

HASTINGS PUBLIC SCHOOLS – Restrictive Procedures Plan 2020-21

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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)	<p>I. Hastings Public Schools intends to use the following restrictive procedures:</p> <p><i>NOTE: While seclusion, defined as confining a child alone in a room from which egress is barred, is an allowable procedure under Minnesota Statutes, <u>District 200 will NOT use seclusion.</u> Physical holding as defined below will be the only restrictive procedure used.</i></p>
Definition found at Minnesota Statutes, section 125A.0941(c)	<p>A. Physical holding:</p> <p>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>

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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. Hastings Public Schools intends to use the following types of physical holds <ol style="list-style-type: none"> a) CPI Children’s Control Position, CPI Team Control Position b) CPI Holding in a Seating Position (Low, Medium, High) c) CPI Holding in a Standing Position (Low, Medium, High)
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. 4. Hastings Public Schools does not intend to use seclusion as a restrictive procedure and does not have any rooms assigned for this purpose.
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(2)	<p>II. Hastings Public Schools will implement a range of positive behavior strategies and provide links to mental health services.</p>

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Definition found at Minnesota Statutes, section 125A.0941(d)	A. Positive behavioral interventions and supports mean 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 ¹	B. Hastings Public Schools is committed to using positive behavioral interventions and supports to improve the school environment and to teach children the skills to behave appropriately. Listed below are some of the highlights of techniques or strategies used in each building: <ol style="list-style-type: none"> 1. Tilden Community Center – Conscious Discipline 2. Kennedy Elementary, McAuliffe Elementary, & Pinecrest Elementary use methodologies adapted from PBIS, Conscious Discipline and Restitution. 3. Hastings Middle School has been trained in and uses Restitution. In addition, HMS has also implemented the full Positive Behavior Interventions & Supports (PBIS) approach school-wide. 4. Hastings Public Schools is part of a bullying prohibition initiative and has resources and trainings available to students, staff and parents on the District website.
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(2)	C. Hastings Public School District provides the following links to mental health services: <ol style="list-style-type: none"> 1. Washington County Mental Health Resources: www.co.washington.or.us/HHS/MentalHealth/ 2. Washington County Crisis Services: www.co.washington.or.us/HHS/MentalHealth/GettingHelp/crisis-services.cfm 3. Dakota County Children’s Mental Health Resources www.co.dakota.mn.us/HealthFamily/MentalHealth/Childrens/Pages/default.aspx 4. National Alliance on Mental Illness (NAMI): http://www.namihelps.org/ 5. Minnesota Association for Children’s Mental Health (MACMH): http://www.macmh.org 6. Canvas Health: http://www.canvashealth.org 7. Family Adolescent & Children’s Therapy Services (FACTS): http://www.facts-mn.org/

¹ 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>Mental health services continued:</p> <p>8. Sternau & Associates: 612-338-5267</p>
<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. Hastings Public Schools will provide training on de-escalation techniques.</p> <p>A. Hastings Public Schools maintains at least two staff members who are fully certified as CPI trainers in Nonviolent Crisis Prevention Intervention to teach de-escalation techniques. They provide training in the summer, prior to the school year, as well as during the school year, to ensure that staff likely to use physical restraint has and maintains training.</p> <p>CPI trainers in District 200 are the following employees: Amy Davis, Tina Hauer and Laura DeWitt</p> <p>B. Hastings Public Schools provides the 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. Staff development is delivered by District 200 specialists, via guest presenters, or by sending staff to trainings outside the district.</p> <ol style="list-style-type: none"> 1. Graduation Standards & Standards-based IEPs: Attended by special education teachers at McAuliffe Elementary, Pinecrest Elementary, Kennedy Elementary, Hastings Middle School & Hastings High School. 2. Practical Strategies for Paraprofessional Who Work with Students with Special Needs Grades K-12: Attended by paraprofessionals across District 200. 3. Conscious Discipline: Attended by teachers and paraprofessionals at Tilden Community Center and all 3 elementary schools. 4. All staff that intends to use physical holds attends Nonviolent Crisis Prevention Intervention (CPI) training, which meets the required training components outlined above.
<p>Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(4)</p>	<p>IV. Hastings Public Schools will monitor and review the use of restrictive procedures in the following manner:</p>

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Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(5)	<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. The Hastings Public Schools’ form used to document the use of physical holding is found on SpedForms and is titled <u>Restrictive Procedures Form Physical Holding</u>*. IEP managers must assure timely completion of this form. *Restrictive Procedures Form is attached
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(4)(i)	<p>B. Post-use debriefings, consistent with documentation requirements:</p> <ol style="list-style-type: none"> 1. Each time physical holding is used the staff person who implemented or oversaw the physical hold shall conduct a post-use debriefing as soon as possible and no more than two (2) days after the incident concludes. A copy of this documentation will be submitted to the building principal. Additionally a copy will be submitted to Megan Miller (Director) or Tonia Humble (Assistant Director), for the purpose of compiling required restrictive procedure summary for annual submission to Minnesota Department of Education and for quarterly review of restrictive procedure data with the District’s restrictive procedure oversight committee.
	<ol style="list-style-type: none"> 2. Persons participating in the post-use debriefing will include: <ul style="list-style-type: none"> • The student’s IEP case manager, • Staff person(s) involved with the physical hold, and • At least <u>one</u> of the following: school administrator, school psychologist, school social worker, or special education department chair with knowledge of the student. • Additional persons may be included as needed.

