

Use of Restraint and Isolation

I. Definitions.

The following definitions apply to this Procedure and to Policy 3247. These definitions are based upon the definitions set forth in RCW 28A.600.485, and Chapter 392-172A of the Washington Administrative Code.

A. Restraint: Physical intervention or force used to control a student, including the use of a restraint device as defined in RCW 28A.600.485.

B. Isolation: Excluding a student from his or her regular instructional area and restricting the student alone within a room or any other form of enclosure, from which the student may not leave.

C. Aversive Intervention: The use of isolation or restraint practices for the purpose of discouraging undesirable behavior on the part of the student. The term does not include the use of reasonable force, restraint, or other treatment to control unpredicted spontaneous behavior which poses one of the following dangers:

- (1) A clear and present danger of serious harm to the student or another person.
- (2) A clear and present danger of serious harm to property.
- (3) A clear and present danger of seriously disrupting the educational process.

II. Limitations on Use of Isolation and Restraint as Aversive Interventions

The District will follow all state regulations regarding the use of aversive interventions with students eligible for special education, as set forth in WAC 392-172A-03120 through -03135. Those regulations include the following limitations on isolation and restraint:

A. Bodily Contact. The use of any form of aversive interventions which involve contacting the body of a student shall be addressed in the student's aversive intervention plan that meets the requirements of WAC 392-172A-03135, which requires that the aversive intervention plan must:

- (1) Be consistent with the recommendations of the IEP team which must include a school psychologist and/or other certificated employee who understands the appropriate use of the aversive interventions and who concurs with the recommended use of the aversive interventions, and a person who works directly with the student.
- (2) Specify the aversive interventions that may be used.
- (3) State the reason the aversive interventions are judged to be appropriate and the behavioral objective sought to be achieved by its use, and shall describe the positive interventions attempted and the reasons they failed, if known.
- (4) Describe the circumstances under which the aversive interventions may be used.
- (5) Describe or specify the maximum duration of each isolation or restraint.
- (6) Specify any special precautions that must be taken in connection with the use of the aversive interventions technique.

- (7) Specify the person or persons permitted to use the aversive interventions and the current qualifications and required training of the personnel permitted to use the aversive interventions.
- (8) Establish a means of evaluating the effects of the use of the aversive interventions and a schedule for periodically conducting the evaluation at least every three months when school is in session.
- (9) Include procedures for notifying the parent regarding the use of restraint or isolation.

B. Isolation. The use of aversive interventions which involves excluding a student from his or her regular instructional area and isolation of the student within a room or any other form of enclosure is subject to each of the following conditions:

- (1) The isolation, including the duration of its use, shall be addressed in the student's aversive intervention plan that meets the requirements of WAC 392-172A-03135.
- (2) The enclosure shall be ventilated, lighted, and temperature controlled from inside or outside for purposes of human occupancy.
- (3) The enclosure shall permit continuous visual monitoring of the student from outside the enclosure.
- (4) An adult responsible for supervising the student shall remain in visual or auditory range of the student.
- (5) Either the student shall be capable of releasing himself or herself from the enclosure or the student shall continuously remain within view of an adult responsible for supervising the student.

C. Physical Restraint. A student must not be physically restrained or immobilized by binding or otherwise attaching the student's limbs together or by binding or otherwise attaching any part of the student's body to an object, except where reasonably necessary to protect the student, other persons, or property from serious harm, and subject to the other conditions of WAC 392-172A-03130.

III. Reporting Requirements:

The following reporting requirements will apply when any student with an IEP or a section 504 plan is subjected to any restraint or isolation.

A. Processing the Incident

Following the release of a student from the use of restraint or isolation, the school will implement these follow-up procedures. These procedures will include reviewing the incident with the student and the parent or guardian to address the behavior that precipitated the use of, restraint or isolation, and reviewing the incident with the staff member(s) who administered the restraint or isolation to discuss whether proper procedures were followed.

B. Incident Report

Any school employee, school resource officer, or school security officer who uses any chemical spray, restraint device, or physical force on a student during school-sponsored instruction or activities will inform the building administrator or a designee as soon as possible, and within two business days submit a written report of the incident to the district office. The report will include:

1. The date and time of the incident;
2. The name and job title of the individual(s) who administered the restraint or isolation;
3. A description of the activity that led to the restraint or isolation;
4. The type of restraint or isolation used, including the duration; and
5. Whether the student or staff was physically injured during the restraint or isolation and what medical care, if any, was provided.

C. Informing Parent or Guardian of Incident

The principal or a designee will make a reasonable effort to verbally inform the student's parent or guardian of the incident within twenty four hours of the incident, and will send written notification as soon as practical but postmarked no later than five business days after the restraint or isolation occurred. If the school customarily provides the parent or guardian with school-related information in a language other than English, the written report will be provided to the parent in that language.

IV. Notification of Policy and Procedure

All IEPs will include notice of the above procedures for notifying parents or guardians regarding the use of restraint or isolation. The District will provide a copy of Policy 2163 to parents or guardians of students with IEPs or section 504 plans at the time that the program or plan is created. Upon request the District will also make available to Parents a copy of this Procedure or information on where to access the laws and regulations set forth above.