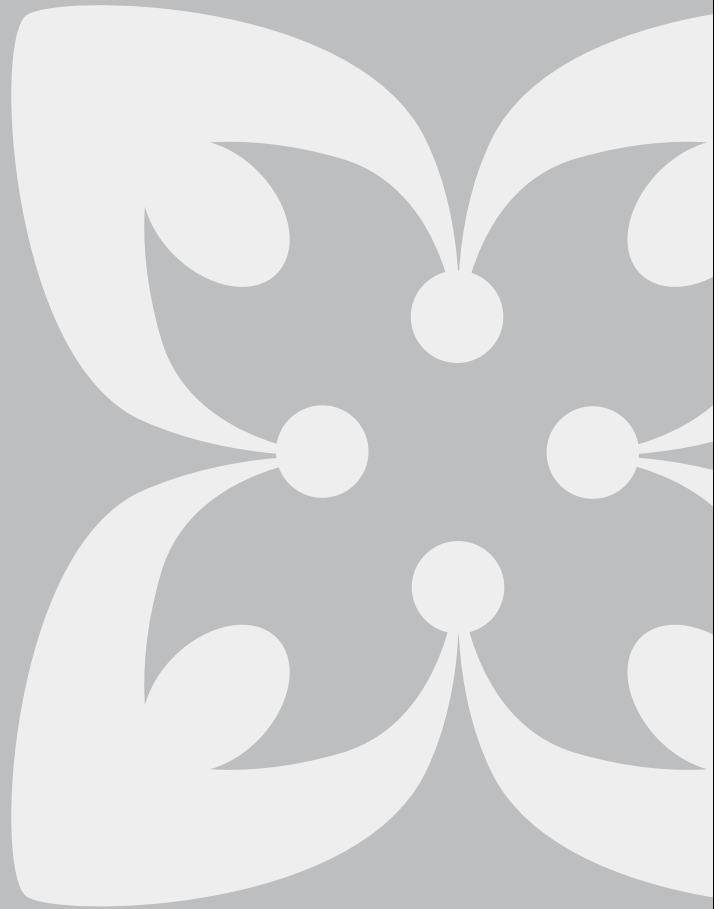




**nonviolent crisis intervention**  
a CPI specialized offering

Alabama Department  
of Education –  
Administrative Code:  
Chapter 290-3-1-.02(1)(f)  
Restraint and Seclusion  
for ALL Students



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## Alabama Department of Education – Administrative Code: Chapter 290-3-1-.02(1)(f)

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 school district in meeting the standards proposed by the Alabama Department of Education Administrative Code **Chapter 290-3-1-.02(1)(f) Restraint and Seclusion for ALL students.**

### 290-3-1-.02(1)(f)(1) Definitions

- (i) **Chemical Restraint**—Any medication that is used to control violent physical behavior or restrict the student's freedom of movement that is not a prescribed treatment for the student's medical or psychiatric condition. **Use of chemical restraint is prohibited in Alabama public schools and educational programs.**
- (ii) **Mechanical Restraint**—The use of any device or material attached to or adjacent to a student's body that is intended to restrict the normal freedom of movement and which cannot be easily removed by the student. The term does not include an adaptive or protective device recommended by a physician or therapist when used as recommended by the physician or therapist to promote normative body position and physical functions, and/or to prevent self-injurious behavior. The term also does not include seatbelts and other safety equipment when used to secure students during transportation. **Use of mechanical restraint is prohibited in Alabama public schools and educational programs.**
- (iii) **Physical Restraint**—Direct physical contact from an adult that prevents or significantly restricts a student's movement. The term physical restraint does not include mechanical restraint or chemical restraint. Additionally, physical restraint does not include: providing limited physical contact and/or redirection to promote student safety or prevent self-injurious behavior, providing physical guidance or prompting when teaching a skill, redirecting attention, providing guidance to a location, providing comfort or providing limited physical contact as reasonably needed to prevent imminent destruction to school or another person's property.
- (iv) **Physical Restraint that restricts the flow of air to the student's lungs**—Any method (face-down, face-up, or on your side) of physical restraint in which physical pressure is applied to the student's body that restricts the flow of air into the student's lungs. **Use of this type of restraint is prohibited in Alabama public schools and educational programs.**
- (v) **Seclusion**—A procedure that isolates and confines the student in a separate, locked area until he or she is no longer an immediate danger to himself/herself or others. The seclusion occurs in a specifically constructed or designated room or space that is physically isolated from common areas and from which the student is physically prevented from leaving. Seclusion does not include situations in which a staff member trained in the use of de-escalation techniques or restraint is physically present in the same unlocked room as the student, time-out as defined in paragraph (1)(vi) of this rule, in-school suspension, detention, or a student-requested break in a different location in the room or in a separate room. **Use of seclusion is prohibited in Alabama public schools and educational programs.**
- (vi) **Time-out**—A behavioral intervention in which the student is temporarily removed from the learning activity. Time-out is appropriately used when:
  - (I) The non-locking setting used for time-out is appropriately lighted, ventilated, and heated or cooled.
  - (II) The duration of the time-out is reasonable in light of the purpose of the time-out and the age of the child; however, each time-out should not exceed 45 minutes.
  - (III) The student is reasonably monitored by an attending adult who is in reasonable physical proximity of the student and has sight of the student while in time-out.
  - (IV) The time-out space is free of objects that unreasonably expose the student or others to harm.

