

North Metro Flex Academy (NMFA) Restrictive Procedures Plan

In accordance with Minnesota Statute 125A.0942, Subd 1, schools that intend to use restrictive procedures shall maintain and make publicly accessible a restrictive procedures plan for children. The plan specifically outlines restrictive procedures the school intends to use; how the school will implement a range of positive behavior strategies and provide links to mental health services; how the school will provide training and de-escalation techniques; how the school will monitor and review the use of restrictive procedures, including post-use debriefings and convening an oversight committee quarterly; and a written description and documentation of the training staff have completed.

Law	NMFA Restrictive Procedures Plan
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)	NMFA intends to use restrictive procedures and is therefore required to maintain and make publicly accessible in an electronic format on a school or district website or make a paper copy available upon request describing a restrictive procedures plan for children with disabilities.
Definition found at Minnesota Statutes, section 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 Minnesota Statutes, section 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.
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 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 Minnesota Statutes, section 125A.0942, Subdivision 1(a)(1)	<p>I. NMFA intends to use the following restrictive procedures:</p> <ul style="list-style-type: none"> a) Basket hold b) Two-person escort
Definition found at Minnesota Statutes, section 125A.0941(c)	<p>A. Physical holding:</p> <ul style="list-style-type: none"> 1. 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.

Law	NMFA Restrictive Procedures Plan
Definition found at Minnesota Statutes, section 125A.0941(c)	<ol style="list-style-type: none"> 2. The term physical holding does not mean physical contact that: <ol style="list-style-type: none"> 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. NMFA intends to use the following types of physical holds: <ol style="list-style-type: none"> a) Basket hold b) Two-person escort
Definition found at Minnesota Statutes, section 125A.0941(g)	<p>B. Seclusion will NOT be used as a practice (this may be used in emergency situations where student and staff safety is at risk).</p> <ol style="list-style-type: none"> 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.
Definition found at Minnesota Statutes, section 125A.0941(g)	<ol style="list-style-type: none"> 3. Removing a child from an activity to a location where the child cannot participate in or observe the activity is not seclusion.
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(2)	<p>II. NMFA will implement a range of positive behavior strategies and provide links to mental health services.</p>
Definition found at Minnesota Statutes, section 125A.0941(d)	<p>A. “Positive behavioral interventions and supports” means interventions and strategies to improve the school environment and teach children the skills to behave appropriately.</p>

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<p>Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(2)</p> <p>Encouragement found at Minnesota Statutes, section 125A.0942, Subdivision 6¹</p>	<p>B. NMFA implements the following positive behavior strategies.</p> <ol style="list-style-type: none"> 1. Thoughtfully designing the classroom environment. 2. Developing and teaching classroom routines. 3. Posting, defining, and teaching classroom expectations. 4. Using active supervision and proximity. 5. Positive phrasing during student interactions. 6. Constant relationship building.
<p>Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(2)</p>	<p>C. NMFA provides the following links to mental health services.</p> <ol style="list-style-type: none"> 1. Adult Mental Health Crisis Line: 651-266-7900 2. Children’s Mental Health Crisis Line: 651-266-7878

¹ Minnesota Statutes, section 125A.0942, Subd, 6 encourages school districts to establish effective school-wide systems of positive behavior interventions and supports.

Law	NMFA Restrictive Procedures Plan
<p>Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(3); <i>See also</i>, Minnesota Statutes, section 122A.09, Subdivision 4(k) and Minnesota Rule 8710.0300</p>	<p>III. NMFA will provide training on de-escalation techniques.</p> <p>A. NMFA provides the following training on using positive behavior interventions</p> <ol style="list-style-type: none"> 1. Positive Behavioral Supports (teacher week). 2. Crisis Prevention Intervention (CPI) training (set up each year). <p>B. NMFA provides the following training on accommodating, modifying, and adapting curricula, materials, and strategies to appropriately meet the needs of individual students and ensure adequate progress toward the state’s graduation standards</p> <ol style="list-style-type: none"> 1. Accommodations and modifications within curriculum are provided during teacher week and PLC meetings.
<p>Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(4)</p>	<p>IV. NMFA will monitor and review the use of restrictive procedures in the following manner:</p> <p>NMFA will document the incident using the appropriate SPEDFORMS restrictive procedures document form that details what was the antecedent, how the restraint or possible seclusion occurred, and the exact details and duration of the incident. Additionally, there will be a staff interview where the incident will be reviewed, and where staff will decide if a more appropriate response could have been used, or if the action was warranted given the circumstances.</p>
<p>Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(5)</p>	<p>A. Documentation:</p> <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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. <p>Documentation will be provided via the SPEDFORMS template where incidents are documented, and later placed into student records.</p>

Law	NMFA Restrictive Procedures Plan
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(4)(i)	<p>B. Post-use debriefings, consistent with documentation requirements:</p> <p>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 the Special Education Coordinator within 48 hours after the incident concludes. This will be done each time to inform staff if they followed best practice.</p>
	<p>2. The post-use debriefing will review the following requirements to ensure the physical holding or seclusion was used appropriately: Was the appropriate intervention used, and was it used correctly, was the duration of the intervention appropriate given the circumstances, were appropriate de-escalation techniques attempted to be used, etc.</p>
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a) ²	<p>a) Whether the physical holding or seclusion was used in an emergency. Whether or not additional de-escalation techniques could have been used in order to avoid the use of a more intrusive physical intervention.</p>
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision. 3(a)(1) ³	<p>b) Whether the physical holding or seclusion was the least intrusive intervention that effectively responds to the emergency.</p>
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(2) ⁴	<p>c) Whether the physical holding or seclusion was used to discipline a noncompliant child.</p>

² Minnesota Statutes, section 125A.0942, Subd. 3(a) requires that restrictive procedures only be used in response to behavior that constitutes an emergency.

