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HOUSE BILL 1414

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State of Washington

59th Legislature

2005 Regular Session

By Representatives Dickerson, Quall, Pettigrew, Kagi, O'Brien, Miloscia, Chase, Santos and Simpson

Read first time 01/24/2005. Referred to Committee on Education.

1 AN ACT Relating to training regarding the use of force and physical  
2 restraints for school building administrators and other school security  
3 personnel; adding a new section to chapter 28A.300 RCW; and adding a  
4 new section to chapter 28A.600 RCW; and creating a new section.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.300  
7 RCW to read as follows:

8 (1) By December 1, 2006, the superintendent of public instruction  
9 shall, in consultation with the Washington state school safety center  
10 advisory committee, develop a model policy and training standards and  
11 requirements for school building administrators and other school  
12 security personnel relative to the use of force and physical restraint  
13 in the common schools.

14 (2) The model policy on the use of force and physical restraint  
15 must include:

16 (a) Strategies for preventing student violence, self-injurious  
17 behavior, and suicide, including methods for the verbal and nonverbal  
18 de-escalation of potentially dangerous behavior occurring among groups  
19 of students or with an individual student;

1 (b) Criteria for evaluating student behavior and identifying  
2 behavior that may require immediate intervention by means of force or  
3 physical restraint;

4 (c) A definition of appropriate responses by school personnel to  
5 student behavior that requires immediate intervention;

6 (d) A description of permitted methods of physical restraint,  
7 within the context of a use of force continuum appropriate to a common  
8 school environment, and the limited circumstances when such methods may  
9 be appropriate;

10 (e) An explanation that if deadly force is permitted by local  
11 district policy, it should be used only as a last resort in response to  
12 a threat of imminent deadly force by a student;

13 (f) An identification of the appropriate school personnel who may  
14 be authorized to administer force or physical restraint;

15 (g) A description of staff training requirements and procedures for  
16 parental notification and follow-up, including procedures for receiving  
17 and investigating complaints regarding use of force and physical  
18 restraint practices; and

19 (h) A description of reporting requirements, including the  
20 mandatory completion of an incident report form that is uniform  
21 throughout the district, the reporting of de-escalation techniques  
22 attempted or employed before the use of force or physical restraint,  
23 the details of the incident, witnesses to the incident, when the report  
24 must be filed, and the persons to whom the report must be made.

25 (3) The model training standards and requirements for the use of  
26 force and physical restraint shall be developed after study and  
27 consideration by the superintendent and the advisory committee of  
28 various training curricula for school building administrators and other  
29 school security personnel that include:

30 (a) Strategies for building positive relationships with and between  
31 students;

32 (b) Techniques and strategies for the verbal and nonverbal  
33 de-escalation of conflict and violence;

34 (c) Threat assessment and management techniques; and

35 (d) School-based use-of-force continua that reflect the context of  
36 schools.

37 (4) The model standards and training requirements shall:

1 (a) Describe entry-level knowledge and basic minimum skills, a  
2 module of annual training, and a continuum of professional development  
3 training for school building administrators and other school security  
4 personnel;

5 (b) Identify the scope of subjects in which building administrators  
6 and security personnel should receive training;

7 (c) Recommend a minimum number of hours of annual training  
8 regarding:

9 (i) Relationship building and communication skills;

10 (ii) Verbal and nonverbal de-escalation techniques;

11 (iii) Threat assessment and management techniques;

12 (iv) Safety and legal implications of the use of force and physical  
13 restraint, and search and seizure; and

14 (v) Other aspects of the delivery of school security services as  
15 determined by the superintendent and the advisory committee.

16 (5) The model policy and training standards and requirements  
17 developed under this section shall be made available to serve as  
18 guidance to school districts and educational service districts and  
19 shall be posted on the superintendent of public instruction's web site.

20 (6) By December 1, 2006, the superintendent shall report to the  
21 appropriate committees of the legislature regarding the model training  
22 standards and requirements for school building administrators and other  
23 school security personnel relative to the use of force and physical  
24 restraint. The superintendent and advisory committee also shall  
25 recommend options for the structure and delivery of training throughout  
26 the state, including accountability measures for the training required  
27 under section 2 of this act and a description of the continuing role  
28 and function of the school safety advisory committee.

29 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.600  
30 RCW to read as follows:

31 (1) By September 1, 2007, each school district board of directors  
32 shall adopt a policy and establish training standards and requirements  
33 relative to the use of force and physical restraint by school building  
34 administrators and other school security personnel. District policies  
35 regarding the use of force and physical restraint should be tailored to  
36 reflect the contexts of the district's elementary, middle, and high  
37 schools, and may be incorporated into existing district policies

1 regarding student conduct, discipline, and rights adopted pursuant to  
2 RCW 28A.600.010, and into the procedures for administering discipline  
3 developed pursuant to RCW 28A.600.020.

4 (2) Beginning in the 2007-08 school year, school district boards of  
5 directors shall ensure that school district employees authorized by  
6 district policy to use force or physical restraint receive annual  
7 training that includes, but is not limited to instruction regarding:

8 (a) Skills for effective communication with adolescents, and  
9 strategies for building positive relationships with and between  
10 students;

11 (b) Appropriate interventions and procedures for preventing the  
12 need for physical restraint, including the de-escalation and  
13 redirection of problematic behavior and alternatives to physical  
14 restraint;

15 (c) Methods for identifying dangerous behaviors on the part of  
16 students that may indicate the need for immediate intervention, either  
17 by force or physical restraint or an alternative to force or physical  
18 restraint;

19 (d) Methods for evaluating the risk of harm in individual  
20 situations in order to determine whether the use of physical restraint  
21 is warranted;

22 (e) The types of restraint permitted by district policy and their  
23 related safety considerations, including visual monitoring of a  
24 restrained student and information regarding the increased risk of  
25 injury to a student when restraint is employed for an extended period  
26 of time;

27 (f) Procedures for parental notification and follow-up, including  
28 the receipt and investigation of complaints regarding use of force and  
29 physical restraint practices;

30 (g) Reporting requirements, including the mandatory completion of  
31 an incident report form that is uniform throughout the district, the  
32 reporting of de-escalation techniques employed or attempted before the  
33 use of force or physical restraint, the details of the incident,  
34 witnesses to the incident, and the time period within which, and the  
35 persons to whom, the report must be made; and

36 (h) The limitation on the use of deadly force only in response to  
37 a threat of imminent deadly force by another.

1        NEW SECTION.   **Sec. 3.**   If specific funding for the purposes of this  
2   act, referencing this act by bill or chapter number, is not provided by  
3   June 30, 2005, in the omnibus appropriations act, this act is null and  
4   void.

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