

ALIGNMENT



Connecticut Substitute SB 927

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



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CPI commends the Connecticut State Senate for its comprehensive Bill prohibiting restraint. Since 1980, CPI has supported organizations that strive to become restraint-free. Not only will the *Nonviolent Crisis Intervention*® training program meet the expectations outlined in Substitute SB 927, CPI's train-the-trainer program and its family of advanced programs also offers a comprehensive array of curriculums. These curriculums can meet all the needs an organization has for supporting a restraint-free environment with an emphasis on crisis intervention and de-escalation techniques to better assist education staff with achieving these goals.

Additionally, by participating in the *Nonviolent Crisis Intervention*® program, education staff will gain the skills and confidence necessary to handle crisis situations 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 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 Connecticut comply with the additions to the above-named statute in relation to preventing and reducing physical restraint and seclusion. It will also assist you in identifying areas that may require a review of and/or revision to your school's policies and procedures.

§927 - Definitions

Life-threatening physical restraint: Any physical restraint or hold of a person that (A) restricts the flow of air into a person's lungs, whether by chest compression or any other means, or (B) immobilizes or reduces the free movement of a person's arms, legs or head while the person is in the prone position.

Psychopharmacologic agent: Any medication that affects the central nervous system, influencing thinking, emotion or behavior.

Physical restraint: Any mechanical or personal restriction that immobilizes or reduces the free movement of a person's arms, legs or head. The term does not include: (A) Briefly holding a person in order to calm or comfort the person; (B) restraint involving the minimum contact necessary to safely escort a person from one area to another; (C) medical devices, including, but not limited to, supports prescribed by a health care provider to achieve proper body position or balance; (D) helmets or other protective gear used to protect a person from injuries due to a fall; or (E) helmets, mitts and similar devices used to prevent self-injury when the device is (i) part of a documented treatment plan or individualized education program pursuant to section 10-76d of the general statutes, as amended by this act, or (ii) prescribed or recommended by a medical professional, as defined in section 38a-976 of the general statutes, and is the least restrictive means available to prevent such self-injury.

Seclusion: The involuntary confinement of a student in a room, whether alone or with supervision, in a manner that prevents the student from leaving.

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<p>1. (b) No school employee shall use a physical restraint on a student except as an emergency intervention to prevent immediate or imminent injury to the student or to others, provided the restraint is not used for discipline or convenience and is not used as a substitute for a less restrictive alternative.</p> <p>(c) No school employee shall use a life-threatening physical restraint on a student. This section shall not be construed as limiting any defense to criminal prosecution for the use of deadly physical force that may be available under sections 53a-18 to 53a-22, inclusive, of the general statutes.</p> <p>(d) No school employee shall place a student in seclusion except as an emergency intervention to prevent immediate or imminent injury to the student or to others, provided the seclusion is not used for discipline or convenience and is not used as a substitute for a less restrictive alternative. No student shall be placed in seclusion unless (A) such student is monitored by a school employee during the period of such student’s seclusion pursuant to subsection (m) of this section, and (B) the area in which such student is secluded is equipped with a window or other fixture allowing such student a clear line of sight beyond the area of seclusion.</p> <p>(e) No school employee may use a psychopharmacologic agent on a student without that student’s consent except (1) as an emergency intervention to prevent immediate or imminent injury to the student or to others, or (2) as an integral part of the student’s established medical or behavioral support or educational plan, as developed consistent with section 17a-543 of the general statutes or, if no such plan has been developed, as part of a licensed practitioner’s initial orders. The use of psychopharmacologic agents, alone or in combination, may be used only in doses that are therapeutically appropriate and not as a substitute for other appropriate treatment.</p>	<p>1. (b) CPI’s philosophy regarding the use of physical restraint is that any physical intervention is to be utilized only as a last resort when an individual’s behavior presents an imminent danger to self or others. The program realistically addresses physical intervention through careful assessment of risks and further exploration of the “last resort” concept. Physical interventions are only an option when the inherent risk in their use is eclipsed by the physical danger of the risk behavior that the individual is demonstrating.</p> <p>c) The <i>Nonviolent Crisis Intervention</i>® training program teaches physical restraints that are designed to minimize risk and maximize safety. CPI accomplishes this goal by teaching physical interventions that are safer standing and seated restraint positions which do not restrict the student’s ability to communicate.</p> <p>(d) While the use of seclusion is outside the scope of the <i>Nonviolent Crisis Intervention</i>® training program, techniques taught in the program can be used as a safer means of transporting individuals to seclusion if the standards outlined in this section are met. In addition, CPI provides the following guideline with regard to seclusion.</p> <p>(e) The use of chemical restraints is outside of the scope of the <i>Nonviolent Crisis Intervention</i>® training program.</p>

