Restraint and Isolation

This procedure applies to incidents of restraint or isolation that occur while a student is participating in school-sponsored instruction or activities.

I. Definitions

- **Chemical restraint:** A drug or chemical administered by a staff member to a student to control the student's behavior or restrict the student's freedom of movement that is not (i) prescribed by a licensed health professional acting within the scope of the practice of that health profession for the standard treatment of a student's medical or psychiatric condition; (ii) administered by a licensed health professional acting within the scope of the practice of that health profession or administered by a designated staff member delegated and trained by the licensed health professional under RCW 28A.210.260; or (iii) administered in accordance with the student's medical or psychiatric treatment plan.
- **Imminent:** The state or condition of being likely to occur at any moment or near at hand, rather than distant or remote.
- **Isolation:** Restricting a student alone within a room or any other form of enclosure, from which the student may not leave. It does not include a student's voluntary use of a quiet space for self-calming, or the temporary removal of a student from his or her regular instructional area to an unlocked area for purposes of carrying out an appropriate positive behavior intervention plan. Further, isolation doesn't include a nonpermanent, removable material or barrier within an instructional setting for the purpose of temporarily separating a student from the rest of the instruction setting for a short period to address privacy concerns among students when a student engages in actions such as disrobement or similar behavior that raises significant privacy concerns and substantially impacts the ability to maintain a safe environment for learning for all students. The temporary material or barrier must still allow the student to be monitored by instructional or support staff in the classroom. Any incidents involving this type of separation of a student using a temporary material or barrier as described above trigger the post-incident requirements described later in this procedure.
- **Likelihood of serious harm:** A substantial risk(i) that harm will be inflicted by a student upon his or her own person, as evidenced by threats or attempts to commit suicide, or inflict physical harm on oneself, or (ii) that harm will be inflicted by a student upon another, as evidenced by behavior that has caused such harm or that places another person or persons in reasonable fear of sustaining such harm.
- **Mechanical restraint:** A staff member's use of a device to restrict a student's freedom of movement. It does not include a device used by a staff member or a student (i) as prescribed by a licensed health professional acting within the scope of the practice of that health profession; (ii) as documented in a student's individualized education program (IEP) or a student's Section 504 plan; or (iii) for a specific therapeutic, orthopedic, or medical purpose, when used for its designed purpose. Further, a mechanical restraint does

not include the use of vehicle restraints when used as intended during the transport of a student in a vehicle.

- **Physical escort:** The temporary touching or holding or a student's hand, wrist, arm, shoulder, or back by a staff member for the purpose of directing the student to a safe or otherwise appropriate location.
- **Physical prompt:** A teaching technique used by a staff member that involves voluntary physical contact with a student for the purpose of enabling the student to learn or model the physical movement necessary for the development of a desired competency.
- **Physical restraint:** Physical contact by one or more staff members that immobilizes or reduces the ability of a student to move the student's arms, legs, torso, or head freely. It does not include chemical restraint, mechanical restraint, physical escort, or physical prompt.
- **Provider of public educational services:** 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. It includes a school district, a public school as defined in RCW 28A.150.010, an educational service district, an institutional education provider as defined in RCW 28A.190.005, a public agency or private entity providing educational services under contract with any other provider or public educational services, an authorized entity as defined in RCW 28A.300.690, any provider of services in accordance with special education laws, the state school for the blind, and the center for deaf and hard of hearing youth established under RCW 72.40.010.
- **Restraint:** This includes chemical restraint, mechanical restraint, and physical restraint.
- **Staff member:** An employee or contractor of a school district or other provider of public educational services. It does not include licensed or certified health professionals of inpatient health care facilities.
- **Students:** Children and youth served by the district or other provider of public educational services. It does not include children served in early childhood education and assistance programs established under chapter 43.216 RCW or federal head start programs.

II. Use of Restraint or Isolation

General Conditions

Restraint or isolation of a student is permitted only when reasonably necessary to control spontaneous behavior that poses an imminent likelihood of serious harm to the student or to another person, such as another student or staff member.

Staff members are prohibited from using the following restraints on any student: chemical restraints; mechanical restraints; or physical restraint or physical escort that is life-threatening, restricts breathing, or restricts blood flow to the brain, including prone, supine, and wall restraints. Further, the district will refrain from using any of the practices prohibited by WAC 392-172A-02076 or presumed unreasonable by RCW 9A.16.100(2).Restraint or isolation must be administered in a way that prevents or minimizes physical harm to the student. If, at any time during the use of restraint or isolation, the student demonstrates significant physical distress, the

technique must be reduced immediately and, if necessary, staff must take immediate steps to seek medical assistance.

Restraint or isolation must be closely monitored to prevent harm to the student and must be discontinued as soon as the likelihood of serious harm has dissipated. Monitoring must be conducted by continuous visual monitoring of the student and must include regularly evaluating the student for signs of physical distress.

