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**SECOND SUBSTITUTE HOUSE BILL 1479**

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**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 and permitted 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) The staff of any school district or other provider of public  
2 educational services is permitted to use physical restraint during  
3 the provision of educational services only when:

4 (i) A student's behavior poses an imminent likelihood of serious  
5 harm to the student or to others;

6 (ii) Less restrictive interventions would be ineffective in  
7 stopping the imminent likelihood of serious harm to the student or to  
8 others;

9 (iii) The physical restraint of the student ends immediately upon  
10 the cessation of the imminent likelihood of serious harm to the  
11 student or to others; and

12 (iv) The least amount of force necessary is used to protect the  
13 student or another person from imminent likelihood of serious harm to  
14 the student or to others.

15 (c) Until August 1, 2025, the staff of any school district or  
16 other provider of public educational services is permitted to isolate  
17 a student in an isolation room, during the provision of educational  
18 services only when:

19 (i) A student's behavior poses an imminent likelihood of serious  
20 harm to the student or to others;

21 (ii) Less restrictive interventions would be ineffective in  
22 stopping the imminent likelihood of serious harm to the student or to  
23 others;

24 (iii) The isolation of the student ends immediately upon the  
25 cessation of the imminent likelihood of serious harm to the student  
26 or to others; and

27 (iv) The least amount of force necessary is used to protect the  
28 student or another person from imminent likelihood of serious harm to  
29 the student or to others.

30 (d) Neither a student nor the student's parent or legal guardian  
31 may consent, or be asked to consent, to the use of isolation or  
32 restraint that is prohibited under this subsection (2).

33 (e) Nothing in this subsection (2) prohibits a school resource  
34 officer as defined in RCW 28A.320.124 from carrying out the lawful  
35 duties of a commissioned law enforcement officer.

36 (3) **Isolation rooms.**

37 (a)(i) Except as provided in (ii) of this subsection (a),  
38 beginning August 1, 2023, school districts and other providers of  
39 public educational services shall require that doors to isolation  
40 rooms always remain unlocked to the occupants.

1 (ii) With regard to isolation of students in grades six through  
2 12 in a locked isolation room, a school district or other provider of  
3 public educational services that notifies the office of the  
4 superintendent of public instruction, by August 1, 2023, of its  
5 intent to apply for a time limited waiver of the requirements of  
6 (a)(i) of this subsection (3) is not required to comply with the  
7 requirements of (a)(i) of this subsection (3) until after it applies  
8 to the office of the superintendent of public instruction as  
9 described in section 2 of this act, which must be within 90 days of  
10 providing its notice, and the office of the superintendent of public  
11 instruction either: (A) Grants a time limited waiver that expires no  
12 later than August 1, 2025; or (B) denies the application for a waiver  
13 and sets a deadline for compliance with the requirements of (a)(i) of  
14 this subsection (3).

15 (b) School districts and other providers of public educational  
16 services are prohibited from constructing isolation rooms or other  
17 settings for the purpose of isolating a student.

18 (c) By August 1, 2025, school districts and other providers of  
19 public educational services shall remove or repurpose all isolation  
20 rooms.

21 (d) The provisions of this subsection (3) do not apply to a  
22 state-operated psychiatric hospital that serves students.

23 (4) **Notifications.** After each incident of isolation or restraint,  
24 whether prohibited or permitted, the following notifications must be  
25 made:

26 (a) Immediately following the release of the student from  
27 isolation or restraint, the staff who used, or directed the use of,  
28 isolation or restraint shall notify the principal, other building  
29 administrator, or designee of the provider of public educational  
30 services about the incident;

31 (b) The principal, other building administrator, or designee of  
32 the provider of public educational services shall notify the  
33 student's parent or legal guardian about the incident, within 24  
34 hours of the incident, and shall send written documentation to the  
35 parent or legal guardian, within three business days of the incident;  
36 and

37 (c) With regard to use of prohibited isolation or restraint, the  
38 principal, other building administrator, or designee of the provider  
39 of public educational services shall notify the following people or  
40 entities about the incident: (i) The school district superintendent

1 or other chief administrator of the provider of public educational  
2 services, within one business day of the incident; (ii) the office of  
3 the superintendent of public instruction, within three business days  
4 of incident; and (iii) if the school district or other provider of  
5 public educational services is a contractor, the contractee, within  
6 three business days of the incident.

7 (5) **Incident reviews.** After every incident of isolation or  
8 restraint, whether prohibited or permitted, the following incident  
9 reviews must be completed.

