

# ALIGNMENT



## Illinois House Bill 1360-Admin Rule 1.285

Correlation to the Crisis Prevention Institute's (CPI)  
*Nonviolent Crisis Intervention*® training program



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# Illinois House Bill 1360-Admin Rule 1.285

## Correlation to the Crisis Prevention Institute's (CPI) *Nonviolent Crisis Intervention*® training program

CPI commends the Illinois State House for its House Bill 1360, which led to the application of section 1.285 of the Joint Committee on Administrative Rules to charter schools. Since 1980, CPI has supported organizations that strive to become restraint-free. Not only will the *Nonviolent Crisis Intervention*® training program meet the expectations outlined in the new applications for Admin Rule 1.285, CPI's train-the-trainer program and its family of advanced programs also offer a comprehensive array of curricula that can meet all the needs an organization has for supporting a restraint-free environment. With an emphasis on crisis intervention and de-escalation techniques, education staff are better equipped to achieve these goals.

By participating in the *Nonviolent Crisis Intervention*® program, education staff will gain the skills and confidence necessary to handle crisis situations with minimal anxiety and maximum security. The training will help staff intervene more safely when behaviors become dangerous and, most importantly, it won't damage the professional bond school staff have worked so hard to establish with the individuals in their care.

The following chart is designed to assist you in identifying some of the ways in which CPI's *Nonviolent Crisis Intervention*® training program can help schools in the state of Illinois comply with the additions to the above-named statute in relation to preventing and reducing physical restraint and seclusion. It will also assist you in identifying areas that may require a review of and/or revision to your school's policies and procedures.

### §1.285 - Definitions

**Life-threatening physical restraint:** Any physical restraint or hold of a person that (A) restricts the flow of air into a person's lungs, whether by chest compression or any other means, or (B) immobilizes or reduces the free movement of a person's arms, legs or head while the person is in the prone position.

**Isolated time out:** The confinement of a student in a time-out room or some other enclosure, whether within or outside the classroom, from which the student's egress is restricted. The use of isolated time out shall be subject to the following requirements.

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Isolated time out and physical restraint as defined in this Section shall be used only as means of maintaining discipline in schools (that is, as means of maintaining a safe and orderly environment for learning) and only to the extent that they are necessary to preserve the safety of students and others. Neither isolated time out nor physical restraint shall be used in administering discipline to individual students, i.e., as a form of punishment. Nothing in this Section or in Section 1.280 of this Part shall be construed as regulating the restriction of students' movement when that restriction is for a purpose other than the maintenance of an orderly environment (e.g., the appropriate use of safety belts in vehicles).	While the use of seclusion is outside the scope of the <i>Nonviolent Crisis Intervention</i> ® training program, techniques taught in the program can be used as a safer means of transporting individuals to seclusion if the standards outlined in this section are met. In addition, CPI provides the following guideline with regard to seclusion: <a href="http://www.crisisprevention.com/CPI/media/Media/Specialties/nci/Seclusion-Appling-NCI-Concepts.pdf">http://www.crisisprevention.com/CPI/media/Media/Specialties/nci/Seclusion-Appling-NCI-Concepts.pdf</a>

