

2SHB 1479 - H AMD 308

By Representative Callan

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.600
4 RCW to read as follows:

5 (1) **Purpose.** The purposes of this section are to: Protect
6 students from physically harmful and emotionally traumatic practices
7 of chemical restraint, mechanical restraint, and isolation; prohibit
8 use of physical restraint imposed solely for purposes of student
9 discipline or staff convenience; improve the safety and well-being of
10 all staff and students by increasing the professional development and
11 technical assistance provided to staff; and enhance the public
12 accountability of school districts and other providers of public
13 educational services.

14 (2) **Prohibited and limited isolation and restraint of students.**

15 (a) The staff of any school district or other provider of public
16 educational services may not subject any student to prohibited
17 isolation or restraint during the provision of educational services.

18 (b) The staff of any school district or other provider of public
19 educational services may use physical restraint during the provision
20 of educational services only when:

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

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

26 (iii) The least amount of force necessary is used to protect the
27 student or another person from imminent likelihood of serious harm to
28 the student or to others; and

29 (iv) The physical restraint of the student ends immediately upon
30 the cessation of the imminent likelihood of serious harm to the
31 student or to others.

1 (c) Until August 1, 2025, the staff of any school district or
2 other provider of public educational services may isolate a student
3 in an isolation room, during the provision of educational services
4 only when:

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

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

10 (iii) The least amount of force necessary is used to protect the
11 student or another person from imminent likelihood of serious harm to
12 the student or to others; and

13 (iv) The isolation of the student ends immediately upon the
14 cessation of the imminent likelihood of serious harm to the student
15 or to others.

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

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

22 (3) **Isolation rooms.**

23 (a)(i) Except as provided in (a)(ii) of this subsection (3),
24 beginning August 1, 2023, school districts and other providers of
25 public educational services shall require that doors to isolation
26 rooms always remain unlocked to the occupants.

27 (ii) With regard to isolation of students in grades six through
28 12 in a locked isolation room, a school district or other provider of
29 public educational services that notifies the office of the
30 superintendent of public instruction, by August 1, 2023, of its
31 intent to apply for a time limited waiver of the requirements of
32 (a)(i) of this subsection (3) is not required to comply with the
33 requirements of (a)(i) of this subsection (3) until after it applies
34 to the office of the superintendent of public instruction as
35 described in section 2 of this act, which must be within 90 days of
36 providing its notice, and the office of the superintendent of public
37 instruction either: (A) Grants a time limited waiver that expires no
38 later than August 1, 2025; or (B) denies the application for a waiver
39 and sets a deadline for compliance with the requirements of (a)(i) of
40 this subsection (3).

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

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

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

9 (4) **Notifications.** After each incident of isolation or restraint,
10 whether prohibited or limited, the following notifications must be
11 made:

12 (a) Immediately following the release of the student from
13 isolation or restraint, the staff who used, or directed the use of,
14 isolation or restraint shall notify the principal, other building
15 administrator, or designee, of the provider of public educational
16 services about the incident;

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

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

21 (ii) Send written documentation to the parent or legal guardian,
22 within three business days of the incident; and

23 (c) With regard to use of prohibited isolation or restraint, the
24 principal, other building administrator, or designee, of the provider
25 of public educational services shall notify the following people or
26 entities about the incident in accordance with the applicable
27 deadlines:

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

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

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

36 (5) **Incident reviews.** After every incident of isolation or
37 restraint, whether prohibited or limited, the following incident
38 reviews must be completed.

39 (a) As soon as practicable, but no later than one week following
40 submission of the incident report as required under subsection (6)(a)

1 of this section, the principal, other building administrator, or
2 designee, of the provider of public educational services shall review
3 the incident with the student and the student's parent or legal
4 guardian to discuss relevant events that occurred before, during, and
5 after the incident, and to inform the student's parent or legal
6 guardian about behavioral intervention planning that must be
7 completed under subsection (7) of this section.

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

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

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

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

19 (iii) Identify additional training, coaching, or assistance that
20 may support staff who used, or directed the use of, isolation or
21 restraint to use less restrictive interventions in similar situations
22 in the future.

23 (6) **Incident reports.** The following reports related to incidents
24 of isolation and restraint, whether prohibited or limited, and
25 incidents of room clears must be prepared and submitted.

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

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

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

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

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

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

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

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

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

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

28 (7) **Behavioral intervention plan.** After every incident of
29 isolation or restraint, whether prohibited or limited, the following
30 activities related to behavioral intervention planning must be
31 completed.

