



## **Restrictive Procedures Albert Lea Area Schools 2021-2022**

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.

Albert Lea Area Schools use restrictive procedures only in response to behavior(s) that constitute an emergency, even if written into a child's Individualized Education Plan (IEP), Positive Behavior Support Plan (PBSP), or Behavior Intervention Plan (BIP). *Minn. Stat. 125A.0942, Subd. 2 (f)*

### **A. Definitions**

The following terms are defined as:

1. **“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 desk or hides under a desk or table; A child who does not respond to a staff persons 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. *Minn. Stat. 125A.0941 (b)*
2. **“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. The term physical holding does not mean physical contact that:
  - 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. *Minn. Stat. 125A.0941 (c)*
3. **“Positive behavioral interventions and supports”** means interventions and strategies to improve the school environment and teach children the skills to behave appropriately. *Minn. Stat. 125A.0941 (d)*
4. **“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. *Minn. Stat. 125A.0941 (f)*
5. **“Seclusion”** means confining a child alone in a room from which egress is barred. Egress may be barred by an adult locking or closing the door in a room or preventing the child from leaving a room. Removing a child from an activity to a location where the child cannot participate in or observe the activity is not seclusion. *Minn. Stat. 125A.0941 (g)*

### **B. Staff Training**

Staff who design and use behavioral interventions will complete training in the use of positive approaches as well as restrictive procedures. Training records will identify the content of the training, attendees and training dates. A database containing records of all training will be maintained within Special Services at the Brookside Education Center and with the Special Education Coordinators in Albert Lea.

The following employee job classifications are authorized and certified to use restrictive procedures if trained in CPI:

- Licensed special education teacher
- School social worker
- School Psychologist
- Other licensed education professional
- Highly qualified education paraprofessional
- Mental health professional

### **Professional Development**

Professional 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:

1. Positive behavioral interventions;
2. Communicative intent of behaviors;
3. Relationship building;
4. Alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior;
5. De-escalation methods;
6. Standards for using restrictive procedures;
7. Obtaining emergency medical assistance;
8. Physiological and psychological impact of physical holding;
9. Monitoring and responding to a child's physical signs of distress when physical holding is being used;
10. Recognizing the symptoms of and interventions that may cause positional asphyxia when physical holding is used;
11. District policies and procedures for timely reporting and documenting each incident involving use of a restrictive procedure;
12. School wide programs on positive behavior strategies;

To meet all of the professional development requirements, staff that use **restrictive procedures** will complete training in the above skills and knowledge areas through the guided use of Nonviolent Crisis Intervention and Positive Behavior Intervention Strategies training.

### **C. Restrictive Procedures**

Restrictive procedures that may be used in emergency situations include physical holding and seclusion. Physical holding and seclusion will end when the threat of harm has ended and staff has determined that the student can safely return to the requested activity.

#### **Physical Holdings**

Albert Lea Area schools intend to use the following types of physical holding:

Crisis Prevention Institute

Lower-level holding

Higher level holding

#### **Seclusion**

Albert Lea Area schools that intend to use the following rooms for seclusion:

Lakeview- Level 3 Special Education

Room 111

A written notice from local authorities ensures that the rooms listed above and the locking mechanisms comply with applicable building, fire, and safety codes for each room identified for seclusion use (Local District Fire

Marshall report has been attached as Appendix E). All seclusion timeout rooms used by Albert Lea Area schools are registered with the Minnesota Department of Education. Specifications of rooms used for seclusion and registration information are included in the Seclusionary Locked Timeout Inspection Form (see Appendix F). This form will be completed and/or updated annually by Sheila Riebe, Director of Special Education.

#### **D. Prohibited Procedures**

Albert Lea Area schools will never use the following prohibited procedures on a child:

1. Corporal Punishment which includes conduct involving: (a) hitting or spanking a person with or without an object; or (2) unreasonable physical force that causes bodily harm or substantial emotional harm.
2. Requiring the student to assume and maintain specified physical position, activity, or posture that induces physical pain.
3. Presenting an intense sound, light or other sensory stimuli using smell, taste, substance, or spray as punishment.
4. Denying or restricting the students access to equipment and devices such as walkers, 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 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.
5. Interacting with a student in a manner that constitutes sexual abuse, neglect, or physical abuse as defined under section 626.556 (reporting of maltreatment of minors).
6. Totally or partially restricting a student's senses as punishment.
7. Withholding regularly scheduled meals or water.
8. Denying the student access to bathroom facilities.
9. Physical holding that restricts or impairs a student'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.

#### **E. Documentation of Physical Holding and/or Seclusion**

Each time physical holding or seclusion is used, the staff person who implements or oversees shall document, as soon as possible after the incident concludes, the following information:

- A description of the incident that led to the physical hold or seclusion;
- Why a least restrictive intervention failed or was determined by staff to be inappropriate or impractical;
- The time the physical holding or seclusion began and the time the child was released or let out of the seclusion room; and
- A brief record of the child's behavioral and physical status during the hold or seclusion.

The use of restrictive procedures in emergency situations will be documented through the use of the Critical Incident Data Sheet for Restrictive Procedures unless the student is on an IEP. (see Appendix A).

