

Restrictive
Procedures
Plan
2023-2024



Minnesota Statute 125A.0942 STANDARDS FOR RESTRICTIVE PROCEDURES

In 2009, Minnesota Statutes regarding restrictive procedures were passed, and were required to be fully implemented effective August 1, 2011. In 2013, 2014, and 2016, legislative amendments were made to the statutes governing the use of restrictive procedures. These provisions pertain to physical holding and seclusion, and apply to children with disabilities in public schools.

The school district's Restrictive Procedures Plan for children with disabilities is available in an electronic format on the Mounds View Public Schools website. Paper copies are available upon request.

Mounds View Schools uses restrictive procedures only in emergency situations. "Emergency" means a situation where immediate intervention is needed to protect the student or other individuals 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. Restrictive procedures must not be used to punish or otherwise discipline a child.

- Restrictive Procedures Used: The restrictive procedures that Mounds View may use in an emergency situation is physical holding and seclusion. **Physical holding** is a physical intervention intended to hold a student immobile or limit a student's movement, where body contact is the only source of physical restraint, and where immobilization is used to effectively gain control of a student in order to protect a student or other individual from physical injury. The physical holding must: (1) be the least intrusive intervention that effectively responds to the emergency; (2) not be used to discipline a noncompliant student; (3) end when the threat of harm ends and the staff determines the child can safely return to the classroom or activity; (4) be observed directly by staff while the physical holding is being used; and (5) be documented as soon as possible after the incident concludes by the person who implemented the physical hold or oversaw the hold. **Seclusion** is confining a student alone in a room from which egress is barred, including by an adult locking or closing the door in the room or preventing the student from leaving the room. Removing a student from an activity to a location where the student cannot participate in or observe the activity is not seclusion if the student is not confined alone in a room from which egress is barred.

The room used for **seclusion** must: be at least six feet by five feet; be well lit, well ventilated, adequately heated and clean; have a window that allows staff to directly observe a child in seclusion; have tamper proof fixtures, electrical switches located

immediately outside the door and secure ceilings; have doors that open out and are unlocked, locked with keyless locks that have immediate release mechanisms, or locked with locks that have immediate release mechanisms connected with a fire and emergency system; and not contain objects that a child may use to injure the child or others.

Before using a room for seclusion, a school must: receive written notice from local authorities that the room and the locking mechanisms comply with applicable building, fire, and safety codes. The seclusion room must be registered with the commissioner, who may view that room.

- Mounds View Public Schools may use the following types of physical holding:
 - Crisis Prevention Institute's (CPI) Children's Control Position
 - Crisis Prevention Institute's (CPI) Team Control Position

- **Effective August 1, 2015, school districts are prohibited from using prone restraint as an emergency restraint for students with disabilities (Minnesota Statutes, section 125A.0942). Based upon that prohibition, school district staff are not authorized to use prone restraint as an emergency restraint for students with disabilities under the reasonable force statute (Minnesota Statutes, section 121A.582).**

Positive Behavior Strategies and Links to Available Mental Health Services

Mounds View Public schools will only use physical holds in emergency situations. Mounds View staff will implement a range of positive behavior strategies as a proactive approach to teaching positive behavior skills to students, thereby reducing students exhibiting challenging behaviors and the need for the use of physical holds. These positive behavior strategies include:

- Allow students to go to a safe place to relax/reset
- Redirection
- Explicit teaching of social skills
- Use of sensory tools/activities
- Offer alternative activities
- Offer choices
- Use of proximity
- Setting limits
- Process with staff
- Peer mediation/Fix it plan

Links to Available Mental Health Services:

- Ramsey County Mental Health Child Crisis Line, available 24/7 - 651-266-7878
- Family Innovations, Children's Mental Health - 651-407-3631
- Northeast Youth & Family Services - 651-486-3808
- Crisis Text Line - Text MN to 741741
- CLUES - Comunidades Latinas Unidas En Servicio - 651-379-4200
- Natalis Counseling and Psychological Solutions - 651-379-5157

Oversight Committee

The Mounds View School District Restrictive Procedures Oversight Committee meets quarterly to monitor and review the use of restrictive procedures. Each quarter, the committee examines patterns or problems; the individuals involved, the number of times a restrictive procedure is used schoolwide and for individual children; the number and types of injuries, if any, resulting from the use of restrictive procedures; whether restrictive procedures are used in non-emergency situations; the need for additional staff training; and proposed actions to minimize the use of restrictive procedures.

