

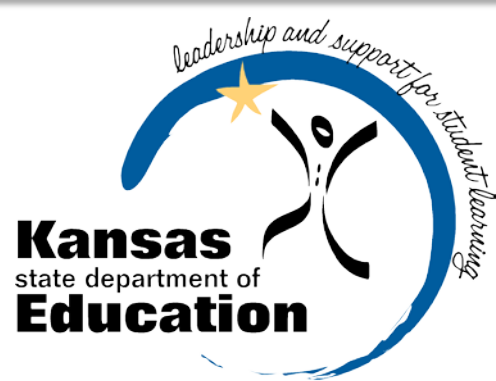
### Fifteen Principles

1. Every effort should be made to prevent the need for the use of restraint and for the use of seclusion.
2. Schools should never use mechanical restraints to restrict a child's freedom of movement, and schools should never use a drug or medication to control behavior or restrict freedom of movement (except as authorized by a licensed physician or other qualified health professional).
3. Physical restraint or seclusion should not be used except in situations where the child's behavior poses imminent danger of serious physical harm to self or others and other interventions are ineffective and should be discontinued as soon as imminent danger of serious physical harm to self or others has dissipated.
4. Policies restricting the use of restraint and seclusion should apply to all children, not just children with disabilities.
5. Any behavioral intervention must be consistent with the child's rights to be treated with dignity and to be free from abuse.
6. Restraint or seclusion should never be used as punishment or discipline (e.g., placing in seclusion for out-of-seat behavior), as a means of coercion or retaliation, or as a convenience.
7. Restraint or seclusion should never be used in a manner that restricts a child's breathing or harms the child.
8. The use of restraint or seclusion, particularly when there is repeated use for an individual child, multiple uses within the same classroom, or multiple uses by the same individual, should trigger a review and, if appropriate, revision of strategies currently in place to address dangerous behavior; if positive behavioral strategies are not in place, staff should consider developing them.
9. Behavioral strategies to address dangerous behavior that results in the use of restraint or seclusion should address the underlying cause or purpose of the dangerous behavior.
10. Teachers and other personnel should be trained regularly on the appropriate use of effective alternatives to physical restraint and seclusion, such as positive behavioral interventions and supports and, only for cases involving imminent danger of serious physical harm, on the safe use of physical restraint and seclusion.
11. Every instance in which restraint or seclusion is used should be carefully and continuously visually monitored to ensure the appropriateness of its use and safety of the child, other children, teachers, and other personnel.
12. Parents should be informed of the policies on restraint and seclusion at their child's school or other educational setting, as well as applicable federal, state, or local laws.
13. Parents should be notified as soon as possible following each instance in which restraint or seclusion is used with their child.
14. Policies regarding the use of restraint and seclusion should be reviewed regularly and updated as appropriate.
15. Policies regarding the use of restraint and seclusion should provide that each incident involving the use of restraint or seclusion should be documented in writing and provide for the collection of specific data that would enable teachers, staff, and other personnel to understand and implement the preceding principles.

U.S. Department of Education, Restraint and Seclusion: Resource Document (2012), <http://www2.ed.gov/policy/seclusion/restraints-and-seclusion-resources.pdf>.

### An Equal Employment/Educational Opportunity Agency

The Kansas State Department of Education does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities. The following person has been designated to handle inquiries regarding the non-discrimination policies: KSDE General Counsel, 120 SE 10th Avenue, Topeka, Kansas 66612; 785-296-3201.



## Emergency Safety Interventions

K.A.R. 91-42-1 and 91-42-2

### DEFINITIONS:

#### Physical Restraint:

Bodily force used to substantially limit a student's movement. The term physical restraint does not include a physical escort. Physical escort means the temporary touching or holding the hand, wrist, arm, shoulder, or back of a student who is acting out for the purpose of inducing the student to walk to a safe location.

The use of prone (face-down) physical restraint, supine (face-up) physical restraint, physical restraint that obstructs the airway of a student, or any physical restraint that impacts a student's primary mode of communication is **prohibited**.

#### Mechanical Restraint (Prohibited):

Any device or object used to limit a student's movement. This term does not include those protective or stabilizing devices either ordered by a person appropriately licensed to issue the order for the device or required by law. This term also does not include any device used by a law enforcement officer in carrying out law enforcement duties and seatbelts and any other safety equipment when used to secure students during transportation.

#### Chemical Restraint (Prohibited):

Use of medication to control a student's violent physical behavior or restrict a student's freedom of movement. This term does not include prescribed treatments for a student's medical or psychiatric condition by a person appropriately licensed to issue these treatments.

#### Seclusion:

When used with a student, means that 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.
- (3) The student is prevented from leaving, or reasonably believes that the student will be prevented from leaving, the enclosed area.

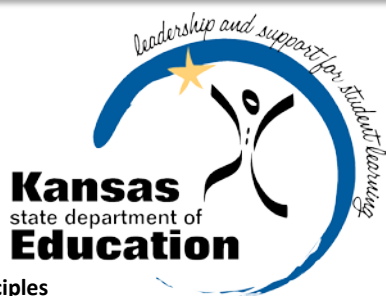
It does not include a time-out, which is a behavioral intervention in which a student is temporarily removed from a learning activity without being confined.