10 (a) As soon as practicable, but no later than one week following  
11 submission of the incident report as required under subsection (6)(a)  
12 of this section, the principal, other building administrator, or  
13 designee of the provider of public educational services shall review  
14 the incident with the student and the student's parent or legal  
15 guardian to discuss relevant events that occurred before, during, and  
16 after the incident, and to inform the student's parent or legal  
17 guardian about behavioral intervention planning that must be  
18 completed under subsection (7) of this section.

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

23 (c) As soon as practicable following the release of a student  
24 from isolation or restraint, a team of staff, including the staff who  
25 used, or directed the use of, isolation or restraint, shall review  
26 the incident to, among other things:

27 (i) Provide the staff who used, or directed the use of, isolation  
28 or restraint with an opportunity to reflect, process, and recover;

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

30 (iii) Identify additional training, coaching, or assistance that  
31 may support staff who used, or directed the use of, isolation or  
32 restraint to use less restrictive interventions in similar situations  
33 in the future.

34 (6) **Reports.** The following reports related to incidents of  
35 isolation and restraint, whether prohibited or permitted, and  
36 incidents of room clears must be prepared and submitted.

37 (a) Within two business days of the incident, staff who used, or  
38 directed the use of, isolation, restraint, or a room clear shall  
39 prepare and submit a written report of the incident to the school  
40 district superintendent or other chief administrator of the provider

1 of public educational services. At a minimum, the written report must  
2 include:

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

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

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

8 (iv) A description of relevant events that occurred before,  
9 during, and after the incident, including any less restrictive  
10 interventions attempted;

11 (v) Information about any known physical injuries or  
12 psychological trauma experienced by the student or staff due to the  
13 incident, including whether medical care was sought or received, and  
14 whether staff requested or used leave benefits;

15 (vi) Recommended preventative actions for the staff or the  
16 provider of public educational services to take to prevent similar,  
17 future incidents; and

18 (vii) Other information as required by rule of the office of the  
19 superintendent of public instruction.

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

33 (c) The school district superintendent or other chief  
34 administrator of a provider of public educational services must  
35 submit incident report data and summaries prepared under (a) and (b)  
36 of this subsection (6), at the time and in the manner required by the  
37 office of the superintendent of public instruction.

38 (7) **Behavioral intervention plan.** After every incident of  
39 isolation or restraint, whether prohibited or permitted, the

1 following activities related to behavioral intervention planning must  
2 be completed.

3 (a) As soon as practicable following the release of a student  
4 from isolation or restraint, staff shall:

5 (i) Complete a functional behavioral assessment, unless a  
6 functional behavioral assessment was previously completed for the  
7 behavior of concern; and

8 (ii) Develop a behavioral intervention plan or, if a behavioral  
9 intervention plan has already been developed, review the behavioral  
10 intervention plan and modify it as necessary to address the student's  
11 behavior of concern.

12 (b) Nothing in this subsection (7) limits the application of  
13 behavioral intervention plans to students with individualized  
14 education programs under Part B of the federal individuals with  
15 disabilities education act, Title 20 U.S.C. Sec. 1400 et seq.

16 **(8) Policies and procedures.**

17 (a) The school district board of directors or other governing  
18 body of a provider of public educational services shall adopt a  
19 student isolation and restraint policy and procedures that meets the  
20 requirements of this section. The procedures must include a process  
21 for convening a team of staff to review every incident of isolation  
22 or restraint using a systems improvement approach that focuses on  
23 supporting staff to use less restrictive interventions as  
24 alternatives to isolation and restraint.

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

31 **(9) Professional development plans.**

32 (a)(i) By January 30, 2024, the school district superintendent or  
33 other chief administrator of a provider of public educational  
34 services, or the school district board of directors or other  
35 governing body of a provider of public educational services, shall  
36 prepare and submit to the office of the superintendent of public  
37 instruction a staff professional development plan and timeline as  
38 required by this subsection (9).

39 (ii) By August 31, 2024, and by August 31st annually thereafter,  
40 an update on the implementation of its staff professional development

1 plan must be submitted to the office of the superintendent of public  
2 instruction.

