

# ALIGNMENT



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## Title 513 Commission on Seclusion and Restraint in Schools Indiana Code, Section 20-20-40

Correlation to Crisis Prevention Institute's (CPI)  
*Nonviolent Crisis Intervention*<sup>®</sup> training program



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## Correlation to Crisis Prevention Institute's (CPI) *Nonviolent Crisis Intervention*® training program

CPI commends the Indiana Commission on Seclusion and Restraint for its comprehensive and well-written rule. For more than 30 years, CPI has supported organizations that strive to become restraint-free. Not only will the *Nonviolent Crisis Intervention*® training program meet the expectations outlined in Title 513, CPI's train-the-trainer program and its family of advanced programs also offer a comprehensive array of curriculums that can meet all the needs an organization has for supporting a physical restraint-free environment with an emphasis on crisis intervention and de-escalation techniques to better assist education staff with achieving this goals.

Additionally, by participating in the *Nonviolent Crisis Intervention*® program, education staff will gain the skills and confidence necessary to handle crisis situation with minimal anxiety and maximum security. The training will help staff intervene more safely when behavior become dangerous and, most important, it won't damage the professional bond school staff have worked so hard to establish with the individuals in their care.

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 schools in the state of Indiana comply with the additions to the above named statute in relation to the prevention and reduction in the use of physical restraint and seclusion. It will also assist you in identifying areas that may require a review and/or revision in your school's policies and procedures.

### Program Alignment

#### §513 IAC 1-1-1 – Definitions

**Sec. 4. "Commission"** refers to the commission on seclusion and restraint in schools established by IC 20-20-40-11.

**Sec. 5. "Crisis intervention training"** refers to training provided to selected staff members that addresses how to deal with aggressive, violent, or out-of-control behaviors. The term includes specific techniques for seclusion and restraint.

**Sec. 6. "De-escalation"** means causing a situation to become more controlled, calm, and less dangerous, thus lessening the risk for injury to someone.

**Sec. 12. (a) "Physical restraint"** means physical contact between a school employee and a student:

(1) in which the student unwillingly participates; and

(2) that involves the use of a manual hold to restrict freedom of movement of all or part of a student's body or to restrict normal access to the student's body.

(b) the term does not include:

(1) briefly holding a student without undue force in order to calm or comfort the student, or to prevent unsafe behavior, such as running into traffic or engaging in a physical altercation;

(2) physical escort; or

(3) physical contact intended to gently assist or prompt a student in performing a task or to guide or assist a student from one (1) area to another.

(c) the term does not include the use of a bus harness or other safety equipment that is used to restrain a student during transport when the harness or safety equipment is necessary for safety purposes as provided under 575 IAC.

**Sec. 13. "Positive behavior intervention and support"** means a systematic approach that:

(1) uses evidence-based practices and data-driven decision making to improve school climate and culture; and

(2) includes a range of systematic and individualized strategies to reinforce desired behavior and diminish reoccurrence of problem behavior; to achieve improved academic and social outcomes and increase learning for all students.

**§513 IAC 1-1-1 – Definitions**

**Sec. 14. “Prevention and conflict de-escalation training”** means training that is provided broadly to school staff on how to prevent, defuse, and de-escalate potential behavioral crisis situations without physical contact between a school employee and a student.

**Sec. 15. “Prone physical restraint”** refers to when a person is being held face down on a horizontal surface such as the floor.

**Sec. 16. “Restraint”** encompasses chemical restraint, physical restraint, and mechanical restraint.

**Sec. 17. “School”** includes public, charter, and accredited nonpublic schools.

**Sec. 20. (a) “Staff”** means any person with regular direct contact with a student.

**Sec. 21. “Substantial risk”** means a situation where there is:

- (1) serious, imminent threat of bodily harm; and
- (2) the immediate ability to enact such harm.

**Sec. 22. “Supine physical restraint”** refers to a person being held face up on a horizontal surface such as the floor.

