

## INSTRUCTION

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

#### Definitions

- A. De-escalation: The use of positive 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.
- B. Emergency/Crisis Situation: One in which a student's behavior poses a threat of imminent, serious physical harm to the student or others and/or that threatens significant property damage.
- C. Individualized Education Program (IEP): A written statement of an educational program for a student eligible for special education that is developed, reviewed, and revised in accordance with applicable state and federal law.
- D. Individualized Education Program Team or IEP Team: A group of individuals described in [WAC 392-172A-03095](#), responsible for developing, reviewing, or revising an IEP.
- E. Nonviolent Physical Crisis Intervention: A safe, non-harmful behavioral management system designed to aid district staff members in maintaining the best possible care, welfare, safety, and security for agitated or out-of-control individuals, even during their most violent moments, established by the Crisis Prevention Institute (CPI).
- F. Restraint: Physical intervention or force used to control a student, including the use of a device to restrict the free movement of all or a portion of a student's body. It does not include:
  - 1. Briefly holding a student in order to calm or comfort the student;
  - 2. Holding a student's hand or arm to escort the student safely from one area to another when the student is complying with the request to move;
  - 3. Intervening in a fight between students; and/or
  - 4. Using protective or stabilizing devices, including adaptive equipment prescribed by a health care professional, such as a physical therapist, that is detailed in the student's IEP.
- G. Positive Behavior 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 successful self-awareness, self-management, and how to engage with others in the learning process.

- H. Isolation: Restricting a student alone within a room or any other form of enclosure from which the student may not leave. Isolation DOES NOT INCLUDE the 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.
- I. Substantial Risk: A situation where there is serious, imminent threat of bodily harm and where there is the immediate ability to enact such harm.
- J. Imminent: Being likely to occur at any moment or near at hand, rather than distant or remote.
- K. Likelihood of “Serious Harm”: A substantial risk that physical harm will be inflicted by a student:
  - 1. Upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself;
  - 2. 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;
  - 3. Upon property of others, as evidenced by behavior that has caused substantial loss or damage to the property of others; or
  - 4. After the student has threatened the physical safety of another and has a history of one of more violent acts.
- L. Restraint Devices: 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 or other safety devices when used for the purpose intended for the safety of the student.

#### Unreasonable Practices

Under [RCW 9A.16.100](#), the following is a non-exclusive list of acts that are presumed unreasonable when correcting or restraining any student under the age of 18:

- A. Throwing, kicking, burning or cutting a child;
- B. Striking a child with a closed fist;
- C. Shaking a child under the age of three;
- D. Interfering with a child’s breathing;
- E. Threatening a child with a deadly weapon; or
- F. Doing any other act that is likely to cause bodily harm to a student greater than transient pain or minor temporary marks.

Use of Restraint, Isolation, or Other Forms of Reasonable Force

Consistent with the provisions found in [WAC 392-172A](#), nothing in this regulation precludes the use of restraint or isolation as part of emergency response protocols for students developed and incorporated within an Individualized Education Plan or Section 504 Plan, provided that the student requires more specific advanced educational planning as defined in [WAC 392-172A](#) and outlined in procedure R 2151.

- A. Restraint, isolation, or other forms of reasonable force may only be used to prevent or minimize imminent bodily harm to self or others or, if de-escalation or other positive interventions fail or are inappropriate.
- B. Restraint, isolation, or other forms of reasonable physical force will not be used as a form of discipline or punishment.
- C. Restraint, isolation, and other forms of reasonable physical force will not be used as an initial response to destruction of property, school disruption, refusal of the student to comply with school rules or a staff directive or a verbal threat that does not constitute a threat of imminent bodily injury, unless other forms of de-escalation and positive interventions fail or are inappropriate.
- D. Restraint, isolation and other forms of reasonable force should not be used as an intervention if the school employee, school resource officer or school security officer knows that the student has a health condition or physical problem, and the condition or problem would be exacerbated by the use of such techniques.

