

4SHB 1479 - H AMD 1074

By Representative Callan

ADOPTED 02/13/2024

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

3 "PURPOSE OF ACT

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

13 DEFINITIONS

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

16 The definitions in this section apply throughout RCW 28A.600.485,
17 28A.600.486, 28A.155.210, and sections 4, 7 through 9, and 13 through
18 18 of this act unless the context clearly requires otherwise.

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

23 (2) "Chemical restraint" means a drug or chemical administered by
24 staff to a student to control the student's behavior or restrict the
25 student's freedom of movement that is not: (a) Prescribed by a
26 licensed health professional acting within the scope of the practice
27 of that health profession for the standard treatment of a student's
28 medical or psychiatric condition; (b) administered by a licensed
29 health professional acting within the scope of the practice of that

1 health profession or administered by designated staff delegated and
2 trained by the licensed health professional under RCW 28A.210.260; or
3 (c) administered in accordance with the student's medical or
4 psychiatric treatment plan.

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

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

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

19 (6) "Intensive crisis prevention and response training" means a
20 training program approved by the office of the superintendent of
21 public instruction under section 13(4) of this act.

22 (7) "Isolation," also known as seclusion, means the involuntary
23 separation of a student from all other people, by staff, in a room or
24 other enclosed area from which the student is not free to leave.
25 "Isolation" does not include: (a) A time away, which is a student-
26 selected behavior management technique that provides a student with
27 an opportunity for self-calming, where the student is separated from
28 others for a limited period, in a setting that is staff-monitored and
29 from which the student may leave at any time; (b) staff temporarily
30 confining a student alone in a classroom, office, or common area
31 because the student's behavior poses an imminent likelihood of
32 serious harm to the staff who had been in the room with the student,
33 provided the student's confinement ends as soon as it is practicable
34 for additional staff to intervene; or (c) a room clear, except as
35 provided in rule by the office of the superintendent of public
36 instruction.

37 (8) "Likelihood of serious harm" means a substantial risk that:

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

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

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

16 (10) "Physical escort" means the temporary touching or holding of
17 a student's hand, wrist, arm, shoulder, or back by staff for the
18 purpose of directing the student to a safe or otherwise appropriate
19 location.

20 (11) "Physical prompt" means a teaching technique used by staff
21 that involves voluntary physical contact with a student for the
22 purpose of enabling the student to learn or model the physical
23 movement necessary for the development of a desired competency.

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

29 (13) "Provider of public educational services" means any entity
30 that directly operates, or provides educational services under
31 contract to, an elementary or secondary school program that receives
32 public funds from the office of the superintendent of public
33 instruction. "Provider of public educational services" includes a
34 school district, public school as defined in RCW 28A.150.010, an
35 educational service district, an institutional education provider as
36 defined in RCW 28A.190.005, a public agency or private entity
37 providing educational services under contract with any other provider
38 of public educational services, an authorized entity as defined in
39 RCW 28A.300.690, and any providers of services in accordance with
40 Part B of the federal individuals with disabilities education act,

1 Title 20 U.S.C. Sec. 1400 et seq. In addition, "provider of public
2 educational services" includes the state school for the blind and the
3 center for deaf and hard of hearing youth established under RCW
4 72.40.010.

5 (14) "Restraint" includes chemical restraint, mechanical
6 restraint, and physical restraint.

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

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

16 (17) "Student behavior management" means the knowledge and skills
17 to:

18 (a) Implement proactive classroom management strategies that
19 create a positive and safe learning environment;

20 (b) Recognize the emotional or behavioral distress of students
21 and respond using evidence-based, trauma-informed behavioral health
22 supports that are age and developmentally appropriate, are
23 restorative, and consider any disabilities of the students;

24 (c) Understand and implement behavior management practices and
25 positive behavioral supports within a multitiered system of supports;
26 and

27 (d) Use evidence-based, trauma-informed, and student-centered
28 approaches for de-escalating aggressive student behaviors that
29 include problem solving and conflict resolution and are less
30 restrictive than isolation or restraint.

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

33 USE OF STUDENT ISOLATION AND RESTRAINT

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

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

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

7 ~~(b) "Restraint" means physical intervention or force used to~~
8 ~~control a student, including the use of a restraint device to~~
9 ~~restrict a student's freedom of movement. It does not include~~
10 ~~appropriate use of a prescribed medical, orthopedic, or therapeutic~~
11 ~~device when used as intended, such as to achieve proper body~~
12 ~~position, balance, or alignment, or to permit a student to safely~~
13 ~~participate in activities.~~

14 ~~(c) "Restraint device" means a device used to assist in~~
15 ~~controlling a student, including but not limited to metal handcuffs,~~
16 ~~plastic ties, ankle restraints, leather cuffs, other hospital-type~~
17 ~~restraints, pepper spray, tasers, or batons. Restraint device does~~
18 ~~not mean a seat harness used to safely transport students. This~~
19 ~~section shall not be construed as encouraging the use of these~~
20 ~~devices.~~

21 ~~(2) The provisions of this section apply to all students,~~
22 ~~including those who have an individualized education program or plan~~
23 ~~developed under section 504 of the rehabilitation act of 1973. The~~
24 ~~provisions of this section apply only to incidents of restraint or~~
25 ~~isolation that occur while a student is participating in school-~~
26 ~~sponsored instruction or activities.~~

27 ~~(3) (a) An individualized education program or plan developed~~
28 ~~under section 504 of the rehabilitation act of 1973 must not include~~
29 ~~the use of restraint or isolation as a planned behavior intervention~~
30 ~~unless a student's individual needs require more specific advanced~~
31 ~~educational planning and the student's parent or guardian agrees. All~~
32 ~~other plans may refer to the district policy developed under~~
33 ~~subsection (3) (b) of this section. Nothing in this section is~~
34 ~~intended to limit the provision of a free appropriate public~~
35 ~~education under Part B of the federal individuals with disabilities~~
36 ~~education improvement act or section 504 of the federal~~
37 ~~rehabilitation act of 1973.~~

38 ~~(b) Restraint or isolation of any student is permitted only when~~
39 ~~reasonably necessary to control spontaneous behavior that poses an~~
40 ~~imminent likelihood of serious harm, as defined in RCW 70.96B.010.~~

1 ~~Restraint or isolation must be closely monitored to prevent harm to~~
2 ~~the student, and must be discontinued as soon as the likelihood of~~
3 ~~serious harm has dissipated. Each school district shall adopt a~~
4 ~~policy providing for the least amount of restraint or isolation~~
5 ~~appropriate to protect the safety of students and staff under such~~
6 ~~circumstances.~~

