

Eden Prairie Schools Restrictive Procedures Plan

Law	Model 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.
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)	Eden Prairie Schools intends to use the following restrictive procedures: 1. Physical Holds 2. Seclusion

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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 d) Is needed to physically escort a child when the child does not resist or the child's resistance is minimal. 3. Eden Prairie Schools intends to use the following types of physical holding: a) Multi level seated holds b) Multi level standing holds, including Team Control Position and Children's Control Position c) Seclusion
Definition found at Minnesota Statutes, section 125A.0941(g) Definition found at Minnesota Statutes, section 125A.0941(g)	 Seclusion Seclusion means confining a child alone in a room from which egress is barred. Egress may be barred by an adult locking or closing the door in the room or preventing the child from leaving the room. Removing a child from an activity to a location where the child cannot participate in or observe the activity is not seclusion.

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	4. Eden Prairie Schools intends to use the following rooms for seclusion:
	Eden Lake Elementary – 1111A
	Forest Hills Elementary – 183
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(7)(i)	5. Written notice from local authorities that the rooms and the locking mechanisms comply with applicable building, fire, and safety codes, for each room ABC School uses as a room for seclusion. The written notice was received from Wold Architects Engineers on October 7, 2011. <u>Letter of Inspection</u>
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(7)(ii)	6. All rooms Eden Prairie Schools uses as rooms for seclusion have been registered with the Minnesota Department of Education on September 6, 2011.
Requirements found at	7. Rooms used as seclusion in Eden Prairie Schools are:
Minnesota Statutes, section 125A.0942, Subdivision	Eden Lake Elementary – 1111A
3(a)(6)	Forest Hills Elementary – 211A
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(6)(i) ¹	a) All rooms used as seclusion in Eden Prairie Schools have been found to be in compliance with MN Statutes, section 125A.0942 Subd. 3(a)(6)(i) as being at least six feet by five feet.
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(6)(ii) ²	b) All rooms used as seclusion in Eden Prairie Schools have been found to be in compliance with MN Statutes, section 125A.0942 Subd. 3(a)(6)(ii) requiring the rooms to be well lit, well ventilated, adequately heated, and clean. Staff who use the above identified rooms for seclusion will ensure the cleanliness of the room prior to and after each use.

¹ Minnesota Statutes, section 125A.0942, Subd. 3(a)(6)(i) requires the room to be at least six feet by five feet.

² Minnesota Statutes, section 125A.0942, Subd. 3(a)(6)(ii) requires the room to be well lit, well ventilated, adequately heated, and clean.

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Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(6)(iii) ³	c) All rooms used as seclusion in Eden Prairie Schools have been found to be in compliance with Minnesota Statutes, section 125A.0942, Subd. 3(a)(6)(iii) which requires the rooms to have a window that allows staff to directly observe a child in seclusion.
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(6)(iv) ⁴	d) All rooms used as seclusion in Eden Prairie Schools have been found to be in compliance with Minnesota Statutes, section 125A.0942, Subd. 3(a)(6)(iv) which requires the rooms to have tamperproof fixtures, electrical switches located immediately outside the door, and secure ceilings.is equipped with an automatic smoke detector, overhead light fixture, heating and ventilation fan, all of which are tamperproof. All electrical switches are located within inches of the left of the doors outside of the room. The ceilings are secure.
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(6)(v) ⁵	e) All rooms used as seclusion in Eden Prairie Schools have been found to be in compliance with Minnesota Statutes, section 125A.0942, Subd. 3(a)(6)(v) requiring the rooms to have doors that open out and are unlocked, locked with keyless locks that have immediate release mechanisms, or locked with locks that have immediate release mechanisms connected with a fire and emergency system.
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(6)(vi) ⁶	f) In accordance with Minnesota Statutes, section 125A.0942, Subd. 3(a)(6)(vi) requiring the room not to contain objects that a child may use to injure the child or others, staff who use the identified rooms for seclusion will check the rooms prior to use and after each use and immediately remove any objects that could be used to injure a child or others.

³ Minnesota Statutes, section 125A.0942, Subd. 3(a)(6)(iii) requires the room to have a window that allows staff to directly observe a child in seclusion.

