

ALIGNMENT



The *Nonviolent Crisis Intervention*®
Training Program and the Ohio
Department of Education, Policy on
Positive Behavior Interventions and
Support, and Restraint and Seclusion



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The following chart is designed to assist you in identifying some of the ways in which CPI's *Nonviolent Crisis Intervention*® training program can assist your facility in meeting **Ohio Department of Education, Policy on Positive Behavior Interventions and Support, and Restraint and Seclusion**. This policy goes into effect at the beginning of the 2013-2014 school year.

Purpose

The purpose of this policy is to create a statewide policy that applies to all school districts regarding the use of positive behavior intervention and supports, and the limited use of restraint and seclusion. The Ohio Department of Education promulgates this policy in accordance with the Governor's Executive Order 2009-13S, the State of Ohio Policy on Restraint and Seclusion Practices dated May 17, 2010, and in accordance with guidance from the United States Department of Education.

Every effort should be made to prevent the need for the use of restraint and for the use of seclusion. The use of a non-aversive effective behavioral system such as Positive Behavioral Intervention and Supports (PBIS) shall be used to create a learning environment that promotes the use of evidence-based behavioral interventions, thus enhancing academic and social behavioral outcomes for all students.

Restraint or seclusion shall not occur, except when there is an immediate risk of physical harm to the student or others, and shall occur only in a manner that protects the safety of all children and adults at school. Every use of restraint or seclusion shall be documented and reported in accordance with the requirements set forth in this policy.

IV. Definitions

Aversive behavioral interventions - means an intervention that is intended to induce pain or discomfort to a student for the purpose of eliminating or reducing maladaptive behaviors, including interventions such as: application of noxious, painful and/or intrusive stimuli including any form of noxious, painful or intrusive spray, inhalant or tastes.

Chemical Restraint - means a drug or medication used to control a student's behavior or restrict freedom of movement that is not:

- A. Prescribed by a licensed physician, or other qualified health professional acting under the scope of the professional's authority under State law, for the standard treatment of a student's medical or psychiatric condition; and
- B. Administered as prescribed by the licensed physician or other qualified health professional acting under the scope of the professional's authority under State law.

De-escalation techniques - are strategically employed verbal or non-verbal interventions used to reduce the intensity of threatening behavior before a crisis situation occurs.

Mechanical Restraint - means

- A. Any method of restricting a student's freedom of movement, physical activity, or normal use of the student's body, using an appliance or device manufactured for this purpose; and
- B. Does not mean devices used by trained school personnel, or used by a student, for the specific and approved therapeutic or safety purposes for which such devices were designed and, if applicable, prescribed, including:
 - 1. Restraints for medical immobilization;
 - 2. Adaptive devices or mechanical supports used to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; or
 - 3. Vehicle safety restraint when used as intended during the transport of a student in a moving vehicle.

IV. Definitions

Physical escort – means the temporary touching or holding of the hand, wrist, arm, shoulder, waist, hip, or back for the purpose of inducing a student to move to a safe location.

Physical restraint – means the use of physical contact that immobilizes or reduces the ability of a student to move their arms, legs, body, or head freely. Such term does not include a physical escort, mechanical restraint, or chemical restraint. Physical restraint does not include brief, but necessary physical contact for the following or similar purposes:

- To break up a fight;
- To knock a weapon away from a student’s possession;
- To calm or comfort;
- To assist a student in completing a task/response if the student does not resist the contact; or
- To prevent an impulsive behavior that threatens the student’s immediate safety (e.g., running in front of a car).

Positive Behavior Interventions and Support – means

- A. A school-wide systematic approach to embed evidence-based practices and data driven decision making to improve school climate and culture in order to achieve improved academic and social outcomes, and increase learning for all students, and
- B. Encompasses a wide range of systemic and individualized positive strategies to reinforce desired behaviors, diminish reoccurrences of challenging behaviors and teach appropriate behavior to students.

Positive Behavior Support Plan – means the design, implementation, and evaluation of individual or group instructional and environmental modifications, including programs of behavioral instruction, to produce significant improvements in behavior through skill acquisition and the reduction of problematic behavior.

Prone Restraint – means physical or mechanical restraint while the student is in the face down position for an extended period of time.

Seclusion – means the involuntary isolation of a student in a room, enclosure, or space from which the student is prevented from leaving by physical restraint or by a closed door or other physical barrier.

Timeout – means a behavioral intervention in which a student, for a limited and specified time, is separated from the class within the classroom or in a non-locked setting for the purpose of self-regulating and controlling his or her own behavior. In a timeout, the student is not physically restrained or prevented from leaving the area by physical barriers.