3 (b) (i) The plan must include professional development on the  
4 following topics:

5 (A) The student isolation and restraint policy and procedure  
6 adopted under subsection (8) of this section;

7 (B) Evidence-based, trauma-informed, student-centered, proactive  
8 crisis prevention and intervention practices that are less  
9 restrictive than isolation and restraint, such as de-escalation  
10 strategies;

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

13 (D) Evidence-based, systemic approaches to eliminating use of  
14 prohibited isolation and restraint, to reduce the use of physical  
15 restraint, and to eliminate disparities in use of prohibited or  
16 permitted isolation and restraint, such as multitiered systems of  
17 support and universal design for learning.

18 (ii) The plan and any updates must describe the professional  
19 development that will be provided to staff during the following  
20 school year. Any professional development programs and resources  
21 provided to staff must be chosen from the list developed by the  
22 office of the superintendent of public instruction as required by  
23 section 2 of this act.

24 (iii) Example modes of professional development include:  
25 Trainings provided by the office of the superintendent of public  
26 instruction, educational service districts, the school district or  
27 other provider of public educational services; pursuit of credentials  
28 through formal education programs; working with a mentor or coach;  
29 and involvement in professional learning communities. Nothing in this  
30 subsection (9) requires all staff to be provided identical or  
31 equivalent professional development. Rather, professional development  
32 content, intensity, duration, and frequency must be appropriate to  
33 each staff type, staff experience, and staff assignment, and must be  
34 informed by the incident reviews completed under subsection (5) of  
35 this section.

36 (iv) To the extent the use of the funds is not specified in RCW  
37 28A.415.445 or the omnibus operating appropriations act, school  
38 districts and other providers of public educational services that  
39 receive funding for professional learning days under RCW 28A.150.415  
40 may use this funding to meet the requirements of this subsection (9).

1 (c) Professional development must be prioritized to staff in the  
2 following order:

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

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

7 (iii) Third to all other staff.

8 (d) The plan must describe the mechanism used to determine  
9 whether an entity under contract to provide educational services to  
10 students is training the contractor's staff as required by this  
11 subsection (9).

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

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

19 (b) On an annual basis, the school district board of directors or  
20 other governing body of a provider of public educational services  
21 shall monitor the impact of the policy and procedures adopted under  
22 subsection (8) of this section by, at a minimum: (i) Performing trend  
23 analyses using the summary of incident reports prepared by the school  
24 district superintendent or other chief administrator of the provider  
25 of public educational services under subsection (6) of this section;  
26 and (ii) reviewing the professional development plan and updates  
27 prepared under subsection (9) of this section.

28 (11) **Rules.** The office of the superintendent of public  
29 instruction shall adopt rules under chapter 34.05 RCW for the  
30 implementation of this section.

31 (12) **Definitions.** The definitions in this subsection apply  
32 throughout this section unless the context clearly requires  
33 otherwise.

34 (a) "Behavioral intervention plan" means the individualized plan  
35 developed for a student and implemented by staff for the purpose of  
36 changing, replacing, modifying, or eliminating a student's behavior  
37 or behaviors of concern.

38 (b) "Chemical restraint" means a drug or chemical administered by  
39 staff to a student to control the student's behavior or restrict the  
40 student's freedom of movement that is: (i) Not prescribed by a



1 licensed health professional acting within the scope of the practice  
2 of that health profession for the standard treatment of a student's  
3 medical or psychiatric condition; (ii) not administered by a licensed  
4 health professional acting within the scope of the practice of that  
5 health profession; or (iii) not administered in accordance with the  
6 student's medical or psychiatric treatment plan.

7 (c) "Educational service" means instruction and other activities  
8 delivered or sponsored by a school district or other provider of  
9 public educational services, for example: General education services;  
10 special education services; medical services; safety and security  
11 services; transportation services; and any developmental, corrective,  
12 or other supportive services necessary for a student eligible for  
13 special education services to benefit from special education  
14 services.

15 (d) "Functional behavioral assessment" means the process or  
16 evaluation used by staff to understand the cause or purpose of a  
17 student's specific behavior or behaviors of concern in a specific  
18 environment.

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

21 (f) "Isolation," also known as seclusion, means the involuntary  
22 isolation of a student, by staff, in an isolation room from which the  
23 student is not free to leave. "Isolation" does not include a time  
24 away, which is a student-selected behavior management technique that  
25 provides a student with an opportunity for self-calming, where the  
26 student is separated from others for a limited period, in a setting  
27 that is staff-monitored and from which the student may leave at any  
28 time.