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Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a) ²	<p>The post-briefing will review the following requirements to ensure the physical holding was used appropriately and record the findings:</p> <p>a) Whether the physical holding was used in an emergency.</p>
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision. 3(a)(1) ³	<p>b) Whether the physical holding was the least intrusive intervention that effectively responds to the emergency.</p>
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(2) ⁴	<p>c) Whether the physical holding was used to discipline a noncompliant child.</p>
Requirement found at Minn. Stat. § 125A.0942, Subdivision 3(a)(3) ⁵	<p>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.</p>

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

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.

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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. § 125A.0942, Subdivision 2(f) ⁹	g) Whether the parents were properly notified.
Requirement found at Minn. Stat. § 125A.0942, Subdivision 2(c) ¹⁰	h) Whether an IEP team meeting needs to be scheduled.

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.

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

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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.
	<p>3. If the post-use debriefing revealed that the use of the physical hold was not used appropriately, the team participating in the staff debrief will consult with their building administrator and/or special education director or assistant director to generate a corrective action plan as outlined on the Post-Use Debriefing Form*. The corrective action plan may consist of the following:</p> <ul style="list-style-type: none"> . a) Re-training in CPI . b) Behavior management strategies training (Provided by in-district specialists or out of district specialists.)^[SEP] . c) Coaching . d) Other actions as determined by the school team and/or administration^[SEP] <p><i>*A copy of the Post-Use Debriefing Form is attached.</i></p>

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.

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Requirement found at Minn. Stat. § 125A.0942, Subdivision 1(b) ¹²	<p>C. Oversight committee</p> <p>1. Hastings Public Schools publicly identifies the following oversight committee members:</p> <ul style="list-style-type: none"> a) Megan Miller, Director of Special Services b) Tonia Humble, Assistant Director of Special Services c) Shannon Stenzel, Special Education Department Chair - HMS d) Marsha Edel, Special Education Department Chair - HHS e) Amy Mares, School Psychologist –Hastings Middle School f) Matt Esterby, Principal g) Laura DeWitt, BCBA
Requirement found at Minn. Stat. § 125A.0942, Subdivision 1(a)(4)(ii) ¹³	<p>2. Hastings Public School’s oversight committee meets quarterly (during the months of November, January, March, & May)</p>
Requirement found at Minn. Stat. § 125A.0942, Subdivision (1)(a)(4)(ii)	<p>3. The oversight committee will review of the use of restrictive procedures by reviewing post-use debriefings and look for patterns or problems indicated by:</p> <ul style="list-style-type: none"> •time of day; •day of the week

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.

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.

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	<ul style="list-style-type: none"> •duration of the use of the restrictive procedure; •the individuals involved; •the number of times a restrictive procedure was 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 were used in nonemergency situations; •the need for additional staff training; and, •proposed actions to minimize the use of restrictive procedures. <p>Oversight committee will ensure that training is provided as needed and that IEP meetings are conducted in a timely manner.</p>
<p>Requirement found at Minn. Stat. § 125A.0942, Subdivision 1(a)(5) and Subdivision 5</p>	<p>V. Hastings Public School staff who use restrictive procedures, including paraprofessionals, received training on de-escalation techniques including the use of positive behavior interventions. Courses are provided via staff development trainings by District 200 specialists, guest speakers, or by sending staff outside the district for training. CPI training and other trainings provided throughout the year meet the requirements of the items listed below.</p> <ol style="list-style-type: none"> 4. Positive behavioral interventions 5. Communicative intent of behaviors 6. Relationship building 7. Alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior 8. De-Escalation methods

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	<ul style="list-style-type: none"> 9. Standards for using restrictive procedures 10. Obtaining emergency medical assistance 11. The physiological and psychological impact of physical holding and seclusion 12. Monitoring and responding to a child’s physical signs of distress when physical holding is being used 13. Recognizing the symptoms of and interventions that may cause positional asphyxia when physical holding is used 14. District policies and procedures for timely reporting and documenting each incident involving use of a restrictive procedure; and 15. School-wide programs on positive behavior strategies
<p>Prohibitions found at Minn. Stat. § 125A.0942, Subdivision 4(1-9)</p>	<p>VI. Hastings Public Schools will never use the following prohibited procedures on a child:</p> <ul style="list-style-type: none"> 1. Engaging in conduct prohibited under section 121A.58 (corporal punishment); 2. Requiring a child to assume and maintain a specified physical position, activity, or posture that induces physical pain; 3. Totally or partially restricting a child’s senses as punishment; 4. Presenting an intense sound, light, or other sensory stimuli using smell, taste, substance, or spray as punishment; 5. 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; 6. Interacting with a child in a manner that constitutes sexual abuse, neglect, or physical abuse under section 626.556 (reporting of maltreatment of minors);

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	<ol style="list-style-type: none"> 7. Withholding regularly scheduled meals or water; 8. Denying access to bathroom facilities; and 9. 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.