NEW YORK
STATE OF
OPPORTUNITY.

Self-Assessment for an Abuse Free Environment

For NYS School for the Blind, NYS School for the Deaf, state-supported (4201) schools, special act school districts, and residential schools approved by State Education Department

September 2015

In 2014, the New York State Justice Center for the Protection of People with Special Needs' Steering Committee formed a cross-agency Prevention of Abuse and Neglect Work Group. The Work Group is comprised of the Office of Mental Health (OMH), Office for People With Developmental Disabilities (OPWDD), Office of Alcoholism and Substance Abuse Services (OASAS), Office of Children and Family Services (OCFS), State Education Department (SED), and the Justice Center. The Work Group supports the recommendations on preventing abuse and neglect identified in the report by Clarence J. Sundram, The Measure of a Society, April 2012.

MISSION

The mission of the Prevention of Abuse and Neglect Work Group is to identify durable corrective and preventive actions that address the conditions which cause or contribute to the occurrence of incidents of abuse and neglect.

The *Self-Assessment for an Abuse Free Environment* was developed as an **optional tool** for programs under the jurisdiction of the New York State Justice Center for the Protection of People with Special Needs (Justice Center). The purpose of the self-assessment tool is to encourage state-approved schools to self-assess their programs for risk of abuse and to provide resources to mitigate the identified areas of risk. The risk prevention factors apply to the school, student, and interpersonal relationships between students and others.

This tool is for use within your school and is not meant to be shared with the Justice Center, State Education Department (SED), or other programs. This tool is meant to assist you in determining which area to focus on in your school's performance improvement projects. SED and the Justice Center are available to assist in developing or providing resources that would assist your school in abuse prevention.

The self-assessment is adapted from the Nursing Home Abuse Risk Profile and Checklist developed by the National Association of States United on Aging and Disabilities (NASUAD) for the U.S. Administration on Aging, available online at: www.ncea.aoa.gov/Resources/Publication/docs/NursingHomeRisk.pdf.

COMPLETING THE SELF-ASSESSMENT

In column A ("Check if the item applies to you"), check each item based on observation or evidence verified by others if the risk factor described is present in your school.

In column B ("Rate from 1 to 5 for degree of risk"), rank each of the risk prevention factors using the ratings as follows:

1. Strongly agree
2. Agree
3. Neither agree nor disagree
4. Disagree
5. Strongly disagree

See page 9 for scoring and page 10 for strategies for abuse prevention.

The following questions will assist you to determine your level of risk for the occurrence of abuse or neglect. These questions are meant to guide discussions about abuse prevention with administrators, quality assurance staff, school staff, and students.

I. SCHOOL RISK PREVENTION FACTORS

A CHECK IF THE ITEM APPLIES TO YOU	B RATE FROM 1 TO 5 FOR DEGREE OF RISK	**Risk Factor #1: Abuse Prevention Policy**
_____	_____	The school has an abuse prevention policy.
_____	_____	The school's policies emphasize the dignity of worth of all students.
_____	_____	Definitions of abuse, neglect and significant incident are consistent with Chapter 501 of the Laws of 2012 and Part 200 of the Regulations of the Commissioner of Education.
_____	_____	Anyone who reports abuse is guaranteed confidentiality.
_____	_____	The procedures to follow in response to an abuse allegation or significant incident are clear.
_____	_____	The abuse prevention policy includes specific time frames for responding to abuse allegations.
_____	_____	The abuse prevention policy includes requirements for making reports to the Justice Center, NYS Education Department (NYSED), law enforcement and others, consistent with federal and State law.
_____	_____	Procedures for follow-up with the complainant following an investigation of an abuse allegation are clear.
_____	_____	Changes in students' behavior are monitored.

