

Nevis ISD 308 Restrictive Procedures Plan

Law	Restrictive Procedures Plan
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)	Schools that intend to use restrictive procedures are required to maintain and make publicly accessible in an electronic format on a school or district Web site or make a paper copy available upon request describing a restrictive procedures plan for children with disabilities.
Definition found at Minnesota Statutes, section 125A.0941(f)	Restrictive procedures means the use of physical holding or seclusion in an emergency. Restrictive procedures must not be used to punish or otherwise discipline a child.
Definition found at Minnesota Statutes, section 125A.0941(b)	An emergency means a situation where immediate intervention is needed to protect a child or other individual from physical injury. Emergency does not mean circumstances such as: a child who does not respond to a task or request and instead places his or her head on a desk or hides under a desk or table; a child who does not respond to a staff person's request unless failing to respond would result in physical injury to the child or other individual; or an emergency incident has already occurred and no threat of physical injury currently exists.
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 2(f)	Restrictive procedures may be used only in response to behavior that constitutes an emergency, even if written into a child's IEP or BIP
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(1)	I. Nevis ISD 308 intends to use the following restrictive procedures: Physical Holding
Definition found at Minnesota Statutes, section 125A.0941(c)	A. Physical holding: 1. Physical holding means physical intervention intended to hold a child immobile or limit a child's movement, where body contact is the only source of physical restraint, and where immobilization is used to effectively gain control of a child in order to protect a child or other individual from physical injury.

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Definition found at Minnesota Statutes, section 125A.0941(c)	<ol style="list-style-type: none"> 2. The term physical holding does not mean physical contact that: <ol style="list-style-type: none"> a) Helps a child respond or complete a task; b) Assists a child without restricting the child's movement; c) Is needed to administer an authorized health-related service or procedure; or d) Is needed to physically escort a child when the child does not resist or the child's resistance is minimal. 3. Nevis ISD 308 intends to use the following types of physical holding: <ol style="list-style-type: none"> a) CPI Children's Control Position b) CPI Team Control Position c) CPI Transport Position d) CPI Interim Control Position
Definition found at Minnesota Statutes, section 125A.0941(g)	<p>B. Seclusion</p> <ol style="list-style-type: none"> 1. Seclusion means confining a child alone in a room from which egress is barred. 2. Egress may be barred by an adult locking or closing the door in the room or preventing the child from leaving the room.
Definition found at Minnesota Statutes, section 125A.0941(g)	<ol style="list-style-type: none"> 3. Removing a child from an activity to a location where the child cannot participate in or observe the activity is not seclusion.
	<ol style="list-style-type: none"> 4. Nevis ISD 308 does not intend to use seclusion.
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(2)	<p>II. Nevis ISD 308 will implement a range of positive behavior strategies and provide links to mental health services.</p>

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Definition found at Minnesota Statutes, section 125A.0941(d)	A. Positive behavioral interventions and supports means interventions and strategies to improve the school environment and teach children the skills to behave appropriately.
<p>Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(2)</p> <p>Encouragement found at Minnesota Statutes, section 125A.0942, Subdivision 6¹</p>	<p>B. Nevis ISD 308 implements the following positive behavior strategies:</p> <ol style="list-style-type: none"> 1. A positive approach to teaching and learning which emphasizes social, emotional and academic growth in a strong and safe school community. The approach consists of classroom and schoolwide practices for deliberately helping children build academic and social-emotional competencies. 2. Through the evaluation process, the district will determine strengths and weaknesses of individual students and include, as appropriate, positive behavior strategies, replacement skills building, and/or social skills training into the Individual Education Plan (IEP).

¹ Minnesota Statutes, section 125A.0942, Subd, 6 encourages school districts to establish effective school-wide systems of positive behavior interventions and supports.

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<p>Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(2)</p>	<p>C. Nevis ISD 308 provides the following links to mental health services:</p> <ol style="list-style-type: none"> 1. Stellher Human Services 203 2nd St W Park Rapids, MN 56470 (218) 237-5830 http://www.stellher.com/ 2. Essentia Health-Park Rapids Clinic 705 Pleasant Ave Park Rapids, MN 56470 (218) 732-2800 http://www.essentiahealth.org/parkrapidsclinic/mental-health-outpatient.aspx 3. Lake Country Associate 515 Bridge Street East Park Rapids, MN 56470 (218) 366-9229 http://lakecountryassociates.com 4. Upper Mississippi Mental Health 109 South Grove Ave Suite 1 Park Rapids, MN 56470 (218) 732-7266 http://www.ummhcmn.org 5. A Better Connection 266 Henrietta Avenue South Park Rapids, MN 56470 (218) 252-2785 http://www.abetterconnectioninc.com/

Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(3); *See also*, Minnesota Statutes, section 122A.09, Subdivision 4(k) and Minnesota Rule 8710.0300

III. Nevis ISD 308 will provide training on de-escalation techniques.

A. Nevis ISD 308 provides targeted staff training on using positive behavior interventions as well as additional training on the topic of Positive Behavioral Supports and Interventions and required components of a Behavioral Intervention Plan.

