

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 25-0777.01 Jacob Baus x2173

HOUSE BILL 25-1248

HOUSE SPONSORSHIP

Stewart K. and Zokaie,

SENATE SPONSORSHIP

Kipp and Michaelson Jenet,

House Committees

Education
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE ADMINISTRATION OF DISCIPLINARY MEASURES IN**
102 **PUBLIC SCHOOLS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Under current law, the "Protection of Individuals from Restraint and Seclusion Act" contains parameters concerning exceptions for the use of restraint and seclusion for various agencies, including for public schools.

The bill removes public schools from the "Protection of Individuals from Restraint and Seclusion Act" and creates the "Protection

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

HOUSE
Amended 2nd Reading
March 27, 2025

of Students from Restraint and Seclusion Act" that is specific to local education providers.

The bill:

- Prohibits restraint and seclusion, except as provided;
- Requires a local education provider that uses restraint or seclusion to train its employees and agents; and
- Requires a local education provider to document instances of restraint or seclusion and notify the student's family of certain instances of restraint or seclusion.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** article 15.5 to
3 title 22 as follows:

4 **ARTICLE 15.5**

5 **Protection of Students from Restraint and Seclusion Act**

6 **22-15.5-101. Short title.** THE SHORT TITLE OF THIS ARTICLE 15.5
7 IS THE "PROTECTION OF STUDENTS FROM RESTRAINT AND SECLUSION
8 ACT".

9 **22-15.5-102. Definitions.** AS USED IN THIS ARTICLE 15.5, UNLESS
10 THE CONTEXT OTHERWISE REQUIRES:

11 (1) "CHEMICAL RESTRAINT" MEANS INVOLUNTARY
12 ADMINISTRATION OF MEDICATION TO A STUDENT FOR THE PURPOSE OF
13 RESTRAINING THE STUDENT; EXCEPT THAT "CHEMICAL RESTRAINT" DOES
14 NOT INCLUDE ADMINISTERING PRESCRIPTION MEDICATION THAT IS
15 REGULARLY ADMINISTERED TO THE STUDENT FOR MEDICAL TREATMENT
16 OTHER THAN TO RESTRAIN THE STUDENT'S FREEDOM OF MOVEMENT,
17 INCLUDING ASTHMA CORTICOSTEROID, MOOD DISORDER MEDICATION,
18 INSULIN, OR GLUCAGON, OR ADMINISTERING MEDICATION FOR VOLUNTARY
19 OR LIFE-SAVING MEDICAL PROCEDURES, INCLUDING EPINEPHRINE OR
20 DIAZEPAM.

1 (2) "EMERGENCY" MEANS A SERIOUS, PROBABLE, IMMINENT
2 THREAT OF BODILY HARM TO SELF OR OTHERS WHEN THERE IS THE
3 PRESENT ABILITY TO EFFECT SUCH BODILY HARM.

4 (3) "IEP TEAM" HAS THE SAME MEANING AS DESCRIBED IN SECTION
5 22-20-108.

6 (4) "INDIVIDUALIZED EDUCATION PROGRAM" OR "IEP" HAS THE
7 SAME MEANING AS SET FORTH IN SECTION 22-20-103.

8 (5) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT, A
9 CHARTER SCHOOL AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART
10 1 OF ARTICLE 30.5 OF THIS TITLE 22, A CHARTER SCHOOL AUTHORIZED BY
11 THE STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE
12 30.5 OF THIS TITLE 22, OR A BOARD OF COOPERATIVE SERVICES CREATED
13 AND OPERATING PURSUANT TO ARTICLE 5 OF THIS TITLE 22 THAT
14 OPERATES ONE OR MORE PUBLIC SCHOOLS.