Information sources for completing risk factor #1

Observations and impressions
School policies
School records
NYSED regulations
State complaint data
Incident reporting
Student/staff grievances

A	B	
CHECK IF THE ITEM APPLIES TO YOU	**RATE FROM 1 TO 5 FOR DEGREE OF RISK**	**Risk Factor #2: Staff Training**
_____	_____	Orientation for all new staff includes information on how to recognize and report abuse, neglect and significant incidents.
_____	_____	All staff members are trained to recognize the warning signs of abuse, neglect and exploitation, and are given information on the possible causes of abuse.
_____	_____	All staff are told how to report abuse, neglect and significant incidents and that reports are confidential, as per procedures in the school's Abuse Prevention Policy and the state's abuse laws.
_____	_____	Training on cultural diversity, ethnic differences and language barriers is provided for all staff to help reduce the isolation of students.
_____	_____	Staff are trained to use positive behavioral supports and interventions as well as creative problem solving and conflict resolution techniques to handle aggressive student behaviors and other difficult caregiving situations.
_____	_____	Training includes techniques on how to manage stress.
_____	_____	Training is provided to improve staff ability to communicate with students and families.
_____	_____	Respect for the dignity and worth of every student is emphasized in staff training.
_____	_____	Supervisors are trained to identify signs of staff stress and burnout.

Information sources for completing risk factor #2

Observations and impressions
Program personnel records/staff performance reviews
School policies
School records, trainings
NYSED regulations
State complaint data
Incident reporting
Student/staff grievances

Information sources for completing risk factor #3

Observation/impressions
Program personnel records
Criminal background checks/police reports
Statewide Central Register of Child Abuse and
    Maltreatment (SCR) checks
Staff Exclusion List (SEL)
Justice Center data (incidents)
NYSED regulations

A	B	
CHECK IF THE ITEM APPLIES TO YOU	**RATE FROM 1 TO 5 FOR DEGREE OF RISK**	**Risk Factor #3: Staff Screening**
_____	_____	The school screens all prospective employees to ensure their suitability to work with vulnerable students before they begin employment (including checking criminal history, the SCR and SEL).
_____	_____	Job applicants might be asked to describe how they feel about caring for students with disabilities.
_____	_____	Job applicants are asked to describe how they might react/respond to an abusive situation.
_____	_____	Job applicants are asked to describe how they handle anger and stress.

_____   _____   Before a job offer, job applicants are screened for prior history of substance abuse or any indications of current substance abuse problems.

A	B	
CHECK IF THE ITEM APPLIES TO YOU	**RATE FROM 1 TO 5 FOR DEGREE OF RISK**	

Risk Factor #4: Staff Stresses/Burnout

_____   _____   Staff members who appear to be experiencing personal problems have access to counseling (access to Employee Assistance Program).

_____   _____   Supervisors routinely assist with direct care when the direct care staff is short-handed (staff support through team approach).

_____   _____   When an incident occurs, staff are provided an opportunity to conduct their own "life space interview" with a supervisor to problem solve and debrief following an incident (crisis/stressful incident).

_____   _____   Staff members who seek more information and training to help them perform on the job are given assistance and support (professional development opportunities).

_____   _____   workers have the opportunity to contribute ideas and improving care (share decision making opportunities).

Information sources for completing risk factor #4

Observation/impressions
Program policies
Program personnel records/staff performance reviews
Staff supervision
Student/staff grievances
Justice Center data (incidents)
Incident reports

A	B	
CHECK IF THE ITEM APPLIES TO YOU	**RATE FROM 1 TO 5 FOR DEGREE OF RISK**	

Risk Factor #5: Staff Ratio/Turnover

_____   _____   The school hires sufficient numbers of qualified/certified staff to meet the care needs of each student.

_____   _____   The school seeks input from NYSED regarding high staff turnover rates.

_____   _____   The school identifies areas in need of improvement and has set up committees to address the needed improvements through a shared decision making process.

