

Crookston High School and New Paths ALC Restrictive Procedures Plan with Legal Citations

In accordance with Minnesota Statute 125A.0942, Subd. 1, every school district is required to develop and make public a plan that discloses its use of restrictive procedures. The plan specifically outlines the list of restrictive procedures the school intends to use; how the school will implement a range of positive behavior strategies and links to mental health services; how the school will monitor and review the use of restrictive procedures, including post use debriefings and convening an oversight committee; and a written description and documentation of the training staff have received and who received the training.

The Crookston Public School District promotes the use of positive approaches for behavioral interventions for all students. School environments that are positive, predictable, relevant, and effective are safer, healthier and more caring, have enhanced learning and teaching outcomes and provide a continuum of supports for all learners.

Crookston Public School uses restrictive procedures only in emergency situations. “Emergency” means a situation where immediate intervention is needed to protect the child 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 threat of physical injury currently exists.

When restrictive procedures are employed in an emergency situation with any student, the district will adhere to the standards and requirements of Minnesota Statutes 125A.094.

Law	Crookston High School and New Paths ALC Restrictive Procedures Plan
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)	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.
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.

Law	Crookston High School and New Paths ALC Restrictive Procedures Plan
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)	I. Crookston High School and New Paths ALC intends to use the following restrictive procedures:*
Definition found at Minnesota Statutes, section 125A.0941(c)	A. Physical holding: 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. Physical holding procedures are used as the least intrusive procedure necessary to keep students and staff safe in an emergency situation. Staff who are authorized to use physical holding are taught Non-Violent Crisis Intervention on an annual basis.
Definition found at Minnesota Statutes, section 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. Crookston High School and New Paths ALC intends to use the following types of physical holding: a) CPI Children's Control Position b) CPI Team Control Position c) CPI Transport Position d) CPI Interim Control Position

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Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(2)	II. Crookston High School and New Paths ALC will implement a range of positive behavior strategies and provide links to mental health services. www.nwmhc.org 218-281-3940
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.

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Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(2) Encouragement found at Minnesota Statutes, section 125A.0942, Subdivision 6¹	B. Crookston High School and New Paths ALC implements the following positive behavior strategies: II. Personal development activities in the following areas will be provided through Nonviolent Crisis Intervention (CPI) training which is aligned to Minnesota Standards for Restrictive Procedures to identified district staff and contracted personnel who have routine contact with students and who may use restrictive procedures: Positive Behavioral Interventions and supports; CPI Crisis Development Model, Verbal Intervention, Post intervention, Nurtured Heart Approach, Envoy Training. a. Communicative Intent of Behavior; CPI Crisis Development Model, Nonverbal & Para verbal Communication b. Relationship Building Woven throughout CPI training but is addressed most directly in Empathic Listening and Integrated Experience c. Alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior; Precipitating factors, Rational detachment, Integrated experience, Personal safety strategies to de-escalate and prevent future occurrences d. Standards for using restrictive procedures Nonviolent Physical Crisis and Team Intervention, Understanding the risks of restraints e. Obtaining emergency medical assistance; Nonviolent Physical Crisis Intervention and Team Intervention f. Physiological and psychological impact of physical holding and seclusion; Nonviolent Physical Crisis and Team Intervention, Understanding the Risks of Restraints, Crisis Development Model, Therapeutic Rapport g. Monitoring and responding to a child's physical signs of distress when physical holding is being used; Nonviolent Physical Crisis Intervention and Team Intervention h. Recognizing the symptoms of an intervention that may cause positional asphyxia when physical holding is used. Understanding the Risks of Restraints, Nonviolent Physical Crisis Intervention and Team Intervention.

