

2025 Regular Session

HOUSE BILL NO. 684 (Substitute for House Bill No. 237 by Representative Mack)

BY REPRESENTATIVE MACK

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

STUDENTS: Provides relative to the use of seclusion and physical restraint to address the behavior of students with exceptionalities

AN ACT

To amend and reenact 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), to enact R.S. 17:7.2(A)(10), 8.1(A)(8), and 1944.1(D)(1)(d), and to repeal R.S. 17:1948(C)(9) and (G), relative to the behavior of students with exceptionalities; to provide relative to the use of seclusion and seclusion rooms; to provide relative to the use of physical restraint; to provide for reporting and documentation; to require the installation of cameras in special education classrooms; to require teacher preparation programs include instruction on the use of seclusion and physical restraint of students with exceptionalities; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. 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) and hereby amended and reenacted and R.S. 17:7.2(A)(10), 8.1(A)(8), and 1944.1(D)(1)(d) are hereby enacted to read as follows:

§7. Duties, functions, and responsibilities of board

In addition to the authorities granted by R.S. 17:6 and any powers, duties, and responsibilities vested by any other applicable laws, the board shall:

* * *

(5)

* * *

1 (b)(i) Prepare and adopt rules and guidelines for ~~the appropriate use of~~
2 ~~seclusion, physical restraint, and mechanical~~ providing safe learning environments
3 through training and monitoring the appropriate use of seclusion and physical
4 restraint of students with exceptionalities as defined in R.S. 17:1942, in accordance
5 with the Administrative Procedure Act.

6 * * *

7 §7.2. Approved teacher education programs

8 A. In carrying out its responsibility to prescribe the qualifications and
9 provide for the certification of teachers under authority of R.S. 17:7(6), the State
10 Board of Elementary and Secondary Education, subject to the constitutional power
11 and authority of the Board of Regents, the Board of Supervisors for the University
12 of Louisiana System, the Board of Supervisors of Louisiana State University and
13 Agricultural and Mechanical College, and the Board of Supervisors of Southern
14 University and Agricultural and Mechanical College, shall establish qualifications
15 and requirements for the approval of teacher education programs from which
16 graduates may be certified. The qualifications and requirements established by the
17 State Board of Elementary and Secondary Education for an approved teacher
18 education program shall include but not be limited to the following:

19 * * *

20 (10) That the program include completion of a crisis intervention training
21 program, as provided in R.S. 17:416.21, and effective strategies for behavior
22 management of students with disabilities, which may be incorporated into an existing
23 course of study.

24 * * *

25 §8.1. Certification of teachers; parental notification

26 A. In carrying out its responsibility to prescribe the qualifications and
27 provide for the certification of teachers under authority of R.S. 17:7(6), the
28 qualifications and requirements established by the State Board of Elementary and
29 Secondary Education for certification of any applicant who completes an approved

teacher education program in Louisiana shall include but not be limited to the following:

* * *

(8) That an applicant complete a crisis intervention training program created or approved by the state Department of Education.

* * *

§416.1. Discipline of students; additional disciplinary authority

* * *

B.

* * *

(3) Corporal punishment does not include:

* * *

(b) The use of seclusion and physical restraint as provided in R.S. 17:416.21.

* * *

§416.21. Behavior of students with exceptionalities; use of seclusion and physical restraint

A. As used in this Section:

(1)(a) "Crisis intervention" means the implementation of an action plan for school personnel to implement when a student exhibits disruptive behaviors that prevent him from participating in classroom or daily activities. Crisis intervention may include the following:

(i) The use of positive behavioral supports and sensory rooms or other calming spaces intentionally designed to help comfort and stabilize a student so that he may return to the classroom or daily activities.

(ii) In extraordinary circumstances, the use of seclusion and physical restraint as a means to safely de-escalate a situation in which a student poses a risk of imminent risk of harm to self or others.

(b) Information about a school's use of crisis intervention, including the proper use of seclusion and physical restraint, shall be included in a school's student

1 handbook and made available to the parent and legal guardian of each student with
2 an Individualized Education Program or Behavioral Intervention Plan.

3 (1) (2) "Imminent risk of harm" means an immediate and impending threat
4 of a person causing substantial physical injury to self or others.