³ Minn. Stat. § 125A.0942, Subd. 3(a)(1) requires physical holding or seclusion be the least restrictive intervention that effectively responds to the emergency.

⁴ Minn. Stat. § 125A.0942, Subd. 3(a)(2) requires physical holding or seclusion NOT be used to discipline a noncompliant child.

Law	NMFA Restrictive Procedures Plan
Requirement found at Minn. Stat. § 125A.0942, Subdivision 3(a)(3) ⁵	d) Physical holding or seclusion ends when the threat of harm ends and the staff determines the child can safely return to the classroom or activity.
Requirement found at Minn. Stat. § 125A.0942, Subdivision 3(a)(4) ⁶	e) Staff directly observes the child while physical holding or seclusion is being used.
Requirement found at Minn. Stat. § 125A.0942, Subdivision 3(a)(5) ⁷	<p>f) 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:</p> <ul style="list-style-type: none"> (i) a description of the incident that led to the physical holding or seclusion; (ii) why a less restrictive measure failed or was determined by staff to be inappropriate or impractical; (iii) the time the physical holding or seclusion began and the time the child was released; and (iv) a brief record of the child's behavioral and physical status.

⁵ Minn. Stat. § 125A.0942, Subd. 3(a)(3) requires the physical holding or seclusion end when the threat of harm ends and the staff determines the child can safely return to the classroom or activity.

⁶ Minn. Stat. § 125A.0942, Subd. 3(a)(4) requires staff to directly observe the child while physical holding or seclusion is being used.

⁷ Minn. Stat. § 125A.0942, Subd. 3(a)(5) requires the staff person who implements or oversees the physical holding or seclusion to document, each time physical holding or seclusion is used, as soon as possible after the incident concludes, the following information: (i) a description of the incident that led to the physical holding or seclusion; (ii) why a less restrictive measure failed or was determined by staff to be inappropriate or impractical; (iii) the time the physical holding or seclusion began and the time the child was released; and (iv) a brief record of the child's behavioral and physical status.

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Requirement found at Minn. Stat. § 125A.0942, Subdivision 2(b) ⁸ and Minn. § 125A.0942, Subdivision 2(f) ⁹	g) NMFA shall make reasonable efforts to notify the parent on the same day a restrictive procedure is used on the child, or if the school is unable to provide same-day notice, notice is sent within two days by written or electronic means.
Requirement found at Minn. Stat. § 125A.0942, Subdivision 2(c) ¹⁰	h) NMFA will hold a meeting of the individualized education program team, 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 individualized education program or behavior intervention plan as appropriate. NMFA will hold the meeting within ten calendar days after staff use restrictive procedures on two 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 NMFA after restrictive procedures are used. NMFA will review use of restrictive procedures at a child's annual individualized education program meeting when the child's individualized education program provides for using restrictive procedures in an emergency.

⁸ Minn. Stat. § 125A.0942, Subd. 2(b) requires a school to make reasonable efforts to notify the parent on the same day a restrictive procedure is used on the child, or if the school is unable to provide same-day notice, notice is sent within two days by written or electronic means or as otherwise indicated by the child's parent.

⁹ Minn. Stat. § 125A.0942, Subd. 2(f) provides that an IEP team may plan for using restrictive procedures and may include these procedures in a child's IEP or BIP; however, the restrictive procedures may be used only in response to behavior that constitutes an emergency. The IEP or BIP shall indicate how the parent wants to be notified when a restrictive procedure is used.

¹⁰ Minn. Stat. § 125A.0942, Subd. 2(c) requires the district to hold a meeting of the IEP team: within ten calendar days after district staff use restrictive procedures on two separate school days within 30 calendar days or a pattern of use emerges and the child's IEP or BIP does not provide for using restrictive procedures in an emergency; or at the request of a parent or the district after restrictive procedures are used. The district must review use of restrictive procedures at a child's annual IEP meeting when the child's IEP provides for using restrictive procedures in an emergency.