Information sources for completing risk factor #5

Observation/impressions
Program staffing records
Licensing records
Complaint data
Student/staff grievances
Justice Center data (incidents)

Information sources for completing risk factor #6

Observation/impressions
Program incident reports
Reports from NYS Comptroller's Office, Justice Center, NYSED Office of Special Education
Justice Center data (incidents)
State complaint data
Incident Review Committee data
Staff/student grievances

Information sources for completing risk factor #7

Staff interviews
Student Interviews
Observations and impressions
School policies
State complaint data
Justice Center data (incidents)
Staff/student grievances

Information sources for completing risk factor #8

Staff interviews
Student interviews
Observations and impressions
School policies (visitors, staff monitoring)
State complaint data
Justice Center data (incidents)
Staff/student grievances
School layout (emergency evacuation plan map)

A CHECK IF THE ITEM APPLIES TO YOU	B RATE FROM 1 TO 5 FOR DEGREE OF RISK	Risk Factor #6: History of Deficiencies/Complaints
_____	_____	The deficiencies noted in the most recent NYSED 853, 4201 or Special Act Review have been corrected.
_____	_____	Any substantiated reports of abuse, neglect or exploitation reported to the Justice Center have been corrected.
_____	_____	The deficiencies noted in the latest audit of the NYS Comptroller's Office have been responded to.
_____	_____	All reportable incidents have been responded to.

A CHECK IF THE ITEM APPLIES TO YOU	B RATE FROM 1 TO 5 FOR DEGREE OF RISK	Risk Factor #7: Culture/Management
_____	_____	The staff and administration recognize that abuse could occur in the school.
_____	_____	Students feel they can report problems to the administration without fear of retaliation.
_____	_____	Staff members believe they can tell their supervisor about care problems they have observed without fear of retaliation.
_____	_____	Each student's Individualized Education Program (IEP), Behavioral Intervention Plan (BIP) and treatment care plan is tailored to meet his or her needs.
_____	_____	The school has a philosophy of care and respect for all students.

A CHECK IF THE ITEM APPLIES TO YOU	B RATE FROM 1 TO 5 FOR DEGREE OF RISK	Risk Factor #8: Physical Environment
_____	_____	The hallways, corridors, stairwells and exit doors are monitored by staff to meet the needs of students.
_____	_____	The physical layout of the school provides good visibility with few blind spots, and staff are appropriately stationed throughout the buildings.
_____	_____	Visitors to the school are required to check in at a front office.

II. STUDENT RISK PREVENTION FACTORS

A CHECK IF THE ITEM APPLIES TO YOU	B RATE FROM 1 TO 5 FOR DEGREE OF RISK	**Risk Factor #9: Unmet Need**

BEHAVIORAL SYMPTOMS OF UNMET NEED

_____   _____   *Expressed verbally*: Demanding, irritating, physically or verbally combative (e.g., loud, critical, argumentative, complaining, or cursing).

_____   _____   *Expressed physically*: Hitting, kicking, pushing, scratching, tearing things, grabbing, sexual acting out, sexual contact without consent, disrobing in public.

_____   _____   *Other*: Vocal noisiness, screaming, banging, self-abusive acts, smearing or throwing food or feces, hoarding, rummaging through others' belongings.

COGNITIVE SYMPTOMS OF UNMET NEED

_____   _____   Confusion, disorientation to person, time or place, inability to express needs or accurately describe or report events.

_____   _____   Escalating anxiety symptoms, acts fearful, passive, submissive, or timid.

_____   _____   Past history of mental illness.

_____   _____   Acts depressed, withdrawn or prefers isolation.

OTHER RISK FACTORS

_____   _____   Frailty and physical dependence, confinement to bed, severe mobility limitations.

_____   _____   Sensory deficits (deaf, hard of hearing, visually impaired).

_____   _____   Language or communication barriers experienced by limited English or non-English-speaking students.

Information sources for completing risk factor #9

Observations/impressions
Care/Treatment plans
Student interviews
State complaint data
Justice Center data (incidents)
Police reports, medical reports
Student grievances
Individualized Education Programs (IEPs)
Behavioral Intervention Plans (BIPs)
Functional Behavioral Assessments (FBAs)

III. RELATIONSHIP RISK PREVENTION FACTORS

A	B	
CHECK IF THE ITEM APPLIES TO YOU	**RATE FROM 1 TO 5 FOR DEGREE OF RISK**	**Risk Factor #10: Student-Visitor Frequency**
_____	_____	Students are not isolated (e.g., students have regular contact with staff and other students).
_____	_____	Students have access to counselors, caseworkers, advocates, Justice Center, etc.

