
FOURTH SUBSTITUTE HOUSE BILL 1479

State of Washington

68th Legislature

2024 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 02/05/24.

1 AN ACT Relating to restraint or isolation of students in public
2 schools and educational programs; amending RCW 28A.600.485,
3 28A.600.486, and 28A.155.210; adding new sections to chapter 28A.600
4 RCW; adding new sections to chapter 28A.300 RCW; adding a new section
5 to chapter 28A.310 RCW; creating new sections; and providing
6 expiration dates.

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

8 PURPOSE OF ACT

9 NEW SECTION. **Sec. 1.** The purposes of this act are to: Protect
10 students from physically harmful and emotionally traumatic practices
11 of chemical restraint, mechanical restraint, and isolation; prohibit
12 the 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.

DEFINITIONS

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

The definitions in this section apply throughout RCW 28A.600.485, 28A.600.486, and 28A.155.210, and sections 4 and 6 through 12 of this act unless the context clearly requires otherwise.

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

(2) "Chemical restraint" means a drug or chemical administered by staff to a student to control the student's behavior or restrict the student's freedom of movement that is not: (a) Prescribed by a licensed health professional acting within the scope of the practice of that health profession for the standard treatment of a student's medical or psychiatric condition; (b) administered by a licensed health professional acting within the scope of the practice of that health profession; or (c) administered in accordance with the student's medical or psychiatric treatment plan.

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

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

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

(6) "Isolation," also known as seclusion, means the involuntary separation of a student from all other people, by staff, in a room or other enclosed area from which the student is not free to leave. "Isolation" does not include a time away, which is a student-selected behavior management technique that provides a student with an opportunity for self-calming, where the student is separated from

1 others for a limited period, in a setting that is staff-monitored and
2 from which the student may leave at any time.

3 (7) "Likelihood of serious harm" means a substantial risk that:

4 (a) Harm will be inflicted by the student upon his or her own
5 person, as evidenced by threats or attempts to commit suicide, or
6 inflict harm on oneself; or

7 (b) Harm will be inflicted by the student upon another, as
8 evidenced by behavior that places another person or persons in
9 reasonable fear of sustaining such harm.

10 (8) "Mechanical restraint" means staff use of a device to
11 restrict a student's freedom of movement. "Mechanical restraint" does
12 not include: (a) A device used by staff or a student: (i) As
13 prescribed by a licensed health professional acting within the scope
14 of the practice of that health profession; (ii) as documented in a
15 student's individualized education program under Part B of the
16 federal individuals with disabilities education act, Title 20 U.S.C.
17 Sec. 1400 et seq. or a student's plan developed under section 504 of
18 the rehabilitation act of 1973; or (iii) for a specific therapeutic,
19 orthopedic, or medical purpose, when used for its designed purpose;
20 or (b) the use of vehicle safety restraints when used as intended
21 during the transport of a student in a moving vehicle.

22 (9) "Physical escort" means the temporary touching or holding of
23 a student's hand, wrist, arm, shoulder, or back by staff for the
24 purpose of directing the student to a safe or otherwise appropriate
25 location.

26 (10) "Physical prompt" means a teaching technique used by staff
27 that involves voluntary physical contact with a student for the
28 purpose of enabling the student to learn or model the physical
29 movement necessary for the development of a desired competency.

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

35 (12) "Provider of public educational services" means any entity
36 that directly operates, or provides educational services under
37 contract to, an elementary or secondary school program that receives
38 public funds from the office of the superintendent of public
39 instruction. "Provider of public educational services" includes a
40 school district, public school as defined in RCW 28A.150.010, an

1 educational service district, an institutional education provider as
2 defined in RCW 28A.190.005, a public agency or private entity
3 providing educational services under contract with any other provider
4 of public educational services, an authorized entity as defined in
5 RCW 28A.300.690, and any providers of services in accordance with
6 Part B of the federal individuals with disabilities education act,
7 Title 20 U.S.C. Sec. 1400 et seq. In addition, "provider of public
8 educational services" includes the state school for the blind and the
9 center for deaf and hard of hearing youth established under RCW
10 72.40.010.

11 (13) "Restraint" includes chemical restraint, mechanical
12 restraint, and physical restraint.

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

18 (15) "Staff" means an employee or contractor of a school district
19 or other provider of public educational services. "Staff" does not
20 include licensed or certified health professionals of inpatient
21 health care facilities.

22 (16) "Students" means children and youth served by a school
23 district or other provider of public educational services.

