



**District Name and #: Westbrook - Walnut Grove ISD #2898**

**Restrictive Procedures Plan with Legal Citations and Suggestions**

The SW/WC Service Cooperative has developed this restrictive procedures plan for use by the education community. The purpose of this restrictive procedures plan is to provide helpful guidance and documentation including the required data elements for compliance with special education restrictive procedures requirements.<sup>1</sup>

Law	Restrictive Procedures Plan
Requirement found at Minn. Stat. § 125A.0942, Subd. 1	Schools that intend to use restrictive procedures shall 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 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 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 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.
Minn. Stat. § 125A.0942, Subd. 2(f)	An IEP team may plan for using restrictive procedures and may include these procedures in a child’s IEP or behavior intervention plan; however, the restrictive procedures may be used only in response to behavior that constitutes an emergency.

<sup>1</sup>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.

Requirement found at Minn. Stat. § 125A.0942, Subd. 1(1)

**I. The District 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.

Definition found at Minn. Stat. § 125A.0941(c)

- 2. 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. The District intends to use the following types of physical holding:

- a) CPI control hold
- b) CPI interim hold
- c) Team control hold
- d) \_\_\_\_\_
- e) \_\_\_\_\_

Insert the name(s) of each physical hold your school intends to use; i.e., CPI control hold, CPI interim hold, etc.

**B. Seclusion**

Definition found at Minn.Stat. § 125A.0941(g)

1. 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 the room or preventing the child from leaving the room.

Definition found at Minn. Stat. § 125A.0941(f)

2. Removing a child from an activity to a location where the child cannot participate in or observe the activity is not seclusion.

3. The District intends to use the following rooms as rooms for seclusion.

- a) Westrbook-Walnut Grove does not
b) intend to use any rooms for seclusion.

Insert an identifying number or name for each room your school intends to use as a room for seclusion; i.e., Room #104

Requirement found at Minn. Stat. § 125A.0942, Subd. 3(6)(i)

4. Attached is a written notice from local authorities that the rooms and the locking mechanisms comply with applicable building, fire, and safety codes, for each room the District uses as a room for seclusion. The written notice was received from N/A on N/A.

Physically attach to your restrictive procedures plan the written notice your school received from the local authorities indicating compliance with applicable building, fire, and safety codes for each room you intend to use for seclusion. Insert which local authorities your school received the written notice from and when it was received; i.e., from the State Fire Marshal and local building inspectors in July 1, 2011.

Requirement found at Minn. Stat. § 125A.0942, Subd. 3(6)(ii)

5. All rooms the District uses as rooms for seclusion have been registered with the Minnesota Department of Education on N/A.

- a) The date the Director of Special Education was notified of intent to register seclusion room: N/A, N/A, N/A.

Insert the date each room used for seclusion was registered with the MDE; i.e., August 1, 2011.

6. Room N/A, N/A, N/A used as seclusion, meets the requirements of the Requirements/Legal Citations: Seclusion, Health and Safety Standards and Locking Mechanisms. (Attached).

7. Repeat number 6 above, for each room your school intends to use as a room for seclusion.

Requirement found at Minn. Stat. § 125A.0942, Subd. 1(3)

II. The District will monitor and review the use of restrictive procedures in the following manner.\*

A. Documentation

**Law**

**Restrictive Procedures Plan**

Requirement found at Minn. Stat. § 125A.0942, Subd. 3(5)

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:
  - 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. The **Restrictive Procedure Reporting Form** will be used to document the use of physical holding or seclusion.

Physically attach to your restrictive procedures plan a copy of your school’s physical holding and seclusion form.

Requirement found at Minn. Stat. § 125A.0942, Subd. 1(2)

- B. Post-use debriefings:\*
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 Lori Lee (if the incident occurred at the high school) or Shannon Beck (if the incident occurred at the Elementary), within two school days after the incident concludes to ensure the following:

Insert the position of the staff person(s) that will be responsible for the post-use debriefings and include when the post-debriefings will occur; i.e., building administrator/principal, staff involved, student, if appropriate, 24 hours.

2. The **Post-Use Debriefing Form** for restrictive procedures will be used to ensure the physical holding or seclusion was used appropriately.

