ALIGNMENT

cpi
nonviolent crisis intervention®

Alaska House Bill 210
Amending Alaska Statutes 14.33.125 and 14.33.127

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

cpi
10850 W. Park Place, Suite 600, Milwaukee, WI 53224 USA
800.558.8976 • 888.758.6048 TTY (Deaf, hard of hearing, or speech impaired)
info@crisisprevention.com • **crisisprevention.com**

© 2014 CPI (reprinted 2015). All rights reserved.

15-CPI-LEG-035 11/15

Alaska House Bill 210
Amending Alaska Statutes 14.33.125 and 14.33.127

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

CPI commends the Alaskan State Legislature for its amendments to 14.33.125 and 14.33.127.

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 AK HB 210, CPI's train-the-trainer program and its family of advanced programs also offer a comprehensive array of curriculums. These curriculums can meet all the needs an organization has for supporting a physical restraint-free environment with an emphasis on crisis intervention and de-escalation techniques to better assist education staff with achieving this goals.

Additionally, by participating in the *Nonviolent Crisis Intervention*® program, education staff will gain the skills and confidence necessary to handle crisis situation with minimal anxiety and maximum security. The training will help staff intervene more safely when behavior become dangerous and, most important, 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 CPI's *Nonviolent Crisis Intervention*® training program can help schools in the state of Alaska comply with the amendments to the above named statute in relation to the prevention and reduction of physical restraint and seclusion. It will also assist you in identifying areas that may require a review and/or revision in your school's policies and procedures.

Program Alignment

Definitions
(1) "chemical restraint" means controlling a student's behavior or restricting a student's freedom of movement by the use of a drug or medication;
(2) "mechanical restraint" means the use of a device that is not a medical device or protective equipment prescribed by a qualified health care professional to restrict a student's freedom of movement;
(3) "physically escort" or "physical escort" means temporarily touching or holding the hand, wrist, arm, shoulder, or back for the purpose of guiding the movement of a student from one location to another;
(4) "physically restrain" or "physical restraint" means a personal restriction that immobilizes or reduces the ability of a student to move the student's arms, legs, or head freely;
(5) "restraint" means physical restraint, chemical restraint, mechanical restraint, or other aversive behavioral interventions that compromise health and safety;
(6) "seclusion" means the involuntary confinement of a student in a room or area that the student is prevented from leaving; "seclusion" does not include a classroom timeout, supervised detention, or suspension from school under 01 AS 14.30.045.

© 2014 CPI (reprinted 2015).

§14.33.125 Student Restraint or Seclusion Limitations	Correlation With *Nonviolent Crisis Intervention®* Training Program
(a) A public or private school disciplinary and safety program must (2) be annually reviewed with school personnel;	(a)(2) CPI recommends that policy review be a part of the ongoing training process and a school safety program. Staff should be educated annually on the school's policies and procedures on the use of restraint and seclusion and these policies should be reviewed and updated, if needed, on an annual basis.
(3) include a written report of each incident that is maintained in the student's record as described in (d) of this section; and	(3) CPI recommends a school safety program include a provision for incident reporting and that each incident of restraint and seclusion should be documented as part of the Postvention process. Staff should evaluate each incident through the lens of the *Nonviolent Crisis Intervention®* training program to look for opportunities to adjust their intervention strategies at earlier levels of the crisis. Furthermore, CPI suggests embedding the program language into debriefing and documentation forms to ensure that objective, common language is used so that documentation is a useful tool to all who review it.
(4) include a review of each incident in which restraint or seclusion is used as provided in (e) of this section.	(4) CPI's also recommends that a school safety program include a review of the incident in which restraint and/or seclusion was used. The *Nonviolent Crisis Intervention®* training program curriculum discusses a process for staff and student debriefing. We recommend that each incident of restraint or seclusion be debriefed with the student, the staff involved, and any witnesses or bystanders. Debriefing offers all parties an opportunity to learn from the crisis and to plan ways to prevent future occurrences of the dangerous behavior.
(b) A teacher, teacher's assistant, or other person responsible for students may physically restrain, physically escort, or seclude a student only if (1) the student's behavior poses an imminent danger of physical injury to the student or another person; (2) less restrictive interventions would be ineffective to stop the imminent danger to the student or another person;	(b) (1-2) CPI's recommends that a school safety program include a provision that 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 other 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. A range of interventions are taught within the *Nonviolent Crisis Intervention®* training program, allowing staff a full continuum of strategies to ensure the use of the least restrictive intervention.
(3) the person continuously monitors the student in face-to-face contact or, if face-to-face contact is unsafe, by continuous direct visual contact with the student;	(3) CPI's *Nonviolent Crisis Intervention®* training program recommends that a school safety program include a section that addresses the requirement that all interventions should be continuously monitored face-to-face for signs of distress that may occur when using restraint and/or seclusion.
(4) the person has received training in crisis intervention and de-escalation and restraint techniques that has been approved by the department under AS 14.33.127, unless a trained person is not immediately available and the circumstances are rare and present an unavoidable and unforeseen emergency; and	(4) CPI supports the use of approved training programs for school safety programs. Criteria for approval include crisis intervention, de-escalation, and restraint techniques training. CPI's *Nonviolent Crisis Intervention®* training program is the worldwide standard for crisis prevention and intervention with training focused on prevention and proven strategies for safely defusing anxious, hostile, or violent behavior at the earliest possible stage.

© 2014 CPI (reprinted 2015).

