

Introduced by

1 A BILL for an Act to create and enact section 15.1-19-26 of the North Dakota Century Code,
2 relating to the reporting of policies and incidents of student restraint and seclusion procedures
3 to the superintendent of public instruction.

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

5 **SECTION 1.** Section 15.1-19-26 of the North Dakota Century Code is created and enacted
6 as follows:

7 **15.1-19-26. School districts - Restraint and seclusion policy - Reports.**

8 1. As used in this section:

9 a. "Mechanical restraint" means the use of any device or equipment to restrict the
10 movement of an individual.

11 b. "Physical restraint" means the use of the body of an individual to restrict or
12 immobilize another individual from moving the individual's torso, arms, legs, or
13 head. The term does not include a temporary touching or holding of the hand,
14 wrist, arm, shoulder, or back to direct an individual to walk to another location.

15 c. "Restraint" means a mechanical restraint, physical restraint, or both.

16 d. "Seclusion" means the involuntary confinement of an individual, alone, in a room
17 or area from which the individual is physically prevented from leaving.

18 2. By August fifteenth of each year, each school district shall report to the superintendent
19 of public instruction whether it has adopted and has in effect a policy on student
20 restraint and seclusion. If the school district has adopted and has in effect a policy on
21 student restraint and seclusion, a copy of that policy must be included with the report.

22 3. Before September eleventh of each year, any school district that has in effect a policy
23 on student restraint and seclusion shall report all incidents of the application of the

- 1 policy to students during the preceding school year to the superintendent of public
2 instruction in a manner prescribed by the superintendent.
3 4. The superintendent of public instruction shall annually report to a committee
4 designated by the legislative management on the results of the reports under
5 subsection 1 and identify any school district that has failed to comply with
6 subsection 2.