



New Century School

Restrictive Procedure Plan

Law	New Century School's Restrictive Procedures Plan
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(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.
Definition found at Minnesota Statutes, section 125A.0941(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.
Definition found at Minnesota Statutes, section 125A.0941(b)	An emergency means a situation where immediate intervention is needed to protect a child or other individual 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.
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 2(f)	Restrictive procedures may be used only in response to behavior that constitutes an emergency, even if written into a child's IEP or BIP

I. New Century School intends to use the following restrictive procedures:

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

<p>Definition found at Minnesota Statutes, section 125A.0941(c)</p>	<p>A. Physical holding:</p> <ol style="list-style-type: none"> 1. 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.
<p>Definition found at Minnesota Statutes, section 125A.0941(c)</p>	<ol style="list-style-type: none"> 2. The term physical holding does not mean physical contact that: <ol style="list-style-type: none"> 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; or d) Is needed to physically escort a child when the child does not resist or the child’s resistance is minimal. 3. New Century School intends to use the following types of physical holding: <ol style="list-style-type: none"> a) CPI Children’s Control Position b) CPI Team Control Position c) CPI Seated Position d) CPI Standing Position- lower level
<p>Definition found at Minnesota Statutes, section 125A.0941(g)</p>	<p>New Century School DOES NOT intend to use any rooms for seclusion</p> <p>B. Seclusion</p> <ol style="list-style-type: none"> 1. Seclusion means confining a child alone in a room from which egress is barred. 2. Removing a child from an activity to a location where the child cannot participate in or observe the activity is not seclusion.
<p>II. New Century School will implement a range of positive behavior strategies and provide links to mental health services.</p> <p>Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(2)</p>	
<p>Definition found at Minnesota Statutes, section 125A.0941(d)</p>	<p>A. Positive behavioral interventions and supports means interventions and strategies to improve the school environment and teach children the skills to behave appropriately.</p>
<p>Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(2)</p>	<p>B. New Century School implements the following positive behavior strategies</p> <ol style="list-style-type: none"> 1. Clear communication of expectations 2. Direct instruction of replacement behaviors 3. Designated break areas 4. Provide choices 5. Visual supports 6. Flexible learning spaces

Encouragement found at Minnesota Statutes, section 125A.0942, Subdivision 6 ¹	7. Positive reinforcement systems for demonstration of replacement behaviors and/or absence of target behavior
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(2)	<p>C. New Century School provides the following links to mental health services</p> <ol style="list-style-type: none"> 1. Hennepin County Mental Health Emergencies: www.hennepin.us/residents/emergencies/mental-healthemergencies 2. Ramsey County Mental Health Crisis Service https://www.ramseycounty.us/content/mental-health-crisis-services 3. Behavioral Health Alliance https://www.behavioralhealthalliance.org/ 4. Razzaq Counseling http://www.razzaqcounseling.com/ 5. Arubah Emotional Health https://www.arubahemotionalhealth.com/ 6. Alliance Wellness Center https://www.alliancewellnesscenter.com/ 7. Washburn Center for Children http://www.washburn.org/ 8. Hennepin County Children’s Mental Health Services: www.hennepin.us/residents/health-medical/childrensmental-health-services
III. New Century School will provide training on de-escalation techniques.	
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(3); <i>See also</i> , Minnesota Statutes, section 122A.09, Subdivision 4(k) and Minnesota Rule 8710.0300	<p>A. New Century School provides the following training on using positive behavior interventions</p> <ol style="list-style-type: none"> 1. Crisis Prevention Intervention training 2. Verbal Deescalation Training 3. Cultural Competency training 4. School-wide behavior training 5. Mental health and suicide prevention training
	<p>B. New Century School provides the following training on accommodating, modifying, and adapting curricula, materials, and strategies to appropriately meet the needs of individual students and ensure adequate progress toward the state’s graduation standards</p> <ol style="list-style-type: none"> 1. Implementing Culturally Responsive Teaching Strategies 2. Annual training from Director of Special Education

¹ Minnesota Statutes, section 125A.0942, Subd, 6 encourages school districts to establish effective school-wide systems of positive behavior interventions and supports.

	<ul style="list-style-type: none"> 3. English Learner strategies training 4. MTSS Training
IV. New Century School will monitor and review the use of restrictive procedures in the following manner:	
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(4)	After each use of a restrictive procedure, staff will conduct a post-use debriefing meeting. In addition, a district oversight committee will quarterly review and analyze the data collected regarding the use of restrictive procedures in our district. Both meetings are in effort to minimize the use of restrictive procedures.
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(5)	<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>Attached, as Appendix B, is New Century School’s forms used to document the use of physical holding or seclusion.</p>
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(4)(i)	<p>B. Post-use debriefings, consistent with documentation requirements:</p> <ul style="list-style-type: none"> 1. Each time physical holding is used, the staff person who implemented or oversaw the physical holding or seclusion shall conduct a post-use debriefing with case manager, any staff that were involved in the incident, and one staff member that was not directly involved.
	<ul style="list-style-type: none"> 2. The post-use debriefing will review the following requirements to ensure the physical holding or seclusion was used appropriately <ul style="list-style-type: none"> a) Whether the physical holding was used in an emergency.
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a) ²	

² Minnesota Statutes, section 125A.0942, Subd. 3(a) requires that restrictive procedures only be used in response to behavior that constitutes an emergency.

