Progeny Academy Restrictive Procedures Policy

2025-2026

In accordance with Minn. Stat. §§ 125A.094 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 non-emergency 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

Progeny Academy uses restrictive procedures only in emergency situations. “Emergency” means a situation where immediate intervention is needed to protect the 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 exits. Restrictive procedures must not be used to punish or otherwise discipline a child.

Restrictive Procedures Used

The restrictive procedure that Progeny 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. The physical holding must: (1) be the least intrusive intervention that effectively responds to the emergency; (2) not be used to discipline a noncompliant student; (3) end when

the threat of harm ends and the staff determines the child can safely return to the classroom or activity; (4) be observed directly by staff while the physical holding is being used; and (5) be documented as soon as possible after the incident concludes by the person who implemented the physical hold or oversaw the hold.

Restrictive Procedures Not Used

Progeny Academy does not use the restrictive procedures of:

1. 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.

2. Mechanical Restraint: Physical holding does not include the application of mechanical restraints for bus transportation, sensory needs, or medical needs as these procedures are documented in the student's Individual Family Service Plan (IFSP) or Individual Education Program (IEP).

3. Prone Restraint: As required by law, restrictive procedures used do not include the use of prone restraint or any form of physical holding that restricts or impairs the ability for a student to breathe, communicate distress, or that places pressure or weight on a student's head, throat, neck, chest, lungs, sternum, diaphragm, back or abdomen, or results in straddling a student's torso.

How Progeny Academy will Implement a Range of Positive Behavior Strategies and Links to Available Mental Health Services

Progeny Academy will only use physical holds in emergency situations. Progeny Academy staff will implement a range of positive behavior strategies as a proactive approach to teaching positive behavior skills to students, thereby reducing students exhibiting challenging behaviors and the need for the use of physical holds. These positive behavior strategies include: redirection, correction, staff escort to breakout space, allowing a student to go to a safe place to relax/regroup, planned ignoring, conflict mediation, verbal de-escalation, processing with staff, exit other peers, offering alternative activities, offering sensory tools, social stories, staff hand off, proximity control.

To obtain service or a referral to a service provider, the family should contact their primary care clinic, physician or insurance provider. Set out below are links to mental health resources:

- Hennepin County Child Crisis Services: https://www.hennepin.us/residents/emergencies/mental-health-emergencies
- National Alliance on Mental Illness (NAMI): https://www.namimn.org/
- Minnesota Association for Children's Mental Health (MACMH): http://www.macmh.org/

List of Mental Health/Family Support/Youth Development Agencies

Canvas Health - Coon Rapids and Anoka County Crisis Services
https://www.canvashealth.org/canvas-locations/coon-rapids/
10077 Dogwood Street Northwest, Suite 110 Coon Rapids, MN 55448
Outpatient Appointments: (651) 777-5222
Anoka Crisis Response: (763) 755-3801

Change, Inc.
https://www.thechangeinc.org/
1209 Tyler Street NE Suite 170, Minneapolis, MN 55413
(651) 259-7384

GAP School
https://www.thechangeinc.org/gap-school
381 E. Robie St. Saint Paul, MN 55107-2415
(612) 262-5801

Fraser
https://www.fraser.org/
2400 West 64th Street
Minneapolis, MN 55423
(612) 767-7222

Headway Emotional Health Services - YouAble
https://www.youable.health/

Helena Family Support
https://helenafamilysupport.com/
5637 Brooklyn Blvd. Brooklyn Center, MN 55429
(612) 232-1073

LifeStance Health (formerly Family Innovations, Inc.)
https://lifestance.com/welcome/family-innovations/?utm_source=familyinnovations.com&utm_medium=redirect
All Locations: (612) 836-2629

Lutheran Social Service of Minnesota
https://www.lssmn.org/
2485 Como Ave. St. Paul, MN 55108
(651) 642-5990 or 1-800-582-5260

Natalis Outcomes
https://natalisoutcomes.org/
1821 University Avenue West, Suite #155 St. Paul, MN 55104
(612) 800-6500

