

REFERENCE TITLE: student discipline; complaints; investigation; training

State of Arizona
House of Representatives
Fifty-seventh Legislature
First Regular Session
2025

HB 2936

Introduced by
Representative Garcia

AN ACT

AMENDING SECTION 15-105, ARIZONA REVISED STATUTES; RELATING TO STUDENT DISCIPLINE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-105, Arizona Revised Statutes, is amended to
3 read:

4 15-105. Use of restraint and seclusion techniques;
5 requirements; violations; complaints;
6 investigation; definitions

7 A. A school may ~~permit~~ ALLOW the use of restraint or seclusion
8 techniques on any pupil if both of the following apply:

9 1. The pupil's behavior presents an imminent danger of bodily harm
10 to the pupil or others.

11 2. Less restrictive interventions appear insufficient to mitigate
12 the imminent danger of bodily harm.

13 B. If a restraint or seclusion technique is used on a pupil:

14 1. School personnel shall maintain continuous visual observation
15 and monitoring of the pupil while the restraint or seclusion technique is
16 in use.

17 2. The restraint or seclusion technique shall end when the pupil's
18 behavior no longer presents an imminent danger to the pupil or others.

19 3. The restraint or seclusion technique shall be used only by
20 school personnel who are trained in the safe and effective use of
21 restraint and seclusion techniques unless an emergency situation does not
22 allow sufficient time to summon trained personnel.

23 4. The restraint technique employed may not impede the pupil's
24 ability to breathe.

25 5. The restraint technique may not be out of proportion to the
26 pupil's age or physical condition.

27 C. Schools may establish policies and procedures for ~~the use of~~
28 USING restraint or seclusion techniques in a school safety or crisis
29 intervention plan if the plan is not specific to any individual pupil.

30 D. Schools shall establish reporting and documentation procedures
31 to be followed when a restraint or seclusion technique has been used on a
32 pupil. The procedures shall include the following requirements:

33 1. School personnel shall provide the pupil's parent or guardian
34 with written or oral notice on the same day that the incident occurred,
35 unless circumstances prevent same-day notification. If the notice is not
36 provided on the same day of the incident, notice shall be given within
37 twenty-four hours after the incident.

38 2. Within a reasonable time following the incident, school
39 personnel shall provide the pupil's parent or guardian with written
40 documentation that includes information about any persons, locations or
41 activities that may have triggered the behavior, if known, and specific
42 information about the behavior and its precursors, the type of restraint
43 or seclusion technique used and the duration of its use.

44 3. Schools shall review strategies used to address a pupil's
45 dangerous behavior if there has been repeated use of restraint or

1 seclusion techniques for the pupil during a school year. The review shall
2 include a review of the incidents in which A restraint or seclusion
3 technique ~~were~~ WAS used and an analysis of how future incidents may be
4 avoided, including whether the pupil requires a functional behavioral
5 assessment.

6 E. If a school district or charter school summons law enforcement
7 instead of using a restraint or seclusion technique on a pupil, the school
8 shall comply with the reporting, documentation and review procedures
9 established under subsection D of this section. Notwithstanding this
10 section, school resource officers are authorized to respond to situations
11 that present the imminent danger of bodily harm according to protocols
12 established by their law enforcement agency.

13 F. This section does not prohibit schools from adopting policies
14 pursuant to section 15-843, subsection B, paragraph 3.

15 G. ANY PERSON MAY SUBMIT A COMPLAINT IN WRITING TO THE DEPARTMENT
16 WITH EVIDENCE AND SPECIFIC FACTS OF AN ALLEGED VIOLATION OF THE
17 REQUIREMENTS OF THIS SECTION. THE DEPARTMENT SHALL INVESTIGATE THE
18 COMPLAINT AND, IF THE DEPARTMENT DETERMINES THAT THERE IS A VIOLATION OF
19 THIS SECTION, THE DEPARTMENT SHALL REQUIRE THE SCHOOL ADMINISTRATORS AND
20 ANY PERSONNEL WHO WERE INVOLVED IN THE VIOLATION TO COMPLETE A
21 DEPARTMENT-APPROVED TRAINING PROGRAM ON THE PROPER USE OF RESTRAINT AND
22 SECLUSION TECHNIQUES ON A PUPIL. FOR THE PURPOSES OF THIS SUBSECTION, A
23 VIOLATION INCLUDES ANY OF THE FOLLOWING:

24 1. THE USE OF RESTRAINT OR SECLUSION TECHNIQUES ON A PUPIL WHEN ONE
25 OR MORE OF THE CONDITIONS PRESCRIBED IN SUBSECTION A, PARAGRAPH 1 OR 2 OF
26 THIS SECTION WERE NOT SATISFIED.

27 2. THE USE OF RESTRAINT OR SECLUSION TECHNIQUES ON A PUPIL PURSUANT
28 TO SUBSECTION E OF THIS SECTION WHEN THERE WAS NO IMMINENT DANGER OF
29 BODILY HARM.

30 3. FAILURE TO COMPLY WITH ONE OR MORE OF THE REQUIREMENTS
31 PRESCRIBED IN SUBSECTION B, PARAGRAPH 1, 2, 3, 4 OR 5 OF THIS SECTION.

32 4. PRESCRIBING POLICIES OR PROCEDURES IN VIOLATION OF SUBSECTION C
33 OF THIS SECTION.

34 5. FAILING TO FOLLOW POLICIES OR PROCEDURES PRESCRIBED PURSUANT TO
35 SUBSECTION C OR D OF THIS SECTION.

36 ~~G.~~ H. For the purposes of this section:

37 1. "Restraint" means any method or device that immobilizes or
38 reduces the ability of a pupil to move the pupil's torso, arms, legs or
39 head freely, including physical force or mechanical devices. Restraint
40 does not include any of the following:

41 (a) Methods or devices implemented by trained school personnel or
42 used by a pupil for the specific and approved therapeutic or safety
43 purposes for which the method or device is designed and, if applicable,
44 prescribed.

1 (b) The temporary touching or holding of the hand, wrist, arm,
2 shoulder or back for the purpose of inducing a pupil to comply with a
3 reasonable request or to go to a safe location.

4 (c) The brief holding of a pupil by one adult for the purpose of
5 calming or comforting the pupil.

6 (d) Physical force used to take a weapon away from a pupil or to
7 separate and remove a pupil from another person when the pupil is engaged
8 in a physical assault on another person.

9 2. "School" means a school district, a charter school, a public or
10 private special education school that provides services to pupils placed
11 by a public school, the Arizona state schools for the deaf and the blind
12 and a private school.

13 3. "Seclusion" means the involuntary confinement of a pupil alone
14 in a room from which egress is prevented. Seclusion does not include the
15 use of a voluntary behavior management technique, including a timeout
16 location, as part of a pupil's education plan, individual safety plan,
17 behavioral plan or individualized education program that involves the
18 pupil's separation from a larger group for purposes of calming.