

# ALIGNMENT



## Michigan House Bill - 5410-17 §1307 (a)-(h)

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



10850 W. Park Place, Suite 600, Milwaukee, WI 53224 USA  
800.558.8976 • 888.758.6048 TTY (Deaf, hard of hearing, or speech impaired)  
info@crisisprevention.com • [crisisprevention.com](http://crisisprevention.com)

© 2017 CPI. All rights reserved.

17-CPI-LEG-0508 5/17

# Michigan House Bill - 5410-17 §1307 (a)-(h)

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

For more than 30 years, CPI has supported schools and school districts that strive to provide the safest environment for staff, students, and visitors. Not only will the *Nonviolent Crisis Intervention*® training program meet the expectations outlined in Michigan House Bill 5410-17 §1307, 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 violence-free workplace 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 will gain the skills and confidence necessary to handle crisis 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 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 Michigan comply with the above Michigan restraint and seclusion law. It may also assist you in identifying areas that may require a review and/or revision in your school's policies and procedures.

### Section 1307(h): Definitions

Sec. 1307h. As used in sections 1307 to 1307h:

- (a) "Chemical restraint" means the administration of medication for the purpose of restraint.
- (b) "De-escalation techniques" means evidence- and research-based strategically employed verbal or nonverbal interventions used to reduce the intensity of threatening behavior before, during, and after a crisis situation occurs.
- (c) "Documentation" means documentation developed by the department that is uniform across the state.
- (d) "Emergency physical restraint" means a last resort emergency safety intervention involving physical restraint that is necessitated by an ongoing emergency situation and that provides an opportunity for the pupil to regain self-control while maintaining the safety of the pupil and others. Emergency physical restraint does not include physical restraint that is used for the convenience of school personnel, as a substitute for an educational program, as a form of discipline or punishment, as a substitute for less restrictive alternatives, as a substitute for adequate staffing, or as a substitute for school personnel training in positive behavioral intervention and support. Emergency physical restraint does not include a practice prohibited under section 1307b. Emergency physical restraint does not include physical restraint when contraindicated based on a pupil's disability, health care needs, or medical or psychiatric condition, as documented in a record or records made available to the school.
- (e) "Emergency seclusion" means a last resort emergency safety intervention involving seclusion that is necessitated by an ongoing emergency situation and that provides an opportunity for the pupil to regain self-control while maintaining the safety of the pupil and others. To qualify as emergency seclusion, there must be continuous observation by school personnel of the pupil in seclusion, and the room or area used for confinement must comply with state and local fire and building codes; must not be locked; must not prevent the pupil from exiting the area if school personnel become incapacitated or leave that area; and must provide for adequate space, lighting, ventilation, viewing, and the safety and dignity of the pupil and others, in accordance with department guidelines. Emergency seclusion does not include the confinement of preschool children or of pupils who are severely self-injurious or suicidal; seclusion that is used for the convenience of school personnel, as a substitute for an educational program, as a form of discipline or punishment, as a substitute for less restrictive alternatives, as a substitute for adequate staffing, or as a substitute for school personnel training in positive behavioral intervention and support; or a practice prohibited under section 1307b. Emergency seclusion does not include seclusion when contraindicated based on a pupil's disability, health care needs, or medical or psychiatric condition, as documented in a record or records made available to the school.

(f) "Emergency situation" means a situation in which a pupil's behavior poses imminent risk to the safety of the individual pupil or to the safety of others. An emergency situation requires an immediate intervention.

(g) "Functional behavioral assessment" means an evidence- and research-based systematic process for identifying the events that trigger and maintain problem behavior in an educational setting. A functional behavioral assessment shall describe specific problematic behaviors, report the frequency of the behaviors, assess environmental and other setting conditions where problematic behaviors occur, and identify the factors that are maintaining the behaviors over time.

(h) "Key identified personnel" means those individuals who have received the mandatory training described in section 1307g(b)(i) to (xvi).

