

**From:** [O'Connell, Kerry](mailto:O'Connell, Kerry) on behalf of [O'Connell, Kerry <kerry\\_oconnell@csd49.org>](mailto:O'Connell, Kerry <kerry_oconnell@csd49.org>)  
**To:** [Bidwell, Debra](mailto:Bidwell, Debra); [Acuna, Jennifer](mailto:Acuna, Jennifer); [Yellowlees John - SS](mailto:Yellowlees John - SS); [Anita Baisley](mailto:Anita Baisley); [Julie Fischer](mailto:Julie Fischer); [Kandy Ritter](mailto:Kandy Ritter); [Kathryn Coleman](mailto:Kathryn Coleman); [Cliff Huenergard](mailto:Cliff Huenergard); [Lorna Nelson](mailto:Lorna Nelson); [Kyle Weakley](mailto:Kyle Weakley); [Shelley Langston](mailto:Shelley Langston); [Rachel Davenport](mailto:Rachel Davenport); [Brianne Barrett](mailto:Brianne Barrett); [Katie Moravec](mailto:Katie Moravec); [Kimberly Shipp](mailto:Kimberly Shipp); [Shelby MacMeekin](mailto:Shelby MacMeekin); [Patrick Kane](mailto:Patrick Kane); [Kris Greene](mailto:Kris Greene); [Megan Feeney](mailto:Megan Feeney); [Leslie Mraz](mailto:Leslie Mraz); [Diane Leonetti](mailto:Diane Leonetti); [Fabian Castilleja](mailto:Fabian Castilleja)  
**Subject:** RE: ERP and parent reporting procedures.  
**Date:** Thursday, January 21, 2016 9:08:58 AM

---

I found the way to remove aversive plan – if you go to the ‘admin’ online just under IEPonline, then to ‘codes’ then to ‘record types’ you can easily remove AIPs.

---

**From:** Bidwell, Debra [mailto:[dbidwell@oesd114.org](mailto:dbidwell@oesd114.org)]  
**Sent:** Thursday, January 21, 2016 8:39 AM  
**To:** O'Connell, Kerry <[kerry\\_oconnell@csd49.org](mailto:kerry_oconnell@csd49.org)>; Acuna, Jennifer <[jacuna@oesd114.org](mailto:jacuna@oesd114.org)>; Yellowlees John - SS <[JohnY@cksd.wednet.edu](mailto:JohnY@cksd.wednet.edu)>; Anita Baisley <[anita.baisley@quileutenation.org](mailto:anita.baisley@quileutenation.org)>; Julie Fischer <[julief@crescent.wednet.edu](mailto:julief@crescent.wednet.edu)>; Kandy Ritter <[kritter@cfsd.wednet.edu](mailto:kritter@cfsd.wednet.edu)>; Kathryn Coleman <[KatieC@cksd.wednet.edu](mailto:KatieC@cksd.wednet.edu)>; Cliff Huenergard <[chuenergard@northmasonschoools.org](mailto:chuenergard@northmasonschoools.org)>; Lorna Nelson <[lnelson@qcsd.wednet.edu](mailto:lnelson@qcsd.wednet.edu)>; Kyle Weakley <[Kyle.Weakley@qvschools.org](mailto:Kyle.Weakley@qvschools.org)>; Shelley Langston <[shelleylangston@sequim.k12.wa.us](mailto:shelleylangston@sequim.k12.wa.us)>; Rachel Davenport <[rdavenport@nkschools.org](mailto:rdavenport@nkschools.org)>; Brianne Barrett <[BBarrett@portangelesschools.org](mailto:BBarrett@portangelesschools.org)>; Katie Moravec <[katie.moravec@qvschools.org](mailto:katie.moravec@qvschools.org)>; Kimberly Shipp <[kimberly.shipp@bremertonschools.org](mailto:kimberly.shipp@bremertonschools.org)>; Shelby MacMeekin <[macmeeki@skitsap.wednet.edu](mailto:macmeeki@skitsap.wednet.edu)>; Patrick Kane <[pkane@ptschools.org](mailto:pkane@ptschools.org)>; Kris Greene <[kmgreen@bsd46.org](mailto:kmgreen@bsd46.org)>; Megan Feeney <[mfeeney@Suquamish.nsn.us](mailto:mfeeney@Suquamish.nsn.us)>; Leslie Mraz <[lmraz@portangelesschools.org](mailto:lmraz@portangelesschools.org)>; Diane Leonetti <[dleonetti@bisd303.org](mailto:dleonetti@bisd303.org)>; Fabian Castilleja <[fcastilleja@Suquamish.nsn.us](mailto:fcastilleja@Suquamish.nsn.us)>  
**Subject:** Re: ERP and parent reporting procedures.