5 (2)(a) (3)(a) "Mechanical restraint" means the application of any device or
6 object used to limit a person's movement.

7 (b) Mechanical restraint does not include:

8 (i) A protective or stabilizing device used in strict accordance with the
9 manufacturer's instructions for proper use and which is used in compliance with
10 orders issued by an appropriately licensed health care provider.

11 (ii) Any device used by a duly licensed law enforcement officer in the
12 execution of his official duties.

13 (3)(a) (4)(a) "Physical restraint" means ~~bodily force used to limit a person's~~
14 ~~movement.~~ the use of manual restraint techniques that involve physical force applied
15 to restrict the movement of all or part of a person's body.

16 (b) Physical restraint does not include:

17 (i) Consensual, solicited, or unintentional contact.

18 (ii) Momentary blocking of a student's action if the student's action is likely
19 to result in harm to the student or any other person.

20 (iii) A school employee holding a student for less than three consecutive
21 minutes within any given hour for the protection of the student or others.

22 (iii) (iv) ~~Holding of a student, by one school employee;~~ A school employee
23 holding a student for the purpose of calming or comforting the student, provided the
24 student's freedom of movement or normal access to his or her body is not restricted.

25 (iv) (v) Minimal physical contact for the purpose of safely escorting a
26 student from one area to another.

27 (v) (vi) Minimal physical contact for the purpose of assisting the student in
28 completing a task or response.

1 ~~(4)~~ (5) "Positive ~~behavior~~ behavioral interventions and support" means a
2 systematic approach to embed evidence-based practices and data-driven decision
3 making when addressing student behavior in order to improve school climate and
4 culture.

5 ~~(5)~~ (6) "School employee" means a teacher, paraprofessional, administrator,
6 support staff member, or a provider of related services.

7 (7) "School health designee" means a school employee designated to assess
8 the use of seclusion and physical restraint in the event that a school nurse is not
9 present on a school campus at the time such measure is used.

10 ~~(6)~~ (8) "Seclusion" means a procedure that isolates and confines a student
11 in a designated separate room or area until he ~~or she~~ is no longer an ~~immediate~~
12 ~~danger~~ imminent risk of harm to self or others.

13 ~~(7)~~ (9) "Seclusion room" means a room or other confined area, used on an
14 individual basis, in which a student is removed from the regular classroom setting
15 for a limited time to allow the student the opportunity to regain control in a ~~private~~
16 safe, secure, and supervised setting and from which the student is involuntarily
17 prevented from leaving until he is no longer at risk of imminent harm to self or
18 others. A seclusion room shall:

19 (a) Be free of any object that poses a danger to the student placed in the
20 room.

21 (b) Have an observation window and be of a size that is appropriate for the
22 student's size, behavior, and chronological and developmental age.

23 (c) Have a ceiling height and heating, cooling, ventilation, and lighting
24 systems comparable to operating classrooms in the school.

25 (10) "Sensory room" means a room or space that is used for the monitored
26 separation of a student in an unlocked setting in which school personnel may use
27 positive behavioral interventions and support to help to calm or stabilize a student's
28 disruptive behavior. A sensory room may also be referred to as a "calming room",
29 "calming space", "comfort room", "comfort space", "sensory space", "timeout room",

1 or "timeout space". The appropriate use of sensory rooms shall not be considered
2 seclusion, which shall only be used for the limited purpose of responding to a student
3 posing an imminent risk of harm to self or others.

4 ~~(8)~~ (11) "Written guidelines and procedures" means the written guidelines
5 and procedures adopted by a ~~school's~~ public school governing authority regarding
6 appropriate responses to student behavior that may require immediate intervention.

7 B.(1) Seclusion shall be used only:

8 (a) For student behaviors that involve an imminent risk of harm to self or
9 others.

10 (b) As a last resort when de-escalation and other positive behavioral
11 interventions and support attempts have failed and the student continues to pose an
12 imminent ~~threat~~ risk of harm to self or others.