§14.33.125 Student Restraint or Seclusion Limitations	Correlation With *Nonviolent Crisis Intervention®* Training Program
(5) the restraint or seclusion is discontinued immediately when the student no longer poses an imminent danger of physical injury to the student or another person or when a less restrictive intervention is effective to stop the danger of physical injury.	(5) CPI's agrees that a school safety program state that restraint or seclusion should be discontinued at the earliest possible moment when the individual is no longer an imminent danger to self or others. CPI cautions against putting time limits on restraint and seclusion, and encourages instead that restraint and seclusion occur only as a last resort and for the minimum amount of time necessary.
(c) A teacher, teacher's assistant, or other person responsible for students may not (1) use chemical restraint that is not administered under AS 14.30.175; (2) use mechanical restraint;	(c)(1-2) The *Nonviolent Crisis Intervention®* training program does not teach to the use of seclusion, chemical restraint, mechanical restraint, aversive behavioral interventions or any physical restraint that is life-threatening.
(3) physically escort or physically restrain a student in a manner that restricts the student's breathing; or (4) physically restrain a student by placing the student on the student's back or stomach.	(3-4) The *Nonviolent Crisis Intervention®* training program does not teach physical restraints that take place in the higher risk positions such as prone, supine, or side restraints. In addition, CPI does not teach any physical restraints that involve holding the student against a hard surface such as a wall, table, or floor. Furthermore, CPI teaches safer standing and seated restraint positions that minimize the risks associated with restraint-related positional asphyxia. The interventions do not restrict the diaphragm, the chest, or the airway and do not interrupt normal breathing or speech.
(d) School personnel who restrain or seclude a student shall provide a written report of the incident to the school administrator. A school shall provide a copy of the report to the student's parents or legal guardians on request. The report must include: (1) the date and time of the incident; (2) the names and job titles of school personnel who participated in or supervised the incident; (3) a description of the activity that preceded the incident, including efforts and strategies used with the student before the incident; (4) a description of the incident, including the type and duration of the intervention used; (5) a description of how the incident ended, including any further action taken. (e) A school district shall ensure that a review process is established and conducted for each incident that involves restraint or seclusion of a student. The review must include	(d-e) CPI recommends as part of a school safety program documenting all incidents of restraint and seclusion with all relevant information. It is recommended that education staff document the student's actions that occurred before, during, and after the incident and that staff document their own responses to the observed behavior 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 *Nonviolent Crisis Intervention®* training program to look for opportunities to adjust their intervention strategies at earlier levels of the crisis. Furthermore, CPI suggests embedding the program language into debriefing and documentation forms to ensure that objective, common language is used so that documentation is a useful tool to all who review it. As part of the Postvention process, organizations can use the data collected to assess for patterns of student and staff behavior to help create a more comprehensive prevention approach. CPI can assist organizations with data collection through our research and development department. An organization can only change what it measures.

© 2014 CPI (reprinted 2015).

§14.33.125 Student Restraint or Seclusion Limitations	Correlation With *Nonviolent Crisis Intervention®* Training Program
(1) staff review of the incident; (2) follow-up communication with the student and the student's parent or legal guardian;	(1-2) As well as internal review, CPI recommends as part of a school safety program communicating the restraint event to parents/caregivers as soon as possible. Because CPI recommends monitoring for 24 hours for any an individual who has been physically restrained or secluded, parents and caregivers need to know as much as possible about the situation.
(3) review of and recommendations for adjusting or amending procedures, strategies, accommodations, individualized education plans, or other student behavior plans, or for additional staff training.	(3) As part of a school safety program, CPI recommends documenting all incidents of restraint and seclusion with all relevant information. This aids staff in assessing the strengths and weaknesses of their responses to the student's behavior and allow them to make necessary changes to their responses and to the student's IEP if relevant.

§14.33.127 Crisis Intervention Training	Correlation With *Nonviolent Crisis Intervention®* Training Program
(a) The department shall approve crisis intervention training programs for schools, which shall include training in (1) evidenced-based techniques that have been shown to be effective in the prevention of restraint and seclusion of students; (2) evidence-based techniques shown to be effective in keeping school personnel and students safe when imposing physical restraint or seclusion of students;	(a) (1-2) CPI's *Nonviolent Crisis Intervention®* training program is an evidence-based internationally recognized training program that equips staff with the skills to safely and effectively prevent and manage crisis moments by using positive behavior supports. The curriculum focuses on prevention by recognizing the early warning signs of potential crisis situations and equipping staff with nonverbal and verbal de-escalation skills. It is the core belief of the *Nonviolent Crisis Intervention®* training program that every effort should be made to prevent the need for the use of physical restraint.
(3) evidence-based skills related to positive behavior supports, safe physical escort, conflict prevention, understanding antecedents, de-escalation, and conflict management; (4) first aid and cardiopulmonary resuscitation; and	(3-4) CPI's *Nonviolent Crisis Intervention®* training correlates with the themes, premises, and strategies of Positive Behavioral Interventions and Supports (PBIS). The use of this non-aversive effective behavioral system, Positive Behavioral Intervention and Supports (PBIS) enhances a learning environment which promotes the use of evidence-based behavioral interventions, thus enhancing academic and social behavioral outcomes for all students. CPI's *Nonviolent Crisis Intervention®* training program is focused on recognizing the early warning signs of potential crisis situations and equipping staff with the skills to prevent and de-escalate these situations. For situations that have escalated, CPI offers education on identifying dangerous behaviors that may require the use of physical restraint or seclusion, how to monitor for signs of distress, and a review of the organization's response protocols for accessing medical assistance.
(b) The governing body of a school shall ensure that a sufficient number of school employees receive periodic training in an approved crisis intervention program to meet the needs of the school population.	(b) It is recommended that each school have 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 this training be an ongoing process and that formal refreshers be conducted every 6 to 12 months.

© 2014 CPI (reprinted 2015).