
Use of Reasonable Force, Isolation, and Restraint

This procedure applies when district staff members deem it reasonably necessary to use reasonable physical force, isolation, or restraint to control spontaneous behavior by any student who poses an imminent likelihood of serious harm. This procedure is intended to be interpreted consistent with the requirements of state law and regulations governing use of reasonable physical force, isolation, and restraint.

Definitions:

- A. **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. It does not include use of a seat harness used to safely transport students.
- B. **School resource officer:** A commissioned law enforcement officer who provides law enforcement services and may perform other duties for the district, and is assigned by the employing police department or agency to work in collaboration with the district.
- C. **School security officer:** A classified or contracted school district employee other than a school resource officer who provides security services in the district under the direction of a school administrator.
- D. **De-escalation:** The use of positive interventions and other district-approved strategies to defuse an individual who has lost self-control, is non-compliant or is demonstrating unacceptable behavior. These strategies address behavior that is dangerous, disruptive or otherwise impacts the learning of a student or others.
- E. **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 him or her regular instructional area to an unlocked area for purposes of carrying out an appropriate positive behavior intervention plan.
- F. **Imminent:** The state or condition of being likely to occur at any moment or near at hand, rather than distant or remote.
- G. **Likelihood of serious harm:**
 - a. 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;
 - b. A substantial risk that physical harm will be inflicted by a student 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;
 - c. A substantial risk that physical harm will be inflicted by a student on the property of others, as evidenced by behavior that has caused substantial loss or damage to the property of others; or
 - d. The student has threatened the physical safety of another and has a history of one or more violent acts.

Use of restraint, isolation, or other forms of reasonable physical force:

- Restraint, isolation, or other forms of reasonable physical force are permitted only when reasonably necessary to control spontaneous student behavior that poses an imminent likelihood of serious harm.
- Restraint, isolation, or other forms of reasonable physical force should be avoided 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.
- Consistent with the provisions of Chapter 392-172A WAC, nothing in this procedure precludes the use of restraint or isolation as part of a behavior intervention plan in an individualized education program (IEP) or a Section 504 plan, provided that the student requires more specific advanced educational planning and the parent/guardian agrees to the use of these techniques in writing.
- Restraint, isolation, or 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 an imminent likelihood of serious harm.
- Restraint, isolation, or other forms of reasonable physical force must not be continued if a determination is made by the staff member administering the restraint, isolation, or other form of reasonable physical force that the likelihood of serious harm has dissipated.
- Restraint, isolation, or other forms of reasonable physical force must be administered in a manner that prevents or minimizes physical harm to the student. If, at any time during the use of restraint, isolation, or other forms of reasonable physical 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.

Monitoring:

An adult must continually monitor any student when restraint, isolation, or other forms of reasonable physical force are 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 have been used with the student. If the school or district customarily provides the parent or guardian with school-related information 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 member(s) who administered the restraint, isolation, or other forms of reasonable physical force to discuss whether proper procedures were followed and whether staff training or support is needed to help the student avoid similar incidents.

IEPs and Section 504 plans will include the above procedures for notification of parents/guardians regarding the use of isolation and restraint with their student.

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:

- The date and time of the incident;
- The name and job title of the staff member(s) who administered the restraint, isolation, or other form of reasonable physical force;
- A description of the activity that led to the restraint, isolation, or other form of reasonable physical force;
- The type of restraint, isolation, or other forms of reasonable physical force used on the student and the duration;
- Whether the student or staff member(s) were physical injured during the incident involving restraint, isolation, or other forms of reasonable physical force;
- Any medical care provided to the student or staff member(s); and
- Any recommendations for changing the nature or amount of resources available to the student and staff member(s) in order to avoid similar incidents.

Resolution of concerns about the use of force incident:

A student or his/her parent or guardian who has concerns regarding a specific incident involving restraint, isolation, or other form of reasonable physical force may seek to resolve the concern by using the district's complaint process which is set forth in Policy 4220 and Procedure 4220P ("Complaints Concerning Staff or Programs").

Providing parents/guardians with district policy:

The district will make available to all parents/guardians of students the district's policy on isolation, restraint, and use of reasonable force. If the student has an IEP or 504 plan, the District will provide the parents/guardians a copy of the policy when the IEP or 504 plan is created.

Staff training requirements:

All staff should be informed of de-escalation strategies and proper physical intervention procedures. Administrators will annually provide all staff with the district's policy and procedure regarding the use of reasonable physical force.

Appropriate staff and those who are required or reasonably anticipated to provide physical force intervention will receive training 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. Such staff members will be trained by a qualified provider in the use of intervention by physical force.

Submission of incident reports to OSPI:

Beginning January 1, 2016, and annually by January 1 thereafter, the district will summarize the written incident reports described above and submit those summaries to OSPI. The summaries will 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; and
- The types of restraint or isolation used.