7 ~~(4) Following the release of a student from the use of restraint~~
8 ~~or isolation, the school must implement follow-up procedures. These~~
9 ~~procedures must include: (a) Reviewing the incident with the student~~
10 ~~and the parent or guardian to address the behavior that precipitated~~
11 ~~the restraint or isolation and the appropriateness of the response;~~
12 ~~and (b) reviewing the incident with the staff member who administered~~
13 ~~the restraint or isolation to discuss whether proper procedures were~~
14 ~~followed and what training or support the staff member needs to help~~
15 ~~the student avoid similar incidents.~~

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

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

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

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

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

30 ~~(e) Whether the student or staff was physically injured during~~
31 ~~the restraint or isolation incident and any medical care provided;~~
32 ~~and~~

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

36 ~~(6) The principal or principal's designee must make a reasonable~~
37 ~~effort to verbally inform the student's parent or guardian within~~
38 ~~twenty-four hours of the incident, and must send written notification~~
39 ~~as soon as practical but postmarked no later than five business days~~
40 ~~after the restraint or isolation occurred. If the school or school~~

1 ~~district customarily provides the parent or guardian with school-~~
2 ~~related information in a language other than English, the written~~
3 ~~report under this section must be provided to the parent or guardian~~
4 ~~in that language.~~

5 ~~(7)(a) Beginning January 1, 2016, and by January 1st annually,~~
6 ~~each school district shall summarize the written reports received~~
7 ~~under subsection (5) of this section and submit the summaries to the~~
8 ~~office of the superintendent of public instruction. For each school,~~
9 ~~the school district shall include the number of individual incidents~~
10 ~~of restraint and isolation, the number of students involved in the~~
11 ~~incidents, the number of injuries to students and staff, and the~~
12 ~~types of restraint or isolation used.~~

13 ~~(b) No later than ninety days after receipt, the office of the~~
14 ~~superintendent of public instruction shall publish to its website the~~
15 ~~data received by the districts. The office of the superintendent of~~
16 ~~public instruction may use this data to investigate the training,~~
17 ~~practices, and other efforts used by schools and districts to reduce~~
18 ~~the use of restraint and isolation.)~~

19 **Application.** This section applies during the provision of
20 educational services:

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

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

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

32 (i) Chemical restraint;

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

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

37 (A) An individual health plan or other health care management
38 plan;

39 (B) A behavioral intervention plan;

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

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

6 (iv) Mechanical restraint;

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

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

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

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

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

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

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

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

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

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

37 (ii) Less restrictive interventions would be ineffective in
38 stopping the imminent likelihood of serious harm to the student or to
39 others;

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

4 (iv) During isolation, the student is under the constant visual
5 supervision of the staff;

6 (v) The isolation of the student ends immediately upon the
7 cessation of the imminent likelihood of serious harm to the student
8 or to others; and

9 (vi) Beginning August 1, 2029, the staff isolating the student
10 has received intensive crisis prevention and response training.

11 (b) Except as provided in (c) of this subsection (4), beginning
12 August 1, 2025, the staff of any school district or other provider of
13 public educational services are prohibited from isolating any student
14 in prekindergarten through grade five during the provision of
15 educational services, unless requested by the parent or legal
16 guardian of the student and unless authorized as follows:

17 (i) Two licensed health professionals, acting within the scope of
18 practice for their health professions, have recommended and provided
19 instructions for staff to isolate the student under specified
20 circumstances and conditions that include the conditions described in
21 (a) of this subsection (4). At least one of the licensed health
22 professionals must not be an employee or contractor of the school
23 district or provider of public educational services serving the
24 student. For the purposes of this subsection (4)(b)(i), "licensed
25 health professional" means a licensed behavior analyst, mental health
26 counselor, osteopathic physician, physician, psychiatric nurse,
27 psychiatric nurse practitioner, psychiatrist, or psychologist; and

28 (ii) The parent or legal guardian of the student provides
29 uncoerced, fully informed, advanced, written consent for the staff to
30 isolate the student as recommended under (b)(i) of this subsection
31 (4).

32 (c)(i) Through July 31, 2029, or an exemption expiration date
33 established by the office of the superintendent of public
34 instruction, the limitations of (b) of this subsection (4) do not
35 apply to any school district or other providers of public educational
36 services serving students in any of grades prekindergarten through
37 five that have claimed an exemption by August 1, 2025, using the
38 process established under section 18 of this act. The purpose of the
39 exemption is to delay the onset of the prohibition on isolating
40 prekindergarten through grade five students until staff have received

1 student behavior management training and intensive crisis prevention
2 and response training as described in the staff training plan
3 prepared under section 8 of this act.

4 (ii) School districts and other providers of public educational
5 services that claim an exemption must: (A) Engage with the technical
6 assistance provided by the office of the superintendent of public
7 instruction; and (B) provide the training described in the staff
8 training plan prepared under section 8 of this act, as soon as
9 practicable.

10 (5) **Isolation rooms.** (a) School districts and other providers of
11 public educational services are prohibited from designing new
12 construction or remodeling buildings to include a room or other
13 enclosed area solely for purposes of isolating a student in any
14 grade.

15 (b) Beginning August 1, 2029, school districts and other
16 providers of public educational services are prohibited from
17 approving, equipping, or constructing a room or other enclosed area
18 solely for purposes of isolating a student in prekindergarten through
19 grade five, except to comply with subsection (4)(b) of this section.

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

22 (6) **School resource officers.** Nothing in this section prohibits a
23 school resource officer as defined in RCW 28A.320.124 from carrying
24 out the lawful duties of a commissioned law enforcement officer.

25 (7) **Provision of free appropriate public education.** Nothing in
26 this section is intended to limit the provision of a free appropriate
27 public education under Part B of the federal individuals with
28 disabilities education improvement act or section 504 of the federal
29 rehabilitation act of 1973.

30 (8) **Definitions.** The definitions in section 2 of this act apply
31 to this section.

32 INCIDENT FOLLOW-UP PROCEDURES

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

35 This section applies to incidents of student isolation or
36 restraint, whether prohibited or limited under RCW 28A.600.485, and
37 to incidents of a room clear.

1 (1) **Notifications.** (a) As soon as practicable following the
2 release of the student from isolation or restraint, and as soon as
3 practicable following the return of students from a room clear, the
4 staff who used, or directed the use of, isolation, restraint, or a
5 room clear shall notify the principal, other building administrator,
6 or designee, of the provider of public educational services about the
7 incident.

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

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

12 (ii) Send written documentation, including the incident report
13 prepared under subsection (3)(a) of this section, to the parent or
14 legal guardian, within three business days of the incident, and, when
15 possible, send written documentation to the parent or legal guardian
16 via email, on the same calendar day as the incident.

