



Swanville School District

Restrictive Procedures Plan

Law	Restrictive Procedures Plan Components
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)	Swanville Public Schools intend to use restrictive procedures and will maintain and make public a copy of the District Plan on the district website.
Definition found at Minnesota Statutes, section 125A.0941(f)	A restrictive procedure 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 Individual Education Program or Positive Behavior Support Plan.
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(1)	I. Swanville Public Schools intends to use the following restrictive procedures from Handle With Care (HWC): Primary Restraint Technique (PRT): standing and sitting
Definition found at Minnesota Statutes, section 125A.0941(c)	A. Physical holding: 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.

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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.
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

Law	Restrictive Procedures Plan Components
	d) Is needed to physically escort a child when the child does not resist or the child's resistance is minimal. 3. Swanville Public Schools intends to use the following types of physical holding: a) Primary Restraint Technique (PRT): standing and sitting
Definition found at Minnesota Statutes, section 125A.0941(g)	B. Seclusion 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. 3. Removing a child from an activity to a location where the child cannot participate in or observe the activity is not seclusion. 4. The use of seclusion on children from birth through 3rd grade is prohibited. 5. Swanville School District Does Not have a state registered seclusion room.
⁸ Minnesota Statutes, section 125A.0942, requires by February 1, 2024, the commissioner, in cooperation with stakeholders, to make recommendations to the legislature for urgently ending seclusion in Minnesota Schools which must include specific dates for ending seclusion by grade or facility and must identify existing resources and the new resources necessary for staff capacity, staff training, children's supports, child mental health services, and schoolwide collaborative efforts.	
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(2)	II. Swanville Public School programs 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.
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(2) Encouragement found at Minnesota Statutes, section 125A.0942, Subdivision 6⁸	B. Swanville Public Schools provide staff development and training from the following positive behavior interventions and support resources and activities: 1. Handle With Care 2. Staff Development In-services 3. Positive Behavior Interventions and Supports (PBIS)

Law	Restrictive Procedures Plan Components
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(2)	C. Swanville Public Schools provide the following links to mental health services 1. Morrison County Social Services 2. Northern Pines School Based Mental Health
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. Swanville Public Schools will provide training on de-escalation techniques. A. Swanville Public Schools provides the following training on using positive behavior interventions 1. Handle With Care 2. Positive Behavior Interventions and Supports (PBIS) B. Swanville Public Schools 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: 1. PLCs 2. Staff Development Activities 3. Infinitec Resources
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(4)	IV. Swanville Public Schools will monitor and review the use of restrictive procedures in the following manner: Restrictive Procedures Quarterly Oversight Committee Meetings (District-Wide).
⁸ Minnesota Statutes, section 125A.0942, Subd, 6 encourages school districts to establish effective school-wide systems of positive behavior interventions and supports.	
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(5)	A. Documentation: 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: a) Was physical holding used to protect the student or others from physical injury? b) A description of the emergency situation. c) A description of the incident that led to physical holding or seclusion.

Law	Restrictive Procedures Plan Components
	d) A description of the physical holding or seclusion and a brief description of the student's behavior and physical status. e) Was physical holding or seclusion the least restrictive intervention to effectively respond to the emergency? f) Why a less restrictive intervention failed or was determined to be inappropriate; g) Did the physical holding or seclusion end when the threat of harm ended and staff determined that the student could safely return to the classroom or activity. h) The time the physical holding or seclusion began and the time the child was released; and i) Did staff directly observe the child during the physical hold or seclusion? j) Did staff sustain an injury as a result of the physical holding or seclusion? k) Did the student sustain an injury as a result of the physical holding or seclusion? l) Did the room meet the requirement of a room used for seclusion? m) Was the room well lit, well ventilated, adequately heated and clean? n) Did the room contain objects that a student may use to injure themselves or others?
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(4)(i)	2. Completion of the Restrictive Procedures Documentation found in SpEd Forms (Physical Hold & Seclusion)
Law	Restrictive Procedures Plan Components
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)⁹ Requirement found at Minnesota Statutes, section 125A.0942, Subdivision. 3(a)(1)¹⁰	B. Post-use debriefings, consistent with documentation requirements: 1. Each time physical holding or seclusion is used, the response team (including one person not involved in the restrictive procedure) and staff person who implemented or oversaw the physical holding or seclusion shall conduct