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

34 (i) Complete a functional behavioral assessment of the student,
35 unless a functional behavioral assessment was previously completed
36 for the behavior of concern; and

37 (ii) Develop a behavioral intervention plan for the student or,
38 if a behavioral intervention plan has already been developed, review
39 the behavioral intervention plan and modify it as necessary to
40 address the student's behavior of concern.

1 (b) Nothing in this subsection (7) limits behavioral intervention
2 planning for students with individualized education programs under
3 Part B of the federal individuals with disabilities education act,
4 Title 20 U.S.C. Sec. 1400 et seq.

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

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

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

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

21 (a) (i) By January 30, 2024, the school district superintendent or
22 other chief administrator of a provider of public educational
23 services, or the school district board of directors or other
24 governing body of a provider of public educational services, shall
25 prepare and submit to the office of the superintendent of public
26 instruction a staff professional development plan and timeline as
27 required by this subsection (9).

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

32 (b) (i) The plan must include professional development on the
33 following topics:

34 (A) The policy and procedure adopted under subsection (8) of this
35 section;

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

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

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

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

14 (iii) Example modes of professional development include:
15 Trainings provided by the office of the superintendent of public
16 instruction, educational service districts, the school district or
17 other provider of public educational services; pursuit of credentials
18 through formal education programs; working with a mentor or coach;
19 and involvement in professional learning communities. Nothing in this
20 subsection (9) requires all staff to be provided identical or
21 equivalent professional development. Rather, professional development
22 content, intensity, duration, and frequency must be appropriate to
23 each staff type, staff experience, and staff assignment, and must be
24 informed by the incident reviews completed under subsection (5) of
25 this section.

26 (iv) To the extent the use of the funds is not specified in RCW
27 28A.415.445 or the omnibus operating appropriations act, school
28 districts and other providers of public educational services that
29 receive funding for professional learning days under RCW 28A.150.415
30 may use this funding to meet the requirements of this subsection (9).

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

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

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

37 (iii) Third to all other staff.

38 (d) The plan must describe the mechanism used to determine
39 whether an entity under contract to provide educational services to

1 students is providing professional development to the contractor's
2 staff as required by this subsection (9).

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

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

10 (b) On an annual basis, the school district board of directors or
11 other governing body of a provider of public educational services
12 shall monitor the impact of the policy and procedures adopted under
13 subsection (8) of this section by, at a minimum: (i) Performing trend
14 analyses using the summary of incident reports prepared by the school
15 district superintendent or other chief administrator of the provider
16 of public educational services under subsection (6) of this section;
17 and (ii) reviewing the professional development plan and updates
18 prepared under subsection (9) of this section.

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

22 (12) **Definitions.** The definitions in this subsection apply
23 throughout this section unless the context clearly requires
24 otherwise.

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

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

38 (c) "Educational service" means instruction and other activities
39 delivered or sponsored by a school district or other provider of
40 public educational services, for example: General education services;

1 special education services; medical services; safety and security
2 services; transportation services; and any developmental, corrective,
3 or other supportive services necessary for a student eligible for
4 special education services to benefit from special education
5 services.

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

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

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

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

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

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

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

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

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

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

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

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

16 (i) Chemical restraint;

17 (ii) Mechanical restraint;

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

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

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

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

26 (B) A behavioral intervention plan;

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

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

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

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

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

10 (o) "Restraint" includes chemical restraint, mechanical
11 restraint, and physical restraint.

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

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

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

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

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

30 (2) Within three months of receipt, the office of the
31 superintendent of public instruction shall review each professional
32 development plan and update submitted by a school district or other
33 provider of public educational services under section 1(9) of this
34 act.

35 (3) At least annually, the office of the superintendent of public
36 instruction shall require school districts and other providers of
37 public educational services to submit incident report data and
38 summaries prepared under section 1(6) of this act. The office of the
39 superintendent of public instruction shall publish the incident

1 report data and summaries on its website within 90 days of receipt.
2 The data must be published in a manner that allows trend analyses,
3 including analysis of intersecting marginalized identities.

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

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

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

15 (iii) Providing or contracting for the provision of professional
16 development that meets the requirements of section 1(9) of this act.
17 The office of the superintendent of public instruction shall
18 establish the criteria for and prioritize the provision of
19 professional development that gives priority to: (A) School districts
20 and other providers of public educational services that were approved
21 for a waiver under subsection (7) of this section; (B) staff who
22 provide educational services to students in prekindergarten through
23 grade five; and (C) school districts and other providers of public
24 educational services with high incidents of isolation, restraint, or
25 room clears. Professional development must be provided to the
26 principals and other building administrators of the school districts
27 and other providers of public educational services identified as
28 priorities under this section; and

29 (iv) Completing site visits and providing on-site coaching, when
30 appropriate.