17 (c) With regard to use of isolation or restraint that is
18 prohibited under RCW 28A.600.485(2), the principal, other building
19 administrator, or designee, of the provider of public educational
20 services shall notify the following people or entities about the
21 incident in accordance with the applicable deadlines:

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

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

27 (iii) If the educational services are provided to the student who
28 was isolated or restrained under a contract, the other party to the
29 contract, within three business days of the incident.

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

1 (b) As soon as practicable, staff must provide the student with
2 an opportunity to meet with a counselor, nurse, psychologist, or
3 social worker to reflect, process, and recover from the incident.

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

7 (A) Provide the staff who used, or directed the use of,
8 isolation, restraint, or a room clear with an opportunity to reflect
9 on, process, and recover from the incident;

10 (B) Determine whether proper procedures were followed; and

11 (C) Identify additional training, coaching, or assistance that
12 may support staff who used, or directed the use of, isolation,
13 restraint, or a room clear, to use less restrictive interventions in
14 similar situations in the future.

15 (ii) To the extent practicable, pertinent information from the
16 incident review with the student and the student's parent or legal
17 guardian under (a) of this subsection (2) must be considered by the
18 incident review team.

19 (iii) Nothing in this subsection (2)(c) prevents an incident
20 review team from conducting multiple incident reviews in the same
21 review session.

22 (3) **Reports.** (a) For each student who was isolated, restrained,
23 or caused an emergency that resulted in a room clear, the principal,
24 other building administrator, or designee shall work with the staff
25 who used, or directed the use of, isolation, restraint, or room clear
26 to prepare a written daily incident report that describes all
27 incidents involving the student during the date for which the report
28 applies. The daily incident reports must be submitted to the school
29 district superintendent or other chief administrator of the provider
30 of public educational services, within two business days of the date
31 for which the report applies. At a minimum, the written report must
32 include:

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

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

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

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

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

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

14 (vii) Any recommendations to prevent similar, future incidents;
15 and

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

18 (b) No less than monthly, the principal, other building
19 administrator or designee, shall submit to the school district
20 superintendent or other chief administrator of a provider of public
21 educational services a summary of the outcomes of the team incident
22 reviews under subsection (2)(c) of this section that describes any
23 changes to the nature and amount of resources and supports available
24 to students and staff needed to prevent similar, future incidents.
25 For the prior month, or other relevant period, the summary must also
26 include the number of team incident reviews conducted under
27 subsection (2)(c) of this section and the number of incident reports
28 submitted under (a) of this subsection (3). A summary does not have
29 to be submitted in months that there are no incidents of student
30 isolation or restraint or room clears.

31 (c) The school district superintendent or other chief
32 administrator of a provider of public educational services shall
33 prepare a summary of the daily incident reports submitted under (a)
34 of this subsection (3), at least annually and as required by the
35 school district board of directors or other governing body of a
36 provider of public educational services. The summary must be
37 disaggregated for purposes of trend analyses, for example by the
38 student categories and subcategories provided under RCW 28A.300.042
39 (1) and (3), student gender, students who are dependent pursuant to
40 chapter 13.34 RCW, students who are homeless as defined in RCW

1 43.330.702, students who are multilingual/English learners, status as
2 a student with a parent who is a member of the armed forces, by
3 school or other applicable unit, by staff job title, by contractor,
4 and by incident type.

5 (d) The school district superintendent or other chief
6 administrator of a provider of public educational services must
7 submit incident report summaries prepared under (b) and (c) of this
8 subsection (3), at the time and in the manner required by the office
9 of the superintendent of public instruction.

10 (4) **Behavioral intervention plan.** (a) As soon as practicable
11 following the release of a student from isolation or restraint or the
12 return of students following a room clear, staff shall, for the
13 student who was isolated, restrained, or caused the emergency that
14 resulted in a room clear:

15 (i) Complete a functional behavioral assessment, unless a
16 functional behavioral assessment was previously completed for the
17 student's behavior of concern; and

18 (ii) Develop a behavioral intervention plan or, if a behavioral
19 intervention plan has already been developed, review the behavioral
20 intervention plan and modify it as necessary to address the student's
21 behavior of concern. When the student has an individualized education
22 program, the behavioral intervention plan must be developed and
23 modified in accordance with the student's individualized education
24 program.

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

29 (5) **Definitions.** The definitions in section 2 of this act apply
30 to this section.

31 POLICY AND PROCEDURES, AND TRAINING FOR SCHOOL BOARDS AND OTHER
32 GOVERNING BODIES

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

35 ~~((Parents and guardians of children who have individualized
36 education programs or plans developed under section 504 of the
37 rehabilitation act of 1973 must be provided a copy of the district
38 policy on the use of isolation and restraint at the time that the~~

1 ~~program or plan is created.)~~ (1)(a) The school district board of
2 directors or other governing body of a provider of public educational
3 services shall adopt a student isolation and restraint policy and
4 procedures that meets the requirements of this subsection. The
5 procedures must comply with the requirements in RCW 28A.600.485 and
6 section 4 of this act, and include a process for convening a team of
7 staff to review incidents of student isolation and restraint and room
8 clears using a systems improvement approach that focuses on
9 supporting staff to use less restrictive interventions as
10 alternatives to isolation and restraint.

11 (b) By August 1, 2025, and periodically thereafter, the school
12 district board of directors or other governing body of a provider of
13 public educational services shall review and revise, as necessary,
14 its student isolation and restraint policy and procedures with input
15 from staff, students, students' families, advocacy organizations, and
16 other appropriate members of the community.

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

22 (2) On an annual basis, the school district board of directors or
23 other governing body of a provider of public educational services
24 shall monitor the impact of the policy and procedures adopted under
25 subsection (1) of this section by, at a minimum: (a) Performing trend
26 analyses using the incident report summaries prepared by the school
27 district superintendent or other chief administrator of the provider
28 of public educational services under section 4(3) of this act; and
29 (b) reviewing the staff training plan and updates prepared under
30 section 8 of this act.

31 (3) If the policy and procedures adopted under subsection (1) of
32 this section includes staff isolation of students in any of grades
33 six through 12 under the conditions described in RCW
34 28A.600.485(4) (a), the school district board of directors or other
35 governing body of a provider of public educational services must
36 annually submit the policy and procedures at the time and in the
37 manner required by the office of the superintendent of public
38 instruction.

39 (4) Beginning in the 2024-25 school year, and every four years
40 thereafter, each member of a school district board of directors or

1 other governing body of a provider of public educational services
2 shall complete the training program on student isolation and
3 restraint provided at no cost as required under section 17 of this
4 act.

