

SENATE  
STATE OF MINNESOTA  
NINETY-THIRD SESSION

S.F. No. 4596

(SENATE AUTHORS: MANN and Boldon)			
DATE	D-PG		OFFICIAL STATUS
03/04/2024	11918	Introduction and first reading	
		Referred to Education Policy	
03/07/2024	12068	Author added Boldon	

1.1

A bill for an act

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relating to education; prohibiting the use of seclusion on all children; amending

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Minnesota Statutes 2023 Supplement, section 125A.0942, subdivision 4.

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

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Section 1. Minnesota Statutes 2023 Supplement, section 125A.0942, subdivision 4, is

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amended to read:

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Subd. 4. **Prohibitions.** The following actions or procedures are prohibited:

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(1) engaging in conduct prohibited under section 121A.58;

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(2) requiring a child to assume and maintain a specified physical position, activity, or

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posture that induces physical pain;

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(3) totally or partially restricting a child's senses as punishment;

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(4) presenting an intense sound, light, or other sensory stimuli using smell, taste,

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substance, or spray as punishment;

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(5) denying or restricting a child's access to equipment and devices such as walkers,

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wheelchairs, hearing aids, and communication boards that facilitate the child's functioning,

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except when temporarily removing the equipment or device is needed to prevent injury to

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the child or others or serious damage to the equipment or device, in which case the equipment

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or device shall be returned to the child as soon as possible;

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(6) interacting with a child in a manner that constitutes sexual abuse, neglect, or physical

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abuse under chapter 260E;

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(7) withholding regularly scheduled meals or water;

- 2.1 (8) denying access to bathroom facilities;
- 2.2 (9) physical holding that restricts or impairs a child's ability to breathe, restricts or impairs
- 2.3 a child's ability to communicate distress, places pressure or weight on a child's head, throat,
- 2.4 neck, chest, lungs, sternum, diaphragm, back, or abdomen, or results in straddling a child's
- 2.5 torso;
- 2.6 (10) prone restraint; and
- 2.7 (11) the use of seclusion on children from birth through grade 3 by September 1, 2024,
- 2.8 and the use of seclusion on all children by September 1, 2026.