⁴ Minnesota Statutes, section 125A.0942, Subd. 3(a)(6)(iv) requires the room to have tamperproof fixtures, electrical switches located immediately outside the door, and secure ceilings.

⁵ Minnesota Statutes, section 125A.0942, Subd. 3(a)(6)(v) requires the room to have doors that open out and are unlocked, locked with keyless locks that have immediate release mechanisms, or locked with locks that have immediate release mechanisms connected with a fire and emergency system.

⁶ Minnesota Statutes, section 125A.0942, Subd. 3(a)(6)(vi) requires the room not to contain objects that a child may use to injure the child or others.

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Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(2)	II. Eden Prairie Schools will implement a range of positive behavior strategies and provide links to mental health services.
	Eden Prairie Schools will only use physical holds and seclusion in emergency situations. Eden Prairie Schools 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 and seclusion. These strategies include: redirection, coaching, taking a break, mindfulness, teaching appropriate replacement behaviors and language to use when frustrated, process through situations with staff, social skills, offer use of sensory tools and safe places to go to in order to regulate. Eden Prairie Schools have social workers, licensed school nurses, psychologists and co-located mental health therapists from Washburn Center for Children to help connect students and families with Mental Health resources when needed.
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)	B. Eden Prairie Schools implements the following positive behavior strategies:
	 Cedar Ridge Elementary, Eden Lake Elementary, Eagle Heights Elementary, Prairie View Elementary and Oak Point Elementary are all Sustainability Schools in Positive Behavioral Interventions and Supports (PBIS) through MDE. Central Middle School and Eden Prairie High School are in year two of training through MDE and Forest Hills Elementary is in year one of training through MDE.
Encouragement found at Minnesota Statutes, section 125A.0942, Subdivision 6 ⁷	 Eden Prairie Schools building staff have been trained in additional strategies through NCI; Crisis Prevention Intervention training, Responsive Classroom, National Urban Alliance, Mindfulness and Movement Training; Yoga Calm through 1000 Petals, and training in Children and Mental Health through Washburn Center for Children and Summer Academy offerings.
	3. Eden Prairie Schools has a District – Wide Behavior Support Team to support staff in working with students who present challenging behavior in order to identify the intent behind the behavior, help create positive intervention plans and offer support to staff in the implementation of the plans and how to teach replacement behaviors
Requirement found at	C. Eden Prairie Schools provides the following links to mental health services
Minnesota Statutes, section 125A.0942, Subdivision	1. Washburn Center for Children: <u>www.washburn.org</u>
1(a)(2)	2. Hennepin County Mental Health Emergencies: www.hennepin.us/residents/emergencies/mental-health-emergencies
	3. Hennepin County Children's Mental Health Services: www.hennepin.us/residents/health-medical/childrens-mental-health-services
	4. Mental Health MN Crisis Resources: www.mentalhealthmn.org/find-support/resource-list/crisis-lines
	5. Relate Counseling Center: www.relatemn.org
	6. Prairie Care Mental Health Care for Children, Adolescents, and Adults: www.prairie-care.com
	7. Reach for Resources: http://www.reachforresources.org

⁷ 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	III. Eden Prairie Schools will provide training on de-escalation techniques.
125A.0942, Subdivision	A. Eden Prairie Schools provides the following training on using positive behavior interventions
1(a)(3); See also, Minnesota Statutes, section	Nonviolent Crisis Intervention (NCI)
122A.09, Subdivision 4(k)	2. The Impact of Trauma on the Developing Brain & Trauma Informed Schools
and Minnesota Rule 8710.0300	3. Nurtured Heart; A Positive Behavior Intervention Program
	4. "Keep Calm and"; Learning about sensory systems to use for calming and alerting
	5. De-escalation strategies for paraprofessionals provided by the District Wide Behavior Support Team
	6. Mindfulness and Movement through Yoga Calm; 1000 Petals
	B. Eden Prairie 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.
	 Each building has instructional coaches and interventionists to support staff – including a Special Education Instructional Coach.
	Personalized Learning Professional Development focusing on progress monitoring and how to use data to inform instruction.
	3. IEP's: Goal Writing & Progress Reporting Training
	4. Special Education Summer Academy Offerings

