

3. Cinturones de seguridad y otro equipo de seguridad utilizado para asegurar a los estudiantes durante su transporte.

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- B. The intensity of the training provided will depend upon the employee's position. Administrators, licensed staff members, and other staff deemed most likely to need to restrain a student will be provided more intense training than classified staff who do not work directly with students in the classroom. District and building administration shall make the determination of the intensity of training required by each position.**
- C. Each school building shall maintain written or electronic documentation regarding the training that was provided and a list of participants, which shall be made available for inspection by the state board of education upon request.**

VII. NOTIFICATION AND DOCUMENTATION TO PARENTS

- A. When a student is subjected to ESI, the principal or designee shall notify the parent on the same day as the incident. The school must attempt at least two methods of contacting the parent to satisfy this same-day notification requirement. A parent may designate a preferred method of contact for receiving the same-day notification. A parent may agree, in writing, to receive only one same-day notification from the school for multiple incidents occurring on the same day.**
- B. Written documentation of the ESI used shall be completed and provided to the student's parents no later than the school day following the day of the incident. Such written documentation shall include:**
 - 1. The events leading up to the incident;**
 - 2. Student behaviors that necessitated the ESI;**
 - 3. Steps taken to transition the student back into the educational setting;**
 - 4. The date and time the incident occurred;**
 - 5. The type of ESI used;**
 - 6. The duration of the ESI;**
 - 7. The school personnel who used or supervised the ESI;**
 - 8. Space or an additional form for parents to provide feedback or comments to the school regarding the incident;**
 - 9. A statement that invites and strongly encourages parents to schedule a meeting to discuss the incident and how to prevent future incidents; and**
 - 10. E-mail and phone information for the parent to contact the school to schedule the ESI meeting.**

If the triggering issue necessitating the ESIs is the same, incidents may be grouped together when documenting the items in 1-3 above.

- C. The parent shall be provided the following information after the first incident in the school year and may be provided such information after each subsequent incident that occurs during the school year:
1. A copy of this policy which indicates when ESI can be used;
 2. A flyer on the parent's rights;
 3. Information on the parent's right to file a complaint through the local dispute resolution process, set forth in this policy, and the complaint process of the state board of education; and
 4. Information that will assist the parent in navigating the complaint process, including contact information for Families Together and the Disability Rights Center of Kansas.

Upon the first occurrence of an incident of ESI, the foregoing information shall be provided in printed form or, upon the parent's written request, by email. Upon the occurrence of a second or subsequent incident, the parent shall be provided with a full and direct website address containing such information.

VIII. LAW ENFORCEMENT, SCHOOL RESOURCE OFFICERS AND CAMPUS POLICE OFFICERS

- A. Campus police officers and school resource officers shall be exempt from the requirements of this policy when engaged in an activity that has a legitimate law enforcement purpose.
- B. If a school is aware that a law enforcement officer or school resource officer has used seclusion, physical restraint or mechanical restraint on a student, the school shall notify the parent the same day using the parent's preferred method of contact.

IX. DOCUMENTATION OF ESI INCIDENTS

- A. Except as specified in section VIII with regard to law enforcement, each building shall maintain documentation any time ESI is used with a student. Such documentation must include all of the following:
1. Date and time of the ESI;
 2. Type of ESI;
 3. Length of time the ESI was used;
 4. School personnel who participated in or supervised the ESI;

5. Whether the student had an individualized education program in effect at the time of the incident;
 6. Whether the student had a section 504 plan in effect at the time of the incident; and
 7. Whether the student had a behavior intervention plan at the time of the incident.
- B. All such documentation shall be provided to the building principal, who shall be responsible for providing copies of such documentation to the superintendent or the superintendent's designee on at least a biannual basis. At least once per school year, each building principal shall review the documentation of ESI incidents with appropriate staff members to consider the appropriateness of the use of ESI in those instances.
- C. District administration shall report ESI data to the State Department of Education as required.
- X. **OPTIONS FOLLOWING ESI USE**
- A. After each incident, a parent may request a meeting with the school to discuss and debrief the incident. A parent may request such meeting verbally, in writing or by electronic means. A school shall hold a meeting requested under this subsection within 10 school days of the parent's request. The focus of any such meeting shall be to discuss proactive ways to prevent the need for emergency safety interventions and to reduce incidents in the future.
 - B. For a student with an IEP or a Section 504 plan, such student's IEP team or Section 504 team shall discuss the incident and consider the need to conduct a functional behavioral assessment, develop a behavior intervention plan or amend an existing behavior intervention plan.
 - C. For students who have an IEP and are placed in a private school by a parent, the meeting shall include the parent and the private school, who shall consider whether the parent should request an IEP team meeting. If the parent requests an IEP meeting, the private school shall help facilitate such meeting.
 - D. For a student with a Section 504 plan, such student's Section 504 team shall discuss and consider the need for a special education evaluation.
 - E. For a student who does not have an IEP or Section 504 plan, school staff and the parent shall discuss the incident and consider the appropriateness of a referral for a special education evaluation, the need for a functional behavioral assessment, or the need for a behavior intervention plan. Any such meeting shall include the student's parent, a school administrator for the school the student attends, one of the student's teachers, a school employee involved in the incident, and any other school employees designated by the school administrator as appropriate for such meeting.

- F. The student who is the subject of such meetings shall be invited to attend the meeting at the discretion of the parent. The time for calling such a meeting may be extended beyond the 10-day limit if the parent of the student is unable to attend within that time period.**
- G. Nothing in this policy or in law shall be construed to prohibit the development and implementation of a functional behavioral assessment or behavior intervention plan for any student if the student would benefit from such measures.**

XI. LOCAL DISPUTE RESOLUTION PROCESS

- A. If a parent believes that an emergency safety intervention has been used on the parent's child in violation of state law or board policy, the parent may file a complaint as specified below.**
- B. The Board of Education encourages parents to attempt to resolve issues relating to the use of ESI informally with the building principal and/or the superintendent before filing a formal complaint with the Board of Education. Once an informal complaint is received, the administrator handling such complaint shall investigate the matter, as deemed appropriate by the administrator. In the event that the complaint is resolved informally, the administrator must provide a written report of the informal resolution to the superintendent and the parents and retain a copy of the report at the school. The superintendent will share the informal resolution with the Board of Education and provide a copy to the State Department of Education.**
- C. If the issues are not resolved informally with the building principal and/or the superintendent, the parents may submit a formal written complaint to the Board of Education by providing a copy of the complaint to the clerk of the Board and the superintendent within thirty (30) days after the parent is informed of the incident.**
- D. Upon receipt of a formal written complaint, the Board president shall assign an investigator to review the complaint and report findings to the Board, as a whole. Such investigator may be a school administrator selected by the board or a board attorney. Such investigator shall be informed of the obligation to maintain confidentiality of student records and shall report the findings of fact and recommended corrective action, if any, to the Board of Education in executive session.**
- E. Any such investigation must be completed within thirty (30) days of receipt of the formal written complaint. On or before the 30th day after receipt of the written complaint, the Board of Education shall adopt a report containing written findings of fact and, if necessary, appropriate corrective action. A copy of the written findings of fact and any corrective action adopted by the Board shall be provided to the parents, the school, and the State Department of Education and shall be mailed to the parents and the state department within 30 days of the board's receipt of the formal complaint.**

- F. If desired, a parent may file a complaint under the state board of education administrative review process within thirty (30) days from the date a final decision is issued pursuant the local dispute resolution process.**