24 USE OF STUDENT ISOLATION AND RESTRAINT

25 **Sec. 3.** RCW 28A.600.485 and 2015 c 206 s 3 are each amended to
26 read as follows:

27 (1) ~~((The definitions in this subsection apply throughout this~~
28 ~~section unless the context clearly requires otherwise.~~

29 ~~(a) "Isolation" means restricting the student alone within a room~~
30 ~~or any other form of enclosure, from which the student may not leave.~~
31 ~~It does not include a student's voluntary use of a quiet space for~~
32 ~~self-calming, or temporary removal of a student from his or her~~
33 ~~regular instructional area to an unlocked area for purposes of~~
34 ~~carrying out an appropriate positive behavior intervention plan.~~

35 ~~(b) "Restraint" means physical intervention or force used to~~
36 ~~control a student, including the use of a restraint device to~~
37 ~~restrict a student's freedom of movement. It does not include~~
38 ~~appropriate use of a prescribed medical, orthopedic, or therapeutic~~

1 device when used as intended, such as to achieve proper body
2 position, balance, or alignment, or to permit a student to safely
3 participate in activities.

4 (c) "Restraint device" means a device used to assist in
5 controlling a student, including but not limited to metal handcuffs,
6 plastic ties, ankle restraints, leather cuffs, other hospital-type
7 restraints, pepper spray, tasers, or batons. Restraint device does
8 not mean a seat harness used to safely transport students. This
9 section shall not be construed as encouraging the use of these
10 devices.

11 (2) The provisions of this section apply to all students,
12 including those who have an individualized education program or plan
13 developed under section 504 of the rehabilitation act of 1973. The
14 provisions of this section apply only to incidents of restraint or
15 isolation that occur while a student is participating in school-
16 sponsored instruction or activities.

17 (3) (a) An individualized education program or plan developed
18 under section 504 of the rehabilitation act of 1973 must not include
19 the use of restraint or isolation as a planned behavior intervention
20 unless a student's individual needs require more specific advanced
21 educational planning and the student's parent or guardian agrees. All
22 other plans may refer to the district policy developed under
23 subsection (3) (b) of this section. Nothing in this section is
24 intended to limit the provision of a free appropriate public
25 education under Part B of the federal individuals with disabilities
26 education improvement act or section 504 of the federal
27 rehabilitation act of 1973.

28 (b) Restraint or isolation of any student is permitted only when
29 reasonably necessary to control spontaneous behavior that poses an
30 imminent likelihood of serious harm, as defined in RCW 70.96B.010.
31 Restraint or isolation must be closely monitored to prevent harm to
32 the student, and must be discontinued as soon as the likelihood of
33 serious harm has dissipated. Each school district shall adopt a
34 policy providing for the least amount of restraint or isolation
35 appropriate to protect the safety of students and staff under such
36 circumstances.

37 (4) Following the release of a student from the use of restraint
38 or isolation, the school must implement follow-up procedures. These
39 procedures must include: (a) Reviewing the incident with the student
40 and the parent or guardian to address the behavior that precipitated

1 ~~the restraint or isolation and the appropriateness of the response;~~
2 ~~and (b) reviewing the incident with the staff member who administered~~
3 ~~the restraint or isolation to discuss whether proper procedures were~~
4 ~~followed and what training or support the staff member needs to help~~
5 ~~the student avoid similar incidents.~~

6 ~~(5) Any school employee, resource officer, or school security~~
7 ~~officer who uses isolation or restraint on a student during school-~~
8 ~~sponsored instruction or activities must inform the building~~
9 ~~administrator or building administrator's designee as soon as~~
10 ~~possible, and within two business days submit a written report of the~~
11 ~~incident to the district office. The written report must include, at~~
12 ~~a minimum, the following information:~~

13 ~~(a) The date and time of the incident;~~

14 ~~(b) The name and job title of the individual who administered the~~
15 ~~restraint or isolation;~~

16 ~~(c) A description of the activity that led to the restraint or~~
17 ~~isolation;~~

18 ~~(d) The type of restraint or isolation used on the student,~~
19 ~~including the duration;~~

20 ~~(e) Whether the student or staff was physically injured during~~
21 ~~the restraint or isolation incident and any medical care provided;~~
22 ~~and~~

23 ~~(f) Any recommendations for changing the nature or amount of~~
24 ~~resources available to the student and staff members in order to~~
25 ~~avoid similar incidents.~~

