

State of South Dakota

NINETY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2018

400Z0545

CONFERENCE COMMITTEE ENGROSSED NO. **SB 46** - 3/8/2018

Introduced by: The Committee on Education at the request of the Department of Education

1 FOR AN ACT ENTITLED, An Act to require school districts to adopt a policy limiting the use
2 of restraint and seclusion.

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

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

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

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

