

CHAPTER 2022-20

House Bill No. 235

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

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

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

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

(3) RESTRAINT.—

(a) School personnel may not use mechanical restraint. This paragraph does not apply to school resource officers, school safety officers, school guardians, or school security guards as described in s. 1006.12, who may use mechanical restraint in the exercise of their powers and duties to restrict students in grades 6 through 12.

(b) Authorized school personnel may use physical restraint only when all positive behavior interventions and supports have been exhausted. Physical restraint may be used only when there is an imminent risk of serious injury and must shall be discontinued as soon as the threat posed by the dangerous behavior has dissipated. ~~Techniques or devices such as straightjackets, zip ties, handcuffs, or tie-downs may not be used in ways that may obstruct or restrict breathing or blood flow or that place a student in a facedown position with the student's hands restrained behind the student's back.~~ Physical restraint techniques may not be used to inflict pain to induce compliance.

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

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

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

Approved by the Governor March 25, 2022.

Filed in Office Secretary of State March 25, 2022.