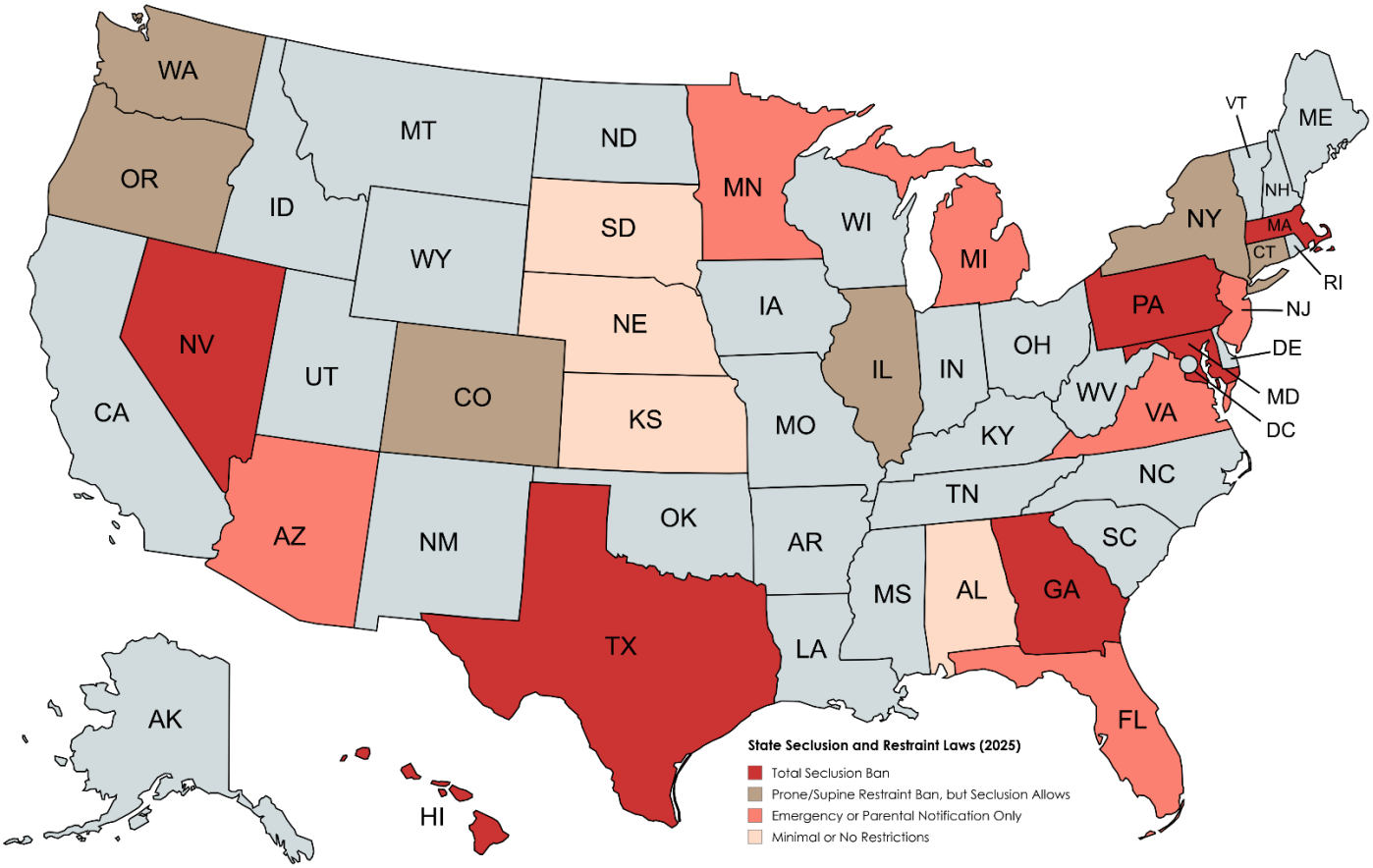
State Laws and Policies Governing Student Seclusion and Restraint

Executive Summary

State laws distinguish among the types of interventions permitted, the circumstances authorizing their use, and the students and educational settings covered. A prohibition on seclusion does not necessarily prohibit physical restraint. Similarly, a prohibition that applies to public schools or younger students may not extend to all educational placements or age groups. The threshold for an authorized intervention also varies. Some states generally limit restraint and isolation to spontaneous behavior presenting an imminent likelihood of serious harm to a person. In comparison, North Carolina identifies a broader set of circumstances, including certain threats to property and uses specified in student plans, subject to statutory conditions.

Figure 1. *Comparison of Select State Seclusion and Restraint Laws*



Source: *"Restraint vs. Seclusion: 50-State Rules & How to Challenge Illegal Practices," KAL, August 12, 2025.*

Consequently, descriptions such as "emergency use only" do not necessarily identify equivalent legal standards across states. State frameworks also differ in parent notification, staff training, observation and

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duration requirements, incident review, and public reporting. These operational provisions are distinct from the underlying question of whether a particular intervention is permitted. This ***CSG South Research Memo*** examines seclusion and restraint policies in the U.S., both in the Southern region and beyond.

