
ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1479

State of Washington

68th Legislature

2023 Regular Session

By House Appropriations (originally sponsored by Representatives Callan, Santos, Goodman, Ramel, Ormsby, and Pollet; by request of Superintendent of Public Instruction)

READ FIRST TIME 02/24/23.

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 new sections; repealing
5 RCW 28A.600.485; and providing expiration dates.

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 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)(i) The isolation of any student in prekindergarten through
2 grade two by the staff of any school district or other provider of
3 public educational services during the provision of educational
4 services is prohibited.

5 (ii) Beginning January 1, 2026, the isolation of any student in
6 grade three through 12 by the staff of any school district or other
7 provider of public educational services during the provision of
8 educational services is prohibited.

9 (c) Neither a student nor the student's parent or legal guardian
10 may consent, or be asked to consent, to the use of isolation or
11 restraint that is prohibited under this subsection (2).

12 (3) **Limited physical restraint of students.** The staff of any
13 school district or other provider of public educational services may
14 use physical restraint during the provision of educational services
15 only when:

16 (a) The student's behavior poses an imminent likelihood of
17 serious harm to the student or to others;

18 (b) Less restrictive interventions would be ineffective in
19 stopping the imminent likelihood of serious harm to the student or to
20 others;

21 (c) The least amount of force necessary is used to protect the
22 student or another person from an imminent likelihood of serious harm
23 to the student or to others; and

24 (d) The physical restraint of the student ends immediately upon
25 the cessation of the imminent likelihood of serious harm to the
26 student or to others.

27 (4) **Limited isolation of students in isolation rooms.**

28 (a) Through December 31, 2025, the staff of any school district
29 or other provider of public educational services may use isolation on
30 a student who is in grade three through 12 during the provision of
31 educational services only when:

32 (i) The student's behavior poses an imminent likelihood of
33 serious harm to the student or to others;

34 (ii) Less restrictive interventions would be ineffective in
35 stopping the imminent likelihood of serious harm to the student or to
36 others;

37 (iii) The least amount of force necessary is used to protect the
38 student or another person from an imminent likelihood of serious harm
39 to the student or to others; and

1 (iv) The isolation of the student ends immediately upon the
2 cessation of the imminent likelihood of serious harm to the student
3 or to others.

4 (b)(i) Except as provided in (b)(ii) of this subsection (4),
5 beginning August 1, 2023, school districts and other providers of
6 public educational services shall require that doors to isolation
7 rooms remain unlocked to the occupants.

8 (ii) Using the process established as required by section 2(7) of
9 this act, school districts and other providers of public educational
10 services may, through December 31, 2025, claim a waiver of the
11 requirements of (b)(i) of this subsection (4) to permit the isolation
12 of students in grades three through 12 in a locked isolation room.
13 School districts and other providers of public educational services
14 claiming a waiver must provide professional development to staff and
15 conduct other activities necessary to comply with the requirements of
16 (b)(i) of this subsection (4) no later than January 1, 2026.

17 (c)(i) School districts and other providers of public educational
18 services are prohibited from constructing isolation rooms or other
19 settings for the purpose of isolating a student.

20 (ii) By January 1, 2026, school districts and other providers of
21 public educational services shall remove or repurpose all isolation
22 rooms.

23 (5) **Exemptions.**

24 (a) The provisions of subsection (4)(b) and (c) of this section
25 do not apply to a state-operated psychiatric hospital that serves
26 students.

27 (b) Nothing in subsections (2) through (4) of this section
28 prohibits a school resource officer as defined in RCW 28A.320.124
29 from carrying out the lawful duties of a commissioned law enforcement
30 officer.

