

July 27, 2017



Authors:



Peter J. Maher
(860) 251-5507
pmaher@goodwin.com



Gwen J. Zittoun
(860) 251-5523
gzittoun@goodwin.com

New Legislation Revises Physical Restraint and Seclusion Training Requirements

Earlier this month, the Governor signed Public Act 17-220 (House Bill 7276) [<https://www.cga.ct.gov/2017/ACT/pa/2017PA-00220-R00HB-07276-PA.htm>], which contains a number of provisions aimed at providing “mandate relief” to boards of education. Section 5 of Public Act 17-220, effective July 1, 2017, makes significant changes to the physical restraint and seclusion training requirements that were enacted as part of Public Act 15-141 (now codified at Conn. Gen. Stat. § 10-236b). We recommend that school districts consider these revisions as they plan for staff professional development.

Public Act 15-141 required boards of education to train all school professionals, paraprofessional staff members and administrators in physical restraint and seclusion. Specifically, Public Act 15-141 required (1) all school professionals, paraprofessional staff members and administrators to receive an annual overview of relevant laws and regulations regarding the use of physical restraint and seclusion on students provided by the State Department of Education; and (2) boards of education to develop a plan for training all school professionals, paraprofessional staff members and administrators regarding both the prevention and implementation of physical restraint and seclusion of a student, with such plans being implementing over a three-year period beginning no later than July 1, 2017 and concluding no later than the July 1, 2019. Public Act 15-141 also required boards of education to establish a crisis intervention team at each school consisting of school professionals, paraprofessional staff and administrators to respond to incidents in which physical restraint or seclusion may be necessary.

Under Section 5 of Public Act 17-220, boards of education will only be required to provide the required training to members of the crisis intervention team for each school within the district. In addition to the mandatory training for members of the crisis intervention team, however, the law provides that boards of education **may elect** to provide such training to any teacher, administrator, paraprofessional or other school employee designated by the principal and who has direct contact with students. Boards of education must provide the required training during the 2017-2018 school year and then annually thereafter. Importantly, the substantive training requirements have not changed; the significant change is that boards are now only required to train members of the crisis intervention teams. The training requirements continue to include:



- An annual overview of the laws and regulations regarding the use of physical restraint and seclusion provided by the State Department of Education, and
- The creation of plans to train relevant staff in the prevention and implementation of physical restraint and seclusion of a student.

Under the new law, boards of education must begin to provide the annual overview by the State Department of Education during the 2017-2018 school year and they must implement the training plans by July 1, 2018.

Finally, Section 5 of Public Act 17-220 clarifies that the membership of a crisis intervention team may include any teacher, administrator, school paraprofessional or other school employee designated by the principal and who has direct contact with students. Moreover, boards of education must maintain a list of the members of the crisis intervention team for each school.

Questions or Assistance:

If you have any questions about the revisions to the physical restraint and seclusion training requirements under Public Act 17-220, please contact Peter J. Maher at pmaher@goodwin.com or 860-251-5507 or Gwen J. Zittoun at 860-251-5523 or gzittoun@goodwin.com.

These materials have been prepared by Shipman & Goodwin LLP for informational purposes only. They are not intended as advertising and should not be considered legal advice. This information is not intended to create, and receipt of it does not create, a lawyer-client relationship. Viewers should not act upon this information without seeking professional counsel. © 2017 Shipman & Goodwin LLP. One Constitution Plaza, Hartford, CT 06103.

289 Greenwich Avenue
Greenwich, CT 06830-6595
203-869-5600

One Constitution Plaza
Hartford, CT 06103-1919
860-251-5000

265 Church Street - Suite 1207
New Haven, CT 06510-7013
203-836-2801

400 Park Avenue - Fifth Floor
New York, NY 10022-4406
212-376-3010

300 Atlantic Street
Stamford, CT 06901-3522
203-324-8100

1875 K St., NW - Suite 600
Washington, DC 20006-1251
202-469-7750

www.shipmangoodwin.com
www.ctschoollaw.com