(i) "Mechanical restraint" means the use of any device, article, garment, or material attached to or adjacent to a pupil's body to perform restraint.

(j) "Physical restraint" means restraint involving direct physical contact.

(k) "Positive behavioral intervention and support" means a framework to assist school personnel in adopting and organizing evidence-based behavioral interventions into an integrated continuum of intensifying supports based on pupil need that unites examination of the function of the problem behavior and the teaching of alternative skill repertoires to enhance academic and social behavior outcomes for all pupils.

(l) "Positive behavioral intervention and support plan" means a pupil-specific support plan composed of individualized, functional behavioral assessment-based intervention strategies, including, as appropriate to the pupil, guidance or instruction for the pupil to use new skills as a replacement for problem behaviors, some rearrangement of the antecedent environment so that problems can be prevented and desirable behaviors can be encouraged, and procedures for monitoring, evaluating, and modifying the plan as necessary.

(m) "Prone restraint" means the restraint of an individual facedown.

(n) "Regularly and continuously work under contract" means that term as defined in section 1230.

(o) "Restraint" means an action that prevents or significantly restricts a pupil's movement. Restraint does not include the brief holding of a pupil in order to calm or comfort, the minimum contact necessary to physically escort a pupil from 1 area to another, the minimum contact necessary to assist a pupil in completing a task or response if the pupil does not resist or resistance is minimal in intensity or duration, or the holding of a pupil for a brief time in order to prevent an impulsive behavior that threatens the pupil's immediate safety, such as running in front of a car. Restraint does not include the administration of medication prescribed by and administered in accordance with the directions of a physician, an adaptive or protective device recommended by a physician or therapist when it is used as recommended, or safety equipment used by the general pupil population as intended, such as a seat belt or safety harness on school transportation. Restraint does not include necessary actions taken to break up a fight, to stop a physical assault, as defined in section 1310, or to take a weapon from a pupil. Restraint does not include actions that are an integral part of a sporting event, such as a referee pulling football players off of a pile or a similar action.

(p) "Restraint that negatively impacts breathing" means any restraint that inhibits breathing, including floor restraints, facedown position, or any position in which an individual is bent over in such a way that it is difficult to breathe. This includes a seated or kneeling position in which an individual being restrained is bent over at the waist and restraint that involves sitting or lying across an individual's back or stomach.

(q) "School personnel" includes all individuals employed in a public school or assigned to regularly and continuously work under contract or under agreement in a public school, or public school personnel providing service at a nonpublic school.

(r) "Seclusion" means the confinement of a pupil in a room or other space from which the pupil is physically prevented from leaving. Seclusion does not include the general confinement of pupils if that confinement is an integral part of an emergency lockdown drill required under section 19(5) of the fire prevention code, 1941 PA 207, MCL 29.19, or of another emergency security procedure that is necessary to protect the safety of pupils.

Section 1307	Correlation With <i>Nonviolent Crisis Intervention</i> ® Training
<p>Sec. 1307.            (1) It is the intent of the legislature that sections 1307(a)-(h) shall provide for a uniform policy regarding the use of seclusion and restraint in the public schools that accomplishes the following objectives:</p>	
<p>(a) Promotes the care, safety, welfare, and security of the school community and the dignity of each pupil.</p>	<p>(a) CPI's core philosophy is to provide <i>Care, Welfare, Safety, and Security</i><sup>SM</sup>, respecting the worth and dignity of all people at all times.</p>
<p>(b) Encourages the use of proactive, effective, evidence- and research-based strategies and best practices to reduce the occurrence of challenging behaviors, eliminate the use of seclusion and restraint, and increase meaningful instructional time for all pupils.</p>	<p>(b) CPI's <i>Nonviolent Crisis Intervention</i>® training program is an evidence-based, internationally recognized program that equips staff to prevent and manage crisis moments by using nonverbal and verbal de-escalation skills. The curriculum focuses on prevention by recognizing the early warning signs of potential crisis situations. It is the core belief of the <i>Nonviolent Crisis Intervention</i>® program that every effort should be made to prevent the need for physical intervention. CPI supports efforts of organizations that want to reduce or eliminate seclusion and restraint use.</p>
<p>(c) Ensures that seclusion and physical restraint are used only as a last resort in an emergency situation and are subject to diligent assessment, monitoring, documentation, and reporting by trained personnel.</p>	<p>(c) CPI's <i>Nonviolent Crisis Intervention</i>® program teaches restraint techniques—to be used as a last resort—that may be implemented to provide for safety when an individual is in imminent danger to self or others.</p> <p>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 <i>Nonviolent Crisis Intervention</i>® program. CPI offers a variety of resources, tools, and services that support organizations seeking to update their policies and procedures.</p>

