

LEGAL MAILBAG – OCTOBER 23, 2025



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The “Legal Mailbag Question of the Week” is a regular feature of the CAS Weekly NewsBlast. We invite readers to submit short, law-related questions of practical concern to school administrators. Each week, we will select a question and publish an answer. While these answers cannot be considered formal legal advice, they may be of help to you and your colleagues. We may edit your questions, and we will not identify the authors. Please submit your questions to: legalmailbag@casciac.org.

Dear Legal Mailbag,

In this day and age, educators are well-versed in the importance of not touching students in any way that might be misconstrued. However, an issue happened in one of our middle schools recently that I feel is being handled inappropriately by the assistant principal there.

After lunch one day, an eighth-grade boy refused to go to the office after a hallway altercation. In an attempt to encourage him to go to the office, a newer staff member repeatedly stepped in front of the student to block him from walking past and leaving the situation. The student did eventually get to the assistant principal’s office, but the assistant principal now wants to put a letter of reprimand in that teacher’s file because she thinks that the teacher was unlawfully “restraining” the student by blocking the student’s movements. Since this teacher has not been trained in appropriate restraint techniques, she feels that the teacher opened himself and the school to legal issues by “restraining” the student in this fashion.

When I reviewed the security footage of the incident, it was very clear that the teacher made no physical contact with the student, and all accounts of the incident indicate that the teacher was calm and even supportive of the student throughout the situation. Later on, the teacher, student, and guidance counselor had a restorative conversation about the incident, and the student even apologized to the teacher for his refusal to obey the directions. Therefore, I see no reason for any disciplinary action toward the teacher. However, I’m unsure whether blocking a student’s path counts as a “restraint.”. What does the law say here?

Signed,
Stuck Superintendent

Dear Stuck:

Your instincts are correct, but it always helps to review the statute to be sure.

Conn. Gen. Stat. § 10-236b(a) defines “restraint” (and also what interventions do not constitute a “restraint”) as follows:

(3) “Physical restraint” means any mechanical or personal restriction that immobilizes or reduces the free movement of a person's arms, legs or head, including, but not limited to, carrying or forcibly moving a person from one location to another.

The term does not include: (A) Briefly holding a person in order to calm or comfort the person; (B) restraint involving the minimum contact necessary to safely escort a person from one area to another; (C) medical devices, including, but not limited to, supports prescribed by a health care provider to achieve proper body position or balance; (D) helmets or other protective gear used to protect a person from injuries due to a fall; (E) helmets, mitts and similar devices used to prevent self-injury when the device is (i) part of a documented treatment plan or individualized education program pursuant to section 10-76d, or (ii) prescribed or recommended by a medical professional, as defined in section 38a-976, and is the least restrictive means available to prevent such self-injury; or (F) an exclusionary time out;

Given this definition of “restraint,” Legal Mailbag concludes that you are correct in your view that the assistant principal’s concern that the events you describe constitute a restraint is unfounded.

This determination is significant because employing a restraint triggers reporting obligations. If the assistant principal were correct, the assistant principal should have also been concerned that no report was filed. Given our conclusion that this situation did not constitute a restraint under Connecticut law, the duty to file a report is a moot point. However, Legal Mailbag takes this opportunity to review the legal obligations related to restraints.

First, the law strictly limits interventions that fall within the definition of “restraint.” Section 10-236b(b) prohibits the use of restraint except “as an emergency intervention to prevent immediate or imminent injury to the student or to others,” and it further provides that a “restraint [may not be] used for discipline or convenience and is not used as a substitute for a less restrictive alternative.” Moreover, any such restraint may be employed only by personnel who have received appropriate training.

Second, when a restraint (as defined in the statute) is used, school officials must notify the student’s parent or guardian no later than twenty-four hours later and must make reasonable efforts to notify the parent or guardian immediately. Separate state regulations also require districts to complete an incident report for each instance of physical restraint and provide parents or guardians with copies of all such incident reports within two business days. Regs. Conn. State Agencies §§ 10-76b-9; 10-76b-11. Any injuries to students resulting from physical restraint must be reported to the State Board of Education.

Districts must also document all instances of physical restraint in the student's education record including the nature of the emergency, steps taken to deescalate the student and prevent an emergency, a description of the restraint, the duration of the restraint and the effect of the restraint on the student's education plan. Districts and private schools providing special education must also record certain information about each instance of physical restraint and annually submit such information to the State Department of Education.

There are similar reporting requirements when the intervention of "seclusion" is used, which is defined as "the involuntary confinement of a student in a room from which the student is physically prevented from leaving," Conn. Gen. Stat. § 10-236b(a)(5), "provided seclusion does not include any confinement of a person at risk in which the person is physically able to leave the area of confinement including, but not limited to, in-school suspension and time-out" Regs. Conn. State Agencies § 10-76b-5.

Districts also must now convene a meeting if physical restraint or seclusion is used on a student four or more times within twenty school days. Conn. Gen. Stat. § 10-236b(g). If the involved student is identified as requiring special education and related services or is being evaluated for special education, then the student's PPT must convene to conduct or revise a behavioral assessment and behavioral intervention plan and revise the student's IEP as necessary. A meeting must also be convened if the involved student is not receiving special education services, and this meeting must include an administrator, at least one teacher, the parent or guardian, and a mental health professional (if any). This team must convene to conduct or revise a behavioral assessment and behavioral intervention plan and consider whether the student may require special education.