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

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Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(2)	C. Crookston High School and New Paths ALC provides the following links to mental health services <i>[list below the websites for pertinent mental health services in your area, i.e., ABC County Mental Health.]</i> 1. Northwestern Mental Health Center www.nwmhc.org 2. Riverview Hospital www.riverviewhealth.org 3. Villa St. Vincent www.villastvincent.org 4. Altru Clinic – Crookston www.altru.org 5. Stadter Center Psychiatric Center www.centerforpsychiatriccare.com Regional In-Patient Mental Health Hospitalizations and Outreach: Prairie St. John's, Fargo, ND – www.prairie-stjohns.com 1-877-333-9565 Stadter Center, Grand Forks, ND – www.stadtercenter.com 1-866-772-2500

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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	III. Crookston High School and New Paths ALC will provide training on de-escalation techniques. A. Crookston High School and New Paths ALC provides the following training on using positive behavior interventions [list the trainings provided below]; 1. CPI addresses both verbal and non-verbal de-escalation strategies. Program focuses on strategies to de-escalate and prevent future occurrences B. Crookston High School and New Paths ALC 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 [list the trainings provided below]. Teachers are able to choose trainings as a part of the District Staff Development plan. Many have attended training on accommodating, modifying and adapting curricula, materials, and strategies to meet the needs of their students, The District has monthly trainings – on site- 2W- Days. Students have an early dismissal and staff have trainings. This also includes the District para- professionals. Every month we focus on different topics related to our special education students and their individual needs At the beginning of each school year new staff receive training from our Special Services Director. We cover many topics in special education including modifying and adapting curricula to meet our students unique needs.

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Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(4)	IV. Crookston High School and New Paths ALC 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)	A. Documentation: a. Each time a physical holding or seclusion is used the staff person who implemented or oversaw the physical holding or seclusion will conduct a post-use debriefing with a building administrator, other staff involved in the physical restraint or seclusion and the IEP/Case manager within 1 working day after the incident concludes to ensure the following: i. That the physical holding or seclusion was used in an emergency; ii. The physical holding or seclusion was the least intrusive intervention that effectively responds to the emergency; iii. That the physical holding or seclusion ended when the threat of harm ended and the staff determined that the child could safely return to the classroom or activity; iv. That the staff directly observed the child while physical holding or seclusion was being used; v. Whether the documentation was completed correctly; vi. When the parents were notified; vii. Whether an IEP meeting needs to be scheduled; viii. Whether the appropriate staff used physical holding or seclusion; and ix. Whether the staff that used physical holding or seclusion was appropriately trained. b. Post-use debriefing form and restrictive procedures form will be provided to the Director of Special Services within 3 working days after the incident concludes. c. If the post-use debriefing determines the physical holding or seclusion was not used appropriately, the district will ensure immediate corrective action is taken by providing review of this plan outlining appropriate use of restrictive procedures and determine if more training is needed for staff in the district.
	2. Included at the end of this plan are Crookston High School and New Paths ALC's forms used to document the use of physical holding or seclusion.

Law	Crookston High School and New Paths ALC Restrictive Procedures Plan
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(4)(i)	B. Post-use debriefings, consistent with documentation requirements: 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 a building administrator, other staff involved in the physical restraint or seclusion and the IEP/Case manager within 1 working day after the incident concludes.
	The post-use debriefing will review the following requirements to ensure the physical holding or seclusion was used appropriately]:
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a) ²	a) Whether the physical holding or seclusion was used in an emergency.
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision. 3(a)(1) ³	b) Whether the physical holding or seclusion was the least intrusive intervention that effectively responds to the emergency.
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(2) ⁴	c) Whether the physical holding or seclusion was used to discipline a noncompliant child.
Requirement found at Minn. Stat. § 125A.0942, Subdivision 3(a)(3) ⁵	d) Whether the physical holding or seclusion ended when the threat of harm ended and the staff determined that the child could safely return to the classroom or activity.

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.

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Requirement found at Minn. Stat. § 125A.0942, Subdivision 3(a)(4) ⁶	e) Whether the staff directly observed the child while physical holding or seclusion was being used.
Requirement found at Minn. Stat. § 125A.0942, Subdivision 3(a)(5) ⁷	f) Whether the documentation was completed correctly.
Requirement found at Minn. Stat. § 125A.0942, Subdivision 2(b) ⁸ and Minn. § 125A.0942, Subdivision 2(f) ⁹	g) Whether the parents were properly notified.
Requirement found at Minn. Stat. § 125A.0942, Subdivision 2(c) ¹⁰	h) Whether an IEP team meeting needs to be scheduled.

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.

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.

