

Committee on Education

CS/HB 149 — Students with Disabilities in Public Schools

by Early Learning and Elementary Education Subcommittee and Reps. DuBose, Plasencia, and others

The bill revises the circumstances and procedures required for restraining students with a disability in public schools and prohibits the use of seclusion. The bill also provides enhanced mechanisms for monitoring specified classrooms. Specifically, the bill requires:

- School districts to:
 - o Adopt positive behavior interventions, supports, and restraint procedures and training, and identify all school personnel authorized to use the interventions, supports, and restraint.
 - o Provide annual training to all school personnel authorized to use positive behavior interventions and supports.
- Restraints to be used only as a last resort, after all available positive behavior interventions and supports have been exhausted, to avoid imminent risk of serious physical injury, and without obstructing or restricting breathing or blood flow, and without placing the student in a facedown position with the student's hands restrained behind the student's back.
- The development of a crisis intervention plan for a student who has been restrained twice during a semester.
- The Commissioner of Education to develop recommendations that incorporate instruction regarding emotional or behavioral disabilities into continuing education or in-service training requirements for instructional personnel.

The bill creates the Video Cameras in Public School Classrooms Pilot Program, beginning in the 2021-2022 school year, which requires:

- Schools within the Broward County School District to install a video camera, upon the request of a parent, in self-contained classrooms where students with a disability are enrolled and specifies the circumstances under which the video recording may be viewed.
- The Department of Education (DOE) to collect information relating to the installation and maintenance of video cameras in self-contained classrooms as part of the pilot program.
- Data maintained by the DOE on the use of restraint to be updated monthly and made available to the public through the DOE's website by October 1, 2021.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 40-0; House 118-0