



# New Discoveries Montessori Academy

## Restrictive Procedures Plan

*In accordance with Minn. Stat. § 125A.0941 and § 125A.0942 every school district is required to develop and make publicly accessible in an electronic format on a school or district website or make a paper copy available upon request, a plan that discloses its use of restrictive procedures with special education students. The plan must list the restrictive procedures that the school district intends to use; describe how the school district will implement a range of positive behavior strategies and provide links to mental health services, describe how the school district will monitor and review the use of restrictive procedures, including post-use debriefings and convening an oversight committee to undertake a quarterly review of the use 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, the number of times a restrictive procedure is used schoolwide and for individual children the number and types of injuries, if any, resulting from the use of restrictive procedures, whether restrictive procedures are used in nonemergency situations, the need for additional staff training, and proposed actions to minimize the use of restrictive procedures; and includes a written description and documentation of the training any staff members who will be using restrictive procedures have completed to show they have the skills set out in Minn. Stat. § 125A.0942, subd. 5.*

### Restrictive Procedures

New Discoveries Montessori Academy uses restrictive procedures only in emergency situations. **“Emergency”** means a situation where immediate intervention is needed to protect a student or other individuals 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. Restrictive procedures must not be used to punish or otherwise discipline a child.

### Restrictive Procedures Used at New Discoveries Montessori Academy

- I. Physical Holding
  - A. The restrictive procedure that authorized New Discoveries Montessori Academy staff may use in an emergency situation is physical holding. Physical holding is a physical intervention intended to hold a student immobile or limit a student’s movement, where body contact is the only source of physical restraint, and where immobilization is used to effectively gain control of a student in order to protect a student or other individual from physical injury.
  - B. Physical Holding does not mean physical contact that:
    1. Helps a child respond or complete a task;
    2. Assists a child without restricting the child’s movement;
    3. Is needed to administer an authorized health-related service or procedure; or
    4. Is needed to physically escort a child when the child does not resist or the child’s resistance is minimal.
  - C. New Discoveries Montessori Academy intends to use the following types of physical holding:
    1. CPI Children’s Control Position

## 2. CPI Team Control Position

### **Restrictive Procedures Not Used at New Discoveries Montessori Academy**

New Discoveries Montessori Academy does not use the following restrictive procedures:

- II. Seclusion: confining a student alone in a room from which egress is barred, including by an adult locking or closing the door in the room or preventing the student from leaving the room. Removing a student from an activity to a location where the student cannot participate in or observe the activity is not seclusion if the student is not confined alone in a room from which egress is barred.
- III. Prone Restraint: placing a student in a face down position.

In addition, New Discoveries Montessori Academy staff will never engage in the following.

- 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 (vision or hearing) as a 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 or devices such as walkers, wheelchairs, hearing aids or communication boards that facilitate the child's functioning, except when temporarily removing the equipment or device is necessary to prevent injury to the child or others or serious damage to the equipment or device, in which case the equipment will 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, causes distress, places pressure on a child's head, throat, neck, chest, lungs, sternum, diaphragm, back or abdomen or results in straddling a child's torso.

### **Who May Use Restrictive Procedures**

Restrictive procedures may be used in emergency situations only by the designated staff listed below who have been properly trained in the skills and knowledge areas described in Minn. Stat. § 125A.0942, subd. 5, which are set out subsequently in this plan:

Based on CPI training principles, there are two types of physical interventions. The people who use each of the types will differ:

- A. Type 1: Disengagement skills (a staff person getting themselves out of a physical contact, e.g., when the student pulls hair or grabs an arm). All staff are trained on these skills.
- B. Type 2: Physical restraint or use of a restrictive procedure – only CPI trained staff will use Type 2 and those can include the following:
  - a. Licensed special education teacher
  - b. School behavior interventionist
  - c. School psychologist
  - d. Other licensed education professionals (e.g., administrators, interventionists)
  - e. Paraprofessional

## Range of Positive Behavior Strategies Used at New Discoveries Montessori Academy

New Discoveries Montessori Academy will implement a range of positive behavior strategies and provide links to mental health services.

In keeping with the practice of prevention and positive intervention, New Discoveries Montessori Academy will only use physical holds in emergency situations. New Discoveries Montessori Academy staff implement a range of positive behavior strategies as proactive approaches to teaching positive behavior skills to students, thereby reducing the need for the use of physical holds. Positive behavioral interventions and supports means interventions and strategies to improve the school environment and teach children the skills to behave appropriately.