3. If the post-use debriefing reveals that the use of physical holding or seclusion was not used appropriately, the District will ensure immediate corrective action.

**Law****Restrictive Procedures Plan**

Requirement found at Minn.  
Stat. § 125A.0942, Subd. 1(4)(b)

## C. Oversight committee\*

1. The District must annually publicly identify oversight committee members who must at least include:
    - a) General education administrator
    - b) Special education administrator
    - c) Expert in positive behavior strategies
    - d) Mental health professional, school psychologist, or school social worker
    - e) \_\_\_\_\_
    - f) \_\_\_\_\_
- Insert additional staff who will participate on the oversight committee.
2. The District's oversight committee will convene quarterly.
  3. The District's oversight committee will review the following:
    - a) Review of restrictive procedures based on patterns or problems indicated by similarities in the time of day, day of the week, duration of the use of a procedure, the individuals involved or other factors associated with the use of restrictive procedures.
    - b) Review the number of times a restrictive procedure is used school-wide and for individual children.
    - c) Review the number and types of injuries, if any, resulting from the use of restrictive procedures.
    - d) Review whether restrictive procedures are used in nonemergency situations.
    - e) Review the need for additional staff training.
    - f) Review proposed actions to minimize the use of restrictive procedures.
    - g) Review any restrictive procedures law updates.
    - h) Review restrictive procedures forms for completion.
    - i) Review post-use debriefings.
    - j) Review IEP meetings if restrictive procedures were used 2 times in 30 days.
    - k) Review district practices regarding restrictive procedures.

**See attached "Restricted Procedures Oversight Committee Form."**

Requirement found at Minn. Stat. § 125A.0942, Subd. 2(c)

D. Individualized Education Program Team Meeting

1. The District must hold a meeting of the individualized education program team within 10 calendar days after district staff uses restrictive procedures on 2 separate school days within 30 calendar days or a pattern of use emerges and the child's individualized education program or behavior intervention plan does not provide for using restrictive procedures in an emergency; or at the request of a parent or district after restrictive procedures are used.
2. If the individualized education program team determines that existing interventions and supports are ineffective in reducing the use of restrictive procedures or the district uses restrictive procedures on a child 10 or more school days during the same year, the team, as appropriate, either must consult with other professionals working with the child; consult with experts in behavior analysis, mental health, communication, or autism; consult with culturally competent professionals; review existing evaluations, resources, and successful strategies; or consider whether to reevaluate the child.

Requirement found at Minn. Stat. § 125A.0942, Subd. 1(3) and Subd. 5

**III. The District received training in the following skills and knowledge areas:\***

A. Positive behavioral interventions

1. CPI training includes: PBIS systems framework described AND how to implement specific positive behaviors interventions taught, practiced and method for evaluation (outcome and fidelity measures) provided.
2. **See attached "Restricted Procedures Training Form."**

B. Communicative intent of behaviors

1. CPI training includes: Behavior as a form of communication is present in informational materials and/or discussed during training.
2. **See attached "Restricted Procedures Training Form."**

C. Relationship building

1. CPI training includes: Establishing positive relationships with students is presented in informational materials and/or discussed during training.
2. **See attached "Restricted Procedures Training Form."**

D. Alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior.

1. CPI training includes: Proactive skills to prevent and/or serve as an alternative to seclusion and restraint are taught, practiced in training; evaluation of implementation and effectiveness provided.
  2. **See attached "Restricted Procedures Training Form."**
- E. De-Escalation methods
1. CPI training includes: Skills on de-escalation methods taught/modeled, practiced by participants and evaluated to a standard; measures of monitoring ongoing fidelity of implementation provided.
  2. **See attached "Restricted Procedures Training Form."**
- F. Standards for using restrictive procedures
1. CPI training includes: Standards for the use of seclusion and restraint is taught; participant demonstration to the standard is evaluated to level of fidelity for both how and when to use and NOT use the intervention.
  2. **See attached "Restricted Procedures Training Form."**
- G. Obtaining emergency medical assistance
1. CPI training includes: Importance of knowing how to obtain emergency medical assistance is described in the informational materials and/or discussed during training.
  2. **See attached "Restricted Procedures Training Form."**
- H. The physiological and psychological impact of physical holding and seclusion.
1. CPI training includes: Information on impact provided, and skills on debriefing with individuals after a crisis or situation resulting in physical holding and seclusion are taught, practiced and evaluated during training.
  2. **See attached "Restricted Procedures Training Form."**
- I. Monitoring and responding to a child's physical signs of distress when physical holding is being used
1. The school nurse or appropriately trained medical personnel will provide training on: The importance of monitoring and responding to physical signs of distress.
  2. **See attached "Restricted Procedures Training Form."**