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

31 (h) "Likelihood of serious harm to the student or to others"  
32 means a substantial risk that:

33 (i) Harm will be inflicted by a person upon his or her own  
34 person, as evidenced by threats or attempts to commit suicide, or  
35 inflict harm on oneself; or

36 (ii) Harm will be inflicted by a person upon another, as  
37 evidenced by behavior that places another person or persons in  
38 reasonable fear of sustaining such harm.

39 (i) "Mechanical restraint" means staff use of a device to  
40 restrict a student's freedom of movement. "Mechanical restraint" does

1 not include: (i) A device used by staff or a student: As prescribed  
2 by a licensed health professional acting within the scope of the  
3 practice of that health profession; as documented in a student's  
4 individualized education program under Part B of the federal  
5 individuals with disabilities education act, Title 20 U.S.C. Sec.  
6 1400 et seq. or a student's plan developed under section 504 of the  
7 rehabilitation act of 1973; or for a specific therapeutic,  
8 orthopedic, or medical purpose, when used for its designed purpose;  
9 or (ii) the use of vehicle safety restraints when used as intended  
10 during the transport of a student in a moving vehicle.

11 (j) "Physical escort" means the temporary touching or holding of  
12 a student's hand, wrist, arm, shoulder, or back by staff, without the  
13 use of force, for the purpose of directing the student to a safe or  
14 otherwise appropriate location.

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

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

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

26 (i) Chemical restraint;

27 (ii) Mechanical restraint;

28 (iii) Beginning August 2, 2025, isolation;

29 (iv) Physical restraint or physical escort that is life-  
30 threatening, restricts breathing, or restricts blood flow to the  
31 brain, including prone, supine, and wall restraints;

32 (v) Isolation or physical restraint that is contraindicated based  
33 on the student's disability or health care needs or medical or  
34 psychiatric condition as documented in:

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

36 (B) A behavioral intervention plan;

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

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

3 (vi) Corporal punishment as prohibited by RCW 28A.150.300; and

4 (vii) Noxious spray and other aversive intervention as prohibited  
5 in rule of the office of the superintendent of public instruction.

6 (n) "Provider of public educational services" means any entity  
7 that directly operates, or provides educational services under  
8 contract to, an elementary or secondary school program that receives  
9 public funds from the office of the superintendent of public  
10 instruction. "Provider of public educational services" includes a  
11 school district, public school as defined in RCW 28A.150.010, an  
12 educational service district, an institutional education provider as  
13 defined in RCW 28A.190.005, a public agency or private entity  
14 providing educational services under contract with any other provider  
15 of public educational services, and any providers of services in  
16 accordance with Part B of the federal individuals with disabilities  
17 education act, Title 20 U.S.C. Sec. 1400 et seq. In addition,  
18 "provider of public educational services" includes the state school  
19 for the blind and the center for deaf and hard of hearing youth  
20 established under RCW 72.40.010.

21 (o) "Restraint" includes chemical restraint, mechanical  
22 restraint, and physical restraint.

23 (p) "Room clear" means the procedure used by staff in an  
24 emergency to direct all students, except for any students causing the  
25 emergency, to leave a room.

26 (q) "Staff" means an employee or contractor of a school district  
27 or other provider of public educational services. "Staff" does not  
28 include licensed or certified health professionals of inpatient  
29 health care facilities.

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

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

34 (1) As required by this section, the office of the superintendent  
35 of public instruction shall monitor and support the compliance of  
36 school districts and other providers of public educational services  
37 with requirements related to prohibited or permitted uses of student  
38 isolation and restraint under section 1 of this act.

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

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

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

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

21 (ii) Identifying and publishing a list of professional  
22 development programs and resources that meet the requirements of  
23 section 1 of this act;

24 (iii) Providing or contracting for the provision of professional  
25 development that meets the requirements of section 1 of this act. The  
26 office of the superintendent of public instruction shall establish  
27 criteria for the prioritization of provision of professional  
28 development that gives priority to: (A) School districts and other  
29 providers of public educational services that were approved for a  
30 waiver under subsection (7) of this section; (B) staff who provide  
31 educational services to students in prekindergarten through grade  
32 five; and (C) school districts and other providers of public  
33 educational services with high incidents of isolation, restraint, or  
34 room clears; and

35 (iv) When appropriate, completing site visits and providing on-  
36 site coaching.

37 (b) Prior to implementing the technical assistance described in  
38 (a) of this subsection (4), and periodically thereafter, the office  
39 of the superintendent of public instruction shall collaborate with  
40 statewide associations representing school administrators, classified

1 staff, and certificated staff to conduct focus groups for the purpose  
2 of better understanding staff challenges related to implementation of  
3 section 1 of this act.

