



MEMORANDUM

TO: Board of Directors
FROM: Robert Hascall
SUBJECT: Second Reading - Retire Use of Reasonable Force Policy
and Replace with Isolation and Restraint Policy
DATE: January 19, 2021
TYPE: Action Required

We are retiring the current 3246 Use of Reasonable Force and 3246 P Use of Reasonable Force Procedure. Additionally, we are renumbering the current 3245 Isolation and Restraint of Students and 3245 P Isolation and Restraint of Students Procedure to 3246 and 3246 P, respectively. Additionally, for reference, the updated 3246 F1 Isolation and Restraint Incident Report is included.

Recommendation: To approve the retirement of the current 3246 Use of Reasonable Force, and 3246 P Use of Reasonable Force Procedure, and renumber the current 3245 Isolation and Restraint of Students and 3245 P Isolation and Restraint of Students Procedure to 3246 and 3246 P, respectively.

USE OF REASONABLE FORCE

It is the policy of the Stanwood-Camano School District Board of Directors that the district maintains a safe learning environment while treating all students with dignity and respect. All students in the district will remain free from the unreasonable use of force.

District staff may use reasonable force to maintain order, or prevent a student from harming him/herself, other students, school staff or school property.

Physical force will not be used as a form of discipline or punishment.

This policy is intended to address students enrolled in the district and is not intended to prevent or limit the use of reasonable force as necessary with other adults or youth from outside the school as allowed by law.

The superintendent will annually report to the board on the use of force. The superintendent or a designee will develop procedures to implement this policy.

Legal References:	RCW 9A.16.020	Use of Force — When lawful
	RCW 9A.16.100	Use of Force on Children — Policy — Actions presumed unreasonable
	RCW 28A.150.300	Corporal Punishment Prohibited
	WAC 392-400-235	Discipline — Conditions and limitations

Adoption Date: 05.20.14
Stanwood-Camano School District

Use of Reasonable Force

Definitions:

- ~~A.—Physical force: Any use of bodily force or physical restriction that substantially immobilizes or reduces the free movement of a student through physical contact.~~
- ~~B.—Restraint: Physical intervention or force used to control a student, including, the use of a restraint device.~~
- ~~C.—Restraint device: A device as detailed in RCW 28A.600.485 used to assist in controlling a student. “Restraint device” does not include use of a harness or seatbelt with students whose disabilities require support and/or proper physical positioning.~~
- ~~D.—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.~~
- ~~E.—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.~~
- ~~F.—De-escalation: The use of 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 impedes the learning of a student or others.~~
- ~~G.—Isolation: The exclusion of 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. “Isolation” does not apply to an in-school suspension wherein a student is assigned to a room/enclosure where he/she is periodically monitored, but left alone in the room/enclosure for periods of time to do schoolwork.~~
- ~~H.—Bodily injury, physical injury or bodily harm: Physical pain or injury, illness or an impairment of physical condition.~~

Use of force continuum:

~~Whenever possible and practical, the use of force continuum will be followed for all students. District staff must only use the degree of force reasonably believed necessary to maintain order, protect school property, or to protect the student, other students, or school staff from imminent bodily injury.~~

- ~~A.—The generally accepted use of force continuum includes, in order:
 1. Staff/School Security Officer presence;
 2. Verbal/nonverbal communication, de-escalation;
 3. Physical interventions;
 4. Restraint devices
 5. Other reasonable force.~~
- ~~B.—Appropriate use of force:
 - 1.—Physical force may be used to prevent or minimize imminent bodily injury, maintain order, or protect school property if de-escalation interventions fail or are inappropriate.
 - 2.—Restraint devices may be used when a student’s behavior poses a threat of imminent bodily injury to self or others; but will be used only by personnel trained and authorized by the board to use these tools after de-escalation interventions fail or are inappropriate.~~
- ~~C.—Degree of force:
 - 1.—Force must not be continued if a determination is made by the staff member administering the force that the student is no longer at risk of seriously disrupting the educational process, damaging school property, or causing imminent bodily injury to him or herself or others.
 - 2.—Force shall be administered in such a way so as to prevent or minimize physical harm. If, at any time during the use of force, the student demonstrates significant physical distress, the force shall be reduced immediately and, if necessary, school staff shall take immediate steps to seek medical assistance.~~

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.~~

~~A.—Physical force:~~

~~All staff will 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.~~

~~B.—Restraint Devices:~~

~~Only staff trained and authorized to use restraint devices will administer them to students. The appropriate personnel will include those staff members who are most likely to be called upon to use restraint devices to prevent or address disruptive or dangerous student behavior.~~

Reporting requirements:

The following reporting requirements will apply when a student is subjected to the use of force.