NorthPoint Health and Wellness Center
https://www.northpointhealth.org/health-care-services/behavioral-health

2220 Plymouth Avenue North, Minneapolis, MN 55411
(612) 543-2500

POR Emotional Wellness
https://poremotionalwellness.com/
8421 Wayzata Blvd #250, Golden Valley, MN 55426
(952) 835-6540

Prairie Care
https://prairie-care.com/
(952) 826-8475

St. David's Center for Child and Family Development
https://www.stdavidscenter.org/
3395 Plymouth Rd, Minnetonka, MN 55305
(952) 939-0396

The Family Partnership
https://www.thefamilypartnership.org/
(612) 728-2061

Washburn Center for Children
https://washburn.org/
1100 Glenwood Ave, Minneapolis, MN 55405
(612) 871-1454

How Progeny Academy will Monitor and Review the Use of Restrictive Procedures by District Staff

Who May Use Restrictive Procedures

Restrictive procedures may be used in emergency situations only by the following staff 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: 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 under section 120B.363, or mental health professional under section 245.4871, subdivision 27, who has completed the training program under subdivision 5.

Reasonable Force

According to Minn. Stat. §121A.582 (Attachment A) 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 to prevent imminent bodily harm or death to the student or to another. A school employee, school bus driver, or other agent of a district, in exercising the person's lawful authority, may use reasonable force when it is necessary under the circumstances to correct or restrain a student to prevent imminent bodily harm or death to the student or to another.

Procedures to Follow if a Restrictive Procedure is Used

1. Parent Notification: School staff shall make reasonable efforts to notify the parent on the same day a restrictive procedure is used on the student, or if the school is unable to provide same-day notice, notice is sent to the parent by written or electronic means within two days of the procedure being used or as otherwise indicated in the student's IEP.

2. Reporting of Use of Restrictive Procedure: Either the staff person who implements or the staff person who oversees the use of a restrictive procedure shall inform the administration 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 Attachment B.) The restrictive procedures report form must include: a. a description of the incident that led to the use of the restrictive procedure; b. state why a less restrictive measure failed or was determined by staff to be inappropriate or impractical; c. state the time the restrictive procedure began and the time the student was released from the hold; and d. give a brief record of the student's behavioral and physical status during and after the use of the restrictive procedure.

3. Staff Debriefing after Use of Restrictive Procedure: The building administrator or his/her designee and the staff involved in the use of the restrictive procedure are expected to debrief after every use of a restrictive procedure. This debriefing could include completing and discussing the restrictive procedures reporting form.

4. 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 the use of restrictive procedures at a student's annual IEP meeting when the student's IEP provides for using restrictive procedures in an emergency.

5. Use of Restrictive Procedures on Two School Days in 30 Calendar Days: If restrictive procedures are used on two separate school 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 calendar days after district staff use the restrictive procedures on the second day. 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 Positive Behavior Support Plan (PBSP) or modifying an existing PBSP 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.

6. Oversight Committee: At least quarterly, the district will convene an oversight committee which will include the following individuals: special education director, special education coordinator or supervisor, building principal, assistant principals, and behavior specialists. This oversight committee will review the aggregate data on the use of restrictive procedures in the district looking for: 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 school wide and for individual students; the number and types of injuries, if any, resulting from the use of restrictive procedures; whether restrictive procedures are used in non-emergency situations; whether additional staff training on behavior interventions and restrictive procedures is needed; proposed actions to minimize the use of restrictive procedures; and any disproportionate use of restrictive procedures based on race, gender, or disability status; the role of the school resource officer or police in emergencies and the use of restrictive procedures; and documentation to determine if the standards for using restrictive procedures as described in sections 125A.0941 and 125A.0942 are met.

7. State Reporting: Pertaining to students with disabilities, all restrictive procedures are reported annually to the Minnesota Department of Education. This includes any reasonable force used under sections 121A.582; 609.06, subdivision 1; and 609.379 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.

