

Intermediate District 287 Restrictive Procedures Plan

North Education Center (NEC)

The Minnesota Department of Education (MDE) has developed this sample restrictive procedures plan for use by the education community. Schools are not required to use this sample restrictive procedures plan. The purpose of this sample restrictive procedures plan is to provide helpful guidance and a documentation model including the required data elements for compliance with special education restrictive procedures requirements.¹

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)	<ul style="list-style-type: none"> • North Education Center (NEC) School intends to use the following restrictive procedures: • Crisis Prevention Intervention (CPI) • Professional Crisis Management (PCM)

¹ Italicized language will be found throughout this document and indicates guidance to assist the education community in completing a Restrictive Procedures Plan.

Law	Restrictive Procedures Plan
Definition found at Minnesota Statutes, section 125A.0941(c)	<p>A. Physical holding:</p> <ol style="list-style-type: none"> 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.
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. NEC intends to use the following types of physical holding <i>[list below the name(s) of each physical hold your school intends to use; i.e., CPI basket hold, CPI 1 or 2 person control transport hold, etc.]</i>: <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 e) PCM One-arm wrap around f) PCM Sunday stroll g) PCM wrist triceps h) PCM back procedure i) PCM vertical restraint
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.

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Definition found at Minnesota Statutes, section 125A.0941(g)	3. Removing a child from an activity to a location where the child cannot participate in or observe the activity is not seclusion.
	4. NEC Does not intends to use Seclusion
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(2)	<ul style="list-style-type: none"> • NEC will implement a range of positive behavior strategies and provide links to mental health services. <p style="text-align: center;"><u>Resources for Mental Health Services</u></p>
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.

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<p>Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(2)</p> <p>Encouragement found at Minnesota Statutes, section 125A.0942, Subdivision 6²</p>	<p>B. NEC implements the following positive behavior strategies <i>[list below your school's positive behavior strategies. Also include a description of your school's practices and plans which establish effective school-wide systems of PBIS, i.e., If NEC has participated in the PBIS training at MDE, attach a copy of its most recent action plan, etc.]:</i></p> <ol style="list-style-type: none"> 1. NEC is a PBIS site starting the 2015-16 school year. Teams will be trained during the summer of 2015 and will continue to be trained throughout the 2015-16 school year. 2. Second Step 3. Collaborative Proactive Solutions (CPS) Approach 4. Michelle Garcia Winner strategies 5. Non-verbal communication strategies 6. Nurtured Heart Approach 7. School Connect 8. MindUp
<p>Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(2)</p>	<p>C. NEC provides the following links to mental health services <i>[list below the websites for pertinent mental health services in your area, i.e., ABC County Mental Health.]</i></p> <ol style="list-style-type: none"> 1. Resources for Mental Health Services

² 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)(3); <i>See also</i>, Minnesota Statutes, section 122A.09, Subdivision 4(k) and Minnesota Rule 8710.0300</p>	<p>III.NEC will provide training on de-escalation techniques.</p> <p>A. NEC provides the following training on using positive behavior interventions</p> <ol style="list-style-type: none"> 1. CPI 2. PCM 3. Collaborative Proactive Solutions (CPS) Approach <p>B. NEC provides the following 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</p> <ol style="list-style-type: none"> 1. After School Professional Learning brochure 2014-15
<p>Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(4)</p>	<ul style="list-style-type: none"> • NEC will monitor and review the use of restrictive procedures in the following manner: Building wide restrictive procedures over-site committee will review and analysis the data collected regarding the use of restrictive procedures within each special education program. <p>Restrictive Procedures Plan</p> <p>Restrictive Procedures Reporting Form</p>
<p>Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(5)</p>	<p>A. Documentation:</p> <ol style="list-style-type: none"> 1. Each time physical holding or seclusion is used, the staff person who implements or oversees the physical holding or seclusion 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 or seclusion; b) Why a less restrictive measure failed or was determined by staff to be inappropriate or impractical; c) The time the physical holding or seclusion 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 NEC’s forms used to document the use of physical holding or seclusion. <p>Restrictive Procedures Plan</p> <p>Restrictive Procedures Reporting Form</p>

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Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(4)(i)	<p>B. Post-use debriefings, consistent with documentation requirements:</p> <p>1. Each time physical holding or seclusion is used, the staff person who implemented or oversaw the physical holding or seclusion shall conduct a post-use debriefing with <i>case manager, program facilitator and building administration</i>, within 72 hours after the incident concludes.</p>
	<p>2. The post-use debriefing will review the following requirements to ensure the physical holding or seclusion was used appropriately:</p> <ul style="list-style-type: none"> • The restrictive procedures form • Student's current IEP • Student's Functional Behavioral Analysis (FBA) or Social Learning Profile (SLP) • Student's Positive Behavioral Support Plan (BIP)
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a) ³	a) <i>[i.e., Whether the physical holding or seclusion was used in an emergency.]</i>
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision. 3(a)(1) ⁴	b) <i>[i.e., Whether the physical holding or seclusion was the least intrusive intervention that effectively responds to the emergency.]</i>

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

⁴ Minn. Stat. § 125A.0942, Subd. 3(a)(1) requires physical holding or seclusion be the least restrictive intervention that effectively responds to the emergency.