Research Methods

Review of state statutes as well as legislation utilizing Quorum.

Findings and Analysis

The U.S. Department of Education's Civil Rights Data Collection defines these disciplinary terms as:

- Restraint: Physical restraint involves restricting a student's bodily movement through personal physical control. Mechanical restraint involves a device or equipment that restricts movement, with exclusions for specified medical, adaptive, and other appropriate uses. A physical escort can count as a restraint when it involves methods used to maintain physical control, rather than merely temporary contact to guide a student.
- Seclusion/Time-Out: Seclusion may include confinement alone in an enclosed space from which the student cannot leave, and may also encompass involuntary confinement with or without an adult present, including circumstances in which the student believes or is told that leaving is not permitted.
- Coverage: It may apply to all students, only to students with disabilities, or to specified educational providers. Personnel exceptions can also affect coverage. For example, preserving school resource officers' authority to perform lawful policing duties while retaining specified follow-up and reporting requirements for incidents involving those officers.

Nationally, per the Alliance Against Seclusion and Restraint, more than half of the states ban prone (37), mechanical (28), and chemical (32) restraint. Contrastingly, only 11 ban seclusion and only 10 ban supine – or lying flat on the ground – restraint. Table 1 compares the landscape of these disciplinary measures across the South, with a ✓ meaning the practice is banned, an **x** meaning it is permitted, and a **–** meaning it is partially prohibited or allowed only in specific circumstances (such as emergency responses, violent incidences, or with parental notification or consent).

Table 1. *Comparison of Southern State Laws and Regulations Banning Seclusion and Restraint in Schools*

State	Seclusion	Prone Restraint	Supine Restraint	Mechanical Restraint	Chemical Restraint
Alabama	✓	✓	✓	✓	✓
Arkansas	x	✓	x	✓	✓
Florida	✓	x	x	-	x
Georgia	✓	✓	x	✓	✓
Kentucky	x	✓	✓	✓	✓
Louisiana	x	✓	x	✓	x
Mississippi	x	✓	x	✓	✓
Missouri	x	-	-	-	x
North Carolina	x	x	x	x	x
Oklahoma	x	✓	x	✓	✓

State	Seclusion	Prone Restraint	Supine Restraint	Mechanical Restraint	Chemical Restraint
South Carolina	x	✓	✓	✓	✓
Tennessee	x	✓	x	✓	✓
Texas	✓	x	x	x	✓
Virginia	x	✓	x	✓	✓
West Virginia	✓	✓	x	✓	-
CSG South Totals	5	11	3	11	10

In the South, approximately five states ban the use of seclusion. The majority, or 11 states, entirely ban prone restraints, with another state (Missouri) partially banning its use. A small minority of states, only 3, ban the use of supine restraints, with another (Missouri) again implementing a partial prohibition. Nearly all states – 11 and 10, respectively – ban the use of mechanical or chemical restraints. Notably, Florida and Missouri partially exclude the use of mechanical restraints, while only West Virginia partially prohibits chemical restraints. Table 2 below highlights recent state statutes or regulations that limit or prohibit seclusion or restraint practices involving students.

Table 2. *Select State Seclusion and Restraint Policies*

State	Summary	Citation(s)
California	Prone, or face-down, restraint is prohibited for students in public-school programs, including covered nonpublic placements. Restraint or seclusion for coercion, discipline, convenience, or retaliation is also banned. Locked seclusion is prohibited except in facilities otherwise authorized under state law to use locked rooms.	*Cal. Edu. Code § 49005.8*
Maryland	Public agencies may not use seclusion as a behavioral health intervention. Physical restraint is permitted only when necessary to protect against imminent serious physical harm and when less intrusive, nonphysical interventions have failed or are inappropriate. Covered nonpublic schools may use seclusion under additional conditions, including direct observation by an on-site qualified healthcare practitioner – the Juvenile Services Education Program is excluded from these policies.	*Md. Edu. Code § 7-1102*
Massachusetts	Emergency seclusion is limited for use when an individual student presents an imminent threat of assault or imminent serious physical harm, but only under detailed conditions – including a documented history of repeated serious injuries, medical and mental-health documentation, with advance parental consent and written principal approval, trained personnel, and continuous active monitoring.	*603 Code of Mass. Regs. 46.07*
Minnesota	Prohibits seclusion for children from Pre-K through Grade 3, and bans prone restraint entirely. Otherwise-authorized physical holding and seclusion are subject to emergency-use and procedural requirements in rare circumstances.	*Minn. Stat. § 125A.0942*

State	Summary	Citation(s)
North Carolina	Permits seclusion in the event of imminent physical harm or substantial property destruction and other uses specified in an IEP, Section 504 plan, or behavior intervention plan. Physical restraint and seclusion, used solely as disciplinary consequences, are prohibited.	*N.C. Gen. Stat. § 115C-391.1*
Washington	During school-sponsored instruction or activities, the use of restraint and isolation is limited to cases of imminent likelihood of serious harm. It prohibits staff use of mechanical and chemical restraints and specifies which physical restraints are dangerous. It also prohibits establishing new spaces primarily for student isolation.	*Rev. Code of Wash. 28A.600.485*