15 (6) "MECHANICAL RESTRAINT" MEANS A PHYSICAL DEVICE USED
16 TO RESTRICT A STUDENT'S VOLUNTARY FREEDOM OF MOVEMENT OR THE
17 MOVEMENT OR NORMAL FUNCTION OF A PORTION OF THEIR BODY.
18 "MECHANICAL RESTRAINT" DOES NOT INCLUDE:

19 (a) A DEVICE THAT IS RECOMMENDED FOR THE STUDENT BY A
20 PHYSICIAN, OCCUPATIONAL THERAPIST, OR PHYSICAL THERAPIST; IS
21 AGREED TO FOR USE BY THE STUDENT, BY THE STUDENT'S IEP TEAM, OR BY
22 THE STUDENT'S SECTION 504 TEAM; AND IS USED IN ACCORDANCE WITH
23 THE STUDENT'S IEP OR SECTION 504 PLAN;

24 (b) A PROTECTIVE DEVICE THAT IS USED TO PREVENT A STUDENT
25 FROM SELF-HARM, IS AGREED TO FOR USE BY THE STUDENT BY THE
26 STUDENT'S IEP TEAM OR SECTION 504 TEAM, AND IS USED IN ACCORDANCE
27 WITH THE STUDENT'S IEP OR SECTION 504 PLAN. THE PROTECTIVE DEVICE

1 MAY INCLUDE A HELMET OR MITTS.

2 (c) AN ADAPTIVE DEVICE THAT IS USED TO FACILITATE
3 INSTRUCTION OR THERAPY FOR THE STUDENT THAT IS RECOMMENDED FOR
4 THE STUDENT BY A PHYSICIAN, OCCUPATIONAL THERAPIST, OR PHYSICAL
5 THERAPIST; IS AGREED TO FOR USE BY THE STUDENT BY THE STUDENT'S
6 IEP TEAM OR SECTION 504 TEAM; AND IS USED IN ACCORDANCE WITH THE
7 STUDENT'S IEP OR SECTION 504 PLAN; OR

8 (d) A POSITIONING OR SECURING DEVICE THAT IS USED TO
9 FACILITATE THE STUDENT'S MEDICAL TREATMENT THAT IS RECOMMENDED
10 FOR THE STUDENT BY A PHYSICIAN, OCCUPATIONAL THERAPIST, OR
11 PHYSICAL THERAPIST; IS AGREED TO FOR USE BY THE STUDENT BY THE
12 STUDENT'S IEP TEAM OR SECTION 504 TEAM; AND IS USED IN ACCORDANCE
13 WITH THE STUDENT'S IEP OR SECTION 504 PLAN.

14 (7) "PHYSICAL RESTRAINT" MEANS THE USE OF BODILY, PHYSICAL
15 FORCE TO LIMIT A STUDENT'S VOLUNTARY FREEDOM OF MOVEMENT FOR
16 MORE THAN ONE MINUTE; EXCEPT THAT "PHYSICAL RESTRAINT" DOES NOT
17 INCLUDE:

18 (a) A PHYSICAL INTERVENTION ADMINISTERED ON A STUDENT
19 THAT LASTS ONE MINUTE OR LESS FOR THE PROTECTION OF A STUDENT,
20 OTHERS, OR PROPERTY;

21 (b) THE HOLDING OF A STUDENT BY AN ADULT FOR THE PURPOSE
22 OF CALMING OR COMFORTING THE STUDENT;

23 (c) MINIMAL PHYSICAL CONTACT FOR THE PURPOSE OF SAFELY
24 ESCORTING A STUDENT FROM ONE PLACE TO ANOTHER; OR

25 (d) MINIMAL PHYSICAL CONTACT FOR THE PURPOSE OF ASSISTING
26 A STUDENT WITH A TASK OR RESPONSE.

27 (8) "PRONE RESTRAINT" MEANS A RESTRAINT IN WHICH THE

1 STUDENT WHO IS BEING RESTRAINED IS SECURED IN A FACE-DOWN
2 POSITION.

3 (9) "RESTRAINT" MEANS A METHOD OR DEVICE THAT IS USED TO
4 LIMIT A STUDENT'S VOLUNTARY FREEDOM OF MOVEMENT. "RESTRAINT"
5 INCLUDES SECLUSION, CHEMICAL RESTRAINT, MECHANICAL RESTRAINT,
6 AND PHYSICAL RESTRAINT. ■ ■

7 (10) (a) "SECLUSION" MEANS THE PLACEMENT OF AN INDIVIDUAL
8 ALONE IN A ROOM OR AREA FROM WHICH EGRESS IS PREVENTED.
9 "SECLUSION" IS A FORM OF RESTRAINT.

