

INDEPENDENT SCHOOL DISTRICT 196
 Rosemount-Apple Valley-Eagan, Minnesota
Educating our students to reach their full potential

Law	ISD 196 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
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(1)	I. District 196 intends to use the following restrictive procedures:*
Definition found at Minnesota Statutes, section 125A.0941(c)	<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.

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Definition found at Minnesota Statutes, section 125A.0941(c)	<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. District 196 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 Transport Position
Definition found at Minnesota Statutes, section 125A.0941(g)	<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. Egress may be barred by an adult locking or closing the door in the room or preventing the child from leaving the room.
Definition found at Minnesota Statutes, section 125A.0941(g)	<ol style="list-style-type: none"> 3. Removing a child from an activity to a location where the child cannot participate in or observe the activity is not seclusion.
	<ol style="list-style-type: none"> 4. Dakota Ridge School intends to use the following rooms as rooms for seclusion <ol style="list-style-type: none"> a) "Break out Room" between classroom 106 and classroom 107—"106.5" b) "Break out Room" between classroom 116 and classroom 117—"116.5"
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(7)(i)	<ol style="list-style-type: none"> 5. Attached, as Appendix A, is a written notice from local authorities that the rooms comply with applicable building, fire, and safety codes. The written notice was received from the State Fire Marshall Division (Minnesota Department of Public Safety) on 5/23/2014.

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Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(7)(ii)	6. All rooms Dakota Ridge School uses as rooms for seclusion have been registered with the Minnesota Department of Education on 12/03/2014.
Requirements found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(6)	7. Rooms 106.5 and 107.5 at Dakota Ridge School used as seclusion are:
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(6)(i) ¹	a) 9' 6" x 15' 5"
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(6)(ii) ²	b) Rooms 106.5 and 107.5 at Dakota Ridge School both have overhead lighting and are ventilated and heated. Staff who use these rooms for seclusion will ensure the cleanliness of the rooms prior to and after each use.
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(6)(iii) ³	c) Rooms 106.5 and 107.5 at Dakota Ridge School both have 4 windows. One is in each door, measuring 41.5" and three are next to each door, measuring 9.5" x21", 31.5" x21", and 9.5" x 21". When standing in front of the windows, staff is able to see into the entire room.
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(6)(iv) ⁴	d) Rooms 106.5 and 107.5 at Dakota Ridge School are equipped with overhead light fixtures and heating and ventilation which are tamperproof. Additionally, the light switches are located just outside the rooms, within inches of the doors. The ceilings are secure.

¹ Minnesota Statutes, section 125A.0942, Subd. 3(a)(6)(i) requires the room to be at least six feet by five feet.

² Minnesota Statutes, section 125A.0942, Subd. 3(a)(6)(ii) requires the room to be well lit, well ventilated, adequately heated, and clean.

³ Minnesota Statutes, section 125A.0942, Subd. 3(a)(6)(iii) requires the room to have a window that allows staff to directly observe a child in seclusion.

⁴ Minnesota Statutes, section 125A.0942, Subd. 3(a)(6)(iv) requires the room to have tamperproof fixtures, electrical switches located immediately outside the door, and secure ceilings.

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Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(6)(v) ⁵	e) Rooms 106.5 and 107.5 at Dakota Ridge School each have three doors that open out. Two of the three doors in each room have locks that secure the room from both the inside and the outside. One door only lock from the outside (so a student can never be locked into the room).
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(6)(vi) ⁶	f) Staff will check Rooms 106.5 and 107.5 at Dakota Ridge School prior to use and after each use and immediately remove and objects that could be used to injure a child or others.
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(2)	II. District 196 will implement a range of positive behavior strategies and provide links to mental health services.

⁵ Minnesota Statutes, section 125A.0942, Subd. 3(a)(6)(v) requires the room to 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.

⁶ Minnesota Statutes, section 125A.0942, Subd. 3(a)(6)(vi) requires the room not to contain objects that a child may use to injure the child or others.