26 ~~(6) The principal or principal's designee must make a reasonable~~
27 ~~effort to verbally inform the student's parent or guardian within~~
28 ~~twenty-four hours of the incident, and must send written notification~~
29 ~~as soon as practical but postmarked no later than five business days~~
30 ~~after the restraint or isolation occurred. If the school or school~~
31 ~~district customarily provides the parent or guardian with school-~~
32 ~~related information in a language other than English, the written~~
33 ~~report under this section must be provided to the parent or guardian~~
34 ~~in that language.~~

35 ~~(7) (a) Beginning January 1, 2016, and by January 1st annually,~~
36 ~~each school district shall summarize the written reports received~~
37 ~~under subsection (5) of this section and submit the summaries to the~~
38 ~~office of the superintendent of public instruction. For each school,~~
39 ~~the school district shall include the number of individual incidents~~
40 ~~of restraint and isolation, the number of students involved in the~~

1 incidents, the number of injuries to students and staff, and the
2 types of restraint or isolation used.

3 (b) No later than ninety days after receipt, the office of the
4 superintendent of public instruction shall publish to its website the
5 data received by the districts. The office of the superintendent of
6 public instruction may use this data to investigate the training,
7 practices, and other efforts used by schools and districts to reduce
8 the use of restraint and isolation.)

9 Application. This section applies during the provision of
10 educational services:

11 (a) To all students, including those who have an individualized
12 education program or plan developed under section 504 of the
13 rehabilitation act of 1973, of a school district or other provider of
14 public educational services; and

15 (b) To all staff of a school district or other provider of public
16 educational services, except for staff who are licensed or certified
17 health professionals of an inpatient health care facility.

18 (2) **Prohibited isolation and restraint.** (a) The staff of any
19 school district or other provider of public educational services are
20 prohibited from using the following interventions on any student
21 during the provision of educational services:

22 (i) Chemical restraint;

23 (ii) Corporal punishment as prohibited by RCW 28A.150.300;

24 (iii) Isolation or physical restraint that is contraindicated
25 based on the student's disability or health care needs or medical or
26 psychiatric condition as documented in:

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

28 (B) A behavioral intervention plan;

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

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

34 (iv) Mechanical restraint;

35 (v) Physical restraint or physical escort that is life-
36 threatening, restricts breathing, or restricts blood flow to the
37 brain, including prone, supine, and wall restraints; and

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

1 (b) Except as authorized under subsection (4)(b) of this section,
2 neither a student nor the student's parent or legal guardian may
3 consent, or be asked to consent, to the use of interventions that are
4 prohibited under this subsection (2).

5 (3) **Limited use of physical restraint.** The staff of any school
6 district or other provider of public educational services may
7 physically restrain a student during the provision of educational
8 services only when:

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

11 (b) Less restrictive interventions would be ineffective in
12 stopping the imminent likelihood of serious harm to the student or to
13 others;

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

17 (d) The physical restraint of the student ends immediately upon
18 the cessation of the imminent likelihood of serious harm to the
19 student or to others.

20 (4) **Limited use of isolation.** (a) Subject to the limitations in
21 (b) of this subsection (4), the staff of any school district or other
22 provider of public educational services may isolate a student during
23 the provision of educational services only when:

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

26 (ii) Less restrictive interventions would be ineffective in
27 stopping the imminent likelihood of serious harm to the student or to
28 others;

29 (iii) The least amount of force necessary is used to protect the
30 student or another person from an imminent likelihood of serious harm
31 to the student or to others;

32 (iv) The isolation of the student ends immediately upon the
33 cessation of the imminent likelihood of serious harm to the student
34 or to others; and

35 (v) Beginning August 1, 2029, the staff isolating the student has
36 received intensive crisis prevention and response training through a
37 program approved by the office of the superintendent of public
38 instruction under section 7(4) of this act.

39 (b) Except as provided in (c) of this subsection (4), beginning
40 August 1, 2025, the staff of any school district or other provider of

1 public educational services are prohibited from isolating any student
2 in prekindergarten through grade five during the provision of
3 educational services, unless authorized as follows:

4 (i) A health care directive or medical management plan from a
5 licensed health professional who is not employed or contracted with
6 the school district or other provider of public educational services
7 describes the circumstances in which isolation of the student is
8 recommended, under the conditions described in (a) of this subsection
9 (4);

10 (ii) The parent or legal guardian of the student provides fully
11 informed, advanced, written consent for the staff to isolate the
12 student as recommended under (b) (i) of this subsection (4); and

13 (iii) The staff use of isolation on the student complies with the
14 conditions in (a) of this subsection (4).

