PRIOR LAKE-SAVAGE AREA SCHOOLS

Prior Lake-Savage Area Schools 2021-22
Restrictive Procedures Plan with Legal Citations and Suggestions

Law	Restrictive Procedure Plan
Requirement found at Minn. Stat. § 125A.0942, Subd. 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 Minn. Stat. § 125A.0941(f)	Restrictive procedure 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 Minn. Stat. § 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 placed 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 Minn. Stat. § 125A.0942, Subd. 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 Minn. Stat. § 125A.0942, Subd. 1(a)(1)	**I. Prior Lake-Savage Area Schools intends to use the following restrictive procedures:*** A. Physical holding:
Definition found at Minn. Stat. § 125A.0941(c)	1. 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, and where immobilization is used to effectively gain control of a child in order to protect the child or other person from injury.
Definition found at Minn. Stat. § 125A.0941(c)	2. The term physical holding does not mean physical contact that:

An asterisk (*) denotes a specifically required component for a school's restrictive procedures plan under Minn. Stat. § 125A.0942, Subd. 2. If a component has a corresponding legal citation in the law column, then it is from the statutory provision indicated. The absence of a corresponding legal citation indicates there is no statutory provision requiring or governing the component but instead the component has been included for the purpose of providing schools with a comprehensive model for verifying compliance with special education restrictive procedures requirements.

	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. Prior Lake-Savage Area Schools intends to use the following types of physical holding: a) CPI – Children's Control Position b) CPI – Team Control Position c) CPI – Transport Position B. Seclusion:
Definition found at Minn. Stat. § 125A.0941(g) Definition found at Minn. Stat. § 125A.0941(g) Definition found at Minn. Stat. § 125A.0941(g)	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. 3. Removing a child from an activity to a location where the child cannot participate in or observe the activity is **not** seclusion. 4. Prior Lake-Savage Area Schools does **not** use any rooms as rooms for seclusion.
Requirement found at Minn. Stat. § 125A.0942, Subd. 1(2)	**II. Prior Lake-Savage Area Schools will implement a range of positive behavior strategies and provide links to mental health services.**
Definition found at Minn. Stat. § 125A.0942(d) Encouragement found at Minn. Stat. § 125A.0942, Subd. 61	A. Positive behavioral interventions and supports means interventions and strategies to improve the school environment and teach children the skills to behave appropriately. B. Prior Lake-Savage Area Schools implements the following positive behavior strategies 1. Positive Behavior Intervention Supports (PBIS) 2. Second Step 3. Student Assistance Team (SAT) C. Prior Lake-Savage Area Schools provides the following links to mental health services: 1. http://www.co.scott.mn.us/HelpingPeopleHealth/MentalHealthCenter/Pages/MentalHealthCenter.aspx 2. www.fairview.org/Services/BehavioralHealth/ 3. www.suicide.org/hotlines/minnesota-suicide-hotlines.html
Requirement found at Minn.	**III. Prior Lake-Savage Area Schools will monitor and review the use of restrictive procedures in the following**

Stat. § 125A.0942, Subd. 1(3)	**manner:*** A. Documentation:
Requirement found at Minn. Stat. § 125A.0942, Subd. 3(a)(5)	1. Each time physical holding or seclusion 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. 2. Prior Lake-Savage Area Schools forms used to document the use of physical holding or seclusion are located in SpEd Forms. These forms are called "Use of Restrictive Procedures" and "Staff Debriefing".
Requirement found at Minn. Stat. § 125A.0942, Subd. 1(3)(i)	B. Post-use debriefings, consistent with documentation requirements:* 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 staff that witnessed, as well as one staff that was not involved in the incident, within 2 days after the incident concludes to ensure the following: 2. The post-use debriefing will review the following requirements to ensure the physical holding or seclusion was used appropriately:
Requirement found at Minn. Stat. § 125A.0942, Subd. 3(a)2	a) Was the physical holding or seclusion used in an emergency?
Requirement found at Minn. Stat. § 125A.0942, Subd. 3(a)(1)3	b) Was the physical holding or seclusion the least intrusive intervention that effectively responds to the emergency?
Requirement found at Minn. Stat. § 125A.0942, Subd. 3(a)(2)4	c) Was the physical holding or seclusion used to discipline a noncompliant child?
Requirement found at Minn. Stat. § 125A.0942, Subd. 3(a)(3)5	d) Did the physical holding or seclusion end 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, Subd. 3(a)(4)6	e) Did staff directly observe the child while physical holding or seclusion was being used?
Requirement found at Minn. Stat. § 125A.0942, Subd. 3(a)(5)7	f) Was the documentation completed correctly?
Requirement found at Minn. Stat. § 125A.0942, Subd. 2(b)8 **and** Minn. Stat. § 125A.0942, Subd. 2(f)9	g) Were the parents correctly notified?
Requirement found at Minn. Stat. § 125A.0942, Subd. 2(c)10	h) Does an IEP team meeting need to be scheduled?
Requirement found at Minn. Stat. § 125A.0942, Subd. 2(a)11	i) Did the appropriate staff use physical holding or seclusion?
Requirement found at Minn. Stat. § 125A.0942, Subd. 5	j) Is the staff that used physical holding or seclusion appropriately trained?
	3. Prior Lake-Savage Area Schools will ensure immediate corrective action is taken, such as . . .
Requirement found at Minn. Stat. § 125A.0942, Subd. 1(b)12	C. Oversight committee* 1. Prior Lake-Savage Area Schools oversight committee consists of the following individuals: a) A mental health professional, school psychologist, or school social worker b) An expert in positive behavior interventions c) A special education administrator d) A general education administrator
Requirement found at Minn. Stat. § 125A.0942, Subd. 1(a)(3)(ii)13	2. Prior Lake-Savage Area Schools oversight committee meets quarterly.
Requirement found at Minn.	3. Prior Lake-Savage Area Schools' oversight committee will review the following:

Stat. § 125A.0942, Subd. 1(a)(3)(ii)	a) The use of restrictive procedures based on patterns or problems indicated by similarities in the time or 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 non-emergency 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, Subd. 1(a)(4) and Subd. 5	**IV. Prior Lake-Savage Area Schools staff who use restrictive procedures, including paraprofessionals, received training in the following skills and knowledge areas:*** A. Positive behavioral interventions 1. Nonviolent Crisis Intervention (CPI) 2. PBIS B. Communicative intent of behaviors 1. Nonviolent Crisis Intervention (CPI) 2. Functional Behavior Assessments C. Relationship building 1. Nonviolent Crisis Intervention (CPI) 2. PBIS 3. Second Step D. Alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior 1. Personal Safety Techniques 2. PBIS 3. Functional Behavior Assessments 4. SAT E. De-Escalation methods 1. CPI F. Standards for using restrictive procedures only in an emergency 1. CPI G. Obtaining emergency medical assistance 1. CPI 2. MERT Team

	H. The physiological and psychological impact of physical holding an seclusion 1. CPI Therapeutic Rapport I. Monitoring and responding to a child's physical signs of distress when physical holding is being used 1. Unit III - CPI J. Recognizing the symptoms of and interventions that cause positional asphyxia when physical holding is used 1. CPI Participant Workshop Activities K. District policies and procedures for timely reporting and documenting each incident involving use of a restrictive procedure; and 1. Restrictive Procedures Training L. School-wide programs on positive behavior strategies 1. PBIS 2. Second Step
Prohibitions found at Minn. Stat. § 125A.0942, Subd. 4(1-9)	**V. Prior Lake-Savage Area Schools will never use the following prohibited procedures on a child:** 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 devise 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.