Rulemaking Fact Sheet

*(5 MRSA §8057-A)*

AGENCY: Education

NAME, ADDRESS, PHONE NUMBER, EMAIL OF AGENCY CONTACT PERSON:

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CHAPTER NUMBER AND RULE TITLE:

Chapter 33: Rules Governing Physical Restraint and Seclusion

TYPE OF RULE *(check one)*:  Routine Technical x Major Substantive

STATUTORY AUTHORITY: 20-A §4104 (5)

DATE, TIME AND PLACE OF PUBLIC HEARING: November 22, 2021 11 AM-12:30 PM room 103 A,B Cross State Office Building, Augusta, Maine. We encourage attending via Zoom:

Maine DOE-1 is inviting you to a scheduled Zoom meeting.

Topic: Chapter 33 Public Hearing

Time: Nov 22, 2021 11:00 AM Eastern Time (US and Canada)

Join Zoom Meeting

https://us02web.zoom.us/j/89078251244?pwd=ZS9Tc2FaTVJIdXJ4WnhYYWhLbmVFZz09

Meeting ID: 890 7825 1244

Passcode: 880996

One tap mobile

+13126266799,,89078251244#,,,,\*880996# US (Chicago)

+16468769923,,89078251244#,,,,\*880996# US (New York)

Dial by your location

 +1 312 626 6799 US (Chicago)

 +1 646 876 9923 US (New York)

 +1 301 715 8592 US (Washington DC)

 +1 253 215 8782 US (Tacoma)

 +1 346 248 7799 US (Houston)

 +1 408 638 0968 US (San Jose)

 +1 669 900 6833 US (San Jose)

Meeting ID: 890 7825 1244

Passcode: 880996

Find your local number: https://us02web.zoom.us/u/kTAxUNGSo

COMMENT DEADLINE: December 3. 2021

PRINCIPAL REASON(S) OR PURPOSE FOR PROPOSING THIS RULE: [*see* §8057-A(1)(A)&(C)]

As the result of the Public Law, Chapter 453 statutory changes were made regarding restraint and

seclusion, which is necessitating revisions to the Chapter 33 rules. There are new definitions,

prohibitions on unlawful restraint and seclusions, reporting requirements and expectations for the

provisions of technical assistance. These changes will require targeted revisions to ensure that the rule

for restraint and seclusion procedures is in line with the statute.

IS MATERIAL INCORPORATED BY REFERENCE IN THE RULE? x YES NO [§8056(1)(B)]

ANALYSIS AND EXPECTED OPERATION OF THE RULE: [*see* §8057-A(1)(B)&(D)]

More detailed procedural steps to address restraint and seclusion

BRIEF SUMMARY OF RELEVANT INFORMATION CONSIDERED DURING DEVELOPMENT OF THE RULE (including up to 3 primary sources relied upon) [*see* §§8057-A(1)(E) & 8063-B]

Reflects the newer pieces of state statute

ESTIMATED FISCAL IMPACT OF THE RULE: [*see* §8057-A(1)(C)] Additional costs to the Department of Education associated with the rule-making process and providing technical assistance can be absorbed within existing budgeted resources.

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| ***FOR EXISTING RULES WITH FISCAL IMPACT OF $1 MILLION OR MORE, ALSO INCLUDE:*** ECONOMIC IMPACT, WHETHER OR NOT QUANTIFIABLE IN MONETARY TERMS: [*see* §8057-A(2)(A)]   INDIVIDUALS, MAJOR INTEREST GROUPS AND TYPES OF BUSINESSES AFFECTED AND HOW THEY WILL BE AFFECTED: [*see* §8057-A(2)(B)]    BENEFITS OF THE RULE: [*see* §8057-A(2)(C)]  |

*Note: If necessary, additional pages may be used.*