NORTHLAND
LEARNING CENTER

Restrictive Procedures Plan

Northland Learning Center

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Minnesota Statutes

Minnesota Statutes: Standards For Restrictive Procedures

Minnesota Statute 125A.094, Subd 1:

Restrictive Procedures Plan: Schools that intend to use restrictive procedures shall maintain and make publicly accessible a restrictive procedures plan for children that includes at least the following: (1) the list of restrictive procedures the school intends to use; (2) how the school will monitor and review the use of restrictive procedures, including conducting post-use debriefings and convening an oversight committee; and (3) a written description and documentation of the training staff completed under subdivision 5.

The Northland Learning Center promotes the use of positive approaches for behavioral interventions for all students. When restrictive procedures are employed in an emergency situation with any student the School District will adhere to the standards and requirements of Minnesota Statutes 125A.094 Restrictive Procedures for Children with Disabilities.

Minnesota Statute 125A.094, Subd 2

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 under section 120B.363, or mental health professional under section 245.4871, subdivision 27, who has completed the training program under subdivision 5.

Minnesota Statute 125A.0941 (c):

"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. The term physical holding does not mean physical contact that: 1) Helps a child respond or complete a task; 2) Assist 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.

The Northland Learning Center Staff, Administration and Transportation Staff participate in Nonviolent Crisis Intervention (CPI) training annually, which is considered an evidence-based program, to help de-escalate a situation before it becomes a crisis and to respond appropriately and safely when there is a crisis. The philosophy of CPI is to ensure the Care, Welfare, Safety, and Security of all.

Minnesota Statute 125A.0942, Subd. 3:

Physical holding or seclusion may be used only in an emergency. A school that uses physical holding or seclusion shall meet the following requirements: (1) the physical holding or seclusion must be the least intrusive intervention that effectively responds to the emergency; (2) physical holding or seclusion must end when the threat of harm ends and the staff determines that the child can safely return to the classroom or activity; (3) staff must directly observe the child while physical holding or seclusion is being used; (4) each time physical holding or seclusion is used, the staff person who implements or oversees the physical holding or seclusion shall document, 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.

Minnesota Statute 121A.67, Subd. 2:

If a pupil who has an individual education plan is restrained or removed from a classroom, school building, or school grounds by a peace officer at the request of a school administrator or a school staff person during the school day twice in a 30-day period, the pupil's individual program team must meet to determine if the pupil's individual education plan is adequate or if additional evaluation is needed.

Northland Learning Center uses restrictive procedures only in response to behavior that constitutes an emergency, even if written into a child's IEP or PBSP. "**Emergency**" means a situation where immediate intervention is needed to protect a child or other individual from physical injury. The intervention will be used as a last resort and will be considered the safest option for all. The Northland Learning Center does not support the use of seclusion rooms and physical holding is the only conditional procedure that will be used.

NLC TEAM AND ROLES

Northland Learning Center Restrictive Procedures & Oversight Team:

The Northland Learning Center team will meet 3x each school year (September, January & May) to evaluate and review the "Restrictive Procedures District Wide Plan" and review reported uses of restrictive procedures.

Administration	
Jackie Ward	**Director of Special Services**
Bryan Carey	**Principal**
Kraig Konietzko	**Dean of Students**

Special Education Coordinator	School Counselor
Amanda Slattery	**Tricia Fierst**

Range Mental Health-ADAPT	Interventionist
Kathy Kupka/Mellanie Fleetwood	**Dano Swenson**

School Nurse/CNA
Shaina Storlie/Gretchen Moe

Education Team
Elementary Focus/High School Focus/ASD Teachers

Northland Learning Center Restrictive Procedures Plan

The Northland Learning Center is committed to using positive behavioral intervention and supports as defined in Minnesota Statute #125A.0941 (d). This involves incorporating environmental changes and skill building strategies proactively in order to maintain a supportive and safe learning environment. In the event that a student's challenging behavior should escalate to an emergency situation, Northland Learning Center staff may use procedures which are considered restrictive under Minnesota Statute #125A.0942 in order to maintain a safe environment when lesser restrictive procedures are ineffective. In accordance with Minnesota Statute #125A.0942, Subd. 1, Northland Learning Center discloses the following on use of restrictive procedures:

Minnesota Statutes on Restrictive Procedures

1. **Restrictive Procedures:** Minnesota Statute #125A.0941 (e) includes physical holding and seclusion as restrictive procedures.
2. **Prohibited Procedures:** Northland Learning Center will never use any of the procedures designated as prohibited under Minnesota Statute #125A.0942, Subd. 4(1-9).
3. **Emergency:** Minnesota Statute #125A.0941 (b) states that a restrictive procedure may only be utilized in an emergency situation. An emergency is defined as a situation where immediate intervention is needed to protect a student or others from physical injury.