15 (c) Through July 31, 2029, the limitations of (b) of this
16 subsection (4) do not apply to school districts and other providers
17 of public educational services serving students in any of grades
18 prekindergarten through five that have claimed an exemption using the
19 process established under section 12 of this act. School districts
20 and other providers of public educational services that claim an
21 exemption must: (i) Engage with the technical assistance provided by
22 the office of the superintendent of public instruction; and (ii)
23 provide to staff that may isolate students in prekindergarten through
24 grade five intensive crisis prevention and response training through
25 a program approved by the office of the superintendent of public
26 instruction under section 7(4) of this act.

27 (5) **Isolation rooms.** (a) School districts and other providers of
28 public educational services are prohibited from designing new
29 construction or remodeling buildings to include a room or other
30 enclosed area solely for purposes of isolating a student in any
31 grade.

32 (b) Beginning August 1, 2029, school districts and other
33 providers of public educational services are prohibited from
34 equipping or constructing a room or other enclosed area solely for
35 purposes of isolating a student in prekindergarten through grade
36 five, except to comply with a health care directive or medical
37 management plan under subsection (4) (b) of this section.

38 (c) The provisions of this subsection (5) do not apply to a
39 state-operated psychiatric hospital that serves students.

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

4 (2) **Reviews.** (a) As soon as practicable, but no later than one
5 week following submission of the incident report as required under
6 subsection (3) of this section, the principal, other building
7 administrator, or designee, of the provider of public educational
8 services shall review the incident with the student and the student's
9 parent or legal guardian to discuss relevant events that occurred
10 before, during, and after the incident, and to inform the student's
11 parent or legal guardian about behavioral intervention planning that
12 must be completed under subsection (4) of this section.

13 (b) As soon as practicable, staff must provide the student with
14 an opportunity to meet with a counselor, nurse, psychologist, or
15 social worker to reflect, process, and recover.

16 (c) As soon as practicable, a team of staff, including the staff
17 who used, or directed the use of, isolation, restraint, or a room
18 clear shall review the incident to, among other things:

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

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

23 (iii) Identify additional training, coaching, or assistance that
24 may support staff who used, or directed the use of, isolation,
25 restraint, or a room clear, to use less restrictive interventions in
26 similar situations in the future.

27 (3) **Reports.** (a) Within two business days of the incident, the
28 principal, other building administrator, or designee and the staff
29 who used, or directed the use of, isolation, restraint, or a room
30 clear shall prepare and submit a written report of the incident to
31 the school district superintendent or other chief administrator of
32 the provider of public educational services. At a minimum, the
33 written report must include:

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

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

38 (iii) The type or description of restraint or isolation used, if
39 applicable;

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

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

8 (vi) Information about any known physical injuries or
9 psychological trauma experienced by students or staff due to the
10 incident, including whether medical care was sought or received, and
11 whether staff requested or used leave benefits;

12 (vii) The recommendation of the staff who used, or directed the
13 use of, isolation, restraint, or a room clear for resources and
14 supports to prevent similar, future incidents;

15 (viii) The plan of the principal, building administrator, or
16 designee to support the prevention of similar, future incidents; and

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

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

32 (c) The school district superintendent or other chief
33 administrator of a provider of public educational services must
34 submit incident report data and summaries prepared under (a) and (b)
35 of this subsection (3), at the time and in the manner required by the
36 office of the superintendent of public instruction.

37 (4) **Behavioral intervention plan.** (a) As soon as practicable
38 following the release of a student from isolation or restraint or the
39 return of students following a room clear, staff shall, for the

1 student who was isolated, restrained, or caused the emergency that
2 resulted in a room clear:

3 (i) Complete a functional behavioral assessment, unless a
4 functional behavioral assessment was previously completed for the
5 student's behavior of concern; and

6 (ii) Develop a behavioral intervention plan or, if a behavioral
7 intervention plan has already been developed, review the behavioral
8 intervention plan and modify it as necessary to address the student's
9 behavior of concern. When the student has an individualized education
10 program, the behavioral intervention plan must be developed and
11 modified in accordance with the student's individualized education
12 program.

13 (b) Nothing in this subsection (4) limits behavioral intervention
14 planning for students with individualized education programs under
15 Part B of the federal individuals with disabilities education act,
16 Title 20 U.S.C. Sec. 1400 et seq.