~~A.—Processing the incident:~~

~~Following the use of force, the school will implement 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 force, and reviewing the incident with the staff person(s) who administered the force to discuss whether proper procedures were followed.~~

~~B.—Incident report:~~

~~Any school employee, school resource officer, or school security officer who uses 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:~~

- ~~a.—The date and time of the incident;~~
- ~~b.—The name and job title of the individual who administer the force;~~
- ~~c.—The description of the activity that led to the force;~~
- ~~d.—The type of force used, including the duration;~~
- ~~e.—Whether the student or staff was physically injured; and~~
- ~~f.—Any medical care 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 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 use of force. 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.~~

Annual Report:

The building administrator or 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.

Resolution of concerns about the use of force:

A student or his/her parent or guardian who has concerns regarding a specific incident involving use of force may seek to resolve the concern by using the district's complaint process which is set forth in Policy 4220, Complaints Concerning Staff or Programs.

Adoption Date: 05.20.14
Stanwood-Camano School District

Isolation and Restraint of Students

Application

These procedures apply to the use of isolation, restraint, and restraint devices on all students—including those with IEPs and Section 504 plans—while participating in school-sponsored instruction or activities.

Definitions

The following definitions apply:

1. Imminent. State or condition of being likely to occur at any moment or near at hand, rather than remote or distant.
2. Isolation. Restricting the student alone within a room or any other form of enclosure, from which the student may not leave. Does not include a student's voluntary use of a quiet space for self-calming, the temporary removal of a student from his/her regular instructional area to an unlocked area for purposes of carrying out an appropriate positive behavioral intervention plan.
3. Likelihood of Serious Harm.
 - a. Substantial risk that physical harm will be inflicted by a person upon him/herself, upon another person, or upon someone else's property; or
 - b. Person has threatened the physical safety of another and has a history of one or more violent acts.
4. 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.
5. 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. Does not include the 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.
6. Restraint Device. 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. Does not include the use of a seat harness to safely transport students. This section is not intended to endorse or encourage the use of such devices with district students.

Authorized Use of Isolation, Restraint, or a Restraint Device

The district seeks to promote positive behavioral interventions and to use the least amount of isolation and restraint possible to protect the safety of its students and staff. To that end, district staff members may only use isolation or restraint when:

1. It is reasonably necessary to control spontaneous behavior that poses an imminent likelihood of serious harm to the student, to another person, or to someone else's property;
or

2. It is specified in a student's IEP or Section 504 plan, and then only if it has been determined that the student requires more specific advance educational planning and if the parents/guardians agree.

Any use of isolation and restraint will be closely monitored by trained staff to prevent harm to the student and will be discontinued as soon as the likelihood for serious harm has dissipated." Under no circumstances will isolation and restraint ever be used as a form of discipline or punishment.

Procedures for Incident Review

Following the release of any student from the use of isolation or restraint, the school will implement follow-up procedures. These procedures will include:

1. Reviewing the incident with the student and the parent/guardian to address the behavior that precipitated the use of isolation or restraint and the appropriateness of the response; and
2. Reviewing the incident with the 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(s) to help the student avoid similar incidents.

Requirements for Reporting

The following requirements will apply when any student is subjected to any isolation or restraint event during school-sponsored instruction or activities.

1. Incident Report from School to District Office. Any school employee, school resource officer, or school security officer who isolates or restrains any student will inform the building administrator or designee as soon as possible, and will submit a written incident report to the district office within two business days of the incident. The report must include, at a minimum, the following information:
 - a. The date and time of the incident;
 - b. The name and job title of the individual who administered the isolation or restraint;
 - c. The description of the activity that led to the isolation or restraint;
 - d. The duration and type of isolation or restraint used;
 - e. Whether the student or staff member was physically injured during the isolation or restraint incident and whether any medical care was provided; and
 - f. Any recommendations for changing the nature or amount of resources available to the student and staff member in order to avoid similar incidents.
2. Incident Report from District Office to Office for Superintendent of Public Instruction (OSPI). Each year by January 1st, the district will summarize the above-mentioned written reports it receives and submit them to OSPI. For each school, the district will include the:
 - a. Number of individual incidents of isolation and restraint;
 - b. Number of students involved in the incidents;
 - c. Number of injuries to students and staff; and
 - d. Types of isolation and restraint used.