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Requirement found at Minn. Stat. § 125A.0942, Subdivision 2(a) ¹¹	i) Whether the appropriate staff used physical holding or seclusion.
Requirement found at Minn. Stat. § 125A.0942, Subdivision 5	j) Whether the staff that used physical holding or seclusion was appropriately trained.
	3. If the post-use debriefing determines the physical holding or seclusion was not used appropriately, the district will ensure immediate corrective action is taken by providing review of this plan outlining appropriate use of restrictive procedures and determine if more training is needed for staff in the district.
Requirement found at Minn. Stat. § 125A.0942, Subdivision 1(b) ¹²	C. Oversight committee 1. Crookston High School and New Paths ALC publicly identifies the following oversight committee members: a) Jill Carlson- school psychologist, b) Susan Tiedemann-District Evaluation Coordinator-An expert in positive behavior intervention; c) Kathy Stronstad-Special Services Director d) Holly Wavra- Speech Language Pathologist e) Laurie Coauette – School Nurse f) Building Principal

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.

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.

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Requirement found at Minn. Stat. § 125A.0942, Subdivision 1(a)(4)(ii) ¹³	2. Crookston High School and New Paths ALC's oversight committee meets weekly on Wednesday mornings at 10:00 in the District Special Services Director's Office. Restrictive Procedure reports are reviewed as necessary. The committee reviews all reports prior to the quarterly reporting dates for MDE- January 15, April 15, July 15, and October 15
Requirement found at Minn. Stat. § 125A.0942, Subdivision (1)(a)(4)(ii)	3. Crookston High School and New Paths ALC's oversight committee will review the following: 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.

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)(5) and Subdivision 5	IV. Crookston High School and New Paths ALC staff who use restrictive procedures, including paraprofessionals, received training in the following skills and knowledge areas: Those authorized to use restrictive procedures include: a. Licensed special education teachers b. School Psychologist c. Other licensed educational professionals d. Autism Specialist e. Special education paraprofessionals f. Mental Health Practitioner g. Staff identified in Behavior Intervention Plan (BIP) Nonviolent Crisis Intervention (CPI) training which is aligned to Minnesota Standards for Restrictive Procedures to identified district staff and contracted personnel who have routine contact with students and who may use restrictive procedures: A. Positive behavioral interventions 1. CPI Crisis Development Model, Verbal Intervention, Post intervention, Nurtured Heart Approach, Envoy Training. All special education staff are training in the use of CPI. All new staff receive the initial training as soon as they are employed. All other staff have the annual refresher CPI training. A list of all staff trained in kept in the District Offices. B. Communicative intent of behaviors 1. CPI Crisis Development Model, Nonverbal & Para verbal Communication
	C. Relationship building 1. Woven throughout CPI training but is addressed most directly in Empathic Listening and Integrated Experience
	D. Alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior 1. Precipitating factors, Rational detachment, Integrated experience, Personal safety

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	E. De-Escalation methods 1. CPI addresses both verbal and non-verbal de-escalation strategies. Program focuses on strategies to de-escalate and prevent future occurrences
	F. Standards for using restrictive procedures only in an emergency 1. Nonviolent Physical Crisis and Team Intervention, Understanding the risks of restraints
	G. Obtaining emergency medical assistance 1. Nonviolent Physical Crisis Intervention and Team Intervention
	H. The physiological and psychological impact of physical holding and seclusion 1. Nonviolent Physical Crisis and Team Intervention, Understanding the Risks of Restraints, Crisis Development Model, Therapeutic Rapport
	I. Monitoring and responding to a child's physical signs of distress when physical holding is being used 1. Nonviolent Physical Crisis Intervention and Team Intervention
	J. Recognizing the symptoms of and interventions that may cause positional asphyxia when physical holding is used 1. Understanding the Risks of Restraints, Nonviolent Physical Crisis Intervention and Team Intervention.

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	K. District policies and procedures for timely reporting and documenting each incident involving use of a restrictive procedure; Post-use debriefing form and restrictive procedures form will be provided to the Director of Special Services within 3 working days after the incident concludes.
	L. School wide programs on positive behavior strategies . CPI Crisis Development Model, Verbal Intervention, Post intervention, Nurtured Heart Approach, Envoy Training.

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Prohibitions found at Minn. Stat. § 125A.0942, Subdivision 4(1-9)	VI. Crookston High School and New Paths ALC will never use the following prohibited procedures on a child: 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.