Isolation
The district may not design, construct, remodel, reconfigure, repurpose, or otherwise establish any new room or other enclosed area for the primary purpose of student isolation, irrespective of how the space is labeled. However, this doesn't prevent the district from creating the following types of space:

- A quiet space for voluntary use by a student for self-calming.
- A safe place to be used during a temporary removal of a student from their regular instructional area to an unlocked area for the purpose of carrying out an appropriate positive behavior intervention plan.
- A temporary safe space to be used during removal of a student from their regular instructional area when there is an imminent likelihood of serious harm to the student or to another person and the general conditions described above are met. Use of this type of space is considered isolation and triggers the post-incident requirements described below.

IEPs and Section 504 Plans
An IEP or Section 504 plan must not include the use of restraint or isolation as a planned behavior intervention. The only time restraint may be included in an IEP or Section 504 plan is if the student's individual needs require more specific advanced educational planning, the student's parent or guardian requests inclusion of the restraint, a licensed health care provider documents in writing that the intervention is medically necessary, and the parent or guardian provides informed, voluntary written consent.

Parents or guardians of children with IEPs or Section 504 plans will be provided with a copy of Policy 3246 and this procedure at the time the programs or plans are created.

IEPs will include the procedures for notifying a parent or guardian regarding the use or restraint or isolation. Additionally, if a student is placed in an authorized entity under RCW 28A.155.060, the student's IEP will specify any additional procedures required to ensure the authorized entity fully complies with RCW 28A.600.485.

Special Education Students
A staff member who uses isolation on a student eligible for special education services must comply with the following conditions in addition to the general conditions described above:

The isolation enclosure will be ventilated, lighted, and temperature controlled from inside or outside for purposes of human occupancy.

- The isolation enclosure will permit continuous visual monitoring of the student from outside the enclosure.
- An adult responsible for supervising the student will remain in visual or auditory range of the student at all times.
- Either the student shall be capable of releasing himself or herself from the enclosure, or the student shall continuously remain within view of an adult responsible for supervising the student.
- The staff member must be trained and currently certified by a qualified provider in the use of trauma-informed crisis intervention (including de-escalation techniques) and trained by the district in isolation requirements.

A staff member who uses restraint on a student eligible for special education services must comply with the general conditions described above and must be trained and currently certified by a qualified provider in the use of trauma-informed crisis intervention (including de-escalation techniques) and restraints.

School Resource Officers
Nothing in this procedure prohibits a school resource officer, as defined in RCW 28A.320.124, from carrying out the lawful duties of a commissioned law enforcement officer. Nonetheless, incidents of restraint or isolation involving a school resource officer trigger the post-incident requirements described below.

III. Post-incident Requirements

Post-incident Report
Any staff member who uses restraint or isolation on a student during school-sponsored instruction or activities will inform the principal or a designee as soon as possible and within two business days submit a written report of the incident to the superintendent's office. The written report will contain, at a minimum, the following information:

- The date and time of the incident;
- The name and job title of the staff member who administered the restraint or isolation;
- A description of the activity that led to the restraint or isolation;
- The type of restraint or isolation used on the student, including the duration;
- Whether the student or staff members were physically injured during the restraint or isolation;
- Any medical care provided to the student or staff; and
- Any recommendations for changing the nature or amount of resources available to the student and staff members in order to avoid similar incidents.

Post-incident Notice
Within twenty-four hours following the use of restraint or isolation, the principal, other building administrator, or designee must make a reasonable effort to verbally inform the student's parent or guardian of the incident and must send written notification as soon as practical, but postmarked no later than five business days after the restraint or isolation occurred. If the school

or district customarily provides the parent or guardian with school-related information in a language or mode of communication other than English, the written report must be provided to the parent or guardian in that language or mode of communication.

Post-incident Review
The principal, other building administrator, or designee will review the incident with the student and the parent or guardian (though not necessarily at the same time) to address the behavior that precipitated the restraint or isolation and the appropriateness of the response.

The principal, other building administrator, or designee will review the incident with the staff member who administered the restraint or isolation to discuss whether proper procedures were followed and what staff training or support is needed to help the student avoid similar incidents.

IV. Training

Annually, administrators will provide all staff with Policy 3246 and this procedure. Appropriate staff who are required or reasonably anticipated to use restraint or isolation will receive training, which will include positive management of student behavior, cultural sensitivity, effective communication for defusing and de-escalating disruptive or dangerous behavior, and safe and appropriate use of restraint and isolation.

V. Report to the Office of Superintendent of Public Instruction

Annually by January 1, the district will summarize the written incident reports described above and submit those summaries to OSPI. The summaries will include the number of individual incidents of restraint and isolation, the number of students involved in the incidents, the number of injuries to students and staff, and the types of restraint or isolation used.