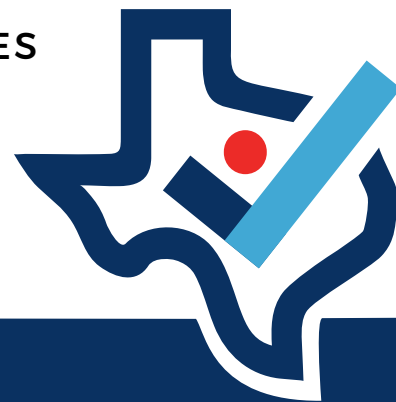


House Bill (HB) 459

Rep. Lacey Hull



No Kids in Cuffs

HB 459 would prohibit peace officers and school security personnel from restraining or using a chemical irritant spray on students aged 10 or younger, except in situations where the students pose a serious threat to themselves or others. The ban would apply to law enforcement duties or security-related duties on school property or at a school-sponsored or school-related activity. A committee substitute expands the bill to include school district employees and volunteers, ban prone and supine restraints, and apply to charter schools.



The U.S. Department of Education's Office for Civil Rights defines a general physical restraint as any "personal restriction that immobilizes or reduces the ability of a student to move his or her torso, arms, legs, or head freely," and warns against using any restraints "that restrict breathing... because they can cause serious injury or death."



According to a 2020 report by Disability Rights Texas, school districts across Texas use physical restraints against students with disabilities far more often than against their non-disabled peers. In 2021, a Fort Worth student with Autism was held and restrained face down by school staff, passed out, and died a short time later.



Supporters of the legislation include
The Arc of Texas, Children at Risk, NAMI Texas, Texas Appleseed, Texans Care for Children, Texas Catholic Conference of Bishops, Texas Parent to Parent, Texas Pediatric Society, Texas Public Policy Foundation, and many others.



"Like many of you, I have been horrified by stories of elementary-age children who have been forcibly restrained with handcuffs at school or school activities. Oftentimes, these students have known intellectual or developmental disabilities and are experiencing a behavioral episode that should be addressed with proper de-escalation strategies."

Rep. Lacey Hull

