

HOUSE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

February 27, 2025  
Date

Committee on Education.

After consideration on the merits, the Committee recommends the following:

HB25-1248 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill page 2, line 16, after "MOVEMENT," insert "INCLUDING
- 2 ASTHMA CORTICOSTEROID, MOOD DISORDER MEDICATION, INSULIN, OR
- 3 GLUCAGON,".
  
- 4 Page 2, strike line 18 and substitute "PROCEDURES, INCLUDING
- 5 EPINEPHRINE OR DIAZEPAM.".
  
- 6 Page 4, strike lines 15 and 16 and substitute "INCLUDE:
- 7 (a) A PHYSICAL INTERVENTION OF A STUDENT ADMINISTERED BY
- 8 A LOCAL EDUCATION PROVIDER'S EMPLOYEE FOR ONE MINUTE OR LESS FOR
- 9 THE PROTECTION OF A STUDENT, OTHERS, OR PROPERTY;
- 10 (b) THE HOLDING OF A STUDENT BY AN ADULT FOR THE PURPOSE
- 11 OF CALMING OR COMFORTING THE STUDENT;
- 12 (c) MINIMAL PHYSICAL CONTACT FOR THE PURPOSE OF SAFELY
- 13 ESCORTING A STUDENT FROM ONE PLACE TO ANOTHER; OR
- 14 (d) MINIMAL PHYSICAL CONTACT FOR THE PURPOSE OF ASSISTING
- 15 A STUDENT WITH A TASK OR RESPONSE.".
  
- 16 Page 4, line 26, after "(10)" insert "(a)".
  
- 17 Page 5, after line 1 insert:
- 18 "(b) "SECLUSION" DOES NOT INCLUDE A TIME-OUT, WHICH IS THE
- 19 REMOVAL OF A STUDENT FROM A POTENTIALLY REWARDING SITUATION, OR
- 20 FROM A SITUATION THAT WOULD OTHERWISE PRODUCE NEGATIVE
- 21 REINFORCEMENT. A TIME-OUT DOES NOT PREVENT A STUDENT'S EGRESS.".
  
- 22 Page 5, lines 15 and 16, strike "SCHOOL OF A SCHOOL DISTRICT, CHARTER
- 23 SCHOOL OF A SCHOOL DISTRICT, OR INSTITUTE CHARTER SCHOOL" and

- 1 substitute "LOCAL EDUCATION PROVIDER".
- 2 Page 6, line 7, strike "AN" and substitute "THE USE OF A PHYSICAL  
3 RESTRAINT OR SECLUSION IN AN".
- 4 Page 6, line 9, strike "AN" and substitute "THE USE OF A PHYSICAL  
5 RESTRAINT OR SECLUSION IN AN".
- 6 Page 7, after line 8 insert:  
7 "(5) A LOCAL EDUCATION PROVIDER, OR LOCAL EDUCATION  
8 PROVIDER'S EMPLOYEE OR AGENT, SHALL NOT USE A RESTRAINT AS A:  
9 (a) FORM OF PUNISHMENT OR DISCIPLINARY SANCTION;  
10 (b) PART OF A TREATMENT PLAN OR BEHAVIOR MODIFICATION  
11 PLAN; OR  
12 (c) FORM OF RETALIATION."
- 13 Page 8, lines 12 and 13, strike "SCHOOL DISTRICT AND INSTITUTE CHARTER  
14 SCHOOL" and substitute "LOCAL EDUCATION PROVIDER".
- 15 Page 8, line 27, strike "AND".
- 16 Page 9, line 3, after "A" insert "PHYSICAL".
- 17 Page 9, line 9, after "A" insert "PHYSICAL".
- 18 Page 10, strike lines 1 through 3 and substitute:  
19 "IN A REPORT TO THE DEPARTMENT OF EDUCATION PURSUANT TO SECTION  
20 22-1-138, THE INFORMATION FROM THE ANNUAL REVIEW CONDUCTED  
21 PURSUANT TO SUBSECTION (2) OF THIS SECTION AND THE FOLLOWING  
22 DATA:  
23 (a) THE TOTAL NUMBER OF PHYSICAL RESTRAINTS LASTING MORE  
24 THAN ONE MINUTE BUT LESS THAN FIVE MINUTES;  
25 (b) THE TOTAL NUMBER OF PHYSICAL RESTRAINTS LASTING FIVE OR  
26 MORE MINUTES;  
27 (c) THE TOTAL NUMBER OF SECLUSIONS;  
28 (d) THE TOTAL NUMBER OF STUDENTS WHO EXPERIENCED AT LEAST  
29 ONE PHYSICAL RESTRAINT LASTING MORE THAN ONE MINUTE BUT LESS  
30 THAN FIVE MINUTES;  
31 (e) THE TOTAL NUMBER OF STUDENTS WHO EXPERIENCED AT LEAST  
32 ONE PHYSICAL RESTRAINT LASTING FIVE MINUTES OR MORE; AND  
33 (f) THE TOTAL NUMBER OF STUDENTS WHO EXPERIENCED AT LEAST  
34 ONE SECLUSION."

1 Page 10, after line 3 insert:  
2 "(6) IF THERE IS A REASONABLE PROBABILITY THAT A PHYSICAL  
3 RESTRAINT OR SECLUSION MAY BE USED ON A SPECIFIC STUDENT, THE  
4 LOCAL EDUCATION PROVIDER SHALL PROVIDE WRITTEN NOTICE TO THE  
5 PARENT OR LEGAL GUARDIAN OF THE STUDENT, AND TO THE STUDENT, IF  
6 APPROPRIATE, REGARDING PHYSICAL RESTRAINT OR SECLUSION  
7 PROCEDURES THAT MAY BE USED, THE CIRCUMSTANCES IN WHICH  
8 PHYSICAL RESTRAINT OR SECLUSION MAY BE USED, AND THE LOCAL  
9 EDUCATION PROVIDER'S EMPLOYEES OR AGENTS WHO MAY BE INVOLVED.  
10 THE LOCAL EDUCATION PROVIDER SHALL MEET WITH A PARENT OR LEGAL  
11 GUARDIAN WHO RECEIVED A WRITTEN NOTICE PURSUANT TO THIS  
12 SUBSECTION (6) AND REQUESTS A MEETING TO DISCUSS THE WRITTEN  
13 NOTICE."

14 Renumber succeeding subsections accordingly.

15 Page 11, after line 12 insert:  
16 "(3) THIS ARTICLE 15.5 DOES NOT PROHIBIT TRANSPORTATION  
17 PROVIDED BY THE LOCAL EDUCATION PROVIDER FROM HAVING SEAT  
18 BELTS, HARNESSSES, CAR SEATS, OR OTHER DEVICES FOR PASSENGER  
19 SAFETY."

20 Page 13, strike lines 21 through 23 and substitute:  
21 "information identifying the number of VIOLATIONS; THE LOCATION OF  
22 THE VIOLATION, INCLUDING WHETHER THE VIOLATION OCCURRED ON THE  
23 LOCAL EDUCATION PROVIDER'S PROPERTY, OFF THE LOCAL EDUCATION  
24 PROVIDER'S PROPERTY, OR AT A SCHOOL SANCTIONED EVENT; and the  
25 action taken with respect to each of the following".

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