

SENATE BILL SUMMARY

Prepared by the Division of Legislative Information for the Senate Bill **AS ORIGINALLY FILED**. For more detail, see Senate Bill Analyses, if available, prepared by the Senate's professional committee staff.

SB 2028 Disabled School Students/Discipline by Senator Deutch

Requires training and periodic follow-up training of school personnel who interact with students with disabilities in procedures for safely restraining such students in an emergency.

Prohibits school personnel from restraining a student with disabilities except in an emergency when there is a demonstrable, imminent, and ongoing risk of significant physical danger to the student or others and a less intrusive alternative is not feasible. Provides that these students may not be restrained as a behavioral intervention, solely for having caused property damage, while lying prone, or in certain other circumstances.

Requires a medical evaluation by a physician or other qualified medical personnel after the student is placed in restraint by school personnel. Prohibits school personnel from placing the student in forced seclusion or threatening to place the student in time-out.

Requires that a school prepare a written incident report with 24 hours after the student is released, after each occasion that school personnel restrain a student with disabilities. Requires that the school contact the parent or guardian of the restrained student as soon as practically possible.

Provides requirements concerning the provision of the incident report to the student's parent or guardian, the Department of Education, and the Advocacy Center for Persons with Disabilities, Inc. Provides that the report be given to the parent or guardian no later than 24 hours after the report is required to be prepared.

Requires that school districts, in cooperation with parents of students with disabilities, form a group of school personnel, parents, and guardians, with at least half being parents or guardians of students with disabilities, to review each incident report. Requires that a student's name be redacted from the incident report. Requires that the school district cooperate with parents of students with disabilities in participating in the group. (See bill for details)