1307 (a) policy regarding use of seclusion and restraint in public schools	Correlation With <i>Nonviolent Crisis Intervention</i> ® Training
<p>Sec. 1307a. Not later than December 1, 2016, the department shall develop a state policy regarding the use of seclusion and restraint in the public schools that includes all of the elements under sections 1307b to 1307h, along with guidelines as the department considers appropriate. Not later than the beginning of the 2017-2018 school year, the board of a school district or intermediate school district or board of directors of a public school academy shall adopt and implement a local policy that is consistent with the state policy under this section. A person who fails to comply with this section or who fails to comply with any of the requirements of the state policy developed under this section is considered to have failed to comply with and to have violated this act.</p>	<p>CPI provides support to organizations looking to review existing policies and has the expertise to provide consultation around the effective implementation of any workplace violence prevention plan. Continuous review of your organization’s policies and procedures is an integral part of CPI’s ongoing Training Process and is 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.</p> <p>The <i>Nonviolent Crisis Intervention</i>® training program provides a model for assessing and gathering incident data to aid staff if performing this important evaluation process.</p>
1307 (b) statement of prohibited practices	Correlation With <i>Nonviolent Crisis Intervention</i> ® Training
<p>Sec. 1307b. The state policy under section 1307a shall include a clear statement that all of the following practices are prohibited for school personnel in the public schools of this state under all circumstances, including emergency situations:</p> <p>(a) Corporal punishment, as defined in section 1312.</p> <p>(b) The deprivation of basic needs.</p> <p>(c) Child abuse.</p> <p>(d) Seclusion, other than emergency seclusion.</p> <p>(e) The intentional application of any noxious substance or stimulus that results in physical pain or extreme discomfort. A noxious substance or stimulus is prohibited whether it is generally acknowledged or is specific to the pupil.</p> <p>(f) Mechanical restraint.</p> <p>(g) Chemical restraint.</p> <p>(h) Any restraint that negatively impacts breathing.</p> <p>(i) Prone restraint.</p> <p>(j) Physical restraint, other than emergency physical restraint.</p> <p>(k) Any other type of restraint.</p>	<p>CPI supports the use of physical restraint only as a last resort when the individual is an immediate danger to self or others and other less restrictive interventions have failed or are deemed inappropriate because the danger presented by the behavior outweighs the risks of using physical restraint or seclusion.</p> <p>CPI supports that physical interventions that compromise safety or impair the 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. The physical restraints taught in the <i>Nonviolent Crisis Intervention</i>® training program are designed for safety and allow for a Therapeutic Rapport to be re-established with the individual who has lost control.</p> <p>Key elements of the interventions include:</p> <ul style="list-style-type: none"> <li>• No element of pain is involved.</li> <li>• The intent is to calm the individual.</li> <li>• The individual is not restrained on the floor, thus reducing the risks of restraint-related positional asphyxia and other injuries.</li> </ul>

