
Education Committee

HB 2605

Brief Description: Making school district policies on restraint or isolation of certain students available to parents and guardians.

Sponsors: Representatives Stonier, S. Hunt, Sawyer, Fey, Orwall, Bergquist, Pollet and Freeman.

Brief Summary of Bill

- Repeals a requirement that the school district policy and procedures on the use of restraint or isolation be provided to parents when a special education or Section 504 Plan is developed.
- Requires that the policy and procedures be made available to parents and guardians on the school district website, with a written copy provided on request.

Hearing Date: 1/30/14

Staff: Megan Wargacki (786-7194).

Background:

State law encourages parents and teachers to use methods of correction and restraint that are not dangerous to children. The physical discipline of a child is permitted when it is reasonable and moderate, and is inflicted by a parent, teacher, or guardian for purposes of restraining or correcting the child.

The following actions are presumed unreasonable when used to correct or restrain a child:

- throwing, kicking, burning, or cutting a child;
- striking a child with a closed fist;
- shaking a child under age three;
- interfering with a child's breathing;
- threatening a child with a deadly weapon; or

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- doing any other act that is likely to cause and which does cause bodily harm greater than transient pain or minor temporary marks.

A school must follow certain procedures when restraining or isolating a student who has an Individualized Education Program (IEP) or a Section 504 Plan, including:

- Once a student is released, the school must review the incident with the student, the student's parent or guardian, and the staff member who administered the restraint or isolation.
- A staff member who used chemical spray, mechanical restraint, or physical force must inform the building administrator and submit a written report to the district office.
- The student's parent or guardian must be informed of the incident.

A school that is required to develop an IEP must include procedures for notifying parents and guardians regarding the use of restraint or isolation.

Schools must provide a copy of the school district policy on the use of isolation and restraint to parents and guardians of children at the time an IEP or Section 504 Plan is created.

Summary of Bill:

The requirement that a copy of school district policies regarding restraint or isolation be provided to all parents or guardians of special education and Section 504 Plan students at the time the IEPs and Plans are developed is repealed. The requirement that parental notification procedures be included in the IEPs for all special education students is also repealed.

Instead, the school district policy regarding restraint or isolation of students in special education or with a Section 504 Plan, and the procedures for notification of parents and guardians, must be made available on the school district website, with a written copy provided on request.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.