



**New City School**

Growing Skilled & Caring Citizens in NE Minneapolis

# **Restrictive Procedures Plan**

## **Restrictive Procedures Plan**

This Use of Restrictive Procedures Plan is developed in compliance with Minnesota Statute 125A.0942 which states that “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 that at least 1) lists the restrictive procedures the school intends to use; 2) describes how the school will implement a range of positive behavior strategies and provide link to mental health services; 3) describes how the school will monitor and review the use of restrictive procedures, including conducting postuse debriefings and convening and oversight committee to undertake a quarterly review ....; and 4) includes a written description and documentation of the training staff completed.” Finally, schools annually must publicly identify oversight committee members who must at least include a school psychologist or school social worker, an expert in positive behavior strategies, a special education administrator and a general education administrator.

### **List of Restrictive Procedures:**

“Restrictive procedures” means the use of physical holding or seclusion in an emergency.

New City Charter School uses physical holding in emergency situations with students with an Individualized Education Programs (IEP) that include provisions for the use of such procedure or in emergency situations with students without IEPs’ or whose IEPs do not include the use of this procedure. This restrictive procedure is not used to punish or otherwise discipline a child. New City Charter School does not use seclusion.

“Emergency” means a situation where immediate intervention is needed to protect a child or other individual from physical injury. Emergency is never used for punishment.

“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. The term physical holding does not mean physical contact that helps a child respond or complete a task, assists a child without restricting the child’s movement, is needed to administer an authorized health related service or procedure, or is needed to physically escort a child when the child does not resist or the child’s resistance is minimal. New City Charter School intends to use the following types of physical holding from the Crisis Prevention Institute Nonviolent Crisis Intervention program:

Seated Holding, Standing Holding, Team Control Position, Children’s Control Position.

## **Positive Behavior Interventions and Supports**

New City Charter School will implement a range of positive behavior strategies and provide links to mental health services.

Positive behavioral interventions and supports means interventions and strategies to improve the school environment and teach children the skills to behave appropriately. New City Charter School implements the following behavior strategies:

Social and emotional growth processes rooted in the Responsive Classroom and Developmental Designs. See strategies below.

Accommodations in presentation, environment, organization, method

Behavior Management Guidelines

Back Up team with Behavior Support Staff

## **Monitor and Review of the Use of Restrictive Procedures**

Whenever a restrictive procedure is used on a student, unless part of the student's IEP, staff must report the use of that procedure in written form to the Special Education Coordinator within 24 hours of its use. In addition, each time physical holding is used, the staff person who implements or oversees the physical holding documents the following information:

- a description of the incident that led to the physical holding.
- the physical holding was the least intrusive intervention that effectively responded to the emergency.
- 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.
- parents and the building principal were notified in a reasonable amount of time not to exceed 24 hours.

After each use of a restrictive procedure the Special Education Coordinator and Director reviews the conditions under which the restrictive procedure was used.

The District Restrictive Procedures Oversight Committee meets quarterly, provided restrictive procedures have been used in the previous quarter, to review the data related to the use of restrictive procedures and consider additional training needs. The committee consists of the general education administrator, special education administrator, mental health professional (school social worker or school psychologist) and an expert in positive behavior interventions (EB/D or ABS licensed teacher).

## **Other Physical Contact**

Physical contact between staff and students for purposes such as the following, from MN Statute 125A.0941, is not considered physical holding:

- helping a child respond or complete a task.
- assisting a child without restricting the child's movement.
- administering an authorized healthrelated service or procedure; or
- physically escorting a child when the child does not resist or the child's resistance is minimal.

## **Description and Documentation of Staff Training**

Restrictive procedures may be initiated and used only by a licensed special education teacher, school psychologist, a person with a master's degree in behavior analysis, other licensed education professional, paraprofessional or mental health professional who has completed the appropriate training program.

New City Charter School staff members are initially certified through the Nonviolent Crisis Prevention Intervention (CPI) program and receive annual refreshers through the same program. New City Charter School receives training from a certified CPI Instructor.