10 (b) "SECLUSION" DOES NOT INCLUDE A TIME-OUT, WHICH IS THE
11 REMOVAL OF A STUDENT FROM A POTENTIALLY REWARDING SITUATION, OR
12 FROM A SITUATION THAT WOULD OTHERWISE PRODUCE NEGATIVE
13 REINFORCEMENT. A TIME-OUT DOES NOT PREVENT A STUDENT'S EGRESS.

14 (11) "SECTION 504 PLAN" HAS THE SAME MEANING AS SET FORTH
15 IN SECTION 22-20-123 (2).

16 (12) "SECTION 504 TEAM" HAS THE SAME MEANING AS SET FORTH
17 IN SECTION 22-20-123 (2).

18 **22-15.5-103. Prohibit restraint - exceptions.** (1) EXCEPT AS
19 PROVIDED PURSUANT TO THIS ARTICLE 15.5, THE USE OF A RESTRAINT ON
20 A STUDENT OF A LOCAL EDUCATION PROVIDER IS PROHIBITED WHEN THE
21 STUDENT IS ON THE PROPERTY OF THE LOCAL EDUCATION PROVIDER OR IS
22 PARTICIPATING IN AN OFF-CAMPUS ACTIVITY OR EVENT SPONSORED BY THE
23 LOCAL EDUCATION PROVIDER.

24 (2) THE PROHIBITION DESCRIBED IN SUBSECTION (1) OF THIS
25 SECTION DOES NOT APPLY TO:

26 (a) THE USE OF MECHANICAL, PHYSICAL, OR PRONE RESTRAINTS ON
27 A STUDENT ENROLLED IN A LOCAL EDUCATION PROVIDER WHO OPENLY

1 DISPLAYS A DEADLY WEAPON, AS DEFINED IN SECTION 18-1-901;

2 (b) THE USE OF MECHANICAL OR PRONE RESTRAINTS BY AN ARMED

3 SECURITY OFFICER OR A CERTIFIED PEACE OFFICER WORKING IN A LOCAL

4 EDUCATION PROVIDER'S FACILITIES WHEN THE OFFICER:

5 (I) HAS RECEIVED DOCUMENTED TRAINING IN DEFENSIVE TACTICS

6 UTILIZING HANDCUFFING PROCEDURES;

7 (II) HAS RECEIVED DOCUMENTED TRAINING IN RESTRAINT TACTICS

8 UTILIZING PRONE RESTRAINT; AND

9 (III) HAS MADE A REFERRAL TO A LAW ENFORCEMENT AGENCY

10 AND IS MAKING AN ARREST;

11 (c) THE USE OF MECHANICAL, PHYSICAL, OR PRONE RESTRAINTS BY

12 A SCHOOL RESOURCE OFFICER OR A LAW ENFORCEMENT OFFICER ACTING

13 IN THE OFFICER'S OFFICIAL CAPACITY ON THE LOCAL EDUCATION

14 PROVIDER'S PROPERTY, IN A LOCAL EDUCATION PROVIDER'S VEHICLE, OR

15 AT AN ACTIVITY OR EVENT SPONSORED BY THE LOCAL EDUCATION

16 PROVIDER IF THERE IS A DANGER TO THE STUDENT OR OTHERS OR DURING

17 A CUSTODIAL ARREST THAT REQUIRES TRANSPORT; AND

18 (d) (I) THE USE OF A PHYSICAL RESTRAINT OR SECLUSION IN AN

19 EMERGENCY AFTER THE FAILURE OF LESS RESTRICTIVE ALTERNATIVES; OR

20 (II) THE USE OF A PHYSICAL RESTRAINT OR SECLUSION IN AN

21 EMERGENCY AFTER A DETERMINATION THAT LESS RESTRICTIVE

22 ALTERNATIVES WOULD BE INAPPROPRIATE OR INEFFECTIVE DURING THE

23 EMERGENCY.

24 (3) IF A LOCAL EDUCATION PROVIDER USES A ROOM FOR SECLUSION

25 AS A TYPE OF RESTRAINT, THERE MUST BE AT LEAST ONE WINDOW TO

26 MONITOR THE STUDENT WHEN THE DOOR IS CLOSED. IF A WINDOW IS NOT

27 FEASIBLE, MONITORING MUST BE WITH A VIDEO CAMERA. A STUDENT

1 PLACED IN SECLUSION MUST BE CONTINUALLY MONITORED. THE ROOM
2 MUST BE A SAFE SPACE FREE OF INJURIOUS ITEMS. THE ROOM USED FOR
3 SECLUSION MUST NOT BE A ROOM THAT IS USED BY SCHOOL STAFF FOR
4 STORAGE, CUSTODIAL PURPOSES, OR OFFICE SPACE.

