

[Home](#) > [Bill & Laws](#) > [Bills](#) > [Enrolled HB 210 Detail](#) > [FullText](#)



Enrolled HB 210: Relating to crisis intervention training for school personnel; and relating to restraint and seclusion of students in public schools.

00Enrolled [HB 210](#)

01Relating to crisis intervention training for school personnel; and relat
02 seclusion of students in public schools.

03

04 * **Section 1.** [AS 14.33.120](#)(a) is amended to read:

05 (a) Each governing body shall adopt a written school discipli
06 program. The program required under this subsection must **be made av**
07 **students, parents, legal guardians, and the public and** include writ

08 (1) standards for student behavior and safety that refle
09 standards and that include, at a minimum, basic requirements for re
10 standards required under this paragraph must be developed and perio
11 with the collaboration of members of each school, parents, **legal gu**
12 and other persons responsible for the students at a school; a gover
13 require that standards developed under this paragraph be consistent
14 an attendance area or the district;

01 (2) standards relating to when a teacher is authorized to
02 student from the classroom for

03 (A) failure to follow student behavior and safety s

04 (B) behavior described under [AS 14.30.045](#)(1) or (2)

05 (3) procedures for notifying teachers of dangerous stude
06 with [AS 47.12.310](#)(b);

07 (4) standards relating to when a teacher, teacher's assi
08 person responsible for students is authorized to use reasonable and
09 maintain classroom safety and discipline as described under [AS 11.8](#)

10 (5) policies necessary to comply with provisions of stat
11 law, including 20 U.S.C. 1400 - 1482 (Individuals with Disabilities

12 (6) standards to address needs of students for whom ment
13 substance abuse may be a contributing factor to noncompliance with
14 disciplinary and safety program;

15 (7) policies for implementing a student conflict resolut
16 including the nonviolent resolution or mediation of conflicts and p
17 reporting and resolving conflicts;

18 (8) procedures for periodic review and revision of the s
19 disciplinary and safety program;

20 **(9) policies and procedures consistent with standards fo**
21 **restraint and seclusion of students as described in [AS 14.33.125](#).**

22 * **Sec. 2.** [AS 14.33.120](#)(b) is repealed and reenacted to read:

23 (b) A school shall, on the same day as the incident, provide

24 legal guardian of an affected student information relating to an in
25 disruptive or violent behavior by the student that resulted in rest
26 the student by school personnel.

27 * **Sec. 3.** [AS 14.33](#) is amended by adding new sections to read:

28 **Sec. 14.33.125. Student restraint or seclusion; limitations.** (

29 school disciplinary and safety program must

30 (1) prohibit restraint or seclusion of a student except
31 of this section;

01 (2) be annually reviewed with school personnel;

02 (3) include a written report of each incident that is ma
03 student's record as described in (d) of this section; and

04 (4) include a review of each incident in which restraint
05 used as provided in (e) of this section.

06 (b) A teacher, teacher's assistant, or other person responsib
07 physically restrain or seclude a student only if

08 (1) the student's behavior poses an imminent danger of p
09 to the student or another person;

10 (2) less restrictive interventions would be ineffective
11 imminent danger to the student or another person;

12 (3) the person continuously monitors the student in face
13 contact or, if face-to-face contact is unsafe, by continuous direct
14 the student;

15 (4) the person has received training in crisis intervent
16 escalation and restraint techniques that has been approved by the d
17 [AS 14.33.127](#), unless a trained person is not immediately available
18 circumstances are rare and present an unavoidable and unforeseen em

19 (5) the restraint or seclusion is discontinued immediate
20 student no longer poses an imminent danger of physical injury to th
21 another person or when a less restrictive intervention is effective
22 physical injury.

23 (c) A teacher, teacher's assistant, or other person responsib
24 not

25 (1) use chemical restraint;

26 (2) use mechanical restraint; or

27 (3) physically restrain a student by placing the student
28 back or stomach or in a manner that restricts the student's breathi

29 (d) School personnel who restrain or seclude a student shall
30 report of the incident to the school administrator. A school shall
31 report to the student's parents or legal guardians. The report must

01 (1) the date and time of the incident;

02 (2) the names and job titles of school personnel who par
03 supervised the incident;

04 (3) a description of the activity that preceded the inci
05 efforts and strategies used with the student before the incident;

06 (4) a description of the incident, including the type an
07 intervention used;

08 (5) a description of how the incident ended, including a
09 action taken.

10 (e) A school district shall ensure that a review process is e

conducted for each incident that involves restraint or seclusion of review must be conducted as soon as practicable after the event and

(1) staff review of the incident;
(2) follow-up communication with the student and the student or legal guardian;

(3) review of and recommendations for adjusting or amending procedures, strategies, accommodations, individualized education plans, student behavior plans, or for additional staff training.

(f) Each school district shall annually report to the department acceptable to the department, the total number of incidents involving seclusion of a student. The report must specify

(1) the number of incidents that resulted in injury or death to or personnel;

(2) the number of incidents in which school personnel in restraint or seclusion were not trained in an approved crisis intervention program as described in [AS 14.33.127\(b\)](#); and

(3) the number of incidents involving the restraint or seclusion of a child with a disability under [AS 14.30.350](#); the report must also include information of the disability of the child involved in each incident.

(g) In this section,

(1) "chemical restraint" means a psychopharmacologic drug used on a student for discipline or convenience and that is not required to be a medical symptom;

(2) "mechanical restraint" means the use of a device that is not a medical device or protective equipment prescribed by a qualified health professional to restrict a student's freedom of movement;

(3) "physically restrain" or "physical restraint" means restriction that immobilizes or reduces the ability of a student to move arms, legs, or head freely;

(4) "restraint" means physical restraint, chemical restraint, or other aversive behavioral interventions that compromise the student's freedom of movement;

(5) "seclusion" means the involuntary confinement of a student in a room or area that the student is physically prevented from leaving; seclusion does not include a classroom time-out, supervised detention, or suspension from school under [AS 14.30.045](#).

Sec. 14.33.127. Crisis intervention training. (a) The department shall approve crisis intervention training programs for schools, which shall include

(1) evidenced-based techniques that have been shown to be effective in the prevention of restraint and seclusion of students;

(2) evidence-based techniques shown to be effective in keeping school personnel and students safe when imposing physical restraint or seclusion;

(3) evidence-based skills related to positive behavior supports, de-escalation, prevention, understanding antecedents, de-escalation, and conflict resolution;

(4) first aid and cardiopulmonary resuscitation; and

(5) applicable policies and procedures.

(b) The governing body of a school shall ensure that a sufficient number of school employees receives periodic training in an approved crisis intervention program to meet the needs of the school population.

(c) In this section,

- 30 (1) "restraint" has the meaning given in [AS 14.33.125](#);
31 (2) "seclusion" has the meaning given in [AS 14.33.125](#).

01 * Sec. 4. [AS 14.45.100](#) is amended to read:

02 **Sec. 14.45.100. Exemption. Except as provided in (b) of this s**
03 religious or other private school that complies with [AS 14.45.100](#) -
04 exempt from other provisions of law and regulations relating to edu
05 and regulations relating to physical health, fire safety, sanitatio
06 physical examinations.

07 * Sec. 5. [AS 14.45.100](#) is amended by adding a new subsection to read:

08 (b) A religious or other private school that is exempt under
09 required to comply with [AS 14.33.120](#)(b), 14.33.125, or 14.33.127.