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**THIRD SUBSTITUTE HOUSE BILL 1479**

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**State of Washington**

**68th Legislature**

**2024 Regular Session**

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

READ FIRST TIME 01/31/24.

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.

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