<b>§513 IAC 1-2-2 Commission’s principles – Section 2</b>	<b>Correlation With <i>Nonviolent Crisis Intervention</i>® Training Program</b>
<p>(a) Every effort should be made to prevent the need for the use of restraint and for the use of seclusion.</p> <p>(b) Any behavioral intervention must be consistent with the student’s rights to be treated with dignity and to be free from abuse.</p> <p>(c) Policies restricting the use of restraint and seclusion should apply to all children, not just children with disabilities.</p> <p>(d) Physical restraint or seclusion should not be used except in situations where the student’s behavior poses imminent risk of injury to self or others and other interventions are ineffective and should be discontinued as soon as imminent risk of injury to self or others has dissipated.</p>	<p>(a) CPI’s <i>Nonviolent Crisis Intervention</i>® training program focuses on recognizing the early warning signs of potential crisis situations and equips staff with safe and effective nonverbal and verbal strategies for de-escalation, thus avoiding the potential need and use of physical restraint altogether. Additionally, A range of interventions are taught within the <i>Nonviolent Crisis Intervention</i>® training program, allowing staff a full continuum of strategies to ensure the use of the least restrictive intervention.</p> <p>(b) The program focuses on preventive techniques and teaches verbal intervention strategies. Physical restraint techniques are taught only as a last resort, when less restrictive interventions have failed. All verbal and physical techniques are designed to ensure the dignity of students and do not include pain compliance techniques.</p> <p>(c) It is a guiding principle of <i>Nonviolent Crisis Intervention</i>® training that the use of physical restraint and seclusion include all students and not just pertain to special education or children with disabilities.</p> <p>(d) The <i>Nonviolent Crisis Intervention</i>® training program emphasizes that physical interventions should be used only as a last resort when the danger presented by the acting-out person’s behavior outweighs the risks of physical restraint use. Additionally, It is a guiding principle of <i>Nonviolent Crisis Intervention</i>® training that restraints should be terminated at the earliest possible moment, when the individual is no longer an immediate danger to self or others.</p>

513 IAC 1-2-3 Use of Behavior Intervention and Support – Section 3	Correlation With <i>Nonviolent Crisis Intervention</i> <sup>®</sup> Training Program
<p>A school shall use prevention, positive behavior intervention and support, and conflict de-escalation strategies to eliminate or minimize the need for the use of any of the following:</p> <p>(1) Seclusion.  (2) Chemical restraint.  (3) Mechanical restraint.</p> <p>(4) Physical restraint.</p>	<p>CPI's <i>Nonviolent Crisis Intervention</i><sup>®</sup> training program focuses on the detection of early warning signs of potential crisis moments. Those who participate receive as part of the curriculum verbal and nonverbal de-escalation strategies, Empathic Listening skills, limit-setting skills, and the knowledge of how relationship building can help de-escalate a crisis, as well as information about how to support positive behavior changes.</p> <p>(1-3) The <i>Nonviolent Crisis Intervention</i><sup>®</sup> training program does not teach to the use of seclusion, chemical restraint, or mechanical restraint.</p> <p>(4) CPI's <i>Nonviolent Crisis Intervention</i><sup>®</sup> training program is the worldwide standard for 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, thus avoiding the need for physical restraint. Strategies taught in the <i>Nonviolent Crisis Intervention</i><sup>®</sup> training program allows 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 physical restraint. Staff are educated on the inherent risks of restraints and receive information on monitoring for signs of distress.</p>

513 IAC 1-2-4 Prevention – Section 4	Correlation With <i>Nonviolent Crisis Intervention</i> <sup>®</sup> Training Program
<p>(a) Every effort shall be made to prevent the need for the use of restraint or for the use of seclusion on a student.</p> <p>(b) Seclusion or physical restraint shall not be used except when used as a last resort in situations where:</p> <p>(1) the student's behavior poses imminent risk of injury to self or others; and</p> <p>(2) other less restrictive interventions are ineffective.</p>	<p>(a) CPI's <i>Nonviolent Crisis Intervention</i><sup>®</sup> training program is the worldwide standard for 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.</p> <p>(b) 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.</p> <p>(1) CPI's <i>Nonviolent Crisis Intervention</i><sup>®</sup> training program shares in the belief that the use of restraint and seclusion is intrusive and should be avoided at all costs. We teach that restraint or seclusion should be used only as a last resort when the danger being presented by the acting-out person's behavior outweighs the risks of restraint/seclusion use.</p> <p>(2) A range of interventions are taught within the <i>Nonviolent Crisis Intervention</i><sup>®</sup> training program, allowing staff a full continuum of strategies to ensure the use of the least restrictive intervention.</p>

