

ACT No. 1

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.

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