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Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(4)	IV. Eden Prairie Schools will monitor and review the use of restrictive procedures in the following manner:
	Eden Prairie Schools has quarterly oversight committee meetings at which all restrictive procedures that have been used in that quarter are reviewed to ensure that the procedures are being used only in an emergency situation as defined in Minnesota Statutes, section 125A.0941(b). The committee also identifies any training needs based on the review of the procedures.
	Members of the District – Wide Behavior Support Team review restrictive procedures used on a weekly basis in order to proactively identify any training needs for building teams or support for students that they may not have knowledge of.
	Eden Prairie requires staff members to alert a student support services director and/or Behavior Support Team member when a restrictive procedure is used – on the same day as soon as the situation has diffused. This enables Eden Prairie Schools to review each situation as it happens to ensure compliance with the Minnesota Statutes.
Requirement found at	A. Documentation:
Minnesota Statutes, section 125A.0942, Subdivision	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:
3(a)(5)	a) A description of the incident that led to the physical holding or seclusion;
	b) Why a less restrictive measure failed or was determined by staff to be inappropriate or impractical;
	c) The time the physical holding or seclusion began and the time the child was released; and
	d) A brief record of the child's behavioral and physical status.
	Attached, as Appendix B, is ABC School's forms used to document the use of physical holding or seclusion.
	Physical Holding Blank Document
	Restrictive Procedures: Seclusion

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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 the case manager (if the student has an IEP) or building administrator or designee (if the student is not on an IEP) within the same day, or no later than 24 hours 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) ⁸	a) Whether the physical holding or seclusion was used in an emergency.]
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision. 3(a)(1) ⁹	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) ¹⁰	c) Whether the physical holding or seclusion was used to discipline a noncompliant child

⁸ Minnesota Statutes, section 125A.0942, Subd. 3(a) requires that restrictive procedures only be used in response to behavior that constitutes an emergency.

⁹ Minn. Stat. § 125A.0942, Subd. 3(a)(1) requires physical holding or seclusion be the least restrictive intervention that effectively responds to the emergency.

¹⁰ Minn. Stat. § 125A.0942, Subd. 3(a)(2) requires physical holding or seclusion NOT be used to discipline a noncompliant child.

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Requirement found at Minn. Stat. § 125A.0942, Subdivision 3(a)(3) ¹¹	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.
Requirement found at Minn. Stat. § 125A.0942, Subdivision 3(a)(4) ¹²	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) ¹³	f) Whether the documentation was completed correctly.
Requirement found at Minn. Stat. § 125A.0942, Subdivision 2(b) ¹⁴ and Minn. § 125A.0942, Subdivision 2(f) ¹⁵	g) Whether the parents were properly notified.

¹¹ 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.

¹² Minn. Stat. § 125A.0942, Subd. 3(a)(4) requires staff to directly observe the child while physical holding or seclusion is being used.

¹³ 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.

¹⁴ 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.

¹⁵ 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.

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Requirement found at Minn. Stat. § 125A.0942, Subdivision 2(c) ¹⁶	h) Whether an IEP team meeting needs to be scheduled.
Requirement found at Minn. Stat. § 125A.0942, Subdivision 2(a) ¹⁷	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, Eden Prairie Schools will ensure immediate corrective action is taken, such as specific re-training for the building team on the use of Restrictive Procedures in addition to requiring any immediate corrective action to be taken (parent phone calls, team meeting, etc.)

¹⁶ Minn. Stat. § 125A.0942, Subo

¹⁶ 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.

¹⁷ 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.

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Requirement found at Minn. Stat. § 125A.0942,	C. Oversight committee
Subdivision 1(b) ¹⁸	1. Eden Prairie Schools publicly identifies the following oversight committee members:
	2018-2019 District Restrictive Procedures Oversight Committee Members:
	a) Mary Waters-Cryer, Director of Related Services (Facilitator)
	b) Felicia Thames, Principal, Prairie View Elementary
	c) Adrienne Jonas, Behavior Specialist on the District-Wide Behavior Support Team
	d) Martha Long, School Psychologist and member of the K-6 Special Education Assessment Team
	e) Traci Davis, CPI Trainer (Nonviolent Crisis Intervention), and member of the District-Wide Behavior Support Team
	f) Ann LaBonne, CPI Trainer (Nonviolent Crisis Intervention), and member of the District-Wide Behavior Support Team
	g) Ashley Ross, Lead Special Education Teacher, Prairie View Elementary School
	h) Erin Watt, Lead Special Education Teacher, Central Middle School
	i) Nichole Hutchinson, Behavior Specialist on the District – Wide Behavior Support Team

¹⁸ 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) ¹⁹	2. Eden Prairie Schools' oversight committee meets quarterly on:
	a) October 25, 2018 (2:00 – 3:00 PM)
	b) January 17 th , 2019 (2:00 – 3:00 PM)
	c) March 14, 2019 (2:00 – 3:00 PM)
	d) May 30, 2019 (2:00 – 3:00 PM)
Requirement found at Minn. Stat. § 125A.0942, Subdivision (1)(a)(4)(ii)	3. Eden Prairie Schools' 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.

¹⁹ 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	V. Eden Prairie Schools staff who use restrictive procedures, including paraprofessionals, received training in the following skills and knowledge areas:
	A. Positive behavioral interventions
	 Nonviolent Crisis Intervention (NCI) understanding the Crisis Development Model, nonverbal communication, verbal interventions, understanding precipitating factors, rational detachment.
	Eden Prairie Schools keeps an up to date document of who is current in their certification for NCI in our student support services office.
	B. Communicative intent of behaviors
	1. Covered in NCI training; Crisis Development Model & nonverbal communication
	2. Eden Prairie Schools keeps an up to date document of who is current in their certification for NCI in our student support services office.
	C. Relationship building
	1. Covered in: PBIS, Responsive Classroom, NCI; post debrief the "Coping Model"
	Eden Prairie Schools keeps an up to date document of who is current in their certification for NCI in our student support services office.
	D. Alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior
	Covered in NCI; Precipitating Factors (internal and external)
	Eden Prairie Schools keeps an up to date document of who is current in their certification for NCI in our student support services office.
	E. De-Escalation methods
	Covered in NCI; Crisis Development Model, supportive and directive approaches
	Eden Prairie Schools keeps an up to date document of who is current in their certification for NCI in our student support services office.

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	F. Standards for using restrictive procedures only in an emergency
	 Covered in NCI; standards of use and decision making matrix, Behavior team training on the MN definition of emergency
	Eden Prairie Schools keeps an up to date document of who is current in their certification for NCI in our student support services office.
	G. Obtaining emergency medical assistance
	1. Licensed School Nurses are assigned to each building, along with a trained health room paraprofessional
	2. Eden Prairie Schools will always call 911 in an emergency situation
	H. The physiological and psychological impact of physical holding and seclusion
	1. Covered in NCI physical holding skills and key principals including risk of restraints
	Eden Prairie Schools keeps an up to date document of who is current in their certification for NCI in our student support services office.
	I. Monitoring and responding to a child's physical signs of distress when physical holding is being used
	1. Covered in NCI; physical holding skills and key principals including risk of restraints
	Eden Prairie Schools keeps an up to date document of who is current in their certification for NCI in our student support services office.
	J. Recognizing the symptoms of and interventions that may cause positional asphyxia when physical holding is used
	1. Covered in NCI; physical holding skills and key principals including risk of restraints
	Eden Prairie Schools keeps a central up to date document of who is current in their certification for NCI in our student support services office.

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	K. District policies and procedures for timely reporting and documenting each incident involving use of a restrictive procedure; and
	1. Covered in district training on restrictive procedures due process & procedures academy
	Eden Prairie Schools keeps a central up to date document of who has attended training sessions in our Student Support Services office.
	L. Schoolwide programs on positive behavior strategies
	1. PBIS
	Eden Prairie Schools keeps a central up to date document of who has attended trainings in our Student Support Services office.
Prohibitions found at Minn. Stat. § 125A.0942,	VI. Eden Prairie Schools will never use the following prohibited procedures on a child:
Subdivision 4(1-9)	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;
	 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.

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