13 (2) Seclusion shall not be used as a routine school safety, discipline, or
14 intervention measure or to address behaviors such as general noncompliance, self-
15 stimulation, and academic refusal, and other behaviors that, while disruptive to a
16 classroom setting or other daily school activities, do not present an imminent risk of
17 harm to self or others. ~~Such~~ School employees shall respond to such behaviors ~~shall~~
18 ~~be responded to~~ with less stringent and less restrictive techniques, such as those
19 included in a school's or student's crisis intervention plan or a student's
20 Individualized Educational Plan or Behavioral Intervention Plan.

21 (3)(a) A seclusion room shall be used only as a last resort if and when less
22 restrictive crisis intervention measures, such as positive behavioral supports,
23 constructive and non-physical de-escalation, and restructuring of a student's
24 environment, have failed to stop a student's actions that pose an imminent risk of
25 harm to self or others.

26 (b) A student shall be placed in a seclusion room only by a school employee
27 who uses accepted methods of escorting a student to a seclusion room, placing a
28 student in a seclusion room, and supervising a student while he ~~or she~~ is in the
29 seclusion room.

1 (c) Only one student may be placed in a seclusion room at any given time,
2 and the school employee supervising the student must be able to see and hear the
3 student the entire time the student is placed in the seclusion room.

4 ~~(4) A seclusion room shall:~~

5 ~~(a) Be free of any object that poses a danger to the student placed in the~~
6 ~~room.~~

7 ~~(b) Have an observation window and be of a size that is appropriate for the~~
8 ~~student's size, behavior, and chronological and developmental age.~~

9 ~~(c) Have a ceiling height and heating, cooling, ventilation, and lighting~~
10 ~~systems comparable to operating classrooms in the school.~~

11 C.(1) Physical restraint shall be used only:

12 (a) When a student's behavior presents a threat of imminent risk of harm to
13 self or others and only as a last resort to protect the safety of self and others.

14 (b) To the degree necessary to stop dangerous behavior.

15 (c) In a manner that causes no physical injury to the student, results in the
16 least possible discomfort, and does not interfere in any way with a student's
17 breathing or ability to communicate with others.

18 (d) By trained personnel, except in emergency situations in which there is
19 not sufficient time to have trained personnel respond. Minimum training
20 requirements shall be specified in rules promulgated by the State Board of
21 Elementary and Secondary Education.

22 (2) ~~No student shall be subjected to any~~ The following practices are
23 prohibited in any public school:

24 (a) Any form of mechanical restraint.

25 ~~(3) No student shall be physically restrained~~

26 (b) Physical restraint in a manner that places excessive pressure on ~~the~~ a
27 student's chest or back or that causes asphyxia.

28 ~~(4) A student shall be physically restrained only~~

1 (c) Physical restraint in a manner that is ~~directly proportionate~~
2 disproportionate to the circumstances and to ~~the~~ a student's size, age, and severity of
3 behavior.

4 D. Seclusion and physical restraint shall not be used as a form of discipline
5 or punishment, as a threat to control, bully, or obtain behavioral compliance, or for
6 the convenience of school personnel.

7 E. ~~No student shall be subjected to~~ No school employee shall subject a
8 student to unreasonable, unsafe, or unwarranted use of seclusion or physical restraint.

9 F. ~~A student shall not be placed in seclusion or physically restrained if he or~~
10 ~~she~~ (1) No school employee shall seclude or physically restrain a student who is
11 known to have any medical or psychological condition that precludes such action,
12 as certified by a licensed ~~health-care~~ pediatrician, neurologist, or mental health
13 provider in a written statement provided to the school in which the student is
14 enrolled.

15 (2) Each principal or his designee shall notify each parent or legal guardian
16 of a student enrolled at the school with an Individualized Education Plan of the
17 prohibition of the use of seclusion and physical restraint if the student has a
18 condition as provided in Paragraph (1) of this Subsection. Such notification shall be
19 made annually and be incorporated into the student's Individualized Education Plan
20 meeting.

21 G. A school employee shall continuously monitor a student who ~~has been~~
22 ~~placed in seclusion or has been~~ is secluded or physically restrained ~~shall be~~
23 ~~monitored continuously~~ for the duration of such seclusion or restraint. Such
24 ~~monitoring shall be documented at least every fifteen minutes and adjustments made~~
25 ~~accordingly, based upon observations of the student's behavior.~~

26 H. A ~~student shall be removed from seclusion or released~~ school employee
27 shall release a student from seclusion and physical restraint as soon as the reasons
28 for justifying such action have subsided.