Information sources for completing risk factor #10

Observations/impressions
Care/Treatment plans
Student interviews
School policies
State complaint data
Justice Center data (incidents)
Police reports, medical reports
Student grievances
IEPs, BIPs, FBAs

A	B	
CHECK HERE IF THE ITEM APPLIES TO YOU	**RATE FROM 1 TO 5 FOR DEGREE OF RISK**	**Risk Factor #11: Student-Staff Interaction**
_____	_____	School staff works with the same group of students consistently, providing continuity of care that allows staff to build personal relationships. Students feel safe.
_____	_____	Staff turnover is low. There are few or no unfilled staff vacancies.
_____	_____	The ratio of qualified staff to students meets with the students' Individualized Education Program (IEPs) and the school's approval letter.
_____	_____	Students who need help with eating are given assistance, provided alternatives if requested, and are provided assistance with toileting as needed.
_____	_____	Staff are able to respond to aggressive or combative situation through a tiered system of responses and interventions and do not retaliate or take it personally when students are physically combative toward staff (e.g., hitting, kicking, spitting or scratching) or students use racially offensive or insulting language toward staff.

Information sources for completing risk factor #11

Observations/impressions
Care/Treatment plans
Student interviews
Staff interviews
School policies
State complaint data
Justice Center data (incidents)
Police reports
Student/staff grievances
IEPs, BIPs, FBAs
Program personnel records/staff performance reviews
Nurses' notes/students' records
Medical reports
School approval letter
Staffing plans and policy

END OF SELF-ASSESSMENT

SCORING THE SELF-ASSESSMENT

Once the tool is complete, assess where the risks are most acute. It is not necessary to total the scores; rather, indicate whether there was a frequency in the ranking (e.g. "mostly 4s").

In the **School Risk Prevention** category, a score of mostly 4s and 5s (or few 1s and 2s) would indicate there is a high risk that incidents of abuse will occur.

RISK CATEGORY	SCORE	RISK LEVEL
I. School Risk Prevention Factors		

In the **Student Risk Prevention** category, a score of mostly 1s and 2s (or few 4s and 5s) means that there is a high risk that incidents of abuse will occur.

RISK CATEGORY	SCORE	RISK LEVEL
II. Student Risk Prevention Factors		

In the **Relationship Risk Prevention** category, a score of mostly 4s and 5s (or few 1s and 2s) would indicate there is a high risk that incidents of abuse will occur.

RISK CATEGORY	SCORE	RISK LEVEL
III. Relationship Risk Prevention Factors		

If areas of concern are identified, begin making changes to lessen the risk of possible abuse. Continue to page 10 for recommendations regarding strategies for abuse prevention, and visit www.justicecenter.ny.gov for additional resources.

STRATEGIES FOR ABUSE PREVENTION

Creating safe schools requires strong leadership from school administration and staff. The ultimate responsibility remains theirs. At the same time, prevention has the best chance of success if others are engaged in the process. Partners should represent similar schools, advocacy supports, students, and families. The following are examples of abuse prevention activities. They are intended to spark thinking and discussion by the team. For more resources on abuse prevention, please visit www.justicecenter.ny.gov.

STRATEGIES FOR LEADERSHIP

Abuse Prevention Policy

- Develop a protocol on how to care for combative students and provide in-service training to school staff on the protocol.
- Create a committee or task force, with representatives from your school staff, to study workforce shortages and develop initiatives to address the problem.

