

# Your Rights When A School Calls 911 on Your Child



## Can the school call 911 if my child is acting out?

The school should not call Emergency Medical Services (EMS) unless it is a real medical emergency. Schools may not use EMS to discipline your child, or because your child is having trouble controlling his/her behavior.

Chancellor's Regulation A-411.

## What must the school do when my child is acting out and having a behavioral crisis?

If your child behaves in a way that poses a substantial risk of serious injury to him/her or others, then the school must first find ways to manage the behavior and safely de-escalate the situation at the school.

## How can the school de-escalate a behavioral crisis?

Every school must develop a "crisis de-escalation" plan to deal with behavioral crises that may happen among their students. The plan should include specific strategies for de-escalating a behavioral crisis, locations in the school building where students in crisis can be taken to; and a list of school staff members who are trained in de-escalation techniques.

The school staff must do everything possible to safely de-escalate the behavior according to the de-escalation plan. The responding school staff member should seek assistance from other staff members who are trained in crisis de-escalation if he/she is unable to de-escalate the behavior. School staff should use strategies and interventions for addressing a behavioral crisis. If community and in-school resources are available, like a mental health clinic, the staff should use them.



## What must the school do if 911 is called?

The school must immediately call you. The school must allow you to speak with your child in-person or over the phone. The school must allow you to speak with the 911 responders in-person or over the phone, unless it is unsafe to do so.

## Can I request that my child not be taken to the hospital by ambulance?

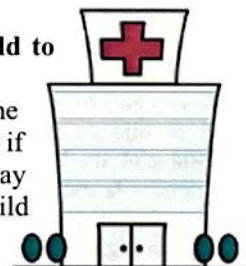
Yes, you have a right to say no to medical services for your child. You can make the request, in-person or over the phone. The 911 responders will then consult with you, the

school and others, such as your child's doctor or therapist, to determine if your child needs to be taken to the hospital over your objections.

If your child is not taken to the hospital, school officials should discuss with you what should happen next for your child. You may decide to have your child return to class or take your child home. School officials cannot require you take your child home.

## What if they decide to take my child to the hospital?

Your child will be examined at the hospital and they will determine what if any medical services your child may need. The school must allow your child to return to school after he/she leaves the hospital. The school cannot force you to get a medical clearance letter as a condition for your child to go back to school. The school cannot require you to give your child medication. This is a decision only you can make.



## What if the school is unable to reach me?

If the school cannot contact you, then the school officials and 911 responders will determine if your child needs to go to the hospital. If they do take your child to the hospital, a school staff person must accompany your child to the hospital if you're not there. If you are unable to arrive at the hospital by the end of the school day, then the school staff member must contact the principal to determine what to do in that situation.

## What should happen after any behavioral crisis?

School staff should meet with you to talk with you about how the school can use positive behavioral supports and interventions for your child. Some things that might help are:

- Functional Behavioral Assessment (FBA);
- Behavior Intervention Plan (BIP);
- Evaluations for special education services;
- Creating, changing or improving an Individual Education Plan (IEP).

The school must write up an incident or occurrence report after any incident where 911 is called. You have a right to ask for and receive a copy of the report.

**For more info, advice or possible legal help, call: Legal Services NYC's Education Hotline at 917-661-4500.**

**Legal Services NYC**  
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