17 POLICY AND PROCEDURES, AND TRAINING FOR SCHOOL BOARDS AND OTHER
18 GOVERNING BODIES

19 **Sec. 5.** RCW 28A.600.486 and 2013 c 202 s 4 are each amended to
20 read as follows:

21 (~~Parents and guardians of children who have individualized~~
22 ~~education programs or plans developed under section 504 of the~~
23 ~~rehabilitation act of 1973 must be provided a copy of the district~~
24 ~~policy on the use of isolation and restraint at the time that the~~
25 ~~program or plan is created.)) (1)(a) The school district board of
26 directors or other governing body of a provider of public educational
27 services shall adopt a student isolation and restraint policy and
28 procedures that meets the requirements of this subsection. The
29 procedures must comply with the requirements in RCW 28A.600.485 and
30 section 4 of this act, and include a process for convening a team of
31 staff to review every incident of isolation or restraint using a
32 systems improvement approach that focuses on supporting staff to use
33 less restrictive interventions as alternatives to isolation and
34 restraint.~~

35 (b) By August 1, 2025, and periodically thereafter, the school
36 district board of directors or other governing body of a provider of
37 public educational services shall review and revise, as necessary,
38 its student isolation and restraint policy and procedures with input

1 from staff, students, students' families, advocacy organizations, and
2 other appropriate members of the community.

3 (c) Parents and guardians of children who have individualized
4 education programs or plans developed under section 504 of the
5 rehabilitation act of 1973 must be provided a copy of the policy and
6 procedures adopted under this subsection (1) at the time that the
7 program or plan is created.

8 (2) 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 (1) of this section by, at a minimum: (a) Performing trend
12 analyses using the summary of incident reports prepared by the school
13 district superintendent or other chief administrator of the provider
14 of public educational services under section 4(3) of this act; and
15 (b) reviewing the professional development plan and updates prepared
16 under section 6 of this act.

17 (3) If the policy and procedures adopted under subsection (1) of
18 this section includes staff isolation of students in any of grades
19 six through 12 under the conditions described in RCW
20 28A.600.485(4) (a), the school district board of directors or other
21 governing body of a provider of public educational services must
22 annually submit the policy and procedures at the time and in the
23 manner required by the office of the superintendent of public
24 instruction.

25 (4) Beginning in the 2024-25 school year, and every four years
26 thereafter, each member of a school district board of directors or
27 other governing body of a provider of public educational services
28 shall complete the training program on student isolation and
29 restraint provided at no cost as required under section 11 of this
30 act.

31 PROFESSIONAL DEVELOPMENT PLANS

32 NEW SECTION. Sec. 6. A new section is added to chapter 28A.600
33 RCW to read as follows:

34 (1)(a) By August 1, 2025, the school district superintendent or
35 other chief administrator of a provider of public educational
36 services, or the school district board of directors or other
37 governing body of a provider of public educational services, shall
38 prepare and submit to the office of the superintendent of public

1 instruction a plan and timeline for staff professional development on
2 the use of isolation and restraint under RCW 28A.600.485 and incident
3 follow-up under section 4 of this act. The goal of the plan must be
4 to reduce overall staff use of student isolation and restraint and to
5 have highly trained staff available to isolate or restrain students
6 when appropriate and in the safest possible manner.

7 (b) By August 1, 2026, and by August 1st annually thereafter, an
8 update on the implementation of its staff professional development
9 plan must be submitted to the office of the superintendent of public
10 instruction.

11 (c) The sample staff training plan developed as required by
12 section 7(4) of this act must be reviewed prior to plan and update
13 development under this subsection (1). In addition, the plan and each
14 update must be informed by the incident reviews completed under
15 section 4(2) of this act.

16 (2)(a) The plan must describe the training and professional
17 development that will be provided or made available to staff during
18 the following school year. Staff training and professional
19 development content, intensity, duration, and frequency must be
20 tiered and differentiated by staff type, experience, and assignment.

21 (b) The plan must explain how staff who have received intensive
22 crisis prevention and response training through a program approved by
23 the office of the superintendent of public instruction under section
24 7(4) of this act are made available to prevent isolation and
25 restraint and to reduce the risk of imminent likelihood of serious
26 harm in the safest possible manner.

27 (c) The plan must describe the mechanism used to determine
28 whether an entity under contract to provide educational services to
29 students is providing training and professional development to the
30 contractor's staff as required by this section.