1307 (c) use of emergency seclusion and emergency physical restraint	Correlation With <i>Nonviolent Crisis Intervention</i> ® Training
<p>Sec. 1307c. The state policy under section 1307a shall include at least all of the following provisions concerning use of emergency seclusion and emergency physical restraint:</p>	
<p>(a) Emergency seclusion and emergency physical restraint may be used only under emergency situations and only if essential to providing for the safety of the pupil or safety of another.</p>	<p>(a) The <i>Nonviolent Crisis Intervention</i>® training program teaches that restraint should be used only when the danger being presented by the person’s behavior outweighs the risks associated with the use of restraint. The same content teaches staff about the signs of aggression, how to handle them, and how to read a situation for indicators of violence.</p> <p>It is the core belief of the <i>Nonviolent Crisis Intervention</i>® training program that every effort should be made to prevent the need for the use of physical restraint.</p>
<p>(b) Emergency seclusion and emergency physical restraint may not be used in place of appropriate less restrictive interventions.</p>	<p>(b) At the Crisis Prevention Institute, 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.</p>
<p>(c) Emergency seclusion and emergency physical restraint shall be performed in a manner that, based on research and evidence, is safe, appropriate, and proportionate to and sensitive to the pupil’s severity of behavior, chronological and developmental age, physical size, gender, physical condition, medical condition, psychiatric condition, and personal history, including any history of physical or sexual abuse or other trauma.</p>	<p>(c) The <i>Nonviolent Crisis Intervention</i>® program offers risk assessment criteria to be used by staff during any perceived threat as a means of assessing the potential danger presented by the situation and appropriate responses to the situation to ensure the greatest level of safety.</p> <p>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 Postvention efforts.</p>
<p>(d) A requirement that school personnel shall call key identified personnel for help from within the school building either immediately at the onset of an emergency situation or, if it is reasonable under the particular circumstances for school personnel to believe that diverting their attention to calling for help would increase the risk to the safety of the pupil or to the safety of others, as soon as possible once the circumstances no longer support such a belief.</p>	<p>(d) CPI teaches and strongly advocates for the use of a team approach to behavior management. Part of that team are 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>

<p>(e) A requirement that the school district, intermediate school district, or public school academy must ensure that substitute teachers are informed of and understand the procedures regarding use of emergency seclusion and emergency physical restraint. This requirement may be satisfied using online training and an online acknowledgment of understanding developed or approved by the department and completed by the substitute teacher.</p>	<p>(e) The <i>Nonviolent Crisis Intervention</i>® training program is designed to be interactive and allows continual opportunity for questions and answers. Whether delivered in-person or via our Flex blended delivery option, our corporate-wide approach ensures that knowledgeable staff are always available to assist staff with questions or concerns they may have. In addition, CPI leads the training industry with online learning options. From the CPI App to our Flex blended delivery model to Video-on-Demand and DVD programs, you have numerous options to choose from. Many are also integrated with topics that are deeply relevant to education, such as PBIS and Trauma-Informed Care.</p> <p>CPI encourages refresher training on a regular basis, making it easy to provide policy updates to staff in a timely manner.</p>
<p>(f) Emergency seclusion should not be used any longer than necessary, based on research and evidence, to allow a pupil to regain control of his or her behavior to the point that the emergency situation necessitating the use of emergency seclusion is ended and generally no longer than 15 minutes for an elementary school pupil or 20 minutes for a middle school or high school pupil. If an emergency seclusion lasts longer than 15 minutes for an elementary school pupil or 20 minutes for a middle school or high school pupil, all of the following are required:</p> <ul style="list-style-type: none"> <li>(i) Additional support, which may include a change of staff, or introducing a nurse, specialist, or additional key identified personnel.</li> <li>(ii) Documentation to explain the extension beyond the time limit.</li> </ul>	<p>(f) and (g) A guiding principle of <i>Nonviolent Crisis Intervention</i>® training is that restraints should be discontinued at the earliest possible moment when the individual is no longer an immediate danger to self or others. CPI teaches staff to constantly engage in a risk assessment throughout the crisis. This assessment is focused on evaluating the risks and likelihood of specific behaviors and weighing them against the potential risks of the intervention.</p> <p>CPI's trauma-informed, person-centered training will help you with what to look for and how to assess the crisis situation.</p>
<p>(g) Emergency physical restraint should not be used any longer than necessary, based on research and evidence, to allow a pupil to regain control of his or her behavior to the point that the emergency situation necessitating the use of emergency physical restraint is ended and generally no longer than 10 minutes. If an emergency physical restraint lasts longer than 10 minutes, all of the following are required:</p> <ul style="list-style-type: none"> <li>(i) Additional support, which may include a change of staff, or introducing a nurse, specialist, or additional key identified personnel.</li> <li>(ii) Documentation to explain the extension beyond the time limit.</li> </ul>	

