



**Utah State Board of Education**

# **LOCAL EDUCATION AGENCY (LEA) EMERGENCY SAFETY INTERVENTION (ESI) AND CORPORAL PUNISHMENT POLICY AND PROCEDURES CHECKLIST**

A UTAH STATE BOARD OF EDUCATION (USBE) TECHNICAL  
ASSISTANCE DOCUMENT

Updated August 2026

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# INTRODUCTION

- In January 2025, ESIs were moved from [Board Rule R277-609](#) to [Board Rule R277-608](#) to disconnect the association of ESIs with disciplinary practices.
- During the 2025 and 2026 Utah legislative sessions, changes were made to [Utah Code Section 53G-8-301](#) that impacted [Board Rule R277-608](#), which houses all requirements related to the use of ESIs.
  - Currently, [Board Rule R277-608](#) is going through the Board process to ensure alignment with the changes made during the 2026 Utah Legislative Session. This rule has already been updated to address the changes made during the 2025 Utah Legislative Session.
- As per [Utah Code Section 53G-8-203](#), “discipline and conduct policies... shall include procedures for the use of reasonable and necessary physical restraint in dealing with students posing a danger to themselves or others, consistent with [Utah Code Section 53G-8-301](#).”
- The purpose of this document is to provide clarity to LEAs regarding what needs to be included in their policies and procedures regarding the use of ESIs.

*This is considered a living document. It is anticipated that changes will be made to code and rule; this document will be updated as those changes are made. The most updated version can be found on the [USBE Behavior Support Program webpage](#) on the resources tab. It is the responsibility of each LEA to ensure they are following current code and rule.*

*Any changes made to code and rule during the last year will be denoted throughout the checklist with an asterisk (\*) after the checklist item.*

# DEFINITIONS

- Chemical restraint
- Comprehensive ESI training
- Corporal punishment
- ESI
- ESI committee
- Foundational behavior support training
- Functional behavior assessment (FBA)
- Immediate danger
- LEA
- Mechanical restraint
- Physical escort
- Physical restraint
- School employee
- Seclusion
- Serious bodily injury
- Substantial bodily injury

Notes:

## POLICY REQUIREMENTS

### ESIs

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Includes a statement that key identified school employees may use reasonable and necessary physical restraint only in self-defense or as otherwise appropriate per [Utah Code Section 53G-8-301\(4\)](#)

Includes a statement that ESIs may not be used in place of appropriate, less restrictive interventions

Includes a definition of key identified school employees for whom ongoing comprehensive ESI training will be provided as outlined in [Board Rule R277-608-4\(3\)](#)

Outlines procedures to be followed when using ESIs, including:

- Continual observation as described in [Board Rule R277-608-5\(12\)\(d\)](#)

- Release criteria

- Documentation

- Notification to administration as outlined in [Board Rule R277-608-5](#)

- Notification to a student's parent consistent with [Board Rule R277-608-5](#)

- Debrief

- Reporting

- Post-ESI assessment and monitoring of students

**Notes:**

## SECLUSION

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Include whether the LEA allows individual schools to designate an enclosed area for the sole purpose of seclusion.

If an LEA allows individual schools to designate an enclosed area for seclusion, the policy must outline:

- Requirements and prohibitions for the designated enclosed area in accordance with [Utah Code Section 53G-8-301\(14\)](#) and Board Rules [R392-200](#) and [R710-4](#)

- A written procedure for the approval process, including:

  - Requirements that a school's proposal to designate an enclosed area include a written description outlining data and reasoning

Approval by the LEA governing board in consultation with the LEA's ESI committee

Requirements for written notification to parents within the school community before designation

An LEA must develop and implement written policies and procedures before using seclusion as an ESI with students in grade 1 or higher that\*:

Describes the circumstances under which a staff member may use seclusion, including compliance with physical standards\*

Describes which staff members are authorized to use seclusion

Describes procedures for monitoring a student that is in seclusion

Describes time limitations on the use of seclusion

Requires immediate and continuous review of the decision to use seclusion

Requires documenting the use of seclusion

Describes the record keeping requirements for records related to the use of seclusion

Requires debriefing of all witnesses, involved staff members, the student who was secluded and the parent(s) or guardian(s) of the student who was secluded

