Up North Leaning Center Restrictive Procedure Plan

The Up North Learning Center promotes the use of positive approaches for behavioral interventions for all students. We believe that every student has the right to learn and should be given the opportunity to do so in a safe environment that promotes responsibility and learning.

Up North Learning Center use restrictive procedures only in emergency situations. "Emergency" means a situation where immediate intervention is needed to protect the child or other individuals from physical injury. When restrictive procedures are employed in an emergency situation with any student, the district will adhere to the standards and requirements of Minnesota Statutes 125A.0941 and 125A.0942.

Restrictive Procedures Used in Up North Learning Center:

1. Seclusion rooms*:* Seclusion means confining a child alone in a room from which egress is barred. Removing a child from an activity to a location where the child cannot participate in or observe the activity is not seclusion. Up North Learning Center does NOT use seclusion.

2. 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. The term physical holding does not mean physical contact that:

- Helps a child respond or complete a task;
- Assists a child without restricting the child's movement;
- Is needed to administer an authorized health-related service or procedure;
- Is needed to physically escort a child when the child does not resist or the resistance is minimal.

Physical holding procedures are used as the least intrusive procedure necessary to keep students and staff safe in an emergency situation. Staff members are trained to use physical holding as a part of the evidence-based certification program, Handle with Care (HWC).

- HWC Primary Restraint Technique
- HWC Primary Restraint Takedown
- HWC Modified Primary Restraint Technique
- HWC 2-4 Person Team Escort and Restraint
- HWC Supine with its adaptations

3. Guidance on the required data elements for compliance with special education restrictive procedure requirements will be taken from the MDE Restrictive Procedures Checklist (see attached).

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Monitor and Use of Restrictive Procedures

Each time physical holding is used, the staff person who implements or oversees the physical holding shall document, as soon as possible after the incident concludes, the following information:

- A description of the incident that led to the physical holding;
- Why a less restrictive measure failed or was determined by staff to be inappropriate or impractical;
- The time the physical holding began and the time the child was released; and
- A brief record of the child's behavioral and physical status.

The Restrictive Procedure documentation will be turned into a district administrator within 2 working days of the incident. Each time physical holding is used the staff person who implemented or oversaw the physical holding will conduct a post-use debriefing with a district administrator, other staff involved in the physical restraint, and the special education director when appropriate within 2 days after the incident concludes to ensure the following:

- That the physical holding was used in an emergency;
- The physical holding was the least intrusive intervention that effectively responds to the emergency;
- That the physical holding ended when the threat of harm ended and the staff determined that the child could safely return to the classroom or activity;
- That staff directly observed the child while physical holding was being used;
- Whether the documentation was completed correctly;
- When the parents were correctly notified;
- Whether an IEP team meeting needs to be scheduled;
- Whether the appropriate staff used physical holding; and
- Whether the staff that used physical holding was appropriately trained.

If the post-use debriefing determines the physical holding or was not used appropriately, the district will ensure immediate corrective action is taken by providing review of this plan outlining appropriate use of restructuring procedures and determining if more training is needed for staff in the district. The district administration will maintain an ongoing record of all reported uses of restrictive procedures. Four times per year, the district will convene an oversight committee which will consist of the Director of Special Education/Assistant Director of Special Education, building administrators, school psychologist and behavior specialist. This oversight committee will review (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 restrictive procedure, the individual 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 injury, in any, resulting from the use of restrictive procedures; (d) whether the restrictive procedures are used in non-emergency situations; (e) the need for additional training; and (f) proposed actions to minimize the use of restrictive procedures. This oversight committee will review aggregate data, assure IEP meetings are timely conducted, monitor the use of procedures and provide additional training to staff, if necessary.

Minn. Stat. 125A.0942 subp. 1(a)(4)(i).

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Positive Behavioral Interventions and Supports

Up North Learning Center provides positive behavioral interventions, supports and strategies to improve the school environment and to teach children the skills to behave appropriately. The following is a list of positive behavioral interventions and supports. Many of the interventions and supports are tied to each building's Positive Behavior Intervention System (PBIS) model. In addition, many positive behavior intervention plans are developed for individual students.