<p>(c) Any use of seclusion or restraint:</p> <p>(1) may only be used for a short period of time; and</p> <p>(2) shall be discontinued as soon as the imminent risk of injury to self or others has dissipated.</p>	<p>(c) (1-2) 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>
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<p><b>513 IAC 1-2-6 Training – Section 6</b></p>	<p><b>Correlation With <i>Nonviolent Crisis Intervention</i><sup>®</sup> Training Program</b></p>
<p>(a) Staff shall be trained according to the school's adopted plan on the appropriate use of effective alternatives to physical seclusion and restraint, such as positive behavioral interventions and supports, and, only for cases involving imminent risk of injury, on the safe use of physical seclusion and restraint.</p> <p>(b) Each school shall identify appropriate school staff to be trained on the safe use of effective alternatives to physical seclusion and restraint. Recurrent training of staff should be done in accordance with the school's plan.</p> <p>(c) Each school shall choose a training protocol that includes the following:</p> <p>(1) Positive supports and behavioral interventions techniques.</p> <p>(2) Conflict de-escalation techniques.</p> <p>(3) The safe use of seclusion and restraint.</p>	<p>CPI encourages organizations to create a program philosophy that includes written and physical competency testing and demonstration and participation in nonverbal, verbal, and physical de-escalation strategies. A range of interventions are taught within the <i>Nonviolent Crisis Intervention</i><sup>®</sup> training program, allowing staff a full continuum of strategies to ensure the use of the least restrictive intervention. CPI takes great care to emphasize the appropriate use of restraint. Competencies should be consistent with organization protocols. The <i>Nonviolent Crisis Intervention</i><sup>®</sup> program teaches participants that restraint should only be used as a last resort and never used as a form of discipline. Because of the inherent danger in using any restraint, the <i>Nonviolent Crisis Intervention</i><sup>®</sup> training program provides extensive information on safe restraint use.</p> <p>(b) Each school should ensure that it has an adequate number of staff trained in both the preventive techniques and the physical restraints to effectively respond to emergency situations in the school building. CPI recommends that training be an ongoing process and that formal refreshers be conducted every six to 12 months. Formal refreshers, taught within the guidelines of the Instructor Manual, are a minimum of three hours.</p> <p>(c)(1-2) CPI's <i>Nonviolent Crisis Intervention</i><sup>®</sup> training program focuses on the detection of early warning signs of potential crisis moments. Those who participate in <i>Nonviolent Crisis Intervention</i><sup>®</sup> training receive as part of the curriculum verbal and nonverbal de-escalation strategies, Empathic Listening skills, limit-setting skills, and other strategies to support positive behavior changes.</p> <p>(3) CPI's curriculum includes a section on the risks of restraint, including information about signs of distress to monitor for and ways to minimize the risks of restraint use. CPI supports that physical interventions that compromise safety or impair an individual's ability to breathe should not be used. During the use of physical interventions, staff must closely monitor the well-being of the individual.</p>

<p>(4) Steps to avoid the use of seclusion or restraint.</p> <p>(5) Debriefing practices and procedures.</p> <p>(e) Each school must maintain documentation that includes the following information:</p> <p>(1) The name and position of each person who has completed training.</p> <p>(2) Who provided the training.</p> <p>(3) When the training was completed.</p> <p>(4) What protocols and techniques were included in the training.</p> <p>(f) Training may be provided by any person who is trained in the current best practices of the protocols listed in subsection (c).</p>	<p>(4) A commitment to reviewing restraint and seclusion practices and evaluating their use as part of an ongoing training process will help reduce or eliminate the use of restraint and seclusion within an organization.</p> <p>(5) CPI supports the debriefing of all incidents of restraint and seclusion for the student, the staff involved, and any bystanders or witnesses to the event. Unit X of the <i>Nonviolent Crisis Intervention</i><sup>®</sup> training entitled “Postvention” includes a process that can be used for both student and staff debriefing.</p> <p>(e)(1-4) When a staff member attends a CPI four-day Instructor certification course and becomes certified to go back and to teach staff (called participants) within their school or school district, and after he/she holds a formal training event at the school, the Certified Instructor submits the names, dates, original post-tests, and evaluations of his/her participants. CPI documents the training and maintains the training records of each Certified Instructor. All training information for that Certified Instructor is accessible through the Instructor’s online account on the CPI website.</p> <p>(f) The <i>Nonviolent Crisis Intervention</i><sup>®</sup> training program remains on the forefront of critical issues and continues to incorporate best practices in behavior management in all of CPI’s specialized and advanced training programs.</p>
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<b>513 IAC 1-2-7 – Monitoring and Reporting – Section 7</b>	<b>Correlation With <i>Nonviolent Crisis Intervention</i><sup>®</sup> Training Program</b>
<p>(a) Every instance in which seclusion or restraint is used shall be carefully and continuously visually monitored to ensure the safety of the following:</p> <p>(1) The student.</p> <p>(2) Other students.</p> <p>(3) Teachers.</p> <p>(4) Staff.</p>	<p>(a)(1-4) CPI teaches that all interventions should be continuously monitored face-to-face for level of imminent risk and signs of distress that may occur when using restraint and/or seclusion.</p>