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

38 (5) When a school district or other provider of public
39 educational services is not making sufficient progress towards the
40 goals established in its professional development plan submitted

1 under section 1(9) of this act or when disparities in use of
2 isolation or restraint are identified in its incident report data
3 submitted under section 1(6) of this act, the office of the
4 superintendent of public instruction shall place the school district
5 or other provider of public educational services on a plan of
6 improvement. Under a plan of improvement, the office of the
7 superintendent of public instruction shall provide targeted technical
8 assistance, including annual site visits, until the school district
9 or other provider of public educational services meets its
10 professional development plan goals, or eliminates disparities in use
11 of isolation or restraint, or both.

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

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

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

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

32 (7)(a) By August 1, 2023, and as required by this subsection (7),
33 the office of the superintendent of public instruction shall
34 establish a process for school districts and other providers of
35 public educational services to apply for a time limited waiver, which
36 expires no later than August 1, 2025, of the requirements of section
37 1(3)(a)(i) of this act that permits the isolation of students in
38 grades six through 12 in a locked isolation room.

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 have notified the office by
2 August 1, 2023, of their intent to apply for a waiver. Technical
3 assistance must include assisting with the preparation of a
4 professional development plan that supports compliance with the
5 requirements of section 1(3)(a)(i) of this act as soon as possible,
6 but no later than the end of an approved waiver period.

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

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

20 (8) Annually by November 1st, and in compliance with RCW
21 43.01.036, the office of the superintendent of public instruction
22 shall report to the appropriate committees of the legislature with a
23 summary of its activities to 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. The report must
27 describe the progress that school districts and other providers of
28 public educational services have made towards providing professional
29 development to staff as required by section 1(9) of this act. The
30 report must also highlight exemplar school districts and other
31 providers of public educational services using best practices to
32 eliminate the use of isolation and restraint.

33 (9) The office of the superintendent of public instruction shall
34 adopt rules under chapter 34.05 RCW for the implementation of this
35 section.

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

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

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

11 NEW SECTION. **Sec. 4.** (1) By December 1, 2023, and in compliance
12 with RCW 43.01.036, the Washington professional educator standards
13 board and the paraeducator board must jointly submit to the
14 appropriate committees of the legislature a plan for integrating into
15 educator preparation programs and paraeducator certificate
16 requirements instruction requirements related to prohibited and
17 limited uses of student isolation and restraint under section 1 of
18 this act.

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

20 NEW SECTION. **Sec. 5.** (1) The office of the superintendent of
21 public instruction must contract with a research entity to study and
22 report on the use of room clears in Washington. The research entity
23 must analyze and report on the impacts of a room clear on the
24 students involved, including those who are removed from the
25 classroom. The report must, at a minimum, consider the impact of room
26 clears on lost instructional time, student mental health, and social-
27 emotional learning. The research entity must also identify and
28 summarize best practices on the use of room clears. The report of the
29 research entity must be submitted by the office of the superintendent
30 of public instruction to the appropriate committees of the
31 legislature by September 1, 2024, in compliance with RCW 43.01.036.

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

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

35 A school that is required to develop an individualized education
36 program as required by federal law must include within the plan
37 procedures for notification of, and incident review with, a parent or

1 legal guardian regarding the use of restraint or isolation as
2 provided under section 1 of this act.

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

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

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

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

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

20 (b) Child and adolescent development;

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

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

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

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

30 (g) Local and national disparities in the use of force and
31 arrests of children;

32 (h) Collateral consequences of arrest, referral for prosecution,
33 and court involvement;

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

37 (j) De-escalation techniques when working with youth or groups of
38 youth;

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

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

6 (m) Restorative justice principles and practices.

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

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

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

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

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

1 NEW SECTION. **Sec. 9.** If specific funding for the purposes of
2 this act, referencing this act by bill or chapter number, is not
3 provided by June 30, 2023, in the omnibus appropriations act, this
4 act is null and void."

5 Correct the title.

EFFECT: Retains the provisions of the underlying bill with the following changes:

(1) Modifies the definition of "room clear" to specify that a room clear is not isolation, except as provided in rule of the Office of the Superintendent of Public Instruction (OSPI);

(2) Specifies that the professional development provided by the OSPI must be provided to principals and other building administrators of the school districts and other providers of public educational services that the OSPI has prioritized for provision of professional development;

(3) Requires the report on the use of room clears to identify best practices on the use of room clears, and changes the report due date to September 1, 2024, rather than September 1, 2026; and

(4) Makes other nonsubstantive changes, for example: Refers to "limited isolation and restraint" rather than "permitted isolation and restraint;" reorders subsections; corrects a date; adds and corrects subsection references; and makes minor changes for clarity and internal consistency.

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