

## S 2036

### Keeping All Students Safe Act

**Congress:** 113 (2013–2015, Ended)

**Chamber:** Senate

**Policy Area:** Education

**Introduced:** Feb 24, 2014

**Current Status:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (text of measure

**Latest Action:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (text of measure as introduced: CR S1004-1007) (Feb 24, 2014)

**Official Text:** <https://www.congress.gov/bill/113th-congress/senate-bill/2036>

### Sponsor

**Name:** Sen. Harkin, Tom [D-IA]

**Party:** Democratic • **State:** IA • **Chamber:** Senate

### Cosponsors (5 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Ayotte, Kelly [R-NH]	R · NH		Feb 24, 2014
Sen. Murphy, Christopher [D-CT]	D · CT		Feb 24, 2014
Sen. Baldwin, Tammy [D-WI]	D · WI		Feb 26, 2014
Sen. Hirono, Mazie K. [D-HI]	D · HI		Feb 26, 2014
Sen. Shaheen, Jeanne [D-NH]	D · NH		May 20, 2014

### Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Referred To	Feb 24, 2014

### Subjects & Policy Tags

#### Policy Area:

Education

### Related Bills

No related bills are listed.

Keeping All Students Safe Act - Requires each state educational agency and local educational agency (LEA) that receives federal funds to prohibit school personnel, contractors, and resource officers from subjecting students to: (1) seclusion, (2) mechanical or chemical restraint, (3) aversive behavioral intervention that compromises student health and safety, or (4) physical restraint that is life-threatening or contraindicated based on the student's health or disability status.

Excludes from the definition of "seclusion" time outs that involve the separation of a student from the group, in a non-locked setting, for the purpose of calming.

Allows physical restraint only when: (1) the student's behavior poses an immediate danger of serious physical harm to the student or others; (2) the restraint does not interfere with the student's ability to communicate; and (3) the restraint occurs after less restrictive interventions have proven ineffective in stopping the danger, except in certain emergencies when immediate restraint is necessary.

Requires school personnel imposing physical restraint to: (1) be trained and certified by a state-approved crisis intervention training program, though others may impose such restraint in certain instances when trained personnel are not immediately available; and (2) engage in continuous face-to-face monitoring of the restrained student.

Requires:

- the parents of a physically restrained student to be notified on the day such restraint occurs;
- a debriefing session to be held as soon as practicable in which the person who imposed the restraint, the immediate adult witnesses, a school administrator, a school mental health professional, and at least one of the student's family members participate;
- the affected student to be given an opportunity to discuss the event with a trusted adult who will communicate the student's perspective to the debriefing session group; and
- the state educational agency, the LEA, local law enforcement, and any protection and advocacy system serving an affected student to be notified within 24 hours of any death or bodily injury that occurs in conjunction with efforts to control a student's behavior.

Authorizes a student to file a civil action seeking relief from the use of seclusion or restraint on the student in violation of this Act.

Authorizes the Secretary of Education to award grants to states and, through them, competitive subgrants to LEAs to: (1) establish, implement, and enforce policies and procedures to meet this Act's requirements; (2) improve their capacity to collect and analyze data related to physical restraint; and (3) implement school-wide positive behavioral interventions and supports.

Requires states to allow private school personnel to participate, on an equitable basis, in activities supported by such grants and subgrants.

## **Actions Timeline**

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- **Feb 24, 2014:** Introduced in Senate
- **Feb 24, 2014:** Sponsor introductory remarks on measure. (CR S1003-1004)
- **Feb 24, 2014:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (text of measure as introduced: CR S1004-1007)