1. positive behavioral intervention: CPI Crisis Development Model, Verbal Interventions
2. communicative intent of behaviors: CPI Unit entitled: CPI Crisis Development Model, Preventative Techniques
3. relationship building: CPI Unit entitled: Preventative Techniques
4. alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior: CPI Unit entitled: Precipitating Factors, Rational Detachment, Integrated Experience
5. de-escalation methods: CPI Unit entitled: CPI Crisis Development Model
6. standards for using restrictive procedures only in an emergency: CPI Unit entitled: Nonviolent Physical Crisis and Team Intervention, & Understanding the Risks of Restraints
7. obtaining emergency medical assistance: Nonviolent Physical Crisis Intervention and Team Intervention, & training on local numbers to call in case of an emergency
8. the physiological and psychological impact of physical signs of distress when using physical holding or seclusion: CPI Unit entitled: Nonviolent Physical Crisis and Team Intervention, Understanding the Risks of Restraints, & Crisis Development Model
9. monitoring and responding to a child's physical signs of distress when physical holding is being used: CPI Unit entitled: Nonviolent Physical Crisis Intervention and Team Intervention
10. recognizing the symptoms of and interventions that may cause positional asphyxia when physical holding is used: CPI Unit entitled: Participant workbook Chapter Understanding the Risks of Restraints
11. district policies and procedures for timely reporting and documenting each incident involving use of a restricted procedure; and
12. school-wide programs on positive behavior strategies. The district will maintain records of staff that have been trained and the organization or professional that conducted the training.

B. Nevis ISD 308 provides training on accommodating, modifying, and adapting curricula, materials, and strategies to appropriately meet the needs of individual students and ensure adequate progress toward the state's graduation standards. This training is offered in a variety of ways including Due Process training, technology training, and disability specific training.

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Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(4)	<p>IV. Nevis ISD 308 will monitor and review the use of restrictive procedures in the following manner:</p> <p>Each time physical holding is used, the staff person who implements or oversees the physical holding, shall document, as soon as possible after the incident concludes, the following information on the Restrictive Procedures Form:</p>
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(5)	<p>A. Documentation:</p> <ol style="list-style-type: none"> 1. Each time physical holding is used, the staff person who implements or oversees the physical holding documents, as soon as possible after the incident concludes, the following information: <ol style="list-style-type: none"> a) A description of the incident that led to the physical holding; b) Why a less restrictive measure failed or was determined by staff to be inappropriate or impractical; c) The time the physical holding began and the time the child was released; and d) A brief record of the child's behavioral and physical status.
	<ol style="list-style-type: none"> 2. Attached, as Appendix B, is a sample of the forms that will be used to document the use of physical holding. Nevis ISD 308 staff will use the electronic version of these forms found in the SpEd Forms program used by the district for all Due Process.
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(4)(i)	<p>B. Post-use debriefings, consistent with documentation requirements:</p> <ol style="list-style-type: none"> 1. Each time physical holding is used, the staff person who implemented or oversaw the physical holding shall conduct a post-use debriefing with <i>the staff involved and the building administrator</i> as soon as possible after the incident concludes.
	<ol style="list-style-type: none"> 2. The post-use debriefing will review the following requirements to ensure the physical holding was used appropriately:

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Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a) ²	a) <i>Whether the physical holding was used in an emergency.</i>
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision. 3(a)(1) ³	b) <i>Whether the physical holding was the least intrusive intervention that effectively responds to the emergency.</i>
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(2) ⁴	c) <i>Whether the physical holding was used to discipline a noncompliant child.</i>
Requirement found at Minn. Stat. § 125A.0942, Subdivision 3(a)(3) ⁵	d) <i>Whether the physical holding ended when the threat of harm ended and the staff determined that the child could safely return to the classroom or activity.</i>
Requirement found at Minn. Stat. § 125A.0942, Subdivision 3(a)(4) ⁶	e) <i>Whether the staff directly observed the child while physical holding was being used.</i>

² Minnesota Statutes, section 125A.0942, Subd. 3(a) requires that restrictive procedures only be used in response to behavior that constitutes an emergency.

