

HB 1792 - DIGEST

Finds that preserving a safe and beneficial learning environment for all students requires the establishment and enforcement of appropriate student discipline policies.

Acknowledges that school district boards of directors may find it necessary to employ school security personnel or to rely upon school resource officers in order to preserve a safe and beneficial learning environment within certain schools.

Encourages schools and districts to consider school discipline and security models in which counselors and prevention/intervention specialists, along with school building administrators and other school security personnel, if employed, and school resource officers, if present, are trained and work as teams of experts in diffusing anger, de-escalating conflict, and reducing violent behavior within their schools.

Declares that, except as provided in this act, the use of physical restraint in the public schools is limited to the use of reasonable force under the following circumstances only: (1) The person's behavior poses a threat of imminent, serious, physical harm to self or to others; and

(2) Nonphysical interventions would not be effective in removing the imminent threat of harm.

Provides that the use of physical restraint in the common schools is prohibited in the following circumstances: (1) As a means of punishment; or

(2) As a disciplinary response to destruction of school property, disruption of school or classroom order, noncompliance with a school rule or staff directive, or communication of a verbal threat that does not constitute a threat of imminent, serious, physical harm.

Does not prohibit: (1) The use of physical restraint when such use is permitted or required by and is consistent with a student's 504 plan or individual education plan;

(2) The right of any individual to report to appropriate authorities a crime committed by a student or other individual; or

(3) Commissioned law enforcement officers, including school resource officers, or judicial authorities from exercising their authority or executing their responsibilities, including the physical detainment of a student or other person.