31 (6) **Notifications.** After incidents of isolation or restraint,
32 whether prohibited or limited, and after incidents of a room clear,
33 the following notifications must be made:

34 (a) Immediately following the release of the student from
35 isolation or restraint, and immediately following the return of
36 students from a room clear, the staff who used, or directed the use
37 of, isolation, restraint, or a room clear shall notify the principal,
38 other building administrator, or designee, of the provider of public
39 educational services about the incident;

1 (b) The principal, other building administrator, or designee of
2 the provider of public educational services shall:

3 (i) Notify the student's parent or legal guardian about the
4 incident, within 24 hours of the incident; and

5 (ii) Send written documentation to the parent or legal guardian,
6 within three business days of the incident, and, when possible, send
7 written documentation to the parent or legal guardian via email, on
8 the same calendar day as the incident; and

9 (c) With regard to use of prohibited isolation or restraint, the
10 principal, other building administrator, or designee, of the provider
11 of public educational services shall notify the following people or
12 entities about the incident in accordance with the applicable
13 deadlines:

14 (i) The school district superintendent or other chief
15 administrator of the provider of public educational services, within
16 one business day of the incident;

17 (ii) The office of the superintendent of public instruction,
18 within three business days of the incident; and

19 (iii) If the school district or other provider of public
20 educational services is a contractor, the contractee, within three
21 business days of the incident.

22 (7) **Incident reviews.** After incidents of isolation or restraint,
23 whether prohibited or limited, and after incidents of room clears,
24 the following incident reviews must be completed.

25 (a) As soon as practicable, but no later than one week following
26 submission of the incident report as required under subsection (8)(a)
27 of this section, the principal, other building administrator, or
28 designee, of the provider of public educational services shall review
29 the incident with the student and the student's parent or legal
30 guardian to discuss relevant events that occurred before, during, and
31 after the incident, and to inform the student's parent or legal
32 guardian about behavioral intervention planning that must be
33 completed under subsection (9) of this section.

34 (b) As soon as practicable following the release of a student
35 from isolation or restraint, staff must provide the student with an
36 opportunity to meet with a counselor, nurse, psychologist, or social
37 worker to reflect, process, and recover.

38 (c) As soon as practicable following the release of a student
39 from isolation or restraint or the return of students from a room
40 clear, a team of staff, including the staff who used, or directed the

1 use of, isolation, restraint, or a room clear shall review the
2 incident to, among other things:

3 (i) Provide the staff who used, or directed the use of,
4 isolation, restraint, or a room clear with an opportunity to reflect,
5 process, and recover;

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

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

11 (8) **Incident reports.** The following reports related to incidents
12 of isolation and restraint, whether prohibited or limited, and
13 incidents of room clears must be prepared and submitted.

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

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

21 (ii) Names and job titles of staff who used, or directed the use
22 of, isolation, restraint, or a room clear and of staff who observed
23 the incident;

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

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

28 (v) Whether the student who was isolated, restrained, or caused
29 the emergency that resulted in a room clear has either an
30 individualized education program or behavioral intervention plan and,
31 if so, whether the program or plan was followed;

32 (vi) Information about any known physical injuries or
33 psychological trauma experienced by the student or staff due to the
34 incident, including whether medical care was sought or received, and
35 whether staff requested or used leave benefits;

36 (vii) Recommended preventative actions for the staff or the
37 provider of public educational services to take to prevent similar,
38 future incidents; and

39 (viii) Other information as required by rule of the office of the
40 superintendent of public instruction.

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

14 (c) The school district superintendent or other chief
15 administrator of a provider of public educational services must
16 submit incident report data and summaries prepared under (a) and (b)
17 of this subsection (8), at the time and in the manner required by the
18 office of the superintendent of public instruction.

19 (9) **Behavioral intervention plan.** After incidents of isolation or
20 restraint, whether prohibited or limited, and after incidents of room
21 clears, the following activities related to behavioral intervention
22 planning must be completed.

23 (a) As soon as practicable following the release of a student
24 from isolation or restraint or the return of students following a
25 room clear, staff shall:

26 (i) Complete a functional behavioral assessment of the student
27 who was isolated, restrained, or caused the emergency that resulted
28 in a room clear, unless a functional behavioral assessment was
29 previously completed for the behavior of concern; and

30 (ii) Develop a behavioral intervention plan for the student who
31 was isolated, restrained, or caused the emergency that resulted in a
32 room clear or, if a behavioral intervention plan has already been
33 developed, review the behavioral intervention plan and modify it as
34 necessary to address the student's behavior of concern. When the
35 student has an individualized education program, the behavioral
36 intervention plan must be developed and modified in accordance with
37 the student's individualized education program.

