



THE SCHOOL DISTRICT OF  
PALM BEACH COUNTY, FLORIDA

LAURA E. PINCUS  
DIRECTOR

JANIS ANDREWS, Ed.D.  
ASSISTANT SUPERINTENDENT

EXCEPTIONAL STUDENT EDUCATION  
3378 FOREST HILL BLVD., A-203  
WEST PALM BEACH, FL 33406-5813  
Phone: 561-434-8626 Fax: 561-434-8384  
[www.palmbeachschools.org](http://www.palmbeachschools.org)

August 29, 2011  
Bulletin #P-13970-C/ESE

Contact Person:  
Laura E. Pincus, PX 48626

Action By:  
September 5, 2011

TO: All Principals

FROM: Judith Klinek, Chief Academic Officer *JK*

SUBJECT: **PHYSICAL RESTRAINT FOR STUDENTS WITH DISABILITIES POLICY**


In accordance with Florida Law and School Board Policy 5.181, a short video has been prepared regarding requirements for restraints of students with disabilities. This video must be viewed by all school principals, assistant principals, ESE Coordinators, 504 Designees, and staff working with students with disabilities. The notification and reporting requirements described within the video pertain to students who have IEPs as well as students who have a Section 504 Plan.

The video may be viewed at <http://trainu.palmbeach.k12.fl.us/course?id=1308>.

Each school is required to authorize two or three individuals to complete the reporting forms on the Florida Department of Education database. Principals must complete the attached form even if the information is the same as last year. The attached form must be completed and sent to Laura Pincus, Director of ESE, FHESC A-203 no later than September 5. Also attached is the letter for you to utilize when notifying parents each time there is an incident requiring restraint or seclusion. This letter must be sent within 24 hours of the incident.

WFM:JK:JA:LEP;jb

Attachments

Approved:   
William F. Malone, Superintendent

FLORIDA DEPARTMENT OF EDUCATION DATABASE

FOR RESTRAINT/SECLUSION REPORTING

FY11 - 12

This information is due to Laura Pincus by Monday, September 5, 2011

Name of School: \_\_\_\_\_ School No.: \_\_\_\_\_

People responsible for data input:

Name: \_\_\_\_\_ Title: Assistant Principal

Name: \_\_\_\_\_ Title: ESE Coordinator

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

\_\_\_\_\_  
Principal's Name

PLEASE FAX THIS FORM TO 434-8276 (PX 48276)

[SCHOOL LETTERHEAD]

[DATE]

[PARENT/GUARDIAN  
NAME & ADDRESS]

Re: [STUDENT'S NAME]

Dear [PARENT/GUARDIAN]

Florida law requires that your child's school notify you, as the designated parent or guardian, each time manual physical restraint or seclusion is used on your child. This law is entitled the "Florida Restraint and Seclusion Law" ("FRSL"). Fla. Stat. 1003.573.

The FRSL requires that your child's school make "reasonable efforts" to notify you by "telephone or computer e-mail, or both," and document those notification efforts. On [DATE], school staff notified you by [INSERT TELEPHONE AND/OR E-MAIL AND TIME(S) OF CONTACT] that [RESTRAINT AND/OR SECLUSION] was used on your child.

The FRSL also requires your child's school to provide you "written notification of the manual physical restraint or seclusion" and "provide such notification to you before the end of the school day on which the event(s) occurred." The school is required to obtain, and keep in its records, a signed acknowledgement that you received this written notification. Fla. Stat. 1003.573(c). In order to comply with this notification requirement, please sign and date this letter where indicated below and immediately return it in the enclosed self-addressed stamped envelope. I have also enclosed a copy of this letter for your records.

Please note that the FRSL further requires the school to prepare a detailed Incident Report within twenty-four (24) hours after a student is released from manual physical restraint or seclusion. If the student's release occurs "on a day before the school closes for the weekend, a holiday, or another reason, the Incident Report must be completed by the end of the school day on the day the school reopens." Fla. Stat. 1003.573(a).

You will receive a copy of the completed Incident Report by mail within three (3) school days after your child was manually physically restrained or secluded. Please note that the school is also required to obtain, and keep in its records, your signed acknowledgement that you received a copy of the Incident Report. Fla. Stat. 1003.573(d).

Please contact me should you have any questions or concerns.

Sincerely,

{SCHOOL PRINCIPAL}

- Encl. Self-addressed stamped envelope
- Copy of letter
- c: Laura Pincus, Director of ESE
- Gerald Evans, Compliance Coordinator, ESE
- Bruce Harris, Interim Chief Counsel

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[PARENT/GUARDIAN TYPED NAME]

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Date