Requirement found at Minnesota Statutes, section 125A.0942, Subdivision. 3(a)(1) ³	b) Whether the physical holding was the least intrusive intervention that effectively responds to the emergency.
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(2) ⁴	c) Whether the physical holding was used to discipline a noncompliant child.
Requirement found at Minn. Stat. § 125A.0942, Subdivision 3(a)(3) ⁵	d) Whether 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.
Requirement found at Minn. Stat. § 125A.0942, Subdivision 3(a)(4) ⁶	e) Whether the staff directly observed the child while physical holding was being used.
Requirement found at Minn. Stat. § 125A.0942, Subdivision 3(a)(5) ⁷	f) Whether the documentation was completed correctly.
Requirement found at Minn. Stat. § 125A.0942, Subdivision 2(b) ⁸ and Minn.	g) Whether the parents were properly notified.

³ Minn. Stat. § 125A.0942, Subd. 3(a)(1) requires physical holding or seclusion be the least restrictive intervention that effectively responds to the emergency.

⁴ Minn. Stat. § 125A.0942, Subd. 3(a)(2) requires physical holding or seclusion NOT be used to discipline a noncompliant child.

⁵ Minn. Stat. § 125A.0942, Subd. 3(a)(3) requires the physical holding or seclusion end when the threat of harm ends and the staff determines the child can safely return to the classroom or activity.

⁶ Minn. Stat. § 125A.0942, Subd. 3(a)(4) requires staff to directly observe the child while physical holding or seclusion is being used.

⁷ Minn. Stat. § 125A.0942, Subd. 3(a)(5) requires the staff person who implements or oversees the physical holding or seclusion to document, each time physical holding or seclusion is used, 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.

⁸ Minn. Stat. § 125A.0942, Subd. 2(b) requires a school to 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.

§ 125A.0942, Subdivision 2(f) ⁹	
Requirement found at Minn. Stat. § 125A.0942, Subdivision 2(c) ¹⁰	h) Whether an IEP team meeting needs to be scheduled.
Requirement found at Minn. Stat. § 125A.0942, Subdivision 2(a) ¹¹	i) Whether the appropriate staff used physical holding.
Requirement found at Minn. Stat. § 125A.0942, Subdivision 5	j) Whether the staff that used physical holding was appropriately trained.
	3. If the post-use debriefing determines the physical holding was not used appropriately, the district will ensure immediate corrective action is taken, such as specific re-training for the building team on the use of Restrictive Procedures in addition to requiring any immediate corrective action to be taken (parent phone calls, team meeting, etc.)
Requirement found at Minn. Stat. § 125A.0942, Subdivision 1(b) ¹²	<p>C. Oversight committee</p> <p>1. New Century School publicly identifies the following oversight committee members</p> <ul style="list-style-type: none"> a) A mental health professional, school psychologist, or school social worker; b) An expert in positive behavior intervention; c) A special education administrator;

⁹ Minn. Stat. § 125A.0942, Subd. 2(f) provides that an IEP team may plan for using restrictive procedures and may include these procedures in a child's IEP or BIP; however, the restrictive procedures may be used only in response to behavior that constitutes an emergency. The IEP or BIP shall indicate how the parent wants to be notified when a restrictive procedure is used.

¹⁰ Minn. Stat. § 125A.0942, Subd. 2(c) requires the district to hold a meeting of the IEP team: within ten calendar days after district staff use restrictive procedures on two separate school days within 30 calendar days or a pattern of use emerges and the child's IEP or BIP does not provide for using restrictive procedures in an emergency; or at the request of a parent or the district after restrictive procedures are used. The district must review use of restrictive procedures at a child's annual IEP meeting when the child's IEP provides for using restrictive procedures in an emergency.

¹¹ Minn. Stat. § 125A.0942, Subd. 2(a) requires restrictive procedures only be used 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 training.

¹² Minn. Stat. § 125A.0942, Subd. 2(b) requires schools to annually 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.

	d) A general education administrator;
Requirement found at Minn. Stat. § 125A.0942, Subdivision 1(a)(4)(ii) ¹³	2. New Century School's oversight committee meets quarterly before the 15th of October, January, and April and once on the last day of the school year
Requirement found at Minn. Stat. § 125A.0942, Subdivision (1)(a)(4)(ii)	3. New Century School's oversight committee will review the following <i>[list below the responsibilities of the oversight committee to include at least (a) – (f)]</i> : <ul style="list-style-type: none"> 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 a restrictive procedure, the individuals 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 injuries, if any, resulting from the use of restrictive procedures; d) Whether restrictive procedures are used in nonemergency situations; e) The need for additional staff training; and f) Proposed actions to minimize the use of restrictive procedures.