290-3-1-.02(1)(f)(2) Requirements	Correlation With <i>Nonviolent Crisis Intervention</i> ® Training
<p>(ii) The use of any method of physical restraint that restricts the flow of air to a student's lungs is prohibited in Alabama public schools and educational programs.</p> <p>(v) The use of physical restraint is prohibited in Alabama public schools and educational programs except in those situations in which the student is an immediate danger to himself or others and the student is not responsive to less intensive behavioral interventions including verbal directives or other de-escalation techniques. Notwithstanding the foregoing, physical restraint is prohibited in Alabama public schools and educational programs when used as a form of discipline or punishment.</p> <p>(vi) All physical restraint must be immediately terminated when the student is no longer an immediate danger to himself or others or if the student is observed to be in severe distress.</p>	<p>CPI supports the prohibition of high-risk restraint positions. Throughout our materials we educate participants on the physical and psychological risks of restraints. CPI teaches standing restraint positions that are designed to be less dangerous and do not restrict the flow of air to a student's lungs.</p> <p>CPI is grounded on a philosophy of <i>Care, Welfare, Safety, and Security</i><sup>SM</sup> for all staff and students. Therefore, we support that restraint should be used only as a last resort when a student is an immediate danger to self or others and when less restrictive interventions have been tried and have failed. Additionally, due to the high risks associated with restraint, CPI teaches that restraint should be used only when the danger being presented by the acting-out behavior outweighs the risks associated with the use of restraint. Restraint should never be used as a punishment, as a consequence, or for staff convenience.</p> <p>CPI teaches that a restraint should end at the earliest possible moment when the student is no longer a danger to self or others or when the student no longer exhibits signs of distress. CPI also teaches that all restraint use should be monitored face-to-face by an individual not directly involved in the physical restraint in order to continuously monitor for signs of distress.</p>

290-3-1-.02(1)(f)(2) Requirements	Correlation With <i>Nonviolent Crisis Intervention</i> ® Training
<p>(vii) Schools and programs that use physical restraint in accordance with paragraph (2.)(v-xiv) of this rule must develop and implement written policies to govern the use of physical restraint. Parents must be provided information regarding the school or program's policies governing the use of physical restraint. The written policies must include the following provisions:</p> <ul style="list-style-type: none"> <li data-bbox="235 514 779 609">(I) Staff and faculty training on the use of physical restraint and the school or program's policy and procedures</li> <li data-bbox="235 787 779 913">(II) Written parental notification when physical restraint is used to restrain their student within a reasonable time not to exceed one school day from the use of restraint,</li> <li data-bbox="235 966 779 1165">(III) The use of physical restraint to be documented and a debriefing session held by staff or faculty participating in or supervising the restraint for each student in each instance in which the student is restrained,</li> <li data-bbox="235 1417 779 1522">(IV) Procedures for the periodic review of the use of restraint and the documentation described in paragraph (2.)(vii)(III)</li> </ul>	<p>Clearly written and implemented policies and procedures guide staff behaviors to promote positive outcomes. CPI regularly assists organizations with policy development. Furthermore, CPI recommends that restraint and seclusion policies and procedures be reviewed at least annually as part of the ongoing training process.</p> <p>CPI encourages districts to write and implement policies requiring the training and annual retraining of all staff in the safe management of assaultive and disruptive behavior. Not only should staff be required to attend training, they should also annually demonstrate competency in both verbal and physical intervention skills.</p> <p>CPI supports communication with parents and caregivers. CPI has training resources school districts may utilize to offer similar training to parents of students who display disruptive behaviors in school and at home.</p> <p>In Unit X: Postvention in the <i>Nonviolent Crisis Intervention</i>® program, CPI teaches that all episodes of restraint should be documented for accurate reporting to parents/caregivers and for internal monitoring of outcomes. Additionally, CPI teaches that debriefing should occur for all students, staff, and witnesses of a restraint event. Debriefing offers all parties involved an opportunity to talk about what happened and to plan for the prevention of similar crisis situations in the future. Debriefing also helps both the student and the staff involved discuss the situation in an effort to lessen the likelihood of traumatization due to the event.</p> <p>CPI teaches that reviewing documentation helps establish trends in both student behaviors and staff responses. Periodic review can assist administration with refining training offerings and support to students based on the patterns identified.</p>

290-3-1-.02(1)(f)(2) Requirements	Correlation With <i>Nonviolent Crisis Intervention</i> ® Training
<p>(viii) Schools and programs that use physical restraints in accordance with paragraph (2.)(v-xiv) of this rule, must ensure that staff and faculty are trained in the use of physical restraint. This training shall be provided as part of a program which addresses prevention and de-escalation techniques as well as positive behavioral intervention strategies. Schools and programs must maintain written or electronic documentation on training provided and the list of participants in each training. Records of such training must be made available to the Alabama Department of Education or any member of the public upon request.</p>	<p>CPI's <i>Nonviolent Crisis Intervention</i>® training program is the worldwide standard of crisis prevention and intervention. The training focuses on prevention and offers proven strategies for safely defusing anxious, hostile, or violent behavior at the earliest possible stage. Additionally, the Positive Behavioral Interventions and Supports (PBIS) and <i>Nonviolent Crisis Intervention</i>® trainings are both grounded in premises and strategies that assist staff members with integrating their primary, secondary, and tertiary prevention efforts with their behavior management strategies.</p> <p>Certified Instructors submit rosters and post-tests from their training events to CPI. CPI keeps copies of all training rosters should Instructors need backup copies.</p>