513 IAC 1-2-9 Incident Documentation – Section 9	Correlation With <i>Nonviolent Crisis Intervention</i> <sup>®</sup> Training Program
<p>(a) Every instance in which seclusion or restraint is used on a student shall be documented in order to memorialize the events that led up the use of either seclusion or restraint.</p> <p>(b) Documentation may include the following:</p> <p>(1) The student's name.</p> <p>(2) The date and time of the incident.</p> <p>(3) The duration of any seclusion or restraint or the beginning and ending times of the restraint or seclusion, or both.</p> <p>(4) A description of any relevant events leading up to the incident.</p> <p>(5) A description of the incident or student behavior that resulted in implementation of seclusion or restraint including a description of the danger of injury which resulted in the seclusion or restraint.</p> <p>(6) A description of relevant interventions used immediately prior to the implementation of seclusion or restraint.</p> <p>(7) A summary of the student's behavior during seclusion or restraint, including a description of the restraint technique or techniques used and any other interaction between the student and staff.</p> <p>(8) A description of any injuries to students, staff, or others or property damage.</p> <p>(9) A list of the school personnel who participated in the implementation, monitoring, and supervision of seclusion or restraint.</p> <p>(10) If applicable, a statement that the intervention used was consistent with the student's most current behavioral intervention plan or IEP.</p>	<p>(a-b)(1-10) CPI recommends documenting all incidents of restraint and seclusion with all relevant information. It is recommended that education staff document the student's actions that occurred before, during, and after the incident and that staff document their own responses to the observed behavior responses that occurred before, during and after the incident. This aids staff in assessing the strengths and weaknesses of their responses to the student's behavior and allow them to make necessary changes to their responses and to the student's IEP if relevant.</p> <p>CPI recommends that each incident of restraint and seclusion also be documented as part of the "Postvention Process". Staff should evaluate each incident through the lens of the <i>Nonviolent Crisis Intervention</i><sup>®</sup> training program to look for opportunities to adjust their intervention strategies at earlier levels of the crisis. Furthermore, CPI suggests embedding the program language into debriefing and documentation forms to ensure that objective, common language is used so that documentation is a useful tool to all who review it.</p> <p>As part of the "Postvention Process" organizations can use the data collected to assess for patterns of student and staff behavior to help create a more comprehensive prevention approach. CPI can assist organizations with data collection through our research and development department. An organization can only change what it measures.</p>

513 IAC 1-2-10 – Debriefing Session – Section 10	Correlation With <i>Nonviolent Crisis Intervention</i> <sup>®</sup> Training Program
<p>(a) As soon as practical, and consistent with the school's plan, after every instance in which seclusion or restraint is used on a student, the school administrator or designee shall do the following:</p> <p>(1) Meet with at least one (1) school personnel who participated in the implementation, monitoring, and supervision of seclusion or restraint to discuss whether proper restraint or seclusion procedures were followed, including the use of proper procedures to prevent the need for restraint or seclusion.</p> <p>(2) Direct a proper staff person, including the administrator himself or herself, to debrief the incident with the student in a manner appropriate to the student's age and developmental ability, to discuss the behavior or behaviors, if any, that precipitated the use of restraint or seclusion.</p>	<p>(a-b) (1-2) CPI's program teaches that all instances of restraint and seclusion should be debriefed with the student involved, as well as with the team that intervened.</p> <p>Part of the debriefing process is to orient both the student and the staff to the basic facts of the incident and to document the incident.</p> <p>The act of debriefing allows both the student and the staff involved to evaluate their responses and behaviors in the situation and to plan for alternative behaviors and intervention strategies in the future. This act of debriefing assists all people involved with preventing similar emergency situations from occurring in the future.</p> <p>CPI recommends that staff document the student's actions that occurred before, during, and after the incident. In addition, CPI recommends that staff document their own responses to the observed behavior that occurred before, during, and after the incident. This aids staff in assessing the strengths and weaknesses of their responses to the student's behavior, and allows them to make necessary changes to their responses and to the IEP as necessary.</p>