<p>(h) While using emergency seclusion or emergency physical restraint, school personnel must do all of the following:</p> <ul style="list-style-type: none"> <li>(i) Involve key identified personnel to protect the care, welfare, dignity, and safety of the pupil.</li> <li>(ii) Continually observe the pupil in emergency seclusion or emergency physical restraint for indications of physical distress and seek medical assistance if there is a concern.</li> <li>(iii) Document observations.</li> <li>(iv) Ensure to the extent practicable, in light of the ongoing emergency situation, that the emergency physical restraint does not interfere with the pupil's ability to communicate using the pupil's primary mode of communication.</li> <li>(v) Ensure that at all times during the use of emergency seclusion or emergency physical restraint there are school personnel present who can communicate with the pupil using the pupil's primary mode of communication.</li> </ul>	<p>(h) The <i>Nonviolent Crisis Intervention</i>® training program advocates continual monitoring and evaluation of physical restraints so they can be discontinued at the earliest possible moment. The program includes information on monitoring an individual being restrained for warning signs of distress, and ensuring that the restraint does not interfere with communication.</p>
<p><b>1307 (d) documentation and reporting of seclusion and restraint</b></p>	<p><b>Correlation With <i>Nonviolent Crisis Intervention</i>® Training</b></p>
<p>Sec. 1307d. The state policy under section 1307a shall include at least all of the following provisions concerning documentation and reporting of seclusion and restraint:</p>	
<p>(a) Each use of seclusion or restraint and the reason for each use shall be documented in writing and reported in writing or orally to the school building administration and the pupil's parent or guardian immediately and documented in a written report for each use of seclusion or restraint, including multiple uses within a given day, with this written report provided to the parent or guardian within the earlier of 1 school day or 7 calendar days.</p>	<p>(a) CPI recommends documenting all incidents of violence with all relevant information as part of a school seclusion and restraint prevention plan. It is recommended that 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 including responses that occurred before, during, and after the incident. 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 <i>Nonviolent Crisis Intervention</i>® training program to look for opportunities to adjust their intervention strategies at earlier levels of the crisis.</p>
<p>(b) After any use of seclusion or restraint, school personnel must make reasonable efforts to debrief and consult with the parent or guardian, or with the parent or guardian and the pupil, as appropriate, regarding the determination of future actions. The debriefing and consultation shall be done in accordance with department guidelines and documented on forms developed by the department.</p>	<p>(b) CPI supports the debriefing of all incidents of restraint and seclusion for the student and staff involved. Postvention is a vital component in the efforts of reducing or eliminating restraint and seclusion use. Debriefing and documentation serve as tools to prevent future occurrences of risk behavior. Engaging all parties, including parents, in the process can lead to a more productive and effective plan for the future.</p>