**Notes:**

## PROHIBITIONS

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Prohibition of physical restraint, except as allowed by [Utah Code Section 53G-8-301](#) and consistent with [Board Rule R277-608-5](#) requirements

Prohibition of prone (face-down) physical restraint

Prohibition of supine (face-up) physical restraint

Prohibition of physical restraint that obstructs a student's airway or adversely affects their primary mode of communication

Prohibition of mechanical restraint, except as consistent with [Board Rule R277-608-2](#)

Prohibition of chemical restraint, except as consistent with [Board Rule R277-608-2](#)

Prohibition of seclusion, except when a student presents an immediate danger of serious physical harm to self or others and consistent with [Board Rule R277-608-5](#) requirements

Prohibition of seclusion with students below grade 1 consistent with [Utah Code Section 53G-8-301\(10\)\(b\)](#)

Prohibition of other dangerous practices as defined by the LEA, including those outlined in the Least Restrictive Behavioral Interventions (LRBI)

Technical Assistance manual

**Notes:**

## CONSIDERATIONS FOR STUDENTS WITH DISABILITIES

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For students with disabilities, prohibition of ESIs written into an individualized education program (IEP) as a planned intervention, unless:

- School personnel, family and IEP team agree that less restrictive means have been attempted

- An FBA has been conducted

- A positive behavior intervention, based on data analysis, has been written into the plan and implemented

Criteria and steps for using ESI with students with disabilities consistent with state and federal law, as part of LEA special education policies, procedures, and practices

Notes:

## CORPORAL PUNISHMENT

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An LEA policy shall include:

- a prohibition of corporal punishment consistent with the law
- appropriate sanctions for LEA employees who use corporal punishment
- appeal procedures for LEA employees disciplined for a policy violation

Notes:

Beyond the policy requirements, LEAs must also establish processes for the following.

## TRAINING REQUIREMENTS

A [foundational behavior support training](#) is required for all school employees who supervise students or may assist in managing student behavior.

Content must include:

- Behavioral or emotional crisis management, including de-escalation strategies consistent with the LRBI manual
- LEA policies related to ESIs

Must be completed within two months (or 30 days if working directly with a student with disabilities) of employment and bi-annually thereafter

A comprehensive ESI training is required for key identified school employees in addition to the foundational behavior support training

Content must include:

- Disengagement strategies
- Appropriate, safe and effective use of ESI
- Documentation of ESI

Must be completed before a school employee is authorized to use an ESI and annually thereafter

**Notes:**

# IMPLEMENTATION REQUIREMENTS

## PHYSICAL RESTRAINT

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May use reasonable and necessary physical restraint only:

- in self-defense,
- to obtain possession of a weapon or other dangerous object in the possession or under the control of a student,
- to protect a student or another individual from physical injury,
- to remove from a situation a student who is violent, or
- to protect property from being damaged, when physical safety is at risk

Shall first use the least restrictive intervention available to the school employee, including a physical escort, to address circumstances described in [Utah Code Section 53G-8-301\(4\)](#)

Nothing prohibits a school employee from subsequently using less restrictive interventions to address circumstances described in [Utah Code Section 53G-8-301\(4\)](#)

May only be used when a student presents an immediate danger to self or others and no other safe or effective intervention is available

May not be used as discipline or punishment

Must be immediately terminated when:

- the student is no longer an immediate danger to self or others
- the student is in severe distress

Use must be for the minimum time necessary to ensure safety as reasonably understood by the school employee, with release criteria implemented

May not exceed the shortest of the following before stopping, releasing, and reassessing:

- the amount of time described in LEA's ESI training program,
- 30 minutes,
- or when law enforcement intervenes

Notes:

## *NOTIFICATION*

Notice to parents immediately, and not to exceed 15 minutes after the use, of any physical restraint used on the parent's child

Notice to school administration immediately, and not to exceed 15 minutes after the use of any physical restraint used

Notice documented in student information system (SIS) records

Notes:

## *DOCUMENTATION*

Provided to LEA's ESI Committee and student's parent

Notes:

## *SECLUSION*

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May only be used as an emergency safety intervention for a student in grade 1 or higher when:

The LEA has developed and implemented written policies and procedures,

A student poses an immediate and significant threat to the student or others,  
Less effective interventions have failed,  
A staff member who is familiar with the student is actively supervising the student for the duration of the seclusion, and  
The use is time-limited to a maximum time of 30 minutes and monitored.

