

ALIGNMENT



Alignment for Illinois Emergency Amendment to Emergency Rule (effective 12/3/19).

Alignment to Crisis Prevention Institute, Inc. (CPI)
Nonviolent Crisis Intervention® Training Program



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Alignment for Illinois Emergency Amendment to Emergency Rule (effective 12/3/19).

Amending the Emergency Regulations (effective 11/20/19) amending Illinois Administrative Code Title 23, Section 1.285: Requirements for the Use of Isolated Time Out and Physical Restraint.

Note: These regulations are created by the Illinois State Board of Education. The Emergency Amendment incorporates all the changes made in the original Emergency Regulation and adds additional ones. The original emergency regulations were effective immediately upon being filed on November 20, 2019 and remain in effect for a maximum of 150 days. The Emergency Amendment does not change that original timeline.

Alignment to Crisis Prevention Institute, Inc. (CPI) *Nonviolent Crisis Intervention*® Training program

For 30 years, CPI has supported education organizations that strive to provide the safest environment for staff and students. Not only will the *Nonviolent Crisis Intervention*® Training program meet the requirements in the Illinois Emergency Regulations, 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 *Nonviolent Crisis Intervention*® program, staff gain the skills and confidence necessary to handle crises with minimal anxiety and maximum security. The training 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 *Nonviolent Crisis Intervention*® Training program can help school organizations in the state of Illinois to comply with the new requirements regarding the use of restraint and seclusion. It may also assist you in identifying areas that may require a review and/or revision in your school organization's policies and procedures.

Section 1.285 Requirements for the Use of Time Out and Physical Restraint EMERGENCY	Correlation With <i>Nonviolent Crisis Intervention</i> ® Training
<p>Time out and physical restraint as defined in this Section shall be used only for therapeutic purposes, or as a means of maintaining a safe environment for learning, to the extent necessary to preserve the safety of students and others. Neither time out nor physical restraint shall be used as a form of punishment.</p> <p>.....</p> <p>a) "Time out" means a behavior management technique that involves the monitored separation of a student from classmates with a trained adult for part of the school day, usually for a brief time, in a non-locked setting.</p>	<p>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.</p> <p>.....</p> <p>CPI does not train the use of seclusion.</p>

b) "Physical restraint" means holding a student or otherwise restricting the student's movements. "Physical restraint" as permitted pursuant to this Section includes only the use of specific, planned techniques (e.g., the "basket hold" and "team control"). A physical restraint shall not impair a student's ability to breathe or speak normally. Prone or supine physical restraint shall not be permitted, except if all of the following criteria are met:

CPI Certified Instructors qualified to teach *Nonviolent Crisis Intervention*® with Advanced Physical Skills are trained to respond to high-risk behaviors that result in a student going to the floor in a supine or prone position. However, these skills are taught as a response to a student's behavior and are not taught as a method to force or take a student to the floor. The CPI Supine and Supported Prone positions are designed to temporarily manage a student engaged in high-risk behavior until the student can be moved to a safer position.

1) Before using a prone or supine physical restraint, the school district or other entity serving the student shall review and determine if there are no known medical or psychological limitations that contraindicate the use of a prone or supine restraint.

CPI training teaches staff to consider the potential psychological, physiological and social-emotional effects that physical restraint or physical violence can have on an individual. In the training program, staff learn ways to minimize or eliminate these effects whenever possible throughout their prevention, intervention and post-intervention efforts.

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, cardiovascular and respiratory injury to both students and staff.

2) The school district or other entity serving the student deems the situation an emergency, defined as a situation in which immediate intervention is needed to protect a student or other individual from imminent danger of causing serious physical harm to himself, herself, or others and less restrictive and intrusive interventions have been tried and proven ineffective in stopping the imminent danger.

CPI trains that restraints should only be used when a person poses an immediate threat of harm. When a person no longer presents a potential for harm to themselves or others the restraint should be immediately discontinued.

3) Prone or supine physical restraint is used in a manner that does not restrict or impair a student's ability to breathe or communicate normally, obstruct a student's airway, or interfere with a student's primary mode of communication.

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.

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4) Prone or supine physical restraints are used only by personnel with required credentials who have completed required training under this Section.

CPI Certified Instructors qualified to teach *Nonviolent Crisis Intervention*® with Advanced Physical Skills are trained to respond to high-risk behaviors that result in a student going to the floor in a supine or prone position.

5) Prone and supine restraints are used only if those interventions are the least restrictive and intrusive interventions to address the emergency and stop the imminent danger of serious physical harm to the student or others. During each incident, one school staff person trained in identifying the signs of distress must be assigned to observe the student during the entire incident. That staff person may not be involved in the physical holding of the student. The number of staff involved in physically restraining the student may not exceed the number necessary to safely hold the student.

