
DIGEST

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HB 237 Original

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.

Proposed law prohibits the use of seclusion and seclusion rooms in such circumstances.

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 significant 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 3 minutes in any given hour of class period 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.
- (3) Requires that a school nurse or school health designee visit a student who was 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 physical restraint, requires notification as soon as possible. Proposed law instead requires such notification on the same day which the restraint was used.

Present law requires a student who was physically restrained to be continuously monitored and requires documentation of such monitoring every 15 minutes. Proposed law, instead, requires the student to be monitored during and after 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 physical

restraint in a school year, the student's Individualized Education Plan 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.

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

Present law requires each public school governing authority to provide such guidelines 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 as part of its special education advisory council report as provided for in present law (R.S. 17:1944.1). Further requires DOE to review such guidelines and procedures annually by May 1st and to provide feedback.

Present law requires each public school governing authority to report all instances where physical restraint is used to address student behavior to DOE. Proposed law retains present law and further requires DOE to create a publicly available database of the reported instances and update it quarterly.

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

Proposed law defines "crisis intervention", "crisis intervention training program", "school health designee", and "trained personnel".

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.

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 physical restraint students with exceptionalities as defined in present law (R.S. 17:1942), in accordance with the APA.

Proposed law removes references to seclusion in Title 17.

(Amends R.S. 17:7(5)(b)(i), 416.1(B)(3)(b), 416.21, 1948(A) and (B), and 3996(B)(29); Repeals R.S. 17:1948(G) and 3911(B)(4)(b)(vi))