VI. Prohibited Practices

The following are prohibited under all circumstances, including emergency safety situations:

- Prone restraint as defined in Executive Order 2009-13S;
- Corporal punishment;
- Child endangerment as defined in R. C. 2919.22;

CPI’s *Nonviolent Crisis Intervention*® training program is grounded on the philosophy of providing for the *Care, Welfare, Safety, and Security*SM of all individuals involved in a crisis, even in the most violent moments.

VI. Prohibited Practices

<p>D. Seclusion or restraint of preschool students in violation of the provision of the Ohio Admin. Code Rule 3301-37-10(D);</p> <p>E. The deprivation of basic needs;</p> <p>F. Restraint that unduly risks serious harm or needless pain to the student, including the intentional, knowing, or reckless use of any of the following techniques:</p> <ol style="list-style-type: none"> 1. Using any method that is capable of causing loss of consciousness or harm to the neck or restricting respiration in any way, 2. Pinning down with knees to torso, head and/or neck, 3. Using pressure points, pain compliance and joint manipulation techniques, 4. Dragging or lifting of the student by the hair or ear or by any type of mechanical restraint, 5. Using other students or untrained staff to assist with the hold or restraint, or 6. Securing a student to another student or to a fixed object; <p>G. Mechanical or chemical restraint (which does not include devices used by trained school personnel, or by a student, for the specific and approved therapeutic or safety purposes for which such devices were designed and, if applicable, prescribed, or medication administered as prescribed by a licensed physician);</p> <p>H. Aversive behavioral interventions; or</p> <p>I. Seclusion of students in a locked room.</p>	<p>Furthermore, CPI's curriculum focuses on preventing crisis moments and supports the use of physical restraint only as a last resort when the individual is a danger to self or others and less restrictive interventions have failed or are deemed inappropriate because the danger presented by the risk behavior outweighs the risks of using physical restraint or seclusion.</p> <p>To that end, CPI teaches safer standing and seated restraint positions. The curriculum does not teach prone restraint, aversive techniques, or any technique that would cause loss of consciousness or harm to the neck or restrict respiration in any way. The curriculum does not teach techniques that involve the pinning down with knees to torso, head, or neck. There are no pressure points utilized, pain compliance, or joint manipulation techniques.</p> <p>CPI does not teach a lift, drag, or carry of any kind nor do we teach or support the use of chemical or mechanical restraint techniques.</p> <p>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.</p> <p>CPI recognizes that organizations may choose to use timeout or seclusion as part of a continuum of interventions; however, CPI supports the Ohio policy prohibiting the seclusion of students in a locked room.</p>
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VII. Restraint

<p>A. Each school district must have a policy that specifically indicates that the use of prone 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.</p>	<p>CPI teaches only safer standing and seated restraint positions. Additionally, CPI assists organizations regularly with developing policies and procedures related to the use of restraint and seclusion.</p>
<p>B. Physical restraint may be used only when there is an immediate risk of physical harm to the student or others and no other safe and effective intervention is possible, and only in a manner that is age and developmentally appropriate. School personnel may use physical restraint only in accordance with local policy and the requirements of this policy.</p>	<p>CPI's curriculum teaches that restraint should only be used as a last resort when the behavior being presented by the person is more dangerous than the risks associated with restraint use. Furthermore, CPI teaches a range of interventions and alternatives to restraint that can be utilized to ensure the least restrictive intervention is being used.</p>

VII. Restraint

- C. If a school district uses physical restraint, staff must:
1. Be appropriately trained to protect the care, welfare, dignity, and safety of the student;
 2. Continually observe the student in restraint for indications of physical or mental distress and seek immediate medical assistance if there is a concern;
 3. Use verbal strategies and research based de-escalation techniques in an effort to help the student regain control;
 4. Remove the student from physical restraint immediately when the immediate risk of physical harm to self or others has dissipated;
 5. Conduct a debriefing including all involved staff to evaluate the trigger for the incident, staff response, and methods to address the student's behavioral needs; and
 6. Complete all reports and document their observations of the student.

CPI's unit on Physical Interventions - Holding Skills meets the components outlined in this section. There is detailed information in every Participant Workbook about the signs of distress and risks associated with the use of physical restraints, and CPI teaches that a restraint should end at the earliest possible moment when the individual is no longer dangerous to self or others. It also teaches that any episode of restraint should be continuously observed by an individual not directly involved in the physical restraint.

The curriculum focuses on the prevention and de-escalation of potential crisis situations. It also addresses a process for debriefing both with the student and any staff who were involved in the situation. Part of this process includes documenting the facts and filing any required incident reports or notifications.

VIII. Seclusion

- A. Seclusion may be used only when there is an immediate risk of physical harm to the student or others and no other safe and effective intervention is possible. Seclusion shall never be used as a punishment or to force compliance. Seclusion should only be used in a manner that is age and developmentally appropriate. School personnel may use seclusion only in accordance with local policy and the requirements of this policy.
- B. Seclusion is a last resort safety intervention that provides an opportunity for the student to regain self-control.

