

SENATE FILE NO. SF0036

Seclusion and restraint in schools.

Sponsored by: Senator(s) Case and Representative(s)  
Barbuto

A BILL

for

1 AN ACT relating to public schools; requiring the state  
2 superintendent to adopt rules and regulations regarding  
3 seclusion and restraint in schools; requiring school  
4 district boards to adopt policies regarding the use of  
5 seclusion and restraint in schools as specified; defining  
6 terms; and providing for an effective date.

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8 *Be It Enacted by the Legislature of the State of Wyoming:*

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10 **Section 1.** W.S. 21-2-202(a) by creating a new  
11 paragraph (xxxii) and 21-3-110(a) by creating a new  
12 paragraph (xxx) are amended to read:

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14 **21-2-202. Duties of the state superintendent.**

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1 (a) In addition to any other duties assigned by law,  
2 the state superintendent shall:

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4 (xxxii) By rule and regulation adopted not later  
5 than July 1, 2011 establish requirements for school  
6 district policies and training regarding the use of  
7 seclusion and restraint in schools as required under W.S.  
8 21-3-110(a)(xxx). The state superintendent shall review  
9 the policy of each district for compliance with the  
10 requirements of W.S. 21-3-110(a)(xxx) and rules and  
11 regulations promulgated pursuant to this paragraph. If the  
12 state superintendent determines that the policy is not in  
13 compliance under this paragraph the superintendent shall  
14 direct the board of trustees to revise the policy and  
15 shall, upon request, assist the board in the adoption of  
16 the policy.

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18 **21-3-110. Duties of boards of trustees.**

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20 (a) The board of trustees in each school district  
21 shall:

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23 (xxx) Not later than December 31, 2011, adopt a  
24 policy and training procedures regarding the use of

1 seclusion and restraint in schools. In addition to any  
2 requirements provided by rule and regulation of the state  
3 superintendent pursuant to W.S. 21-2-202(a)(xxxii), the  
4 policy shall require that the parent or legal guardian of  
5 the student shall be notified each time that seclusion or  
6 restraint is utilized for the student. The policy shall  
7 prohibit the use of locked seclusion. The policy shall not  
8 be limited to any specified group of students and shall  
9 apply any time that seclusion or restraint is used for any  
10 student. The district shall submit a copy of the policy to  
11 the state superintendent for review as provided in W.S.  
12 21-2-202(a)(xxxii) after the initial adoption of the policy  
13 and any time thereafter that the policy is substantially  
14 revised. As used in this paragraph:

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16 (A) "Restraint" means the use of physical  
17 force, with or without the use of any physical device or  
18 material, to restrict the free movement of all or a portion  
19 of a student's body. "Restraint" does not include  
20 comforting or calming a student, holding the hand or arm of  
21 a student to escort the student if the student is  
22 complying, intervening in a fight or using a device  
23 prescribed by an appropriately trained professional or  
24 professional team;

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(B) "Seclusion" means removing a student from a classroom or other school activity and isolating the student in a separate area. "Seclusion" does not include a student requested break or in-school suspension, detention or other appropriate disciplinary measure.

**Section 2.** This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)