

La Crescent Montessori and STEM School Restrictive Procedures Plan with Legal Citations and Suggestions

Law	LA CRESCENT MONTESSORI & STEM SCHOOL's Restrictive Procedures Plan
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)	<p>Schools that intend to use restrictive procedures are required to 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.</p> <p>LA CRESCENT MONTESSORI & STEM SCHOOL's Restrictive Procedures Policy is available in paper form upon request.</p>
Definition found at Minnesota Statutes, section 125A.0941(f)	<p>Restrictive Procedures means the use of physical holding in an emergency. Restrictive procedures must not be used to punish or otherwise discipline a child. LA CRESCENT MONTESSORI & STEM SCHOOL does not have a Seclusion Room.</p>
Definition found at Minnesota Statutes, section 125A.0941(b)	<p>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.</p>
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 2(f)	<p>Restrictive procedures may be used only in response to behavior that constitutes an emergency, even if written into a child's IEP or BIP. LA CRESCENT MONTESSORI & STEM SCHOOL does not have a Seclusion Room.</p>
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(1)	<p>I. LA CRESCENT MONTESSORI & STEM SCHOOL School intends to use the following restrictive procedures:*</p>
Definition found at Minnesota Statutes, section 125A.0941(c)	<p>A. Physical holding:</p> <ol 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.
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.

	<p>3. LA CRESCENT MONTESSORI & STEM SCHOOL School intends to use the following types of physical holding:</p> <p>a) Crisis Prevention Intervention (CPI) Non-violent Crisis Intervention (NCI) Team Control</p>
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(2)	II. LA CRESCENT MONTESSORI & STEM SCHOOL will implement a range of positive behavior strategies and provide links to mental health services.
Definition found at Minnesota Statutes, section 125A.0941(d)	A. Positive behavioral interventions and supports means interventions and strategies to improve the school environment and teach children the skills to behave appropriately.
<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. LA CRESCENT MONTESSORI & STEM SCHOOL implements the following positive behavior strategies</p> <ol style="list-style-type: none"> 1. Morning Meeting and reviewing Positive Behavioral Expectations 2. Independent Projects with Incentives 3. Montessori's Curriculum of Grace and Courtesy 4. Peace Curriculum 5. Love and Logic Curriculum 6. Responsive Classroom Methodologies
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(2)	<p>C. LA CRESCENT MONTESSORI & STEM SCHOOL provides the following links to mental health services</p> <ol style="list-style-type: none"> 1. La Crosse Counseling Clinic: www.lacrossecounselingclinic.com 2. Coulee Youth and Adult Centers: www.couleecenters.org 3. Counseling Associates, LLC: www.counselingassociateslacrosse.com 4. Family & Children's Center: www.fcconline.org 5. Garrison Counseling: http://garrisoncounselingservices.com 6. Gunderson Health Systems: www.gundersenhealth.org/behavioral-health 7. Heart to Heart Healing: http://heart-to-hearthealing.com 8. Hiawatha Valley: www.hvmhc.org

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

	<p>9. Human Development Associates: http://hdacounseling.com</p> <p>10. Living Well Christian Family Clinic: www.livingwellcfc.com</p> <p>11. Mayo Clinic Health System: http://mayoclinichealthsystems.org</p> <p>12. Peace of Mind Counseling: www.pomcounseling.net</p> <p>13. Stein Counseling and Consulting Services: http://effectivebehavior.com</p>
<p>Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(3); See also, Minnesota Statutes, section 122A.09, Subdivision 4(k) and Minnesota Rule 8710.0300</p>	<p>III. LA CRESCENT MONTESSORI & STEM SCHOOL will provide training on de-escalation techniques.</p> <p>A. LA CRESCENT MONTESSORI & STEM SCHOOL provides the following training on using positive behavior interventions</p> <ol style="list-style-type: none"> 1. Crisis Prevention Intervention (CPI) and Nonviolent Crisis Intervention (NCI) 2. The Behavior Development Model-recognizing the four levels of escalating behavior and the staff response and approach needed to de-escalate the behavior given the student's state of rationality before it reaches the level of acting-out behavior (anxiety= supportive, defensive=direct, acting out=NCI, tension reduction=therapeutic rapport.) <ol style="list-style-type: none"> a. Nonverbal/Paraverbal Communication b. Keys to Setting Limits c. How to excel at Verbal Intervention d. Post-briefing for Students and Staff e. Managing Challenging Behavior f. Love and Logic Curriculum g. Responsive Classroom <p>B. LA CRESCENT MONTESSORI & STEM SCHOOL 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. Disability Categories and Characteristics 2. Accommodations or Modifications 3. Adapting Curriculum and Environments to Meet Student Needs 4. Differentiated Instruction in the Project Based Learning Environment