38 (b) Nothing in this subsection (9) limits behavioral intervention
39 planning for students with individualized education programs under

1 Part B of the federal individuals with disabilities education act,
2 Title 20 U.S.C. Sec. 1400 et seq.

3 (10) **Policies and procedures.**

4 (a) The school district board of directors or other governing
5 body of a provider of public educational services shall adopt a
6 student isolation and restraint policy and procedures that meets the
7 requirements of this section. The procedures must include a process
8 for convening a team of staff to review every incident of isolation
9 or restraint using a systems improvement approach that focuses on
10 supporting staff to use less restrictive interventions as
11 alternatives to isolation and restraint.

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

18 (11) **Professional development plans.**

19 (a) (i) By January 30, 2024, the school district superintendent or
20 other chief administrator of a provider of public educational
21 services, or the school district board of directors or other
22 governing body of a provider of public educational services, shall
23 prepare and submit to the office of the superintendent of public
24 instruction a staff professional development plan and timeline as
25 required by this subsection (11).

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

30 (b) (i) The plan must include professional development on the
31 following topics:

32 (A) The policy and procedure adopted under subsection (10) of
33 this section;

34 (B) Evidence-based, trauma-informed, student-centered, proactive
35 crisis prevention and intervention practices that are less
36 restrictive than isolation and restraint, such as de-escalation
37 strategies and corresponding classroom management techniques;

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

1 (D) Evidence-based, systemic approaches to eliminating the use of
2 prohibited isolation and restraint, to reduce the use of physical
3 restraint, and to eliminate disparities in use of prohibited and
4 limited isolation and restraint, such as multitiered systems of
5 support and universal design for learning.

6 (ii) The plan and any updates must describe the professional
7 development that will be provided to staff during the following
8 school year. Any professional development programs and resources
9 provided to staff must be selected from the list developed by the
10 office of the superintendent of public instruction as required by
11 section 2(4) of this act.

12 (iii) Example modes of professional development include:
13 Trainings provided by the office of the superintendent of public
14 instruction, educational service districts, the school district or
15 other provider of public educational services; pursuit of credentials
16 through formal education programs; working with a mentor or coach;
17 and involvement in professional learning communities. Nothing in this
18 subsection (11) requires all staff to be provided identical or
19 equivalent professional development. Rather, professional development
20 content, intensity, duration, and frequency must be appropriate to
21 each staff type, staff experience, and staff assignment, and must be
22 informed by the incident reviews completed under subsection (7) of
23 this section.

24 (iv) To the extent the use of the funds is not specified in RCW
25 28A.415.445 or the omnibus operating appropriations act, school
26 districts and other providers of public educational services that
27 receive funding for professional learning days under RCW 28A.150.415
28 may use this funding to meet the requirements of this subsection
29 (11).

30 (c) Professional development must be prioritized to staff in the
31 following order:

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

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

36 (iii) Third to all other staff.

37 (d) The plan must describe the mechanism used to determine
38 whether an entity under contract to provide educational services to
39 students is providing professional development to the contractor's
40 staff as required by this subsection (11).

1 (12) **Duties of governing bodies.**

2 (a) Beginning in the 2023-24 school year, and every four years
3 thereafter, each member of a school district board of directors or
4 other governing body of a provider of public educational services
5 shall complete the training program on student isolation and
6 restraint provided at no cost as required under section 2(6) of this
7 act.

8 (b) On an annual basis, the school district board of directors or
9 other governing body of a provider of public educational services
10 shall monitor the impact of the policy and procedures adopted under
11 subsection (10) of this section by, at a minimum: (i) Performing
12 trend analyses using the summary of incident reports prepared by the
13 school district superintendent or other chief administrator of the
14 provider of public educational services under subsection (8) of this
15 section; and (ii) reviewing the professional development plan and
16 updates prepared under subsection (11) of this section.

17 (13) **Rules.** The office of the superintendent of public
18 instruction shall adopt rules under chapter 34.05 RCW for the
19 implementation of this section.

20 (14) **Definitions.** The definitions in this subsection apply
21 throughout this section unless the context clearly requires
22 otherwise.

23 (a) "Behavioral intervention plan" means the individualized plan
24 developed for a student and implemented by staff for the purpose of
25 changing, replacing, modifying, or eliminating a student's behavior
26 or behaviors of concern.