Restrictive Procedures Not Used at the Northland Learning Center

1. **Seclusion Rooms:** Seclusion means confining a student alone in a room from which egress is barred. This does not include removing a child from an activity to a location where the child cannot participate or observe the activity. Northland Learning Center does not currently use any room for the sole purpose of seclusion. Should Northland Learning Center determine the need for such a space, the room would meet the requirements listed under Minnesota Statute #125A.0942, Subd. 3 and would be registered with the state of Minnesota. In the event that an emergency situation should unexpectedly occur and use of physical holding is deemed unsafe, staff may remove others and themselves from the current room while barring egress in order to prevent injury as use of reasonable force under Minnesota Statutes #125A.582; 609.06, Subd.1; and 609.379. Should such an event occur the student will be monitored and seclusion will terminate immediately when safe to do so. Such use will be documented and monitored as if a designated seclusion room had been used.

Restrictive Procedures Used at Northland Learning Center

1. **Physical Holding:** 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. Northland Learning Center Special Education Staff, Administration and Support Staff complete mandatory training on appropriate use of physical restraints through CPI (Crisis Prevention Institute) on an annual basis.

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. Presenting an intense sound, light or other sensory stimuli using taste, smell, substance, or spray as punishment;
4. Denying or restricting the student's access to equipment and devices such as 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;
5. Interacting with a student in a manner that constitutes sexual abuse, neglect, or physical abuse under section 626.556;
6. Totally or partially restricting a student's senses as punishment;
7. Withholding regularly scheduled meals or water;
8. Denying the student access to bathroom facilities, and/ or;
9. Physically holding that restricts or impairs a student's ability to breathe;
10. Use of tasers or threatened use of tasers.

General Information

What is considered an "Emergency"?

An emergency is a situation where immediate intervention is needed to protect a child or other individual from physical injury.

*Jumping in front of a bus IS an emergency.

*A student not responding to verbal intervention during a fight MAY BE an emergency.

*Screaming obscenities in the hallway is NOT an emergency.

Restrictive Procedures - Basic Procedures:

*Can be used ONLY in an emergency. It must be the safest option and the last resort.

*Must be the least intrusive effective intervention.

*Must end when the threat of harm ends.

*Must be documented EVERY time.

*Parent notification is required the same day a restrictive procedure is used on a child.

*A post-use debriefing must occur within 24 hours of the procedure

*A Procedure Reporting Form must be completed and submitted to the Director of Special Education, the Building Principal, and a copy must be placed in the student file.

What are Mental Health Resources in the Northland Learning Center available to students and families?

Mental Health Resources offered on site at the Northland Learning Center are with Range Mental Health. The services include therapy and ADAPT programming. Detailed information can be located at: Range Mental Health

Staff Training Requirements: All Northland Learning Center staff receive training on the skills and knowledge content areas in accordance with Minnesota Statute #125A.0942, Subd. 1(3) and Subd. 5.

All Special Education staff are required to attend CPI training and continue to participate in refresher CPI training annually. 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.

Authorized Staff: Staff who are trained and current with their CPI training and who are authorized to use restrictive procedures include:

* Building administration

* Licensed special education teachers

* Other certified/ registered educational related service professionals

* Special education paraprofessionals

Including Restrictive Procedures in IEPs or PBSPs: The requirement that physical holding only be used in an emergency situation continues to apply even when restrictive procedures are included in the IEP and PBSP. When physical holding is included in the IEP or PBSP, the IEP team must:

1. Ensure that an FBA has been completed. Use the FBA information along with the present level of performance, needs, goals, and objectives to develop a PBSP.
2. Include positive behavior supports, de-escalation procedures, instruction in appropriate behavior, and other preventative measures in the PBSP.
3. Document which restrictive procedure is being included and why it is the least restrictive effective intervention. The PBSP must identify the frequency and severity of target behaviors for which the restrictive procedure is being considered; and anticipated criteria for returning the students to the routine activities and regular education environment if the intervention is used.
4. Indicate how the parent wants to be notified when a restrictive procedure is used.
5. The team is expected to debrief after every restrictive procedure within 24 hours and complete the *Restrictive Procedure Reporting Form* and the *Restrictive Procedure Staff Debrief Form*.
6. The IEP team can include restrictive procedures in the IEP or PBSP
   - BUT they can only be used in response to an emergency
   - AND you still have to have an IEP meeting if they are used twice in 30 days

Documentation Procedures: Following each use of restrictive procedures, staff members involved will complete the *Restrictive Procedures Reporting Form* which meets the documentation requirements under Minnesota Statute #125A.0942, subd. 3(4) (see attached).