Description of Staff Training

Staff members who use restrictive procedures shall complete training in the following skills and knowledge areas:

1. Positive behavior interventions
2. Communicative intent of behaviors
3. Relationship-building
4. Alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior.
5. De-escalation methods
6. Standards for using restrictive procedures only in an emergency
7. Obtaining emergency medical assistance
8. The physiological and psychological impact of physical holding and seclusion.

9. Monitoring and responding to a student's physical signs of distress when physical holding is being used.
10. Recognizing the symptoms of and interventions that may cause positional asphyxia when physical holding is used.
11. District policies and procedures for timely reporting and documenting each incident involving use of a restricted procedure.
12. School wide programs on positive behavior strategies.

The district will keep a list of the training(s) offered to staff in the district each year to meet the twelve skill and knowledge areas described above. The district will also keep documentation of the staff members who attend those trainings.

Prohibited Procedures

District staff members are prohibited from using the following actions or procedures:

(1) engaging in conduct prohibited under section 121A.58;

(2) requiring a child to assume and maintain a specified physical position, activity, or posture that induces physical pain;

(3) totally or partially restricting a child's senses as punishment;

(4) presenting an intense sound, light, or other sensory stimuli using smell, taste, substance, or spray as punishment;

(5) 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;

(6) interacting with a child in a manner that constitutes sexual abuse, neglect, or physical abuse under chapter 260E;

(7) withholding regularly scheduled meals or water;

(8) denying access to bathroom facilities;

(9) 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;

(10) prone restraint; and

(11) the use of seclusion on children from birth through grade 3 by September 1, 2024.

Nothing in this plan precludes the use of reasonable force as allowed under Minn. Stat. §§ 121A.582, 609.06, subd. 1, and 609.379 (these laws are set out in Attachment A).

Attachment A

121A.582 STUDENT DISCIPLINE; REASONABLE FORCE.

Subdivision 1. Reasonable Force Standard.

(a) 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 prevent bodily harm or death to another.

(b) A school employee, school bus driver, or other agent of a district, in exercising the person's lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student or prevent bodily harm or death to another.

(c) Paragraphs (a) and (b) do not authorize conduct prohibited under section 125A.0942.

Subd. 2. Civil Liability

(a) A teacher or school principal who, in the exercise of the person's lawful authority, uses reasonable force under the standard in subdivision 1, paragraph (a), has a defense against a civil action for damages under section 123B.25.

(b) A school employee, bus driver, or other agent of a district who, in the exercise of the person's lawful authority, uses reasonable force under the standard in subdivision 1, paragraph (b), has a defense against a civil action for damages under section 123B.25.

Subd. 3. Criminal Prosecution

(a) A teacher or school principal who, in the exercise of the person's lawful authority, uses reasonable force under the standard in subdivision 1, paragraph (a), has a defense against a criminal prosecution under section 609.06, subdivision 1.

(b) A school employee, bus driver, or other agent of a district who, in the exercise of the person's lawful authority, uses reasonable force under the standard in subdivision 1, paragraph (b), has a defense against a criminal prosecution under section 609.06, subdivision 1.

Subd. 4. Supplementary Rights and Defenses

Any right or defense in this section is supplementary to those specified in section 121A.58, 121A.67, 123B.25, or 609.06, subdivision 1.

609.06 AUTHORIZED USE OF FORCE.

Subdivision 1.**When authorized.** Except as otherwise provided in subdivisions 2 and 3, reasonable force may be used upon or toward the person of another without the other's consent when the following circumstances exist or the actor reasonably believes them to exist:

(1) when used by a public officer or one assisting a public officer under the public officer's direction:

(i) in effecting a lawful arrest; or

(ii) in the execution of legal process; or

(iii) in enforcing an order of the court; or

(iv) in executing any other duty imposed upon the public officer by law; or

(2) when used by a person not a public officer in arresting another in the cases and in the manner provided by law and delivering the other to an officer competent to receive the other into custody; or

(3) when used by any person in resisting or aiding another to resist an offense against the person; or

(4) when used by any person in lawful possession of real or personal property, or by another assisting the person in lawful possession, in resisting a trespass upon or other unlawful interference with such property; or