5 (5) The definitions in section 2 of this act apply to this
6 section.

7 **Sec. 6.** RCW 28A.155.210 and 2023 c 436 s 7 are each amended to
8 read as follows:

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

12 (2) A student's individualized education program must include
13 procedures for notification of, and incident review with, a parent or
14 legal guardian regarding the use of restraint or isolation under RCW
15 28A.600.485. If a student is placed in an authorized entity under RCW
16 28A.155.060, the student's individualized education program must also
17 specify any additional procedures required to ensure the authorized
18 entity fully complies with RCW 28A.600.485 and section 4 of this act.

19 (3) The definitions in section 2 of this act apply to this
20 section.

21 STAFF TRAININGS

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

24 (1) By January 1, 2025, the office of the superintendent of
25 public instruction must develop and publish a model plan and guidance
26 for staff training on student behavior management and intensive
27 crisis prevention and response that school districts and other
28 providers of public educational services must use when developing the
29 staff training plan required by section 8 of this act. The model plan
30 and guidance must be updated periodically to support best practices.

31 (2) The model plan and guidance required by subsection (1) of
32 this section must:

33 (a) Propose training content, duration, and frequency categories
34 by staff, program, activity, and duty codes for student behavior
35 management training and for intensive crisis prevention and response
36 training. Nothing in this subsection requires all staff to be trained
37 on intensive crisis prevention and response;

1 (b) Describe best practices for connecting staff training on
2 student behavior management and intensive crisis prevention and
3 response to existing systems designed to support student learning,
4 social-emotional well-being, and positive behavior in the classroom,
5 for example: (i) Instruction in social-emotional learning that is
6 consistent with learning standards and benchmarks adopted by the
7 office of the superintendent of public instruction under RCW
8 28A.300.478; (ii) use of inclusionary practices; and (iii)
9 implementation of the Washington integrated student supports
10 protocol, established under RCW 28A.300.139, within a multitiered
11 system of supports;

12 (c) Suggest options for compensating staff for training on
13 student behavior management and intensive crisis prevention and
14 response that include: (i) The professional learning days funded
15 under RCW 28A.150.415; (ii) other staff training days funded in a
16 biennial or supplemental operating budget; and (iii) federal funds;

17 (d) Include mechanisms that can be used to determine whether an
18 entity under contract to provide educational services to students is
19 providing training on student behavior management and intensive
20 crisis prevention and response to the contractor's staff; and

21 (e) Describe any office of the superintendent of public
22 instruction and education service district resources available to
23 support staff training on student behavior management and intensive
24 crisis prevention and response.

25 (3) The definitions in section 2 of this act apply to this
26 section.

27 NEW SECTION. **Sec. 8.** A new section is added to chapter 28A.600
28 RCW to read as follows:

29 (1)(a) By August 1, 2025, the school district superintendent or
30 other chief administrator of a provider of public educational
31 services, or the school district board of directors or other
32 governing body of a provider of public educational services, shall
33 prepare and submit to the office of the superintendent of public
34 instruction a plan and timeline for staff training on student
35 behavior management and intensive crisis management and response. The
36 goal of the plan must be to reduce overall staff use of student
37 isolation and restraint and to have highly trained staff available to
38 isolate or restrain students when appropriate and in the safest

1 possible manner. Nothing in this section requires all staff to be
2 trained on intensive crisis prevention and response.

3 (b) By August 1, 2026, and by August 1st annually thereafter, an
4 update on the implementation of its staff training plan must be
5 submitted to the office of the superintendent of public instruction.

6 (c) The model plan and guidance for staff training on student
7 behavior management and intensive crisis prevention and response
8 developed as required by section 7 of this act must be considered
9 prior to plan and update development under this subsection (1).

10 (d) The plan and each update must be informed by the resource and
11 support needs identified in the team incident review summaries
12 completed under section 4(3) of this act.

13 (2) The plan and each update must:

14 (a) Describe the student behavior management and intensive crisis
15 prevention and response training that will be provided or made
16 available to staff during the following school year, with training
17 content, duration, and frequency differentiated by staff, program,
18 activity, and duty codes. When applicable, the plan update must
19 explain why the prior year's training was not provided or made
20 available as planned;

21 (b) Specify the name of any intensive crisis prevention and
22 response training programs provided or made available to staff, by
23 staff, program, activity, and duty codes;

24 (c) Explain how staff who have received intensive crisis
25 prevention and response training are made available to prevent
26 isolation and restraint and to reduce the risk of imminent likelihood
27 of serious harm in the safest possible manner; and

28 (d) Describe the mechanism used to determine whether an entity
29 under contract to provide educational services to students is
30 providing training to the contractor's staff as required by this
31 section.

32 (3) Training must be prioritized to staff in the following order:

33 (a) First to staff providing educational services to students
34 with disabilities in prekindergarten through grade five, with further
35 prioritization informed by the team incident review summaries
36 completed under section 4(3) of this act;

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

39 (c) Third to all other staff.

1 (4) The definitions in section 2 of this act apply to this
2 section.

3 NEW SECTION. **Sec. 9.** A new section is added to chapter 28A.410
4 RCW to read as follows:

5 In establishing policies and requirements for the preparation and
6 certification of educators under RCW 28A.410.210, the Washington
7 professional educator standards board shall require that the programs
8 of courses, requirements, and other activities leading to educator
9 certification include the foundational knowledge and skills of
10 student behavior management, as defined in section 2 of this act.

11 **Sec. 10.** RCW 28A.320.127 and 2016 c 48 s 1 are each amended to
12 read as follows:

13 (1) Beginning in the 2014-15 school year, each school district
14 must adopt a plan for recognition, initial screening, and response to
15 emotional or behavioral distress in students, including but not
16 limited to indicators of possible substance abuse, violence, youth
17 suicide, and sexual abuse. The school district must annually provide
18 the plan to all district staff.

