

# Isolation and Restraint

## General Education & Special Education Students

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### Isolation

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.

- Revised Code of Washington RCW 28A.600.485
  - Washington Administrative Code WAC 392-172A-01107
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### Restraint

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 participate in activities safely.

- Revised Code of Washington RCW 28A.600.485
  - Washington Administrative Code WAC 392-172A-01162
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### Restraint device

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. This section shall not be construed as encouraging the use of these devices.

A restraint device does not include a seat harness used to transport a student safely or other safety devices, including safety belts for wheelchairs, changing tables, booster seats, and other ambulatory or therapeutic devices when used for the purpose intended for the safety of a student.

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- Revised Code of Washington RCW 28A.600.485
  - Washington Administrative Code WAC 392-172A-01163
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### **Imminent**

The state or condition of being likely to occur at any moment or near at hand, rather than distant or remote

- Revised Code of Washington RCW 71.05.020
  - Washington Administrative Code WAC 392-172A-01092
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### **Likelihood of Serious Harm**

(1) A substantial risk that:

(a) Physical harm will be inflicted by a person upon his or her own person, as evidenced by threats or attempts to die by suicide, or inflict physical harm on oneself;

(b) Physical harm will be inflicted by a person 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; or

(c) Physical harm will be inflicted by a person upon the property of others, as evidenced by behavior that has caused substantial loss or damage to the property of others; or

(2) The person has threatened the physical safety of another and has a history of one or more violent acts.

- Revised Code of Washington RCW 71.05.020
- Washington Administrative Code WAC 392-172A-01109

### Did You Know?!

Isolation or Restraint may **not** be used as a **planned behavior intervention**, unless the student's individual needs require more "advanced educational planning" and the student's parent or guardian agrees. This is specific to an Individualized Education Program (IEP) or Section 504 Plan.

- Revised Code of Washington RCW 28A.600.485 (3) (a)
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**What does "advanced educational planning" mean?**

Emergency Response Protocols (ERP).

- Washington Administrative Code  
WAC 392-172A-02105

**Does this mean the school district cannot require the parent sign any Emergency Response Protocols (ERP) document?**

That is correct. The parent or guardian must agree to the need for "advanced educational planning" through the use of Emergency Response Protocols.

And if the parent or guardian wants, they may, in writing, revoke any previous consent.

**Can the school district require the parent to agree to Isolation or Restraint even as a part of a behavior intervention?**

No, however, if the student's individual needs require more "advanced educational planning" and the parent (guardian) agrees, yes.

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### Did You Know?!

Isolation or Restraint is permitted **only** when "reasonably necessary to control spontaneous behavior that poses an imminent likelihood of serious harm".

- Revised Code of Washington RCW 28A.600.485 (3) (b)

### Did You Know?!

School districts are required to have a **policy** providing for the **least amount** of Isolation or Restraint appropriate to protect the safety of the student and the safety of the staff.

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### Did You Know?!

An Isolation and Restraint occurs if a room is cleared, and a student is left in the room by themselves.

### Did You Know?!

Sensory Rooms are not an Isolation and Restraint if the student is not left alone, and the door is not locked.

### Did You Know?!

School districts are required to implement follow up procedures after the use of every Isolation or Restraint.

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**What is to be included in the follow up procedures required of school districts?**

Procedures **must** include:

(4) (a) Review the incident with the student and parent or guardian to address the behavior that caused the Isolation or Restraint and the appropriateness of the response.

- Revised Code of Washington RCW 28A.600.485 (4)

(4) (b) Review the incident (cause) with staff member(s) who administered the Isolation or Restraint to discuss whether proper procedures were followed and what training or support the staff member(s) need to help the student avoid similar incidents.

- Revised Code of Washington RCW 28A.600.485 (4)
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### Did You Know?!

Any school employee, resource officer, or school security officer, who uses Isolation or Restraint, **during school-sponsored instruction or activities**, must inform the building administrator or administrator's designee, as soon as possible, **and** within two (2) business days submit a **written report** of the incident to the district office.

- Revised Code of Washington RCW 28A.600.485 (5)

**What minimum items are required in the written report?**

- (5) (a) Date and time of the incident
- (5) (b) Name and job title of the staff who administered the Isolation or Restraint
- (5) (c) A description of the activity that led to the Isolation or Restraint
- (5) (d) Type of Isolation or Restraint used on the student and the duration
- (5) (e) Whether the student or staff was physically injured during the Isolation or Restraint incident and any medical care provided
- (5) (f) Any recommendations for changing the nature or amount of resources available to the student and staff in order to avoid similar incidents

- Revised Code of Washington RCW 28A.600.485 (5)

**How should the school district let the parent know if Isolation or Restraint has been used?**

The Principal or Principal's designee are required to make "reasonable effort" to verbally inform parents within 24 hours of the incident and send written notification to the parent as soon as practical but postmarked no later than 5 business days.

- Revised Code of Washington RCW 28A.600.485 (6)