5 (4) (a) A LOCAL EDUCATION PROVIDER THAT, OR LOCAL
6 EDUCATION PROVIDER'S EMPLOYEE OR AGENT WHO, USES RESTRAINT
7 SHALL USE THE RESTRAINT:

8 (I) ONLY FOR THE PURPOSE OF PREVENTING THE CONTINUATION OR
9 RENEWAL OF THE APPROPRIATE CIRCUMSTANCES DESCRIBED IN
10 SUBSECTION (2) OF THIS SECTION FOR THE INCIDENT;

11 (II) ONLY FOR THE PERIOD OF TIME NECESSARY TO ACCOMPLISH ITS
12 PURPOSE; AND

13 (III) IN THE CASE OF PHYSICAL RESTRAINT, ONLY IF NO MORE
14 FORCE THAN IS NECESSARY TO LIMIT THE INDIVIDUAL'S FREEDOM OF
15 MOVEMENT IS USED.

16 (b) IF PROPERTY DAMAGE MAY BE INVOLVED, RESTRAINT MAY
17 ONLY BE USED WHEN THE DESTRUCTION OF PROPERTY WOULD RESULT IN
18 A SERIOUS, PROBABLE, IMMINENT THREAT OF BODILY HARM TO SELF OR
19 OTHERS AND WHEN THERE IS THE PRESENT ABILITY TO EFFECT SUCH
20 BODILY HARM.

21 (5) A LOCAL EDUCATION PROVIDER, OR LOCAL EDUCATION
22 PROVIDER'S EMPLOYEE OR AGENT, SHALL NOT USE A RESTRAINT AS A:

23 (a) FORM OF PUNISHMENT OR DISCIPLINARY SANCTION;

24 (b) PART OF A TREATMENT PLAN OR BEHAVIOR MODIFICATION
25 PLAN; OR

26 (c) FORM OF RETALIATION.

27 **22-15.5-104. General duties relating to use of restraint.** (1) A

1 LOCAL EDUCATION PROVIDER THAT, OR A LOCAL EDUCATION PROVIDER'S
2 EMPLOYEE OR AGENT WHO, USES A RESTRAINT SHALL ENSURE THAT:

3 (a) A PHYSICAL RESTRAINT OF A STUDENT DOES NOT PLACE EXCESS
4 PRESSURE ON THE CHEST OR BACK OF THE STUDENT OR INHIBIT OR IMPEDE
5 THE STUDENT'S ABILITY TO BREATHE; AND

6 (b) DURING THE PHYSICAL RESTRAINT OF A STUDENT, THE
7 STUDENT'S BREATHING IS NOT COMPROMISED.

8 (2) A LOCAL EDUCATION PROVIDER'S EMPLOYEE OR AGENT SHALL
9 PROVIDE THE STUDENT RELIEF PERIODS FROM SECLUSION FOR REASONABLE
10 ACCESS TO TOILET FACILITIES.

11 (3) A LOCAL EDUCATION PROVIDER'S EMPLOYEE OR AGENT SHALL
12 RELEASE THE STUDENT IN PHYSICAL RESTRAINT WITHIN FIFTEEN MINUTES
13 AFTER THE INITIATION OF THE PHYSICAL RESTRAINT, EXCEPT WHEN IT
14 WOULD BE UNSAFE TO DO SO.

15 **22-15.5-105. Training concerning the use of restraint.** (1) A
16 LOCAL EDUCATION PROVIDER THAT USES RESTRAINT SHALL ENSURE THAT
17 EMPLOYEES AND AGENTS WHO ARE INVOLVED IN USING RESTRAINT IN ITS
18 FACILITIES OR PROGRAMS ARE TRAINED IN THE APPROPRIATE USE OF
19 RESTRAINT.

