an enrolled student, and two certified educational professionals with behavior training and knowledge in both state rules and Utah Military Academy’s discipline policies.

1.3.2. Utah Military Academy’s ESI committee will meet as needed to monitor the use of ESI at Utah Military Academy, and will determine and recommend professional development needs, as well as develop any necessary policies for local dispute resolution processes to address concerns regarding disciplinary actions.

1.4. Students with Disabilities Receiving Special Education Services

1.4.1. Use of ESI for a student with a disability receiving specialized educational services under IDEA or Section 504, shall be subject to the applicable state Least Restrictive Behavioral Interventions (LRBI) policies and procedures for special education/504 programs.

1.5. Physical Restraint

1.5.1. A school employee may, when acting within the scope of employment, use and apply physical restraint or force as an ESI as may be reasonable and necessary under the following circumstances:

- [a] to protect the student or another person from serious physical harm;
- [b] to take possession of a weapon, other dangerous objects in the possession or under the control of a student; or
- [c] the student is destroying property

1.5.2. When an employee exercises physical restraint as an ESI on a student, the following types of physical restraint are prohibited:

- [a] prone, or face-down;
- [b] supine, or face-up;
- [c] restraint which obstructs the airway or adversely affects the student's primary mode of communication;
- [d] mechanical restraint, except for seatbelts or safety equipment used to secure students during transportation; or
- [e] chemical restraint, except as prescribed by a licensed physician and implemented in compliance with a student's Health Care Plan.

1.6. Seclusionary Time Out

1.6.1. A school employee may, when acting within the scope of employment, place a student in seclusionary time out as an ESI under the following circumstances:

- 1.6.1.1. the student presents an immediate danger of serious physical harm to self or others;
- 1.6.1.2. any door remains unlocked; and
- 1.6.1.3. the student is within line sight of the employee at all times.

1.7. Notification

1.7.1. If a crisis situation occurs requiring an ESI be used, the school or employee shall notify the student's parent/guardian, the school administrator, and the school director immediately.

1.7.2. If the ESI is applied for longer than fifteen minutes, the school shall immediately notify the student's parent/guardian and school administration.

1.7.3. Parent notifications made under this section shall be documented in the student information system as required by R277-609-6(C)(4).

1.7.4. Within 24 hours of using ESI, the school shall notify the parent/guardian that they may request a copy of any notes or additional documentation taken during the crisis situation.

1.7.5. Upon request of a parent/guardian, the school shall provide a copy of any notes or additional documentation taken during a crisis situation.

1.7.6. A parent/guardian may request a time to meet with school staff and administration to discuss the crisis situation.

1.8. Prohibition of Corporal Punishment

A school employee may not inflict or cause the infliction of corporal punishment