

ALIGNMENT

Florida Adds New Requirements for the Use of Restraints on Students with Disabilities in Public Schools (2021 Florida House Bill 149/FL ST § 1003.573/ Adopted 6/21/21 and Effective 07/01/21)

Alignment to Crisis Prevention Institute, Inc.
(CPI) Training Programs

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Alignment to Crisis Prevention Institute, Inc. (CPI) - *Nonviolent Crisis Intervention*®, 2nd Edition Training Program (NCI™)

For 40 years, CPI has supported education organizations that strive to provide the safest environment for staff and students. Not only will the NCI™ 2nd Edition Training program meet the requirements in Florida, CPI's train-the-trainer program and its family of advanced programs also offers a comprehensive array of curriculums that can meet all the needs an organization has for supporting a violence free space in schools and districts with an emphasis on crisis intervention and de-escalation techniques to better assist staff with achieving this goal.

Additionally, by participating in the NCI™ 2nd Edition Training program, staff will gain the skills and confidence necessary to handle crises with minimal anxiety and maximum security. The training will help staff intervene more safely when behavior becomes dangerous and most importantly, it won't damage the educational bond educators have worked so hard to establish with their students.

The following chart is designed to assist you in identifying some of the ways in which CPI's NCI™ 2nd Edition Training program can help school organizations in the state of Florida comply with the new requirements regarding the use of restraint. It may also assist you in identifying areas that may require a review and/or revision in your school organization's policies and procedures.

Definitions

"Crisis intervention" means an individualized action plan for school personnel to implement when a student exhibits dangerous behavior that may lead to imminent risk of serious injury.

"Imminent risk of serious injury" means the threat posed by dangerous behavior that may cause serious physical harm to self or others.

"Restraint" means the use of a mechanical or physical restraint.

"Physical restraint" means the use of manual restraint techniques that involve significant physical force applied by a teacher or other staff member to restrict the movement of all or part of a student's body. The term does not include briefly holding a student in order to calm or comfort the student or physically escorting a student to a safe location.

"Positive behavior interventions and supports" means the use of behavioral interventions to prevent dangerous behaviors that may cause serious physical harm to the student or others.

"Student" means a child with an individual education plan enrolled in grades kindergarten through 12 in a school, as defined in s. 1003.01(2), or the Florida School for the Deaf and Blind. The term does not include students in prekindergarten, students who reside in residential care facilities under s. 1003.58, or students participating in a Department of Juvenile Justice education program under s. 1003.52.

(2) Seclusion.—Each school district shall prohibit school personnel from using seclusion.

(3) Restraint.—

(a) Authorized school personnel may use restraint only when all positive behavior interventions and supports have been exhausted. Restraint may be used only when there is an imminent risk of serious injury and shall be discontinued as soon as the threat posed by the dangerous behavior has dissipated. Techniques or devices such as straightjackets, zip ties, handcuffs, or tie downs may not be used in ways that may obstruct or restrict breathing or blood flow or that place a student in a facedown position with the student’s hands restrained behind the student’s back. Restraint techniques may not be used to inflict pain to induce compliance.

(b) Notwithstanding the authority provided in s. 1003.32, restraint shall be used only to protect the safety of students, school personnel, or others and may not be used for student discipline or to correct student noncompliance.

(c) The degree of force applied during physical restraint must be only that degree of force necessary to protect the student or others from imminent risk of serious injury.

(5) Training.—Each school district shall provide training to all school personnel authorized to use positive behavior interventions and supports pursuant to school district policy. Training shall be provided annually and must include:

(a) The use of positive behavior interventions and supports.

(b) Risk assessment procedures to identify when restraint may be used.

(c) Examples of when positive behavior interventions and support techniques have failed to reduce the imminent risk of serious injury.

(d) Examples of safe and appropriate restraint techniques and how to use these techniques with multiple staff members working as a team.

CPI does not endorse or train the use of seclusion.

The NCI™ 2nd Edition Training Program uses both verbal and physical interventions. We train that the least restrictive form of intervention should always be considered and utilized first, prior to the use of any physical restraint. Within this training, we also introduce a risk assessment matrix which helps staff to consider what level of intervention to utilize based on the level of risk. The *Decision-Making Matrix*SM and Physical Skills Review both assist staff decision-making in the use of physical restraints. The physical restraints include lower-, medium-, and higher-level holding skills to safely manage risk behavior. Our Advanced Physical Skills course also includes the use of Emergency Floor Holding which is designated as higher-level holding. Beyond physical restraints, CPI does not teach or speak to any other form of restraint (such as mechanical or chemical).

CPI teaches staff to constantly engage in risk assessment during any perceived threat. This assessment is focused on evaluating the severity and likelihood of specific behaviors and assessing the appropriate response to a situation to ensure the greatest level of safety for all involved.

CPI’s program teaches that any emergency intervention should be used as a last resort, when the individual is an immediate danger to self or others, and when less restrictive interventions have been tried and have failed or are deemed inappropriate.

Interventions taught by CPI have been designed to minimize the risk of injury to students and staff. As such, interventions are meant to be free of pain and do not include the use of pressure points or joint locks. While no intervention is completely free from risk of injury to students or staff, all of CPI’s interventions have been independently assessed for risk of psycho-social, soft tissue, joint, structural, neurological, cardio-vascular and respiratory injury to both students and staff.