

4 AAC 06. is amended by adding new sections to Article 1 to read:

4 AAC 06.175. Reporting restraint and seclusion incidents. Annually, not later than June 30, a governing body shall provide a report to the department that includes all data required under AS 14.33.125(f). The governing body shall file the required report electronically in a format prescribed by the department, unless the governing body determines that the district does not have the capability of filing the report electronically in that format. (Eff. 3/26/2015, Register 213)

Authority: AS 14.07.020 AS 14.07.060 AS 14.33.125

4 AAC 06.177. Crisis intervention training programs. (a) The department will maintain a list of approved crisis intervention training programs. An approved program must

- (1) include training in all areas required under AS 14.33.127(a);
- (2) have a clear record of success in the prevention and safe use of physical restraint and seclusion;
- (3) have undergone a peer-review process or have otherwise been the subject of scholarly research; and
- (4) adequately address AS 14.33.127(a)(1) - (3).

(b) In determining whether a crisis intervention training program meets the requirement under (a)(4) of this section, the department will consider whether the program

- (1) cautions against the use of mechanical or chemical restraint except as authorized by licensed and qualified medical personnel;
- (2) limits the use of restraint and seclusion to situations where the student's behavior poses imminent danger of serious physical harm to self or others;

(3) requires discontinuation of restraint and seclusion as soon as the risk of serious harm dissipates;

(4) includes policies restricting the use of restraint and seclusion for all students, regardless of whether a student has a disability;

(5) emphasizes students' rights to be treated with dignity and be free from abuse;

(6) forbids the use of restraint or seclusion as a punishment or disciplinary technique;

(7) forbids the use of restraint or seclusion that restricts a student's breathing or otherwise harms the student;

(8) requires that the repeated use of restraint and seclusion by one individual or in a particular classroom will trigger an automatic review;

(9) requires the use of behavioral strategies that address the underlying cause or purpose of dangerous behavior;

(10) requires that instances of restraint and seclusion be visually monitored to ensure the appropriateness of the intervention and the safety of the student and school staff;

(11) requires notification of a student's parent or legal guardian regarding the governing body's restraint and seclusion policy and applicable federal, state, and local laws, and also requires that a student's parent or legal guardian be notified as soon as possible following each instance in which restraint or seclusion was used with the student; and

(12) provides for the regular review of the governing body's restraint and seclusion policies and requires written documentation.

(c) Annually, the department will review the list of crisis intervention training programs approved under (a) of this section. The department will review whether currently approved

programs continue to meet the requirements under (a) of this section and the availability of other training programs that warrant approval by the department. (Eff. 3/26/2015, Register 213)

Authority: AS 14.07.020 AS 14.33.125 AS 14.33.127
 AS 14.07.060