	<p>5. Multiple Intelligences and Preferred Learning Styles</p> <p>6. Warning Signs of Mental Illness</p> <p>Evidence of training, including a list of staff members who participated in each training will be included in the RPP manual, which is maintained in the office of the Head of School. Powerpoints and other training materials used for training can be found in the office of the Head of School's Staff Development Folder and are available in paper format per request.</p>
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(4)	IV. LA CRESCENT MONTESSORI & STEM SCHOOL will monitor and review the use of restrictive procedures in the following manner:
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(5)	<p>A. Documentation:</p> <ol style="list-style-type: none"> Each time physical holding is used, the staff person who implements or oversees the physical holding documents, as soon as possible after the incident concludes, the following information: <ol style="list-style-type: none"> A description of the incident that led to the physical holding; Why a less restrictive measure failed or was determined by staff to be inappropriate or impractical; The time the physical holding began and the time the child was released; and A brief record of the child's behavioral and physical status.
	<ol style="list-style-type: none"> Attached, as Appendix 1, is LA CRESCENT MONTESSORI & STEM SCHOOL's forms used to document the use of physical holding.
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(4)(i)	<p>B. Post-use debriefings, consistent with documentation requirements:</p> <ol style="list-style-type: none"> Each time physical holding is used, the staff person who implemented or oversaw the physical holding shall conduct a post-use debriefing with <i>the Head of School</i> after the incident concludes.
	<ol style="list-style-type: none"> The post-use debriefing will review the following requirements to ensure the physical holding was used appropriately <ol style="list-style-type: none"> <i>Whether the physical holding was used in an emergency.</i>
Requirement found at Minnesota Statutes, section	

125A.0942, Subdivision 3(a) ²	
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(1) ³	b) <i>Whether the physical holding was the least intrusive intervention that effectively responds to the emergency.</i>
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(2) ⁴	c) <i>Whether the physical holding was used to discipline a noncompliant child.</i>
Requirement found at Minn. Stat. § 125A.0942, Subdivision 3(a)(3) ⁵	d) <i>Whether 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.</i>
Requirement found at Minn. Stat. § 125A.0942, Subdivision 3(a)(4) ⁶	e) <i>Whether the staff directly observed the child while physical holding was being used.</i>
Requirement found at Minn. Stat. § 125A.0942, Subdivision 3(a)(5) ⁷	f) <i>Whether the documentation was completed correctly.</i>
Requirement found at Minn. Stat. § 125A.0942,	g) <i>Whether the parents were properly notified.</i>

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.

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.

Subdivision 2(b) ⁸ and Minn. § 125A.0942, Subdivision 2(f) ⁹	
Requirement found at Minn. Stat. § 125A.0942, Subdivision 2(c) ¹⁰	h) <i>Whether an IEP team meeting needs to be scheduled.</i>
Requirement found at Minn. Stat. § 125A.0942, Subdivision 2(a) ¹¹	i) <i>Whether the appropriate staff used physical holding.</i>
Requirement found at Minn. Stat. § 125A.0942, Subdivision 5	j) <i>Whether the staff that used physical holding was appropriately trained.</i>
	3. In the event the post-use debriefing forms that are completed by staff suggest that physical holds were not properly conducted, <i>LA CRESCENT MONTESSORI & STEM SCHOOL will ensure immediate corrective action is taken. The Head of School and the Director of Special Education will hold a meeting with the relevant staff members involved to discuss specific concerns and explain the risks of restraints to ensure staff understand the principles of CPI and possess the skills needed to conduct proper CPI nonviolent physical intervention techniques. The staff members involved in any of the incidents reviewed that were found to be noncompliant or questionable, will be required to participate in a mandatory CPI training refresher.</i>

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.PI nonviolent

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.

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.

