
ENGROSSED SUBSTITUTE HOUSE BILL 1795

State of Washington

69th Legislature

2026 Regular Session

By House Education (originally sponsored by Representatives Callan, Santos, Reed, Farivar, Macri, and Leavitt)

READ FIRST TIME 01/27/26.

1 AN ACT Relating to restraint or isolation of students in public
2 schools and educational programs; amending RCW 28A.600.485 and
3 28A.600.486; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The purpose of this act is to protect
6 students from the physically harmful and emotionally traumatic
7 practices of chemical restraint, mechanical restraint, and physical
8 restraint that interfere with breathing or blood flow. By 2031, it is
9 the legislature's intent to improve the safety and well-being of
10 staff members and students in prekindergarten through 12th grade by
11 banning isolation practices, providing technical assistance,
12 implementing a trauma-informed professional development program on
13 evidence-informed alternatives to restraint and isolation, and
14 enhancing the public accountability of school districts and other
15 providers of public educational services.

16 **Sec. 2.** RCW 28A.600.485 and 2015 c 206 s 3 are each amended to
17 read as follows:

18 (1) ~~((The definitions in this subsection apply throughout this~~
19 ~~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)) The provisions of this section apply to all staff members~~
21 ~~of school districts and other providers of public educational~~
22 ~~services, except for staff members who are licensed or certified~~
23 ~~health professionals of an inpatient health care facility. However,~~
24 ~~nothing in this section prohibits a school resource officer as~~
25 ~~defined in RCW 28A.320.124 from carrying out the lawful duties of a~~
26 ~~commissioned law enforcement officer.~~

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

33 (3) (a) (i) An individualized education program or plan developed
34 under section 504 of the rehabilitation act of 1973 must not include
35 the use of restraint or isolation as a planned behavior intervention
36 ((unless—a)) except as provided in this subsection (3) (a) (i).
37 Restraint may be included in such program or plan only if the
38 student's individual needs require more specific advanced educational
39 planning, and the student's parent or guardian ((agrees)) requests
40 the inclusion of restraint. In all cases in which restraint is

1 included as a planned behavior intervention, a licensed health care
2 provider must document in writing that the intervention is medically
3 necessary, and the parent or guardian must provide informed,
4 voluntary written consent.

5 (ii) All other plans may refer to the ((district)) policy
6 developed under ((subsection (3)(b) of this section. Nothing in this
7 section is intended to limit the provision of a free appropriate
8 public education under Part B of the federal individuals with
9 disabilities education improvement act or section 504 of the federal
10 rehabilitation act of 1973)) (b) of this subsection (3).

11 (b) ((Restraint)) Except as provided in (c) of this subsection
12 (3), restraint or isolation of any student is permitted only when
13 reasonably necessary to control spontaneous behavior that poses an
14 imminent likelihood of serious harm((, as defined in RCW 70.96B.010))
15 to the student or to another person, such as another student or staff
16 member. Restraint or isolation must be closely monitored to prevent
17 harm to the student, and must be discontinued as soon as the
18 likelihood of serious harm has dissipated. Each school district and
19 other provider of public educational services shall adopt a policy
20 providing for the least amount of restraint or isolation appropriate
21 to protect the safety of students and staff members under such
22 circumstances.

23 (c) Staff members of any school district or other provider of
24 public educational services are prohibited from using any of the
25 following restraints on any student: Mechanical restraint; chemical
26 restraint; or physical restraint or physical escort that is life-
27 threatening, restricts breathing, or restricts blood flow to the
28 brain, including prone, supine, and wall restraints.

29 (4) Following the release of a student from the use of restraint
30 or isolation, the school district or other provider of public
31 educational services must implement follow-up procedures. These
32 procedures must include: (a) Reviewing the incident with the student
33 and the parent or guardian to address the behavior that precipitated
34 the restraint or isolation and the appropriateness of the response;
35 and (b) reviewing the incident with the staff member who administered
36 the restraint or isolation to discuss whether proper procedures were
37 followed and what training or support the staff member needs to help
38 the student avoid similar incidents.

39 (5) Any ~~((school employee, resource officer, or school security~~
40 ~~officer)) staff member who uses isolation or restraint on a student~~

1 during school-sponsored instruction or activities must inform the
2 building administrator or building administrator's designee as soon
3 as possible, and within two business days submit a written report of
4 the incident to the ~~((district))~~ office of the school district
5 superintendent or other chief administrator of the provider of public
6 educational services. The written report must include, at a minimum,
7 the following information:

8 (a) The date and time of the incident;

9 (b) The name and job title of the ~~((individual))~~ staff member who
10 administered the restraint or isolation;

11 (c) A description of the activity that led to the restraint or
12 isolation;

13 (d) The type of restraint or isolation used on the student,
14 including the duration;

15 (e) Whether the student or staff ~~((was))~~ members were physically
16 injured during the restraint or isolation incident and any medical
17 care provided; and

18 (f) Any recommendations for changing the nature or amount of
19 resources available to the student and staff members in order to
20 avoid similar incidents.