27 (b) "Chemical restraint" means a drug or chemical administered by
28 staff to a student to control the student's behavior or restrict the
29 student's freedom of movement that is: (i) Not prescribed by a
30 licensed health professional acting within the scope of the practice
31 of that health profession for the standard treatment of a student's
32 medical or psychiatric condition; (ii) not administered by a licensed
33 health professional acting within the scope of the practice of that
34 health profession; or (iii) not administered in accordance with the
35 student's medical or psychiatric treatment plan.

36 (c) "Educational service" means instruction and other activities
37 delivered or sponsored by a school district or other provider of
38 public educational services, for example: General education services;
39 special education services; medical services; safety and security
40 services; transportation services; and any developmental, corrective,

1 or other supportive services necessary for a student eligible for
2 special education services to benefit from special education
3 services.

4 (d) "Functional behavioral assessment" means the process or
5 evaluation used by staff to understand the cause or purpose of a
6 student's specific behavior or behaviors of concern in a specific
7 environment.

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

10 (f) "Isolation," also known as seclusion, means the involuntary
11 isolation of a student, by staff, in an isolation room from which the
12 student is not free to leave. "Isolation" does not include a time
13 away, which is a student-selected behavior management technique that
14 provides a student with an opportunity for self-calming, where the
15 student is separated from others for a limited period, in a setting
16 that is staff-monitored and from which the student may leave at any
17 time.

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

20 (h) "Likelihood of serious harm" means a substantial risk that:

21 (i) Harm will be inflicted by the student upon his or her own
22 person, as evidenced by threats or attempts to commit suicide, or
23 inflict harm on oneself; or

24 (ii) Harm will be inflicted by the student upon another, as
25 evidenced by behavior that places another person or persons in
26 reasonable fear of sustaining such harm.

27 (i) "Mechanical restraint" means staff use of a device to
28 restrict a student's freedom of movement. "Mechanical restraint" does
29 not include: (i) A device used by staff or a student: (A) As
30 prescribed by a licensed health professional acting within the scope
31 of the practice of that health profession; (B) as documented in a
32 student's individualized education program under Part B of the
33 federal individuals with disabilities education act, Title 20 U.S.C.
34 Sec. 1400 et seq. or a student's plan developed under section 504 of
35 the rehabilitation act of 1973; or (C) for a specific therapeutic,
36 orthopedic, or medical purpose, when used for its designed purpose;
37 or (ii) the use of vehicle safety restraints when used as intended
38 during the transport of a student in a moving vehicle.

39 (j) "Physical escort" means the temporary touching or holding of
40 a student's hand, wrist, arm, shoulder, or back by staff for the

1 purpose of directing the student to a safe or otherwise appropriate
2 location.

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

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

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

14 (i) Chemical restraint;

15 (ii) Mechanical restraint;

16 (iii) Physical restraint or physical escort that is life-
17 threatening, restricts breathing, or restricts blood flow to the
18 brain, including prone, supine, and wall restraints;

19 (iv) Isolation or physical restraint that is contraindicated
20 based on the student's disability or health care needs or medical or
21 psychiatric condition as documented in:

22 (A) A health care directive or medical management plan;

23 (B) A behavioral intervention plan;

24 (C) An individualized education program under Part B of the
25 federal individuals with disabilities education act, Title 20 U.S.C.
26 Sec. 1400 et seq.; or

27 (D) A plan developed under section 504 of the federal
28 rehabilitation act of 1973;

29 (v) Corporal punishment as prohibited by RCW 28A.150.300; and

30 (vi) Noxious spray and other aversive intervention as prohibited
31 in rule of the office of the superintendent of public instruction.

32 (n) "Provider of public educational services" means any entity
33 that directly operates, or provides educational services under
34 contract to, an elementary or secondary school program that receives
35 public funds from the office of the superintendent of public
36 instruction. "Provider of public educational services" includes a
37 school district, public school as defined in RCW 28A.150.010, an
38 educational service district, an institutional education provider as
39 defined in RCW 28A.190.005, a public agency or private entity
40 providing educational services under contract with any other provider

1 of public educational services, and any providers of services in
2 accordance with Part B of the federal individuals with disabilities
3 education act, Title 20 U.S.C. Sec. 1400 et seq. In addition,
4 "provider of public educational services" includes the state school
5 for the blind and the center for deaf and hard of hearing youth
6 established under RCW 72.40.010.