20 (2) A LOCAL EDUCATION PROVIDER THAT USES RESTRAINT SHALL
21 ENSURE THAT ALL EMPLOYEES AND AGENTS WHO ARE INVOLVED IN USING
22 RESTRAINT IN ITS FACILITIES OR PROGRAMS ARE TRAINED TO EXPLAIN THE
23 USE OF RESTRAINT TO THE STUDENT WHO IS TO BE RESTRAINED AND TO
24 THE STUDENT'S FAMILY.

25 **22-15.5-106. Documentation requirements for restraint.** (1) A
26 LOCAL EDUCATION PROVIDER SHALL REQUIRE ITS EMPLOYEE OR AGENT
27 WHO USES A RESTRAINT ON A STUDENT TO SUBMIT A WRITTEN REPORT OF

1 THE INCIDENT TO THE LOCAL EDUCATION PROVIDER NO LATER THAN ONE
2 SCHOOL DAY AFTER THE INCIDENT OCCURRED.

3 (2) NO LATER THAN JULY 1, 2025, EACH LOCAL EDUCATION
4 PROVIDER SHALL ESTABLISH A REVIEW PROCESS, AT LEAST ANNUALLY,
5 AND DOCUMENT THE RESULTS OF EACH REVIEW PROCESS IN WRITING. THE
6 PURPOSE OF EACH ANNUAL REVIEW PROCESS IS TO ENSURE THAT THE
7 LOCAL EDUCATION PROVIDER IS PROPERLY ADMINISTERING RESTRAINT,
8 MINIMIZING AND PREVENTING THE USE OF RESTRAINT BY INCREASING THE
9 USE OF POSITIVE BEHAVIOR INTERVENTIONS, AND REDUCING THE
10 INCIDENCE OF INJURY TO STUDENTS, EMPLOYEES, AND AGENTS. EACH
11 ANNUAL REVIEW PROCESS MUST INCLUDE, BUT IS NOT LIMITED TO:

12 (a) ANALYSIS OF INCIDENT REPORTS, INCLUDING CONSIDERATION
13 OF PROCEDURES USED DURING THE RESTRAINT, PREVENTIVE OR
14 ALTERNATIVE TECHNIQUES ATTEMPTED, DOCUMENTATION, AND
15 FOLLOW-UP;

16 (b) TRAINING NEEDS OF STAFF;

17 (c) STAFF-TO-STUDENT RATIOS; ■■■

18 (d) ENVIRONMENTAL CONSIDERATIONS, INCLUDING PHYSICAL
19 SPACE, STUDENT SEATING ARRANGEMENTS, AND NOISE LEVELS.

20 (3) IF A PHYSICAL RESTRAINT IS USED FOR MORE THAN ONE
21 MINUTE BUT LESS THAN FIVE MINUTES, THE LOCAL EDUCATION PROVIDER
22 SHALL PROVIDE WRITTEN NOTICE ON THE DAY OF THE RESTRAINT TO THE
23 PARENT OR LEGAL GUARDIAN OF THE STUDENT. THE WRITTEN NOTICE
24 MUST INCLUDE THE DATE, THE NAME OF THE STUDENT, AND THE NUMBER
25 OF RESTRAINTS USED THAT DAY THAT LASTED BETWEEN ONE AND FIVE
26 MINUTES.

27 (4) IF A PHYSICAL RESTRAINT IS USED FOR FIVE MINUTES OR MORE,

1 OR IF THE STUDENT IS PLACED IN SECLUSION FOR ANY LENGTH OF TIME,
2 THE LOCAL EDUCATION PROVIDER SHALL PROVIDE VERBAL NOTICE ON THE
3 DAY OF THE PHYSICAL RESTRAINT OR SECLUSION TO THE PARENT OR LEGAL
4 GUARDIAN OF THE STUDENT AND SHALL MAIL OR EMAIL A WRITTEN
5 REPORT OF THE INCIDENT TO THE PARENT OR LEGAL GUARDIAN OF THE
6 STUDENT NOT MORE THAN FIVE CALENDAR DAYS AFTER THE USE OF THE
7 RESTRAINT ON THE STUDENT. THE WRITTEN REPORT MUST BE PLACED IN
8 THE STUDENT'S CONFIDENTIAL FILE AND INCLUDE:

- 9 (a) THE ANTECEDENT OF THE STUDENT'S BEHAVIOR, IF KNOWN;
- 10 (b) A DESCRIPTION OF THE INCIDENT;
- 11 (c) ANY EFFORTS MADE TO DE-ESCALATE THE SITUATION;
- 12 (d) ANY ALTERNATIVES TO THE USE OF RESTRAINTS THAT WERE
13 ATTEMPTED;
- 14 (e) THE TYPE AND DURATION OF THE RESTRAINT USED;
- 15 (f) ANY INJURIES THAT OCCURRED; AND
- 16 (g) THE NAMES OF THE LOCAL EDUCATION PROVIDER'S EMPLOYEES
17 OR AGENTS WHO WERE PRESENT AND EMPLOYEES AND AGENTS WHO WERE
18 INVOLVED IN ADMINISTERING THE RESTRAINT.

19 (4.5) EACH INSTANCE OF SECLUSION OR MONITORED SECLUSION
20 MUST BE DOCUMENTED AND INCLUDE:

- 21 (a) START AND END TIME;
- 22 (b) CONFIRMATION OF DOOR STATUS;
- 23 (c) NAMES OF STAFF INVOLVED;
- 24 (d) DESCRIPTION OF THE EMERGENCY;
- 25 (e) NOTIFICATION DETAILS;
- 26 (f) CONFIRMATION OF SAFETY CHECKS; AND
- 27 (g) STRATEGIES ATTEMPTED BEFORE SECLUSION.

1 (5) NO LATER THAN JUNE 30, 2026, AND NO LATER THAN EVERY
2 JUNE 30 THEREAFTER, EACH LOCAL EDUCATION PROVIDER SHALL SUBMIT
3 IN A REPORT TO THE DEPARTMENT OF EDUCATION PURSUANT TO SECTION
4 22-1-138, THE INFORMATION FROM THE ANNUAL REVIEW CONDUCTED
5 PURSUANT TO SUBSECTION (2) OF THIS SECTION AND THE FOLLOWING
6 DATA:

7 (a) THE TOTAL NUMBER OF PHYSICAL RESTRAINTS LASTING MORE
8 THAN ONE MINUTE BUT LESS THAN FIVE MINUTES;

9 (b) THE TOTAL NUMBER OF PHYSICAL RESTRAINTS LASTING FIVE OR
10 MORE MINUTES;

11 (c) THE TOTAL NUMBER OF SECLUSIONS;

12 (d) THE TOTAL NUMBER OF STUDENTS WHO EXPERIENCED AT LEAST
13 ONE PHYSICAL RESTRAINT LASTING MORE THAN ONE MINUTE BUT LESS
14 THAN FIVE MINUTES;

15 (e) THE TOTAL NUMBER OF STUDENTS WHO EXPERIENCED AT LEAST
16 ONE PHYSICAL RESTRAINT LASTING FIVE MINUTES OR MORE; AND

17 (f) THE TOTAL NUMBER OF STUDENTS WHO EXPERIENCED AT LEAST
18 ONE SECLUSION.

19 (6) IF THERE IS A REASONABLE PROBABILITY THAT A PHYSICAL
20 RESTRAINT OR SECLUSION MAY BE USED ON A SPECIFIC STUDENT, THE
21 LOCAL EDUCATION PROVIDER SHALL PROVIDE WRITTEN NOTICE TO THE
22 PARENT OR LEGAL GUARDIAN OF THE STUDENT, AND TO THE STUDENT, IF
23 APPROPRIATE, REGARDING PHYSICAL RESTRAINT OR SECLUSION
24 PROCEDURES THAT MAY BE USED, THE CIRCUMSTANCES IN WHICH
25 PHYSICAL RESTRAINT OR SECLUSION MAY BE USED, AND THE LOCAL
26 EDUCATION PROVIDER'S EMPLOYEES OR AGENTS WHO MAY BE INVOLVED.
27 THE LOCAL EDUCATION PROVIDER SHALL MEET WITH A PARENT OR LEGAL

1 GUARDIAN WHO RECEIVED A WRITTEN NOTICE PURSUANT TO THIS
2 SUBSECTION (6) AND REQUESTS A MEETING TO DISCUSS THE WRITTEN
3 NOTICE.

