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House Minority Leader Bobby DuBose Pleased to Announce the Signing of HB 149 – Students with Disabilities in Public Schools

Tallahassee, Fla. – Florida House of Representatives Minority **Leader Bobby DuBose (D-Ft. Lauderdale)** is pleased to announce the signing of [HB 149](#) into law, which defines terms related to seclusion, physical restraint, mechanical restraint and specifies when such techniques may be used on students with disabilities. The bill would also require school districts to prohibit placing a student in isolation.

Since the inception of the reporting system for seclusion and restraint data in 2010, there have been 86,969 incidents of restraint and 21,489 incidents of seclusion reported in Florida between 2010 and 2020. These types of incidents can lead to students suffering bleeding or bone fractures, in addition to the psychological trauma of the experience.

“This law is long overdue here in the state of Florida. Children with disabilities are among the most vulnerable members of our society and schools should always be a safe environment where our kids can learn and feel protected. After being worked on for over 15 years, with multiple members on both sides of the aisle, I am pleased to see this monumental piece of legislation finally become law,” said **Leader DuBose**.

“Although parents in Florida can finally breathe a sigh of relief, this is still a widespread issue across the country that needs to be tackled at the federal level,” added **Leader DuBose**, referring to the Keeping All Students Safe Act reintroduced in May by Congressional Democrats.

Under the Act, it would be illegal for any school receiving federal funds to seclude a child or use dangerous restraint practices that restrict breathing, such as prone or supine restraint. The bill would also prohibit schools from physically restraining

children, except when necessary to protect the safety of students and staff. Most importantly, the bill would better equip school personnel with the training they need to address school-expected behavior with evidence based proactive strategies.

“If Congress passes the Keeping All Students Safe Act, it will be a huge win for all students and their families. We can no longer turn a blind eye when incidents of restraining a student leads to graver consequences. My heart breaks for the family of Xavier Hernandez and others who’ve suffered tremendous loss from improper and unnecessary restraint techniques,” said **Leader DuBose**.

Xavier Hernandez was an autistic student from Fort Worth, Texas who died on March 1, 2021 shortly after school personnel improperly restrained him. The Fort Worth Police Department’s homicide unit is currently investigating Xavier’s death.

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