19 (2) At a minimum the plan must address:

20 (a) Identification of training opportunities in recognition,
21 screening, and referral that may be available for staff;

22 (b) How to use the expertise of district staff who have been
23 trained in recognition, screening, and referral;

24 (c) How staff should respond to suspicions, concerns, or warning
25 signs of emotional or behavioral distress in students in a manner
26 that is age and developmentally appropriate and considers any
27 disabilities of the students;

28 (d) Identification and development of partnerships with community
29 organizations and agencies for referral of students to health, mental
30 health, substance abuse, and social support services, including
31 development of at least one memorandum of understanding between the
32 district and such an entity in the community or region;

33 (e) Protocols and procedures for communication with parents and
34 guardians, including the notification requirements under RCW
35 28A.320.160;

36 (f) How staff should implement trauma-informed and relationship-
37 centered de-escalation approaches to respond to a crisis situation
38 where a student is in imminent danger to himself or herself or

1 others, including protocols to comply with student isolation and
2 restraint requirements under RCW 28A.600.485;

3 (g) How the district will provide support to students and staff
4 after an incident of violence, youth suicide, or allegations of
5 sexual abuse;

6 (h) How staff should respond when allegations of sexual contact
7 or abuse are made against a staff member, a volunteer, or a parent,
8 guardian, or family member of the student, including how staff should
9 interact with parents, law enforcement, and child protective
10 services; and

11 (i) How the district will provide to certificated and classified
12 staff the training on the obligation to report physical abuse or
13 sexual misconduct required under RCW 28A.400.317.

14 (3) The plan under this section may be a separate plan or a
15 component of another district plan or policy, such as the harassment,
16 intimidation, and bullying prevention policy under RCW 28A.300.2851
17 or the comprehensive safe school plan required under RCW 28A.320.125.

18 **Sec. 11.** RCW 28A.413.050 and 2021 c 197 s 12 are each amended to
19 read as follows:

20 (1) The board shall adopt state standards of practice for
21 paraeducators that are based on the recommendations of the
22 paraeducator work group established in chapter 136, Laws of 2014.
23 These standards must include:

24 (a) Supporting instructional opportunities;

25 (b) Demonstrating professionalism and ethical practices;

26 (c) Supporting a positive and safe learning environment,
27 including by assisting certificated staff with: (i) Responding to the
28 emotional or behavioral distress of students in a manner that is age
29 and developmentally appropriate and considers any disabilities of the
30 students; (ii) implementing behavior management practices and
31 positive behavioral supports; and (iii) using trauma-informed and
32 relationship-centered approaches for de-escalating aggressive student
33 behaviors that include problem solving and conflict resolution;

34 (d) Communicating effectively and participating in the team
35 process; and

36 (e) The standards of practice developed by the Washington
37 professional educator standards board under RCW 28A.410.260.

38 (2) By January 1, 2020, in order to ensure that paraeducators can
39 recognize signs of emotional or behavioral distress in students and

1 appropriately refer students for assistance and support, the board
2 shall incorporate into the standards of practice for paraeducators
3 adopted under subsection (1) of this section the social-emotional
4 learning standards, benchmarks, and related competencies described in
5 RCW 28A.410.270.

6 **Sec. 12.** RCW 28A.415.445 and 2021 c 197 s 8 are each amended to
7 read as follows:

8 (1) Beginning in the 2020-21 school year, and every other school
9 year thereafter, school districts must use one of the professional
10 learning days funded under RCW 28A.150.415 to train school district
11 staff in one or more of the following topics: Social-emotional
12 learning, trauma-informed practices, using the model plan developed
13 under RCW 28A.320.1271 related to recognition and response to
14 emotional or behavioral distress, classroom management strategies
15 that include positive behavioral supports and de-escalation
16 strategies, consideration of adverse childhood experiences, mental
17 health literacy, antibullying strategies, or culturally sustaining
18 practices.

19 (2) (a) In the 2021-22 school year, school districts must use one
20 of the professional learning days funded under RCW 28A.150.415 to
21 train school district staff in one or more of the following topics:
22 Cultural competency, diversity, equity, or inclusion.

23 (b) Beginning in the 2023-24 school year, and every other school
24 year thereafter, school districts must use one of the professional
25 learning days funded under RCW 28A.150.415 to provide to school
26 district staff a variety of opportunities for training, professional
27 development, and professional learning aligned with the cultural
28 competency, equity, diversity, and inclusion standards of practice
29 developed by the Washington professional educator standards board
30 under RCW 28A.410.260. Alignment with the standards of practice must
31 be evaluated using the rubrics developed under RCW 28A.410.260. The
32 opportunities must also include training on multicultural education
33 and principles of English language acquisition.

34 (3) For the purposes of this section:

35 (a) "Cultural competency," "diversity," "equity," and "inclusion"
36 have the same meaning as in RCW 28A.415.443.

37 (b) "School district staff" includes classified staff,
38 certificated instructional staff, certificated administrative staff,
39 and superintendents.

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NEW SECTION. **Sec. 13.** A new section is added to chapter 28A.300 RCW to read as follows:

(1) As required by this section, the office of the superintendent of public instruction shall monitor and support the compliance of school districts and other providers of public educational services with requirements related to student isolation and restraint and room clears under RCW 28A.600.485 and 28A.600.486 and sections 4 and 8 of this act.

(2) Within three months of receipt, the office of the superintendent of public instruction shall review each staff training plan and update submitted by a school district or other provider of public educational services under section 8 of this act.

(3) At least annually, the office of the superintendent of public instruction shall require school districts and other providers of public educational services to submit incident report summaries submitted under section 4(3) of this act. The office of the superintendent of public instruction shall publish the incident report data and summaries on its website within 90 days of receipt. The data must be published in a manner that allows trend analyses, including analysis of intersecting marginalized identities.

(4)(a) Ongoing technical assistance must be provided to school districts and other providers of public educational services to support compliance with the requirements related to student isolation and restraint and room clears under RCW 28A.600.485 and 28A.600.486 and sections 4 and 8 of this act.

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

(i) Guidance related to student isolation and restraint and room clears under RCW 28A.600.485 and 28A.600.486 and sections 4 and 8 of this act that is updated periodically to support best practices;

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

1 (iii) A model plan and guidance for staff training on student
2 behavior management developed as required by section 7 of this act;
3 and

4 (iv) A daily incident report form that includes fields for the
5 information required by section 4(3)(a) of this act.

6 (5) Prior to implementing the technical assistance, and
7 periodically thereafter, the office of the superintendent of public
8 instruction shall collaborate with statewide associations
9 representing school administrators, classified staff, and
10 certificated staff to conduct focus groups for the purpose of better
11 understanding staff challenges related to implementation of student
12 isolation and restraint and room clear requirements under RCW
13 28A.600.485 and 28A.600.486 and sections 4 and 8 of this act.

14 (6) Annually by November 1st, and in compliance with RCW
15 43.01.036, the office of the superintendent of public instruction
16 shall report to the appropriate committees of the legislature with a
17 summary of its activities to monitor and support the compliance of
18 school districts and other providers of public educational services
19 with requirements related to student isolation and restraint and room
20 clears under RCW 28A.600.485 and 28A.600.486 and sections 4 and 8 of
21 this act. The report must describe the progress that school districts
22 and other providers of public educational services have made towards
23 providing training to staff as required by section 8 of this act. The
24 report must also highlight exemplar school districts and other
25 providers of public educational services using best practices to
26 eliminate the use of isolation and restraint.