I would like to know that too

Thank you  
Debra Bidwell  
School Psychologist/Counselor  
SPED Director  
360-801-6458

This message is intended solely for the use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential, and exempt from disclosure under applicable state and federal laws. If you are not the addressee, or are not authorized to receive for the intended addressee, you are hereby notified that you may not use, copy, distribute, or disclose to anyone this message or the information contained herein. If you have received this message in error, immediately advise the sender by reply email and destroy this message. Please consider whether it is necessary to print this email.

---

**From:** O'Connell, Kerry <[kerry\\_oconnell@csd49.org](mailto:kerry_oconnell@csd49.org)>  
**Sent:** Wednesday, January 20, 2016 12:50 PM  
**To:** Acuna, Jennifer; Yellowlees John - SS; Anita Baisley; Julie Fischer; Kandy Ritter; Kathryn Coleman;

Cliff Huenergard; Lorna Nelson; Kyle Weakley; Shelley Langston; Rachel Davenport; Brianne Barrett; Katie Moravec; Kimberly Shipp; Shelby MacMeekin; Patrick Kane; Bidwell, Debra; Kris Greene; Megan Feeney; Leslie Mraz; Diane Leonetti; Fabian Castilleja

**Subject:** RE: ERP and parent reporting procedures.

Thanks! Someone last week mentioned there was a way to eliminate ATPs from IEPonline. Would that clever person let me know where that option is?

Also, I am curious as to how you are handling this reporting requirement. We were handing out our board policy, which is now obsolete. Then it got put in the procedural safeguards – which is not part of the IEP. My board policy procedure is 4 pages long and I am loathe to have providers hand this out with every IEP. Any ideas?

Thanks!

---

**From:** Acuna, Jennifer [<mailto:jacuna@oesd114.org>]

**Sent:** Wednesday, January 20, 2016 12:15 PM

**To:** Yellowlees John - SS <[JohnY@cksd.wednet.edu](mailto:JohnY@cksd.wednet.edu)>; Anita Baisley <[anita.baisley@quileutenation.org](mailto:anita.baisley@quileutenation.org)>; Julie Fischer <[julief@crescent.wednet.edu](mailto:julief@crescent.wednet.edu)>; Kandy Ritter <[kritter@cfsd.wednet.edu](mailto:kritter@cfsd.wednet.edu)>; Kathryn Coleman <[KatieC@cksd.wednet.edu](mailto:KatieC@cksd.wednet.edu)>; Cliff Huenergard <[chuenergard@northmasonschoools.org](mailto:chuenergard@northmasonschoools.org)>; Lorna Nelson <[lnelson@qcsd.wednet.edu](mailto:lnelson@qcsd.wednet.edu)>; Kyle Weakley <[Kyle.Weakley@qvschools.org](mailto:Kyle.Weakley@qvschools.org)>; Shelley Langston <[shelleylangston@sequim.k12.wa.us](mailto:shelleylangston@sequim.k12.wa.us)>; Rachel Davenport <[rdavenport@nkschools.org](mailto:rdavenport@nkschools.org)>; Brianne Barrett <[BBarrett@portangelesschools.org](mailto:BBarrett@portangelesschools.org)>; O'Connell, Kerry <[kerry\\_oconnell@csd49.org](mailto:kerry_oconnell@csd49.org)>; Katie Moravec <[katie.moravec@qvschools.org](mailto:katie.moravec@qvschools.org)>; Kimberly Shipp <[kimberly.shipp@bremertonschools.org](mailto:kimberly.shipp@bremertonschools.org)>; Shelby MacMeekin <[macmeeki@skitsap.wednet.edu](mailto:macmeeki@skitsap.wednet.edu)>; Patrick Kane <[pkane@ptschools.org](mailto:pkane@ptschools.org)>; Bidwell, Debra <[dbidwell@oesd114.org](mailto:dbidwell@oesd114.org)>; Kris Greene <[kmgreen@bsd46.org](mailto:kmgreen@bsd46.org)>; Megan Feeney <[mfeeney@Suquamish.nsn.us](mailto:mfeeney@Suquamish.nsn.us)>; Leslie Mraz <[lmraz@portangelesschools.org](mailto:lmraz@portangelesschools.org)>; Diane Leonetti <[dleonetti@bisd303.org](mailto:dleonetti@bisd303.org)>; Fabian Castilleja <[fcastilleja@Suquamish.nsn.us](mailto:fcastilleja@Suquamish.nsn.us)>

**Subject:** FW: ERP and parent reporting procedures.

FYI

From last week's meeting

Jennifer Acuna  
Special Services Director  
OESD 114  
105 National Ave., N  
Bremerton, WA 98312  
(360) 478-6886 o  
(360) 865-2375 c  
[jacuna@oesd114.org](mailto:jacuna@oesd114.org)

---

**From:** John Bresko <[John.Bresko@k12.wa.us](mailto:John.Bresko@k12.wa.us)>

**Date:** Wednesday, January 20, 2016 at 11:26 AM

**To:** Jennifer Acuna <[jacuna@oesd114.org](mailto:jacuna@oesd114.org)>

**Subject:** ERP and parent reporting procedures.

Jennifer, the group discussed the Emergency Response Protocol (ERP) form last Friday and there were some questions about some provisions on the form.

