540  Restrictive Procedures

I. Purpose

The School District promotes the use of positive approaches for behavioral interventions for all students. When restrictive procedures are employed in an emergency situation with any student the School District will adhere to the standards and requirements of Minnesota Statutes 125A.094 Restrictive Procedures for Children with Disabilities.

II. GENERAL STATEMENT OF POLICY

A. Definitions

The following terms have the meanings given them.

1. "Emergency" means a situation where immediate intervention is needed to protect a child or other individual from physical injury or to prevent serious property damage.

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 the child or other person from 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.

3. "Positive behavioral interventions and supports" means interventions and strategies to improve the school environment and teach children the skills to behave appropriately.
4. Prone restraint means placing a child in a face down position.

5. "Restrictive procedures" means the use of physical holding or seclusion in an emergency.

6. "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.

B. Personnel Development Activities

Personnel development activities will be provided to district staff and contracted personnel who have routine contact with students.

1. Positive behavioral interventions;
   a. K-6
      i. Willow River Pride awards handed out daily/weekly recognizing students for positive behaviors
      ii. Willow River Pride nominees for public recognition at monthly school board meetings
      iii. Annual Community Day Pep Fest to foster school pride in local communities
      iv. Quarterly Academic Awards presentations
   b. 7-12
      i. Willow River Pride nominees for public recognition at monthly school board meetings
      ii. Annual Community Day Pep Fest to foster school pride in local communities
      iii. Quarterly Honor Roll
      iv. Academic and Unique Student Achievement presentation at year’s end
      v. End of year student celebration at softball field

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 and seclusion;
9. Monitoring and responding to a child's physical signs of distress when physical holding is being used; and
10. Recognizing the symptoms of and interventions that may cause positional...
asphyxia when physical holding is used.

C. Staff Training Requirements

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 training, attendees, and training dates.

D. Restrictive Procedures and Prohibited Procedures

Restrictive procedures that may be used in emergency situations include seclusion and physical holding.

Prohibited procedures include the following:

1. Corporal Punishment which include conduct involving: (1) 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 a 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 student’s 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;

5. Interacting with a student in a manner that constitutes sexual abuse, neglect, or physical abuse under section 626.556;

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, and/or;

9. Prone restraint

10. Use of Tasers or threatened use of Tasers.
E. Documentation Procedures

The use of restrictive procedures in emergency situations will be documented in the Student Information System and the Restrictive Procedure Log. The District will monitor and review the use of restrictive procedures, including conducting post-use debriefings and convening an oversight committee.

The use of restrictive procedures in behavioral intervention plans will be documented in the learner’s file. Reviews will be conducted in accordance with the plan. In the case of a student with a disability, due process and documentation requirements will be followed.

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

F. Emergency Situations - Use of Restrictive Procedures

The School District shall make reasonable efforts to notify the parent on the same day by phone 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.

District Administration will receive written notification when restrictive procedures are used in emergency situations. Records will be reviewed annually.

Restrictive Procedures - Protocol for Using Seclusion and/or Physical Holding

1. Seclusion and/or physical holding should only be used in an emergency. A school that uses physical holding or seclusion shall meet the following requirements:

   a. Notify parents the same day a restrictive intervention is used.

   b. Provide written or electronic notice within two days if unable to notify parents the same day.

   c. Staff must directly monitor the student to insure that the student is safe.

   d. End the intervention when the threat of harm ends and staff determine if the student can safely return to his/her routine activities, education setting, intervention, and/or site determined by the team, BIP and/or administrator.

2. Critical Incident Form for Restrictive Procedures-Teacher
a. Fill out each time any student is secluded or physically held

b. Send copy of form to restrictive procedure team

3. Critical Incident Form for Restrictive Procedures- Team

a. Meet and Fill out any time student it secluded or physically held

b. Send reports to Minnesota Department of Education

4. Room/Space Requirements for Seclusion

If students are placed in seclusion, the room must be well-lighted, well-ventilated, adequately heated, clean, meet all applicable fire/safety codes and have an observation window or other device that allows staff to directly the student. It must be at least six feet by five feet or substantially equivalent to these dimensions and be large enough to allow the pupil to stand, to stretch their arms, and to lie down. The room must have tamper proof fixtures, secure ceilings, and doors that open out and are unlocked, locked with keyless locks that have immediate release mechanisms, or locked with locks that have immediate release mechanism connected with a fire and emergency system. The room must not contain objects that a child may use to injure themselves or others and electrical switches must be located immediately outside the door. The school must have written notice from local authorities that the room and the locking mechanisms comply with the applicable building, fire and safety codes. The room/space must be registered with the commissioner.