Law	NMFA Restrictive Procedures Plan
Requirement found at Minn. Stat. § 125A.0942, Subdivision 2(a) ¹¹	<ul style="list-style-type: none"> i) Restrictive procedures will only be used by a licensed special education teacher, school social worker, school psychologist, behavior analyst certified by the National Behavior Analyst Certification Board, a person with a master's degree in behavior analysis, other licensed education professional, or paraprofessional who have received the appropriate training.
Requirement found at Minn. Stat. § 125A.0942, Subdivision 5	<ul style="list-style-type: none"> j) Staff who use restrictive procedures, including paraprofessionals, shall complete training in the following skills and knowledge areas: <ul style="list-style-type: none"> (i) positive behavioral interventions; (ii) communicative intent of behaviors; (iii) relationship building; (iv) alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior; (v) de-escalation methods; (vi) standards for using restrictive procedures only in an emergency; (vii) obtaining emergency medical assistance; (viii) the physiological and psychological impact of physical holding and seclusion; (ix) monitoring and responding to a child's physical signs of distress when physical holding is being used; and (x) recognizing the symptoms of and interventions that may cause positional asphyxia when physical holding is used.

¹¹ Minn. Stat. § 125A.0942, Subd. 2(a) requires restrictive procedures only be used by a licensed special education teacher, school social worker, school psychologist, behavior analyst certified by the national Behavior Analyst Certification Board, a person with a master's degree in behavior analysis, other licensed education professional, paraprofessional, or mental health professional, who has completed training.

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	<p>3. If the post-use debriefing determines the physical holding or seclusion was not used appropriately, NMFA will ensure immediate corrective action is taken, such as a staff member that was not appropriately trained used a physical hold, or used a physical hold incorrectly, then that individual will receive training as soon as possible and will not be allowed to provide physical interventions to students until that has been completed.</p>
<p>Requirement found at Minn. Stat. § 125A.0942, Subdivision 1(b)¹²</p>	<p>C. Oversight committee:</p> <p>1. NMFA publicly identifies the following oversight committee members:</p> <ul style="list-style-type: none"> a) A mental health professional, school psychologist, or school social worker (Jazlynn Paige, School Psychologist) b) An expert in positive behavior intervention (Mark Robinson, Behavioral Interventionist) c) A special education administrator (Dave Isaacson, Special Education Coordinator) d) A general education administrator (Debbie Kranz, Principal)
<p>Requirement found at Minn. Stat. § 125A.0942, Subdivision 1(a)(4)(ii)¹³</p>	<p>2. NMFA’s oversight committee meets quarterly on the first Thursday of every third month IF a physical restraint has been used during that period.</p>

¹² Minn. Stat. § 125A.0942, Subd. 2(b) requires schools to annually publicly identify oversight committee members who must at least include: (1) a mental health professional, school psychologist, or school social worker; (2) an expert in positive behavior strategies; (3) a special education administrator; and (4) a general education administrator.

¹³ Minn. Stat. § 125A.0942, Subd. 1(a)(4)(ii) requires that an oversight convene to undertake a quarterly review of the use of restrictive procedures.

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Requirement found at Minn. Stat. § 125A.0942, Subdivision (1)(a)(4)(ii)	<p>3. NMFA’s oversight committee will review the following:</p> <ul style="list-style-type: none"> a) The use of restrictive procedures based on patterns or problems indicated by similarities in the time of 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 nonemergency 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, Subdivision 1(a)(5) and Subdivision 5	<p>V. NMFA staff who use restrictive procedures, including paraprofessionals, received training in the following skills and knowledge areas:</p> <p>A. Positive behavioral interventions.</p> <ul style="list-style-type: none"> 1. CPI training. 2. Each area of CPI training will be updated to the Restrictive Procedures Plan each school year.
	<p>B. Alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior</p> <ul style="list-style-type: none"> 1. De-escalation techniques. 2. Positive behaviors to reinforce students making positive decisions when under duress.
	<p>C. Standards for using restrictive procedures only in an emergency.</p> <ul style="list-style-type: none"> 1. When immediate action is needed to protect a child or other individual from physical injury. 2. When a child is engaging in extensive destruction of property.

Law	NMFA Restrictive Procedures Plan
	<p>D. Obtaining emergency medical assistance.</p> <p>1. This is included in the CPI training.</p>
	<p>E. The physiological and psychological impact of physical holding and seclusion.</p> <p>1. This is included in the CPI training.</p>
	<p>F. Monitoring and responding to a child's physical signs of distress when physical holding is being used.</p> <p>1. This is included in the CPI training.</p>
	<p>G. Recognizing the symptoms of and interventions that may cause positional asphyxia when physical holding is used.</p> <p>1. This is included in the CPI training.</p>
	<p>H. NMFA policies and procedures for timely reporting and documenting each incident involving use of a restrictive procedure.</p> <p>1. Parents will be notified that a restrictive procedure was used as soon as possible, but certainly by the end of the school day. NMFA is to report that an incident occurred within 48 hours in writing to the parent of the child.</p> <p>2. School staff will complete the restrictive procedures incident form within 24 hours, as well as the debriefing interview form within 48 hours.</p>

Law	NMFA Restrictive Procedures Plan
<p>Prohibitions found at Minn. Stat. § 125A.0942, Subdivision 4(1-9)</p>	<p>VI. NMFA will never use the following prohibited procedures on a child:</p> <ul style="list-style-type: none"> 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 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. 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.

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