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<p>d) The use of physical restraint shall be subject to the following requirements.</p> <p>1) Pursuant to Section 10-20.33 of the School Code, physical restraint may only be employed when:</p> <p>A) the student poses a physical risk to himself, herself, or others,</p> <p>B) there is no medical contraindication to its use, and</p> <p>C) the staff applying the restraint have been trained in its safe application as specified in subsection (h) (2) of this Section.</p> <p>2) Students shall not be subjected to physical restraint for using profanity or other verbal displays of disrespect for themselves or others. A verbal threat shall not be considered as constituting a physical danger unless a student also demonstrates a means of or intent to carry out the threat.</p> <p>3) Except as permitted by the administrative rules of another State agency operating or licensing a facility in which elementary or secondary educational services are provided (e.g., the Illinois Department of Corrections or the Illinois Department of Human Services), mechanical or chemical restraint (i.e., the use of any device other than personal physical force to restrict the limbs, head, or body) shall not be employed.</p> <p>4) Medically prescribed restraint procedures employed for the treatment of a physical disorder or for the immobilization of a person in connection with a medical or surgical procedure shall not be used as means of physical restraint for purposes of maintaining discipline.</p>	<p>1A-B) CPI's philosophy regarding the use of physical restraint is that any physical intervention is to be utilized only as a last resort when an individual's behavior presents an imminent danger to self or others. The program realistically addresses physical intervention through careful assessment of risks and further exploration of the "last resort" concept. Physical interventions are only an option when the inherent risk in their use is eclipsed by the physical danger that the acting-out individual demonstrates.</p> <p>C) Each school should ensure that it has an adequate number of staff trained in both the preventive techniques and the physical restraints to effectively respond to emergency situations in the school building. CPI recommends that, at a minimum, all staff be trained in de-escalation strategies. CPI's <i>Nonviolent Crisis Intervention</i>® training program is a competency-based program that can be taught in a variety of time frames consistent with the needs of individual organizations. In addition, CPI has a large selection of refresher options available, which makes annual refresher training simple and engaging for staff.</p> <p>2) CPI's philosophy regarding the use of physical restraint is that any physical intervention is to be utilized only as a last resort when an individual's behavior presents an imminent danger to self or others. The program realistically addresses physical intervention through careful assessment of risks and further exploration of the "last resort" concept. Physical interventions are only an option when the inherent risk in their use is eclipsed by the physical danger that the acting-out individual demonstrates. CPI offers a wide range of verbal interventions to manage verbal behavior.</p> <p>3) The <i>Nonviolent Crisis Intervention</i>® training program does not teach to the use of medication restraint, mechanical restraint, or seclusion.</p> <p>4) CPI supports that medically prescribed restraints should not be used for disciplinary purposes.</p>

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<p>5) Any application of physical restraint shall take into consideration the safety and security of the student. Further, physical restraint shall not rely upon pain as an intentional method of control.</p> <p>6) In determining whether a student who is being physically restrained should be removed from the area where the restraint was initiated, the supervising adult shall consider the potential for injury to the student, the student's need for privacy, and the educational and emotional well-being of other students in the vicinity.</p> <p>7) If physical restraint is imposed upon a student whose primary mode of communication is sign language or an augmentative mode, the student shall be permitted to have his or her hands free of restraint for brief periods, unless the supervising adult determines that this freedom appears likely to result in harm to the student or others.</p> <p>Time Limits</p> <p>1) A student shall not be kept in isolated time out for longer than is therapeutically necessary, which shall not be for more than 30 minutes after he or she ceases presenting the specific behavior for which isolated time out was imposed or any other behavior for which it would be an appropriate intervention.</p> <p>2) A student shall be released from physical restraint immediately upon a determination by the staff member administering the restraint that the student is no longer in imminent danger of causing physical harm to himself, herself, or others.</p> <p>h) Requirements for Training</p> <p>1) Isolated Time Out</p> <p>Each district, cooperative, or joint agreement whose policy permits the use of isolated time out shall provide orientation to its staff members covering at least the written procedure established pursuant to Section 1.280(c)(2) of this Part.</p>	<p>5-6) The physical restraint techniques taught in <i>Nonviolent Crisis Intervention</i>® training are designed to provide for the safety and protection of staff and students. CPI teaches staff that physical restraint should be ended at the earliest possible moment when the student no longer presents imminent risk of injury or harm to self or others. Staff monitoring the physical restraint should continuously assess for signs of Tension Reduction and call for an end to the physical restraint upon the evidence of any sign of physical or psychological distress.</p> <p>7) The range of physical restraint techniques taught in the <i>Nonviolent Crisis Intervention</i>® training program is specifically designed to provide options that allow a person in restraint, including individuals with varying abilities, to communicate with staff.</p> <p>1) Seclusion and isolated time out should be ended at the earliest possible moment when the student no longer presents imminent risk of injury or harm to self or others. Staff monitoring the intervention should continuously assess for signs of Tension Reduction and call for an end to the intervention upon the evidence of any sign of physical or psychological distress.</p> <p>2) The physical restraint techniques taught in <i>Nonviolent Crisis Intervention</i>® training are designed to provide for the safety and protection of staff and students. CPI teaches staff that physical restraint should be ended at the earliest possible moment when the student no longer presents imminent risk of injury or harm to self or others. Staff monitoring the physical restraint should continuously assess for signs of Tension Reduction and call for an end to the physical restraint upon the evidence of any sign of physical or psychological distress.</p> <p>1) While the use of seclusion is outside the scope of the <i>Nonviolent Crisis Intervention</i>® training program, techniques taught in the program can be used as a safer means of transporting individuals to seclusion if the standards outlined in this section are met. In addition, CPI provides the following guideline with regard to seclusion: <a href="http://www.crisisprevention.com/CPI/media/Media/Specialties/nci/Seclusion-Applying-NCI-Concepts.pdf">http://www.crisisprevention.com/CPI/media/Media/Specialties/nci/Seclusion-Applying-NCI-Concepts.pdf</a></p>