27 (7) The office of the superintendent of public instruction shall
28 adopt rules under chapter 34.05 RCW for the implementation of this
29 section, sections 2, 4, 7, 8, and 13 through 18 of this act, and RCW
30 28A.600.485, 28A.600.486, 28A.155.210, 28A.320.127, and 28A.415.445.

31 (8) The definitions in section 2 of this act apply to this
32 section.

33 NEW SECTION. **Sec. 14.** A new section is added to chapter 28A.300
34 RCW to read as follows:

35 (1) Subject to the availability of amounts appropriated for this
36 specific purpose, the office of the superintendent of public
37 instruction shall provide, or contract for the provision of,
38 intensive crisis prevention and response training.

1 (2) The office of the superintendent of public instruction shall
2 establish criteria for prioritizing provision of the training to
3 staff in the following order:

4 (a) Staff in school districts and other providers of public
5 educational services that claimed and were approved for an exemption
6 from the prohibition on isolation of prekindergarten through grade
7 five students under RCW 28A.600.485(4)(b), with further
8 prioritization informed by the incident report summaries submitted
9 under section 4(3) of this act;

10 (b) Staff in school districts and other providers of public
11 educational services that submit policies and procedures that include
12 staff isolation of students in any of grades six through 12 as
13 required by RCW 28A.600.486(3), with further prioritization informed
14 by the incident report summaries submitted under section 4(3) of this
15 act; and

16 (c) Staff not otherwise included in (a) or (b) of this subsection
17 (2) in school districts and other providers of public educational
18 services with high incidents of isolation, restraint, room clears,
19 and injuries.

20 (3) Training under this section must be provided to the
21 principals and other building administrators while it is provided to
22 the classified and certificated instructional staff.

23 (4) The definitions in section 2 of this act apply to this
24 section.

25 REGIONAL COACHES

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

28 (1) Subject to the availability of amounts appropriated for this
29 specific purpose, the office of the superintendent of public
30 instruction shall distribute funding to educational service districts
31 for regional coaches to support school districts and other providers
32 of public educational services to implement requirements related to
33 student isolation and restraint and room clears under RCW 28A.600.485
34 and 28A.600.486 and sections 4 and 8 of this act.

35 (2) Regional coaches must promote evidence-based, trauma-informed
36 crisis prevention and response practices that are less restrictive
37 than isolation and restraint, as well as classroom management
38 techniques and the use of a multitiered system of supports. In

1 addition, regional coaches must have received intensive crisis
2 prevention and response training through a program approved by the
3 office of the superintendent of public instruction under section
4 13(4) of this act.

5 (3) The duties of the regional coaches must include mentoring,
6 observing classes, providing feedback, providing trainings, training
7 others to be trainers and mentors, and supporting actions to nurture
8 a positive social and emotional school and classroom climate as
9 described in RCW 28A.345.085.

10 (4) An educational service district that receives funding under
11 this section must prioritize coaching services to local school
12 districts and other providers of public educational services using
13 the criteria established by the office of the superintendent of
14 public instruction to prioritize provision of training under section
15 14 of this act.

16 (5) Educational service districts are encouraged to employ or
17 contract with board certified behavior analysts to be regional
18 coaches.

19 (6) The definitions in section 2 of this act apply to this
20 section.

21 PLANS OF IMPROVEMENT

22 NEW SECTION. **Sec. 16.** A new section is added to chapter 28A.300
23 RCW to read as follows:

24 (1) When a school district or other provider of public
25 educational services is not making sufficient progress towards the
26 goals established in its staff training plan submitted under section
27 8 of this act or when disparities in use of isolation or restraint
28 are identified in its incident report summaries submitted under
29 section 4(3) of this act, the office of the superintendent of public
30 instruction shall place the school district or other provider of
31 public educational services on a plan of improvement. Under a plan of
32 improvement, the office of the superintendent of public instruction
33 shall provide targeted technical assistance, including annual site
34 visits, until the school district or other provider of public
35 educational services makes sufficient progress towards providing
36 required staff training, or eliminates disparities in use of
37 isolation or restraint, or both.

1 (2) The definitions in section 2 of this act apply to this
2 section.

3 TRAINING PROGRAM FOR GOVERNING BODIES

4 NEW SECTION. **Sec. 17.** A new section is added to chapter 28A.300
5 RCW to read as follows:

6 (1) By November 1, 2024, the office of the superintendent of
7 public instruction shall develop a training program for school
8 district boards of directors and the governing bodies of other
9 providers of public educational services to meet requirements related
10 to student isolation and restraint and room clears under RCW
11 28A.600.485 and 28A.600.486 and sections 4 and 8 of this act. The
12 training program must be updated periodically.

13 (2) At a minimum, the training program must include the following
14 content:

15 (a) The legal prohibitions and limitations on the use of
16 isolation and restraint on students provided under RCW 28A.600.485;

17 (b) The social-emotional and physical impacts to students and
18 staff resulting from the use of isolation and restraint rather than
19 trauma-informed interventions, such as de-escalation strategies and
20 student-centered, restorative practices;

21 (c) How to assess compliance with RCW 28A.600.485 and 28A.600.486
22 and sections 4 and 8 of this act;

23 (d) A summary of the resources available through the office of
24 the superintendent of public instruction and the educational service
25 districts;

26 (e) A review of the applicable model policy of the Washington
27 state school directors' association;

28 (f) The model plan and guidance for staff training on student
29 behavior management developed as required by section 7 of this act;
30 and

31 (g) Options for supporting system improvement by reprioritizing
32 resources.

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

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

1 (5) The definitions in section 2 of this act apply to this
2 section.

3 SUPPORT FOR THOSE CLAIMING A TEMPORARY EXEMPTION FROM ELEMENTARY
4 ISOLATION PROHIBITIONS

5 NEW SECTION. **Sec. 18.** A new section is added to chapter 28A.300
6 RCW to read as follows:

7 (1)(a) By November 1, 2024, the office of the superintendent of
8 public instruction shall establish and implement a process for school
9 districts and other providers of public educational services to claim
10 an exemption from the prohibition on isolating prekindergarten
11 through grade five students under RCW 28A.600.485(4). The office of
12 the superintendent of public instruction must approve the exemption
13 of each school district or other provider of public educational
14 services that claims an exemption by August 1, 2025.

