# Maine legislature debates bill to ease rules on restraining and secluding students



The Maine Legislature is considering legislation that would broaden the circumstances under which school staff can physically restrain or seclude students, igniting debate among educators, disability advocates, and parents. The bill, known as LD 1248 and sponsored by York Democratic Representative Holly Sargent, proposes to lower the threshold required for such interventions and provide educators with increased authority to manage student behaviour they deem challenging or threatening.

Rep. Sargent introduced the bill following visits to four elementary schools in Maine, where she heard accounts from teachers and students about escalating violence and behavioural issues. Speaking during a public hearing before the Education and Cultural Affairs Committee, Sargent described the distressing scenes she encountered. “I was struck by the behaviour that I witnessed, by the weeping of students, of teachers, who sought me out to speak to individually regarding the fact that they were being bruised, they were being bitten, they were being attacked, they were being sworn at,” she said. “They felt that there were no consequences, there was no way for them to get control.”

Currently, Maine law stipulates that physical restraint or seclusion can only be used when a student poses an “imminent danger of serious physical injury.” The proposed legislation would change the criterion to “imminent danger of injury,” thereby lowering the standard for intervention. It also allows staff to involuntarily escort students away from situations and mandates reporting of incidents that result in even minor injuries.

The bill has gathered support from nine co-sponsors, primarily Democrats alongside one Republican and one independent lawmaker. Education leaders in Maine have expressed concerns that current regulations are too restrictive for managing increasing student misbehaviour, particularly in cases involving emotional and behavioural challenges. Patricia Hopkins, superintendent of MSAD 11 in Gardiner, cited examples of disruptive behaviours among students that fall below the current threshold yet still have significant impacts on school safety and learning environments.

Similarly, Victoria Duguay, principal of River View Community School within MSAD 11, emphasised the broader consequences for the school community. “When students with emotional and behavioural issues punch, spit, kick, pull hair and scream at others, it affects the entire school community,” she said. She noted that when verbal interventions and environmental supports fail, a “trained, calm and compassionate physical escort to a quiet and designated safe room” can help de-escalate situations away from others.

Gorham Superintendent Heather Perry provided written testimony advocating strongly for the bill, noting an uptick in student behavioural challenges in her district and that “staff feel they cannot safely intervene because of the current law.” Perry stated: “These changes are not about increasing restraint — they are about giving staff the practical tools they need to keep all students safe.” She added that Gorham prioritises “using the least restrictive approaches” but that educators must have clear legal authority to protect students and staff when necessary.

The proposal has also received endorsements from major educational groups including the Maine Education Association (the state’s teacher union), the Maine Principals’ Association, and the Maine School Management Association.

However, the bill faces opposition from disability rights advocates and some parents who argue that it represents a step backward in protecting vulnerable students. Ben Jones, director of legal and policy initiatives at the Freeport-based nonprofit Lives in the Balance, warned that the bill would undermine progress made by a 2021 law intended to reduce restraint and seclusion practices in Maine schools. That 2021 legislation had raised the bar for when restraint or seclusion could be used, responding to a 2019 report from Disability Rights Maine highlighting a 60% increase in such incidents over four years, disproportionately affecting disabled students.

Jones testified that more restraint and seclusion are unlikely to enhance safety: “It’s very difficult for me to understand why more restraint and seclusion would lead to greater safety for either party.”

Jeanette Plourde, an attorney with Disability Rights Maine, criticised the proposed changes for deleting the phrase “serious physical” from the statute, which she said “would effectively permit unbounded use of restraint throughout Maine.” Plourde called instead for increased technical support to help schools comply with existing laws without resorting to more frequent physical interventions.

Parents have shared personal experiences of the long-term harm caused by restraint practices. Krystal Emerson, a mother from Ellsworth, described the distress suffered by her son who has been subject to frequent restraint at school. She said the trauma continues to affect him almost two years later, noting, “Just yesterday he recounted that he was scared after being restrained or secluded, that every day he worried that it would happen again.”

As the debate unfolds, the Legislature must balance concerns about safety and control within schools with the rights and wellbeing of students, particularly those with disabilities. The outcome of discussions on LD 1248 will have significant implications for the approach to managing student behaviour across Maine’s educational institutions.

Source: [Noah Wire Services](https://www.noahwire.com)

## Bibliography

1. <https://www.pressherald.com/2025/04/24/lawmakers-consider-lowering-threshold-for-restraining-and-secluding-students/> - This article corroborates the claim that Maine lawmakers are considering legislation (LD 1248) to lower the threshold for restraining and secluding students from 'imminent danger of serious physical injury' to 'imminent danger of injury,' including testimony by Rep. Holly Sargent about violence and behavioral challenges in schools.
2. <https://fastdemocracy.com/bill-search/me/132/bills/MEB00014479/> - This source tracks the bill LD 1248, showing its amendment to the definition of 'physical escort' related to restraint and seclusion practices in Maine schools, supporting the article's description of the bill's content.
3. <https://www.mainelegislature.org/LawMakerWeb/summary.asp?ID=280097832> - The official Maine Legislature summary of LD 1248 confirms the bill's intent to broaden circumstances under which physical escort, restraint, and seclusion can be used in schools, matching details in the article.
4. <https://legiscan.com/ME/text/LD1248/id/3185934> - This link provides the full text of LD 1248, verifying the legislative language changes concerning physical escort and lowering the threshold criteria for intervention mentioned in the article.
5. <https://trackbill.com/bill/maine-legislative-document-1248-an-act-to-regarding-physical-escort-and-restraint-and-seclusion-of-students-in-schools/2705802/> - TrackBill's detailed bill information confirms the bipartisan sponsorship of LD 1248 and highlights concerns from educators about current restrictive rules, consistent with quotes from education leaders in the article.
6. <https://www.disabilityrightmaine.org/restraint-and-seclusion-in-maine-schools/> - Disability Rights Maine provides context on the 2021 law that raised the bar for restraint and seclusion use and expresses opposition to lowering standards, supporting claims by advocates like Ben Jones and Jeanette Plourde about risks of increased restraint.
7. <https://www.centralmaine.com/2025/04/24/lawmakers-consider-lowering-threshold-for-restraining-and-secluding-students/> - Please view link - unable to able to access data