The School District shall make reasonable efforts to notify the parent on the same day by the parents preferred method when a restrictive procedure is 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. If used twice within 30 days or when a pattern emerges, and it's NOT already included in student's IEP or PBSP, the district must hold a meeting of the team to conduct a review of the Functional Behavior Assessment data and consider developing or revising the behavioral interventions and supports.

The use of restrictive procedures in emergency situations will be documented on the *Restrictive Procedure Reporting Form*. This form should be completed as soon as possible after an incident has occurred, no later than 24 hours after the incident has occurred. Once completed, the form will be sent to the Director of Special Education and a copy of the form should be placed in the student's special education file as well as a copy given to the building principal. A *Restrictive Procedure Reporting Form* must be completed every time a restrictive procedure is used.

Post-Use Debriefings: Each time a restrictive procedure is used, the staff person will conduct a post-use debriefing with the staff members involved in the use of such procedures within 24 hours. The post-use debriefing will review the requirements for use of restrictive procedures to ensure that staff has implemented them according to the standards in Minnesota Statute #125A.0942, the form was completed correctly, staff is able to talk through their feelings surrounding the incident, and action-plans are generated. Should the post-use debriefing indicate that uses of restrictive procedures were not used appropriately, Northland Learning Center staff will contact the Building Principal and Director of Special Education immediately.

Within 24 hours the staff members who were involved in the restrictive procedure are expected to debrief after every restrictive procedure and complete the *Restrictive Procedure Staff Debriefing Form*. The School Dean or Counselor will be the lead staff member during a debriefing meeting (when available). An administrator should be invited to the meeting and should attend when possible.

Oversight Committee: Quarterly, the District Oversight Committee will convene and review reported uses of restrictive procedures. This team will review aggregate data, monitor implementation of restrictive and proactive interventions, and provide additional resources if necessary (i.e. training, staff support, materials).

Review Procedures: The District will monitor and review the use of restrictive procedures. This includes post-use debriefings with those involved, meetings each trimester between the Director of Special Education and all principals to review completed forms and data, and the convening of a District Wide Restrictive Procedures committee quarterly. In the case of a student with a disability, due process and documentation requirements will be followed a minimum of one time per year during annual IEP meetings.

District 6076 Staff Training

To meet all of the requirements of 125A.0942 subd. 1(3), all administrative, certified special education staff and special education paraprofessionals complete training in the following 12 skills and knowledge areas each year. CPI Training is completed each year and all staff members are certified. We are training staff and implementing the Ukeru System. Training Components for Restrictive Procedures are completed annually during Fall Workshop or as new employees are hired. Annual training for the "Standards" for use of Restrictive Procedures will be updated yearly.

Skills and Knowledge Areas

1. Positive Behavioral Interventions
2. Communicative Intent of Behavior
3. Relationship Building
4. Positive Behavioral Interventions
5. Communicative Intent of Behavior
6. Alternatives to Restrictive Procedures (including techniques to identify events and environmental factors that may escalate behavior)
7. De-escalation methods
8. Standards for using restrictive procedures in an emergency
9. Obtaining Emergency Medical Assistance
10. Psychological/ Physiological Impact of Physical Holding and Seclusion
11. Monitoring and responding to a child's physical signs of distress during Physical Holding
12. Recognizing the symptoms of and interventions that may cause Positional Asphyxia when Physical Holding is being used
13. District policies and procedures for timely reporting and documenting each incident involving use of a restricted procedure;
14. School wide programs on positive behavior strategies

Northland Learning Center - ISD #6076
1201 13th Avenue South
Virginia MN 55792
Tel 218-741-9201

Use of Restrictive Procedures: Physical Holding

Student: SSID: Date of incident:
School: Northland Learning Center - ISD #6076 Age: Grade:
Birth date: Gender:
Federal setting:
Primary disability:

A. Is the student Hispanic/Latino?
☐Yes ☐No

B. What is the student's race?
☐ American Indian or Alaska Native ☐ Asian ☐ Black or African American
☐ Native Hawaiian or Other Pacific Islander ☐ White

C. Federal race

Staff must complete this form when an incident occurs that includes the use of one or more physical holds.