15 (b) Exemptions authorized under this section expire on July 31,
16 2029; however, the office of the superintendent of public instruction
17 is authorized to extend the exemption expiration date for any school
18 district or other provider of public educational services that
19 claimed an exemption by August 1, 2025, until staff have received
20 student behavior management and intensive crisis prevention and
21 response training as described in the staff training plan prepared
22 under section 8 of this act.

23 (2) The office of the superintendent of public instruction shall
24 provide technical assistance to school districts and other providers
25 of public educational services that claimed and were approved for an
26 exemption. Technical assistance must include assisting with the
27 preparation of a staff training plan, as required by section 8 of
28 this act, that supports compliance with conditions and limitations on
29 use of student isolation under RCW 28A.600.485(4) as soon as
30 practicable.

31 (3) School districts and other providers of public educational
32 services that claimed and were approved for an exemption must be
33 prioritized for training under section 14 of this act and for
34 regional coaching services under section 15 of this act.

35 (4) The definitions in section 2 of this act apply to this
36 section.

37 (5) This section expires June 30, 2040.

PROFESSIONAL DEVELOPMENT REPORT

NEW SECTION. **Sec. 19.** (1) By December 1, 2025, and in compliance with RCW 43.01.036, the office of the superintendent of public instruction must report to the appropriate committees of the legislature a description of the training provided under section 14 of this act, including with its progress on developing a staff training deployment strategy and assembling of a network of training providers, as well as its assessment of the need and demand for staff training in the coming biennium. In assessing the future need and demand, the office of the superintendent of public instruction must consider lessons learned from the demonstration projects and provision of staff training authorized in section 501(4)(mm), chapter 475, Laws of 2023, the number of exemptions claimed under section 18 of this act, and the number of policies and procedures submitted as required by RCW 28A.600.486. The report must identify the intensive crisis prevention and response training program providers approved under section 13(4) of this act and those used by school districts and other providers of public educational services. The report must also describe how the state trainings provided under section 14 of this act connect to related trainings, for example trainings on a multitiered system of supports.

(2) This section expires June 30, 2026.

EDUCATOR PREPARATION AND PARAEDUCATOR CERTIFICATE REPORT

NEW SECTION. **Sec. 20.** (1) By December 1, 2024, and in compliance with RCW 43.01.036, the Washington professional educator standards board and the paraeducator board must jointly submit to the appropriate committees of the legislature a plan for integrating into educator preparation programs the requirements in section 9 of this act and for integrating into paraeducator standards of practice the new requirements in RCW 28A.413.050.

(2) This section expires August 30, 2025.

ROOM CLEAR REPORT

NEW SECTION. **Sec. 21.** (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

1 must analyze and report on the impacts of a room clear on the
2 students involved, including those who are removed from the
3 classroom. The report must, at a minimum, consider the impact of room
4 clears on lost instructional time, student mental health, and social-
5 emotional learning. The research entity must also identify and
6 summarize best practices on the use of room clears. The report of the
7 research entity must be submitted by the office of the superintendent
8 of public instruction to the appropriate committees of the
9 legislature by September 1, 2025, in compliance with RCW 43.01.036.

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

11 REPORT ON PLACEMENT IN AUTHORIZED ENTITIES

12 **Sec. 22.** RCW 28A.155.250 and 2023 c 436 s 8 are each amended to
13 read as follows:

14 (1) Beginning December 1, 2023, and in compliance with RCW
15 43.01.036, the office of the superintendent of public instruction
16 shall annually submit a report to the education committees of the
17 legislature regarding placements of students with disabilities at
18 authorized entities under RCW 28A.155.060. A summary of the report,
19 including a link to the full report content, must also be posted on
20 the office of the superintendent of public instruction's website. The
21 report must include:

22 (a) The number of students with disabilities placed in in-state
23 authorized entities and the number of students with disabilities
24 placed in out-of-state authorized entities, disaggregated by placing
25 school district;

26 (b) The academic progress of students receiving special education
27 services from authorized entities, using the results of the two most
28 recent state assessments;

29 ~~((b))~~ (c) The graduation rates of students who have received
30 special education services from authorized entities;

31 ~~((e))~~ (d) The rate at which students receiving special
32 education services from authorized entities return to their resident
33 school districts;

34 ~~((d))~~ (e) Data on student restraint and isolation incidents,
35 discipline, and attendance at authorized entities; ~~(and~~

36 ~~(e))~~ (f) A year-over-year analysis of placement rates in
37 authorized entities that includes whether placement decisions are

1 influenced by requirements related to student isolation and restraint
2 under RCW 28A.600.485; and

3 (g) Any corrective action or change in an entity's authorization
4 status, as ordered by the office of the superintendent of public
5 instruction.

6 (2) The data published under subsection (1) of this section must
7 be disaggregated by each authorized entity when it is possible to do
8 so without disclosing, directly or indirectly, a student's personally
9 identifiable information as protected under the federal family
10 educational rights and privacy act (Title 20 U.S.C. Sec. 1232g).

11 (3) As used in this section, "authorized entity" has the same
12 meaning as in RCW 28A.300.690.

13 REPEALER

14 NEW SECTION. **Sec. 23.** RCW 28A.415.330 (Professional development
15 institutes—Managing disruptive students) and 1999 c 166 s 2 are each
16 repealed.

17 NULL AND VOID

18 NEW SECTION. **Sec. 24.** If specific funding for the purposes of
19 this act, referencing this act by bill or chapter number, is not
20 provided by June 30, 2024, in the omnibus appropriations act, this
21 act is null and void."

22 Correct the title.

EFFECT: Makes the following changes to the underlying bill:

(1) Changes or adds definitions as follows:

(a) Modifies the definition of "chemical restraint" by adding that drugs or chemicals administered by designated staff delegated and trained by a licensed health professional in accordance with the student's medical or psychiatric treatment plan are not chemical restraints;

(b) Defines "intensive crisis prevention and response training" to mean a training program approved by the Office of the Superintendent of Public Instruction (OSPI), in consultation with the University of Washington SMART center and the state association for behavior analysis;

(c) Specifies that the term "isolation" does not include: (i) Staff temporarily confining a student alone in a classroom, office, or common area because the student's behavior poses an imminent likelihood of serious harm to the staff who had been in the room with the student, provided the student's confinement ends as soon as it is

practicable for additional staff to intervene; or (ii) a room clear, except as provided in rule of the OSPI; and

(d) Defines "student behavior management" to mean the knowledge and skills to: (i) Implement proactive classroom management strategies that create a positive and safe learning environment; (ii) recognize the emotional or behavioral distress of students and respond using evidence-based, trauma-informed behavioral health supports that are age and developmentally appropriate, are restorative, and consider any disabilities of the students; (iii) understand and implement behavior management practices and positive behavioral supports within a multitiered system of supports; and (iv) use evidence-based, trauma-informed, and student-centered approaches for de-escalating aggressive student behaviors that include problem-solving and conflict resolution and are less restrictive than isolation or restraint.