4 (7) THE DEPARTMENT OF EDUCATION SHALL MAKE TRAINING
5 AVAILABLE TO LOCAL EDUCATION PROVIDERS AND LOCAL EDUCATION
6 PROVIDERS' EMPLOYEES AND AGENTS ON THE REQUIREMENTS OF THIS
7 ARTICLE 15.5 AND ON THE STATE BOARD OF EDUCATION'S CORRESPONDING
8 RULES FOR ADMINISTRATION.

9 (8) THE DEPARTMENT OF EDUCATION HAS ENFORCEMENT
10 AUTHORITY OVER RESTRAINT INVESTIGATION DECISIONS. THIS
11 ENFORCEMENT AUTHORITY MUST FOLLOW THE SAME PROCEDURES
12 OUTLINED FOR STATE COMPLAINTS UNDER THE FEDERAL "INDIVIDUALS
13 WITH DISABILITIES EDUCATION ACT", 20 U.S.C. SEC. 1400 ET SEQ., AND
14 THE DEPARTMENT'S STATE-LEVEL COMPLAINT PROCEDURES.

15 **22-15.5-107. Rules.** (1) NO LATER THAN JANUARY 1, 2026, THE
16 STATE BOARD OF EDUCATION SHALL ADOPT, AMEND, OR REPEAL RULES AS
17 NECESSARY TO REFLECT THIS ARTICLE 15.5.

18 (2) THE STATE BOARD OF EDUCATION SHALL ADOPT RULES
19 ESTABLISHING A PROCESS BY WHICH A STUDENT, A STUDENT'S PARENT OR
20 LEGAL GUARDIAN, OR A THIRD PARTY ON BEHALF OF A STUDENT OR
21 STUDENT'S PARENT OR LEGAL GUARDIAN MAY FORMALLY COMPLAIN
22 ABOUT THE USE OF RESTRAINT BY A LOCAL EDUCATION PROVIDER'S
23 EMPLOYEE OR AGENT. TO THE EXTENT PRACTICABLE, THE RULES MUST
24 DETAIL THE PROCESS FOR FILING A STATE COMPLAINT UNDER THE FEDERAL
25 "INDIVIDUALS WITH DISABILITIES EDUCATION ACT", 20 U.S.C. SEC. 1400
26 ET SEQ.

27 (3) THE STATE BOARD OF EDUCATION MAY ADOPT RULES

1 REGARDING THE USE OF RESTRAINT AND SECLUSION CONSISTENT WITH THE
2 PROVISIONS OF THIS ARTICLE 15.5, INCLUDING CLARIFICATIONS
3 CONCERNING SAFETY DESCRIBED IN SECTION 22-15.5-104.

4 **22-15.5-108. Limitations.** (1) NOTHING IN THIS ARTICLE 15.5
5 FORMS AN INDEPENDENT BASIS OF STATUTORY AUTHORITY FOR USING
6 RESTRAINT.

7 (2) NOTHING IN THIS ARTICLE 15.5 AUTHORIZES A LOCAL
8 EDUCATION PROVIDER TO IMPLEMENT POLICIES, PROCEDURES, OR
9 STANDARDS, OR AUTHORIZES THE DEPARTMENT OF EDUCATION TO ADOPT
10 RULES THAT WOULD LIMIT, DECREASE, OR ADVERSELY IMPACT ANY
11 POLICIES, PROCEDURES, STANDARDS, RULES, OR ORDINANCES THAT
12 PROVIDE GREATER PROTECTION CONCERNING THE USE OF RESTRAINT THAN
13 IS DESCRIBED IN THIS ARTICLE 15.5.

14 (3) THIS ARTICLE 15.5 DOES NOT PROHIBIT TRANSPORTATION
15 PROVIDED BY THE LOCAL EDUCATION PROVIDER FROM HAVING SEAT
16 BELTS, HARNESES, CAR SEATS, OR OTHER DEVICES FOR PASSENGER
17 SAFETY.

