



## RESTRICTIVE PROCEDURES PLAN

In accordance with Minnesota Statute 125A.0942, Subd.1, all Minnesota school districts are required to develop and make public a plan that discloses its use of restrictive procedures. The plan specifically outlines the list of restrictive procedures the school intends to use; how the school will monitor and review the use of restrictive procedures, including post use debriefings and convening an oversight committee; and a written description and documentation of the training and staff that have completed the training.

Gateway STEM Academy uses restrictive procedures only in response to behavior(s) that constitutes an emergency, even if written into a child's Individualized Education Plan (IEP) or Behavior Intervention Plan (BIP).

### 1. Definitions

The following terms are defined as:

- a. "Emergency" means a situation where immediate intervention is needed to protect a child or other individual from physical injury.
- b. "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:
  - i. helps a child respond or complete a task
  - ii. assists a child without restricting the child's movement;
  - iii. is needed to administer an authorized health-related service or procedure; or
  - iv. is needed to physically escort a child when the child does not resist or the child's resistance is minimal.
- c. "Positive behavioral interventions and supports" means interventions and strategies to improve the school environment and teach children the skills to behave appropriately.
- d. "Restrictive procedures" means the use of physical holding or seclusion in an emergency.



- e. “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.

## **2. Staff Training-Requirements and Activities**

### **Requirements**

Staff who design and use behavioral interventions will complete training in the use of positive approaches as well as restrictive procedures. Gateway STEM Academy uses Nonviolent Crisis Intervention (CPI) training for these purposes. Training records will identify the content of the training, attendees and training dates. A database containing records of all trainings will be maintained using Keep Certified.

The following employee job classifications are authorized and certified to use restrictive procedures:

- Licensed special education teachers
- Behavioral Analyst certified by the National Behavior Analyst Certification Board
- A person with a master’s degree in behavior analysis
- School psychologists
- Other licensed education professionals
- Special education paraprofessionals
- Mental health professional

### **Activities**

Personnel development activities will be provided to district staff and contracted personnel who have routine contact with students and who may use restrictive procedures in the following areas:

- a. Positive behavioral interventions;
- b. Communicative intent of behaviors;
- c. Relationship building
- d. Alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior.
- e. De-escalation methods;
- f. Standards for using restrictive procedures only in emergencies;
- g. Obtaining emergency medical assistance;
- h. Physiological and psychological impact of physical holding and seclusion;
- i. Monitoring and responding to a child's physical signs of distress when physical holding is being used; and
- j. Recognizing the symptoms of and interventions that may cause positional asphyxia when physical holding is used.
- k. The district policies and procedures for timely reporting and documenting each incident involving use of a restricted procedure
- l. School wide programs on positive behavior strategies.

The district uses Nonviolent Crisis Intervention (CPI) to address all of the areas identified above.

### **3. Restrictive Procedures: Physical Holding and Seclusion**

Restrictive procedures that may be used in emergency situation include physical holding only. Prone restraint and seclusion are not used in the district.

Physical holding will end when the threat of harm has ended and staff has determined that the student can safely return to the requested activity. Physical holding must be the least intrusive intervention that effectively responds to the emergency and cannot be used to discipline a noncompliant child. Staff must directly observe the child while physical holding is being used.



District staff use the following types of physical holding: Children’s Control, Team Control, Transport, and Interim Control. Additional training and monitoring by a qualified CPI instructor will be provided to staff using these procedures.

### **Seclusion**

None of the schools in the district use locked time out rooms for seclusion.

## **4. Prohibited Procedures**

Gateway STEM Academy does not authorize the use of the following prohibited procedures on a student:

- a. Corporal punishment which includes conduct involving:
  - i. Hitting or spanking a person with or without an object; or
  - ii. Unreasonable physical force that causes bodily harm or substantial emotional harm.
- b. Requiring the student to assume and maintain specified physical position, activity, or posture that induces physical pain.
- c. Presenting an intense sound, light or other sensory stimuli using smell, taste, substance, or spray as punishment.
- d. Denying or restricting the students 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.
- e. Interacting with a student in a manner that constitutes sexual abuse, neglect, or physical abuse.
- f. Totally or partially restricting a student’s sense as punishment.
- g. Withholding regularly scheduled meals or water.
- h. Denying the student access to bathroom facilities.
- i. Physical holding that restricts or impairs a student’s ability to breathe.

