

State of New York 8 NYCRR 19.5: New Requirements for the Use of Physical Restraints on Students

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

Effective August 2, 2023, only trained staff are permitted to use physical restraints on students. All staff must complete annual training on school policies related to timeout and physical restraint, which includes crisis intervention and de-escalation techniques. Additionally, staff responsible for implementing these measures must receive evidence-based training in safe and developmentally appropriate practices.

Timeout and restraints may only be used when less intrusive methods fail to prevent imminent serious harm, there are no medical contraindications, and trained staff are involved. The use of prone restraint is prohibited.

Three Easy Steps to Bring CPI to Your School District

Step 1: Schedule a 15-minute call with CPI. We'll evaluate your current crisis prevention programming to determine how we can help you utilize 8 NYCRR 19.5 to evaluate and improve your school district's approach to physical restraint.

Step 2: Obtain a complimentary training program recommendation. We will design and recommend a training plan that will help you utilize 8 NYCRR 19.5 effectively, keeping students and staff safe.

Step 3: Train your staff. Our Global Professional Instructors will train select staff to become Certified Instructors. Then your Certified Instructors train their colleagues. With CPI training, your staff will feel safer and more prepared to prevent and de-escalate behavior.

> **Start the conversation today: 877.877.5389 | crisisprevention.com/EDConnect**

See how CPI training programs make it easy for all staff to gain perspective and de-escalation skills, regardless of role or risk level.

| | Verbal Intervention™ Training | Nonviolent Crisis Intervention® Training | NCI™ With Advanced Physical Skills |
|-----------------------------------------------------------------|-------------------------------|------------------------------------------|------------------------------------|
| Establish common de-escalation training communication framework | ✓ | ✓ | ✓ |
| Proactive verbal de-escalation strategies | ✓ | ✓ | ✓ |
| Safety intervention and disengagement skills | | ✓ | ✓ |
| Advanced intervention skills for high-risk behavior | | | ✓ |

| Legal Requirements | CPI |
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| State of New York NY Codes, Rules and Regulations Title 8, Chapter I, Part 19 Effective: August 2, 2023 | |
| §19.5(d)(2)(vi) Physical restraints shall be administered only by staff who have received training in accordance with paragraph (7) of this subdivision (below). | |
| §19.5(d)(7)(i) All staff shall receive annual training on: | |
| <ul style="list-style-type: none"> Strategies to identify behaviors of staff and individuals served, events, and environmental factors that may trigger circumstances that require the use of restraint and seclusion; | CPI's <i>Nonviolent Crisis Intervention</i> ® program advises that staff participate in training sessions every 6 to 12 months. To ensure a comprehensive approach, CPI recommends that educational institutions implement policies and procedures that align with the philosophy and strategies presented in CPI training programs. Additionally, CPI provides a range of resources, tools, and services to assist organizations in updating their policies and procedures effectively. |
| <ul style="list-style-type: none"> Evidence-based positive, proactive strategies; | CPI's training uses an evidence-based, person-centered approach to help schools achieve a consistent and effective learning environment CPI training programs are built on the fundamental principles of <i>Care, Welfare, Safety, and Security</i> ™ for students and staff alike. |
| <ul style="list-style-type: none"> Crisis intervention and prevention procedures; and | The CPI training program provides staff with risk assessment criteria to evaluate any perceived threats. This framework enables staff to assess potentially dangerous situations and respond appropriately, ensuring the highest level of safety for all individuals involved. |
| <ul style="list-style-type: none"> De-escalation techniques. | The CPI training curriculum emphasizes proactive measures by identifying early warning signs of potential crisis situations and providing staff with effective nonverbal and verbal de-escalation skills. |
| (ii) In addition, any staff who may be called upon to implement timeout or physical restraint shall receive annual, evidence-based training in safe and effective developmentally appropriate timeout and physical restraint procedures. | |

| Legal Requirements | CPI |
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| <p>§19.5(d) Timeout and physical restraint may only be used when:</p> | |
| <ul style="list-style-type: none"> Other less restrictive and intrusive interventions and de-escalation techniques would not prevent imminent danger of serious physical harm to the student or others; | <p>The training program includes instruction on the use of physical restraints as a measure of last resort, applicable only after all other intervention methods have been thoroughly considered. All staff members directly involved, as well as observers, are trained to continuously evaluate the necessity of physical restraints and are empowered to terminate their use at any point if deemed appropriate or as soon as the behavior has decreased in risk.</p> |
| <ul style="list-style-type: none"> There is no known medical contradiction to its use on the student; and | <p>CPI's interventions are designed to allow an individual 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 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.</p> <p>CPI's interventions have been developed to reduce the risk of injury for both students and staff. These interventions are designed to be non-painful and do not involve the application of pressure points or joint locks. Although it is important to acknowledge that no intervention is entirely devoid of risk, all of CPI's interventions have undergone independent assessments to evaluate the potential risks associated with psycho-social, soft tissue, joint, structural, neurological, cardiovascular, and respiratory injuries for both students and staff.</p> |
| <ul style="list-style-type: none"> School staff using such interventions have been trained in its safe and appropriate application. | <p>Restraint and seclusion should be utilized only by staff who have current training in the organization's approved interventions. CPI recommends that all staff receive a formal refresher training program every six to 12 months.</p> |
| <p>§19.5(d)(2)(iii) The use of prone restraint is prohibited.</p> | <p>CPI's <i>Nonviolent Crisis Intervention</i>® program does not include the teaching of a restraint in the prone position.</p> <p>Certified Instructors who have completed the NCI™ With Advanced Physical Skills are trained in a supported prone position. However, these instructors are advised to tailor the program to align with the policies and procedures of their organization. Consequently, this skill should not be taught if it contradicts existing policies and procedures.</p> |