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<p>(f) If any instance of physical restraint or seclusion of a student otherwise permissible under subsection (b) or (d) of this section exceeds fifteen minutes, (1) an administrator, as defined in section 10-144e of the general statutes, or such administrator's designee, (2) a school health or mental health personnel, as defined in subsection (a) of section 10-212b of the general statutes, or (3) a board certified behavioral analyst, who has received training in the use of physical restraint and seclusion pursuant to subsection (o) of this section, shall determine whether continued physical restraint or seclusion is necessary to prevent immediate or imminent injury to the student or to others. Upon a determination that such continued physical restraint or seclusion is necessary, such individual shall make a new determination every thirty minutes thereafter regarding whether such physical restraint or seclusion is necessary to prevent immediate or imminent injury to the student or to others.</p>	<p>(f) The physical restraint techniques taught in <i>Nonviolent Crisis Intervention</i>® training are designed to provide for the safety and protection of staff and students. CPI teaches staff that physical restraint should be ended at the earliest possible moment when the student no longer presents imminent risk of injury or harm to self or others. Staff monitoring the physical restraint should continuously assess for signs of Tension Reduction and call for an end to the physical restraint upon the evidence of any sign of physical or psychological distress.</p>
<p>(i) No school employee shall use a physical restraint on a student or place a student in seclusion unless such school employee has received training on the proper means for performing such physical restraint or seclusion pursuant to subsection (o) of this section.</p>	<p>(i) Each school should ensure that it has an adequate number of staff trained in both preventive techniques and physical restraints to effectively respond to emergency situations in the school building. CPI recommends that, at a minimum, all staff be trained in de-escalation strategies. CPI's <i>Nonviolent Crisis Intervention</i>® training program is a competency-based program that can be taught in a variety of time frames consistent with the needs of individual organizations. In addition, CPI has a large selection of refresher options available, which makes annual refresher training simple and engaging for staff.</p>
<p>(m) Any student who is physically restrained shall be continually monitored by a school employee. Any student who is involuntarily placed in seclusion shall be frequently monitored by a school employee. Each student so restrained or in seclusion shall be regularly evaluated by a school employee for indications of physical distress. The school employee conducting the evaluation shall enter each evaluation in the student's educational record. For purposes of this subsection, "monitor" means (1) direct observation, or (2) observation by way of video monitoring within physical proximity sufficient to provide aid as may be needed.</p>	<p>(m) CPI teaches and strongly advocates for the use of a team approach to behavior management. That team includes staff who are trained to monitor all individuals involved in the intervention (staff and student) to assess for signs of physical or emotional distress. These team members will assess both for signs of distress and that the risk behavior that warranted the use of restraint has subsided, indicating that the physical intervention is no longer needed.</p>