(5) when used by any person to prevent the escape, or to retake following the escape, of a person lawfully held on a charge or conviction of a crime; or

(6) when used by a parent, guardian, teacher, or other lawful custodian of a child or pupil, in the exercise of lawful authority, to restrain or correct such child or pupil; or

(7) when used by a school employee or school bus driver, in the exercise of lawful authority, to restrain a child or pupil, or to prevent bodily harm or death to another; or

(8) when used by a common carrier in expelling a passenger who refuses to obey a lawful requirement for the conduct of passengers and reasonable care is exercised with regard to the passenger's personal safety; or

(9) when used to restrain a person with a mental illness or a person with a developmental disability from self-injury or injury to another or when used by one with authority to do so to compel compliance with reasonable requirements for the person's control, conduct, or treatment; or

(10) when used by a public or private institution providing custody or treatment against one lawfully committed to it to compel compliance with reasonable requirements for the control, conduct, or treatment of the committed person.

Subdivision 2. **Deadly force used against peace officers.** Deadly force may not be used against peace officers who have announced their presence and are performing official duties at a location where a person is committing a crime or an act that would be a crime if committed by an adult.

Subdivision 3. **Limitations on the use of certain restraints.** (a) A peace officer may not use any of the following restraints unless section 609.066 authorizes the use of deadly force to protect the peace officer or another from death or great bodily harm:

(1) a choke hold;

(2) tying all of a person's limbs together behind the person's back to render the person immobile; or

(3) securing a person in any way that results in transporting the person face down in a vehicle.

(b) For the purposes of this subdivision, "choke hold" means a method by which a person applies sufficient pressure to a person to make breathing difficult or impossible, and includes but is not limited to any pressure to the neck, throat, or windpipe that may prevent or hinder breathing, or reduce intake of air. Choke hold also means applying pressure to a person's neck on either side of the windpipe, but not to the windpipe itself, to stop the flow of blood to the brain via the carotid arteries.

609.379 PERMITTED ACTIONS.

Subdivision 1.Reasonable force.
Reasonable force may be used upon or toward the person of a child without the child's consent when the following circumstance exists or the actor reasonably believes it to exist:
(a) when used by a parent, legal guardian, teacher, or other caretaker of a child or pupil, in the exercise of lawful authority, to restrain or correct the child or pupil; or
(b) when used by a teacher or other member of the instructional, support, or supervisory staff of a public or nonpublic school upon or toward a child when necessary to restrain the child from self-injury or injury to any other person or property.

Subd. 2.Applicability.
This section applies to sections 260B.425, 260C.425, 609.255, 609.376, 609.378, and 626.556.

Attachment B

PROGENY ACADEMY RESTRICTIVE PROCEDURES REPORTING FORM

Student:	ID:	Date:
School:	Grade:	DOB:
Gender:	Primary Disability:	Setting:

Directions: The staff person who implemented or oversaw a physical hold must complete this form each time a physical hold is utilized.

Staff involved:

Person completing this form: Position: Phone:

Emergency

Was physical holding used to protect the student or others from physical injury? Yes No

Description of emergency situation:

Description of the incident that led to physical holding:

Physical Holding

Description of the physical holding and a brief description of the student's behavioral and physical status:

Was physical holding the least intrusive intervention to effectively respond to the emergency? Yes No

Explain why a less restrictive intervention failed or was determined to be inappropriate or impractical:

Did the physical holding end when the threat of harm ended and staff determined that the student could safely return to the classroom or activity? Yes No

Explain:

Did staff directly observe the child during the physical hold? Yes No

Explain:
Did staff sustain an injury as a result of the physical holding? Yes No

Did the student sustain an injury as a result of the physical holding? Yes No

Procedure:	Start Time:	End Time:	Total Time:

Removal from School

Was the student removed from school by a police officer at the request of school personnel? Yes No

Parent Notification

Parents must be notified the same day a restrictive procedure is used. A written or electronic notice must be sent home within two (2) days if unable to notify on the same day.

Parent: Date: Time:

Notified by:
How notified: