

# Proposed Substitute House Bill 1479 (H-1245.1)

House Education Committee

By Representative Callan

## Original Bill:

- Prohibits students from being subjected to isolation, mechanical restraint, or chemical restraint by school staff, except for school resource officers under some circumstances.
- Specifies that existing isolation rooms must remain unlocked, no new isolation rooms may be created, and, by January 1, 2024, isolation rooms must be removed or repurposed.
- Requires school districts to carry out trainings and other activities to support the elimination of isolation and chemical restraint and to reduce the use of restraint in schools.
- Modifies incident follow-up and reporting requirements.

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## Proposed Substitute House Bill (H-1245.1):

- Compared to current law, the proposed substitute:
  - Prohibits staff of any school district or other provider of public educational services from subjecting any student to mechanical restraint, chemical restraint, and other prohibited isolation or restraint (all defined terms) during the provision of educational services (a defined term).
    - Adds that neither a student nor the student's parent or legal guardian may consent, or be asked to consent, to use of isolation or restraint that is prohibited.
  - Defines "staff" to mean an employee or contractor of a school district or other provider of public educational services.
    - Specifies that the term does not include licensed health professionals of inpatient health care facilities.
  - Defines "provider of public educational services" to mean any entity that directly operates, or provides educational services under contract to, an elementary or secondary school program that receives public funds from the Office of the Superintendent of Public Instruction (OSPI).
    - Specifies that the term includes a school district, public school, an educational service district, an institutional education provider, a public agency or private entity providing educational services under contract with any other provider of public educational services, and any providers of services in accordance with Part B of the Federal Individuals with Disabilities Education Act.
    - Adds that the term includes the State School for the Blind and the Center for Deaf and Hard of Hearing Youth.
  - Permits staff of any school district or other provider of public educational services to use physical restraint (a defined term) during the provision of educational services only when the student's behavior poses an imminent likelihood of serious physical injury to the student or to others and certain criteria are met.
  - Permits, until August 31, 2025, staff of any school district or other provider of public educational services to use isolation (a defined term) during the provision of educational services only when the student's behavior poses an imminent likelihood of serious physical injury to the student or to others and certain criteria are met.

Staff: Megan Wargacki

Date: February 15, 2023

- Specifies that existing isolation rooms (a defined term) must always remain unlocked to the occupants, no new isolation rooms may be constructed, and, by August 31, 2025, isolation rooms must be removed or repurposed.
- Removes authorization to use physical restraint or isolation to prevent property damage or when the student has threatened the physical safety of another and has a history of one or more violent acts.
- Modifies incident notification, follow-up, and reporting requirements, for example by: Requiring a contractor who is the provider of public educational services to notify the contractee within three business days of the incident; directing a team of staff to review any incident of isolation or restraint with the staff who used isolation or restraint; and specifying that summaries of written incident reports must be disaggregated for purposes of trend analysis.
- Directs staff to complete specific activities related to behavioral intervention planning (a defined term) after every incident of isolation or restraint, including completing a functional behavioral assessment.
- Requires school districts and other providers of public educational services to submit to the OSPI a staff professional development plan and updates that meets stated requirements.
- Obliges each member of the school district board of directors or other governing body of a provider of public educational services to: Every four years, complete training on student isolation and restraint; and, annually, review isolation and restraint data and the professional development plan and updates.
- Tasks the OSPI with monitoring and supporting compliance of school districts and other providers of public educational services with requirements related to prohibited or permitted uses of student isolation and restraint, including by: Reviewing professional development plans and updates; reviewing and publishing restraint and isolation data; providing technical assistance; awarding grants; when needed, placing a school district or other provider of public educational services on a plan of improvement; and reporting annually to the Legislature with a summary of its activities.
- Directs the Professional Educator Standards Board and the Paraeducator Board to jointly submit to the Legislature, by December 1, 2023, a plan for integrating into educator preparation programs and paraeducator certificate requirements instruction on the requirements of the isolation and restraint law.
- Makes nonsubstantive changes, for example to update citations.

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1 AN ACT Relating to restraint or isolation of students in public  
2 schools and educational programs; amending RCW 28A.155.210 and  
3 28A.310.515; adding a new section to chapter 28A.600 RCW; adding a  
4 new section to chapter 28A.300 RCW; creating a new section; repealing  
5 RCW 28A.600.485; and providing an expiration date.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.600  
8 RCW to read as follows:

9 (1) **Purpose.** The purposes of this section are to: Protect  
10 students from physically harmful and emotionally traumatic practices  
11 of chemical restraint, mechanical restraint, and isolation; prohibit  
12 use of physical restraint imposed solely for purposes of student  
13 discipline or staff convenience; improve the safety and well-being of  
14 all staff and students by increasing the professional development and  
15 technical assistance provided to staff; and enhance the public  
16 accountability of school districts and other providers of public  
17 educational services.

18 (2) **Prohibited and permitted isolation and restraint of students.**

19 (a) The staff of any school district or other provider of public  
20 educational services may not subject any student to prohibited  
21 isolation or restraint during the provision of educational services.

1 (b) The staff of any school district or other provider of public  
2 educational services is permitted to use physical restraint during  
3 the provision of educational services only when:

4 (i) A student's behavior poses an imminent likelihood of serious  
5 physical injury to the student or to others;

6 (ii) Less restrictive interventions would be ineffective in  
7 stopping the imminent likelihood of serious physical injury to the  
8 student or to others;

9 (iii) The physical restraint of the student ends immediately upon  
10 the cessation of the imminent likelihood of serious physical injury  
11 to the student or to others; and

12 (iv) The least amount of force necessary is used to protect the  
13 student or another person from imminent likelihood of serious  
14 physical injury to the student or to others.

15 (c) Until August 31, 2025, the staff of any school district or  
16 other provider of public educational services is permitted to isolate  
17 a student in an isolation room with an unlocked door, during the  
18 provision of educational services only when:

19 (i) A student's behavior poses an imminent likelihood of serious  
20 physical injury to the student or to others;

21 (ii) Less restrictive interventions would be ineffective in  
22 stopping the imminent likelihood of serious physical injury to the  
23 student or to others;

24 (iii) The isolation of the student ends immediately upon the  
25 cessation of the imminent likelihood of serious physical injury to  
26 the student or to others; and

27 (iv) The least amount of force necessary is used to protect the  
28 student or another person from imminent likelihood of serious  
29 physical injury to the student or to others.

30 (d) Neither a student nor the student's parent or legal guardian  
31 may consent, or be asked to consent, to use of isolation or restraint  
32 that is prohibited under this subsection (2).

33 (e) Nothing in this subsection (2) prohibits a school resource  
34 officer as defined in RCW 28A.320.124 from carrying out the lawful  
35 duties of a commissioned law enforcement officer.

36 (3) **Isolation rooms.**

37 (a) School districts and other providers of public educational  
38 services shall require that doors to isolation rooms always remain  
39 unlocked to the occupants.

1 (b) School districts and other providers of public educational  
2 services are prohibited from constructing isolation rooms or other  
3 settings for the purpose of isolating a student.

4 (c) By August 31, 2025, school districts and other providers of  
5 public educational services shall remove or repurpose all isolation  
6 rooms.

7 (4) **Notifications.** After each incident of isolation or restraint,  
8 whether prohibited or permitted, the following notifications must be  
9 made:

10 (a) Immediately following the release of the student from  
11 isolation or restraint, the staff who used isolation or restraint  
12 shall notify the principal, other building administrator, or designee  
13 of the provider of public educational services about the incident;

14 (b) The principal, other building administrator, or designee of  
15 the provider of public educational services shall notify the  
16 student's parent or legal guardian about the incident, within 24  
17 hours of the incident, and shall send written documentation to the  
18 parent or legal guardian, within three business days of the incident;  
19 and

20 (c) With regard to use of prohibited isolation or restraint, the  
21 principal, other building administrator, or designee of the provider  
22 of public educational services shall notify the following people or  
23 entities about the incident: (i) The school district superintendent  
24 or other chief administrator of the provider of public educational  
25 services must be notified about the incident within one business day  
26 of the incident; (ii) the office of the superintendent of public  
27 instruction must be notified within three business days of incident;  
28 and (iii) if the school district or other provider of public  
29 educational services is a contractor, the contractee must be notified  
30 within three business days of the incident.

31 (5) **Incident reviews.** After every incident of isolation or  
32 restraint, whether prohibited or permitted, the following incident  
33 reviews must be completed.

34 (a) As soon as practicable, but no later than one week following  
35 submission of the incident report as required under subsection (6)(a)  
36 of this section, the principal, other building administrator, or  
37 designee of the provider of public educational services shall review  
38 the incident with the student and the student's parent or legal  
39 guardian to discuss relevant events that occurred before, during, and  
40 after the incident, and to inform the student's parent or legal

1 guardian about behavioral intervention planning that must be  
2 completed under subsection (7) of this section.

3 (b) As soon as practicable following the release of a student  
4 from isolation or restraint, a team of staff, including the staff who  
5 used isolation or restraint, shall review the incident to, among  
6 other things:

7 (i) Provide the staff who used isolation or restraint with an  
8 opportunity to reflect, process, and recover;

9 (ii) Determine whether proper procedures were followed; and

10 (iii) Identify additional training, coaching, or assistance that  
11 may support staff who used isolation or restraint to use less  
12 restrictive interventions in similar situations in the future.

13 (6) **Reports.** The following reports related to incidents of  
14 isolation and restraint, whether prohibited or permitted, must be  
15 prepared and submitted.

16 (a) Within two business days of the incident, staff who used  
17 isolation or restraint shall prepare and submit a written report of  
18 the incident to the school district superintendent or other chief  
19 administrator of the provider of public educational services. At a  
20 minimum, the written report must include:

21 (i) The date, time, duration, and location of the incident;

22 (ii) Names and job titles of staff who used isolation or  
23 restraint and of staff who observed the incident;

24 (iii) The type of restraint or isolation used;

25 (iv) A description of relevant events that occurred before,  
26 during, and after the incident, including any less restrictive  
27 interventions attempted;

28 (v) Information about any known physical injuries or  
29 psychological trauma experienced by the student or staff due to the  
30 incident, including whether medical care was sought or received, and  
31 whether staff requested or used leave benefits;

32 (vi) Recommended preventative actions for the staff or the  
33 provider of public educational services to take to prevent similar,  
34 future incidents;

35 (vii) Other information as required by rule of the office of the  
36 superintendent of public instruction.

37 (b) The school district superintendent or other chief  
38 administrator of a provider of public educational services shall  
39 prepare a summary of the incident reports submitted under (a) of this  
40 subsection (6), at least annually and as required by the school

1 district board of directors or other governing body of a provider of  
2 public educational services. The summary must be disaggregated for  
3 purposes of trend analyses, for example by the student categories and  
4 subcategories provided under RCW 28A.300.042 (1) and (3), student  
5 gender, students who are dependent pursuant to chapter 13.34 RCW,  
6 students who are homeless as defined in RCW 43.330.702, students who  
7 are multilingual/English learners, status as a student with a parent  
8 who is a member of the armed forces, by school or other applicable  
9 unit, by staff job title, by contractor, and by incident type.

10 (c) The school district superintendent or other chief  
11 administrator of a provider of public educational services must  
12 submit incident report data and summaries prepared under (a) and (b)  
13 of this subsection (6), at the time and in the manner required by the  
14 office of the superintendent of public instruction.

15 (7) **Behavioral intervention plan.** After every incident of  
16 isolation or restraint, whether prohibited or permitted, the  
17 following activities related to behavioral intervention planning must  
18 be completed.

19 (a) As soon as practicable following the release of a student  
20 from isolation or restraint, staff shall:

21 (i) Complete a functional behavioral assessment, unless a  
22 functional behavioral assessment was previously completed for the  
23 behavior of concern; and

24 (ii) Develop a behavioral intervention plan or, if a behavioral  
25 intervention plan has already been developed, review the behavioral  
26 intervention plan and modify it as necessary to address the student's  
27 behavior of concern.

28 (b) Nothing in this subsection (7) limits the application of  
29 behavioral intervention plans to students with individualized  
30 education programs under part B of the federal individuals with  
31 disabilities education act, Title 20 U.S.C. Sec. 1400 et seq.

32 (8) **Policies and procedures.**

33 (a) The school district board of directors or other governing  
34 body of a provider of public educational services shall adopt a  
35 student isolation and restraint policy and procedures that meets the  
36 requirements of this section. The procedures must include a process  
37 for convening a team of staff to review every incident of isolation  
38 or restraint using a systems improvement approach that focuses on  
39 supporting staff to use less restrictive interventions as  
40 alternatives to isolation and restraint.

1 (b) During the 2024-25 school year, and periodically thereafter,  
2 a school district board of directors or other governing body of a  
3 provider of public educational services shall review and revise, as  
4 necessary, its student isolation and restraint policy and procedures  
5 with input from staff, students, students' families, advocacy  
6 organizations, and other appropriate members of the community.

7 (9) **Professional development plans.**

8 (a)(i) By January 30, 2024, the school district superintendent or  
9 other chief administrator of a provider of public educational  
10 services, or the school district board of directors or other  
11 governing body of a provider of public educational services, shall  
12 prepare and submit to the office of the superintendent of public  
13 instruction a staff professional development plan and timeline as  
14 required by this subsection (9).

15 (ii) By August 31, 2024, and by August 31st annually thereafter,  
16 an update on the implementation of its staff professional development  
17 plan must be submitted to the office of the superintendent of public  
18 instruction.

19 (b)(i) The plan must include professional development on the  
20 following topics:

21 (A) The student isolation and restraint policy and procedure  
22 adopted under subsection (8) of this section;

23 (B) Evidence-based, trauma-informed, student-centered, proactive  
24 crisis prevention and intervention practices that are less  
25 restrictive than isolation and restraint, such as de-escalation  
26 strategies;

27 (C) Evidence-based, trauma-informed, behavioral health supports  
28 for students and staff that include restorative practices;

29 (D) Evidence-based, systemic approaches to eliminating use of  
30 prohibited isolation and restraint, to reduce the use of physical  
31 restraint, and to eliminate disparities in use of prohibited or  
32 permitted isolation and restraint, such as multitiered systems of  
33 support and universal design for learning.

34 (ii) The plan and any updates must describe the professional  
35 development that will be provided to staff during the following  
36 school year. Any professional development programs and resources  
37 provided to staff must be chosen from the list developed by the  
38 office of the superintendent of public instruction as required by  
39 section 2 of this act.



1 (iii) Professional development includes trainings provided by the  
2 school district or other provider of public educational services,  
3 pursuit of credentials through formal education programs, working  
4 with a mentor or coach, and involvement in professional learning  
5 communities. Nothing in this subsection (9) requires all staff to be  
6 provided identical or equivalent professional development. Rather,  
7 professional development content, intensity, duration, and frequency  
8 must be appropriate to each staff type, staff experience, and staff  
9 assignment, and must be informed by the incident reviews completed  
10 under subsection (5) of this section.

11 (c) Professional development must be prioritized to staff in the  
12 following order:

13 (i) First to staff providing educational services to students  
14 with disabilities in prekindergarten through grade five;

15 (ii) Second to staff providing educational services to students  
16 with disabilities in grades six through 12; and

17 (iii) Third to all other staff.

18 (d) The plan must describe the mechanism used to determine  
19 whether an entity under contract to provide educational services to  
20 students is training the contractor's staff as required by this  
21 subsection (9).

22 (10) **Duties of governing bodies.**

23 (a) Beginning in the 2023-24 school year, and every four years  
24 thereafter, each member of the school district board of directors or  
25 other governing body of a provider of public educational services  
26 shall complete training on student isolation and restraint that  
27 includes the following content, at a minimum: The legal prohibitions  
28 and limitations for use of isolation and restraint on students; the  
29 social-emotional and physical impacts to students and staff resulting  
30 from the use of isolation and restraint rather than trauma-informed  
31 interventions, such as de-escalation strategies and student-centered,  
32 restorative practices; how to assess compliance with this section;  
33 and options for supporting system improvement by reprioritizing  
34 resources.

35 (b) On an annual basis, the school district board of directors or  
36 other governing body of a provider of public educational services  
37 shall monitor the impact of the policy and procedures adopted under  
38 subsection (8) of this section by, at a minimum: (i) Performing trend  
39 analyses using the summary of incident reports prepared by the school  
40 district superintendent or other chief administrator of the provider

1 of public educational services under subsection (6) of this section;  
2 and (ii) reviewing the training plan and updates prepared under  
3 subsection (9) of this section.

4 (11) **Rules.** The office of the superintendent of public  
5 instruction shall adopt rules under chapter 34.05 RCW for the  
6 implementation of this section.

7 (12) **Definitions.** The definitions in this subsection apply  
8 throughout this section unless the context clearly requires  
9 otherwise.

10 (a) "Behavioral intervention plan" means the individualized plan  
11 developed for a student and implemented by staff for the purpose of  
12 changing, replacing, modifying, or eliminating a student's behavior  
13 or behaviors of concern.

14 (b) "Chemical restraint" means a drug or chemical administered by  
15 staff to a student to control the student's behavior or restrict the  
16 student's freedom of movement that is: (i) Not prescribed by a  
17 licensed health professional acting within the scope of the practice  
18 of that health profession for the standard treatment of a student's  
19 medical or psychiatric condition; (ii) not administered by a licensed  
20 health professional acting within the scope of the practice of that  
21 health profession; or (iii) not administered in accordance with the  
22 student's medical or psychiatric treatment plan.

23 (c) "Educational service" means instruction and other activities  
24 delivered or sponsored by a school district or other provider of  
25 public educational services, for example: General education services;  
26 special education services; medical services; safety and security  
27 services; transportation services; and any developmental, corrective,  
28 or other supportive services necessary for a student eligible for  
29 special education services to benefit from special education  
30 services.

31 (d) "Functional behavioral assessment" means the process or  
32 evaluation used by staff to understand the cause or purpose of a  
33 student's specific behavior or behaviors of concern in a specific  
34 environment.

35 (e) "Imminent" means the state or condition of being likely to  
36 occur at any moment or near at hand, rather than distant or remote.

37 (f) "Isolation," also known as seclusion, means the involuntary  
38 isolation or confinement of a student, by staff, in an isolation room  
39 from which the student does not feel free to leave or is physically  
40 prevented from leaving. "Isolation" does not include a time away,

1 which is a student-selected behavior management technique that  
2 provides a student with an opportunity for self-calming, where the  
3 student is separated from others for a limited period, in a setting  
4 that is staff-monitored and from which the student may leave at any  
5 time.

6 (g) "Isolation room" means a room or other enclosed area, whether  
7 within or outside a classroom, used to isolate a student.

8 (h) "Likelihood of serious physical injury to the student or to  
9 others" means a substantial risk that:

10 (i) Physical injury will be inflicted by a person upon his or her  
11 own person, as evidenced by threats or attempts to commit suicide, or  
12 inflict physical injury on oneself; or

13 (ii) Physical injury will be inflicted by a person upon another,  
14 as evidenced by behavior that has caused such injury or that places  
15 another person or persons in reasonable fear of sustaining such  
16 injury.

17 (i) "Mechanical restraint" means staff use of a device to  
18 restrict a student's freedom of movement. "Mechanical restraint" does  
19 not include: (i) The use of medical, orthopedic, or therapeutic  
20 devices, prescribed by a licensed health professional acting within  
21 the scope of the practice of that health profession, when used for  
22 the specific and approved purpose of the device; or (ii) the use of  
23 vehicle safety restraints when used as intended during the transport  
24 of a student in a moving vehicle.

25 (j) "Physical escort" means the temporary touching or holding of  
26 a student's hand, wrist, arm, shoulder, or back by staff, without the  
27 use of force, for the purpose of directing the student to a safe or  
28 otherwise appropriate location.

29 (k) "Physical prompt" means a teaching technique used by staff  
30 that involves voluntary physical contact with a student for the  
31 purpose of enabling the student to learn or model the physical  
32 movement necessary for the development of a desired competency.

33 (l) "Physical restraint" means physical contact by one or more  
34 staff that immobilizes or reduces the ability of a student to move  
35 the student's arms, legs, torso, or head freely. "Physical restraint"  
36 does not include chemical restraint, mechanical restraint, physical  
37 escort, or physical prompt.

38 (m) "Prohibited isolation or restraint" means staff use of one or  
39 more of the following interventions on a student:

40 (i) Chemical restraint;

- 1 (ii) Mechanical restraint;
- 2 (iii)(A) Until August 31, 2025, isolation in an isolation room  
3 with a locked door; and
- 4 (B) Beginning September 1, 2025, isolation;
- 5 (iv) Physical restraint or physical escort that is life-  
6 threatening, restricts breathing, or restricts blood flow to the  
7 brain, including prone, supine, and wall restraints;
- 8 (v) Isolation or physical restraint that is contraindicated based  
9 on Title 34-B, section 3003 or section 15002 or the student's  
10 disability or health care needs or medical or psychiatric condition  
11 as documented in:
- 12 (A) A health care directive or medical management plan;
- 13 (B) A behavioral intervention plan;
- 14 (C) An individualized education program under part B of the  
15 federal individuals with disabilities education act, Title 20 U.S.C.  
16 Sec. 1400 et seq.; or
- 17 (D) A plan developed under section 504 of the federal  
18 rehabilitation act of 1973;
- 19 (vi) Corporal punishment as prohibited by RCW 28A.150.300; and
- 20 (vii) Noxious spray and other aversive intervention as prohibited  
21 in rule of the office of the superintendent of public instruction.
- 22 (n) "Provider of public educational services" means any entity  
23 that directly operates, or provides educational services under  
24 contract to, an elementary or secondary school program that receives  
25 public funds from the office of the superintendent of public  
26 instruction. "Provider of public educational services" includes a  
27 school district, public school as defined in RCW 28A.150.010, an  
28 educational service district, an institutional education provider as  
29 defined in RCW 28A.190.005, a public agency or private entity  
30 providing educational services under contract with any other provider  
31 of public educational services, and any providers of services in  
32 accordance with part B of the federal individuals with disabilities  
33 education act, 20 U.S.C. Sec. 1400 et seq. In addition, "provider of  
34 public educational services" includes the state school for the blind  
35 and the center for deaf and hard of hearing youth established under  
36 RCW 72.40.010.
- 37 (o) "Restraint" includes chemical restraint, mechanical  
38 restraint, and physical restraint.
- 39 (p) "Staff" means an employee or contractor of a school district  
40 or other provider of public educational services. "Staff" does not

1 include licensed health professionals of inpatient health care  
2 facilities.

3 (q) "Students" means children and youth served by a school  
4 district or other provider of public educational services.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.300  
6 RCW to read as follows:

7 (1) As required by this section, the office of the superintendent  
8 of public instruction shall monitor and support the compliance of  
9 school districts and other providers of public educational services  
10 with requirements related to prohibited or permitted uses of student  
11 isolation and restraint under section 1 of this act.

12 (2) Within three months of receipt, the office of the  
13 superintendent of public instruction shall review each professional  
14 development plan and update submitted by a school district or other  
15 provider of public educational services under section 1 of this act.

16 (3) At least annually, the office of the superintendent of public  
17 instruction shall require school districts and other providers of  
18 public educational services to submit incident report data and  
19 summaries prepared under section 1 of this act. The office of the  
20 superintendent of public instruction shall publish the incident  
21 report data and summaries on its website within 90 days of receipt.  
22 The data must be published in a manner that allows trend analyses,  
23 including analysis of intersecting marginalized identities.

24 (4)(a) The office of the superintendent of public instruction  
25 shall provide technical assistance to school districts and other  
26 providers of public educational services to meet the requirements of  
27 section 1 of this act. At a minimum, this technical assistance must  
28 include:

29 (i) Developing and publishing guidance on the implementation of  
30 section 1 of this act and related rules;

31 (ii) Developing, in partnership with the Washington state school  
32 directors' association, and publishing a training program that  
33 supports the duties of the school district boards of directors or  
34 other governing bodies of providers of public educational services  
35 under section 1 of this act;

36 (iii) Identifying and publishing a list of professional  
37 development programs and resources that meet the requirements of  
38 section 1 of this act; and

1 (iv) When appropriate, completing site visits and providing on-  
2 site coaching.

3 (b) Prior to implementing the technical assistance described in  
4 (a) of this subsection (4), and periodically thereafter, the office  
5 of the superintendent of public instruction shall collaborate with  
6 statewide associations representing school administrators, classified  
7 staff, and certificated staff to conduct focus groups for the purpose  
8 of better understanding staff challenges related to implementation of  
9 section 1 of this act.

10 (5) When a school district or other provider of public  
11 educational services is not making sufficient progress towards the  
12 goals established in its professional development plan or when  
13 disparities in use of isolation or restraint are identified in its  
14 incident report data, the office of the superintendent of public  
15 instruction shall place the school district or other provider of  
16 public educational services on a plan of improvement. Under a plan of  
17 improvement, the office of the superintendent of public instruction  
18 shall provide targeted technical assistance, including annual site  
19 visits, until the school district or other provider of public  
20 educational services meets its professional development plan goals,  
21 or eliminates disparities in use of isolation or restraint, or both.

22 (6) Subject to the availability of amounts appropriated for this  
23 specific purpose, the office of the superintendent of public  
24 instruction shall award grants to school districts, charter schools,  
25 and state-tribal education compact schools, on a competitive basis,  
26 for the purposes of meeting requirements under section 1 of this act,  
27 for example: (a) Removing door locks from isolation rooms,  
28 demolishing isolation rooms, or repurposing isolation rooms; (b)  
29 hiring staff to support eliminating the use of prohibited isolation  
30 and restraint and reducing the use of physical restraint; and (c)  
31 contracting for provision of professional development to staff.

32 (7) Annually by November 1st, and in compliance with RCW  
33 43.01.036, the office of the superintendent of public instruction  
34 shall report to the appropriate committees of the legislature with a  
35 summary of its activities to monitor and support the compliance of  
36 school districts and other providers of public educational services  
37 with requirements related to prohibited or permitted uses of student  
38 isolation and restraint under section 1 of this act. The report must  
39 describe the progress that school districts and other providers of  
40 public educational services have made towards training staff as

1 required by section 1 of this act. The report must also highlight  
2 exemplar school districts and other providers of public educational  
3 services using best practices to eliminate use of isolation and  
4 restraint.

5 (8) The office of the superintendent of public instruction shall  
6 adopt rules under chapter 34.05 RCW for the implementation of this  
7 section.

8 (9) As used in this section, "isolation," "provider of public  
9 educational services," "restraint," and "staff" have the same meaning  
10 as in section 1 of this act.

11 NEW SECTION. **Sec. 3.** (1) By December 1, 2023, and in compliance  
12 with RCW 43.01.036, the Washington professional educator standards  
13 board and the paraeducator board must jointly submit to the  
14 appropriate committees of the legislature a plan for integrating into  
15 educator preparation programs and paraeducator certificate  
16 requirements instruction on the requirements of section 1 of this  
17 act.

18 (2) This section expires June 30, 2024.

19 **Sec. 4.** RCW 28A.155.210 and 2013 c 202 s 3 are each amended to  
20 read as follows:

21 A school that is required to develop an individualized education  
22 program as required by federal law must include within the plan  
23 procedures for notification of, and incident review with, a parent or  
24 legal guardian regarding the use of restraint or isolation as  
25 provided under section 1 of this act.

26 **Sec. 5.** RCW 28A.310.515 and 2021 c 38 s 4 are each amended to  
27 read as follows:

28 (1)(a) A safety and security staff training program is  
29 established. The program must be jointly developed by the educational  
30 service districts, but may be administered primarily by one or more  
31 educational service districts. The program must meet the requirements  
32 of this section.

33 (b) When developing the safety and security staff training  
34 program, the educational service districts should engage with the  
35 state school safety center established in RCW 28A.300.630 and the  
36 school safety and student well-being advisory committee established  
37 in RCW 28A.300.635.

1 (2) The educational service districts must identify or develop  
2 classroom training on the following subjects:

3 (a) Constitutional and civil rights of children in schools,  
4 including state law governing search and interrogation of youth in  
5 schools;

6 (b) Child and adolescent development;

7 (c) Trauma-informed approaches to working with youth;

8 (d) Recognizing and responding to youth mental health issues;

9 (e) Educational rights of students with disabilities, the  
10 relationship of disability to behavior, and best practices for  
11 interacting with students with disabilities;

12 (f) Bias free policing and cultural competency, including best  
13 practices for interacting with students from particular backgrounds,  
14 including English learner, LGBTQ, immigrant, female, and nonbinary  
15 students;

16 (g) Local and national disparities in the use of force and  
17 arrests of children;

18 (h) Collateral consequences of arrest, referral for prosecution,  
19 and court involvement;

20 (i) Resources available in the community that serve as  
21 alternatives to arrest and prosecution and pathways for youth to  
22 access services without court or criminal justice involvement;

23 (j) De-escalation techniques when working with youth or groups of  
24 youth;

25 (k) State law regarding restraint and isolation in schools,  
26 including (~~RCW 28A.600.485~~) section 1 of this act;

27 (l) The federal family educational rights and privacy act (20  
28 U.S.C. Sec. 1232g) requirements including limits on access to and  
29 dissemination of student records for noneducational purposes; and

30 (m) Restorative justice principles and practices.

31 (3) The educational service districts must provide, or arrange  
32 for the delivery of, classroom training on the subjects listed in  
33 subsection (2) of this section. At a minimum, classroom trainings on  
34 each subject must be provided annually, remotely, synchronously or  
35 asynchronously, and by at least one educational service district.  
36 Classroom training may be provided on a fee-for-service basis and  
37 should be self-supporting.

38 (4) The educational service districts must provide to safety and  
39 security staff, upon request, documentation that the safety and  
40 security staff training series described in RCW 28A.400.345(2) has



1 been completed. Before providing this training series documentation,  
2 completion of each component of the training series must be verified  
3 or, in the case of safety and security staff with significant prior  
4 training and experience, waived.

5 (5) The educational service districts must develop and publish  
6 guidelines for on-the-job training and check-in training that include  
7 recommendations for identifying and recruiting experienced safety and  
8 security staff to provide the trainings, suggested activities during  
9 on-the-job trainings, and best practices for meaningful check-in  
10 trainings. The guidelines for check-in training must also include  
11 recommended frequency, possible topics of discussion, and options for  
12 connecting virtually.

13 (6) For purposes of this section, the term "safety and security  
14 staff" has the same meaning as in RCW 28A.320.124.

15 NEW SECTION. **Sec. 6.** RCW 28A.600.485 (Restraint of students—Use  
16 of restraint or isolation specified in individualized education  
17 programs or plans developed under section 504 of the rehabilitation  
18 act of 1973—Procedures—Summary of incidents of isolation or  
19 restraint—Publishing to website) and 2015 c 206 s 3 & 2013 c 202 s 2  
20 are each repealed.

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