7 (o) "Restraint" includes chemical restraint, mechanical
8 restraint, and physical restraint.

9 (p) "Room clear" means the procedure used by staff in an
10 emergency to direct all students, except for any students causing the
11 emergency, to leave a room. Except as provided in rule of the office
12 of the superintendent of public instruction, a room clear is not
13 isolation.

14 (q) "Staff" means an employee or contractor of a school district
15 or other provider of public educational services. "Staff" does not
16 include licensed or certified health professionals of inpatient
17 health care facilities.

18 (r) "Students" means children and youth served by a school
19 district or other provider of public educational services.

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

22 (1) As required by this section, the office of the superintendent
23 of public instruction shall monitor and support the compliance of
24 school districts and other providers of public educational services
25 with requirements related to prohibited and limited uses of student
26 isolation and restraint under section 1 of this act.

27 (2) Within three months of receipt, the office of the
28 superintendent of public instruction shall review each professional
29 development plan and update submitted by a school district or other
30 provider of public educational services under section 1(11) of this
31 act.

32 (3) At least annually, the office of the superintendent of public
33 instruction shall require school districts and other providers of
34 public educational services to submit incident report data and
35 summaries prepared under section 1(8) of this act. The office of the
36 superintendent of public instruction shall publish the incident
37 report data and summaries on its website within 90 days of receipt.
38 The data must be published in a manner that allows trend analyses,
39 including analysis of intersecting marginalized identities.

1 (4) (a) Subject to the availability of amounts appropriated for
2 this specific purpose, the office of the superintendent of public
3 instruction shall provide technical assistance to school districts
4 and other providers of public educational services to meet the
5 requirements of section 1 of this act. At a minimum, this technical
6 assistance must include:

7 (i) Developing and publishing guidance on the requirements of
8 section 1 of this act and related rules;

9 (ii) Identifying and publishing a list of professional
10 development programs and resources that meet the requirements of
11 section 1(11) of this act;

12 (iii) Providing or contracting for the provision of professional
13 development that meets the requirements of section 1(11) of this act.
14 The office of the superintendent of public instruction shall
15 establish the criteria for and prioritize the provision of
16 professional development that gives priority to: (A) School districts
17 and other providers of public educational services that were approved
18 for a waiver under subsection (7) of this section; (B) staff who
19 provide educational services to students in prekindergarten through
20 grade five; and (C) school districts and other providers of public
21 educational services with high incidents of isolation, restraint, or
22 room clears. Professional development must be provided to the
23 principals and other building administrators of the school districts
24 and other providers of public educational services identified as
25 priorities under this section; and

26 (iv) Completing site visits and providing on-site coaching, when
27 appropriate.

28 (b) Prior to implementing the technical assistance described in
29 (a) of this subsection (4), and periodically thereafter, the office
30 of the superintendent of public instruction shall collaborate with
31 statewide associations representing school administrators, classified
32 staff, and certificated staff to conduct focus groups for the purpose
33 of better understanding staff challenges related to implementation of
34 section 1 of this act.

35 (5) When a school district or other provider of public
36 educational services is not making sufficient progress towards the
37 goals established in its professional development plan submitted
38 under section 1(11) of this act or when disparities in use of
39 isolation or restraint are identified in its incident report data
40 submitted under section 1(8) of this act, the office of the

1 superintendent of public instruction shall place the school district
2 or other provider of public educational services on a plan of
3 improvement. Under a plan of improvement, the office of the
4 superintendent of public instruction shall provide targeted technical
5 assistance, including annual site visits, until the school district
6 or other provider of public educational services meets its
7 professional development plan goals, or eliminates disparities in use
8 of isolation or restraint, or both.

9 (6) (a) As required by this subsection (6), the office of the
10 superintendent of public instruction shall develop and periodically
11 update a training program on student isolation and restraint for
12 school district boards of directors and the governing bodies of other
13 providers of public educational services.

