

ENROLLED

HB 235

2022 Legislature

1  
 2 An act relating to restraint of students with  
 3 disabilities in public schools; amending s. 1003.573,  
 4 F.S.; prohibiting school personnel from using  
 5 mechanical restraint on students with disabilities;  
 6 providing exceptions; conforming provisions to changes  
 7 made by the act; providing an effective date.

8

9 Be It Enacted by the Legislature of the State of Florida:

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11 Section 1. Subsection (3) of section 1003.573, Florida  
 12 Statutes, is amended to read:

13 1003.573 Seclusion and restraint of students with  
 14 disabilities in public schools.—

15 (3) RESTRAINT.—

16 (a) School personnel may not use mechanical restraint.

17 This paragraph does not apply to school resource officers,  
 18 school safety officers, school guardians, or school security  
 19 guards as described in s. 1006.12, who may use mechanical  
 20 restraint in the exercise of their powers and duties to restrict  
 21 students in grades 6 through 12.

22 (b) Authorized school personnel may use physical restraint  
 23 only when all positive behavior interventions and supports have  
 24 been exhausted. Physical restraint may be used only when there  
 25 is an imminent risk of serious injury and must ~~shall~~ be

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26 | discontinued as soon as the threat posed by the dangerous  
27 | behavior has dissipated. ~~Techniques or devices such as~~  
28 | ~~straightjackets, zip ties, handcuffs, or tie downs may not be~~  
29 | ~~used in ways that may obstruct or restrict breathing or blood~~  
30 | ~~flow or that place a student in a facedown position with the~~  
31 | ~~student's hands restrained behind the student's back.~~ Physical  
32 | restraint techniques may not be used to inflict pain to induce  
33 | compliance.

34 |        (c)~~(b)~~ Notwithstanding the authority provided in s.  
35 | 1003.32, physical restraint may ~~shall~~ be used only to protect  
36 | the safety of students, school personnel, or others and may not  
37 | be used for student discipline or to correct student  
38 | noncompliance.

39 |        (d)~~(e)~~ The degree of force applied during physical  
40 | restraint must be only that degree of force necessary to protect  
41 | the student or others from imminent risk of serious injury.

42 |        Section 2. This act shall take effect July 1, 2022.