Requirements for Notifying All Parents/Guardians:

After any incident of isolation or restraint at his/her school, the principal or designee will:

1. Make a reasonable effort to verbally inform the student's parent/guardian of the incident within 24 hours of its occurrence; and

2. Send written notification of the incident to the student's parent/guardian as soon as possible, but postmarked no later than five business days, after its occurrence.

If the school customarily provides the student's parent/guardian with school-related information in a language other than English, the written notification will be provided to the parent in that language.

Additional Requirements for Notifying Parents/Guardians of Students with IEPs/Section 504 Plans

In addition to the above notification requirements, which apply to all students, parents/guardians of students with IEPs or Section 504 Plans will also receive a copy of the district's policy on the use of isolation and restraint at the time the IEP or Section 504 Plan is created. All IEPs will include the district's procedures for notifying parents/guardians of the use of isolation or restraint.

Adoption Date: 12.15.15
Stanwood-Camano School District
Revised:

**STANWOOD-CAMANO SCHOOL DISTRICT
ISOLATION AND RESTRAINT INCIDENT REPORT**

3246 F1
Students

Incident # _____
Office Use Only

Basic Ed Special Ed 504

School:		
Student Name:	Date of Birth:	Grade:

INCIDENT DESCRIPTION: ISOLATION

Date Incident Occurred:	Time Isolation Began:
Time Incident Occurred:	Time Isolation Ended:
Location of Incident: <input type="checkbox"/> Classroom <input type="checkbox"/> Hall	<input type="checkbox"/> Cafeteria <input type="checkbox"/> Playground <input type="checkbox"/> Other:

INCIDENT DESCRIPTION: RESTRAINT

Date Incident Occurred:	Time Restraint Began:
Time Incident Occurred:	Time Restraint Ended:
Location of Incident: <input type="checkbox"/> Classroom <input type="checkbox"/> Hall	<input type="checkbox"/> Cafeteria <input type="checkbox"/> Playground <input type="checkbox"/> Other:

BEHAVIOR(S) AND ACTIVITIES THAT LED TO THE ISOLATION OR RESTRAINT:

<p>BEHAVIOR(S) What the student did:</p> <input type="checkbox"/> Physical aggression towards peers <input type="checkbox"/> Physical aggression towards staff <input type="checkbox"/> Physical aggression towards self <input type="checkbox"/> Destruction of property resulting in safety concerns	<p>INTERVENTION(S) Attempted prior to physically intervening or secluding:</p> <input type="checkbox"/> Positive re-direction <input type="checkbox"/> Choices <input type="checkbox"/> Verbal de-escalation <input type="checkbox"/> Problem Solving <input type="checkbox"/> Time & Space <input type="checkbox"/> Planned ignoring/silence <input type="checkbox"/> Active Listening <input type="checkbox"/> Avoidance/Repelling <input type="checkbox"/> Interventions documented in student's BIP
Description of activity that lead to restraint or isolation:	
Recommendations for changing the nature or amount of resources available to the student or staff to avoid similar incidents:	

RESTRAINT Physical intervention or force used to control a student (ESHB 1688.SL) CHECK ALL THAT APPLY:

<p>ESCORT</p> <input type="checkbox"/> Midsection Clothing/Hip Control <input type="checkbox"/> Small child hold <input type="checkbox"/> 1 person, 1 arm <input type="checkbox"/> 1 person cross arm <input type="checkbox"/> 2 person <input type="checkbox"/> 3 person <input type="checkbox"/> Small child 2 person <input type="checkbox"/> Other:	<p>HOLD Need duration for each different hold</p> <input type="checkbox"/> Standing Hold <input type="checkbox"/> 1 Person Restraint <input type="checkbox"/> Seated Hold <input type="checkbox"/> 2+ Person Restraint <input type="checkbox"/> Floor Hold <input type="checkbox"/> Other: <input type="checkbox"/> Small child escort to hold
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INJURY TO STUDENT YES NO

PROPERTY DAMAGE YES NO

If yes, please complete the Incident/Accident Report Form for Student and Property Damage Only form and give to your principal.

INJURY TO STAFF YES NO

If yes, go online to Puget Sound Workers' Compensation Trust at pswct.org to report the incident.

Description of any injury to staff, which resulted from the restraint and/or isolation itself, and any medical or first aid care provided:

STAFF ADMINISTERING RESTRAINT OR ISOLATION

Name:	Title:
Name:	Title:
Name:	Title:

OBSERVERS (Staff members/other adult witnesses)

Name:	Position:
Name:	Position:
Name:	Position:

This report has been completed by:

Name:	Position:
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