1 ~~I.(1) The parent or other legal guardian of a student who has been placed in~~
2 ~~seclusion or physically restrained shall be notified as soon as possible. The student's~~
3 ~~parent or other legal guardian shall also be notified in writing, within twenty-four~~
4 ~~hours, of each incident of seclusion or physical restraint. Such notice shall include~~
5 ~~the reason for such seclusion or physical restraint, the procedures used, the length of~~
6 ~~time of the student's seclusion or physical restraint, and the names and titles of any~~
7 ~~school employee involved.~~

8 (2) The director or supervisor of special education shall be notified any time
9 a student is placed in seclusion or is physically restrained. Upon a student's release
10 from seclusion or physical restraint:

11 (1) The school employee who secluded or physically restrained the student
12 or a school administrator shall notify the parent or legal guardian of the student via
13 a phone call as soon as is practicable.

14 (2) A school nurse or school health designee shall visit the student as soon
15 as possible, but no later than the end of the same school day, to look for and
16 document any signs of injury or distress.

17 J. ~~A school employee who has placed a student in seclusion or who has~~
18 ~~physically restrained a student shall document and report each incident in accordance~~
19 ~~with the policies adopted by the school's governing authority. Such report shall be~~
20 ~~submitted to the school principal not later than the school day immediately following~~
21 ~~the day on which the student was placed in seclusion or physically restrained and a~~
22 ~~copy shall be provided to the student's parent or legal guardian. A school employee~~
23 who secluded or physically restrained a student shall document and report the
24 incident in accordance with the policies adopted by the public school governing
25 authority. The employee shall submit such report to the school principal by the end
26 of the school day. The principal or his designee shall submit the report to the parent
27 by the end of the following school day. At a minimum, the incident report shall
28 include the following:

1 (1) The name, age, grade, gender, race, and disability of the student secluded
2 or restrained.

3 (2) The date, time, location, and duration of the seclusion or physical
4 restraint.

5 (3) The name and title of each school employee involved and who was a
6 witness.

7 (4) A description of the events requiring the use of seclusion or physical
8 restraint, including a description of the procedures and types of restraint used, any
9 actions taken in an attempt to de-escalate the situation, and the student's behavior
10 that suggest the student posed an imminent risk of harm to self or others.

11 (5) A description of any student injuries, visible marks, or medical
12 emergencies that occurred during or after the seclusion or physical restraint.

13 (6) A description of the actions taken immediately following the student's
14 release from seclusion or physical restraint, including actions to notify the student's
15 parent or legal guardian.

16 (7) A description of the student's actions after his release.

17 (8) Any other observations otherwise required or requested in the report.

18 ~~K. If a student is involved in five incidents in a single school year involving~~
19 ~~the use of physical restraint or seclusion, the student's Individualized Education~~
20 ~~Program team shall review and revise the student's behavior intervention plan to~~
21 ~~include any appropriate and necessary behavioral supports. Thereafter, if the~~
22 ~~student's challenging behavior continues or escalates requiring repeated use of~~
23 ~~seclusion or physical restraint practices, the special education director or his~~
24 ~~designee shall review the student's plans at least once every three weeks.~~

25 (1) A school employee shall immediately notify the school principal and the
26 director or supervisor of special education any time a student is secluded or
27 physically restrained.

1 (2) A school principal or his designee and the director or supervisor of
2 special education shall review video and audio footage, if available, to ensure
3 policies and proper techniques were followed during the incident.

4 L. If a student is involved in three incidents in a school year involving the
5 use of seclusion or physical restraint as a result of posing an imminent risk of harm
6 to self or others, his Individualized Education Program team shall review and revise
7 the student's Behavior Intervention Plan, including any crisis intervention plans, to
8 include any appropriate and necessary behavioral supports. Thereafter, if the
9 student's challenging behavior continues or escalates, requiring repeated use of
10 seclusion or physical restraint, the director or supervisor of special education or his
11 designee shall review the student's plans at least once every three weeks.