4 (5) When a school district or other provider of public  
5 educational services is not making sufficient progress towards the  
6 goals established in its professional development plan or when  
7 disparities in use of isolation or restraint are identified in its  
8 incident report data, the office of the superintendent of public  
9 instruction shall place the school district or other provider of  
10 public educational services on a plan of improvement. Under a plan of  
11 improvement, the office of the superintendent of public instruction  
12 shall provide targeted technical assistance, including annual site  
13 visits, until the school district or other provider of public  
14 educational services meets its professional development plan goals,  
15 or eliminates disparities in use of isolation or restraint, or both.

16 (6)(a) As required by this subsection (6), the office of the  
17 superintendent of public instruction shall develop and periodically  
18 update a training program on student isolation and restraint for  
19 school district boards of directors and the governing bodies of other  
20 providers of public educational services.

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

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

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

36 (7)(a) By August 1, 2023, and as required by this subsection (7),  
37 the office of the superintendent of public instruction shall  
38 establish a process for school districts and other providers of  
39 public educational services to apply for a time limited waiver, which  
40 expires no later than August 1, 2025, of the requirements of section

1 1(3)(a)(i) of this act that permits the isolation of students in  
2 grades six through 12 in a locked isolation room.

3 (b) The office of the superintendent of public instruction shall  
4 provide technical assistance to school districts and other providers  
5 of public educational services that have notified the office by July  
6 1, 2023, of their intent to apply for a waiver. Technical assistance  
7 must include providing assistance with the preparation of a  
8 professional development plan that supports compliance with the  
9 requirements of section 1(3)(a)(i) of this act as soon as possible,  
10 but no later than the end of an approved waiver period.

11 (c) The office of the superintendent of public instruction shall  
12 notify applicants as soon as possible whether their application has  
13 been approved or denied. If the office of the superintendent of  
14 public instruction denies an application, it must set a deadline for  
15 the school district or other provider of public educational services  
16 to comply with the requirements of section 1(3)(a)(i) of this act and  
17 notify the school district or other provider of public educational  
18 services of the compliance deadline as soon as possible.

19 (d) School districts and other providers of public educational  
20 services granted a waiver under this subsection (7) must provide  
21 professional development to staff and conduct other activities  
22 necessary to comply with the requirements of section 1(3)(a)(i) of  
23 this act by the end of the approved waiver period.

24 (8) Annually by November 1st, and in compliance with RCW  
25 43.01.036, the office of the superintendent of public instruction  
26 shall report to the appropriate committees of the legislature with a  
27 summary of its activities to monitor and support the compliance of  
28 school districts and other providers of public educational services  
29 with requirements related to prohibited or permitted uses of student  
30 isolation and restraint under section 1 of this act. The report must  
31 describe the progress that school districts and other providers of  
32 public educational services have made towards training staff as  
33 required by section 1 of this act. The report must also highlight  
34 exemplar school districts and other providers of public educational  
35 services using best practices to eliminate use of isolation and  
36 restraint.

37 (9) The office of the superintendent of public instruction shall  
38 adopt rules under chapter 34.05 RCW for the implementation of this  
39 section.

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

4 NEW SECTION. **Sec. 3.** (1) By December 1, 2024, and in compliance  
5 with RCW 43.01.036, with respect to student isolation and restraint-  
6 related professional development requirements under sections 1 and 2  
7 of this act, the office of the superintendent of public instruction  
8 must report to the appropriate committees of the legislature its  
9 progress on developing a professional development deployment strategy  
10 and assembling of a network of professional development providers, as  
11 well as its assessment of the need and demand for professional  
12 development in the coming biennium.

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

14 NEW SECTION. **Sec. 4.** (1) By December 1, 2023, and in compliance  
15 with RCW 43.01.036, the Washington professional educator standards  
16 board and the paraeducator board must jointly submit to the  
17 appropriate committees of the legislature a plan for integrating into  
18 educator preparation programs and paraeducator certificate  
19 requirements instruction on the provisions of section 1 of this act.

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

21 NEW SECTION. **Sec. 5.** (1) The office of the superintendent of  
22 public instruction must contract with a research entity to analyze  
23 and report on the impacts of a room clear on students who are removed  
24 from the classroom. The report must, at a minimum, consider the  
25 impact of room clears on lost instructional time, student mental  
26 health, and social-emotional learning. The office of the  
27 superintendent of public instruction must submit the report to the  
28 appropriate committees of the legislature by September 1, 2026.