Conditions Specific to Use of Isolation

Any staff member or other adults using isolation must be trained and currently certified by a qualified provider in the use of trauma-informed crisis intervention (including de-escalation techniques), and also trained by the district in isolation requirements, unless trained personnel are not immediately available due to the unforeseeable nature of the emergency.

- A. The isolation must be discontinued as soon as the likelihood of serious harm has dissipated.
- B. The isolation enclosure shall be ventilated, lighted, and temperature controlled from inside or outside for purposes of human occupancy and shall permit continuous visual monitoring of the student from outside the enclosure.
- C. An adult responsible for supervising the student will remain in visual and auditory range of the student at all times.
- D. Either the student shall be capable of releasing himself or herself from the enclosure or restraint device or the student shall continuously remain within view of an adult responsible for supervising the student.
- E. Restraint devices may be used as needed to obtain possession of a known or reasonable-suspected weapon or other dangerous object on a person within the control of the person.

Conditions Specific to Use of Restraint and Restraint Devices:

Any staff member or other adults using isolation must be trained and currently certified by a qualified provider in the use of trauma-informed crisis intervention (including de-escalation

techniques), and also trained by the district in isolation requirements, unless trained personnel are not immediately available due to the unforeseeable nature of the emergency.

- A. The use of restraint or restraint device must be discontinued as soon as the likelihood of serious harm has dissipated.
- B. Restraint and other forms of reasonable force may only be used by staff members with current training in Nonviolent Crisis Prevention and Intervention (CPI).
- C. The restraint device will not interfere with the students breathing.
- D. Restraint devices may be used as needed to obtain possession of a known or reasonably suspected weapon or other dangerous object on a person or within the control of the person.
- E. In the case of a restraint device, wither the student will be capable of releasing himself or herself from the restraint device or the student shall continuously remain within view of an adult responsible for supervising the student.

#### Degree of Force

Restraint, isolation, and other forms of reasonable force must not be continued if a determination is made by the staff member administering the restraint, isolation or other forms of reasonable force that the student is no longer at risk of causing imminent bodily harm to himself/herself, others or property.

Restraint, isolation and other forms of reasonable force must be administered in such a way as to prevent or minimize physical harm to the student. If at any time during the use of restraint, isolation or other forms of reasonable force, the student demonstrates significant physical distress, the technique must be reduced immediately and, if necessary, school staff must take immediate steps to seek medical assistance.

#### Prohibited Practices Involving Restraint, Use of Force, and Discipline

The following practices are prohibited with students eligible for special education services:

- A. District personnel are prohibited from using aversive interventions;
- B. District personnel are prohibited from physically restraining or isolating a student except when the student's behavior poses an imminent likelihood of serious harm as defined above;
- C. No student may be stimulated by contact with electric current, including but not limited to, tasers;
- D. A student may not be denied or subjected to unreasonable delay in the provision of food or liquid as a form of punishment;
- E. A student may not be the recipient of force or restraint that is either unreasonable under the circumstances or deemed to be an unreasonable form of corporal punishment as a matter of state law (see above, for example, for a list of practices presumed to be unreasonable when used in correcting or restraining a child);
- F. A student may not be denied or subjected to an unreasonable delay in the provision of common hygiene care;

- G. A student must not be denied or subjected to an unreasonable delay in the provision of
- H. medication;
- I. A student may not be excluded from his or her regular instructional or service area and isolated within a room or any form of enclosure, except under the conditions set forth in [WAC 392-172A-02110](#):
  - 1. A student must not be forced to listen to noise or sound that the student finds painful;
  - 2. A student must not be forced to smell or be sprayed in the face with a noxious or potentially harmful substance;
  - 3. A student must not be forced to taste or ingest a substance which is not commonly consumed or which is not commonly consumed in its existing form or concentration;
  - 4. A student's head must not be partially or wholly submerged in water or any other liquid;
  - 5. 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 under the conditions set forth in [WAC 392-172A-02110](#).
  - 6. A student must not be subjected to the use of prone (lying face-down) and supine (lying face-up) restraint, wall restraint, or any restraint that interferes with the student's breathing.