Requirement found at Minn. Stat. § 125A.0942, Subdivision 1(b) ¹²	<p>C. Oversight committee</p> <ol style="list-style-type: none"> 1. LA CRESCENT MONTESSORI & STEM SCHOOL publicly identifies the following oversight committee members: <ol style="list-style-type: none"> a) Carl Romstad (A school psychologist) b) Amy Schulz (An expert in positive behavior intervention) c) Ginny Zeyer (A special education administrator) d) Head of School (A general education administrator) e) Other; f) Other.
Requirement found at Minn. Stat. § 125A.0942, Subdivision 1(a)(4)(ii) ¹³	<ol style="list-style-type: none"> 2. LA CRESCENT MONTESSORI & STEM SCHOOL's oversight committee meets quarterly on the last Wednesday of the month (per quarter) to determine whether refresher courses are needed for individual staff members or for the whole group.
Requirement found at Minn. Stat. § 125A.0942, Subdivision 1(a)(4)(ii)	<ol style="list-style-type: none"> 3. LA CRESCENT MONTESSORI & STEM SCHOOL's oversight committee will review the following <ol 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 non emergency 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. LA CRESCENT MONTESSORI & STEM SCHOOL staff who use restrictive procedures, including paraprofessionals, received training in the following skills and knowledge areas:</p> <p>A. Positive behavioral interventions</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.

	<ol style="list-style-type: none"> 1. <i>a) creating a safe and positive environment, b) elements necessary to establish a school community built on honest, mutual respect, accountability, integrity, and civility, c) strategies on providing positive reinforcement for academic achievement and rewarding appropriate student behavior or response to staff and peers in challenging situations, d) recognizing impact of nonverbal behavior and the use of paraverbals (tone, volume, and cadence) when working with students and managing classroom behavior, e) providing instruction and strategies to students to improve social skill development behavioral skills, f) acknowledging and reinforcing active student engagement during instruction, independent work time, and group activities, g) understanding the significance of positive peer modeling and expected behavior and h) understanding student specific positive behavioral support plans and implementation of the plans.</i> 2. <i>Documentation of the training, including the date, areas covered, staff members who attended and evidence of certification or completion (if applicable) is maintained in the RPP manual which is located in the office of the Head of School.</i> <p>B. Communicative intent of behaviors</p> <ol style="list-style-type: none"> 1. a) Awareness and impact that nonverbal behavior (body language, facial expression, posture, eye contact, respecting personal space) has on the overall respect and student compliance, using appropriate paraverbal language (tone, volume, and cadence) when speaking to others, b) understanding and implementing empathic listening skills, c) learning how to be directive and set limits without escalating student behavior, d) strategies and techniques in approaching each level of behavior in the crisis developmental model (anxiety=supportive, defensive=direct, tension reduction=therapeutic rapport), e) understanding the following behaviors in the defensive stage and responding appropriately to de-escalate behavior: 1) questioning (information seeking vs challenging), 2) refusal, 3) intimidation, 4) release, 5) and tension reduction, f) implementing CPI's COPING strategies when debriefing with students and staff, g) understanding disability areas and other medical/mental health diagnosis, and specific characteristics of student behavior (e.e., cognitive impairments, traumatic brain injuries, fetal alcohol syndrome, autism spectrum disorders (ASD), emotional and behavioral disabilities, attention deficit disorders (ADHD), generalized anxiety disorder (GAD), mood disorder, bipolar disorder, oppositional defiant disorder (ODD), etc. 2. Documentation of the training, including date, areas covered, staff members who attended, and evidence of certification or completion (if applicable) is maintained in the RPP manual which is located in the office of the Head of School.
	<p>C. Relationship building</p> <ol style="list-style-type: none"> 1. a) implementing proactive strategies such as facilitation discussions with students about their interests, likes and dislikes, emphasizing student success, utilizing various relationship-building activities, b) implementing CPI's COPING strategies with students and staff for reestablishing communication, d) recognizing the need for conducting mediations, Debriefing Sessions or problem solving sessions or holding a Morning Meeting to repair relationships, and c) possessing the ability to identify student need areas and various resources available to the student and family.