21 (6) The principal ~~((or principal's))~~, other building
22 administrator, or designee must make a reasonable effort to verbally
23 inform the student's parent or guardian within ~~((twenty-four))~~ 24
24 hours of the incident, and must send written notification as soon as
25 practical but postmarked no later than five business days after the
26 restraint or isolation occurred. If the ~~((school or))~~ school district
27 or other provider of public educational services customarily provides
28 the parent or guardian with school-related information in a language
29 other than English, the written report under this section must be
30 provided to the parent or guardian in that language.

31 (7) (a) ~~((Beginning January 1, 2016, and))~~ Annually by January 1st
32 ~~((annually))~~, each school district and other provider of public
33 educational services shall summarize the written reports received
34 under subsection (5) of this section and submit the summaries to the
35 office of the superintendent of public instruction. For each school,
36 the school district or other provider of public educational services
37 shall include the number of individual incidents of restraint and
38 isolation, the number of students involved in the incidents, the
39 number of injuries to students and staff members, and the types of
40 restraint or isolation used.

1 (b) No later than (~~ninety~~) 90 days after receipt, the office of
2 the superintendent of public instruction shall publish to its website
3 the data received (~~by the districts~~) under (a) of this subsection
4 (7). The data must be published in a format that enables trend
5 analysis, including comparisons of incident rates and types between
6 school districts and authorized entities as defined in RCW
7 28A.300.690. The office of the superintendent of public instruction
8 may use this data to investigate the training, practices, and other
9 efforts used by (~~schools and~~) school districts and other providers
10 of public educational services to reduce the use of restraint and
11 isolation.

12 (8) A school district or other provider of public educational
13 services shall not design, construct, remodel, reconfigure,
14 repurpose, or otherwise establish any room or other enclosed area for
15 the primary purpose of student isolation, irrespective of how the
16 space is labeled. Nothing in this subsection (8) precludes a
17 student's voluntary use of a quiet space for self-calming, or the
18 temporary removal of a student from his or her regular instructional
19 area to an unlocked area for purposes of carrying out an appropriate
20 positive behavior intervention plan.

21 (9) Nothing in this section is intended to limit the provision of
22 a free appropriate public education under Part B of the federal
23 individuals with disabilities education improvement act or section
24 504 of the federal rehabilitation act of 1973.

25 (10) For purposes of this section, the following definitions
26 apply:

27 (a) "Chemical restraint" means a drug or chemical administered by
28 a staff member to a student to control the student's behavior or
29 restrict the student's freedom of movement that is not: (i)
30 Prescribed by a licensed health professional acting within the scope
31 of the practice of that health profession for the standard treatment
32 of a student's medical or psychiatric condition; (ii) administered by
33 a licensed health professional acting within the scope of the
34 practice of that health profession or administered by a designated
35 staff member delegated and trained by the licensed health
36 professional under RCW 28A.210.260; or (iii) administered in
37 accordance with the student's medical or psychiatric treatment plan;

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

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

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

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

11 (ii) Harm will be inflicted by the student upon another, as
12 evidenced by behavior that places another person or persons in
13 reasonable fear of sustaining such harm;

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

27 (f) "Physical escort" means the temporary touching or holding of
28 a student's hand, wrist, arm, shoulder, or back by a staff member for
29 the purpose of directing the student to a safe or otherwise
30 appropriate location;

31 (g) "Physical prompt" means a teaching technique used by a staff
32 member that involves voluntary physical contact with a student for
33 the purpose of enabling the student to learn or model the physical
34 movement necessary for the development of a desired competency;

35 (h) "Physical restraint" means physical contact by one or more
36 staff members that immobilizes or reduces the ability of a student to
37 move the student's arms, legs, torso, or head freely. "Physical
38 restraint" does not include chemical restraint, mechanical restraint,
39 physical escort, or physical prompt;

1 (i) "Provider of public educational services" means any entity
2 that directly operates, or provides educational services under
3 contract to, an elementary or secondary school program that receives
4 public funds from the office of the superintendent of public
5 instruction. "Provider of public educational services" includes a
6 school district, a public school as defined in RCW 28A.150.010, an
7 educational service district, an institutional education provider as
8 defined in RCW 28A.190.005, a public agency or private entity
9 providing educational services under contract with any other provider
10 of public educational services, an authorized entity as defined in
11 RCW 28A.300.690, and any providers of services in accordance with
12 Part B of the federal individuals with disabilities education act, 20
13 U.S.C. Sec. 1400 et seq. In addition, "provider of public educational
14 services" includes the state school for the blind and the center for
15 deaf and hard of hearing youth established under RCW 72.40.010;

16 (j) "Restraint" includes chemical restraint, mechanical
17 restraint, and physical restraint;

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

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

24 **Sec. 3.** RCW 28A.600.486 and 2013 c 202 s 4 are each amended to
25 read as follows:

26 ((Parents)) (1) School districts and other providers of public
27 educational services must provide the parents and guardians of
28 children who have individualized education programs or plans
29 developed under section 504 of the rehabilitation act of 1973 (~~must~~
30 ~~be provided~~) with a copy of the ((district)) policy on the use of
31 isolation and restraint, adopted as required by RCW 28A.600.485, at
32 the time that the program or plan is created.

33 (2) "Provider of public educational services" has the same
34 meaning as in RCW 28A.600.485.

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