CERTIFICATION OF ENROLLMENT

ENGROSSED SUBSTITUTE HOUSE BILL 1795

69th Legislature
2026 Regular Session

Passed by the House March 12, 2026
Yeas 58 Nays 37

Speaker of the House of Representatives

Passed by the Senate March 5, 2026
Yeas 28 Nays 20

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1795** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

Secretary of State
State of Washington

ENGROSSED SUBSTITUTE HOUSE BILL 1795

AS AMENDED BY THE SENATE

Passed Legislature - 2026 Regular Session

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.

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

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

NEW SECTION. **Sec. 1.** The purpose of this act is to protect students from the physically harmful and emotionally traumatic practices of chemical restraint, mechanical restraint, and physical restraint that interfere with breathing or blood flow. By 2031, it is the legislature's intent to improve the safety and well-being of staff members and students in prekindergarten through 12th grade by implementing a trauma-informed professional development program on evidence-informed alternatives to restraint and isolation that will allow the state to ban isolation practices, provide the technical assistance necessary to successfully operationalize that ban, and enhance the public accountability of school districts and other providers of public educational services.

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

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

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

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

~~(c) "Restraint device" means a device used to assist in controlling a student, including but not limited to metal handcuffs, plastic ties, ankle restraints, leather cuffs, other hospital-type restraints, pepper spray, tasers, or batons. Restraint device does not mean a seat harness used to safely transport students. This section shall not be construed as encouraging the use of these devices~~)) The provisions of this section apply to all staff members of school districts and other providers of public educational services, except for staff members who are licensed or certified health professionals of an inpatient health care facility. However, nothing in this section prohibits a school resource officer as defined in RCW 28A.320.124 from carrying out the lawful duties of a commissioned law enforcement officer. Incidents involving a school resource officer trigger the procedural and reporting requirements in subsections (4) through (7) of this section.

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

(3)(a)(i) An individualized education program or plan developed under section 504 of the rehabilitation act of 1973 must not include the use of restraint or isolation as a planned behavior intervention ((~~unless a~~)) except as provided in this subsection (3)(a)(i). Restraint may be included in such program or plan only if the student's individual needs require more specific advanced educational

planning, and the student's parent or guardian ((~~agrees~~)) requests the inclusion of restraint. In all cases in which restraint is included as a planned behavior intervention, a licensed health care provider must document in writing that the intervention is medically necessary, and the parent or guardian must provide informed, voluntary written consent.

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

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

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

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

(5) Any ((~~school employee, resource officer, or school security officer~~)) staff member who uses isolation or restraint on a student during school-sponsored instruction or activities must inform the building administrator or building administrator's designee as soon as possible, and within two business days submit a written report of the incident to the ((~~district~~)) office of the school district superintendent or other chief administrator of the provider of public educational services. The written report must include, at a minimum, the following information:

(a) The date and time of the incident;

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

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

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

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

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

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

(7)(a) ((~~Beginning January 1, 2016, and~~)) Annually by January 1st ((~~annually~~)), each school district and other provider of public educational services shall summarize the written reports received under subsection (5) of this section and submit the summaries to the office of the superintendent of public instruction. For each school, the school district or other provider of public educational services shall include the number of individual incidents of restraint and isolation, the number of students involved in the incidents, the

number of injuries to students and staff members, and the types of restraint or isolation used.

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

(8)(a) A school district or other provider of public educational services may not design, construct, remodel, reconfigure, repurpose, or otherwise establish any new room or other enclosed area for the primary purpose of student isolation, irrespective of how the space is labeled.

(b) Nothing in this subsection (8) precludes a school district or other provider of public educational services from creating:

(i) A quiet space for voluntary use by a student for self-calming;

(ii) A safe place to be used during a temporary removal of a student from his or her regular instructional area to an unlocked area for purposes of carrying out an appropriate positive behavior intervention plan; or

(iii) A temporary safe space to be used during removal of a student from his or her regular instructional area when there is an imminent likelihood of serious harm to the student or to another person and the requirements of subsection (3)(b) of this section are met. Use of this space is considered isolation and triggers the procedural and reporting requirements of subsections (4) through (7) of this section.

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

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

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

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

(c) "Isolation" means restricting the student alone within a room or any other form of enclosure, from which the student may not leave. "Isolation" does not include:

(i) A student's voluntary use of a quiet space for self-calming;

(ii) Temporary removal of a student from his or her regular instructional area to an unlocked area for purposes of carrying out an appropriate positive behavior intervention plan; or

(iii) Using a nonpermanent, removable material or barrier within an instructional setting for the purpose of temporarily separating a student from the rest of the instructional setting for a short period of time in order to address privacy concerns among students when a student engages in actions such as disrobement or similar behavior that raises significant privacy concerns and substantially impacts the ability to maintain a safe environment for learning for all students. The temporary material or barrier must still allow the student to be monitored by instructional or support staff in the classroom. Any incidents involving this type of separation of a student using a temporary material or barrier as described under this subsection trigger the procedural and reporting requirements in subsections (4) through (7) of this section and must be reported as a separation;

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

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

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

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

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

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

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

(i) "Provider of public educational services" means any entity that directly operates, or provides educational services under contract to, an elementary or secondary school program that receives public funds from the office of the superintendent of public instruction. "Provider of public educational services" includes a school district, a public school as defined in RCW 28A.150.010, an educational service district, an institutional education provider as defined in RCW 28A.190.005, a public agency or private entity providing educational services under contract with any other provider of public educational services, an authorized entity as defined in RCW 28A.300.690, and any providers of services in accordance with

Part B of the federal individuals with disabilities education act, 20 U.S.C. Sec. 1400 et seq. In addition, "provider of public educational services" includes the state school for the blind and the center for deaf and hard of hearing youth established under RCW 72.40.010;

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

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

(l) "Students" means children and youth served by a school district or other provider of public educational services, but does not include children served in early childhood education and assistance programs established under chapter 43.216 RCW or federal head start programs.

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

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

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

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