It is the core belief of the *Nonviolent Crisis Intervention*® Training program that every effort should be made to prevent the need for the use of physical restraint. At CPI, 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.

6) The prone or supine physical restraint ends immediately when the threat of imminent serious physical harm ends, but in no event shall prone or supine physical restraint last longer than 30 minutes. If, after 30 minutes, the emergency has not resolved or if an additional emergency arises the same school day that meets the standards under subsection (b)(2), a school administrator, in consultation with a psychologist, social worker, nurse, or behavior specialist may authorize the continuation of the restraint or an additional prone or supine restraint. No restraint may be continued nor may additional restraints be applied unless it is authorized by a school administrator.

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.

CPI teaches that all emergency interventions should end at the earliest possible moment, when the pupil is no longer an imminent risk to the physical safety of self or others.

7) If the student is restrained in a prone or supine physical restraint in at least 2 separate instances within a 30-school day period, the school personnel who initiated, monitored, and supervised the incidents shall initiate a review of the effectiveness of the procedures used. If the personnel involved in the restraints do not include a psychologist, social worker, nurse, or behavior specialist, at least one of those staff members must be included in the review. The review must include, but is not limited to:

CPI recommends that each incident of violence also be documented as part of the Postvention process. Staff should evaluate each incident through the lens of the *Nonviolent Crisis Intervention*® Training program to look for opportunities to adjust their intervention strategies at earlier levels of the crisis. 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. Additionally, staff can watch for trends or patterns of Precipitating Factors that may be related to staff approaches or the environment. Once patterns are identified, staff can use their analysis to inform policy development, make environmental changes when appropriate, and improve professional development practices for staff.

- A) conducting or reviewing a functional behavioral analysis, reviewing data, considering developing additional or revised positive behavioral interventions and supports, considering actions to reduce the

use of restrictive procedures, or, if applicable, modifying the individualized educational program or the behavior intervention plan, as appropriate; and

- B) reviewing any known medical or psychological limitations that contraindicate the use of a restrictive procedure, considering whether to prohibit that restrictive procedure, and, if applicable, documenting any prohibition in the individualized education program or behavior intervention plan.

h) Report to the State Superintendent

- 1) No later than 48 hours after any use of time out or physical restraint, the school district or other entity serving the student shall, in a form and manner prescribed by the State Superintendent, submit the information required under subsection (f)(1) to the State Superintendent.
- 2) The State Superintendent reserves the authority to require districts to submit the information required under subsection (f)(1) for previous school years.

The *Nonviolent Crisis Intervention®* Training program provides a model for assessing and gathering incident data to aid staff in documentation requirements and to assist in performing follow-up evaluation processes.

i) Requirements for Training

- 1) Any adult who is supervising a student in time out or applying physical restraint shall be trained in de-escalation, restorative practices, and behavior management practices.
- 2) Time Out
Each district, cooperative, or joint agreement whose policy permits the use of time out shall provide training.

The *Nonviolent Crisis Intervention®* Training program focuses on prevention by recognizing the early warning signs of potential crisis situations and equipping staff with nonverbal and verbal de-escalation skills. The program teaches staff about the signs of aggression, how to address them, and how to de-escalate a situation.

j) Any use of time out or physical restraint permitted by a board's policy shall include:

- 1) the circumstances under which time out or physical restraint will be applied;
- 2) a written procedure to be followed by staff in cases of time out or physical restraint;
- 3) designation of a school official who will be informed of incidents and maintain the documentation required under this Section when time out or physical restraint is used;
- 4) the process the district or other entity serving

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 *Nonviolent Crisis Intervention®* program. CPI offers a variety of resources, tools and services that support organizations seeking to update their policies and procedures.

CPI provides support to organizations looking to review existing policies and has the expertise to provide support and consultation around the effective implementation of any workplace violence prevention plan. Continual review of your organizations policies and procedures are an

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public school students will use to evaluate any incident that results in an injury to the affected student;

- 5) a description of the district's or other entity's annual review of the use of time out or physical restraint, which shall include at least:
 - A) the number of incidents involving the use of these interventions;
 - B) the location and duration of each incident;
 - C) identification of the staff members who were involved;
 - D) any injuries or property damage that occurred; and
 - E) the timeliness of parental notification, timelines of agency notification, and administrative review.

integral part of CPI's Ongoing Training Process and are discussed as part of all Instructor Certification Programs. Once policies are implemented, staff should be educated regularly on the policies and procedures. These policies and procedures should be updated as needed.

CPI recommends that each incident of violence also be documented as part of the Postvention process. Staff should evaluate each incident through the lens of the *Nonviolent Crisis Intervention*® Training program to look for opportunities to adjust their intervention strategies at earlier levels of the crisis.