³ Minn. Stat. § 125A.0942, Subd. 3(a)(1) requires physical holding or seclusion be the least restrictive intervention that effectively responds to the emergency.

⁴ Minn. Stat. § 125A.0942, Subd. 3(a)(2) requires physical holding or seclusion NOT be used to discipline a noncompliant child.

⁵ Minn. Stat. § 125A.0942, Subd. 3(a)(3) requires the physical holding or seclusion end when the threat of harm ends and the staff determines the child can safely return to the classroom or activity.

⁶ Minn. Stat. § 125A.0942, Subd. 3(a)(4) requires staff to directly observe the child while physical holding or seclusion is being used.

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Requirement found at Minn. Stat. § 125A.0942, Subdivision 3(a)(5) ⁷	f) <i>Whether the documentation was completed correctly.</i>
Requirement found at Minn. Stat. § 125A.0942, Subdivision 2(b) ⁸ and Minn. § 125A.0942, Subdivision 2(f) ⁹	g) <i>Whether the parents were properly notified.</i>
Requirement found at Minn. Stat. § 125A.0942, Subdivision 2(c) ¹⁰	h) <i>Whether an IEP team meeting needs to be scheduled.</i>

⁷ Minn. Stat. § 125A.0942, Subd. 3(a)(5) requires the staff person who implements or oversees the physical holding or seclusion to document, each time physical holding or seclusion is used, as soon as possible after the incident concludes, the following information: (i) a description of the incident that led to the physical holding or seclusion; (ii) why a less restrictive measure failed or was determined by staff to be inappropriate or impractical; (iii) the time the physical holding or seclusion began and the time the child was released; and (iv) a brief record of the child's behavioral and physical status.

⁸ Minn. Stat. § 125A.0942, Subd. 2(b) requires a school to make reasonable efforts to notify the parent on the same day a restrictive procedure is used on the child, or if the school is unable to provide same-day notice, notice is sent within two days by written or electronic means or as otherwise indicated by the child's parent.

⁹ Minn. Stat. § 125A.0942, Subd. 2(f) provides that an IEP team may plan for using restrictive procedures and may include these procedures in a child's IEP or BIP; however, the restrictive procedures may be used only in response to behavior that constitutes an emergency. The IEP or BIP shall indicate how the parent wants to be notified when a restrictive procedure is used.

¹⁰ Minn. Stat. § 125A.0942, Subd. 2(c) requires the district to hold a meeting of the IEP team: within ten calendar days after district staff use restrictive procedures on two separate school days within 30 calendar days or a pattern of use emerges and the child's IEP or BIP does not provide for using restrictive procedures in an emergency; or at the request of a parent or the district after restrictive procedures are used. The district must review use of restrictive procedures at a child's annual IEP meeting when the child's IEP provides for using restrictive procedures in an emergency.

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Requirement found at Minn. Stat. § 125A.0942, Subdivision 2(a) ¹¹	i) <i>Whether the appropriate staff used physical holding.</i>
Requirement found at Minn. Stat. § 125A.0942, Subdivision 5	j) <i>Whether the staff that used physical holding was appropriately trained.</i>
	3. <i>If the post-use debriefing determines the physical holding was not used appropriately, Nevis ISD 308 will ensure immediate corrective action is taken, by reviewing the Restrictive Procedures Plan set forth by the district.</i>
Requirement found at Minn. Stat. § 125A.0942, Subdivision 1(b) ¹²	<p>C. Oversight committee</p> <p>1. Nevis ISD 308 publicly identifies the following oversight committee members:</p> <ul style="list-style-type: none"> a) A mental health professional, school psychologist, or school social worker; b) An expert in positive behavior intervention; c) A special education administrator; d) A general education administrator;
Requirement found at Minn. Stat. § 125A.0942, Subdivision 1(a)(4)(ii) ¹³	2. Nevis ISD 308's oversight committee meets quarterly to review restrictive procedures used in the previous quarter.

¹¹ Minn. Stat. § 125A.0942, Subd. 2(a) requires restrictive procedures only be used by a licensed special education teacher, school social worker, school psychologist, behavior analyst certified by the national Behavior Analyst Certification Board, a person with a master's degree in behavior analysis, other licensed education professional, paraprofessional, or mental health professional, who has completed training.