18 **SECTION 2.** In Colorado Revised Statutes, 22-1-139, **amend**
19 (1)(b)(VII) as follows:

20 **22-1-139. Accessible district profile reports - school climate**
21 **reports and surveys - reporting - definition.** (1) (b) The profile reports
22 must include, but are not limited to:

23 (VII) The number of students ~~physically~~ restrained; and

24 **SECTION 3.** In Colorado Revised Statutes, 22-32-109.1, **amend**
25 (2)(a)(I) introductory portion and (2)(a)(I)(L) as follows:

26 **22-32-109.1. Board of education - specific powers and duties**
27 **- safe school plan - conduct and discipline code - safe school reporting**

1 **requirements - school response framework - school resource officers**

2 **- definitions. (2) Safe school plan.** To provide a learning environment
3 that is safe, conducive to the learning process, and free from unnecessary
4 disruption, each school district board of education or institute charter
5 school board for a charter school authorized by the charter school institute
6 shall, following consultation with the school district accountability
7 committee and school accountability committees, parents, teachers,
8 administrators, students, student councils where available, and, where
9 appropriate, the community at large, adopt and implement a safe school
10 plan, or review and revise, as necessary in response to any relevant data
11 collected by the school district, any existing plans or policies already in
12 effect. In addition to the aforementioned parties, each school district
13 board of education, in adopting and implementing its safe school plan,
14 may consult with victims' advocacy organizations, school psychologists,
15 local law enforcement, and community partners. The plan, at a minimum,
16 must include the following:

17 (a) **Conduct and discipline code.** (I) A concisely written conduct
18 and discipline code that must be enforced uniformly, fairly, and
19 consistently for all students. Copies of the code ~~shall~~ **MUST** be provided
20 to each student upon enrollment at the preschool, elementary, middle, and
21 high school levels and be posted or kept on file at each public school in
22 the school district. The school district shall take reasonable measures to
23 ensure that each student of each public school in the school district is
24 familiar with the code. The code must include, but need not be limited to:

25 (L) Information concerning the school district's policies for the
26 use of restraint and seclusion on students, including a reference to ~~section~~
27 ~~26-20-111~~ **THE "PROTECTION OF STUDENTS FROM RESTRAINT AND**

1 SECLUSION ACT", ARTICLE 15.5 OF THIS TITLE 22, and information
2 concerning the process for filing a complaint regarding the use of restraint
3 or seclusion, as such process is set forth by rule of the state board
4 pursuant to ~~section 22-32-147~~ SECTION 22-15.5-107.

5

6 **SECTION 4.** In Colorado Revised Statutes, 26-20-102, **amend**
7 (1)(a)(III), (6) introductory portion, and (6)(c); **repeal** (1)(a)(VI); and **add**
8 (1)(b)(V) as follows:

9 **26-20-102. Definitions.** As used in this article 20, unless the
10 context otherwise requires:

11 (1) (a) "Agency" means:

12 (III) Any public or private entity that has entered into a contract
13 for services with an entity described in subsection (1)(a)(I) OR (1)(a)(II)
14 ~~or (1)(a)(VI)~~ of this section;

15 (VI) ~~Any school district, including any school or charter school of~~
16 ~~a school district, and the state charter school institute established in~~
17 ~~section 22-30.5-503, including any institute charter school.~~

18 (b) "Agency" does not include:

19 (V) A LOCAL EDUCATION PROVIDER, AS DEFINED PURSUANT TO
20 SECTION 22-15.5-102.

21 (6) "Restraint" means any method or device used to involuntarily
22 limit freedom of movement, including bodily physical force, mechanical
23 devices, or chemicals. Restraint must not be used as a form of discipline
24 or to gain compliance. ~~from a student~~ If property damage might be
25 involved, restraint may only be used when the destruction of property
26 could possibly result in bodily harm to the individual or another person.
27 "Restraint" includes chemical restraint, mechanical restraint, and physical

1 restraint. "Restraint" does not include:

2 (c) The holding of an individual for ~~less than one minute~~ ONE
3 MINUTE OR LESS by a staff person for protection of the individual or other
4 persons; ~~except that nothing in this subsection (6)(c) may be interpreted~~
5 ~~to permit the holding of a public school student in a prone position,~~
6 ~~except as described in section 26-20-111 (2), (3), or (4); or~~

7 **SECTION 5.** In Colorado Revised Statutes, **repeal** 22-30.5-528,
8 22-32-147, and 26-20-111.

9 **SECTION 6. Safety clause.** The general assembly finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, or safety or for appropriations for
12 the support and maintenance of the departments of the state and state
13 institutions.