

From: [John Bresko](#) on behalf of [John Bresko <John.Bresko@k12.wa.us>](#)
To: [Coleman Kathryn - SPSR](#)
Cc: [Jennifer Acuna \(jacuna@oesd.wednet.edu\)](#)
Subject: RE: Isolation and Restraint
Date: Monday, August 3, 2015 9:59:22 AM

Kathryn, I believe we are waiting on WSSDA to recraft some policy/procedure language for districts.

This cannot be done until OSPI has a hearing on the proposed changes. See below.

So... district will have to amend their policy/procedure again. And don't forget, OSPI is also having another hearing on proposed changes to the Maintenance of Effort Rules in late August 2015.

Washington Administrative Code (WAC) 392-172A - Proposed Rule Making to Address SHB 1240 and Other Proposed Rule Changes.

The Special Education Section of the Office of Superintendent of Public Instruction (OSPI) filed a notice of proposed rulemaking (CR-102) with the Office of the Code Reviser on July 1, 2015. The proposed rules will be published in the Washington State Register on July 15, 2015. (See: [CR-102](#) and [proposed rules](#)) The proposed rules amend, add, and repeal sections under Chapter 392-172A WAC. This proposal is to address amendments to RCW 28A.155.020 and RCW 28A.600.485 as a result of recent legislative changes under SHB 1240, Laws of 2015 "An Act Relating to Restraint and Isolation of Students, Including Students with Disabilities in Public Schools." OSPI is also proposing to amend WAC 392-172A-05125, so that it is consistent with the federal Department of Education rules at 34 CFR 300.518, when addressing a student's status during due process proceedings.

The purpose of the proposed changes is to amend the special education rules so that parents of students eligible for special education, local educational agencies, and other entities providing special education services understand the strict limitations associated with the use of restraint or isolation in Washington. The changes include adding definitions relevant to the strict limitation on the use of restraint and isolation, repealing sections addressing aversive interventions, and addressing IEP team considerations for educational planning purposes if appropriate. In addition to those proposed changes, and the proposed change to WAC 392-172-05125, OSPI is making changes to correct typographical errors or make other changes that are technical in nature.

OSPI has scheduled a public hearing on the proposed changes for August 13, 2015 at 10:00 a.m. at: OSPI, Old Capital Building, in the Brouillet Conference Room #430, Olympia, Washington. More information about the proposed rule changes, the public hearing, and how to submit comments is contained in the CR-102. Please note that written comments have the same weight as public comments.

If you have questions about the proposed rule making process, please contact the Special Education Dispute Resolution Unit, at 360-725-6075 or by email at speced@k12.wa.us, the TTY number is 360-586-0126. Otherwise, please provide comments or make other requests to the persons identified in the CR-102.

From: Coleman Kathryn - SPSR [mailto:KatieC@cksd.wednet.edu]

Sent: Monday, August 03, 2015 9:50 AM

To: John Bresko

Subject: Isolation and Restraint

Hi John,

Is there anything more coming from you guys regarding Isolation and Restraint? I got the sense last spring that there was more to come.

Thanks,

K

Kathryn Coleman
Director of Special Services
Central Kitsap School District
360-662-1040