- PAW Pride - Respect: others, self, learning and property
- Morning meetings that teach specific PAW Pride characteristics in various environments
- Golden Garbage Can
- Golden Tray awards
- Walk with Pride rug
- Second Step curriculum
- Student of the month recognition
- 7th and 8th Grade Peer Mentoring
- Caught Being Good Tickets and Drawings
- Ranger Pride Quarterly Awards
- Open Hour Privileges

Legal Authority
Minn. Stat 125A.0942, subp. 1(a)(2)

Links to Mental Health Services

Up North Learning Center has a contract with North Homes Children and Family Services to provide needed mental health services and related mental health services to children. Up North Learning Center allow a co-located model so families can access mental health services when needed.
The website for North Homes Children and Family Services: https://www.northhomes.org/
Other mental health agencies in the Walker area include:

Enlightenment Psychiatry	https://www.enlightenmentpsychiatry.org/
Groupworks Wellness	https://groupworkswellness.com/
Lakes Country Associates	https://lakecountryassociates.com/
North Country Psychiatry	https://www.northcountrypsychiatry.com/
Rural Psychiatry Associates	https://ruralpsychiatryassociates.com/
Sanford Behavioral Health	https://www.sanfordhealth.org/medical-services/behavioral-health
Wellness Matters	https://wellnessmattershealth.com/

Legal Authority
Minn. Stat. 125A.0942, Subp. 1(a)(2)

District Oversight Committee

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Each member district shall convene an oversight committee to undertake a quarterly review of the use of restrictive procedures based on matters 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 a restrictive procedure is used school-wide 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.

Each member district shall 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.

Oversight committee members for Up North Learning Center are:

1. Lindsey Kendall, School Psychologist
2. Dawn Casteel, Principal, Special Education Supervisor and HWC Trainer
3. Jamie Wothe, Director of Special Education

Personnel Development Activities

Personnel development activities in the following areas will be provided through Handle with Care (HWC), and district-initiated trainings which are aligned to Minnesota HF2 (2010) Section 11 (125A.0942) Standards for Restrictive Procedures to identified district staff and contracted personnel who have routine contact with students and who may use restrictive procedures:

- Positive behavioral interventions;
    - HWC Module entitled: Tension/Tension Reduction Cycle
    - HWC Module entitled: Solid Object Relationship Model
    - Intervention programming development and planning training with School Psychologist, HWC Trainer, and/or Behavior Intervention Specialist.
- Communicative intent of behavior;
    - HWC Module entitled: The Tension/Tension Reduction Cycle
- Relationship building;
    - HWC Module entitled: Solid Object Relationship Model
    - HWC Module entitled: Using the Therapeutic Relationship to Reduce Tension
- Alternative to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior;
    - HWC Module entitled: Non-Verbal and Verbal Intervention Techniques, Escape Techniques and Blocking Techniques.
- De-escalation methods;
    - HWC Module entitled: Tension/Tension Reduction Cycle
    - HWC Module entitled Non-Verbal and Verbal Intervention Techniques
- Standards for using restrictive procedures;
    - HWC Module entitled: Your Agency's Use of Force Policy
- Obtaining emergency medical assistance;

  - District initiated training discussing protocol and procedure for accessing building AED and local medical assistance
  - HWC Module entitled: Your Agency's Use of Force Policy
- Physiological and psychological impact of physical holding;
  - HWC Module entitled: The Letting Go Process
  - District initiated trainings with school psychologists discussing physiological and psychological impact of holding and seclusion.
- Monitoring and responding to a child's physical signs of distress when physical holding is being used; and
  - HWC Module entitled Primary Restraint Technique
- Recognizing the symptoms of and interventions that may cause positional asphyxia when physical holding is used.
  - HWC Module entitled: Primary Restraint Technique
  - CPR training
- District policies and procedures for timely reporting and documenting each incident involving use of a restrictive procedure
  - Review of School's Restrictive Procedure Plan
  - Review of Up North Learning Center Schools' Restrictive Procedure Checklist
  - Quarterly Restrictive Procedures Meeting
- Schoolwide programs on positive behavior strategies
  - Review of Schoolwide programs – Second Step
  - Review of individual positive behavior intervention plans with support staff to student

Minn. Stat 125A.0942, Subd 1(a)(5) and Subp. 5

Trainings on De-Escalation Techniques

Up North Learning Center Schools provide the following trainings using positive behavior interventions:

- Handle with Care (HWC)
- Positive Behavior Support Strategies
- Building initiated Behavior Basics Training
- Individual student-based training with IEP servicing team

