

ALIGNMENT

Kansas State Department of Education's Emergency Safety Interventions Regulation (K.A.R. 91-42-2)

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

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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 Kansas, CPI’s train-the-trainer program and its family of advanced programs also offers a comprehensive array of curricula that can meet all the needs an organization has for supporting a violence free space in school 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 behaviors become dangerous and most importantly it won’t damage the educational bond teaching staff 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 Kansas comply with these 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 (K.A.R. 91-42-2)

“Emergency safety intervention” means the use of seclusion or physical restraint.

“Physical escort” means the temporary touching or holding the hand, wrist, arm, shoulder, or back of a student who is acting out for the purpose of inducing the student to walk to a safe location.

“Physical restraint” means bodily force used to substantially limit a student’s movement, except that consensual, solicited, or unintentional contact and contact to provide comfort, assistance or instruction shall not be deemed to be physical restraint.

Standards for the use of emergency safety interventions (K.A.R. 91-42-2)

Correlation with NCI™, 2nd Edition Training

a) An emergency safety intervention shall be used only when a student presents a reasonable and immediate danger of physical harm to the student or others with the present ability to effect such physical harm. Less restrictive alternatives to emergency safety interventions, including positive behavior interventions support, shall be deemed inappropriate or ineffective under the circumstances by the school employee witnessing the student’s behavior before the use of any emergency safety interventions. The use of an emergency safety intervention shall cease as soon as the immediate danger of physical harm ceases to exist. Violent action that is destructive of property may necessitate the use of an emergency safety intervention.

(b) Use of an emergency safety intervention for purposes of discipline or punishment or for the convenience of a school employee shall not meet the standard of immediate danger of physical harm.

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 decision-making matrix or 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.

CPI training programs are built on the fundamental principles of *Care, Welfare, Safety and Security*SM for students and staff alike. Abuse of any kind, including the infliction of emotional trauma, humiliation, and other verbal abuse, is not consistent with the tenets of our programs.

Standards for the use of emergency safety interventions (K.A.R. 91-42-2)

Correlation with NCI™, 2nd Edition Training

(c)(1) A student shall not be subjected to an emergency safety intervention if the student is known to have a medical condition that could put the student in mental or physical danger as a result of the emergency safety intervention.

(d) When a student is placed in seclusion, a school employee shall be able to see and hear the student at all times.

(g) The following types of restraint shall be prohibited:

- (1) Prone, or face-down, physical restraint;
- (2) supine, or face-up, physical restraint;
- (3) any restraint that obstructs the airway of a student;
- (4) any restraint that impacts a student's primary mode of communication;
- (5) chemical restraint, except as prescribed treatments for a student's medical or psychiatric condition by a person appropriately licensed to issue these treatments; and
- (6) the use of mechanical restraint, except those protective or stabilizing devices either ordered by a person appropriately licensed to issue the order for the device or required by law, any device used by a law enforcement officer in carrying out law enforcement duties, and seatbelts and any other safety equipment when used to secure students during transportation.

(h) The following shall not be deemed an emergency safety intervention, if its use does not otherwise meet the definition of an emergency safety intervention:

- (1) Physical escort; and
- (2) time-out.

CPI training involves personal disengagement skills to keep staff physically safe from strikes, grabs, and other injuries and assaults—without hurting others.

CPI training does not include or address the use of any type of seclusion.

CPI's interventions are designed to allow a student in crisis to breathe freely and without obstruction. CPI's interventions do not utilize skills that apply pressure to the neck or torso, which can compromise the ability of the student to breathe.

CPI training does not include or address the use of any type of chemical or mechanical restraints.

District policy; training; local board dispute resolution (K.A.R. 91-42-2)

Correlation with NCI™, 2nd Edition Training

a) Each district shall develop and implement written policies to govern the use of emergency safety interventions over all schools. At a minimum, written district policies shall conform to the standards, definitions, and requirements of this article. The written policies shall also include the following:

- (1)(A) School personnel training shall be designed to meet the needs of personnel as appropriate to their duties and potential need for the use of emergency safety interventions;
- (B) training shall address prevention techniques, de-escalation techniques, and positive behavioral intervention strategies;

As part of a comprehensive violence prevention initiative, CPI recommends that organizations adopt policies and procedures that reflect the philosophy and strategies taught in the NCI™ 2nd Edition Training program. CPI offers a variety of resources, tools, and services that support organizations seeking to update their policies and procedures.

CPI's train-the-trainer model ensures that the training and the related materials are easily customizable to meet the needs of the staff engaged in the training and provides practice, roleplaying real-life scenarios, and problem solving activities to ensure that staff remain engaged in learning.

(C) any training on the use of emergency safety interventions by the district shall be consistent with nationally recognized training programs; and

(D) schools and programs shall maintain written or electronic documentation on training provided and lists of participants in each training; and

(3) a system for the collection and maintenance of documentation for each use of an emergency safety intervention, which shall include the following:

(A) The date and time of the emergency safety intervention;

(B) the type of emergency safety intervention;

(C) the length of time the emergency safety intervention was used;

(D) the school personnel who participated in or supervised the emergency safety intervention;

(E) whether the student had an individualized education program at the time of the incident;

(F) whether the student had a section 504 plan at the time of the incident; and

(G) whether the student had a behavior intervention plan at the time of the incident;

(4) procedures for the periodic review of the use of emergency safety intervention at each school, which shall be compiled and submitted at least biannually to the district superintendent or district designee.

CPI recommends that each incident of violence be documented as part of the post-incident process. Staff should evaluate each incident through the lens of the NCI™ 2nd Edition Training program to look for opportunities to adjust their intervention strategies at earlier levels of the crisis.

The NCI™ 2nd Edition Training program provides a model for assessing and gathering incident data to aid staff in performing the important evaluation process. In addition, CPI offers a comprehensive means of documenting and recording staff training and provides verifiable certification records for each staff trained in CPI courses.