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Definition found at Minnesota Statutes, section 125A.0941(d)	A. Positive behavioral interventions and supports means interventions and strategies to improve the school environment and teach children the skills to behave appropriately.
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(2) Encouragement found at Minnesota Statutes, section 125A.0942, Subdivision 6 ⁷	B. Schools across District 196 implement various of the following positive behavior strategies: 1. PBIS 2. Yoga Calm 3. Tier 3 Interventionist/ RTI Lead Teachers 4. Co-located Mental Health Services: Pre-K-12 5. Literacy Collaborative 6. Responsive Classroom
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(2)	C. District 196 provides the following links to mental health services 1. Dakota County https://www.co.dakota.mn.us/HealthFamily/MentalHealth/Pages/default.aspx 2. National Alliance on Mental Illness (NAMI) www.namihelps.org 3. Mental Health Resources Inc. www.mhresources.org

⁷ Minnesota Statutes, section 125A.0942, Subd, 6 encourages school districts to establish effective school-wide systems of positive behavior interventions and supports.

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<p>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>	<p>III. District 196 will provide training on de-escalation techniques.</p> <p>A. District 196 provides the following training on using positive behavior interventions;</p> <ol style="list-style-type: none"> 1. Crisis Prevention Institute (CPI) <p>B. District 196 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 [list the trainings provided below].</p> <ol style="list-style-type: none"> 1. Tier 3 Intervention Lead Teachers in buildings 2. Literacy Collaborative units of study training 3. RTI Lead Teachers in buildings 4. Autism and Behavior Cohort Training 5. Co-teaching cohort 6. Reading Recovery and Leveled Literacy Intervention Training 7. Moving and Learning Residency
<p>Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(4)</p>	<p>IV. District 196 will monitor and review the use of restrictive procedures in the following manner:</p>
<p>Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(5)</p>	<p>A. Documentation:</p> <ol 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: <ol 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.
	<ol style="list-style-type: none"> 2. Attached, as Appendix B, is District 196’s forms used to document the use of physical holding or seclusion.

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Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(4)(i)	<p>B. Post-use debriefings, consistent with documentation requirements:</p> <p>1. Each time physical holding or seclusion is used, the staff person who implemented or oversaw the physical holding or seclusion shall conduct a post-use debriefing with <i>all educational staff involved</i>, within <i>48 hours</i> after the incident concludes.</p>
	<p>2. The post-use debriefing will review the following requirements to ensure the physical holding or seclusion was used appropriately:</p>
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a) ⁸	<p>a) <i>Whether the physical holding or seclusion was used in an emergency.</i></p>
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision. 3(a)(1) ⁹	<p>b) <i>Whether the physical holding or seclusion was the least intrusive intervention that effectively responds to the emergency.</i></p>
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(2) ¹⁰	<p>c) <i>Whether the physical holding or seclusion was used to discipline a noncompliant child.</i></p>
Requirement found at Minn. Stat. § 125A.0942, Subdivision 3(a)(3) ¹¹	<p>d) <i>Whether 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.</i></p>

⁸ Minnesota Statutes, section 125A.0942, Subd. 3(a) requires that restrictive procedures only be used in response to behavior that constitutes an emergency.

⁹ Minn. Stat. § 125A.0942, Subd. 3(a)(1) requires physical holding or seclusion be the least restrictive intervention that effectively responds to the emergency.

¹⁰ Minn. Stat. § 125A.0942, Subd. 3(a)(2) requires physical holding or seclusion NOT be used to discipline a noncompliant child.

¹¹ 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.

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Requirement found at Minn. Stat. § 125A.0942, Subdivision 3(a)(4) ¹²	e) <i>Whether the staff directly observed the child while physical holding or seclusion was being used.</i>
Requirement found at Minn. Stat. § 125A.0942, Subdivision 3(a)(5) ¹³	f) <i>Whether the documentation was completed correctly.</i>
Requirement found at Minn. Stat. § 125A.0942, Subdivision 2(b) ¹⁴ and Minn. § 125A.0942, Subdivision 2(f) ¹⁵	g) <i>Whether the parents were properly notified</i>
Requirement found at Minn. Stat. § 125A.0942, Subdivision 2(c) ¹⁶	h) <i>Whether an IEP team meeting needs to be scheduled.</i>

¹² Minn. Stat. § 125A.0942, Subd. 3(a)(4) requires staff to directly observe the child while physical holding or seclusion is being used.

