

THIEF RIVER FALLS PUBLIC SCHOOLS

550 RESTRICTIVE PROCEDURES POLICY

I. PURPOSE

The school board promotes the use of positive approaches for behavioral interventions for all students. When restrictive procedures are employed in an emergency situation with students with a disability, as defined by IDEA, the district will adhere to the standards and requirements of Minnesota Statutes 125A.094 Restrictive Procedures for Children with Disabilities.

II. PROCEDURES

A. Definitions

The following terms have the meanings given them.

1. “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.
2. “Physical Holding” means physical intervention intended to hold a child immobile or limit a child’s movement and 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. The term physical holding does not mean physical contact that:
 - (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. “Positive behavioral interventions and supports” means interventions and strategies to improve the school environment and teach children the skills to behave appropriately.
4. “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. (Note: This district does NOT use seclusion)

5. "Seclusion" means confining a child alone in a room from which egress is barred. Egress may be barred by an adult locking or closing the door in the room preventing the child from leaving the room. Removing a child from an activity to a location where the child cannot participate in or observe the activity is not seclusion.

B. Personnel Development Activities

Personnel development activities will be provided to District staff and contracted personnel who have routine contact with students and who may use restrictive procedures in the following areas:

1. Positive behavioral interventions;
2. Communicative intent of behaviors;
3. Relationship building;
4. Alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior;
5. De-escalation methods;
6. Standards for using restrictive procedures;
7. Obtaining emergency medical assistance;
8. Physiological and psychological impact of physical holding and seclusion;
9. Monitoring and responding to a child's physical signs of distress when physical holding is being used; and
10. Recognizing the symptoms of and interventions that may cause positional asphyxia when physical holding is used.
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.

C. Staff Training Requirements

Staff who design and use behavioral interventions will complete training in the use of positive approaches as well as restrictive procedures. Training records will identify the content of training, attendees and training dates.

D. Restrictive Procedures and Prohibited Procedures

Restrictive procedures that may be used in emergency situations in this district include physical holding.

Prohibited procedures include the following:

1. Corporal Punishment which include conduct involving: (1) hitting or spanking a person with or without an object; or (2) unreasonable physical force that

- causes bodily harm or substantial emotional harm;
- 2. Requiring the student to assume and maintain a specified physical position, activity, or posture that induces physical pain;
- 3. totally or partially restricting a child's senses for punishment;
- 4. Presenting an intense sound, light or other sensory stimuli using smell, taste, substance, or spray as punishment;
- 5. Denying or restricting the student's access to equipment and devices such as walkers, wheelchairs, hearing aids or communication boards that facilitate the student's functioning except when temporarily removing the equipment or device is needed to prevent injury to the student or others or serious damage to the equipment or device, in which case the equipment or device shall be returned to the student as soon as possible;
- 6. Interacting with a student in a manner that constitutes sexual abuse, neglect, or physical abuse under section 626.556;
- 7. Withholding regularly scheduled meals or water;
- 8. Denying the student access to bathroom facilities;
- 9. Physical holding that restricts or impairs a student'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

E. Documentation Procedures

The use of restrictive procedures in emergency situations will be documented on the "Restrictive Procedures Form". The district will monitor and review the use of restrictive procedures, including conducting post-use debriefings and convening an oversight committee.

The use of restrictive procedures in behavioral intervention plans will be documented in the learner's file. Reviews will be conducted in accordance with the plan. Due process and documentation requirements will be followed.

F. Emergency Situations – Use of Restrictive Procedures – Notifications

The School District shall make reasonable efforts to notify the parent on the same day by phone when restrictive procedures are used in an emergency. If the school is unable to provide same-day notice, notice will be sent by written or electronic means or as otherwise indicated by the parent in the student's IEP as to how they wish to be notified within two days.

District Administration will receive written notification (copy of completed Restrictive Procedures Form) when restrictive procedures are used in emergency situations. Records will be reviewed quarterly.

Legal References: *Minn. Stat. 125A.094*

Minn. Stat. 125A.0941

Minn. Stat. 125A.0942

Minn. Stat. 121A.067, subd. 2

Minn. R 3525.0210, subp. 2

Minn. R 3525.0850

Minn. R 3525.2710, subp. 4(F)

Minn. R 3525.2810, subp. 2(B)(1)

Minnesota State Fire Code, Minn. R 7511.1008, subp. 3

Minnesota State Building Code, Minn. R 1305.1008, subp. 8

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