

AN ACT

ENTITLED, An Act to require school districts to adopt a policy limiting the use of restraint and seclusion.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That chapter 13-32 be amended by adding a NEW SECTION to read:

The school board of each school district shall adopt or revise a school district policy for school district employees on the use of restraint and seclusion. The policy shall contain the following provisions:

- (1) A procedure for notifying the parent or guardian of the student, unless the student is emancipated, of an incident requiring the use of restraint or seclusion;
- (2) A prohibition on the use of prone restraint, defined as physical pressure applied to any part of the student's body to keep the student in a face down position on the floor or other surface, except when the use is necessary and reasonable in manner and moderate in degree; and
- (3) A prohibition on the use of involuntary confinement of a student locked alone in a room, unless there is a clear and present danger.

An Act to require school districts to adopt a policy limiting the use of restraint and seclusion.

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I certify that the attached Act
originated in the

SENATE as Bill No. 46

Secretary of the Senate

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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 46

File No. _____

Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State