
HOUSE BILL 2605

State of Washington 63rd Legislature 2014 Regular Session

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

Read first time 01/22/14. Referred to Committee on Education.

1 AN ACT Relating to making school district policies on restraint or
2 isolation of certain students available to parents and guardians;
3 amending RCW 28A.600.485; and repealing RCW 28A.155.210 and
4 28A.600.486.

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

6 **Sec. 1.** RCW 28A.600.485 and 2013 c 202 s 2 are each amended to
7 read as follows:

8 (1) The definitions in this subsection apply throughout this
9 section unless the context clearly requires otherwise.

10 (a) "Isolation" means excluding a student from his or her regular
11 instructional area and restricting the student alone within a room or
12 any other form of enclosure, from which the student may not leave.

13 (b) "Restraint" means physical intervention or force used to
14 control a student, including the use of a restraint device.

15 (c) "Restraint device" means a device used to assist in controlling
16 a student, including but not limited to metal handcuffs, plastic ties,
17 ankle restraints, leather cuffs, other hospital-type restraints, pepper
18 spray, tasers, or batons.

1 (2) The provisions of this section apply only to any restraint of
2 a student who has an individualized education program or plan developed
3 under section 504 of the rehabilitation act of 1973 that results in a
4 physical injury to a student or a staff member, any restraint of a
5 student who has an individualized education program or plan developed
6 under section 504 of the rehabilitation act of 1973, and any isolation
7 of a student who has an individualized education program or plan
8 developed under section 504 of the rehabilitation act of 1973. The
9 provisions of this section apply only to incidents of restraint or
10 isolation that occur while a student who has an individualized
11 education program or plan developed under section 504 of the
12 rehabilitation act of 1973 is participating in school-sponsored
13 instruction or activities.

14 (3) Following the release of a student from the use of restraint or
15 isolation, the school must implement follow-up procedures. These
16 procedures must include reviewing the incident with the student and the
17 parent or guardian to address the behavior that precipitated the
18 restraint or isolation and reviewing the incident with the staff member
19 who administered the restraint or isolation to discuss whether proper
20 procedures were followed.

21 (4) Any school employee, resource officer, or school security
22 officer who uses any chemical spray, mechanical restraint, or physical
23 force on a student during school-sponsored instruction or activities
24 must inform the building administrator or building administrator's
25 designee as soon as possible, and within two business days submit a
26 written report of the incident to the district office. The written
27 report should include, at a minimum, the following information:

28 (a) The date and time of the incident;

29 (b) The name and job title of the individual who administered the
30 restraint or isolation;

31 (c) A description of the activity that led to the restraint or
32 isolation;

33 (d) The type of restraint or isolation used on the student,
34 including the duration; and

35 (e) Whether the student or staff was physically injured during the
36 restraint or isolation and any medical care provided.

37 (5) The principal or principal's designee must make a reasonable
38 effort to verbally inform the student's parent or guardian within

1 twenty-four hours of the incident, and must send written notification
2 as soon as practical but postmarked no later than five business days
3 after the restraint or isolation occurred. If the school or school
4 district customarily provides the parent or guardian with school-
5 related information in a language other than English, the written
6 report under this section must be provided to the parent or guardian in
7 that language.

8 (6) A copy of the school district policy regarding the use of
9 restraint or isolation under this section and the procedures for
10 notification of a parent or guardian regarding the use of restraint or
11 isolation under this section must be made available to parents and
12 guardians on the district web site, with a written copy provided on
13 request.

14 NEW SECTION. Sec. 2. The following acts or parts of acts are each
15 repealed:

16 (1) RCW 28A.155.210 (Use of restraint or isolation--Requirement for
17 procedures to notify parent or guardian) and 2013 c 202 s 3; and

18 (2) RCW 28A.600.486 (District policy on the use of isolation and
19 restraint--Notice to parents and guardians of children who have
20 individualized education programs or plans developed under section 504
21 of the rehabilitation act of 1973) and 2013 c 202 s 4.

--- END ---