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

30 **Sec. 6.** RCW 28A.155.210 and 2013 c 202 s 3 are each amended to  
31 read as follows:

32 A school that is required to develop an individualized education  
33 program as required by federal law must include within the plan  
34 procedures for notification of, and incident review with, a parent or  
35 legal guardian regarding the use of restraint or isolation as  
36 provided under section 1 of this act.

1       **Sec. 7.** RCW 28A.310.515 and 2021 c 38 s 4 are each amended to  
2 read as follows:

3       (1)(a) A safety and security staff training program is  
4 established. The program must be jointly developed by the educational  
5 service districts, but may be administered primarily by one or more  
6 educational service districts. The program must meet the requirements  
7 of this section.

8       (b) When developing the safety and security staff training  
9 program, the educational service districts should engage with the  
10 state school safety center established in RCW 28A.300.630 and the  
11 school safety and student well-being advisory committee established  
12 in RCW 28A.300.635.

13       (2) The educational service districts must identify or develop  
14 classroom training on the following subjects:

15       (a) Constitutional and civil rights of children in schools,  
16 including state law governing search and interrogation of youth in  
17 schools;

18       (b) Child and adolescent development;

19       (c) Trauma-informed approaches to working with youth;

20       (d) Recognizing and responding to youth mental health issues;

21       (e) Educational rights of students with disabilities, the  
22 relationship of disability to behavior, and best practices for  
23 interacting with students with disabilities;

24       (f) Bias free policing and cultural competency, including best  
25 practices for interacting with students from particular backgrounds,  
26 including English learner, LGBTQ, immigrant, female, and nonbinary  
27 students;

28       (g) Local and national disparities in the use of force and  
29 arrests of children;

30       (h) Collateral consequences of arrest, referral for prosecution,  
31 and court involvement;

32       (i) Resources available in the community that serve as  
33 alternatives to arrest and prosecution and pathways for youth to  
34 access services without court or criminal justice involvement;

35       (j) De-escalation techniques when working with youth or groups of  
36 youth;

37       (k) State law regarding restraint and isolation in schools,  
38 including (~~RCW 28A.600.485~~) section 1 of this act;



1 (1) The federal family educational rights and privacy act (20  
2 U.S.C. Sec. 1232g) requirements including limits on access to and  
3 dissemination of student records for noneducational purposes; and

4 (m) Restorative justice principles and practices.

5 (3) The educational service districts must provide, or arrange  
6 for the delivery of, classroom training on the subjects listed in  
7 subsection (2) of this section. At a minimum, classroom trainings on  
8 each subject must be provided annually, remotely, synchronously or  
9 asynchronously, and by at least one educational service district.  
10 Classroom training may be provided on a fee-for-service basis and  
11 should be self-supporting.

12 (4) The educational service districts must provide to safety and  
13 security staff, upon request, documentation that the safety and  
14 security staff training series described in RCW 28A.400.345(2) has  
15 been completed. Before providing this training series documentation,  
16 completion of each component of the training series must be verified  
17 or, in the case of safety and security staff with significant prior  
18 training and experience, waived.

19 (5) The educational service districts must develop and publish  
20 guidelines for on-the-job training and check-in training that include  
21 recommendations for identifying and recruiting experienced safety and  
22 security staff to provide the trainings, suggested activities during  
23 on-the-job trainings, and best practices for meaningful check-in  
24 trainings. The guidelines for check-in training must also include  
25 recommended frequency, possible topics of discussion, and options for  
26 connecting virtually.

27 (6) For purposes of this section, the term "safety and security  
28 staff" has the same meaning as in RCW 28A.320.124.

29 NEW SECTION. **Sec. 8.** RCW 28A.600.485 (Restraint of students—Use  
30 of restraint or isolation specified in individualized education  
31 programs or plans developed under section 504 of the rehabilitation  
32 act of 1973—Procedures—Summary of incidents of isolation or  
33 restraint—Publishing to website) and 2015 c 206 s 3 & 2013 c 202 s 2  
34 are each repealed.

35 NEW SECTION. **Sec. 9.** If specific funding for the purposes of  
36 this act, referencing this act by bill or chapter number, is not

1 provided by June 30, 2023, in the omnibus appropriations act, this  
2 act is null and void.

--- **END** ---