

Required Notification of Isolation or Restraint of Students with IEPs or Section 504 Plans

It is the policy of the Davenport 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 with an Individualized Education Program (IEP), an Aversive Intervention Plan (AIP) or a plan developed under Section 504 of the Rehabilitation Act of 1973 (Section 504 plan) will remain free from the unreasonable use of force.

Isolation and restraint of these students will generally be avoided and will not be used as a form of discipline or punishment. The district recognizes, however, that isolation and restraint are necessary at times to preserve the safety of students and school staff. The district therefore authorizes these actions under limited circumstances. This policy and its accompanying procedure set forth the statutory definitions and authorized use of isolation, restraint and restraint devices as well as incident review procedures and requirements for reporting and parent/guardian notification.

The district will provide parents or guardians of students with an IEP or Section 504 plan a copy of the district's Isolation and Restraint policy when the IEP or Section 504 plan is created and will include parent/guardian notification procedures in the student's IEP.

Cross References: 2162 - Education of Students With Disabilities Under Section 504 of the Rehabilitation Act of 1973
2161 - Special Education and Related Services for Eligible Students

Legal References: WAC 392-400-235 Discipline—Conditions and limitations.
WAC 392-172A Rules for the Provision of Special Education
RCW 28A.600.485 Restraint of students with individualized education programs or plans developed under section 504 of the rehabilitation act of 1973 — Procedures — Definitions.
RCW 28A.600.486 District policy on use of isolation or restraint – Notice to parents and guardians of children who have individualized education programs or plans developed under section 504 of the rehabilitation act of 1973.
RCW 28A.155.210 Use of restraint or isolation — Requirement for procedures to notify parent or guardian.
RCW 28A.150.300 Corporal punishment prohibited — Adoption of policy.
RCW 9A.16.100 Use of Force on Children — Policy — Actions presumed unreasonable
RCW 9A.16.020 Use of Force — When lawful

Management Resources: 2014 – June Policy & Legal News Issue/Policy Alert

2013 - December Issue

2013 - July Issue

Policy News, December 2008, Use of Reasonable Force Policy

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Davenport School District

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