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Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(2) ⁵	c) <i>[i.e., Whether the physical holding or seclusion was used to discipline a noncompliant child.]</i>
Requirement found at Minn. Stat. § 125A.0942, Subdivision 3(a)(3) ⁶	d) <i>[i.e., Whether the physical holding or seclusion 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) ⁷	e) <i>[i.e., Whether the staff directly observed the child while physical holding or seclusion was being used.]</i>
Requirement found at Minn. Stat. § 125A.0942, Subdivision 3(a)(5) ⁸	f) <i>[i.e., Whether the documentation was completed correctly.]</i>

⁵ Minn. Stat. § 125A.0942, Subd. 3(a)(2) requires physical holding or seclusion NOT be used to discipline a noncompliant child.

⁶ 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.

⁷ Minn. Stat. § 125A.0942, Subd. 3(a)(4) requires staff to directly observe the child while physical holding or seclusion is being used.

⁸ 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.

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Requirement found at Minn. Stat. § 125A.0942, Subdivision 2(b) ⁹ and Minn. § 125A.0942, Subdivision 2(f) ¹⁰	g) <i>[i.e., Whether the parents were properly notified.]</i>
Requirement found at Minn. Stat. § 125A.0942, Subdivision 2(c) ¹¹	h) <i>[i.e., Whether an IEP team meeting needs to be scheduled.]</i>
Requirement found at Minn. Stat. § 125A.0942, Subdivision 2(a) ¹²	i) <i>[i.e., Whether the appropriate staff used physical holding or seclusion.]</i>
Requirement found at Minn. Stat. § 125A.0942, Subdivision 5	j) <i>[i.e., Whether the staff that used physical holding or seclusion was appropriately trained.]</i>

⁹ 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.

¹⁰ 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.

¹¹ 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.

¹² 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.

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	<p>3. If the team determines that the use of physical holding was not used appropriately the building leadership (Principal and/or Assistant Principal) will work with the team to determine if there are any training needs, additional needs of the student that have been unaccounted for through the IEP process and will meet with the team to ensure that corrective action has taken place.</p>
<p>Requirement found at Minn. Stat. § 125A.0942, Subdivision 1(b)¹³</p>	<p>C. Oversight committee</p> <p>1. NEC publicly identifies the following oversight committee members</p> <ul style="list-style-type: none"> a) School Psychologist; b) Social Worker c) Behavioral Specialist d) Building Administration; Principal and/or Assistant Principal e) Special Education Teacher f) Optional: ASD Specialist
<p>Requirement found at Minn. Stat. § 125A.0942, Subdivision 1(a)(4)(ii)¹⁴</p>	<p>2. NEC's oversight committee meets quarterly on</p> <ul style="list-style-type: none"> a) Third Tuesday of each month

¹³ 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.

¹⁴ 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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Requirement found at Minn. Stat. § 125A.0942, Subdivision (1)(a)(4)(ii)	<p>3. NEC'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	<p>V. NEC staff who use restrictive procedures, including paraprofessionals, received training in the following skills and knowledge areas:</p> <p>A. Positive behavioral interventions</p> <ul style="list-style-type: none"> 1. CPI Advanced Training 2. <i>PCM training for staff in the SUN and CIP programs</i> <p>B. Communicative intent of behaviors</p> <ul style="list-style-type: none"> 1. CPI Advanced Training 2. PCM training for staff in the SUN and CIP programs
	<p>C. Relationship building</p> <ul style="list-style-type: none"> 1. CPI Advanced Training 2. PCM training for staff in the SUN and CIP programs
	<p>D. Alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior</p> <ul style="list-style-type: none"> 1. CPI Advanced Training 2. PCM training for staff in the SUN and CIP programs

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	<p>E. De-Escalation methods</p> <ol style="list-style-type: none"> 1. CPI Advanced Training 2. PCM training for staff in the SUN and CIP programs
	<p>F. Standards for using restrictive procedures only in an emergency</p> <ol style="list-style-type: none"> 1. CPI Advanced Training 2. PCM training for staff in the SUN and CIP programs
	<p>G. Obtaining emergency medical assistance</p> <ol style="list-style-type: none"> 1. CPI Advanced Training 2. PCM training for staff in the SUN and CIP programs
	<p>H. The physiological and psychological impact of physical holding and seclusion</p> <ol style="list-style-type: none"> 1. CPI Advanced Training 2. PCM training for staff in the SUN and CIP programs
	<p>I. Monitoring and responding to a child's physical signs of distress when physical holding is being used</p> <ol style="list-style-type: none"> 1. CPI Advanced Training 2. PCM training for staff in the SUN and CIP programs
	<p>J. Recognizing the symptoms of and interventions that may cause positional asphyxia when physical holding is used</p> <ol style="list-style-type: none"> 1. CPI Advanced Training 2. PCM training for staff in the SUN and CIP programs
	<p>K. District policies and procedures for timely reporting and documenting each incident involving use of a restrictive procedure; and</p> <ol style="list-style-type: none"> 1. Annual training regarding the use and reporting of restrictive procedures for all staff.

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	<p>L. Schoolwide programs on positive behavior strategies</p> <p>1. NEC is participating in PBIS starting the summer of 2015. Staff will begin to be trained through-out the summer and into the fall regarding Schoolwide programs.</p>
<p>Prohibitions found at Minn. Stat. § 125A.0942, Subdivision 4(1-9)</p>	<p>VI. NEC 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.