<p>(c) If a pupil exhibits a pattern of behavior that poses a substantial risk of creating an emergency situation in the future that could result in the use of emergency seclusion or emergency physical restraint, school personnel are encouraged to do all of the following:</p> <ul style="list-style-type: none"> <li>(i) Conduct a functional behavioral assessment.</li> <li>(ii) Develop or revise a positive behavioral intervention and support plan to facilitate the elimination of the use of seclusion and restraint.</li> <li>(iii) Develop an assessment and planning process conducted by a team knowledgeable about the pupil, including at least the parent or guardian; the pupil, if appropriate; the individuals responsible for implementation of the positive behavioral intervention and support plan; and individuals knowledgeable in positive behavioral intervention and support.</li> </ul>	<p>(c) Along with staff debriefing, CPI teaches student debriefing as part of the curriculum. While this debriefing process is not a complete FBA, it does include relevant components of identifying triggers and patterns of behavior that can be assessed to understand the function of the behavior so an appropriate behavioral intervention plan can be developed.</p> <p>In CPI training, the <i>Crisis Development Model</i><sup>SM</sup> describes recognizable behavior levels that an escalating person might go through during a crisis. It also describes corresponding staff attitudes and approaches to de-escalate challenging behaviors. This model provides a common language around behaviors and appropriate responses.</p>
<p><b>1307 (e) development and implementation of an emergency intervention plan</b></p>	<p><b>Correlation With <i>Nonviolent Crisis Intervention</i><sup>®</sup> Training</b></p>
<p>Sec. 1307e. The state policy under section 1307a shall include at least all of the following provisions concerning development and implementation of an emergency intervention plan:</p>	
<p>(a) If a pupil exhibits a pattern of behavior that poses a substantial risk of creating an emergency situation in the future that could result in the use of emergency seclusion or emergency physical restraint, school personnel should develop a written emergency intervention plan to protect the health, safety, and dignity of the pupil. The emergency intervention plan should be developed in partnership with the parent or guardian by a team that includes a teacher, an individual knowledgeable about the legally permissible use of emergency seclusion and emergency physical restraint, and an individual knowledgeable about the use of positive behavioral intervention and support to eliminate the use of seclusion and restraint. The emergency intervention plan should be developed and implemented by taking all of the following documented steps:</p> <ul style="list-style-type: none"> <li>(i) Describe in detail the emergency intervention procedures.</li> <li>(ii) Describe in detail the legal limits on the use of emergency seclusion and emergency physical restraint, including examples of legally permissible and prohibited use.</li> <li>(iii) Make inquiry to the pupil's medical personnel, with parental consent, regarding any known medical or health contraindications for the use of emergency seclusion or emergency physical restraint.</li> </ul>	<p>(a) The <i>Nonviolent Crisis Intervention</i><sup>®</sup> curriculum focuses on prevention by recognizing the early warning signs of potential crisis situations and equipping staff with nonverbal and verbal de-escalation skills.</p> <p>It is the core belief of the <i>Nonviolent Crisis Intervention</i><sup>®</sup> training program that every effort should be made to prevent the need for the use of physical intervention.</p> <p>The <i>Nonviolent Crisis Intervention</i><sup>®</sup> training program is designed to be easily customized, making it simple for staff to incorporate organizational policy into each discussion area within the curriculum.</p>