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<p>(o) (1) Each local or regional school district shall provide training to school professionals, paraprofessional staff members and administrators regarding physical restraint and seclusion of students. Such training shall be phased in over a period of three years beginning with the school year commencing July 1, 2015, and shall include, but not be limited to:</p> <p>(o) (1) (B) The creation of a plan by which each local or regional board of education shall provide school professionals, paraprofessional staff members and administrators with training and professional development regarding the prevention of incidents requiring physical restraint or seclusion of students. Such plan shall be implemented not later than July 1, 2017, and shall include a provision to require the training of all school professionals, paraprofessional staff members and administrators in the prevention of such incidents not later than July 1, 2019. The Department of Education may, within available appropriations, provide ongoing monitoring and support to local or regional boards of education regarding the formulation and implementation of the plan;</p> <p>(o) (1) (C) The creation of a plan by which each local or regional board of education shall provide school professionals, paraprofessional staff members and administrators with training and professional development regarding the proper means of physically restraining or secluding a student, including, but not limited to, (i) various types of physical restraint and seclusion; (ii) the differences between life-threatening physical restraint and other varying levels of physical restraint; (iii) the differences between permissible physical restraint and pain compliance techniques; and (iv) monitoring methods to prevent harm to a student who is physically restrained or in seclusion. Such plan shall be implemented not later than July 1, 2017, and shall include a provision to require the training of all school professionals, paraprofessional staff members and administrators in the proper means of physically restraining or secluding a student not later than July 1, 2019 and periodically thereafter as prescribed by the Commissioner of Education;</p>	<p>(o) (1) CPI's extensive team of Global Professional Instructors allows for great flexibility for customer organizations to consult and train any size workforce, even with a demanding implementation time frame. In addition, our train-the-trainer model for instruction offers easy scaling options to ensure that staff are trained when and where necessary to ensure the best outcomes.</p> <p>(o) (1) (B) CPI is equipped to share our expertise in helping school organizations of every size (from single schools to entire state departments of education) to implement best practice, evidence-based strategies to defuse potentially violent behavior and to intervene appropriately when physical intervention is necessary.</p> <p>(o) (1) (C) During the <i>Nonviolent Crisis Intervention</i>® training program, CPI teaches interventions to address a wide range of behaviors from low to high. Techniques vary in their level of restrictiveness so that professionals can match the appropriate response based on the intensity and severity of the behavior. There is also classroom discussion about the effects of physical restraints on the individual and how to monitor for signs of distress.</p> <p>CPI's <i>Nonviolent Crisis Intervention</i>® workbook includes an extensive discussion on the risks of restraint, including illustrations that provide a warning regarding several higher-risk restraint positions that have been shown to restrict breathing. CPI's range of lower- to higher-level interventions allow staff to use less restrictive physical interventions when the intensity of the risk behavior is lower (but still dangerous enough to warrant a physical intervention).</p> <p>The physical restraint techniques taught in the <i>Nonviolent Crisis Intervention</i>® program are designed to provide for the safety and protection of staff and students. CPI teaches staff that physical restraint should be ended at the earliest possible moment when the student no longer presents imminent risk of injury or harm to self or others. Staff monitoring the physical restraint should continuously assess for signs of Tension Reduction and call for an end to the physical restraint upon the evidence of any sign of physical or psychological distress.</p>

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<p>(2) Not later than July 1, 2015, and each school year thereafter, each local or regional board of education shall require each school in the district to identify a crisis intervention team consisting of school professionals, paraprofessional staff members and administrators who have been trained in the use of physical restraint and seclusion pursuant to subparagraph (C) of subdivision (1) of this subsection or chapter 814e of the general statutes. Such teams shall respond to any incident in which the use of physical restraint or seclusion may be necessary as an emergency intervention to prevent immediate or imminent injury to a student or to others. Each member of the crisis intervention team shall be recertified in the use of physical restraint and seclusion pursuant to subparagraph (C) of subdivision (1) of this subsection or chapter 814e of the general statutes on an annual basis.</p> <p>(p) Each local or regional board of education shall develop policies and procedures that establish monitoring and internal reporting of the use of physical restraint and seclusion on students and shall make such policies and procedures available on such local or regional board of education's Internet web site and in such local or regional board of education's procedures manual.</p>	<p>(2) 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, at a minimum, all staff be trained in de-escalation strategies. CPI's <i>Nonviolent Crisis Intervention</i>® training program is a competency-based program that can be taught in a variety of time frames consistent with the needs of individual organizations. In addition, CPI has a large selection of refresher options available, which makes annual refresher training simple and engaging for staff.</p> <p>(p) CPI is equipped to work with any organization in helping to develop and administer policy and procedures for the safe management of behavior.</p>