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<p>2) Physical Restraint</p> <p>A) Physical restraint as defined in this Section shall be applied only by individuals who have received systematic training that includes all the elements described in subsection (h)(2)(B) of this Section and who have received a certificate of completion or other written evidence of participation. An individual who applies physical restraint shall use only techniques in which he or she has received training within the preceding two years, as indicated by written evidence of participation.</p> <p>B) Training with respect to physical restraint may be provided either by the employer or by an external entity and shall include, but need not be limited to:</p> <p>i) appropriate procedures for preventing the need for physical restraint, including the de-escalation of problematic behavior, relationship-building, and the use of alternatives to restraint;</p> <p>ii) a description and identification of dangerous behaviors on the part of students that may indicate the need for physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted;</p> <p>iii) the simulated experience of administering and receiving a variety of physical restraint techniques, ranging from minimal physical involvement to very controlling interventions;</p> <p>iv) instruction regarding the effects of physical restraint on the person restrained, including instruction on monitoring physical signs of distress and obtaining medical assistance;</p>	<p>2A) CPI's curriculum teaches that only staff who have been trained and demonstrated competency in the implementation of a restraint technique should apply the restraint technique. During the <i>Nonviolent Crisis Intervention</i>® training program, several different physical restraints are taught and practiced. Participants in the program also receive a Certified Instructor certification and Blue Card™ indicating their completion of the program.</p> <p>B) CPI's extensive team of Global Professional Instructors allows for great flexibility for customer organizations to consult and train any size workforce, even with a demanding implementation time frame. In addition, our train-the-trainer model for instruction offers easy scaling options to ensure that staff are trained when and where necessary to ensure the best outcomes.</p> <p>i) CPI's <i>Nonviolent Crisis Intervention</i>® training program focuses on recognizing the early warning signs of potential crisis situations and equips staff with safe and effective nonverbal and verbal strategies for de-escalation, thus avoiding the potential need for physical restraint altogether. These strategies are effective with an individual student or a group of students.</p> <p>ii) Strategies taught in the <i>Nonviolent Crisis Intervention</i>® training program allow school staff to make informed decisions regarding the use of physical restraint to determine whether a student's behavior poses such a substantial risk of harm to self or others that it outweighs the potential harm of physical restraint. Staff members are educated on the inherent risks of restraints and receive information on monitoring for signs of distress, both of which are essential for minimizing harm to the student.</p> <p>iii) During the <i>Nonviolent Crisis Intervention</i>® training program, several different physical restraints are taught and practiced. During the instruction, staff will experience both administering and receiving several different physical restraints.</p> <p>iv) During the <i>Nonviolent Crisis Intervention</i>® training program, time is allotted for classroom discussion about the effects physical restraints have on the individual and how to monitor for signs of distress and a review of the organization's response protocols for accessing medical assistance.</p>

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<p>v) instruction regarding documentation and reporting requirements and investigation of injuries and complaints; and</p> <p>vi) demonstration by participants of proficiency in administering physical restraint.</p> <p>C) An individual may provide training to others in a particular method of physical restraint only if he or she has received written evidence of completing training in that technique that meets the requirements of subsection (h)(2)(B) of this Section within the preceding one-year period.</p>	<p>v) CPI recommends documenting all incidents of restraint and seclusion with all relevant information as part of a school safety program. It is recommended that education staff document the pupil's actions that occurred before, during, and after the incident and that staff document their own responses to the observed behavior responses that occurred before, during, and after the incident. CPI recommends that each incident of restraint and seclusion also be documented as part of the Postvention process. Staff should evaluate each incident through the lens of the <i>Nonviolent Crisis Intervention</i>® training program to look for opportunities to adjust their intervention strategies at earlier levels of the crisis.</p> <p>vi) The <i>Nonviolent Crisis Intervention</i>® training program has pass/fail criteria for those who attend the training. Participants have to demonstrate a proficiency in the use of the physical restraints taught to pass the training course. CPI promotes and encourages that each school district maintain this same pass/fail criteria for its staff. It is recommended that once trained, staff regularly practice and rehearse procedures for team interventions.</p> <p>C) CPI's train-the-trainer model for instruction offers easy scaling options to ensure that staff are trained when and where necessary to ensure the best outcomes. In addition, CPI has a large selection of refresher options available, which makes annual refresher training simple and engaging for staff.</p>