12 M.(1) ~~The~~ Each public school governing authority ~~of each public elementary~~
13 ~~and secondary school~~ shall adopt written guidelines and procedures regarding:

14 (a) ~~Reporting requirements and follow-up procedures.~~ Proper use of crisis
15 intervention plans, including the use of positive behavioral interventions and support,
16 sensory rooms, seclusion, and physical restraint, and how these strategies differ.

17 (b) ~~Notification requirements for school officials and a student's parent or~~
18 ~~other legal guardian.~~ All seclusion and physical restraint safety, reporting, and
19 notification requirements, including any follow-up procedures.

20 (c) An explanation of the methods of physical restraint and the school
21 employee training requirements relative to the use of restraint.

22 (d) An explanation of how school employees may utilize and be trained in
23 a crisis intervention training program.

24 (2)(a) These guidelines and procedures shall be provided to the state
25 Department of Education, all school employees, and every parent or legal guardian
26 of a student with an exceptionality. ~~The guidelines and procedures shall also be~~
27 ~~posted at each school and on each school system's website.~~

28 (b) ~~The provisions of Subparagraph (a) of this Paragraph shall not be~~
29 ~~applicable to the parent of a student who has been deemed to be gifted or talented~~

1 ~~unless the student has been identified as also having a disability.~~ At the beginning
2 of each school year, each public school governing authority shall post on its website
3 the guidelines and procedures adopted in accordance with the provisions of this
4 Subsection.

5 (3) Each public school governing authority shall annually submit prior to the
6 beginning of each school year its guidelines and procedures adopted in accordance
7 with the provisions of this Subsection to its special education advisory council
8 provided for in R.S. 17:1944.1.

9 (4) The state department shall maintain on its website, and annually
10 distribute to public school governing authorities, updated guidance for recommended
11 best practices relative to the use of seclusion and physical restraint for students with
12 exceptionalities.

13 N.(1) The State Board of Elementary and Secondary Education shall adopt
14 rules establishing guidelines and procedures for public school systems to follow
15 regarding the reporting of incidents of seclusion and physical restraint, including
16 specific data elements to be included in such reporting.

17 (2) ~~The~~ Each public school governing ~~authority of each public elementary~~
18 ~~and secondary school,~~ authority, in accordance with state board policy, shall report
19 all instances where seclusion or physical restraint is used to address student behavior
20 to the state Department of Education.

21 (3)(a) The state Department of Education shall maintain a database of all
22 reported incidents of seclusion and physical restraint of students with
23 exceptionalities and shall disaggregate the data for analysis by school; student age,
24 race, ethnicity, and gender; student disability, where applicable; and any involved
25 school employees.

26 (b)(i) Based upon the data collected, the state Department of Education shall
27 annually compile a comprehensive report regarding the use of seclusion and physical
28 restraint of students with exceptionalities, which shall at a minimum include the
29 following:

1 (aa) The number of incidents of physical restraint disaggregated by school
2 system; student age, race, ethnicity, gender, and student disability classification.

3 (bb) The number of incidents of seclusion disaggregated by school system;
4 student age, race, ethnicity, gender, and student disability classification.

5 (cc) A list of the school systems and charter schools that have complied with
6 the reporting requirements pursuant to Paragraph (2) of this Subsection.

7 (ii) The state Department of Education shall post the annual report on its
8 website and submit a written copy to the Senate and House committees on education
9 and the ~~Advisory Council on Student Behavior and Discipline established pursuant~~
10 ~~to R.S. 17:253~~ Special Education Advisory Panel.

11 O.(1) The department may develop a crisis intervention training program that
12 may be used by each public school governing authority. If the department develops
13 such a program, at a minimum, it shall cover the following:

14 (a) Teach evidence-based techniques that are shown to be effective in the
15 prevention and safe use of seclusion and physical restraint.

16 (b) Provide evidence-based, competency-based skills training relating to
17 positive support, conflict prevention, de-escalation, and crisis response techniques
18 including but not limited to the following:

19 (i) Guidelines on understanding when there is an imminent danger of serious
20 physical harm to a student or others and when to intervene in such a scenario.

21 (ii) An emphasis on safety and respect for the right and dignity of each
22 person involved in an incident that involves the use of seclusion or physical restraint
23 on a student.

