

## ALIGNMENT

# Missouri Adds New Requirements for the Use of Restraints on Students

(2021 Missouri H.B. 432 / Adopted 6/14/21  
and Effective 06/24/21)

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

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## Alignment to Crisis Prevention Institute, Inc. (CPI) - *Nonviolent Crisis Intervention*®, 2<sup>nd</sup> 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™ 2<sup>nd</sup> Edition Training program meet the requirements in Missouri, 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 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™ 2<sup>nd</sup> 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 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™ 2<sup>nd</sup> Edition Training program can help school organizations in the state of Missouri 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

**“Physical restraint”**, a personal restriction such as person-to-person physical contact that immobilizes, reduces, or restricts the ability of a student to move the student's torso, arms, legs, or head freely. “Physical restraint” shall not include:

- (a) A physical escort, which is a temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student to walk to a safe location;
- (b) Comforting or calming a student;
- (c) Holding a student's hand to transport the student for safety purposes;
- (d) Intervening in a fight; or
- (e) Using an assistive or protective device prescribed by an appropriately trained professional or professional team;

**“Prone restraint”**, using mechanical or physical restraint or both to restrict a student's movement while the student is lying with the student's front or face downward

3. For all school years beginning on or after July 1, 2022, no school district, charter school, or publicly contracted private provider shall use any mechanical, physical, or prone restraint technique that:
- (1) Obstructs views of the student's face;
  - (2) Obstructs the student's respiratory airway, impairs the student's breathing or respiratory capacity, or restricts the movement required for normal breathing to cause positional or postural asphyxia;
  - (3) Places pressure or weight on or causes the compression of the student's chest, lungs, sternum, diaphragm, back, abdomen, or genitals;
  - (4) Obstructs the student's circulation of blood;
  - (5) Involves pushing on or into the student's mouth, nose, eyes, or any part of the face or involves covering the face or body with anything including, but not limited to, soft objects such as pillows, blankets, or washcloths;
  - (6) Endangers the student's life or significantly exacerbates the student's medical condition;
  - (7) Is purposely designed to inflict pain;
  - (8) Restricts the student from communicating. If an employee physically restrains a student who uses sign language or an augmentative mode of communication as the student's primary mode of communication, the student shall be permitted to have the student's hands free of restraint for brief periods unless an employee determines that such freedom appears likely to result in harm to self or others.
5. Before July 1, 2022, each school district, charter school, and publicly contracted private provider shall ensure that their written policy that addresses the use of restrictive behavioral interventions requires the following:
- (1) Any student placed in seclusion or restraint shall be removed from such seclusion or restraint as soon as the school district, charter school, or publicly contracted private provider determines that the student is no longer an imminent danger of physical harm to self or others;
  - (2) All school district, charter school, and publicly contracted private provider personnel shall annually review the policy and procedures involving the use of seclusion and restraint. Personnel who use seclusion or restraint shall annually complete mandatory training in the specific seclusion and restraint techniques the school district, charter school, or publicly contracted private provider uses under this section;
  - (3) (a) Each time seclusion or restraint is used for a student, the incident shall be monitored by a member of the school district, charter school, or publicly contracted private provider personnel, and a report shall be completed by the school district, charter school, or publicly contracted private provider.

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. Additionally, CPI does not teach or endorse the use of masks, covers, or any object that obstructs vision or breathing of an individual.

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 of risk 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.

CPI does not teach interventions designed to restrict or inhibit a student's ability to communicate. However, if a student's behavior is a risk to themselves or others, as a last resort, the staff might utilize emergency interventions that result in restriction of hands and arms. As a result, a student whose primary method of communication requires the use of their hands could be impaired.

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™ 2<sup>nd</sup> Edition Training program. CPI offers a variety of resources, tools, and services that support organizations seeking to update their policies and procedures.

It is the core belief of CPI that every effort should be made to prevent the need for physical restraint. We teach that physical restraint should only be used as a very last resort when all nonphysical options have been exhausted. For last-resort circumstances, we teach safer, nonharmful restraint techniques that are the most adaptable in the industry.

Staff can use the debriefing model to analyze each incident to assess their intervention strategies, identifying what worked well and what might be adapted to prevent future occurrences of the escalating behavior. This would also include debriefing with anyone else involved, with a focus on orienting to the basic precipitating factors that led up to the incident and how to remove or mitigate those factors in the future.