

TIME OUT ROOMS AND THERAPEUTIC RESTRAINT

The Maine Educational Center for the Deaf and Hard of Hearing/Governor Baxter School for the Deaf hereby authorizes school officials to use designated time out rooms and therapeutic restraint to the extent permitted by law, and in a manner consistent with state law and regulation. The Superintendent/Executive Director is responsible for developing procedures for the use of designated time out rooms and therapeutic restraint. This policy and any accompanying procedures shall be reviewed at least annually by the Superintendent or his/her designee, and the Superintendent/Executive Director shall recommend to the School Committee any needed changes in this policy.

I. DEFINITIONS:

For purposes of this policy and any accompanying procedures, the terms “designated time out room” and “therapeutic restraint” shall have the following meanings:

- A. “Designated time out room” is a room used to specifically isolate a student for the purpose of bringing under control student behavior that is dangerous or presents a risk of significant property damage. Dangerous behavior is behavior that presents a risk of injury or harm to that student or to others, and in the judgment of those involved cannot be controlled through interventions short of isolation in the designated time out room.

This policy and any accompanying procedures do not apply to interventions such as sending a student to the principal’s office, to any staff member’s room or office, or to any other such setting, but is instead limited to use of a room specifically designated by the Superintendent of Schools for the purpose of isolating students as described above. Use of this area to control student behavior must comply with this policy and any procedures developed hereunder.

- B. “Therapeutic Restraint” is physical restraint of a student for the purpose of preventing that student from injuring him or herself or others, when such restraint is undertaken in accordance with an individualized, written plan that specifically calls for therapeutic restraint. Therapeutic restraint as defined in this policy and any accompanying procedures should be administered by personnel trained in that restraint.

School personnel should not use as a type of therapeutic restraint 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.

Therapeutic restraint does not include any intervention by any school official that would otherwise be governed by state law on the use of reasonable force (20-A M.R.S.A. § 4009), which includes the use of a reasonable degree of force by school officials against a person who is creating a disturbance, when the official believes that force is necessary to control the disturbing behavior or to remove the person from the scene of the disturbance.

Legal Reference: 20-A M.R.S.A. § 4502(5)(M)
Ch. 33 (Me. Dept. of Ed. Rules)
20-A M.R.S.A. § 4009
Maine DOE Commissioner's Administrative Letter,
September 10, 2010

Adopted: September 1, 2005

Amended and Adopted: March 31, 2011