- J. Recognizing the symptoms of and interventions that may cause positional asphyxia when physical holding is used
  - 1. CPI training includes: Practicing how to monitor, document and, if needed, alleviate symptoms of positional asphyxia; includes training and evaluation of participant knowledge of what occurs during positional asphyxia; participants' ability to identify specific interventions which may cause positional asphyxia is evaluated.
  - 2. **See attached "Restricted Procedures Training Form."**
- K. 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.

#### IV. The District is committed to using positive behavioral interventions and supports.

Definition found at Minn. Stat. § 125A.0941 (d)

- A. Positive behavioral interventions and supports:
  - 1. Positive behavioral interventions and supports means: interventions and strategies to improve the school environment and teach children the skills to behave appropriately.

Encouragement found at Minn. Stat. § 125A0942, Subd. 6<sup>16</sup>

2.

Insert a description of your school's practices and plans which establish effective school-wide systems of PBIS, i.e., if the district has participated in the PBIS training at MDE, attach a copy of its most recent action plan, etc.  
 Windom Area Schools uses the following programs and activities to encourage positive behavior:

- \*\*Lion's Quest curriculum related to bullying and drug awareness
- \*\*Charger Award given weekly by teachers and other staff
- \*\*STAR
- \*\*Theatre groups covering racial or LGBT topics
- \*\*Values and Choices curriculum
- \*\*Speakers covering topics of texting and sexting
- \*\*New Horizons



**Requirements/Legal Citations:  
Seclusion, Health and Safety Standards and Locking Mechanisms**

Requirements/Legal Citations Seclusion, Health and Safety Standards and Locking Mechanisms	Yes	No	Comments/Corrective Action Required to Meet Requirements
<p>Before using the room for seclusion:</p> <p>Receive <b>written notice from local authorities</b> that the room and the locking mechanisms comply with applicable building, fire, and safety codes <i>Minn. Stat. §125A.0942, Subd. 3(6)(i)</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>Before using the room for seclusion:</p> <p><b>Register the room with the commissioner</b> <i>Minn. Stat. §125A.0942, Subd. 3(6)(ii)</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>At least six feet by five feet</b> <i>Minn. Stat. §125A.0942, Subd. 3(5)(i)</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>Well lit</b> <i>Minn. Stat. §125A.0942, Subd. 3(5)(ii)</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>Well ventilated</b> <i>Minn. Stat. §125A.0942, Subd. 3(5)(ii)</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>Adequately heated</b> <i>Minn. Stat. §125A.0942, Subd. 3(5)(ii)</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>Clean</b> <i>Minn. Stat. §125A.0942, Subd. 3(5)(ii)</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>Window</b> that allows staff to directly observe a child in seclusion <i>Minn. Stat. §125A.0942, Subd. 3(5)(iii)</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>Tamperproof fixtures</b> <i>Minn. Stat. §125A.0942, Subd. 3(5)(iv)</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	

<b>Requirements/Legal Citations</b> <b>Seclusion, Health and Safety Standards</b> <b>and Locking Mechanisms</b>	<b>Yes</b>	<b>No</b>	<b>Comments/Corrective Action Required to Meet Requirements</b>
<b>Electrical switches located immediately outside the door</b> <i>Minn. Stat. §125A.0942, Subd. 3(5)(iv)</i>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Secure ceilings</b> <i>Minn. Stat. §125A.0942, Subd.3(5)(iv)</i>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Doors that open out</b> <i>Minn. Stat. §125A.0942, Subd. 3(5)(v)</i>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Unlocked</b>  <b>Locked with keyless locks that have immediate release mechanisms</b>  <b>Locked with locks that have immediate release mechanisms</b>  <b>Connected with a fire and emergency system</b> <i>Minn. Stat. §125A.0942, Subd. 3(5)( v)</i>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Does not contain objects</b> that a child may use to injure the child or others <i>Minn. Stat. §125A.0942, Subd. 3(5)(vi)</i>	<input type="checkbox"/>	<input type="checkbox"/>	

