



Alliance for Addiction and Mental Health Services, Maine

The unified voice for Maine's community behavioral health providers

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Testimony Neither for nor Against LD 1373

An Act To Keep All Maine Students Safe by Restricting the Use of Seclusion and Restraint in Schools

Sponsored by Representative Millett on May 4, 2021

Good morning Senator Rafferty, Representative Brennan, and esteemed members of the Joint Standing Committee on Education and Cultural Affairs.

I am Kaitlyn Morse, a resident of Westbrook, and the Policy Associate of the Alliance for Addiction and Mental Health Services.

On behalf of the Alliance, **I am here to speak neither for nor against LD 1373 – An Act to Keep All Maine Students Safe by Restricting the Use of Seclusion and Restraint in Schools.** I am here to share some concerns regarding the current wording of this bill.

The Alliance for Addiction and Mental Health Services opposes using seclusion or restraint as a disciplinary method in schools. We do however understand that there are times when a fully trained educator or assistant must use some methods of restraint or separation to support the safety of a student who is acting in a way that could be a danger to themselves or others. There are guidelines and protocols to adhere to make this a supportive situation and not a traumatic one.

We support enhanced reporting and keeping track of the use of these methods, to assure that these methods are not being overly relied upon, and not being used as disciplinary measures. However, the language in this bill is far too vague for our membership to support LD 1373.

While positive behavioral intervention and supportive behavior management techniques make it easier for students to communicate effectively every student deserves to be safe and protected while in school. There are times when a student's actions could cause physical harm to themselves or others. Sometimes a careful yet short restraint may be necessary. Members of the Alliance are committed to providing a high level of training in prevention and de-escalation of dangerous behaviors, including Therapeutic Crisis Intervention (TCI), and other therapeutic methods of careful restraint.

There are other times when simply removing a student for a "cool down" time – with an educator or assistant present – can also be a useful method of diffusing a situation that could become dangerous. This could be interpreted as "seclusion" under this bill, even though the student is not alone.

These are some of the most difficult moments a teacher or assistant experience in their work, and keeping track of and learning from student behavior to understand what did and did not work is necessary. Finding out what works for an individual student to meet their needs and keep them safe and supported - discussing it and making a plan for how it will be used in a classroom setting – these should be discussed in an Individualized Education Plan or IEP meeting. All parties should be aware of what the plan entails.

Thank you for your time today.

*With 35 members, the **Alliance** is the state association for Maine's community based mental health and substance use treatment providers. The **Alliance** advocates for the implementation of sound policies and evidence-based practices that serve to enhance the quality and effectiveness of our behavioral health care system. All Mainers should have full access to the continuum of recovery-oriented systems of care for mental illness and substance use disorder – from prevention through treatment and into peer recovery support.*