14 (b) At a minimum, the training program must include the following
15 content: The legal prohibitions and limitations on the use of
16 isolation and restraint on students provided under section 1 of this
17 act; the social-emotional and physical impacts to students and staff
18 resulting from the use of isolation and restraint rather than trauma-
19 informed interventions, such as de-escalation strategies and student-
20 centered, restorative practices; how to assess compliance with
21 section 1 of this act; and options for supporting system improvement
22 by reprioritizing resources.

23 (c) The training program must be developed and updated in
24 partnership with the Washington state school directors' association.

25 (d) The training program must be made available at no cost to
26 school district boards of directors, the governing bodies of other
27 providers of public educational services, and the Washington state
28 school directors' association.

29 (7) (a) By August 1, 2023, and as required by this subsection (7),
30 the office of the superintendent of public instruction shall
31 establish and implement a process for school districts and other
32 providers of public educational services to claim a waiver of the
33 requirements of section 1(4)(b)(i) of this act to permit the
34 isolation of students in grades three through 12 in a locked
35 isolation room. The office of the superintendent of public
36 instruction must grant a waiver to any school district or other
37 provider of public educational services that claims a waiver by
38 August 1, 2023.

39 (b) The office of the superintendent of public instruction shall
40 provide technical assistance to school districts and other providers

1 of public educational services that claims a waiver. Technical
2 assistance must include assisting with the preparation of a
3 professional development plan that supports compliance with the
4 requirements of section 1(4)(b)(i) of this act as soon as possible,
5 but no later than January 1, 2026.

6 (8) Annually by November 1st, and in compliance with RCW
7 43.01.036, the office of the superintendent of public instruction
8 shall report to the appropriate committees of the legislature with a
9 summary of its activities to monitor and support the compliance of
10 school districts and other providers of public educational services
11 with requirements related to prohibited and limited uses of student
12 isolation and restraint under section 1 of this act. The report must
13 describe the progress that school districts and other providers of
14 public educational services have made towards providing professional
15 development to staff as required by section 1(11) of this act. The
16 report must also highlight exemplar school districts and other
17 providers of public educational services using best practices to
18 eliminate the use of isolation and restraint.

19 (9) The office of the superintendent of public instruction shall
20 adopt rules under chapter 34.05 RCW for the implementation of this
21 section.

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

25 NEW SECTION. **Sec. 3.** (1) By December 1, 2024, and in compliance
26 with RCW 43.01.036, with respect to student isolation and restraint-
27 related professional development requirements under sections 1 and 2
28 of this act, the office of the superintendent of public instruction
29 must report to the appropriate committees of the legislature with its
30 progress on developing a professional development deployment strategy
31 and assembling of a network of professional development providers, as
32 well as its assessment of the need and demand for professional
33 development in the coming biennium.

34 (2) This section expires June 30, 2025.

35 NEW SECTION. **Sec. 4.** (1) By December 1, 2023, and in compliance
36 with RCW 43.01.036, the Washington professional educator standards
37 board and the paraeducator board must jointly submit to the
38 appropriate committees of the legislature a plan for integrating into

1 educator preparation programs and paraeducator certificate
2 requirements instruction requirements related to prohibited and
3 limited uses of student isolation and restraint under section 1 of
4 this act.

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

6 NEW SECTION. **Sec. 5.** (1) The office of the superintendent of
7 public instruction must contract with a research entity to study and
8 report on the use of room clears in Washington. The research entity
9 must analyze and report on the impacts of a room clear on the
10 students involved, including those who are removed from the
11 classroom. The report must, at a minimum, consider the impact of room
12 clears on lost instructional time, student mental health, and social-
13 emotional learning. The research entity must also identify and
14 summarize best practices on the use of room clears. The report of the
15 research entity must be submitted by the office of the superintendent
16 of public instruction to the appropriate committees of the
17 legislature by September 1, 2024, in compliance with RCW 43.01.036.

18 (2) This section expires June 30, 2027.

19 **Sec. 6.** 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. 7.** 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. 8.** 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.

21 NEW SECTION. **Sec. 9.** If specific funding for the purposes of
22 this act, referencing this act by bill or chapter number, is not
23 provided by June 30, 2023, in the omnibus appropriations act, this
24 act is null and void.

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