

Sherburne and Northern Wright Special Education Cooperative (SNWSEC)

Restrictive Procedures Plan with Legal Citations

Law	Restrictive Procedures Plan
<p>Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)</p>	<p>Subdivision 1. Restrictive Procedures Plan. (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 that at least:</p> <ul style="list-style-type: none"> (1) lists the restrictive procedures the school intends to use; (2) describes how the school will implement a range of positive behavior strategies and provide links to mental health services; (3) describes how the school will provide training on de-escalation techniques, consistent with section 122A.187, subdivision 4; (4) describes how the school will monitor and review the use of restrictive procedures, including: <ul style="list-style-type: none"> (i) conducting post-use debriefing, consistent with subdivision 3, paragraph (a), clause (5); and (ii) convening an oversight committee to undertake a quarterly review of the use of restrictive procedures based on patterns or problems indicated by similarities in the time of day, day of the week, duration of the use of a procedure, the individuals involved, or other factors associated with the use of restrictive procedures; the number of times restrictive procedure is used schoolwide and for individual children; the number and types of injuries, if an, resulting from the use of restrictive procedures; whether restrictive procedures are used in non emergency situation; the need for additional staff training; and proposed actions to minimize the use of restrictive procedures; and (5) includes a written description and documentation of the training staff completed under subdivision <ul style="list-style-type: none"> (b) Schools annually must publicly identify oversight committee members who must at least include: <ul style="list-style-type: none"> (1) a mental health professional, school psychologist, or school social worker; (2) an expert in positive behavior strategies; (3) a special administrator; and (4) a general education administrator.
	<p>Subdivision 2. (a) Restrictive procedures may be used only 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 the training program under subdivision 5.</p>

	<p>(b) a school shall make reasonable efforts to notify parents 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 home within two days by written or electronic means</p> <p>(c) the district must hold a meeting of the individualized education program team, conduct or review a functional behavioral analysis, review data, consider developing additional or revised positive behavioral interventions and supports, consider actions to reduce the use of restrictive procedures, and modify individualized education program or behavior intervention plan as appropriate. The district must hold a meeting within ten calendar days after district staff use a restrictive procedure on 2 separate school days with 30 calendar days or a pattern of use emerges or at the request of a parent or district after a restrictive procedure is used</p> <p>(d) if a restrictive procedure has been used on 10 or more occasions during a school year, the team must consult with other professionals working with the child OR consider whether to reevaluate the child.</p> <p>(e) the team must review any known medical or psychological limitations</p> <p>(f) restrictive procedures may be used only in response to behavior that constitutes an emergency even with written into a child's IEP or BIP</p>
<p>Definition found at Minnesota Statute</p>	<p>An emergency means a situation where immediate intervention is needed to protect a child or other individual from physical injury.</p>
<p>Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(1)</p>	<p>I. SNWSEC and member district schools (Becker, Big Lake, Monticello and Sherburne Northern Wright Special Education Cooperative) intend on using following restrictive procedures:</p>
<p>Definition found at Minnesota Statutes, section 125A.0941(c)</p>	<p>A. Physical holding:</p> <p>"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. The term physical holding does not mean physical contact that:</p> <ol style="list-style-type: none"> (1) helps a child respond or complete a task; (2) assists a child without restricting the child's movement; (3) is needed to administer an authorized health-related service or procedure; or (4) is needed to physically escort a child when the child does not resist or the child's resistance is minimal.

	<p>(d) "Positive behavioral interventions and supports" means interventions and strategies to improve the school environment and teach children the skills to behave appropriately, including the key components under section 122A.627.</p> <p>(e) "Prone restraint" means placing a child in a face down position.</p> <p>(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.</p>
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Definition found at Minnesota Statutes, section 125A.0941(g)	<p>B. Seclusion</p> <p>1. (g) "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 or 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. Seclusion means confining a child alone in a room from which egress is barred.</p>
	<p>2. SNWSEC and member district schools (Becker, Big Lake and Monticello) do not intend to use any rooms for seclusion.</p>
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 6(i)-(7)(ii)	<p>6. Schools that use rooms for seclusion must register the rooms with the Minnesota Department of Education.</p> <p>*This does not apply to SNWSEC or member district schools (Becker, Big Lake and Monticello) because there are no rooms used for seclusion.</p>

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Definition found at Minnesota Statutes, section 122A.627	<p>"Positive behavioral interventions and supports" or "PBIS" means an evidence-based framework for preventing problem behavior, providing instruction and support for positive and prosocial behaviors, and supporting social, emotional, and behavioral needs for all students. Schoolwide implementation of PBIS requires training, coaching, and evaluation for school staff to consistently implement the key components that make PBIS effective for all students, including:</p> <p>(1) establishing, defining, teaching, and practicing three to five positively stated school wide behavioral expectations that are representative of the local community and cultures;</p> <p>(2) developing and implementing a consistent system used by all staff to provide positive feedback and acknowledgment for students who display school wide behavioral expectations;</p> <p>(3) developing and implementing a consistent and specialized support system for students who do not display behaviors representative of schoolwide positive expectations;</p> <p>(4) developing a system to support decisions based on data related to student progress, effective implementation</p>

of behavioral practices, and screening for students requiring additional behavior supports;

(5) using a continuum of evidence-based interventions that is integrated and aligned to support academic and behavioral success for all students; and

(6) using a team-based approach to support effective implementation, monitor progress, and evaluate outcomes.

Consistent with section [120B.232, subdivision 1](#), character education curriculum and programs may be used to support implementation of the key components of PBIS.

Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(2)

B. SNWSEC and member districts (Becker, Big Lake, Monticello) implement the following positive behavior strategies *[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 ABC School has participated in the PBIS training at MDE, attach a copy of its most recent action plan, etc.]*:

Encouragement found at Minnesota Statutes, section 125A.0942, Subdivision 6⁷

Becker:

- *Becker Primary* - Character Strong - PBIS (Bulldog Way), 2nd Step, Barky Academy,
- *Becker Intermediate* - Character strong - PBIS (in a training cohort), Bulldog Best,
- *Becker Middle school* - Character Strong, Thematic SEL Units (Be the kind kid), Bulldog Pride Cards, Scheduled Positive phone call home, Classroom, bathroom, hallway, cafeteria behavior matrix
- *Becker High School* - Character Strong, Good News Notes

Big Lake:

- *Hornet Way (Big Lake Elementary Schools)*- video and slideshows used by teachers on the Little Hornet Way, every other month they have class or school wide challenges for positive behavior and then celebrate accomplishments at bi-monthly Buzz bashes
- *Independence Elem (Big Lake)* is a PBIS school ...
- *Liberty Elem* - PBIS team has participated in MDE PBIS cohort - Tier 2 Second Steps curriculum, Tier 1 - Responsive Classroom and topics from Caring School Community
- *Hornet Pride (Big Lake Middle School)*

Monticello:

- *ABC's of EEC and Pyramid Innovation for preschool (Monticello Eastview)*
- *No formal PBIS- Positive behavior interventions and supports: Tokens for Books and Good News Calls (Monticello Pinewood Elementary)*
- *STAR matrix (Monticello Little Mountain Elementary)*

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Requirement found at Minnesota Statutes, section 122A.0942, Subdivision 1(a)(2)	<p>C. SNWSEC and member districts (Becker, Big Lake, and Monticello) provide the following links to mental health services.</p> <ol style="list-style-type: none">1. Sherburne County2. Wright County3. Central Minnesota Mental Health Center4. CentraCare5. Prairie Care6. Alina Health Care7. Fairview8. Catholic Charities

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

III. SNWSEC and member districts (Becker, Big Lake and Monticello) will provide training on de-escalation techniques.

A. SNWSEC and member districts (Becker, Big Lake and Monticello) provide the following training on using positive behavior interventions:

Handle with Care

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<p>Requirement found at Minnesota Statutes, section 122A.0942</p>	<p>IV. SNWSEC and member districts (Becker, Big Lake and Monticello) will monitor and review the use of restrictive procedures in the following manner:</p> <p>SNWSEC, Becker, Big Lake and Monticello districts all hold Oversight Committee meetings four times per year to review the following:</p> <ul style="list-style-type: none"> a. Patterns or problems of physical holds indicated by similarities in time of day, day of the week, duration or the use individuals involved or other factors; b. Number of times a restrictive procedure is used school-wide; c. Number of times a restrictive procedure is used for individual children; d. Number and types of injuries; e. Use in non emergency situations; f. Need for additional staff training; g. Proposed actions to minimize the use of restrictive procedures.
<p>Requirement found at Minnesota Statutes, section 122A.0942</p>	<p>A. Documentation:</p> <ul 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: <ul 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.
<p>Requirement found at Minnesota Statutes, section 122A.0942</p>	<p>B. Post-use debriefings, consistent with documentation requirements:</p> <ul style="list-style-type: none"> 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 the special education coordinator, principal, school psychologist or another party who was not involved in the restrictive procedure, within 24 hours after the incident concludes.

Requirement found at Minn. Stat. § 125A.0942, Subdivision 1(b)¹⁸

C. Oversight committee

1. SNWSEC and member school district (Becker, Big Lake and Monticello) publicly identify the following oversight committee members:

SNWSEC/Monticello

Nicole Croteau -Principal

Lana Talberg-Assistant Director of Special Education

Rachel Kasper- Special Education Coordinator

Lynn Sakry- Special Education Coordinator

Sarah Fidler -School Psychologist

Nathan Rowe-School Psychologist

Becker

Chantel Boyer-Principal

Lana Talberg-Assistant Director of Special Education

Stephanie Loesch-Special Education Coordinator

Jennifer Weisenberger- School Psychologist

Dawn Vo-School Psychologist

Big Lake

Jona Deavel-Principal

Lana Talberg-Assistant Director of Special Education

Jackie Holker-Special Education Coordinator

Monica O'Neill-Special Education Coordinator

Kelsey Stangler- School

Lucas Gerber- Psychologist

Law	Restrictive Procedures Plan
Requirement found at Minn. Stat. § 122A.0942, Subdivision 1(a)(5) and Subdivision 5	V. SNWSEC and member district (Becker, Big Lake and Monticello staff who use restrictive procedures, including paraprofessionals, received training in the following skills and knowledge areas as instructed through Handle with Care training: <ul style="list-style-type: none"> A. Positive behavioral interventions B. Communicative intent of behaviors
	C. Relationship building
	D. Alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior
	E. De-Escalation methods
	F. Standards for using restrictive procedures only in an emergency
	G. Obtaining emergency medical assistance
	H. The physiological and psychological impact of physical holding and seclusion
	I. Monitoring and responding to a child's physical signs of distress when physical holding is being used
	J. Recognizing the symptoms of and interventions that may cause positional asphyxia when physical holding is used
	K. District policies and procedures for timely reporting and documenting each incident involving use of a restrictive procedure; and
Law	Restrictive Procedures Plan
Prohibitions found at Minn. Stat. § 122A.0942, Subdivision 4(1-9)	VI. SNWSEC and member districts (Big Lake, Becker, Monticello) will never use the following prohibited procedures on a child: <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;

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| | <ul style="list-style-type: none">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; andI. 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. |
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