<p>(iv) Conduct a peer review by knowledgeable school personnel.</p> <p>(v) Provide the parent or guardian with all of the following, in writing and orally:</p> <p>(A) A detailed explanation of the positive behavioral intervention and support strategies that will be utilized to reduce the risk of the pupil's behavior creating an emergency situation.</p> <p>(B) An explanation of what constitutes an emergency situation as defined in section 1307h, including examples of situations that would fall within the definition and situations that would fall outside the definition.</p> <p>(C) A detailed explanation of the intervention procedures to be followed in an emergency situation, including the potential use of emergency seclusion and emergency physical restraint.</p> <p>(D) A detailed explanation of the legal limits on the use of emergency seclusion and emergency physical restraint, including examples of legally permissible and prohibited use.</p> <p>(E) A description of possible discomforts or risks.</p> <p>(F) Answers to any questions.</p>	<p>(C) <i>Nonviolent Crisis Intervention</i>® training involves disengagement skills to keep staff physically safe from strikes and grabs, and holding skills as a last resort when a student presents an imminent risk of harm to self or others.</p> <p>(F) The <i>Nonviolent Crisis Intervention</i>® training program is designed to be interactive and allows continual opportunity for questions and answers.</p>
<p>(b) A pupil who is the subject of an emergency intervention plan should be told or shown the circumstances under which emergency seclusion or emergency physical restraint could be used.</p>	<p>(b) CPI supports clear communication of the circumstances for which these interventions can be used.</p>
<p>(c) Emergency seclusion or emergency physical restraint must only be used in response to an ongoing emergency situation and not as a planned response for the convenience of school personnel, as discipline or punishment, or as a substitute for an appropriate educational program. The development of an emergency intervention plan shall be solely for the purpose of protecting the health, safety, and dignity of the pupil and does not expand the legally permissible use of emergency seclusion or emergency physical restraint.</p>	<p>(c) 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 person's behavior outweighs the risks of physical restraint use.</p>
<p><b>1307 (f) Data Collection</b></p>	<p><b>Correlation With <i>Nonviolent Crisis Intervention</i>® Training</b></p>
<p>Sec. 1307f. The state policy under section 1307a shall include at least all of the following provisions concerning data collection:</p>	

<p>(a) A school district or public school academy, or an intermediate school district program in which pupils are enrolled, in accordance with department guidelines, shall collect and report data on and related to the use of restraint and seclusion in the school district, public school academy, or intermediate school district program. In collecting and reporting this data, a school district, public school academy, or intermediate school district program shall use existing data collection and reporting systems whenever possible. Incidents of use shall, at a minimum, be reported by race, age, grade, gender, disability status, medical condition, identity of the school personnel initiating the use of the restraint or seclusion, and identity of the school or program where the use occurred.</p>	<p>(a) CPI recommends documenting all incidents of violence with all relevant information as part of a workplace violence prevention plan. It is recommended that 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 including responses that occurred before, during, and after the incident. 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 <i>Nonviolent Crisis Intervention</i>® training program to look for opportunities to adjust their intervention strategies at earlier levels of the crisis.</p>
<p>(b) All of the following should occur with respect to the data collected under subdivision (a):</p> <ul style="list-style-type: none"> <li>(i) The data should be analyzed by the school and school district, public school academy, or intermediate school district in which the pupil is enrolled to determine the efficacy of the school's schoolwide system of behavioral support.</li> <li>(ii) The data should be analyzed by the school and school district, public school academy, or intermediate school district in the context of attendance, suspension, expulsion, and dropout data.</li> <li>(iii) The data should be analyzed by the school and school district, public school academy, or intermediate school district for the purposes of continuous improvement of training and technical assistance toward the elimination of seclusion and restraint.</li> <li>(iv) The data should be analyzed by the school and school district, public school academy, or intermediate school district on a schedule determined by the department.</li> <li>(v) The data should be reported electronically to the department in accordance with department guidelines by the school district, public school academy, or intermediate school district.</li> </ul>	<p>(b) The <i>Nonviolent Crisis Intervention</i>® training program provides a model for assessing and gathering incident data to aid staff if performing the important evaluation process. In addition, CPI offers a comprehensive means of documenting and recording staff training and provides verifiable certification records for each staff trained in CPI courses.</p>
<p><b>1307 (g) Training</b></p>	<p><b>Correlation With <i>Nonviolent Crisis Intervention</i>® Training</b></p>
<p>Sec. 1307g. The state policy under section 1307a shall include at least all of the following provisions concerning training, which may include online training that is developed or approved by the department:</p>	

