

Restraint and Seclusion: A Status Update on Maine Rules

March 25, 2011

3 and 20 PD

Belfast

Common Definitions

From the **Maine Department of Education** Administrative Letter #3 (July 14, 2009):

The use of any restraint that restricts the free movement of the diaphragm or chest or that restricts the airway so as to interrupt normal breathing or speech of students is prohibited.

From the **Children's Health Act of 2000** (these are the same definitions used in the proposed federal restraint and seclusion legislation (HR 4247 and S 2860):

Physical Restraint means a personal restriction that immobilizes or reduces the ability of an individual to move his or her arms, legs or head freely.

Mechanical restraint means the use of devices as a means of restricting an individual's freedom of movement.

Seclusion means a behavior control technique involving locked isolation.

From the **Wisconsin Association School District Administrators, et al** (2008):

Seclusion: Removing a student from the general activity and isolating him/her in a separate supervised area/room for a set period of time or until the student has regained control. This does not include the following: in-school suspension, detention, student requested break, sitting on the sidelines.

Physical Restraint: Holding a student in order to restraint his/her movement; use of any physical force, without the use of any device or materials, to restrict the free movement of all or a portion of a student's body. This does not include: comforting/calming a student, holding a student's hand or arm to escort when student is complying, intervening in a fight, using protective or stabilizing devices prescribed by appropriate professional and consistent with a student's IEP.

A word of caution: Use physical restraint only as a last resort in situations that pose an immediate danger to the student and/or others!

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