31 (3)(a) The plan must include provision of training and
32 professional development on the following topics, though nothing in
33 this section requires all staff to be trained on all topics:

34 (i) The policy and procedures adopted under RCW 28A.600.486;

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

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

1 (iv) Evidence-based, systemic approaches, such as a multitiered
2 system of supports and universal design for learning, to eliminate
3 the use of prohibited isolation and restraint, to reduce the use of
4 isolation and physical restraint, and to eliminate disparities in the
5 use of isolation and restraint.

6 (b) Any crisis prevention and response training provided or made
7 available to staff must be selected from the list of approved
8 programs published by the office of the superintendent of public
9 instruction as required by section 7(4) of this act.

10 (c) Example modes of professional development include: Trainings
11 provided by the office of the superintendent of public instruction,
12 educational service districts, the school district, or other provider
13 of public educational services; pursuit of credentials through formal
14 education programs; working with a mentor or coach; and involvement
15 in professional learning communities.

16 (4) Training and professional development must be prioritized to
17 staff in the following order:

18 (a) First to staff providing educational services to students
19 with disabilities in prekindergarten through grade five, with further
20 prioritization informed by the incident reviews completed under
21 section 4(2) of this act;

22 (b) Second to staff providing educational services to students
23 with disabilities in grades six through 12; and

24 (c) Third to all other staff.

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

30 STATE MONITORING AND TECHNICAL ASSISTANCE

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

33 (1) As required by this section, the office of the superintendent
34 of public instruction shall monitor and support the compliance of
35 school districts and other providers of public educational services
36 with requirements related to student isolation and restraint and room
37 clears under RCW 28A.600.485 and 28A.600.486 and sections 4 and 6 of
38 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 6 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 4(3) 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) Ongoing technical assistance must be provided to school
14 districts and other providers of public educational services to
15 support compliance with the requirements related to student isolation
16 and restraint and room clears under RCW 28A.600.485 and 28A.600.486
17 and sections 4 and 6 of this act.

18 (b) At a minimum, this technical assistance must include
19 publishing:

20 (i) Guidance that is updated periodically to support best
21 practices;

22 (ii) An approved list of intensive crisis prevention and response
23 training programs that are evidence-based, trauma-informed, student-
24 centered, and proactive. The school mental health assessment research
25 and training center at the University of Washington must be consulted
26 during the program approval process; and

27 (iii) A sample staff training plan that meets the requirements of
28 section 6 of this act, includes training for different types of
29 classified and certificated staff, and uses the framework of the
30 Washington integrated student supports protocol, established under
31 RCW 28A.300.139, within a multitiered system of supports.

32 (5) Prior to implementing the technical assistance, and
33 periodically thereafter, the office of the superintendent of public
34 instruction shall collaborate with statewide associations
35 representing school administrators, classified staff, and
36 certificated staff to conduct focus groups for the purpose of better
37 understanding staff challenges related to implementation of student
38 isolation and restraint and room clear requirements under RCW
39 28A.600.485 and 28A.600.486 and sections 4 and 6 of this act.

1 (6) Annually by November 1st, and in compliance with RCW
2 43.01.036, the office of the superintendent of public instruction
3 shall report to the appropriate committees of the legislature with a
4 summary of its activities to monitor and support the compliance of
5 school districts and other providers of public educational services
6 with requirements related to student isolation and restraint and room
7 clears under RCW 28A.600.485 and 28A.600.486 and sections 4 and 6 of
8 this act. The report must describe the progress that school districts
9 and other providers of public educational services have made towards
10 providing training and professional development to staff as required
11 by section 6 of this act. The report must also highlight exemplar
12 school districts and other providers of public educational services
13 using best practices to eliminate the use of isolation and restraint.

14 (7) The office of the superintendent of public instruction shall
15 adopt rules under chapter 34.05 RCW for the implementation of this
16 section, sections 2, 4, and 6 through 12 of this act, and RCW
17 28A.600.485, 28A.600.486, and 28A.155.210.

18 STATE-FUNDED TRAININGS

19 NEW SECTION. **Sec. 8.** A new section is added to chapter 28A.300
20 RCW to read as follows:

21 (1) Subject to the availability of amounts appropriated for this
22 specific purpose, the office of the superintendent of public
23 instruction shall provide, or contract for, the provision of
24 intensive crisis prevention and response training through a program
25 approved under section 7(4) of this act.