Trainings on Accommodations/Modifications

- Due Process Overview
- File review
- Defining Accommodation/Modification – application to SLD rule
- Individual student-based training with IEP servicing team

Minn. Stat 125.0942 1(a)(3) and Minn. Stat. 122A.09 subp. 4(k) and Minn. Rule 8710.0300

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Those Authorized to Use Restrictive Procedures

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 specific individuals trained and the organization or professional that conducted the training. The following employee job classifications are authorized and certified to use restrictive procedures. A list of specific staff authorized is available through the district office:

- Licensed special education teachers
- Licensed school social workers
- Licensed school psychologists
- Board Certified Behavior Analysts (or Master's Level Education in field of Applied Behavior Analysis)
- Special Education paraprofessionals
- Other licensed education professionals
- Mental health professionals

Individual Education Plans and Removal by a Peace Officer

The use of restrictive procedures will be documented in the IEP and/or BIP (Behavior Intervention Plan) after conducting a Functional Behavioral Assessment but may only be used in situations that constitute an emergency. The district encourages and supports the use of positive behavioral supports designed to minimize the use of restrictive procedures. The plan must indicate how the parent wants to be notified when a restrictive procedure is used. Reviews will be conducted in accordance with the plan. In the case of a student with a disability, due process and documentation requirements will be followed. The team is expected to debrief after every restrictive procedure and complete the Restrictive Procedures Form. Should a student be restrained or removed from a classroom, school building, or school grounds during the day by a peace officer at the request of a school administrator or school staff person twice in a 30-day period, the student's IEP team must meet to determine if the pupil's IEP is adequate or if additional evaluation is needed. The IEP will be amended as appropriate based on that review or evaluation.

Notification and Documentation Requirements

The district will make reasonable efforts to notify parents on the same day a restrictive procedure is used. If this is not possible, there should be written or electronic notification within 2 days. If a restrictive procedure is used twice in 30 days or when a pattern of use emerges, and it is not included in the IEP or BIP 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 as appropriate. A Restrictive Procedures Reporting form must be completed every time a restrictive procedure is used.

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Prohibited Procedures

The following procedures are prohibited and are not used or condoned by Up North Learning Center:

- Engaging in conduct prohibited under section 121A.58 (corporal punishment);
- Requiring a child to assume and maintain a specified physical position, activity, or posture that induces physical pain;
- Totally or partially restricting a child's senses as punishment;
- Presenting an intense sound, light, or other sensory stimuli using smell, taste, substance, or spray as punishment;
- 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;
- Interacting with a child in a manner that constitutes sexual abuse, neglect, or physical abuse under section 6226.556 (reporting of maltreatment of minors);
- Withholding regularly scheduled meals or water;
- Denying access to bathroom facilities; and
- 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 the child's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen, or results in straddling a child's torso.

Legal Authority
Minn. Stat. 125A.094 Minn R 3525.2810, subp. 2(B)(1)
Minn. Stat. 125A.0941 Minnesota State Fire Code, Minn. R 7511.1008, subp. 3
Minn. Stat. 125A.0942 Minnesota State Building Code, Minn. R 1305.1008, subp. 8
Minn. Stat. 121A.067, subd. 2
Minn. R 3525.0210, subp. 2
Minn. R 3525.0850
Minn. R 3525.2710, subp. 4(F)

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Restrictive Procedures Plan (RPP) Requirement Checklist

Minn. Stat. 125A.0942, subd.1(a)

Schools that intend to use restrictive procedures shall 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. The following checklist is composed of the items that are required to be in the District's RPP:

_____ A list of the restrictive procedures the school intends to use

_____ A description of how the school will implement a range of positive behavior strategies and provide links to mental health services.

_____ A description of how the school will provide training on de-escalation techniques, consistent with section 122A.09, subdivision 4, paragraph (k)

_____ A description of how the school will monitor and review the use of restrictive procedures, including:

_____ conducting post-use debriefings, consistent with subdivision 3, paragraph (a), clause (5); and

_____ convening an oversight committee to undertake a quarterly review of the use of restrictive procedures

_____ A written description and documentation of the training staff completed under Minn. Stat. 125A.0942, subd. 5.

_____ Designation of oversight committee members including at least:

_____ a mental health professional, school psychologist, or school social worker;

_____ an expert in positive behavior strategies;

_____ a special education administrator; and

_____ a general education administrator.