

The Warren-Alvarado-Oslo District 2176 promotes the use of positive approaches for behavioral interventions for all students. School environments that are positive, predictable, relevant, and effective are safer, healthier and more caring, have enhanced learning and teaching outcomes and provide a continuum of support for all students.

Warren-Alvarado-Oslo District 2176 uses 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 or to prevent serious property damage. 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.094.

Restrictive Procedures Used in Warren-Alvarado-Oslo District 2176

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. The district does not have seclusion rooms in any district building. The district retains the option of developing seclusion rooms based on individual needs of students. Should the needs of an individual require the use of seclusion, the seclusion rooms will meet all the Minnesota Department of Education (MDE) requirements for such rooms and will be registered with the State of Minnesota.
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:
  - 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;
  - d. 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 emergency situation. Staff are taught who are authorized to use physical holding are taught annually as a part of evidence-based certification programs such as CPI- Crisis Prevention Intervention.

- a) CPI Children’s Control Position
  - b) CPI Team Control Position
  - c) CPI Transport Position
  - d) CPI Interim Control Position
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).

Monitor and Use of Restrictive Procedures

Each time physical holding or seclusion (if the district has determined a seclusion room is required and meets MN Statue 125A.094) 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:

- 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.

The Restrictive Procedure documentation (see attached) will be turned in to a district administrator no later than the next working day. Each time physical holding or seclusion is used the staff person who implemented or oversaw the physical holding or seclusion will conduct a post-use debriefing with a district administrator, other staff involved in the physical restraint or seclusion and the special education director when appropriate within 1 day after the incident concludes to ensure the following:

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

If the post-use debriefing determines the physical holding or seclusion was not used appropriately the district will ensure immediate corrective action is taken by providing review of this plan outlining appropriate use of restructure 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. Twice per year, the district will convene an oversight committee consisting of an ASEC Administrator, building administrators, school psychologist and may include the district social worker and/or guidance counselor. 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.

#### Personnel Development Activities

Personnel development activities in the following areas will be provided through Nonviolent Crisis Intervention (CPI) training which is 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:

- 1. Positive behavioral interventions;
  - a. CPI Crisis Development Model, Verbal Intervention
- 2. Communicative intent of behavior;
  - a. CPI Unit entitled: CPI Crisis Development Model, Preventative Techniques
- 3. Relationship building;
  - a. CPI Unit entitled: Preventative Techniques
- 4. Alternative to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior;

- a. CPI Unit entitled: Precipitating Factors, Rational Detachment, Integrated Experience
5. De-escalation methods;
  - a. CPI Unit entitled: CPI Crisis Development Model
6. Standards for using restrictive procedures;
  - a. CPI Unit entitled: Nonviolent Physical Crisis and Team Intervention, & Understanding the Risks of Restraints
7. Obtaining emergency medical assistance;
  - a. Nonviolent Physical Crisis Intervention and Team Intervention
8. Physiological and psychological impact of physical holding and seclusion;
  - a. CPI Unit entitled: Nonviolent Physical Crisis and Team Intervention, Understanding the Risks of Restraints, & Crisis Development Model
9. Monitoring and responding to a child's physical signs of distress when physical holding is being used; and
  - a. CPI Unit entitled Nonviolent Physical Crisis Intervention and Team Intervention
10. Recognizing the symptoms of and interventions that may cause positional asphyxia when physical holding is used.
  - a. CPI Unit entitled: Participant workbook Chapter Understanding the Risks of Restraints
  - b. CPR training

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

#### 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:

- Licensed special education teachers
- Licensed school social workers
- Licensed school psychologists
- Autism Specialists
- Other licensed education professional and non-licensed paraprofessionals as identified by building and/or district administration

#### 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.

Prohibited Procedures

- 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;
- 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 6226.556 (reporting of maltreatment of minors);
- G. Withholding regularly scheduled meals or water;
- H. Denying access to bathroom facilities; and
- I. Physical holding that restricts or impairs a child’s ability to breathe.

*Legal Authority*

*Minn. Stat. 125A.094*

*Minn. Stat. 125A.0941*

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*Minn. Stat. 125A.0942*

*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)*

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

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

*Minnesota State Building Code, Minn. R 1305.1008,*