All staff are trained in Crisis Prevention (CPI) (via an on site CPI trainer) and Responsive Classroom techniques with the purpose of maintaining a prevention and intervention culture versus a discipline culture. New Discoveries Montessori Academy implements the following positive behavior strategies:

- I. School Wide
  - A. Interactive Modeling: an explicit practice for teaching procedures and routines (such as those for entering and exiting the room) as well as academic and social skills (such as engaging with the text or giving and accepting feedback).
  - B. Teacher Language: The intentional use of language to enable students to engage in their learning and develop the academic, social, and emotional skills they need to be successful in and out of school.
  - C. Logical Consequences: A non-punitive response to misbehavior that allows teachers to set clear limits and students to fix and learn from their mistakes while maintaining their dignity.
  - D. Interactive Learning Structures: Purposeful activities that give students opportunities to engage with content in active (hands-on) and interactive (social) ways.
- II. Kindergarten-6th Grade
  - A. Morning Meeting: Everyone in the classroom gathers in a circle for twenty to thirty minutes at the beginning of each school day and proceeds through four sequential components: greeting, sharing, group activity, and morning message.
  - B. Establishing Rules: Teacher and students work together to name individual goals for the year and establish rules that will help everyone reach those goals.
  - C. Energizers: Short, playful, whole-group activities that are used as breaks in lessons.
  - D. Quiet Time: A brief, purposeful and relaxed time of transition that takes place after lunch and recess, before the rest of the school day continues.
  - E. Closing Circle: A five- to ten-minute gathering at the end of the day that promotes reflection and celebration through participation in a brief activity or two.
- III. Middle School
  - A. Responsive Advisory Meeting: A practice with a set, predictable routine, organized around one of seven distinct purposes, that offers a solid framework for building meaningful connections and developing respectful and trusting relationships while meeting students' developmental needs. The meetings have four sequential components: arrival welcome, announcements, acknowledgments, and activity.
  - B. Investing Students in the Rules: A process facilitated by the teacher that is composed of four steps: setting SMART goals, connecting the goals to rules, connecting the rules to concrete behaviors, and making the rules come alive.
  - C. Brain Breaks: Short breaks in whole-class lessons that give students a chance to move and interact, used to increase focus, motivation, learning, and memory.
  - D. Active Teaching: A strategy for delivering curriculum content where the teacher presents, explains, illustrates, and demonstrates content in a way that enables students to meet a learning objective.

The three phases of active teaching are Teach and Model, Student Collaboration, and Facilitate Reflection.

- E. Student Practice: A process that follows active teaching where students explore and practice, under the teacher's guidance, the content and skills taught during a lesson. This gives the teacher the opportunity to identify and correct students' thinking before they practice further on their own.
- F. Small Group Learning: A structured way for students to work together on a specific learning goal, assignment, or project that is organized by the teacher.

Below are some links to local resources. To obtain service or a referral to a service provider, the family should contact their primary care clinic, physician or insurance provider. If a family needs assistance being connected with resources, please contact New Discoveries Montessori Academy.

- McLeod County Resources
  - [McLeod County Family Resource Guide](#)
  - [McLeod County Parent Support Outreach Program \(PSOP\)](#)
    - 320-864-3144
    - [Brochure](#)
  - McLeod County Crisis Program
    - 320-864-2719 24/7 Crisis Support
- Mental Health Services near Hutchinson
  - Jonas Center, Glencoe, MN
    - 320-864-6139, [thejonascenter.com](http://thejonascenter.com)
  - Aspire Counseling, Hutchinson, MN
    - 320-587-3331, [aspirecounselingmn.com](http://aspirecounselingmn.com)
  - [Hutchinson Health](#), Hutchinson, MN
    - Appointments: 320-484-4610
    - 24 Hour Crisis Line: 320-484-4585
  - Nystrom & Associates, Hutchinson, MN
    - 952-746-2522, [nystromcounseling.com](http://nystromcounseling.com)
  - Serenity Mental Health Services, Hutchinson, MN
    - 320-455-9888, [serenitymentalhealthservices.com](http://serenitymentalhealthservices.com)
  - Clinical & Developmental Services, LLC., Waconia, MN
    - 952-955-6213, [clinicalanddevelopmentalservices.com](http://clinicalanddevelopmentalservices.com)
  - Greater Minnesota Family Services, Willmar, MN
    - 320-214-9692, [greaterminnesota.org](http://greaterminnesota.org)
- [MN Department of Human Services: Children's Mental Health Division](#)
- [MN Association for Children's Mental Health](#)

## Annual Professional Development

New Discoveries Montessori Academy will provide training on de-escalation techniques.

- I. New Discoveries Montessori Academy provides the following training on using positive behavior interventions:
- II. New Discoveries Montessori Academy provides the following trainings 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:
- III. Staff members who use or who could potentially use restrictive procedures, based on the nature of the students with whom they work, shall complete training in the following skills and knowledge areas. All of the following comes out of Responsive Classroom and CPI training. All training is on-going across the year.
  - A. positive behavior interventions;

- B. communicative intent of behaviors;
- C. relationship building;
- D. alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior;
- E. de-escalation methods;
- F. standards for using restrictive procedures only in an emergency;
- G. obtaining emergency medical assistance;
- H. the physiological and psychological impact of physical holding;
- I. monitoring and responding to a student's physical signs of distress when physical holding is being used;
- J. recognizing the symptoms of and interventions that may cause positional asphyxia when physical holding is used;
- K. district policies and procedures for timely reporting and documenting each incident involving use of a restricted procedure; and
- L. schoolwide programs on positive behavior strategies.