26 (2) The office of the superintendent of public instruction shall
27 establish the criteria for prioritization and prioritize the training
28 to staff in the following order:

29 (a) Staff in school districts and other providers of public
30 educational services that claimed and were approved for an exemption
31 from the prohibition on isolation of prekindergarten through grade
32 five students under RCW 28A.600.485(4)(b), with further
33 prioritization informed by the incident report data and summaries
34 prepared under section 4(3) of this act;

35 (b) Staff in school districts and other providers of public
36 educational services that submit policies and procedures that include
37 staff isolation of students in any of grades six through 12 as
38 required by RCW 28A.600.486(3), with further prioritization informed

1 by the incident report data and summaries prepared under section 4(3)
2 of this act;

3 (c) Staff not included in (a) of this subsection (2) who provide
4 educational services to students in prekindergarten through grade
5 five; and

6 (d) Staff in school districts and other providers of public
7 educational services with high incidents of isolation, restraint,
8 room clears, and injuries.

9 (3) Training must be provided to the principals and other
10 building administrators of the school districts and other providers
11 of public educational services, as well as classified and other
12 certificated staff, identified as priorities under this section.

13 REGIONAL COACHES

14 NEW SECTION. **Sec. 9.** A new section is added to chapter 28A.310
15 RCW to read as follows:

16 (1) Subject to the availability of amounts appropriated for this
17 specific purpose, the office of the superintendent of public
18 instruction shall distribute funding to the educational service
19 districts for regional coaches to support school districts and other
20 providers of public educational services to implement requirements
21 related to student isolation and restraint and room clears under RCW
22 28A.600.485 and 28A.600.486 and sections 4 and 6 of this act.

23 (2) Regional coaches must promote evidence-based, trauma-informed
24 crisis prevention and response practices that are less restrictive
25 than isolation and restraint, as well as classroom management
26 techniques and the use of a multitiered system of supports. In
27 addition, regional coaches must have received intensive crisis
28 prevention and response training through a program approved by the
29 office of the superintendent of public instruction under section 7(4)
30 of this act.

31 (3) The duties of the regional coaches include mentoring,
32 observing classes, providing feedback, providing trainings, training
33 others to be trainers and mentors, and supporting actions to nurture
34 a positive social and emotional school and classroom climate as
35 described in RCW 28A.345.085.

36 (4) An educational service district that receives funding under
37 this section must prioritize coaching services to local school
38 districts and other providers of public educational services using

1 the criteria established by the office of the superintendent of
2 public instruction to prioritize provision of training under section
3 8 of this act.

4 (5) Educational service districts are encouraged to hire board
5 certified behavior analysts as regional coaches.

6 PLANS OF IMPROVEMENT

7 NEW SECTION. **Sec. 10.** A new section is added to chapter 28A.300
8 RCW to read as follows:

9 When a school district or other provider of public educational
10 services is not making sufficient progress towards the goals
11 established in its professional development plan submitted under
12 section 6 of this act or when disparities in use of isolation or
13 restraint are identified in its incident report data submitted and
14 summaries prepared under section 4(3) of this act, the office of the
15 superintendent of public instruction shall place the school district
16 or other provider of public educational services on a plan of
17 improvement. Under a plan of improvement, the office of the
18 superintendent of public instruction shall provide targeted technical
19 assistance, including annual site visits, until the school district
20 or other provider of public educational services meets its
21 professional development plan goals, or eliminates disparities in use
22 of isolation or restraint, or both.

23 TRAINING PROGRAM FOR GOVERNING BODIES

24 NEW SECTION. **Sec. 11.** A new section is added to chapter 28A.300
25 RCW to read as follows:

26 (1) By November 1, 2024, the office of the superintendent of
27 public instruction shall develop a training program for school
28 district boards of directors and the governing bodies of other
29 providers of public educational services to meet requirements related
30 to student isolation and restraint and room clears under RCW
31 28A.600.485 and 28A.600.486 and sections 4 and 6 of this act. The
32 training program must be updated periodically.

33 (2) At a minimum, the training program must include the following
34 content: The legal prohibitions and limitations on the use of
35 isolation and restraint on students provided under RCW 28A.600.485;
36 the social-emotional and physical impacts to students and staff

1 resulting from the use of isolation and restraint rather than trauma-
2 informed interventions, such as de-escalation strategies and student-
3 centered, restorative practices; how to assess compliance with RCW
4 28A.600.485 and 28A.600.486 and sections 4 and 6 of this act; a
5 summary of the resources available through the office of the
6 superintendent of public instruction and the educational service
7 districts; a review of the applicable model policy of the Washington
8 state school directors' association; and the sample training plan
9 developed as required by section 7(4) of this act; and options for
10 supporting system improvement by reprioritizing resources.

