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## DIGEST

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HB 684 Reengrossed

2025 Regular Session

Mack

**Abstract:** Provides relative to the use of physical restraint as a response to the behavior of a student with exceptionalities.

Present law (R.S. 17:416.21) provides relative to the use of seclusion and physical restraint in response to the behavior of students with exceptionalities.

Present law prohibits mechanical restraint on students with exceptionalities. Proposed law retains present law.

Present law defines "physical restraint". Proposed law changes definition from bodily force used to limit a person's movement to the use of manual restraint techniques that involve physical force applied to restrict the movement of all or part of a person's body.

Proposed law further adds the following relative to physical restraint:

- (1) That physical restraint does not mean a school employee holding a student for less than three minutes within an hour for the protection of the student or others.
- (2) Requires physical restraint to only be used by trained personnel, except in emergency situations in which there is not sufficient time to have trained personnel respond.

Proposed law requires that a school nurse or school health designee visit a student who was secluded or physically restrained as soon as possible after such restraint has occurred, but no later than the end of the same school day, to look for and document any signs of injury or distress.

Present law, relative to parental notification of the use of seclusion or physical restraint, requires notification as soon as possible. Proposed law instead requires such notification via a phone call as soon as is practicable but no later than the end of the same school day during which the seclusion or physical restraint was used.

Present law requires a student who was secluded or physically restrained to be continuously monitored and requires documentation of such monitoring every 15 minutes. Proposed law, instead, requires the student to be monitored while seclusion or physical restraint is used and removes the time component.

Present law provides that if a student is involved in a certain number of incidents involving seclusion

or physical restraint in a school year, the student's Individualized Education Program (IEP) team is required to review and revise the student's intervention plan. Proposed law retains present law but reduces incident number threshold from 5 to 3, and requires the special education teacher to send prior written notice of the intention to call an IEP team meeting to the student's parent or legal guardian.

Present law requires each public school governing authority to adopt written guidelines and procedures regarding seclusion and physical restraint.

Present law requires each public school governing authority to provide such guidelines and procedures to the state Dept. of Education (DOE), all school employees, and every parent or legal guardian of a student with an exceptionality. Proposed law retains present law.

Proposed law requires each public school governing authority to annually submit such guidelines and procedures to its special education advisory council as provided for in present law (R.S. 17:1944.1).

Present law requires each public school governing authority to report all instances where seclusion or physical restraint is used to address student behavior to DOE. Proposed law retains present law.

Proposed law authorizes DOE to develop a crisis intervention training program.

Proposed law defines "crisis intervention", "school health designee", and "sensory room".

Present law (R.S. 17:1948) requires each public school governing authority to install cameras in certain classrooms at the request of a parent. Proposed law requires such installation regardless of a parental request (effective Feb. 1, 2026).

Present law (R.S. 17:7) provides for duties and responsibilities of BESE. Requires BESE to prepare and adopt rules and guidelines for the appropriate use of seclusion, physical restraint, and mechanical restraint of students with exceptionalities as defined in present law (R.S. 17:1942), in accordance with present law (Administrative Procedure Act (APA)). Proposed law instead requires BESE to prepare and adopt rules and guidelines for providing safe learning environments through training and monitoring of the appropriate use of seclusion and physical restraint students with exceptionalities as defined in present law (R.S. 17:1942), in accordance with the APA.

Proposed law (R.S. 17:7.2) requires teacher preparation programs to include completion of a crisis intervention training program and authorizes such instruction to be incorporated into an existing course of study.

Present law (R.S. 17:8.1) provides for the certification of teachers. Proposed law requires that an applicant complete a crisis intervention training program created or approved by DOE.

Except for proposed law relative to cameras in certain classrooms, effective on August 1, 2025.

(Amends R.S. 17:7(5)(b)(i), 416.1(B)(3)(b), 416.21, 1944.1(A) and (D)(1)(introductory paragraph), 1948(A) and (B); Adds R.S. 17:7.2(A)(10), 8.1(A)(8), and 1944.1(D)(1)(d); Repeals R.S. 17:1948(C)(7) and (9) and (G))

#### Summary of Amendments Adopted by House

##### The House Floor Amendments to the engrossed bill:

1. Require a special education teacher to send prior written notice of the intention to call an IEP team meeting to the student's parent or legal guardian, prior to the required review and revision of the student's IEP because of three incidents of seclusion or physical restraint in a school year.
2. Make the Act, in part, effective on Aug. 1, 2025, and, in part, effective on Feb. 1, 2026.
3. Require a school employee who secluded or physically restrained a student to notify the student's parent or legal guardian via a phone call as soon as is practicable but no later than the end of the same school day during which the seclusion or physical restraint was used.
4. Make technical corrections.