



Members of the Seclusion Working Group,

Thank you for your work this summer and fall to look at the use of seclusion in schools as well as alternatives. This Working Group has had several deep and productive discussions over the months on a variety of topics related to supporting students with disabilities and educators who work with this population of students, and that is commendable. As the group considers recommendations EdAllies shares its support for:

- Maintaining the current birth-3rd ban on seclusion
- Expanding the ban on seclusion through 12th grade by negotiating an a target start date and implementation runway with stakeholders just like the current limit was negotiated in 2023
- Additional targeted resources for Intermediate Districts and school settings serving students with complex needs to address specific staffing, training and resource shortfalls

#### States that have banned the use of seclusion in public schools

State	Statutory Reference	Age where seclusion is allowed	Year Ban Went Into Effect
Florida	<a href="#">Florida Statutes 1003.573</a> (e) "Seclusion" means the involuntary confinement of a student in a room or area alone and preventing the student from leaving the room or area. The term does not include time-out used as a behavior management technique intended to calm a student. (2) SECLUSION.—Each school district shall prohibit school personnel from using seclusion.	Seclusion is prohibited for all ages	2021
Georgia	Georgia State Board of Education <a href="#">160-5-1-.35</a>  (e) Seclusion - a procedure that isolates and confines the student in a separate area until he or she is no longer an immediate danger to himself/herself or others. The seclusion occurs in a specifically constructed or designated room or space that is physically isolated from common areas and from which the student is physically prevented from leaving. Seclusion may also be referred to as monitored seclusion, seclusion timeout, or isolated timeout. Seclusion does not include situations in which a staff member trained in the use of de-escalation techniques or restraint is physically present in the same unlocked room as the student, time-out as defined in paragraph (1)(g) of this rule, in-school suspension, detention, or a student-requested break in a different location in the room or in a separate room. Use of seclusion is prohibited in Georgia public schools and educational programs	Seclusion is prohibited for all ages	2010
Hawaii	<a href="#">HI Rev Stat § 302A-1141.3 (2024)</a> The use of seclusion, chemical restraint, or mechanical restraint shall be prohibited in public schools regardless of any consent of the student, parents, or guardians. <a href="#">HI Rev Stat § 302A-1141.4 (2024)</a> "Seclusion" means the confinement of a student alone in a room or structure from which the student is physically denied voluntary egress.	Seclusion is prohibited for all ages	2016
Maryland	Maryland <a href="#">13A.08.04.05</a> The use of seclusion is prohibited in public agencies.	Seclusion is prohibited for all ages	2022
Massachusetts	Current DESE Regulations <a href="#">603 CMR 46.00</a>	Seclusion is	2021

	<p>(1) Prohibition.</p> <p>(a) Mechanical restraint, medication restraint, and seclusion shall be prohibited in public education programs. Seclusion shall mean the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. Seclusion does not include a time-out as defined in 603 CMR 46.02.</p>	prohibited for all ages	
Minnesota	<p><a href="#"><u>125A.0941</u></a>  (g) "Seclusion" means confining a child alone in a room from which egress is barred. Egress may be barred by an adult locking or closing the door in the room or preventing the child from leaving the room. Removing a child from an activity to a location where the child cannot participate in or observe the activity is not seclusion.</p> <p><a href="#"><u>125A.0942</u></a>  the use of seclusion on children from birth through grade 3 by September 1, 2024.</p>	Seclusion is prohibited birth through 3rd grade.  Seclusion is allowed 4th grade through high school.	2024
Nevada	<p><a href="#"><u>NRS 388.473</u></a>  "aversive intervention" defined. "aversive intervention" means any of the following actions if the action is used to punish a pupil with a disability or to eliminate, reduce or discourage maladaptive behavior of a pupil with a disability:</p> <p>8. The placement of a person alone in a room where release from the room is prohibited by a mechanism, including, without limitation, a lock, device or object positioned to hold the door closed or otherwise prevent the person from leaving the room;</p>	Seclusion is prohibited for all ages	1999
Pennsylvania	<p><a href="#"><u>22 Pa. Code § 14.133</u></a>  The following aversive techniques of handling behavior are considered inappropriate and may not be used by agencies in educational programs:  (3) Locked rooms, locked boxes or other structures or spaces from which the student cannot readily exit.</p>	Seclusion is prohibited for all ages	2008
Texas	<p><a href="#"><u>Sec. 37.0021.</u></a>  (a) It is the policy of this state to treat with dignity and respect all students, including students with disabilities who receive special education services</p> <p>A student with a disability may not be confined in a locked box, locked closet, or other specially designed locked space as either a discipline management practice or a behavior management technique.</p> <p>(2) "Seclusion" means a behavior management technique in which a student is confined in a locked box, locked closet, or locked room that:</p> <p>(A) is designed solely to seclude a person; and</p> <p>(B) contains less than 50 square feet of space.</p>	Seclusion is prohibited for all ages	2001