If the student is on an IEP then the physical hold will be documented using SPED Forms using the Restrictive Procedures: Physical Holding form

#### **F. Documentation of Post-use Staff Debriefing Meeting**

Each time physical holding is used; the staff person who implemented or oversaw the physical holding shall conduct a post-use debriefing with involved staff within 2 school days of the incident after the restrictive procedure concludes. The post use-debriefing will review the following requirements to ensure the physical holding was appropriately

1. Whether the physical holding was used in an emergency
2. Whether the physical holding was the least intrusive intervention that effectively responds to the emergency
3. Whether the physical holding was used to discipline a noncompliant child
4. Whether the physical holding ended when the harm ended and the staff determined that the child could safely return to the classroom for activity
5. Whether the staff directly observed the child while physical holding was being used

6. Whether the documentation was completed correctly
7. Whether the parents were properly notified
8. Whether and IEP team meeting need to be scheduled
9. Whether the appropriate staff used physical holding
10. Whether the staff that used physical holding was appropriately trained.

There will be at least one staff member attending the debriefing meeting who was not involved in the incident and has knowledge of behaviors. A copy of the Critical Incident Data Sheet for Restrictive Procedures (see Appendix A) and the Staff Debriefing Meeting form (see Appendix B) will be sent to: child's case manager, the district's special education director, the building principal and a copy placed in the student's due process file. The special education director will keep a comprehensive file of all restrictive procedure forms to be used by the Building Oversight Committee.

If the post-use debriefing meeting reveals that the use of physical holding was not used appropriately, the Building Oversight Committee will convene immediately to ensure corrective action is taken following disciplinary action if necessary and/or additional training with physical holds. The Building Oversight Committee will review and evaluate the Critical Incident Data Sheet for Restrictive Procedures (see Appendix A) and the Staff Debriefing Meeting form (Appendix B) to determine and recommend training needs.

### **G. Documentation for an IEP**

The use of restrictive procedures in response to an emergency may be documented in the student's IEP or a positive behavior support plan attached to the IEP. Reviews will be conducted in accordance with MN Statute which requires 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 PBSP, the district will hold a meeting of the IEP team or upon parent's request.

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 PBSP as appropriate. At the meeting the team will review any known medical or psychological limitations that contraindicate the use of a restrictive procedure, consider whether to prohibit that restrictive procedure, and document any prohibition in the IEP or PBSP.

The district will review the use of restrictive procedures at a child's annual IEP meeting when the child's IEP documents the use of restrictive procedures in an emergency.

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

### **H. Building Oversight Committees**

The Building Oversight Committee will meet quarterly to review data provided in the Critical Incident Data Sheet for Restrictive Procedures and the Staff Debriefing Meeting form. The Committee will complete the Building Oversight Committee Review Form. The Building Oversight Committee will also complete the Quarterly Summary of Use of Restrictive Procedures form. The Building 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 recommendations.

Oversight Committee Members:

- Sheila Riebe, Director of Special Services
- Tammy Willis, Secondary Special Education Coordinator or Sarah Stay, Elementary Special Education Coordinator or Kristin Otremba, Assistant Special Education Director, 18-21 and Early Childhood Special Education Coordinator

- Kristen Erikkla, School Psychologist
- Building Principal, John Mahal or Nicky Severtson or Tonya Franks or Nick Sofio or Tyler Johnson or Chris Dibble and/or Jeff Halverson.

The committee will review the following:

1. Physical intervention documentation to determine patterns or problems indicated by similarities in the time of day, day of week, duration of the use of a restrictive procedure, as well as review individual due process paperwork.
2. The number of times a restrictive procedure is used school wide and for an individual child.
3. The number and types of injuries, if any, resulting from the use of restrictive procedures.
4. Whether restrictive procedures are used in non-emergency situations.
5. The need for additional staff training.
6. Communicate recommendations for training needs to the Albert Lea Area Schools Special Education Director.

If a post-use debriefing meeting reveals that the use of physical holding was not used appropriately, the Building Oversight Committee will convene immediately to ensure corrective action is taken. The Building Oversight Committee will review and evaluate the data for Restrictive Procedures and the Staff Debriefing Meeting form to determine and recommend training needs.

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

The Albert Lea Area schools shall make reasonable efforts to notify the parent 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 found in the IEP or PBSP. Building administrators will receive written notification when restrictive procedures are used in emergency situations. Records will be reviewed and summarized annually.

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

The districts are 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 and succeed academically.

### **K. Links to Mental Health Services**

Freeborn County Social Services

<http://www.co.freeborn.mn.us/>

Phone (507) 377-5400

Appendix A: Sped Forms-Use of Restrictive Procedures: [Physical Holding](#)

Appendix B: Sped Forms-Use of Restrictive Procedures: [Seclusion](#)

Appendix C: Sped Forms-Staff [Debriefing Meeting](#)

Sped Forms documents are used so that they can be saved to the student's history on Sped Forms.

Appendix D: [District Oversight Committee Review Form](#)

Appendix E: [Quarterly Summary of Use of Restrictive Procedures](#)

Appendix F/G: [Fire Marshal Checklist](#)

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Seclusionary Locked Timeout Inspection Form