

## STUDENTS

### Restraint, Isolation and Other Uses of Reasonable Force

This procedure is intended to apply to a broad range of circumstances whenever it is deemed reasonably necessary by district staff to control spontaneous behavior by any student that poses an imminent likelihood of serious harm. This procedure is intended to be interpreted consistent with the requirements of RCW 28A.600.485, RCW 9A.16.020, RCW 9A.16.100, RCW 28A.155.210, WAC 392-400-235, and, for students with an IEP, consistent with the regulations of Chapter 392-172A WAC.

#### **Definitions:**

- **De-Escalation:** The use of positive behavioral interventions and other district-approved strategies to defuse a student who has lost self-control, is non-compliant or is demonstrating unacceptable behavior. These strategies address behavior that is dangerous, disruptive or otherwise impedes the learning of a student or others.
- **Imminent:** The state or condition of being likely to occur at any moment or near at hand, rather than distant or remote.
- **Isolation:** Restricting a 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.
- **Likelihood of Serious Harm:** A substantial risk that physical harm will be inflicted by a student:
  - upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself;
  - upon another, as evidenced by behavior that has caused such harm or that places another person or persons in reasonable fear of sustaining such harm;
  - upon the property of others, as evidenced by behavior that has caused substantial loss or damage to the property of others; or
  - after the student has threatened the physical safety of another and has a history of one or more violent acts.
- **Positive behavioral interventions:** Strategies and instruction that can be implemented in a systematic manner in order to provide alternatives to challenging behaviors, reinforce desired behaviors, and reduce or eliminate the frequency and severity of challenging behaviors. Positive behavioral interventions include the consideration of environmental factors that may trigger challenging behaviors and teaching a student the skills to manage his or her own behavior.
- **Restraint:** Physical intervention or force used to control a student, including the use of a restraint device. 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.

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#### **Emergency Response Protocols**

The parent and the district may develop emergency protocols to be used in the event of emergencies that pose a “likelihood of serious harm” as defined above. Emergency response protocols, if developed, must: 1) be incorporated into a student’s IEP; 2) shall not be used as a substitute for a behavioral intervention plan that is designed to change, replace, modify, or eliminate a targeted behavior; and 3) shall be subject to the following conditions and limitations:

- a) The student's parent or guardian provides written agreement, in advance, to the emergency response protocols to be adopted:
- b) The emergency response protocols specify:
  - (i) The emergency conditions under which isolation, restraint, or restraint devices, if any, will be used;
  - (ii) The type of isolation, restraint, and/or restraint device, if any, that may be used;
  - (iii) The staff or contract positions permitted to use isolation, restraint, and/or restraint devices with the student and any required training for the staff or contracted position to use isolation, restraint, and/or restraint device(s);
  - (iv) Any other special precautions that must be taken.
- c) Any use of isolation, restraint, and/or restraint device(s) must be discontinued as soon as the likelihood of serious harm has dissipated.
- d) Any staff member or other adults using isolation, restraint, or a restraint device must be trained and certified in the use of isolation, restraint, or a restraint device.

#### **Post-Incident Notification and Review with Parent/Guardian:**

Within twenty-four (24) hours following the use of restraint or isolation with a student, the principal or designee must make a reasonable effort to verbally inform the student’s parent or guardian of the incident. The principal or designee must also send written notification as soon as practical, but postmarked no later than five (5) business days after restraint or isolation has been used with a student. If the school or district customarily provides the parent or guardian with school-related information in a language or mode of communication other than English, the written report must be provided to the parent or guardian in that language or mode of communication.

The principal or designee:

- Will review the incident with the student and the parent or guardian (though not necessarily at the same time) to address the behavior that precipitated the use of the technique and the appropriateness of the response.
- Will review the incident with the staff person(s) who administered the restraint or isolation to discuss whether proper procedures were followed and what staff training or support is needed to help the student avoid similar incidents.

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#### **Incident Report:**

Any school employee, school resource officer or school security officer who uses restraint or isolation, as defined in this procedure, on any student during school-sponsored instruction or activities, will inform the principal or a designee as soon as possible and within two (2) business days submit a written report of the incident to the district office. The written report will contain, at a minimum:

- The date and time of the incident;
- The name and job title of the staff member who administered the restraint or isolation;
- A description of the activity that led to the restraint or isolation;
- The type of restraint or isolation used, and the duration;
- Whether the student or staff was physically injured during the incident involving restraint or, isolation;
- Any medical care provided to the student or staff; and
- Any recommendations for changing the nature or amount of resources available to the student and staff members in order to avoid similar incidents.

#### **Providing Parents/Guardians with Restraint, Isolation, and Other Uses of Reasonable Force Policy:**

The district will make available to all parents/guardians of students the district's policy on Restraint, Isolation and Other Uses of Reasonable Force. If the student has an IEP or 504 plan, the District will provide the parents/guardians a copy of the policy each time an initial or annual IEP or 504 plan is developed.

#### **Staff Training Requirements:**

All training will include instruction in positive management of student behavior, cultural sensitivity, effective communication for defusing and de-escalating disruptive or dangerous behavior and safe and appropriate use of force, isolation and restraint. Annually, administrators will provide all staff with the district established policy and procedure regarding the use of reasonable force.

All staff should be informed of de-escalation strategies and proper physical intervention procedures. Appropriate staff and those who are required or reasonably anticipated to provide physical force intervention will be trained in the use of physical force intervention.

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