Law	Restrictive Procedures Plan Components
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Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(2)¹¹ Requirement found at Minn. Stat. § 125A.0942, Subdivision 3(a)(3)¹² Requirement found at Minn. Stat. § 125A.0942, Subdivision 3(a)(4)¹³ Requirement found at Minn. Stat. § 125A.0942, Subdivision 3(a)(5)¹⁴ Requirement found at Minn. Stat. § 125A.0942, Subdivision 2(b)¹⁵ and Minn. § 125A.0942, Subdivision 2(f)¹⁶ Requirement found at Minn. Stat. § 125A.0942, Subdivision 2(c)¹⁷ Requirement found at Minn. Stat. § 125A.0942, Subdivision 2(a)¹⁸ Requirement found at Minn. Stat. § 125A.0942, Subdivision 5	a post-use debriefing with the response team and complete the SpEd Forms Debriefing Documents for Physical Holds and/or Seclusion. 2. The post-use debriefing will review the following requirements to ensure the physical holding or seclusion was used appropriately (Refer to the SpEd Forms Staff Debriefing Meeting Documentation): a) Was physical holding used to protect the student or others from physical injury? b) A description of the emergency situation. c) A description of the incident that led to physical holding or seclusion. d) A description of the physical holding or seclusion and a brief description of the student’s behavior and physical status. e) Was physical holding or seclusion the least restrictive intervention to effectively respond to the emergency? f) Why a less restrictive intervention failed or was determined to be inappropriate; 3. A brief description of the post-use debriefing that occurred as a result of the use of physical hold or seclusion. 4. If the post-use debriefing determines the physical holding or seclusion was not used appropriately, Mid-State Education District along with the District will ensure immediate corrective action is taken, including staff training
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⁹ Minnesota Statutes, section 125A.0942, Subd. 3(a) requires that restrictive procedures only be used in response to behavior that constitutes an emergency.

¹⁰ Minn. Stat. § 125A.0942, Subd. 3(a)(1) requires physical holding or seclusion be the least restrictive intervention that effectively responds to the emergency.

¹¹ Minn. Stat. § 125A.0942, Subd. 3(a)(2) requires physical holding or seclusion NOT be used to discipline a noncompliant child.

¹² 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.

¹³ Minn. Stat. § 125A.0942, Subd. 3(a)(4) requires staff to directly observe the child while physical holding or seclusion is being used.

¹⁴ 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.

¹⁵ 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.

Law	Restrictive Procedures Plan Components
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¹⁶ 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.

¹⁷ 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.

Requirement found at Minn. Stat. § 125A.0942, Subdivision 1(b) ¹⁹	C. Oversight committee - Swanville Schools publicly identifies the following oversight committee members. - Kari Prokott, School Social Worker - Amy Wright, School Psychologist - Adam Gerads, Special Education Teacher - Elizabeth Kabus, Assistant Director of Special Education - Sheryl Johnson, Swanville High School Principal
Requirement found at Minn. Stat. § 125A.0942, Subdivision 1(a)(4)(ii) ²⁰	Swanville School's oversight committee meets quarterly in the months of November, January, March, and May.
Requirement found at Minn. Stat. § 125A.0942, Subdivision (1)(a)(4)(ii)	- Swanville schools oversight committee will review the following - 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; - The number of times a restrictive procedure is used school wide 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 non emergency situations; - The need for additional staff training; - Proposed actions to minimize the use of restrictive procedures; - Any disproportionate use of restrictive procedures based on race, gender, or disability status; the role of the school resource officer (SRO) or police in emergencies and the use of restrictive procedures; and