<b>Requirements/Legal Citations</b> <b>Locking Mechanisms</b>	<b>Yes</b>	<b>No</b>	<b>Comments/Corrective Action Required to Meet Requirements</b>
<b>Locking devices shall release upon any of the following conditions:</b> (1)Activation of the automatic sprinkler system, (2)Activation of any automatic fire detection device, (3)Activation of an automatic fire alarm system, (4)Loss of electrical power to the locking device or the fire alarm system, (5)Activation of the fire alarm trouble signal, (6)Operation of a manual switch located in an approved location <b>(If one of 1-6 is not met, the locking device shall not be used)</b>	<input type="checkbox"/>	<input type="checkbox"/>	

<p><i>SBC Minn. R. 1305.1008, subp. 8</i>  <i>SFC Minn. R. 7511.1008, subp. 3</i></p>			
<p align="center"><b>Requirements/Legal Citations</b>  <b>Locking Mechanisms</b></p>	<p align="center"><b>Yes</b></p>	<p align="center"><b>No</b></p>	<p align="center"><b>Comments/Corrective Action Required to Meet Requirements</b></p>
<p>All locking devices shall be designed <b>to fail in the open position</b>  <i>SFC Minn. R. 7511.1008, subp. 3</i>  <i>SBC Minn. R. 1305.1008, subp. 8</i></p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>	
<p>Following the release of the locking devices for any of the conditions specified above (1-6), <b>relocking of the device shall be by manual means only at the door</b>  <i>SFC Minn. R. 7511.1008, subp. 3</i>  <i>SBC Minn. R. 1305.1008, subp. 8</i></p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>	
<p>If locking device is used, the room or area being secured must be protected with <b>quick-response sprinklers</b>  <i>SFC Minn. R. 7511.1008, subp. 3</i>  <i>SBC Minn. R. 1305.1008, subp. 8</i></p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>	
<p>If locking device is used, the room or area and spaces between the room or area and an outside exit door shall be <b>protected with automatic smoke detection</b> connected to the building's fire alarm system  <i>SFC Minn. R. 7511.1008, subp. 3</i>  <i>SBC Minn. R. 1305.1008, subp. 8</i></p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>	
<p><b>If the walls of the room or area do not extend to the ceiling,</b> automatic smoke detection can be provided in the adjacent room or area, provided that there are no substantial obstructions to delay activation of the smoke detection.  <i>SFC Minn. R. 7511.1008, subp. 3</i>  <i>SBC Minn. R. 1305.1008, subp. 8</i></p>	<p align="center"><input type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>	

Requirements/Legal Citations Locking Mechanisms	Yes	No	Comments/Corrective Action Required to Meet Requirements
<p>If locking device is used, the room or area shall be constructed of noncombustible materials having a minimum of <b>one-hour fire-resistive construction</b>  <i>SFC Minn. R. 7511.1008, subp. 3</i>  <i>SBC Minn. R. 1305.1008, subp. 8</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>If locking device is used, the doors separating the room from other spaces shall <b>swing with egress travel from the room</b> and have a <b>fire-protection rating of not less than 20 minutes</b>. (Doors need not be self-closing).  <i>SFC Minn. R. 7511.1008, subp. 3</i>  <i>SBC Minn. R. 1305.1008, subp. 8</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>If locking device is used, the interior finish of the wall and ceiling <b>surfaces must not exceed a Class III (or Class C) flame spread rating</b>  <i>SFC Minn. R. 7511.1008, subp. 3</i>  <i>SBC Minn. R. 1305.1008, subp. 8</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>Locking devices shall be <b>tested at least monthly</b> to ensure they release under the conditions 1-5 above. <b>(If one of 1-5 is not met, the locking device shall not be used)</b>.  <i>SFC Minn. R. 7511.1008, subp. 3</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>Room is located on a floor that provides <b>direct grade level access</b> when located in buildings or portions thereof consisting of nonrated construction.  <i>SBC Minn. R. 1305.1008, subp. 5</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	