(2) Adds to the limitations on staff isolation of a student that, during isolation, the student must be under the constant supervision of staff.

(3) Specifies that the purpose for the exemption from the limitations on isolating students in prekindergarten through grade five is to give time for staff to receive student behavior management training and intensive crisis prevention and response training.

(4) Allows the OSPI to extend the exemption expiration date for any school district or other provider of public educational services that claimed an exemption by August 1, 2025, until staff have received student behavior management and intensive crisis prevention and response training as described in the staff training plan.

(5) Makes changes to the provisions for parent or legal guardian and licensed health professional authorization of isolation of a prekindergarten through grade five student as follows:

(a) Requires that the parent or legal guardian request the authorization and that the parent's or legal guardian's informed, written consent be uncoerced;

(b) Requires two, rather than one, licensed health professionals to recommend isolation for the student under specified circumstances and conditions;

(c) Specifies that at least one of the licensed health professionals must not be an employee or contractor of the school district or provider of public educational services serving the student; and

(d) Defines "licensed health professional" for the purpose of this provision as a licensed behavior analyst, mental health counselor, osteopathic physician, physician, psychiatric nurse, psychiatric nurse practitioner, psychiatrist, or psychologist.

(6) Makes changes to incident follow-up procedures as follows:

(a) Requires notifications about incidents of student isolation and restraint and room clears to occur as soon as practicable, rather than immediately, following release of the student from isolation or restraint, or the return of students from a room clear;

(b) Changes written reporting requirements for incidents from a per incident report to per student per day report;

(c) Provides that the incident report be part of the written documentation sent to the parent or legal guardian of a student who was isolated or restrained, or the cause of a room clear;

(d) Requires that, to the extent practicable, pertinent information from the principal or other building administrator's review of an incident with the student and the student's parent or legal guardian be considered by the incident review team;

(e) Specifies that nothing prevents an incident review team from conducting multiple incident reviews in the same review session; and

(f) Adds a requirement that, in any month that there are incidents, the principal, other building administrator, or designee must submit to the school district superintendent or other chief administrator of a provider of public educational services a summary of the outcomes of the team incident reviews during the prior month that describes any changes to the nature and amount of resources and supports available to students and staff needed to prevent similar, future incidents.

(7) Expands requirements for the OSPI model plan for staff training by specifying that the plan include guidance, and that the plan and guidance:

(a) Propose training content, duration, and frequency categories by staff program, activity, and duty codes for student behavior management training and for intensive crisis prevention and response training, though nothing requires all staff to be trained on intensive crisis prevention and response;

(b) Describe best practices for connecting staff training on student behavior management and intensive crisis prevention and response to existing systems designed to support student learning, social-emotional well-being, and positive behavior in the classroom, for example: (i) Social-emotional learning; (ii) inclusionary practices; and (iii) the Washington Integrated Student Supports Protocol, within a multitiered system of supports;

(c) Suggest options for compensating staff for training on student behavior management and intensive crisis prevention and response that include: (i) The three state-funded professional learning days; (ii) other staff training days funded in a biennial or supplemental operating budget; and (iii) federal funds;

(d) Include mechanisms that can be used to determine whether an entity under contract to provide educational services to students is providing training on student behavior management and intensive crisis prevention and response to the contractor's staff; and

(e) Describe any OSPI and educational service district resources available to support staff training on student behavior management and intensive crisis prevention and response.

(8) Modifies requirements for the staff training plan that must be prepared by school districts and other providers of public educational services as follows:

(a) Specifies that the training to be provided is training on student behavior management and intensive crisis management and response, as these terms are defined, though nothing requires all staff to be trained on intensive crisis prevention and response;

(b) Adds that the plan update, when applicable, explain why the prior year's training was not provided or made available as planned;

(c) Specifies that the plan and updates must include name of any crisis prevention and response training programs provided or made available to staff; and

(d) Removes example modes of professional development.

(9) Requires that, in establishing policies and requirements for the preparation and certification of educators, the Professional Educator Standards Board (PESB) require that the programs of courses, requirements, and other activities leading to educator certification include the foundational knowledge and skills of student behavior management.

(10) Adds to the topics that school district plans for recognition, initial screening, and response to emotional or behavioral distress in students must address by specifying how staff should: (a) Respond to students' emotional or behavioral distress in a manner that is age and developmentally appropriate and considers any disabilities of the students; and (b) implement trauma-informed

and relationship-centered de-escalation approaches, including protocols to comply with student isolation and restraint requirements.

(11) Modifies the December 1, 2024, report from the PESB and Paraeducator Board to specify that it is a report on a plan for integrating the educator certification and paraeducator certificate requirements described above, rather than a plan for integrating requirements for student isolation and restraint into these certification and certificate requirements.

(12) Adds to the state paraeducator standard of practice of supporting a positive and safe learning environment: (a) Responding to the emotional or behavioral distress of students in a manner that is age and developmentally appropriate and considers any disabilities of the students; (b) implementing behavior management practices and positive behavioral supports; and (c) using trauma-informed and relationship-centered approaches for de-escalating aggressive student behaviors that include problem-solving and conflict resolution.

(13) Adds classroom management strategies that include positive behavioral supports and de-escalation strategies to the list of topics that school districts are required to use one state-funded professional learning day to train staff on every other year.

(14) Requires the OSPI to publish a sample daily incident report form that includes fields for the required information.

(15) Requires the OSPI's December 1, 2025, report on staff training to identify approved intensive crisis prevention and response training program providers and those used by school districts and other providers of public educational services.

(16) Requires the OSPI's annual report on placements of students with disabilities at authorized entities to include: (a) The number of students with disabilities placed in in-state authorized entities and out-of-state authorized entities, disaggregated by placing school district; and (b) a year-over-year analysis of placement rates in authorized entities that includes whether placement decisions are influenced by requirements related to student isolation and restraint.

(17) Repeals a 1999 statute that directed the OSPI to conduct professional development institutes to provide opportunities for teachers, principals, and other school staff to learn effective research-based strategies for handling disruptive students.

(18) Makes additional changes, for example: (a) Changes the term "health care directive or medical management plan" to "individual health plan or other health care management plan;" and (b) specifies that a plan of improvement may end when a school district or other provider of public educational services "makes sufficient progress towards providing required staff training," rather than "meets professional development plan goals."

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