Regular Session, 2013

HOUSE BILL NO. 89

## BY REPRESENTATIVE HOFFMANN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1	AN ACT
2	To amend and reenact R.S. 17:7(5)(b) and 416.21(M)(2), relative to student behavior; to
3	provide relative to the use of seclusion and physical restraint in response to the
4	behavior of students with exceptionalities; to except certain students with
5	exceptionalities from the applicability of certain requirements with respect to the use
6	of seclusion and restraint; and to provide for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 17:7(5)(b) and 416.21(M)(2) are hereby amended and reenacted to
9	read as follows:
10	§7. Duties, functions, and responsibilities of board
11	In addition to the authorities granted by R.S. 17:6 and any powers, duties, and
12	responsibilities vested by any other applicable laws, the board shall:
13	* * *
14	(5)
15	* * *
16	(b)(i) Prepare and adopt rules and guidelines for the appropriate use of
17	seclusion, physical restraint, and mechanical restraint of students with
18	exceptionalities as defined in R.S. 17:1942, in accordance with the Administrative
19	Procedure Act.
20	(ii) The rules and guidelines adopted pursuant to Item (i) of this
21	Subparagraph shall not be applicable to a student who has been deemed to be gifted
22	or talented unless the student has been identified as also having a disability.
23	* * *

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1 §416.21. Behavior of students with exceptionalities; use of seclusion and physical 2 restraint 3 4 M. 5 (2)(a) These guidelines and procedures shall be provided to all school 6 7 employees and every parent of a child student with an exceptionality. 8 (b) The provisions of Subparagraph (a) of this Paragraph shall not be 9 applicable to the parent of a student who has been deemed to be gifted or talented 10 unless the student has been identified as also having a disability. 11 SPEAKER OF THE HOUSE OF REPRESENTATIVES PRESIDENT OF THE SENATE GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_

**ENROLLED** 

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