

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 and a report to the legislative management.

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. "Chemical restraint" means medication that is not a standard treatment for an  
10 individual's medical or psychological condition which is used to control the  
11 behavior or restrict the movement of an individual.
- 12 b. "Mechanical restraint" means the use of any device or equipment to restrict the  
13 movement of an individual.
- 14 c. "Physical restraint" means the use of the body of an individual to restrict or  
15 immobilize another individual from moving the individual's torso, arms, legs, or  
16 head. The term does not include a temporary touching or holding of the hand,  
17 wrist, arm, shoulder, or back to direct an individual to walk to another location.
- 18 d. "Restraint" means a chemical restraint, mechanical restraint, physical restraint, or  
19 any combination of chemical, mechanical, or physical restraints.
- 20 e. "Seclusion" means the involuntary confinement of an individual, alone, in a room  
21 or area from which the individual is physically prevented from leaving.
- 22 2. By August fifteenth of each year, each school district shall report to the superintendent  
23 of public instruction whether it has adopted and has in effect a policy on student

- 1            restraint and seclusion. If the school district has adopted and has in effect a policy on  
2            student restraint and seclusion, a copy of that policy must be included with the report.  
3            3. Before September eleventh of each year, any school district that has in effect a policy  
4            on student restraint and seclusion shall report to the superintendent of public  
5            instruction, in a manner prescribed by the superintendent, all incidents of the  
6            application of the policy to students during the preceding school year.  
7            4. The superintendent of public instruction shall annually report to a committee  
8            designated by the legislative management on the results of the reports under  
9            subsection 2 and identify any school district that has failed to comply with  
10           subsection 3.