CPI recognizes that school districts, when allowed by policy, utilize seclusion as an intervention on a continuum of intervention strategies.

As a restrictive or emergency intervention, CPI supports its use only as a last resort when the danger presented by the individual outweighs the risks associated with the use of seclusion.

In true emergency situations, the act of getting a student to the seclusion area will likely require the use of physical intervention to achieve the outcome. This associated transport or escort adds increased risk to the use of seclusion.

- D. Seclusion shall not be used:
1. For the convenience of staff;
 2. As a substitute for an educational program;
 3. As a form of discipline/punishment;
 4. As a substitute for less restrictive alternatives;
 5. As a substitute for inadequate staffing;

CPI teaches that the use of any emergency safety intervention should be an absolute last resort. It should be opted for only when the student's behavior is presenting a level of danger and risk that outweighs the use of physical interventions and seclusion. Seclusion carries with it physical, psychological, and social risks, and its use should never be used for anything other than to provide for immediate safety in a crisis moment.

VIII. Seclusion

<ol style="list-style-type: none"> 6. As a substitute for staff training in positive behavior supports and crisis prevention and intervention; or 7. As a means to coerce, retaliate, or in a manner that endangers a student. 	<p>While the Ohio Department of Education has not specifically named these prohibitions as prohibitions for the use of physical restraint in an emergency, CPI's curriculum states that neither restraint nor seclusion should be utilized for any of these reasons.</p>
<p>E. If a school district uses seclusion; staff must:</p> <ol style="list-style-type: none"> 1. Be appropriately trained to protect the care, welfare, dignity, and safety of the student; 2. Continually observe the student in seclusion for indications of physical or mental distress and seek immediate medical assistance if there is a concern; 3. Use verbal strategies and research based de-escalation techniques in an effort to help the student regain control as quickly as possible; 4. Remove the student when the immediate risk of physical harm to self or others has dissipated; 5. Conduct a debriefing including all involved staff to evaluate the trigger for the incident, staff response, and methods to address the student's behavioral needs; and 6. Complete all required reports and document their observation of the student. 	<p>CPI's unit on physical interventions meets the components outlined in this section. There is detailed information in every Participant Workbook about the signs of distress and risks associated with the use of seclusion and other emergency interventions, and CPI teaches that any emergency safety intervention should end at the earliest possible moment when the individual is no longer dangerous to self or others. It also teaches that any episode of restraint or seclusion should be continuously observed by an individual not directly involved in the intervention.</p> <p>The curriculum focuses on the prevention and de-escalation of potential crisis situations. It also addresses a process for debriefing both with the student and any staff who were involved in the situation. Part of this process includes documenting the facts and filing any required incident reports or notifications.</p>
<p>F. If a student repeatedly engages in dangerous behavior that leads to instances of restraint and/or seclusion, the school district shall conduct a functional behavioral assessment to identify the student's needs and more effective ways of addressing those needs. If necessary, this functional behavioral assessment should be followed by a behavioral intervention plan that incorporates appropriate positive behavioral interventions.</p>	<p>Along with staff debriefing, CPI teaches student debriefing as part of the curriculum. While this debriefing process is not a complete FBA, it does include relevant components of identifying triggers and patterns of behavior that can be assessed to understand the function of the behavior so an appropriate behavioral intervention plan can be developed.</p> <p>CPI recommends that this process take place after every episode of restraint or seclusion, not just when a repeated pattern of use is established.</p>

IX. Training and Professional Development

School personnel shall be trained annually as appropriate given their position in the district and the population they serve in their current assignment.

- A. Training should align with the district/ school-wide comprehensive system of learning supports based on principles of PBIS and include:
 - 1. Common purpose and approach to discipline;
 - 2. Clear set of positive expectations and behaviors;
 - 3. Procedures for teaching expected behavior;
 - 4. Continuum of procedures for encouraging expected behavior;
 - 5. Procedures for on-going monitoring and evaluation including training and re-training.
- B. The school district shall ensure that an adequate number of personnel in each building are trained in crisis management and de-escalation techniques.
- C. Schools and programs must maintain written or electronic documentation on training provided and lists of participants in each training.

CPI suggests that all school personnel be trained every 6 to 12 months. There are two different curriculum options for the basic training through CPI—one which includes the use of physical restraint and one that is only focused on the preventive techniques. CPI feels that all staff members can benefit from annual training on at least Units 1-7 and 10 of our curriculum and each school should also have a team of staff trained in the full course (Units 1-10) as well.

The premises, concepts, and strategies taught within the CPI *Nonviolent Crisis Intervention*® training program are parallel to those taught within the PBIS framework.

Because CPI requires trainers to record the trainings they conduct as part of our ongoing standards for maintaining membership in the Instructor Association, districts will always have a record of their trainings if they lose their internal tracking system at any time.