V. New Century School staff who use restrictive procedures, including paraprofessionals, received training in the following skills and knowledge areas:

Requirement found at Minn. Stat. § 125A.0942, Subdivision 1(a)(5) and Subdivision 5	A. Positive behavioral interventions <ul style="list-style-type: none"> 1. Crisis Prevention Intervention: Non-violent Crisis Intervention-Enhanced 2. Documentation of training is available on the CPI website and district CPI logs.
	B. Communicative intent of behaviors <ul style="list-style-type: none"> 1. CPI teaches that behavior is a form of communication and the training allows staff to better understand the real meaning behind the behaviors. 2. Participants are trained in the Four Levels of Crisis Development: Anxiety, Defensive, Risk Behavior, and Tension Reduction.
	C. Relationship building <ul style="list-style-type: none"> 1. Relationship building is a thread woven throughout the CPI training program. If staff have strong relationships with the individuals in their care, they are more likely to be successful in recognizing anxiety, avoiding power struggles, and setting limits that will be meaningful for a specific individual.

¹³ Minn. Stat. § 125A.0942, Subd. 1(a)(4)(ii) requires that an oversight convene to undertake a quarterly review of the use of restrictive procedures.

	<p>2. Relationship building is addressed most directly in the sections of the program on Empathic Listening and the Integrated Experience (the concept that the behaviors and attitudes of staff affect the behaviors and attitudes of students and vice versa).</p>
	<p>D. Alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior</p> <ol style="list-style-type: none"> 1. Prevention and early intervention is the primary focus of Nonviolent Crisis Intervention Training. 2. Staff trained in CPI learn to identify precipitating factors, or internal/external causes of risk behavior. They learn to recognize the early warning signs of precipitants to risk behavior. The program also addresses the use of Disengagement Strategies as an alternative to the use of restraint and seclusion.
	<p>E. De-Escalation methods</p> <ol style="list-style-type: none"> 1. CPI addresses both verbal and nonverbal de-escalation strategies. 2. CPI teaches steps to take toward de-escalation and learning to prevent future occurrences of risk behavior.
	<p>F. Standards for using restrictive procedures only in an emergency</p> <ol style="list-style-type: none"> 1. CPI decision making matrix assists staff in assessing the level of risk associated with crisis behavior and making appropriate decisions related to the management of such risks. 2. CPI teaches the use of restrictive procedures only as a last resort. The use of safe, non-harmful control techniques are always a last resort and used in emergencies only. 3. CPI teaches management of behavioral risk using disengagement and/or holding skills in order to reduce or manage the risk behavior.
	<p>G. Obtaining emergency medical assistance</p> <ol style="list-style-type: none"> 1. Staff are trained to use a team approach when responding to an emergency. 2. One of the duties of the auxiliary team member is to recognize the need for additional assistance and to summon appropriate assistance, which may include medical personnel.
	<p>H. The physiological and psychological impact of physical holding and seclusion</p> <ol style="list-style-type: none"> 1. CPI is designed to help participants understand the physiological and psychological impact of restraint in several ways. 2. Participant's role play physical restraints with a partner and discuss what this feels like with the instructor. 3. Participants learn the reasons for avoiding floor restraints and the dangers associated with the use of floor restraints. 4. The program emphasizes re-establishing therapeutic rapport following a crisis, as well as the importance of understanding the emotions and potential psychological trauma that a person may feel after being restrained.
	<p>I. Monitoring and responding to a child's physical signs of distress when physical holding is being used</p> <ol style="list-style-type: none"> 1. CPI discusses the risk of restraint use and how to monitor for signs of distress. 2. Auxiliary team members' duties include monitoring for signs of distress so an intervention can be terminated should any signs arise

	<p>J. Recognizing the symptoms of and interventions that may cause positional asphyxia when physical holding is used</p> <ol style="list-style-type: none"> 1. Auxiliary staff members are used to monitor the physical and psychological well-being of the individual being restrained, as well as staff members involved in the restraint. 2. CPI teaches the dangers of restraints and staff have learned that restraint-related positional asphyxia occurs when the person is placed in a position in which he or she cannot breathe properly and is not able to take in enough oxygen.
	<p>K. District policies and procedures for timely reporting and documenting each incident involving use of a restrictive procedure; and</p> <ol style="list-style-type: none"> 1. Staff are trained in the policies and procedures for reporting and documentation of each incident involving a restrictive procedure. 2. Documentation of incidents are to be reported within 24 hours of incident.
	<p>L. Schoolwide programs on positive behavior strategies</p> <ol style="list-style-type: none"> 1. Staff are trained on an ongoing basis within their individual buildings on the schoolwide programs used to support positive behavior in the schools. 2. The district will maintain records of staff who have been trained and the organization or professional that conducted the training.

VI. New Century School will never use the following prohibited procedures on a child:

<p>Prohibitions found at Minn. Stat. § 125A.0942, Subdivision 4(1-9)</p>	<ol 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; 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; and
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| | <ol style="list-style-type: none">I. 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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