	<p>2. Documentation of the training, including date, areas covered, staff members who attended, and evidence of certification or completion (if applicable) is maintained in the RPP manual, which is located in the office of the Head of School.</p>
	<p>D. Alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior</p> <p>1. Analyze student behavior and triggers, identify target behaviors and function of the behavior, pre-plan for potential situations that could become challenging for a student, b) coaching the student and role-playing options/choices, pre-teaching self-regulation methods and coping strategies, c) offering additional support to student, d) approaching each level of behavior in the crisis development model as trained, e) recognizing situations that require removal of student or audience before student behavior reaches the acting out stage, f) identifying the real meaning behind the behavior and referring student to the appropriate staff or resource.</p> <p>2. Documentation of the training, including date, areas covered, staff members who attended, and evidence of certification or completion (if applicable) is maintained in the RPP manual, which is located in the office of the Head of School.</p>
	<p>E. De-Escalation methods</p> <p>1. a) Responding appropriately to each level of student behavior in the crisis development model at each stage in the crisis developmental model (anxiety=supportive, defensive=direct, tension reduction=therapeutic rapport), b) predetermining and preplanning for stressful situations to prevent a potential crisis, c) recognizing anxiety early on and implementing supportive strategies, d) assist in developing a plan for the student ahead of time, e) understanding and teaching self-regulation and strategies for self-management, f) knowing how to respond while always staying calm and in control of the situation, g)implementing rationale detachment techniques, h) knowing when to remove the audience, and i) utilizing effective therapeutic rapport strategies.</p> <p>2. Documentation of the training, including date, areas covered, staff members who attended, and evidence of certification or completion (if applicable) is maintained in the RPP manual, which is located in the office of the Head of School.</p>
	<p>F. Standards for using restrictive procedures only in an emergency</p> <p>1. Upon completion of CPI/NCI certification staff must possess the knowledge and skills needed in evaluating situations and identifying specific indicators that would support the use of a nonviolent physical restraint in response to imminent danger to self and others.</p> <p>2. Documentation of the training, including date, areas covered, staff members who attended, and evidence of certification or completion (if applicable) is maintained in the RPP manual, which is located in the office of the Head of School.</p>
	<p>G. Obtaining emergency medical assistance</p> <p>1. Staff have been trained to take all threats seriously and identify the resources and supports available at LA CRESCENT MONTESSORI & STEM SCHOOL. The Head of School or other Designees are responsible to contact the proper authorities (such as 911), if the situation warrants.</p>

	<ol style="list-style-type: none"> Documentation of the training, including date, areas covered, staff members who attended, and evidence of certification or completion (if applicable) is maintained in the RPP manual, which is located in the office of the Head of School.
	<p>H. The physiological and psychological impact of physical holding and seclusion</p> <ol style="list-style-type: none"> Staff have been taught the risks and dangers of restraining, both physically and mentally in the CPI/NCI courses. Documentation of the training, including date, areas covered, staff members who attended, and evidence of certification or completion (if applicable) is maintained in the RPP manual, which is located in the office of the Head of School.
	<p>I. Monitoring and responding to a child's physical signs of distress when physical holding is being used</p> <ol style="list-style-type: none"> Staff have been taught and understand that an auxiliary team member is always involved when a restraint is needed. They are trained to watch for obstruction to airways, signs of physical pain, and ensure staff are following the proper techniques when physically restraining a student. Documentation of the training, including date, areas covered, staff members who attended, and evidence of certification or completion (if applicable) is maintained in the RPP manual, which is located in the office of the Head of School.
	<p>J. Recognizing the symptoms of and interventions that may cause positional asphyxia when physical holding is used</p> <ol style="list-style-type: none"> Staff have received training on the necessity for and expectation that assistance from a minimum of two staff members (auxiliary team member and observe) must always exist whenever conducting a nonviolent physical restraint. Staff are trained to watch for obstruction to airways, signs of physical pain, and ensure staff are following the proper techniques when physically restraining a student. Documentation of the training, including date, areas covered, staff members who attended, and evidence of certification or completion (if applicable) is maintained in the RPP manual, which is located in the office of the Head of School.
	<p>K. District policies and procedures for timely reporting and documenting each incident involving use of a restrictive procedure; and</p> <ol style="list-style-type: none"> All staff will be trained on the process and procedures for reporting all physical holds, including how to complete the physical hold form and debriefing process form. Staff will be provided instructions on how to access the form. Documentation of the training, including date, areas covered, staff members who attended, and evidence of certification or completion (if applicable) is maintained in the RPP manual, which is located in the office of the Head of School.
	<p>L. School wide programs on positive behavior strategies</p> <ol style="list-style-type: none"> Staff will receive training on the significant impact that school-wide positive behavioral supports/systems have on student success. Positive supports and strategies at LA CRESCENT MONTESSORI & STEM SCHOOL include the use of Morning Meetings (Responsive Classroom, Peace Curriculum, Love and Logic

	<p>Curriculum, Montessori's Curriculum of Grace and Courtesy, and other problem solving sessions among other incentive programs and initiatives.</p> <p>2. Documentation of the training, including date, areas covered, staff members who attended, and evidence of certification or completion (if applicable) is maintained in the RPP manual, which is located in the office of the Head of School.</p>
Prohibitions found at Minn. Stat. § 125A.0942, Subdivision 4(1-9)	<p>VI. LA CRESCENT MONTESSORI & STEM SCHOOL 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.