Crookston Public Schools #593

Restrictive Procedures Reporting Form

Student Name: _____

DOB: _____

Building: _____

Date of Incident: _____

Directions: Complete this form whenever a physical hold (P) or seclusion (S) is used. All students must be monitored by an adult at all times. End the intervention when the threat of harm ends and staff determine that the student can safely return to the classroom or activity.

***A debriefing meeting must be held within 2 school days and a Staff Debriefing Meeting form completed.**

Involved Staff: _____

Signature of person completing this form: _____

Description of Incident: _____

Type P/S	Intervention Time		Location	Type of Physical Hold Used (options below)	*Other (see below)	Denied (Y/N)	
	Start	End				Water	Restroom
				☐ CC ☐ TC ☐ TT ☐ IC			
				☐ CC ☐ TC ☐ TT ☐ IC			
				☐ CC ☐ TC ☐ TT ☐ IC			
				☐ CC ☐ TC ☐ TT ☐ IC			

Was seclusion conducted in a room other than a specially designed approved and registered time out room?

Yes _____ No _____ Room location _____

Description of student's behavior and physical status during intervention: _____

Any clothing removed? Shoes _____ Belt _____ Pocket Contents _____ Other _____

Was meal delayed due to extreme behavior or safety concern? Yes _____ No _____

Explanation: _____

Intervention was used to protect student or others from physical injury? Yes _____ No _____

Intervention was used to prevent serious property damage? Yes _____ No _____

Positive and least restrictive interventions tried before use of restrictive procedure:

☐ Redirection, Correction, Verbal or Non-verbal Feedback

☐ Brief supervised removal – (another location for purposes of engaging in activities or discussion related to behavior, thoughts or feelings.)

☐ Safe place to relax/regroup (voluntary)

☐ Other: _____

☐ Description of why a less restrictive intervention failed or was determined by staff to be inappropriate or impractical: _____

Parent(s) Notification: Parents must be notified the same day the procedure is used. A written or electronic notice will be sent within 2 days if unable to notify on same day.

Date: _____ Time: _____

Parent Name: _____ By Whom: _____

Parent Comments: _____

Was law enforcement contacted? Yes _____ No _____ By Whom: _____

Outcome of call: _____

Physical Hold Options: Children's Control=CC, Team Control=TC, Team Transport=TT, Interim Control=IC

Post-use Debrief of a Restrictive Procedure

This model form is to provide guidance to districts in meeting the post-use debriefing requirement of Minnesota Statute, section 125A.0942, subdivision 1(a)(3)(i). Districts are not required to use this form, and no particular post-use debriefing process is prescribed by statute. This document is provided as a courtesy for use by our website visitors. Organizations are responsible for ensuring its accessibility for their end-users.

Student Name: _____

Date of Restrictive Procedure: _____ Today's Date: _____

Individuals Participating in Post-Use Debriefing: _____

A. Items for discussion about the incident.

1. The circumstances that led up to the emergency and the emergency itself.
 - a) Environment and activities/staff and other students involved.
 - b) Student behavior, the antecedents, and the consequences.
2. Staff responses/attempts at de-escalation.
 - a) Interventions and strategies attempted prior to the restrictive procedure.
 - b) Whether the attempts were consistent with student's IEP and, if applicable, BIP.
3. Interventions and strategies that might be more effective in the future.

B. Review the previous use of restrictive procedures and legal thresholds.¹

1. Restrictive procedures used on 2 school days within 30 calendar days? Yes ___ No ___
2. A pattern of use of restrictive procedures has emerged? Yes ___ No ___
3. Restrictive procedures used on 10 or more days this school year? Yes ___ No ___

C. Review the restrictive procedures reporting form² for accuracy; revise, if necessary.

Next steps/follow up (e.g. convene an IEP team meeting, consider development or revision of a BIP, conduct an FBA or a reevaluation, seek additional consultation or training, etc).

¹ Minn. Stat. § 125A.0942, subd. 2(c)-(f), available at <https://www.revisor.mn.gov/statutes/?id=125A.0942>.

² See Minn. Stat. § 125A.0942, subd. 3(a)(5)(i)-(iv) (prescribing certain documentation requirements).