Notice sent to parent(s)/guardian(s) immediately, and not to exceed 15 minutes after the use, of any seclusion used on the parent's child.

If a parent or guardian cannot be reached after 15 minutes as required, and the 30-minute time limit has been reached, may:\*

Conduct a reassessment of the student's condition

Determine whether the student continues to pose an immediate and significant threat to the student or others

If the LEA determines that the threat continues and that less restrictive interventions remain ineffective, place the student back in seclusion for an additional period not to exceed 30 minutes, after which the process shall be repeated if necessary

May not be used:

as a behavioral intervention,  
as a disciplinary practice,  
for coercion, retaliation, or humiliation,  
due to inadequate staffing, or  
for the staff member's convenience

When used, employee shall:

Document the reason for its use, duration, and any alternative strategies attempted and whether the room complied with physical standard requirements\*

Use the minimum time necessary for safety, as reasonably understood by the school employee

Use release criteria outlined in LEA policies

Ensure door remains unlocked per fire and public safety requirements  
Ensure student is always observed by personnel who have completed the comprehensive ESI training  
Have used other less restrictive interventions prior

**Notes:**

## *NOTIFICATION*

Notice to school administration immediately, and not to exceed 15 minutes after the use, of any seclusion used  
Notice documented in SIS records

**Notes:**

## *DOCUMENTATION*

Provided to LEA's ESI committee and student's parent(s)/guardian(s)

**Notes:**

# PARENT REQUIREMENTS

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- School must provide a copy of notes/additional documentation upon parent/guardian request
- School must notify parent(s)/guardian(s) within 48 hours of ESI use that they may request documentation
- Parents may request to meet with school staff/administration to discuss ESI use
- School must debrief with the student's parents and others outlined in [Utah Code Section 53G-8-301\(10\)\(b\)\(i\)\(H\)\)](#) after the use of seclusion

## Notes:

# ESI COMMITTEE REQUIREMENTS

An LEA shall establish an ESI committee.

The LEA ESI committee shall include:

- at least one administrator,
- at least one licensed educational professional with behavior support training and ESI state law and policy knowledge,
- at least parent or guardian of an LEA-enrolled student (appointed by the LEA),
- and at least one other licensed educator.

Meet often enough to monitor ESI use in the LEA

Determine and recommend professional learning needs

Develop policies for processes to resolve concerns regarding ESI use

Ensure each emergency incident where an ESI is used is documented in the LEA's SIS and reported annually to the Superintendent

**Notes:**

## REPORTING REQUIREMENTS

An LEA shall collect and report data to the state board annually regarding:

An incident, and

For each incident, the:

Duration of an ESI used to respond to the incident\*,

Stated purpose for any ESI used\*,

Alternative de-escalation strategies attempted\*,

Student demographic information, including sex, age, grade in school and applicable disability status\*, and

Relevant training offered to staff and if the staff involved received the relevant training without revealing the identity of the staff member

An LEA shall have procedures for collection, maintenance, and periodic review of ESI use documents/records

An LEA shall annually provide documentation of ESI use to the Superintendent

**Notes:**

# VIOLATION REQUIREMENTS

## CORPORAL PUNISHMENT VIOLATIONS

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School authorities shall take prompt and appropriate action, including in-service training and other administrative action, upon confirming a violation of [Utah Code Section 53G-8-301](#) with respect to corporal punishment violations\*

Notes:

## ESI USE REQUIREMENTS VIOLATIONS

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Investigation by the LEA  
Appropriate disciplinary action against staff involved  
Corrective measures to prevent future violations

Notes:

## VIOLATIONS THAT CONSTITUTE UNLAWFUL DETENTION

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Result in a referral to:

Local law enforcement  
The Utah Professional Practices Advisory Commission (UPPAC)

Notes:

# PHYSICAL STANDARDS FOR SECLUSION ROOMS\*

The [Physical Standards for Seclusion Rooms\\* Checklist](#) is linked here.