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**Table A:
State Laws (Statutes & Regulations)
on Restraint/Seclusion
Updated Through November 2009
by Jessica Butler, Esquire**

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| Substantial Restraint and Seclusion Laws (21) | CA, CO , CT, IA, IL, MA, MD, ME, MN, MT, NC, NH, NV, NY, OH, OR, PA, RI, TN, TX, WA | |
| Some Seclusion Law (3) | AR, VA, MO (forbids locked unattended space only) | |
| Weaker Restraint/Seclusion Laws (4) | DC (bans unreasonable restraint, limits on aversives in private schools), DE (special rule for autism programs only, imposing limited restrictions), WV (special rule for preschool only), HI (forbidding physical punishment unless therapeutic technique in IEP/504 plan) | |
| No Meaningful Restraint/Seclusion Laws (23) | AK, AL, AZ, FL, GA, ID, IN, KS, KY, LA, MI, MS, ND, NE, NJ, NM, OK, SC, SD, UT, VT, WI, WY | |
| | Eight of these have Policy Guidelines against Abusive Interventions but not Laws | FL, KS, KY, MI, NM, UT, VT, WI. New Guidelines also pending in Alabama and Indiana. |
| Bans Mechanical Restraints (Law) (11) | CO, IA, IL, MA, ME, TN, MT, NC, PA, VA, MD (MD excepts schools certified by Joint Cmmn for Accred. of Health Care Orgs.) | |
| Bans Chemical Restraints (Law) (7) | CT, CO, IL, MA, ME, TN, NH | |
| Guideline Suggestions Against Mechanical/Chemical Restraints | Both: MI, WI. Mechanical only: FL, KS, VT. | |
| States that define body part to which Restraints apply (16 states) | CO, CT, IL, MA, MD, MN, MT, NC, NH, NV, OR, PA, RI, TN, TX, WA (16 states) | |
| States that define restraint in terms of entire body (15 states) | CO , IL, MA, MD, MN, MT, NC, NH, NV, OR, PA, RI, TN, TX, WA | |
| Of these, states the define restraints in terms of arms, legs, and head, but prohibit “restraint or hold” that impairs breathing (1) | CT | |
| Seclusion Includes Unlocked Spaces that Children Cannot Exit | CO, IA, MN, MT, MA, MD, NC, OR, PA, TN, VA (and guideline suggestions in KS and MT) | |

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|---|---|
| (11 of 24 states with Seclusion Laws) | |
| Locked Seclusion Banned (8 States by Law) | AR, CA, ME, MT, NY, PA, TX, NV (and guideline suggestions in KY, NM, VT, WI) |
| Locked Seclusion Permitted but Lock Must Disengage Automatically in Emergency (3) | IA, IL, CT |
| Bans Aversives by Law unless otherwise stated. (22 State Laws, 3 Guideline Suggestions) | CA, IA, IL, ME, MN, MT, NC, NH, NY, NV, OR, PA, RI, TN, VA, WA, MA (generally banned, but exceptions), DC (nonpublic schools only), WV (preschool only), HI (intentional infliction of pain), ND (same), VT (same). Guideline Suggestions only in FL, MI, WI. |
| Prohibit Restraints that Interfere with Breathing by Law (11) | CO, CT, IA, MA, MD, MN, OH, PA, RI, TN, WA |
| Guidelines Against Restraints that Interfere with Breathing (4) | FL, MI, NM, VT, WI |