CPI addresses the state requirements for a restrictive procedure training program which includes training on :

- positive behavioral interventions
- communicative intent of behaviors
- relationship building
- alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior
- de-escalation methods
- standards for using restrictive procedures
- obtaining emergency medical assistance
- the physiological and psychological impact of physical holding
- monitoring and responding to a child's physical signs of distress when physical holding is being used
- recognizing the symptoms of and interventions that may cause positional asphyxia when physical holding is used.

The Special Education Coordinator maintains an electronic file listing CPI trained staff and the date(s) of completing the training. The list is available for review and updated regularly as staff complete the CPI training. The Special Education Coordinator and Special Education Director collaborate to locate timely CPI training sessions.

In addition, a "First Response Team" is identified at New City Charter School. The First Response Team designs their emergency response plan and reviews it periodically. The First

Response Team members will be decided annually but will include School Coordinator, a Special Education team member and NCI Trained staff.

### **IEP Team Response to the Use of Restrictive Procedures**

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 behavior intervention plan, the district holds a meeting of the IEP team within 10 days, to 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 modifies the IEP or behavior intervention plan as appropriate. At the meeting, the team must review any known medical or psychological limitations that contraindicate the use of restrictive procedures, consider whether to prohibit that procedure, and document any prohibition in the individualized education program or behavior intervention plan.

An IEP team may plan for using restrictive procedures and may include these procedures in a child's individualized education program or behavior intervention plan; however, the restrictive procedures may be used only in response to behavior that constitutes an emergency. Physical holding is never used to discipline a noncompliant child. The IEP or behavior intervention plan indicates how the parent wants to be notified when a restrictive procedure is used.

### **Positive Behavior Strategies:**

New City Charter School has clear social and emotional learning practices as guided by these evidence-based methods: Responsive Classroom, Developmental Designs, and as designed/honed by New City School staff since its inception.

### **New City Charter Social & Emotional Learning Practices:**

#### **In classroom:**

Redirection

TAB (Take a Break)

Evidence-based Tier 1 behavior intervention strategies (i.e. fidgets, behavior check-in chart, etc.)

#### **Out of classroom:**

Buddy room

Fix-It Sheets

Social Conferencing

Family Conferencing

### **Links to Mental Health Support**

New City Charter School has a relationship with the following agencies. When Parents have a concern, New City Charter School offers resource/ referrals to the following agencies.

#### Referrals for Mental Health/Counseling Services

- Washburn Center for Children: Children's Mental Health  
<https://washburn.org/>
- Fairview Behavioral Health Day/Outpatient Treatment as well as inpatient here too.  
<https://www.fairview.org/Services/BehavioralHealth/>
- Abbott Northwestern Day/Outpatient and Inpatient treatment  
<http://www.allinahealth.org/Abbott-Northwestern-Hospital/Services/Mental-health-services/>
- United Hospital Day/Outpatient and inpatient treatment.  
<http://www.allinahealth.org/United-Hospital/Services/Mental-health-services/>

**New City School will never use the following prohibited procedures on a child:**

- A. Engage in conduct prohibited under section 121A.58 (corporal punishment);
- B. Require a child to assume and maintain a specified physical position, activity, or posture that induces physical pain;
- C. Totally or partially restrict a child's senses as punishment;
- D. Present an intense sound, light, or other sensory stimuli using smell, taste, substance, or spray as punishment;
- E. Deny or restrict 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;
- F. Interact with a child in a manner that constitutes sexual abuse, neglect, or physical abuse under section 626.556 (reporting of maltreatment of minors);
- G. Withhold regularly scheduled meals or water;
- H. Deny 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.

**Oversight Committee**

Members: Principal/Director, Dean of Students, Special Education Coordinator, Special Education Director, School Social Worker or School Psychologist

Meetings : Quarterly (A meeting will not be held if no restrictive procedures were used in the preceding quarter)