

SENATE BILL NO. 2275

Introduced by

Senators Heckaman, Dever

Representatives Rohr, Mock

1 A BILL for an Act to create and enact a new section to chapter 15.1-19 of the North Dakota
2 Century Code, relating to the adoption of a restraint and seclusion policy by school districts and
3 the reporting of incidents of restraint and seclusion; to provide an appropriation; and to provide
4 for a report to legislative management.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1.** A new section to chapter 15.1-19 of the North Dakota Century Code is created
7 and enacted as follows:

8 **School districts - Restraint and seclusion policy - Reports.**

- 9 1. Before July 1, 2018, each school district shall adopt a policy regarding the use of
10 restraint and seclusion methods by school district personnel.
- 11 a. Each school district policy must include the definitions of seclusion, physical
12 restraint, and mechanical restraint as defined by the United States department of
13 education office for civil rights.
- 14 b. Each school district policy must prohibit the use of restraint methods in any
15 manner that restricts the breathing of a student.
- 16 c. The policy must support the use of safety policies in extreme instances.
- 17 d. A copy of the policy must be filed with the superintendent of public instruction and
18 the superintendent shall submit an annual report regarding school district policies
19 to an interim committee designated by the legislative management.
- 20 e. Each school district shall report all incidents of restraint and seclusion to the
21 United States department of education office for civil rights as required by the
22 office for civil rights.

1 2. The statewide longitudinal data system committee shall include data submitted to the
2 United States department of education office for civil rights regarding the use of
3 restraint and seclusion in the report required under section 54-59-36.

4 3. Each school district shall provide annual training to school district personnel on the
5 appropriate use of restraint and seclusion methods under the school district policy.

6 **SECTION 2. APPROPRIATION.** There is appropriated out of any moneys in the foundation
7 aid stabilization fund in the state treasury, not otherwise appropriated, the sum of \$500,000, or
8 so much of the sum as may be necessary, to the department of public instruction for the
9 purpose of training school district personnel on the proper use of restraint and seclusion
10 methods, for the biennium beginning July 1, 2017, and ending June 30, 2019.