Staff involved

First name Last name Role in incident

Person completing this form:

Name Position Phone

Physical holding

Procedure Start time End time Total time

Was physical holding used to protect student or others from physical injury?
☐Yes ☐No
Explain
Description of the incident that led to this physical holding
Description of the physical holding and a brief description of the student's behavioral and physical status
Did any of these prohibited activities occur

1. engaging in conduct prohibited under section 121A.58;
2. requiring a child to assume and maintain a specified physical position, activity, or posture that induces physical pain;
3. totally or partially restricting a child's senses as punishment;
4. presenting an intense sound, light, or other sensory stimuli using smell, taste, substance, or spray as punishment;
5. 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;
6. interacting with a child in a manner that constitutes sexual abuse, neglect, or physical abuse under chapter 260E;
7. withholding regularly scheduled meals or water;
8. denying access to bathroom facilities;
9. 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; and
10. prone restraint.
11. face down position.

☐Yes ☐No
Explain

Was physical holding the least intrusive intervention to effectively respond to the emergency?
☐Yes ☐No
Explain why a less restrictive intervention failed or was determined to be inappropriate or impractical (What less restrictive intervention was tried?)

Did this physical holding end when the threat of harm ended and staff determined that the student could safely return to the classroom or activity?
☐Yes ☐No
Explain

Did staff directly observe the child during this physical hold?
☐Yes ☐No

Explain

How many staff injuries as a result of this physical holding?

Explain

How many student injuries as a result of this physical holding?

Explain

Was the school resource officer or a police officer involved in this restrictive procedure?
☐Yes ☐No
Explain

Parent/guardian information
A school shall 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.

Name:
Relationship to child:
Address:
City/State/Zip: ,
Date

Phone (home):
Phone (work):
Phone (cell):
Email:

Time

Notified by

How notified

Northland Learning Center - ISD #6076
1201 13th Avenue South
Virginia MN 55792
Tel 218-741-9201

Staff debriefing meeting: Physical holding

Date of incident: Date of debriefing:
Student:
School: Northland Learning Center - ISD #6076 Age: Grade: Birth date:

Directions: Following the use of a restrictive procedure, as soon as possible and in accordance with the district plan, the staff person who implemented or oversaw the physical holding or seclusion shall conduct a post-use debriefing. The debriefing must include at least one staff member who has knowledge of behaviors and was not involved in the incident. https://www.revisor.mn.gov/statutes/2009/cite/125A.0942

At the time of the incident

Was student on an IEP?
☐Yes ☐No
Was IEP implemented correctly?
☐Yes ☐No
Was a BIP/PBSP/BSP in place?
☐Yes ☐No
Was BIP/PBSP/BSP implemented correctly?
☐Yes ☐No

Description of incident

Identify the antecedents, triggers, and proactive interventions used prior to escalation

Briefly describe the impact of these less restrictive interventions

What behavior necessitated the use of a restrictive procedure?

Describe student and staff behavior during the incident

What actions helped or didn't help?

Describe the procedure used to return the student to their routine activity

Did an injury of staff occur?
☐Yes ☐No
Did an injury of student(s) occur?
☐Yes ☐No
If an injury occurred, describe the injury and the action taken after the injury, follow your district procedure regarding injury to student and staff (ex: work injury hotline, building nurse consulted, hospital visit, etc.)

Was the hold the response to an emergency situation?
☐Yes ☐No
Was the hold the least restrictive intervention?
☐Yes ☐No
Did the hold end when the threat of harm ended?
☐Yes ☐No
Is the behavior likely to reoccur?
☐Yes ☐No
Describe follow-up or corrective action needed to prevent the need for future use of restrictive procedures

Behavior history

Were restrictive procedures used on 2 separate school days in 30 calendar days?
☐Yes ☐No
Does the team see this as a pattern?
☐Yes ☐No
Does the child's IEP team need to meet?
☐Yes ☐No

Staff attending debriefing
(should include one individual not involved in the incident)
Facilitator

Name	Title