<p>(a) In accordance with department guidelines, a school district, intermediate school district, or public school academy shall implement a comprehensive training framework that includes awareness training for all school personnel who have regular contact with pupils and comprehensive training for key identified personnel as described in subdivision (b).</p>	<p>(a) The first day of the <i>Nonviolent Crisis Intervention</i>® program emphasizes prevention and de-escalation strategies, and it also includes disengagement skills for responding to various levels of physical risk behavior.</p> <p>The second day expands on crisis intervention methods to include the study and practice of holding skills to be used only as a last resort when an individual is an imminent danger to self or others.</p> <p>Each school should ensure that it has an adequate number of staff trained in both the preventive techniques and the physical interventions to effectively respond to emergency situations in the school building. CPI recommends that, at a minimum, all staff be trained in de-escalation strategies.</p> <p>Whether delivered in-person or via our Flex blended learning, our training options fit different time frames and provide opportunities to customize the content to meet the needs of different staff groups.</p>
<p>(b) A school district, intermediate school district, or public school academy shall identify sufficient key personnel to ensure that trained personnel are generally available for an emergency situation. Before using emergency seclusion or emergency physical restraint with pupils, key identified personnel who may have to respond to an emergency situation shall be trained in all of subparagraphs (i) to (xvi) as follows and should be trained in all of subparagraphs (xvii) to (xx) as follows:</p> <ul style="list-style-type: none"> <li>(i) Proactive practices and strategies that ensure the dignity of pupils.</li> <li>(ii) De-escalation techniques.</li> <li>(iii) Techniques to identify pupil behaviors that may trigger emergency situations.</li> <li>(iv) Related safety considerations, including information regarding the increased risk of injury to pupils and school personnel when seclusion or restraint is used.</li> <li>(v) Instruction in the use of emergency seclusion and emergency physical restraint.</li> <li>(vi) Identification of events and environmental factors that may trigger emergency situations.</li> <li>(vii) Instruction on the state policy on the use of seclusion and restraint.</li> </ul>	<p>(b) The <i>Nonviolent Crisis Intervention</i>® program's core content equips staff with strategies to prevent and de-escalate crisis situations. The CPI program teaches staff about the early warning signs of potential crisis situations, how to handle them, and how to read a situation for indicators of violence.</p> <p>CPI's <i>Nonviolent Crisis Intervention</i>® program teaches restraint techniques—to be used as a last resort—that may be implemented to provide for safety when an individual is an imminent danger to self or others. The training provides practice, role-playing real-life scenarios, and problem-solving activities to ensure that staff remain engaged in learning.</p> <p>In CPI training, the <i>Crisis Development Model</i>™ describes recognizable behavior levels that an escalating person might go through during a crisis, as well as corresponding staff attitudes and approaches. This gives staff a common language for identifying and responding to risk behaviors.</p> <p>CPI's <i>Nonviolent Crisis Intervention</i>® program includes resources and discussion on determining when to use physical restraints and the risks of restraints.</p>

<p>(viii) Description and identification of dangerous behaviors.</p> <p>(ix) Methods for evaluating the risk of harm to determine whether the use of emergency seclusion or emergency physical restraint is warranted.</p> <p>(x) Types of seclusion.</p> <p>(xi) Types of restraint.</p> <p>(xii) The risk of using seclusion or restraint in consideration of a pupil's known and unknown physical or mental health conditions or psychological limitations.</p> <p>(xiii) The effects of seclusion and restraint on all pupils.</p> <p>(xiv) How to monitor for and identify the physical signs of distress and the implications for pupils generally and for pupils with particular physical or mental health conditions or psychological limitations.</p> <p>(xv) How to obtain appropriate medical assistance.</p> <p>(xvi) Cardiopulmonary resuscitation and first aid.</p> <p>(xvii) Conflict resolution.</p> <p>(xviii) Mediation.</p> <p>(xix) Social skills training.</p> <p>(xx) Positive behavioral intervention and support strategies.</p>	<p>CPI teaches staff to constantly engage in a risk assessment throughout the crisis. This assessment is focused on evaluating the risks and likelihood of specific behaviors and weighing them against the potential risks of intervention.</p> <p>CPI teaches that all episodes of restraint should be continually monitored so that the restraint is ended at the earliest possible moment. The training includes warning signs of physical or emotional distress. CPI recommends assessing 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>
---	---