Quality Improvement

- Use a continuous Quality Improvement stance, allowing change to the status quo, reducing a rule-based culture, and enhancing person-centered care. Allow for an understanding that mistakes will be made but learning will occur.
- Use data to inform practice, identify areas for performance improvement, areas of success to spread, to caution and to celebrate.

Cultural Guidance

- Model for staff the desired behaviors and philosophy and inspire a shared vision for an abuse-free environment of care.
- Encourage supervisory staff to attend training on supervision skills and performance evaluation, conflict mediation and team building, as well as leadership skills and empowerment of their teams.
- Create opportunities to hear from staff, such as rounds, town meetings, and feedback lunches.
- Pay attention to language, reducing labels, pejorative, or weakness-based communication and identify the unmet needs behind behaviors.
- Empower staff to negotiate with and to empower students, seek win-win opportunities. Foster collaboration and trust between staff, between staff and administration, and between staff and recipients. Allow use of clinical rationale for breaking a rule and provide training and tools to staff to make good decisions.
- Create a culture of celebration which will carry staff through tough times. Identify staff exemplary performance, give commendation publicly. Encourage communication about what almost went wrong but didn't so learning can be shared and positive outcomes repeated.

STRATEGIES FOR INCREASING STUDENT/FAMILY INVOLVEMENT

- Survey students and work with families to identify students' choices and make changes in policies and practices, as appropriate.
- Develop a volunteer program to match volunteers with students who don't have regular visitors and ensure that volunteers understand how to report care problems they encounter.
- Utilize self-help programs to promote healthy socialization skills and positive social relationships with people from the community.

STRATEGIES FOR BUILDING SKILLS AND COMPETENCIES
ABUSE PREVENTION TRAINING/SUPPORT

- Evaluate the experience and skill level of staff. Additional education may be necessary to ensure the safety of students.
- Adopt school-wide positive behavioral interventions and supports to teach positive behavior to all students and offer additional behavioral support for students with, or at risk of developing, socially challenging behaviors.
- Offer an in-service training program for school staff on how to recognize abuse and the process for reporting complaints. Make time available for staff to attend training (see www.justicecenter.ny.gov for training resources).
- Offer training on abuse prevention.
- Develop school staff support groups either for a specific program or to support staff from multiple programs.
- Offer training for staff on conflict resolution techniques and trauma-informed responses.
- Offer training for staff on coping; stress management.
- Provide comfortable training area. Provide separate trainings for school staff, supervisors and administrators.
- Have trainees sign confidentiality agreements; ensure Justice Center's Code of Conduct is signed.
- Offer training for new school administrators and education directors on creating culture change in programs.

STRATEGIES FOR INCREASING AWARENESS

- Support programs' efforts to recognize and support staff by participating in their awards ceremonies or develop a competitive, statewide recognition award for outstanding care by direct service staff.
- Create workgroups and empower them to participate in policy discussions with administration.

STRATEGIES FOR COLLABORATION

- Identify schools with a high concentration of vulnerable students; target those schools for a mailing on abuse and abuse prevention; and offer training and assistance.
- Identify funding sources for schools that have an institutional appearance to help them make changes to address abuse risks that exist in the physical environment.
- Develop a list of schools with exemplary abuse prevention policies and make the list available to all schools statewide or use as a referral source for schools that have a problem with abuse or want to reduce the risks for abuse.
- Develop a model abuse prevention policy.
- Develop guidelines on staff screening, which programs may voluntarily adopt.
- Create workgroups across agencies to work together and share how they were able to be successful.

For more resources on abuse prevention, please visit the following websites:

- NYS Justice Center for the Protection of People with Special Needs www.justicecenter.ny.gov
- NYSED (for resources on school safety) www.p12.nysed.gov/sss
- NYSED Special Ed (for resources on behavior management) www.p12.nysed.gov/specialed