24 (iii) An emphasis on using the least restrictive form of intervention and
25 taking incremental steps in an intervention.

26 (iv) Alternatives to the use of seclusion and physical restraint.

27 (v) Strategies for the safe implementation of restrictive interventions.

28 (vi) The use of emergency safety interventions that include continuous
29 assessment and monitoring of the physical well-being of a student and the safe use

1 of seclusion and physical restraint throughout the duration of a restrictive
2 intervention.

3 (vii) Prohibited actions relative to seclusion and physical restraint.

4 (viii) Debriefing strategies and the importance and purpose of debriefing.

5 (ix) Best practices for documentation of instances of the use of seclusion of
6 and physical restraint on a student.

7 (x) Measurable learning objectives for participants.

8 (xi) An overview of seclusion rooms, sensory rooms, the differences
9 between them, and authorizations and prohibitions relative to the use of such rooms
10 as provided in this Section and in each public school governing authority's relevant
11 guidelines and procedures.

12 (2) If the department develops a program as provided in Paragraph (1) of this
13 Subsection, certain public school employees as designated by each principal or his
14 designee are required to complete the program. The department shall provide the
15 program at no cost to each public school governing authority.

16 * * *

17 §1944.1. Local special education advisory councils; creation; purpose

18 A. ~~Not later than January 1, 2020, each~~ Each local public school
19 superintendent and the administrative head of each charter school or other public
20 school shall create a special education advisory council to provide advice and
21 feedback regarding special education policies, procedures, and resources. The
22 council shall also engage in outreach activities to the community at large to increase
23 the level of knowledge, support, and collaboration with respect to special education.

24 * * *

25 D.(1) Each local public school superintendent and the administrative head
26 of each charter school shall provide for an annual report to ~~be made to~~ its special

1 education advisory council, which shall contain, ~~at minimum,~~ including but not
2 limited to the following information as it pertains to his respective system or school;
3 information, as applicable:

4 * * *

5 (d) The number of designated seclusion rooms as defined by R.S. 17:416.21.

6 * * *

7 §1948. Cameras in certain classrooms; definitions; required policies;
8 confidentiality; authorization of funding

9 A.(1) ~~The~~ Each public school governing authority shall adopt policies
10 relative to the installation and operation of cameras that record both video and audio
11 in a classroom. ~~The policies shall be adopted not later than December 31, 2022, or~~
12 ~~within sixty days of the receipt of funding for the installation of cameras, whichever~~
13 ~~occurs first.~~ Each public school governing authority shall install a camera in each
14 classroom.

15 (2) ~~Not later than January 15, 2023, each~~ Each governing authority shall
16 submit a copy of the policies adopted pursuant to this Section to the state Department
17 of Education. Within ten days of any revision of the policies, each governing
18 authority shall submit a copy of the policies to the department.

19 B. For purposes of this Section, "classroom" shall mean a self-contained
20 classroom or other special education setting in which a majority of students in
21 regular attendance are provided special education and related services and are
22 assigned to one or more self-contained classrooms or other special education settings
23 for at least fifty percent of the instructional day ~~and for which a parent or legal~~
24 ~~guardian has requested a camera to be installed.~~ "Classroom" shall not mean special
25 education classrooms and other special education settings where the only students
26 with exceptionalities receiving special education and related services are those who
27 have been deemed to be gifted or talented and have not been identified as also having
28 a disability.

29 * * *

- 1 Section 2. R.S. 17:1948(C)(9) and (G) are hereby repealed in their entirety.
- 2 Section 3. Following the passage of this Act, the state Department of Education shall
- 3 update the Procedural Safeguards Handbook to reflect the provisions of this Act, including
- 4 R.S. 17:416.21(F) as amended by this Act, prior to the beginning of the 2025-2026 school
- 5 year.
- 6 Section 4. Each public school governing authority shall initially submit its guidelines
- 7 and procedures as provided in R.S. 17:416.21(M)(3) as amended by this Act by May 31,
- 8 2026. Thereafter, submission is required prior to the beginning of each subsequent school
- 9 year.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 684 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.

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 3 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 on the same day 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 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 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.

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.

(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)(9) and (G))