## 5. Documentation of Physical Holding

Each time physical holding or seclusion is used, the staff person who implements or oversees the restrictive procedure shall document, as soon as possible after the incident concludes, the following information via use of the *Restrictive Procedures: Physical Hold Report Form*:

- a. A description of the incident that led to the physical holding;
- b. Why a less restrictive intervention failed or was determined by staff to be inappropriate or impractical;
- c. The time the physical holding or seclusion began and the time the student was released; and
- d. A synopsis of the student's behavioral and physical status.

Within two (2) school days following the use of the restrictive procedure, a staff member who implemented or oversaw the physical holding shall debrief the person(s) involved in the physical holding. The results of the debriefing will be documented using the *Debriefing Form for Restrictive Procedures: Physical Hold*.

During the debriefing the team shall determine the following.

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



- h. Whether the appropriate staff used physical holding; and
- i. Whether the staff that used physical holding was appropriately training.

A copy of the completed the *Restrictive Procedures: Physical Hold Report Form* and the *Debriefing Form for Restrictive Procedures: Physical Hold* will be sent to:

- a. The student's IEP case manager for placement in the student's due process file,
- b. The building principal/administrator who will place a copy of the reports in the students cumulative record file, and
- c. The Director of Special Service (who will maintain a comprehensive file of all restrictive procedures forms to be used later by the District Oversight Committee).

Record retention will be in accordance with the district policy on student records.

## **6. Documentation for an IEP**

The use of restrictive procedures in response to an emergency will be documented in the student's IEP or a behavior intervention plan attached to the IEP. In accordance with MN law when restrictive procedures are used twice in 30 days or when a pattern emerges and restrictive procedures are not included in a child's IEP or BIP or at the request of the parent after restrictive procedures are used the district will hold a meeting of the IEP team within ten (10) calendar days after the most recent incident. The team shall conduct or review a functional behavioral analysis, review data, consider developing additional or revised positive behavioral interventions and supports, consider actions to reduce the use of restrictive procedures, and modify the IEP or BIP as appropriate. At the meeting the team will review any known medical or psychological limitations that contraindicate the use of a restrictive procedure in the IEP or BIP.



The IEP team must review the use of restrictive procedures at a child’s annual IEP meeting when the child’s IEP provides for using restrictive procedures in an emergency. If the IEP team determines that the existing interventions and supports are ineffective in reducing the use or restrictive procedures or the district uses restrictive procedures on a child on ten (10) or more school days during the school year, the team will consult with other professionals working with the child or experts in behavior analysis, mental health, communication or autism. The team will also consult with culturally competent professionals, review existing evaluations, resources and successful strategies or consider to reevaluate the child. At the meeting the team will review any known medical or psychological limitations that contraindicate the use of a restrictive procedure in the IEP or BIP.

Record retention will be in accordance with district policies on student records.

## **7. District Oversight Committee**

The District Oversight Committee will meet quarterly to review data summarized in the *Restrictive Procedures: Physical Hold Report Form* and the *Debriefing Form for Restrictive Procedures: Physical Hold*. The Committee will complete the District Oversight Committee Review form. The District Oversight Committee will also complete the *Annual Summary of Use of Restrictive Procedures* form provided by the Minnesota Department of Education. The District Oversight Committee will make recommendations in regards to the District’s Restrictive Procedures Plan and, if necessary, indicate training needs and establish a plan for addressing Committee recommendation. The District Oversight Committee consists of:

- a. Building principal/administrator
- b. Director of Special Services
- c. CPI Trainer
- d. School Psychologist



If a post-use debriefing meeting reveals that the use of physical holding was not used appropriately, the District Oversight Committee will convene immediately to ensure corrective action is taken. The District Oversight Committee will review and evaluate the *Restrictive Procedures: Physical Hold Report Form* and the *Debriefing Form for Restrictive Procedures: Physical Hold* to determine and recommend training needs.

## **8. Emergency Situations – Use of Restrictive Procedures**

Gateway STEM Academy shall make reasonable efforts to notify the parent/guardian on the same day when restrictive procedures are 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. Documentation of how the parent wants to be notified when a restrictive procedure is used may be included in the IEP or BIP.

## **9. Positive Behavior Interventions and Supports**

Gateway STEM Academy is committed to using positive behavioral interventions and supports. Positive behavior interventions and supports mean interventions and strategies to improve the school environment and teach children the skills to behave appropriately.

The district uses the following positive behavioral intervention strategies:

- PBIS
- Nonviolent Crisis Intervention (CPI)
- Advisory programs at Gateway STEM Academy
- Zones of Regulation in grades K-6





- Small group counseling dealing with social skills, friendship, conflict resolution, anger management
- Peer Mentor program