Law	Restrictive Procedures Plan Components
	documentation to determine if the standards for using restrictive procedures is sections 125A.0941 and 125A.0942 are met; and h) Any reasonable force used, which intends to hold a child immobile, or limit a child's movement where body contact is the only source of physical restraint or confines a child alone in a room from which egress is barred shall be reported to the Department of Education as a restrictive procedure, including physical holding or seclusion used by an unauthorized or untrained staff person.
¹⁸ 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. ¹⁹ 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. ²⁰ 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.	
Requirement found at Minn. Stat. § 125A.0942, Subdivision 1(a)(5) and Subdivision 5	V. Swanville Schools' staff who use restrictive procedures have been provided the following training: A. Positive behavioral interventions 1. Tension Tension Reduction Model, Verbal Intervention, Postvention 2. Positive Behavior Interventions and Supports (PBIS) B. Communicative intent of behaviors 1. Tension Tension Reduction Model, Nonverbal & Paraverbal Communication
	C. Relationship building 1. Empathic Listening, Integrated Experience, and Solid Object 2. Positive Behavior Supports & Interventions (PBIS)
	D. Alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior 1. Autonomic Responses, Rational detachment, Integrated experience, Personal safety 2. Positive Behavior Interventions and Supports (PBIS)

Law	Restrictive Procedures Plan Components
	E. De-Escalation methods 1. Verbal and nonverbal de-escalation strategies 2. Staff Development and In-services, including special education teacher training 3. Positive Behavior Supports & Interventions (PBIS)
	F. Standards for using restrictive procedures only in an emergency 1. Nonviolent Physical Crisis Intervention 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, Tension Tension Reduction Model, Solid Object
	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
	K. District policies and procedures for timely reporting and documenting each incident involving use of a restrictive procedure; and 1. Handle With Care (HWC) 2. Use of Restraint Policy 3. SpEd Forms Restrictive Procedures Documentation
	L. School wide programs on positive behavior strategies

Law	Restrictive Procedures Plan Components
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	1. Positive Behavior Intervention & Supports (PBIS)
Law	Restrictive Procedures Plan Components
Prohibitions found at Minn. Stat. § 125A.0942, Subdivision 4(1-9)	VI. Swanville Public Schools 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. J. Prone Holds; k. The use of seclusion on children from birth through 3rd grade.

Law	Restrictive Procedures Plan Components
Definition found at Minn. Stat. § 125A.58, (subdivision 1)	VII. Corporal Punishment (students with and without Disabilities): - Prone Restraint means placing a child in a face-down position; - hitting or spanking a person with or without an object; or - unreasonable physical force that causes bodily harm or substantial emotional harm.
Prohibitions found at Minn. Stat. § 121A.58	VIII. States that: - An employee or agent of a district, including a school resource officer, security personnel, or police officer contracted with a district, shall not use prone restraint and shall not inflict any form of physical holding that restricts or impairs a pupil's ability to breathe; restricts or impairs a pupil's ability to communicate distress; places pressure or weight on a pupil's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen; or results in straddling a pupil's torso. - Conduct that violates subdivision 2a is not per se corporal punishment under this statute. Nothing in this section or section 125A.0941 precludes the use of reasonable force under section 121A.582.
Definition found at Minn. Stat. § 121A.582 (subdivision 1)	IX. Student Discipline; reasonable force (students with and without disabilities): A teacher or school principal, in exercising the person's lawful authority, may use reasonable force when it is necessary under the circumstances to correct or restrain a student or to prevent imminent bodily harm or death to the student or to another.
Requirements found at Minn. Stat. § 121A.582 (subdivision 1)	- Districts must report data on their use of any reasonable force used on a student with a disability to correct or restrain the student to prevent imminent bodily harm or death to the student or another that is consistent with the definition of physical holding under section 125A.0941, paragraph (c), as outlined in section 125A.0942, subdivision 3, paragraph (b). - Beginning with the 2024-2025 school year, districts must report annually by July 15, in a form and manner determined by the commissioner, data from the prior school year about any reasonable force used on a general education student to correct or restrain the student to prevent imminent bodily harm or death to the student or another that is consistent with the definition of physical holding under section 125A.0941, paragraph (c).

Law	Restrictive Procedures Plan Components
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