The District will maintain records of all trainings and training participants to ensure that staff meet the twelve skill and knowledge areas described above. The agendas, sign-in sheets, calendars, etc. will be managed and maintained by the Special Education Coordinator.

## Monitoring the Use of Restrictive Procedures at Cologne Academy

New Discoveries Montessori Academy will monitor and review the use of restrictive procedures in the following manner:

- A. **Parent Notification:** School staff will make reasonable efforts to notify the parent on the same day a restrictive procedure is used on the student. If the school is unable to provide same-day notice, notice is sent to the parent in a written or electronic format (e-mail) within two (2) days of the procedure being used or as otherwise indicated in the student's IEP.
- B. **Reporting Use of Restrictive Procedure:** Either the staff person who implements the restrictive procedure or the staff person who oversees the use of a restrictive procedure shall inform the executive director and the special education director of the use of the restrictive procedure as soon as possible and shall complete the restrictive procedures report form no later than the next working day. See reporting form in [Appendix A](#). The restrictive procedures report form must include:
  - a. A description of the incident that led to the physical holding;
  - b. Why a less restrictive measure failed or was determined by staff to be inappropriate or impractical;
  - c. The time the physical holding began and the time the child was released; and
  - d. A brief record of the child's behavioral and physical status.
- C. **Post-Use Debriefing:** Each time a physical holding is used, the staff involved in using the restrictive procedure are required to participate in a post-use debriefing with two days of the procedure. Building administration or designee will be involved in the debriefing meetings. See debriefing form in [Appendix B](#). The post-use debriefing will review the following requirements to ensure the physical holding was used appropriately:
  - a. Whether the physical holding was used in an emergency situation;
  - b. Whether the physical holding was the least intrusive intervention that effectively responds to the emergency;
  - c. Whether the physical holding was used to discipline a noncompliant child;
  - d. 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;
  - e. Whether the staff directly observed the child while physical holding was being used;

- f. Whether documentation was completed correctly;
- g. Whether the parents were properly notified;
- h. Whether an IEP team meeting needs to be scheduled;
- i. Whether the appropriate staff used physical holding;
- j. Whether the staff that used physical holding were properly trained.

**Including Plan for Use of a Restrictive Procedure in Student's IEP:** A student's IEP team may include a plan for using a restrictive procedure in the student's IEP but may only use the restrictive procedure in situations that constitute an emergency. If a plan is included in the student's IEP, the IEP must also indicate how the parent wants to be notified when a restrictive procedure is used. The district must review use of restrictive procedures at a student's annual IEP meeting when the student's IEP provides for using restrictive procedures in an emergency.

**Use of Restrictive Procedure Twice in 30 Days:** If a restrictive procedure is used on two separate days within 30 calendar days or if a pattern of use of the restrictive procedure emerges and the student's IEP or behavior intervention plan does not provide for using restrictive procedures in an emergency, the district must hold an IEP meeting within ten (10) calendar days after district staff use the second restrictive procedure. This meeting can also be requested by the parent or the district after restrictive procedures have been used. At this meeting the team must:

- A. review the student's Functional Behavior Assessment (FBA);
- B. review other data connected to the behavior(s) that prompted the use of the restrictive procedure;
- C. consider developing additional or revised positive behavioral interventions and supports;
- D. consider actions that could be taken to reduce the use of restrictive procedures;
- E. consider developing a Behavior Intervention Plan (BIP) or modifying an existing BIP or consider other revisions to the student's IEP;
- F. review any known medical or psychological limitations, including any medical information the parent provided voluntarily, that contraindicate the use of a restrictive procedure; and
- G. consider whether to prohibit a restrictive procedure and, if so, document any prohibition in the student's IEP.

If the IEP 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 on 10 or more school days during the same school year, the team, as appropriate, either must consult with other professionals working with the student; 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 student.

#### **IEP Team Meeting is Required:**

- A. When an emergency procedure is used twice in 30 days, whether the procedure is in the IEP or not
- B. If a pattern of use of the emergency procedure emerges, whether it is in the IEP or not.
- C. If the procedure is used on 10 or more days during the year and the team must consider bringing in an expert or re-evaluate the student and conduct a new functional behavior assessment).
- D. If the student is restrained or removed from a classroom, school building, or school grounds by a peace officer at the request of a school administrator or a school staff person during the school day twice in a 30-day period. The team must consider if the IEP is adequate or determine if additional evaluation is needed.

#### **Oversight Committee**

At least quarterly, the District will convene an oversight committee. The district will review the membership annually. Minimally, the oversight committee will include the following individuals:

- A. Special Education Coordinator
- B. Executive Director

- C. Licensed School Psychologist or School Social Worker
- D. Behavior Intervention Specialist/Crisis Prevention Trainer

This oversight committee will review the aggregate data on the use of restrictive procedures in the District. Included in this review will be:

- A. examination of 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. the number of times a restrictive procedure is used schoolwide 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. whether additional staff training on behavior interventions and restrictive procedures is needed; and
- F. proposed actions to minimize the use of restrictive procedures.