



## *Maine Parent Federation*

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Senator Rafferty  
Representative Brennan  
Members of the Educational and Cultural Affairs Committee

RE: LD 1373 An Act To Keep All Maine Students Safe by Restricting the Use of Seclusion and Restraint in Schools.

My name is Carrie Woodcock I am the parent of two children with special needs and the Executive Director for Maine Parent Federation (MPF), the federally funded Parent Training and Information Center (PTI), Family to Family Health Information Center (F2F) and Statewide Family Network. We assist families of children with disabilities and special healthcare needs to navigate all systems of care including schooling. I am submitting this testimony in support of LD 1373 An Act To Keep All Maine Students Safe by Restricting the Use of Seclusion and Restraint in Schools.

About a year and half ago I listened to testimony for LD#1370 An Act to Address Violent Behavior in the Classroom. Much to my disappointment that day I listened to one Special Education Teacher after another get up and speak about their student's behavior in the classroom and refer to that behavior as "assault." I was deeply saddened that our educators felt like they had no other options but to stand up before this Committee and use such damaging language to describe behavior which is a manifestation of a student's disability, which unlike assault does not have intent to harm. I am referencing this testimony because it speaks to the fact that our teachers, despite have access to Restraint and Seclusion, felt like they needed legislative action to address behavior in our classrooms. This is a clear statement from our teachers that Restraint and Seclusion as a tool to address behavior is not working.

This experience brought to light for me that we are not providing our teachers with the tools they need to proactively address classroom behavior. Also, tools which they do have often times results in traumatic experiences for themselves and students. We hear a lot about making sure we have schools which are practicing Trauma Informed Care for students and staff. The practice of Restraint and Seclusion is not Trauma Informed but it is Trauma Inducing for our students and our staff.

Disability Rights Maine released a report showing that in the 6 years in which Chapter 33 (the law governing the practice of Restraint and Seclusion) was enacted Maine schools are using the practices four to eleven times higher than the national averages and the numbers since that report was released have continued to grow. ([Disability Rights Maine \(en-US\) \(drme.org\)](http://www.drme.org)) This same report also shows that the practices of Restraint and Seclusion are impacting our Special Education students at higher rates.

Restraint and Seclusion is not working for our students and our teachers and we need better tools to proactively address behavior. The purpose of this law is to work with our Department of Education to

ensure that Restraint is only being used in emergency situations, as is the language outlined in Chapter 33. Data from 2017 – 2018 shows 20,000 occurrences of Restraint and Seclusion, that is a lot of emergencies within our schools.

This law asks for the Department to ensure that all data on Restraint and Seclusion is being reported accurately, including from our special purpose private schools, again as is outlined in Chapter 33.

This law also asks the Department to provide Technical Assistance to those districts who are exceeding the national averages, a position which already exists within MDOE. (Mental Health/School Counseling Specialist at MDOE Coordinating Climate, Culture and Resilience team in the Office of School and Student Supports)

Finally, this law would eliminate seclusion, the practice of taking a child who has become dysregulated and putting them alone in a small room with the door closed and not allowing them to leave. A child who needs the expertise and assistance of a calm adult is essentially locked in a room with nothing more than their own tools, of which they do not have, to find a way to regulate themselves. This practice has been referred to as cruel and trauma inducing on its own.

The use of restraint and seclusion has been found to be so harmful that in 2000, 2007, 2014, and 2018 the American Psychiatric Nurses Association put out a statement on the use of restraint and seclusion. Here is a link where you can read the full statement; [Use of Seclusion and Restraint - American Psychiatric Nurses Association \(apna.org\)](https://www.apna.org/advocacy/use-of-seclusion-and-restraint) The concluding position reads;

“Thus, APNA supports a sustained commitment to the reduction and ultimate elimination of seclusion and restraint and advocates for continued research to support evidence-based practice for the prevention and management of behavioral emergencies. Furthermore, we recognize the need for and are committed to working together with physicians, clients, and families, advocacy groups, other health providers, and our nursing colleagues in order to achieve the reality of eliminating the use of seclusion and restraint.”

It is time for our schools to move on from these practices and for our Department of Education to work with our teachers to provide them other evidenced-based programming. We need pro-active solutions not reactive solutions which aren't working and doing more harm to our students and teachers. You do not need to look far to find alternative programming; I direct you to Dr. Ross Green (who has worked with school districts in Maine to reduce and eliminate Restraint and Seclusion) and the Positive Behavior and Interventions pilot program already within our Department of Education (also working with Maine schools to reduce and eliminate Restraint and Seclusion). These are two options which are already here in Maine and have the data to show that Restraint and Seclusion is not the answer.

It is for these reasons that as a professional and a parent myself I urge this committee to support LD 1373.

Thank you for your consideration.

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Executive Director

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