The following are members for 2023-24 Restrictive Procedures Oversight Committee:

- Paul Olson, Assistant Director of Student Services
- Emily Bouvier, Special Education Coordinator
- Megan Ness, Special Education Coordinator
- Tracy Mowery, Special Education Teacher
- Kathryn O'Brien, Emotional & Behavioral Specialist
- Kari Ballata, School Psychologist
- Chad Jayasekera, Mental Health Specialist
- Ben Chiri, Associate Principal, Mounds View High School

Staff Training

Mounds View Public Schools provides a range of tiered strategies as a proactive approach to teaching positive behavior skills, thereby reducing students' challenging behaviors and the need for the use of restrictive procedures. Mounds View Public Schools offers a variety of training at the school and district level each year to meet the knowledge areas listed below, including Nonviolent Crisis Intervention and training on de-escalation techniques. The District will also maintain documentation of the staff members who attend those trainings.

- Positive Behavior Interventions
- Relationship Building
- De-escalation Strategies
- Setting Limits

In order to be considered trained in the use of Restrictive Procedures, staff must complete the following:

- Nonviolent Crisis Intervention, developed by the Crisis Prevention Institute: 10 hours initial training; 5-6 hour refresher training every school year.
 - A master list of staff trained in the use of Restrictive Procedures will be maintained and updated yearly.

Procedures to follow if a Restrictive Procedure is used:

- Parent notification: School staff shall make reasonable efforts to notify the parent on the same day a restrictive procedure is used on the student, or if the school is unable to provide same-day notice, notice is sent to the parent by written or electronic means within two days (48 hours) of the procedure being used or as otherwise indicated in the student's IEP.
- Reporting the Use of a Restrictive Procedure: Either the staff person who implements or the staff person who oversees the use of restrictive procedures shall inform the building administrator of the use of the restrictive procedure as soon as possible and shall complete the online or paper restrictive procedures form within two days (48 hours). The restrictive procedures form must include:
 - A description of the incident that led to the use of the restrictive procedure;
 - State why a less restrictive measure failed or was determined by staff to be inappropriate or impractical;
 - State the time the restrictive procedure began and the time the student was released from the hold, and;
 - Give a brief record of the student's behavioral and physical status during and after the use of the restrictive procedure.
- Staff debriefing after the use of a restrictive procedure: Staff involved in the use of the restrictive procedure are expected to debrief after every use of a restrictive procedure.
- Use of Restrictive Procedures Twice in 30 days: If a restrictive procedure is used on two separate days within 30 calendar days or if a pattern of use of the restrictive procedure emerges and the student's IEP or behavior intervention plan does not provide for using restrictive procedures in an emergency, the district must hold an IEP meeting within ten calendar days after district staff use the second restrictive procedure. The parent or the district may call this meeting after restrictive procedures have been used.
 - Review the student's Functional Behavioral Assessment (FBA);
 - Review other data connected to the behavior(s) that prompted the use of the restrictive procedure;
 - Consider developing additional or revised positive behavioral interventions and supports;
 - Consider actions that could be taken to reduce the use of restrictive procedures;
 - Consider developing a Behavior Intervention Plan (BIP) or modifying an existing BIP or consider other revisions to the student's IEP;
 - Review any known medical or psychological limitations, including any medical information the parent provided voluntarily, that contraindicate the use of restrictive procedure; and
 - Consider whether to prohibit a restrictive procedure and, if so, document any prohibition in the student's IEP

If you have any questions or would like further information, please contact:

Stephanie Mars, Director of Student Services at 651-621-6052

Paul Olson, Assistant Director of Student Services at 651-621-6041