

49-10-1305. Restrictions on administration of, or use of, isolation or restraint. —

(a) Administering a chemical restraint to a student receiving special education services, as defined by § [49-10-102](#), is prohibited; provided, that nothing in this subsection (a) shall prohibit the administration of a chemical restraint when administered for therapeutic purposes under the direction of a physician and with the child's parent or guardian's consent to administer such chemical restraint.

(b) Administering a noxious substance to a student receiving special education services, as defined by § [49-10-102](#), is prohibited.

(c) The use of any mechanical restraint on any student receiving special education services, as defined by § [49-10-102](#), is prohibited.

(d) Any form of life threatening restraint, including restraint that restricts the flow of air into a person's lungs, whether by chest compression or any other means, to a student receiving special education services, as defined by § [49-10-102](#), is prohibited.

(e) (1) The use of isolation or physical holding restraint as a means of coercion, punishment, convenience or retaliation on any student receiving special education services, as defined by § [49-10-102](#), is prohibited.

(2) (A) The use of physical holding restraint in the following circumstances is not prohibited:

(i) The brief holding by an adult in order to calm or comfort;

(ii) The minimum contact necessary to physically escort a student from one area to another;

(iii) Assisting a student in completing a task or response if the student does not resist, or resistance is minimal in intensity or duration; or

(iv) Holding a student for a brief time in order to prevent any impulsive behavior that threatens the student's immediate safety.

(B) The school is not required to notify the student's parent or guardian pursuant to § [49-10-1304](#) in any of the circumstances listed in subdivision (e)(2)(A).

(f) The use of a locked door, or use of any physical structure that substantially accomplishes the intent of locking a student in a room or structure, to isolate or seclude a student, as defined in § [49-10-1303](#), is prohibited.

(g) Notwithstanding this section, actions undertaken by school personnel to break up a fight or to take a weapon from a student are not prohibited; however, these acts shall be reported.

[Acts 2008, ch. 1063, § 5.]