

# ALIGNMENT



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## The *Nonviolent Crisis Intervention*<sup>®</sup> Training Program and the Georgia Department of Education Rule 160-5-1-.35 Seclusion and Restraint for all Students



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**The *Nonviolent Crisis Intervention*® Training Program and the Georgia Department of Education Rule 160-5-1-.35 Seclusion and Restraint for all Students**

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 your school meet the standards related to restraint and seclusion imposed by the new Georgia Department of Education Rule 160-5-1-.35 Seclusion and Restraint for all Students. It will also assist you in identifying areas that may require a review and/or revision in your school's policies and procedures.

160-5-1-.35 Seclusion and Restraint for all Students	Correlation with <i>Nonviolent Crisis Intervention</i> ® Training
<p>(2) REQUIREMENTS</p> <ul style="list-style-type: none"> <li>(a) The use of seclusion is prohibited in Georgia public schools and educational programs.</li> <li>(b) The use of prone restraint is prohibited in Georgia public schools and educational programs.</li> <li>(c) The use of mechanical restraint is prohibited in Georgia public schools and educational programs.</li> <li>(d) The use of chemical restraint is prohibited in Georgia public schools and educational programs.</li> <li>(e) The use of physical restraint is prohibited in Georgia 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.</li> </ul>	<p>The <i>Nonviolent Crisis Intervention</i>® training program does not teach to the use of seclusion, chemical restraint, or mechanical restraint. Additionally, all physical restraints taught are standing restraint positions and do not include prone restraints.</p> <p><i>Nonviolent Crisis Intervention</i>® program philosophy is that physical restraints be used only as a last resort when an individual is an immediate danger to self or others and other less restrictive interventions have been tried and have failed.</p>
<p>1. Notwithstanding the foregoing, physical restraint is prohibited in Georgia public schools and educational programs:</p> <ul style="list-style-type: none"> <li>(i) as a form of discipline or punishment,</li> <li>(ii) when the student cannot be safely restrained, and</li> <li>(iii) when the use of the intervention would be contraindicated due to the student's psychiatric, medical, or physical conditions as described in the student's educational records.</li> </ul>	<p>CPI emphasizes that physical restraints are utilized as emergency interventions only, intended to provide for the greatest <i>Care, Welfare, Safety, and Security</i><sup>SM</sup> of everyone involved in the crisis situation.</p> <p>CPI's curriculum includes a section on the risks of restraint use, including signs of distress to monitor for and ways to minimize the risks of restraint use. CPI supports that restraint should not be used with a student who has contraindications to the use of restraint. The curriculum covers several alternatives to the use of physical restraint.</p>

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<p>(f) 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>It is a guiding principle of <i>Nonviolent Crisis Intervention</i>® training that restraints be terminated at the earliest possible moment when the individual is no longer an immediate danger to self or others.</p>
<p>(g) Schools and programs that use physical restraint in accordance with paragraph (2)(e) 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> <ol style="list-style-type: none"> <li>1. Staff and faculty training on the use of physical restraint and the school or program’s policy and procedures.</li> <li>2. 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>3. Procedures for observing and monitoring the use of physical restraint.</li> <li>4. The use of physical restraint to be documented by staff or faculty participating in or supervising the restraint for each student in each instance in which the student is restrained.</li> <li>5. Procedures for the periodic review of the use of restraint and the documentation described in paragraph (2)(g)(4).</li> </ol>	<p>Policy Review is one of the suggested <i>Nonviolent Crisis Intervention</i>® Training Process elements. CPI has resources to assist school districts with developing sound policies and procedures.</p> <p>Documentation—gathering basic facts and completing incident reports—is discussed during the Unit X: Postvention lecture.</p> <p>CPI recommends that each district have a restraint review committee to evaluate each episode of restraint use as part of the debriefing process.</p>
<p>(h) Schools and programs that use physical restraints in accordance with paragraph (2)(e) of this rule must ensure that staff and faculty are trained in the use of physical restraint. This training shall be provided as a part of a program which addresses a full continuum of positive behavioral intervention strategies as well as prevention and de-escalation techniques. 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 Georgia Department of Education or any member of the public upon request.</p>	<p>CPI’s <i>Nonviolent Crisis Intervention</i>® training program focuses on the detection of early warning signs of potential crisis moments. Staff learn verbal and nonverbal de-escalation strategies, Empathic Listening skills, limit-setting skills, and other de-escalation methods to support positive behavior changes as part of the curriculum.</p> <p>At the completion of each formal training event, the Certified Instructor submits the original post-tests and evaluations. CPI documents the training and maintains the training records of each Certified Instructor.</p>

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<p>(i) Nothing in this rule shall be construed to interfere with a school system, school or program, or school or program employee's authority to utilize time-out as defined in paragraph (1)(g) of this rule or any other classroom management technique or approach, including a student's removal from the classroom, that is not specifically addressed in this rule.</p>	<p>CPI recognizes time-out as an intervention technique commonly used for classroom management. Often allowing a student the option to remove herself or removing a student from the classroom can serve to de-escalate the situation quickly and effectively.</p>
<p>(j) Nothing in this rule shall be construed to prohibit a school system, school, or program employee from taking appropriate action to diffuse a student fight or altercation.</p>	<p>Both the verbal and the physical intervention strategies within the <i>Nonviolent Crisis Intervention</i><sup>®</sup> training program can be utilized to defuse a student fight or altercation. Additionally, CPI has resources that specifically address breaking up fights.</p>
<p>(k) Nothing in this rule shall be construed to eliminate or restrict the ability of an employee of a school system, school or program to use his or her discretion in the use of physical restraint to protect students or others from imminent harm or bodily injury. Nothing in this rule shall be construed to impose ministerial duties on individual employees of a school system, school or program when acting to protect students or others from imminent harm or bodily injury.</p>	<p>Strategies taught in the <i>Nonviolent Crisis Intervention</i><sup>®</sup> 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 the physical restraint.</p>
<p>(l) In some instances in which a student is an immediate danger to himself or herself or others, the school or program must determine when it becomes necessary to seek assistance from law enforcement and/or emergency medical personnel. Nothing in these rules shall be construed to interfere with the duties of law enforcement or emergency medical personnel.</p> <ol style="list-style-type: none"> <li>1. Parents must be immediately informed when students are removed from the school or program setting by emergency medical or law enforcement personnel.</li> </ol>	<p>CPI recommends a team approach to all interventions. As part of the team leader duties or auxiliary team member duties, we discuss opting to engage outside assistance (law enforcement, paramedics, etc.) in emergency situations.</p>