11 (3) The training program must be developed and updated in
12 partnership with the Washington state school directors' association.

13 (4) The training program must be made available at no cost and be
14 easily accessible to school district boards of directors, the
15 governing bodies of other providers of public educational services,
16 and the Washington state school directors' association.

17 SUPPORT FOR THOSE CLAIMING A TEMPORARY EXEMPTION FROM ELEMENTARY
18 ISOLATION PROHIBITIONS

19 NEW SECTION. **Sec. 12.** A new section is added to chapter 28A.300
20 RCW to read as follows:

21 (1) By November 1, 2024, and as required by this section, the
22 office of the superintendent of public instruction shall establish
23 and implement a process for school districts and other providers of
24 public educational services to claim an exemption from the
25 prohibition on isolating prekindergarten through grade five students
26 under RCW 28A.600.485(4). The office of the superintendent of public
27 instruction must approve the exemption of each school district or
28 other provider of public educational services that claims an
29 exemption by June 1, 2025.

30 (2) The office of the superintendent of public instruction shall
31 provide technical assistance to school districts and other providers
32 of public educational services that claims an exemption. Technical
33 assistance must include assisting with the preparation of a staff
34 training and professional development plan that supports compliance
35 with the requirements in RCW 28A.600.485(4) as soon as possible, but
36 no later than August 1, 2029.

1 (3) School districts and other providers of public educational
2 services must be prioritized for training under section 8 of this act
3 and for regional coaching services under section 9 of this act.

4 (4) This section expires June 30, 2030.

5 PROFESSIONAL DEVELOPMENT REPORT

6 NEW SECTION. **Sec. 13.** (1) By December 1, 2025, and in
7 compliance with RCW 43.01.036, the office of the superintendent of
8 public instruction must report to the appropriate committees of the
9 legislature a description of the training provided under section 8 of
10 this act, including with its progress on developing a professional
11 development deployment strategy and assembling of a network of
12 professional development providers, as well as its assessment of the
13 need and demand for professional development in the coming biennium.
14 In assessing the future need and demand, the office of the
15 superintendent of public instruction must consider lessons learned
16 from the demonstration projects and provision of professional
17 development authorized in section 501(4)(mm), chapter 475, Laws of
18 2023, the number of exemptions claimed under section 12 of this act,
19 and the number of policies and procedures submitted as required by
20 RCW 28A.600.486. The report must also describe how the training
21 provided under section 8 of this act connects to related trainings,
22 for example trainings on a multitiered system of supports.

23 (2) This section expires June 30, 2026.

24 EDUCATOR PREPARATION AND PARAEDUCATOR CERTIFICATE REPORT

25 NEW SECTION. **Sec. 14.** (1) By December 1, 2024, and in
26 compliance with RCW 43.01.036, the Washington professional educator
27 standards board and the paraeducator board must jointly submit to the
28 appropriate committees of the legislature a plan for integrating into
29 educator preparation programs and paraeducator certificate
30 requirements instruction on requirements related to student isolation
31 and restraint under this act.

32 (2) This section expires August 30, 2025.

ROOM CLEAR REPORT

NEW SECTION. **Sec. 15.** (1) The office of the superintendent of public instruction must contract with a research entity to study and report on the use of room clears in Washington. The research entity must analyze and report on the impacts of a room clear on the students involved, including those who are removed from the classroom. The report must, at a minimum, consider the impact of room clears on lost instructional time, student mental health, and social-emotional learning. The research entity must also identify and summarize best practices on the use of room clears. The report of the research entity must be submitted by the office of the superintendent of public instruction to the appropriate committees of the legislature by September 1, 2025, in compliance with RCW 43.01.036.

(2) This section expires June 30, 2026.

Sec. 16. RCW 28A.155.210 and 2023 c 436 s 7 are each amended to read as follows:

(1) Parents and legal guardians of students who have individualized education programs must be provided a copy of the policy and procedures adopted in accordance with RCW 28A.600.486.

(2) A student's individualized education program must include procedures for notification of, and incident review with, a parent or legal guardian regarding the use of restraint or isolation under RCW 28A.600.485. If a student is placed in an authorized entity under RCW 28A.155.060, the student's individualized education program must also specify any additional procedures required to ensure the authorized entity fully complies with RCW 28A.600.485.

NEW SECTION. **Sec. 17.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void.

NEW SECTION. **Sec. 18.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void.

--- END ---