



General Assembly

February Session, 2012

**Raised Bill No. 5347**

LCO No. 1517

\*01517\_\_\_\_\_KID\*

Referred to Committee on Select Committee on Children

Introduced by:  
(KID)

**AN ACT CONCERNING THE REPORTING OF CHILDREN PLACED IN SECLUSION.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 46a-153 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2012*):

3 (a) Each local or regional board of education, institution or facility  
4 that provides direct care, education or supervision of persons at risk  
5 shall (1) record each instance of the use of physical restraint or  
6 seclusion on a person at risk, [and] (2) specify whether the use of  
7 physical restraint or seclusion was in accordance with an  
8 individualized education program or was an emergency, including the  
9 nature of the emergency that necessitated its use, and [(2)] (3) include  
10 such information in an annual compilation on its use of such restraint  
11 and seclusion. The commissioner of the state agency that has  
12 jurisdiction or supervisory control over each institution or facility shall  
13 review the annual compilation prior to renewing a license for or a  
14 contract with such institution or facility.

15 (b) The State Board of Education [may] shall review the annual

16 compilation of each local and regional board of education, institution  
17 and facility that provides special education for children and [may]  
18 shall produce an annual summary report identifying the frequency of  
19 use of physical restraint or seclusion on such children and specify  
20 whether the use of such physical restraint or seclusion was in  
21 accordance with an individualized education program or an  
22 emergency. Such report shall be submitted on an annual basis not later  
23 than October first of each year to the select committee of the General  
24 Assembly having cognizance of matters relating to children for  
25 inclusion in the annual report card prepared pursuant to section 2-  
26 53m.

27 (c) If the use of such restraint or seclusion results in physical injury  
28 to the person, [(A)] (1) the local or regional board of education,  
29 institution or facility that provides special education for a child [may]  
30 shall report the incident to the State Board of Education, which shall  
31 include such incident in said report required pursuant to subsection  
32 (b) of this section, and [(B)] (2) the institution or facility shall report the  
33 incident to the commissioner of the state agency that has jurisdiction or  
34 supervisory control over the institution or facility. The State Board of  
35 Education and the commissioner receiving a report of such an incident  
36 shall report any incidence of serious injury or death to the director of  
37 the Office of Protection and Advocacy for Persons with Disabilities  
38 and, if appropriate, to the Child Advocate of the Office of Child  
39 Advocate.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2012	46a-153

**Statement of Purpose:**

To require the State Board of Education to produce an annual summary report identifying the frequency of use of physical restraint and seclusion on children and provide such report to the Select Committee on Children.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*