



# 125th MAINE LEGISLATURE

LD 1838

LR 2820(01)

**Resolve, Regarding Legislative Review of Chapter 33: Regulations Governing Timeout Rooms, Therapeutic Restraints and Aversives in Public Schools and Approved Private Schools, a Major Substantive Rule of the Department of Education**

**Preliminary Fiscal Impact Statement for Original Bill**

**Sponsor: Rep. Richardson of Carmel**

**Committee: Education and Cultural Affairs**

**Fiscal Note Required: Yes**

## Preliminary Fiscal Impact Statement

State Mandate - Unfunded

### State Mandates

**Required Activity**

Requires local school administrative units to:

**Unit Affected**

School

**Local Cost**

Moderate statewide

~ prepare quarterly and annual reports documenting incidents of restraint and seclusion to be submitted to superintendents and the Department of Education;

~ debrief staff and students involved in each incident of physical restraint or seclusion within 2 days of incident;

~ after debriefing, requires staff to develop and implement a written plan (or review and revise plan if it already exists) for response and de-escalation for the student;

~ develop a local complaint process to address parent complaints about the use of restraint or seclusion.

The required local activities in this bill may represent a State mandate pursuant to the Constitution of Maine. Unless General Fund appropriations are provided to fund at least 90% of the additional costs or a Mandate Preamble is amended to the bill and two-thirds of the members of each House vote to exempt this mandate from the funding requirement, municipalities may not be required to implement these changes.

### Fiscal Detail and Notes

Additional costs to the Department of Education associated with implementing this rule change can be absorbed within existing budgeted resources.