### Monitoring

An adult must continually monitor any student when restraint, isolation, or other forms of reasonable force is used. The monitoring must be conducted by direct observation of the student. Monitoring must include regularly evaluating the student for signs of physical distress.

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

Within twenty-four (24) hours following the use of restraint, isolation, or other forms of reasonable physical force 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, isolation, or other forms of reasonable physical force has been used with a student. If information is customarily provided to the parent in a language other than English, the written report must be provided to the parent or guardian in that language.

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. The principal or designee will review the incident with the staff person(s) who administered the restraint, isolation, or other forms of reasonable force to discuss whether proper procedures were followed and what staff training or support is needed to help the student avoid similar incidents.

### Incident Report

Any school employee, school resource officer or school security officer who uses restraint, isolation, or other forms of reasonable physical force, as defined in this procedure, on a 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:

- A. The date and time of the incident;
- B. The name and job title of the staff member who administered the restraint, isolation or other form of reasonable physical force;
- C. A description of the activity that led to the restraint, isolation or other form of reasonable physical force;
- D. The type of restraint, isolation, or other forms of reasonable physical force used on the student, and the duration;
- E. Whether the student or staff was physically injured during the incident involving the restraint, isolation or other forms of reasonable physical force;
- F. Any medical care provided to the student or staff; and
- G. Any recommendation for changing the nature or amount of resources available to the student and staff members in order to avoid similar incidents.

### Procedures for Student with an IEP or Section 504 Plan

IEPs and 504 Plans may not include restraint, isolation or other use of reasonable force as a planned behavior intervention unless a student's individual needs require this advanced planning, and the parent or guardian agrees. If the need is determined appropriate by the IEP or Section 504 team, the plan shall:

- A. Be consistent with the recommendations of the IEP team, which includes a school psychologist and/or other certificated employee who understands the appropriate use of positive behavior interventions and who concurs with the recommended use of the positive behavior interventions, and a person who works directly with the student.
- B. Specify the emergency conditions under which restraint or isolation or a restraint device may be used.
- C. Describe or specify the type of isolation, restraint or restraint device that may be used and any special precautions to be taken.
- D. Specify the staff or contracted positions permitted to use the restraint and isolation with the student and the required training, which must be current, for staff or contracted positions permitted to use the restraint or isolation described in the IEP.
- E. The reporting guidelines in section V and VI above will be followed for incidents of restraint, isolation and use of other reasonable force involving students with an IEP or 504 Plan.

### Training for Staff

The district has adopted and implemented the training guidelines of the Crisis Prevention Institute (CPI) for the purpose of managing crises in a nonviolent fashion.

#### Initial CPI Training

All staff working in structured and/or self-contained programs where behaviorally volatile students may be placed (including, but not limited to, Life Skills, Developmental Therapy, Autism and transportation personnel) and staff working with behaviorally volatile students in their buildings and/or classrooms are required to successfully complete an 8-12 hour initial CPI training on crisis prevention that emphasizes early intervention, non-physical methods for preventing or managing disruptive behaviors, CPI personal safety techniques, physical containment positions, transport techniques, and team strategies. This training usually takes place over a two-day period.

#### Refresher CPI Training

At a minimum, all staff working with behaviorally volatile students in their buildings and/or classrooms as outlined above, must successfully complete formal refresher training once per year. Refresher courses are a minimum of three hours in length.

### Annual Reporting

The superintendent or designee will summarize the written incident reports described above and submit those summaries to OSPI beginning on January 1, 2016, and annually, by January 1, thereafter.

The building administrator or a designee will maintain a log of all instances of use of force as defined by this procedure, which will be presented to the superintendent annually. The superintendent will provide an annual report to the Board regarding the district's use of force.

Adopted: February 26, 2014  
Amended: August 19, 2015  
Amended: March 29, 2016  
Amended: June, 2023