For information on Emergency Safety Interventions, please contact:

Laura N. Jurgensen  
[ljurgensen@ksde.org](mailto:ljurgensen@ksde.org)

Education Program Consultant – Legal  
Early Childhood, Special Education, and Title Services  
(785) 296-5522 or (800) 203-9462  
120 SE 10th Avenue, Topeka, Kansas 66612-1182  
<http://ksdetasn.org/cms/index.php/esi-resources>  
[www.ksde.org](http://www.ksde.org)

May 2013



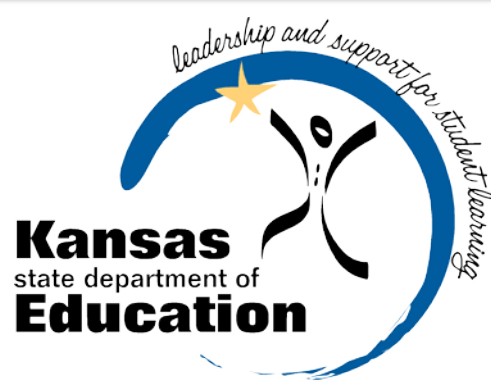
### Fifteen Principles

1. Every effort should be made to prevent the need for the use of restraint and for the use of seclusion.
2. Schools should never use mechanical restraints to restrict a child's freedom of movement, and schools should never use a drug or medication to control behavior or restrict freedom of movement (except as authorized by a licensed physician or other qualified health professional).
3. Physical restraint or seclusion should not be used except in situations where the child's behavior poses imminent danger of serious physical harm to self or others and other interventions are ineffective and should be discontinued as soon as imminent danger of serious physical harm to self or others has dissipated.
4. Policies restricting the use of restraint and seclusion should apply to all children, not just children with disabilities.
5. Any behavioral intervention must be consistent with the child's rights to be treated with dignity and to be free from abuse.
6. Restraint or seclusion should never be used as punishment or discipline (e.g., placing in seclusion for out-of-seat behavior), as a means of coercion or retaliation, or as a convenience.
7. Restraint or seclusion should never be used in a manner that restricts a child's breathing or harms the child.
8. The use of restraint or seclusion, particularly when there is repeated use for an individual child, multiple uses within the same classroom, or multiple uses by the same individual, should trigger a review and, if appropriate, revision of strategies currently in place to address dangerous behavior; if positive behavioral strategies are not in place, staff should consider developing them.
9. Behavioral strategies to address dangerous behavior that results in the use of restraint or seclusion should address the underlying cause or purpose of the dangerous behavior.
10. Teachers and other personnel should be trained regularly on the appropriate use of effective alternatives to physical restraint and seclusion, such as positive behavioral interventions and supports and, only for cases involving imminent danger of serious physical harm, on the safe use of physical restraint and seclusion.
11. Every instance in which restraint or seclusion is used should be carefully and continuously visually monitored to ensure the appropriateness of its use and safety of the child, other children, teachers, and other personnel.
12. Parents should be informed of the policies on restraint and seclusion at their child's school or other educational setting, as well as applicable federal, state, or local laws.
13. Parents should be notified as soon as possible following each instance in which restraint or seclusion is used with their child.
14. Policies regarding the use of restraint and seclusion should be reviewed regularly and updated as appropriate.
15. Policies regarding the use of restraint and seclusion should provide that each incident involving the use of restraint or seclusion should be documented in writing and provide for the collection of specific data that would enable teachers, staff, and other personnel to understand and implement the preceding principles.

U.S. Department of Education, Restraint and Seclusion: Resource Document (2012), <http://www2.ed.gov/policy/seclusion/restraints-and-seclusion-resources.pdf>.

### An Equal Employment/Educational Opportunity Agency

The Kansas State Department of Education does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities. The following person has been designated to handle inquiries regarding the non-discrimination policies: KSDE General Counsel, 120 SE 10th Avenue, Topeka, Kansas 66612; 785-296-3201.



## Emergency Safety Interventions

K.A.R. 91-42-1 and 91-42-2

### DEFINITIONS:

#### Physical Restraint:

Bodily force used to substantially limit a student's movement. The term physical restraint does not include a physical escort. Physical escort means the temporary touching or holding the hand, wrist, arm, shoulder, or back of a student who is acting out for the purpose of inducing the student to walk to a safe location.

The use of prone (face-down) physical restraint, supine (face-up) physical restraint, physical restraint that obstructs the airway of a student, or any physical restraint that impacts a student's primary mode of communication is **prohibited**.

#### Mechanical Restraint (Prohibited):

Any device or object used to limit a student's movement. This term does not include those protective or stabilizing devices either ordered by a person appropriately licensed to issue the order for the device or required by law. This term also does not include any device used by a law enforcement officer in carrying out law enforcement duties and seatbelts and any other safety equipment when used to secure students during transportation.

#### Chemical Restraint (Prohibited):

Use of medication to control a student's violent physical behavior or restrict a student's freedom of movement. This term does not include prescribed treatments for a student's medical or psychiatric condition by a person appropriately licensed to issue these treatments.

#### Seclusion:

When used with a student, means that 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.
- (3) The student is prevented from leaving, or reasonably believes that the student will be prevented from leaving, the enclosed area.

It does not include a time-out, which is a behavioral intervention in which a student is temporarily removed from a learning activity without being confined.

For information on Emergency Safety Interventions, please contact:

Laura N. Jurgensen  
[ljurgensen@ksde.org](mailto:ljurgensen@ksde.org)

Education Program Consultant – Legal  
Early Childhood, Special Education, and Title Services  
(785) 296-5522 or (800) 203-9462  
120 SE 10th Avenue, Topeka, Kansas 66612-1182  
<http://ksdetasn.org/cms/index.php/esi-resources>  
[www.ksde.org](http://www.ksde.org)

May 2013