

MOUNT BAKER POLICY 3246

RESTRAINT, ISOLATION, AND OTHER USES OF REASONABLE FORCE

It is the policy of the Mount Baker Board of Directors that the district maintains a safe learning environment while treating all students with dignity and respect. All students in the district including those who have an individualized education program (IEP) or plan developed under Section 504 of the Rehabilitation Act of 1973, will remain free from unreasonable restraint, restraint devices, isolation, and other uses of physical force. Under no circumstances will these techniques be used as a form of discipline or punishment.

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

Use of restraint, isolation, and other forms of reasonable force may be used on any student when reasonably necessary to control spontaneous behavior that poses an “imminent likelihood of serious harm” as defined by RCW 71.05.020 and Chapter 392-172A WAC and explained in the procedure accompanying this policy. Serious harm includes physical harm to self, another, or district property. Staff will closely monitor such actions to prevent harm to the student and will use the minimum amount of restraint and isolation appropriate to protect the safety of students and staff. The restraint, isolation, and other forms of reasonable force will be discontinued when the likelihood of serious harm has dissipated.

The superintendent or a designee will develop procedures to implement this policy, including review, reporting and parent/guardian notification of incidents involving restraint or isolation as required by law. Additionally, the superintendent will annually report to the board on incidents involving the use of force.

Cross Reference:

MB Policy 2161	Special Education and Related Services for Eligible Students
MB Policy 2162	Education of Students with Disabilities Under Section 504 of the Rehabilitation Act of 1973
MB Policy 3247	Isolation and Restraint of Students with IEPs and Section 504 Plans

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
RCW 28A.155.210	Use of restraint or isolation — Requirements for procedures to notify parent or guardian
RCW 28A.600.485	[as amended by SHB 1240]
RCW 70.96B.010	Definitions
Chapter 392-172A WAC	Rules for the Provision of Special Education
Chapter 392-400-235	Discipline — Conditions and limitations

Management Resources:

Policy & Legal News, December 2021

Policy & Legal News, March 2016

Policy & Legal News, December 2013 — WSSDA issues new policy specific to isolation and restraint of students with IEPs and Section 504 plans

Policy & Legal News, July 2013 — Use of Reasonable Force Policy retitled, revised to include new reporting requirement pursuant to ESSB 1688

Policy News, December 2008 — Use of Reasonable Force Policy

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Mount Baker School District

Classification: Essential

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