¹³ 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.

¹⁴ 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.

¹⁵ 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.

¹⁶ 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.

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Requirement found at Minn. Stat. § 125A.0942, Subdivision 2(a) ¹⁷	i) <i>Whether the appropriate staff used physical holding or seclusion.</i>
Requirement found at Minn. Stat. § 125A.0942, Subdivision 5	j) <i>Whether the staff that used physical holding or seclusion was appropriately trained.</i>
	3. <i>If the post-use debriefing determines the physical holding or seclusion was not used appropriately, District 196 will ensure immediate corrective action is taken, such as attend additional CPI training, attend additional training on the use of non-physical de-escalation techniques, review positive behavior support and IEP.</i>
Requirement found at Minn. Stat. § 125A.0942, Subdivision 1(b) ¹⁸	<p>C. Oversight committee</p> <p>1. District 196 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; d) A general education administrator;
Requirement found at Minn. Stat. § 125A.0942, Subdivision 1(a)(4)(ii) ¹⁹	<p>2. District 196's oversight committee meets quarterly on:</p> <ul style="list-style-type: none"> a) Second Tuesday in October b) Second Tuesday in January c) Second Tuesday in March d) Second Tuesday in May

¹⁷ 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.

¹⁸ 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.

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Requirement found at Minn. Stat. § 125A.0942, Subdivision (1)(a)(4)(ii)	<p>3. District 196's oversight committee will review the following:</p> <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.
Requirement found at Minn. Stat. § 125A.0942, Subdivision 1(a)(5) and Subdivision 5	<p>V. District 196 staff who use restrictive procedures, including paraprofessionals, received training in the following skills and knowledge areas:</p> <p>A. Positive behavioral interventions</p> <ul style="list-style-type: none"> 1. <i>CPI Training</i> 2. <i>See appendix C for a list of staff who attended, dates, and certificates received</i> <p>B. Communicative intent of behaviors</p> <ul style="list-style-type: none"> 1. <i>CPI Training</i> 2. <i>See appendix C for a list of staff who attended, dates, and certificates received</i>
	<p>C. Relationship building</p> <ul style="list-style-type: none"> 1. <i>CPI Training</i> 2. <i>See appendix C for a list of staff who attended, dates, and certificates received</i>
	<p>D. Alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior</p> <ul style="list-style-type: none"> 1. <i>CPI Training</i> 2. <i>See appendix C for a list of staff who attended, dates, and certificates received</i>

¹⁹ 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.

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	<p>E. De-Escalation methods</p> <ol style="list-style-type: none"> 1. <i>CPI Training</i> 2. <i>See appendix C for a list of staff who attended, dates, and certificates received</i>
	<p>F. Standards for using restrictive procedures only in an emergency</p> <ol style="list-style-type: none"> 1. <i>CPI Training</i> 2. <i>See appendix C for a list of staff who attended, dates, and certificates received</i>
	<p>G. Obtaining emergency medical assistance</p> <ol style="list-style-type: none"> 1. <i>CPI Training</i> 2. <i>See appendix C for a list of staff who attended, dates, and certificates received</i>
	<p>H. The physiological and psychological impact of physical holding and seclusion</p> <ol style="list-style-type: none"> 1. <i>CPI Training</i> 2. <i>See appendix C for a list of staff who attended, dates, and certificates received</i>
	<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. <i>CPI Training</i> 2. <i>See appendix C for a list of staff who attended, dates, and certificates received</i>
	<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. <i>CPI Training</i> 2. <i>See appendix C for a list of staff who attended, dates, and certificates received</i>
	<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. <i>CPI Training</i> 2. <i>See appendix C for a list of staff who attended, dates, and certificates received</i>

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	<p>L. Schoolwide programs on positive behavior strategies</p> <ol style="list-style-type: none"> 1. <i>CPI Training</i> 2. <i>See appendix C for a list of staff who attended, dates, and certificates received</i>
<p>Prohibitions found at Minn. Stat. § 125A.0942, Subdivision 4(1-9)</p>	<p>VI. District 196 will never use the following prohibited procedures on a child:</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 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.