Here are some responses to questions about the form we discussed at our staff meeting yesterday.

The third block of the form contains this statement:

"Specify the staff or contracted positions permitted to use isolation, restraint, and/or restraint device with the student and the required training, updated annually, for the staff or contracted positions permitted to use the isolation, restraint, or restraint device:"

Be sure to indicate the staff by name. Staff involved are required to be trained. Naming staff by position does not connect the required training to a person. The district may wish to include a number of individuals in the list to insure that the appropriate staff are able to perform these specified duties. Under the ERP, staff not named should not be engaging in the designated isolation and/or restraint procedure.

This does not mean that only these staff can intervene in the instance of spontaneous behavior that poses an imminent likelihood of serious harm. HB 12 40 provides for restraint and isolation in these cases **by any school employee in accordance with district policy** and the required reporting process provided for by the bill must be followed.

And the regulation pertaining to IEPs has been modified to include the following.

**WAC 392-172A-03090 Definition of individualized education program.** (1) The term IEP means a written statement for each student eligible for special education that is developed, reviewed, and revised in a meeting in accordance with WAC 392-172A-03095 through 392-172A-03100, and that must include:

(h) ((Aversive interventions, if any, required for the student.

**(i)) Behavioral intervention plan, if determined necessary by the IEP team for the student to receive FAPE.**

**(i) Emergency response protocols, if determined necessary by the IEP team for the student to receive FAPE, and the parent provides consent, as defined in WAC 392-172A-01040.**

**AND**

**(m) The school district's procedures for notifying a parent regarding the use of isolation, restraint, or a restraint device as required by RCW 28A.155.210.**

This is regardless of whether a behavior intervention plan and an emergency response protocol, if determined necessary, is in place.

Pertaining to the question of attaching to the IEP the district's policy for notifying parents of isolation or restraint, [RCW 28A.155.210 Use of restraint or isolation—Requirement for procedures to notify parent or guardian](#) states: "A school that is required to develop an individualized

education program as required by federal law must include within the plan procedures for notification of a parent or guardian regarding the use of restraint or isolation.” Note that the requirement is that *the procedures for notification* be included in the IEP. See [RCW 28A.600.485](#) for additional information regarding reporting requirements.

Hope this helps. John

The authority for the provision of special education is contained within WAC 392-172A and Public Law 108-446 (IDEA, 2004). This guidance does not impose any requirements beyond those required to comply with applicable law and regulations and is not intended to be a substitute for legal advice.

**John R Bresko**

Program Supervisor  
Special Education Section  
Office of Superintendent of Public Instruction (OSPI)  
600 Washington St. SE | Olympia, WA 98504-7200  
P.O. Box 47200 | Olympia, WA 98504-7200  
office: 360-725-6075 | tty: 360-586-0126 | fax: 360-586-0247

[john.bresko@k12.wa.us](mailto:john.bresko@k12.wa.us)  
[www.k12.wa.us](http://www.k12.wa.us)

*Every student ready for career, college, and life*

**Connect with us**

[www.k12.wa.us/connect](http://www.k12.wa.us/connect)

**Nondiscrimination statement**

OSPI provides equal access to all programs and services without discrimination based on sex, race, creed, religion, color, national origin, age, honorably discharged veteran or military status, sexual orientation, gender expression, gender identity, disability, or the use of a trained dog guide or service animal by a person with a disability. Questions and complaints of alleged discrimination should be directed to the Equity and Civil Rights Director at 360-725-6162/TTY: 360-664-3631; or P.O. Box 47200, Olympia, WA 98504-7200; or [equity@k12.wa.us](mailto:equity@k12.wa.us).

**Legal disclaimer**

This communication, including attachments, is intended solely for the use of the individual to whom it is addressed, and may contain information that is privileged, confidential, proprietary or otherwise exempt from disclosure under applicable state and federal laws. If you are not the addressee, or are not authorized to receive for the intended addressee, you are hereby notified that you may not use, copy, distribute or disclose to anyone this communication or the information contained herein. If you have received this message in error, immediately advise the sender by reply email and destroy this message.

