

# State of South Dakota

NINETY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2018

400Z0545

## SENATE EDUCATION ENGROSSED NO. **SB 46** - 1/25/2018

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 on the same business  
9 day, unless the student is emancipated, of an incident requiring the use of restraint  
10 or seclusion;
- 11 (2) A prohibition on the use of prone restraint, defined as physical pressure applied to  
12 any part of the student's body to keep the student in a face down position on the floor  
13 or other surface;
- 14 (3) A prohibition on the use of involuntary confinement of a student locked alone in a  
15 room; and



- 1 (4) Training on crisis prevention and the proper use of restraint and seclusion.