¹² Minn. Stat. § 125A.0942, Subd. 2(b) requires schools to annually publicly identify oversight committee members who must at least include: (1) a mental health professional, school psychologist, or school social worker; (2) an expert in positive behavior strategies; (3) a special education administrator; and (4) a general education administrator.

¹³ Minn. Stat. § 125A.0942, Subd. 1(a)(4)(ii) requires that an oversight convene to undertake a quarterly review of the use of restrictive procedures.

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<p>Requirement found at Minn. Stat. § 125A.0942, Subdivision (1)(a)(4)(ii)</p>	<p>3. Nevis ISD 308's oversight committee will review the following:</p> <ul style="list-style-type: none"> a) The use of restrictive procedures based on patterns or problems indicated by similarities in the time of day, day of week, duration of the use of a restrictive procedure, the individuals involved, or other factors associated with the use of restrictive procedures; b) The number of times a restrictive procedure is used school wide and for individual children; c) The number and types of injuries, if any, resulting from the use of restrictive procedures; d) Whether restrictive procedures are used in nonemergency situations; e) The need for additional staff training; and f) Proposed actions to minimize the use of restrictive procedures.

Requirement found at Minn. Stat. § 125A.0942, Subdivision 1(a)(5) and Subdivision 5

- v. Nevis ISD 308 staff who use restrictive procedures, including paraprofessionals, received training in the following skills and knowledge areas:
- A. Positive behavioral interventions
 - CPI Crisis Development Model, Verbal Interventions
 - B. Communicative intent of behaviors
 - CPI Unit entitled: CPI Crisis Development Model, Preventative Techniques
 - C. Relationship building
 - CPI Unit entitled: Preventative Techniques
 - D. Alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior
 - CPI Unit entitled: Precipitating Factors, Rational Detachment, Integrated Experience
 - E. De-Escalation methods
 - CPI Unit entitled: CPI Crisis Development Model
 - F. Standards for using restrictive procedures only in an emergency
 - CPI Unit entitled: Nonviolent Physical Crisis and Team Intervention, & Understanding the Risks of Restraints.
 - G. Obtaining emergency medical assistance
 - Nonviolent Physical Crisis Intervention and Team Intervention, & training on local numbers to call in case of an emergency
 - H. The physiological and psychological impact of physical holding and seclusion
 - CPI Unit entitled: Nonviolent Physical Crisis and Team Intervention, Understanding the Risks of Restraints, & Crisis Development Model
 - I. Monitoring and responding to a child's physical signs of distress when physical holding is being used

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	<ul style="list-style-type: none"> • CPI Unit entitled: Nonviolent Physical Crisis Intervention and Team Intervention <p>J. Recognizing the symptoms of and interventions that may cause positional asphyxia when physical holding is used</p> <ul style="list-style-type: none"> • CPI Unit entitled: Participation workbook Chapter Understanding the Risks of Restraints <p>K. District policies and procedures for timely reporting and documenting each incident involving use of a restrictive procedure; and</p> <p>L. Schoolwide programs on positive behavior strategies</p> <p>The district will maintain records of staff that have been trained and the organization or professional that conducted the training.</p>

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<p>Prohibitions found at Minn. Stat. § 125A.0942, Subdivision 4(1-9)</p>	<p>VI. Nevis ISD 308 will never use the following prohibited procedures on a child:</p> <ul style="list-style-type: none"> A. Engaging in conduct prohibited under section 121A.58 (corporal punishment); B. Requiring a child to assume and maintain a specified physical position, activity, or posture that induces physical pain; C. Totally or partially restricting a child's senses as punishment; D. Presenting an intense sound, light, or other sensory stimuli using smell, taste, substance, or spray as punishment; E. Denying or restricting a child's access to equipment and devices such as walkers, wheelchairs, hearing aids, and communication boards that facilitate the child's functioning, except when temporarily removing the equipment or device is needed to prevent injury to the child or others or serious damage to the equipment or device, in which case the equipment or device shall be returned to the child as soon as possible; F. Interacting with a child in a manner that constitutes sexual abuse, neglect, or physical abuse under section 626.556 (reporting of maltreatment of minors); G. Withholding regularly scheduled meals or water; H. Denying access to bathroom facilities; and I. Physical holding that restricts or impairs a child's ability to breathe, restricts or impairs a child's ability to communicate distress, places pressure or weight on a child's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen, or results in straddling a child's torso.