



Karen B. Salmon, Ph.D.
State Superintendent of Schools

December 1, 2018

The Honorable Larry Hogan
Governor
State House
100 State Circle
Annapolis, MD 21401

The Honorable Thomas V. Miller
Senate President
H-107 State House
100 State Circle
Annapolis, MD 21401

The Honorable Michael E. Busch
Speaker of the House
H-101 State House
100 State Circle
Annapolis, MD 21401

Re: Restraint and Seclusion Data Collection, Findings, and Recommendations (MSAR #11125)

Dear Governor Hogan, President Miller, and Speaker Busch:

Section 7-1102.1 of the Education Article of the Annotated Code of Maryland requires the Maryland State Department of Education (MSDE) to report annually on the findings and recommendations of data collected by public and nonpublic schools on restraint and seclusion.

The data were collected using an online survey on the following:

- (1) Number of physical restraints and seclusion incidents, disaggregated by the student's jurisdiction, disability, race, gender, age, and type of placement; and
- (2) Professional development provided to designated school personnel related to positive behavioral interventions, strategies, supports, and trauma-informed interventions.

The data are presented in the report, along with findings and recommendations.

If you have questions or need additional information, please contact Mary L. Gable, Assistant State Superintendent, Division of Student Support, Academic Enrichment, and Educational Policy by email at mary.gable@maryland.gov or by phone at (410) 767-0472. Thank you for your continued support and interest in maintaining the highest quality of education for all students in Maryland public schools.

Best Regards,

Karen B. Salmon, Ph.D.
State Superintendent of Schools

KBS/mg

C: Sarah Albert (DLS Library – 5 copies)

**Restraint and Seclusion
Data Collection, Findings, and Recommendations**

**Presented by the
Maryland State Department of Education**

December 1, 2018

**Larry Hogan
Governor**

**Karen B. Salmon, Ph.D.
State Superintendent of Schools**



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Introduction

During the 2017 legislative session, Senate Bill 786—*Restraint and Seclusion-Consideration and Reporting* (Chapter 611) was passed. Section 7-1102.1 of the Education Article of the Annotated Code of Maryland requires the Maryland State Department of Education (MSDE) to report to the General Assembly on the findings and recommendations of data collected by public and nonpublic schools on restraint and seclusion. The data required to be collected included the following:

- (1) Number of physical restraints and seclusion incidents, disaggregated by the student’s jurisdiction, disability, race, gender, age, and type of placement; and
- (2) Professional development provided to designated school personnel related to positive behavioral interventions, strategies, supports, and trauma-informed interventions.

Further, the legislation required that the MSDE submit a report with this information to the Governor and the General Assembly on or before December 1, 2018, and every year thereafter. To meet the requirements of the legislation, this report will describe the data collection that was conducted and will provide the findings of the data and recommendations.

Background

Section 7-1101 of the Education Article of the Annotated Code of defines a *physical restraint* as the use of physical force, without the use of any device or material, to restrict the free movement of all or a portion of a student’s body. It does not include: briefly holding a student in order to calm or comfort the student; holding a student’s hand or arm to escort the student safely from one area to another; moving a disruptive student who is unwilling to leave the area when other methods such as counseling have been unsuccessful; or breaking up a fight in the school building or on school grounds. The term *mechanical restraint* is defined as the use of any device or material attached or adjacent to the student’s body that restricts freedom of movement or normal access to any portion of the student’s body that the student cannot easily remove. Mechanical restraint does not include a protective or stabilizing device ordered by a physician when it is used as prescribed.

The use of physical restraint, mechanical restraint, and/or seclusion is prohibited in Maryland public schools and nonpublic schools “until there is an emergency situation and it is necessary to protect a student or other person from imminent serious physical harm after other less intrusive, nonphysical interventions have failed or been determined inappropriate.” (Code of Maryland Regulation 13A.08.04)

To obtain data on the use of restraint and seclusion in Maryland, each Local Educational Agency (LEA) superintendent was requested by Dr. Karen Salmon, State Superintendent of Schools, through the weekly superintendent’s memo to identify a point of contact to complete a MSDE

Restraint and Seclusion Data Collection survey for their school system. An overview of the data collection survey was also provided for nonpublic schools at a state-level meeting. A webinar was conducted for the points of contact explaining the data collection requirements and providing examples of how the data should be collected. A recording of the webinar and a powerpoint presentation were posted on the MSDE's website and emailed to each identified point of contact. The survey was open for data entry from June 1, 2018, to June 29, 2018.

Restraint and Seclusion Data Collection

An online survey was developed (see Appendix A) using Survey Monkey to collect data from the LEAs and nonpublic schools. The survey was entitled, "Maryland State Department of Education Restraint and Seclusion Data Collection 2017-2018." The survey requested the following data:

- Name, title, email, and phone number of the person responding to the survey.
- The Local Education Agency or Reporting Agency (i.e., nonpublic school).
- Data for restraint, including the following:
 - Total number of physical restraint incidents for students;
 - Number of physical restraints for students with an Individualized Education Program (IEP);
 - Number of physical restraints by special education disability;
 - Number of physical restraints by educational placement;
 - Number of physical restraints for students by race and ethnicity;
 - Number of physical restraints for students by gender; and
 - Number of physical restraints for students by age.
- Data for seclusion, including the following:
 - Total number of seclusion incidents for students;
 - Number of seclusions for students with an Individualized Education Program (IEP);
 - Number of seclusions by special education disability;
 - Number of seclusions by educational placement;
 - Number of seclusions for students by race and ethnicity;
 - Number of seclusions for students by gender; and
 - Number of seclusions for students by age.
- Identification of professional development provided to school staff on the following content related to restraint and seclusion, including the following:
 - Positive behavior interventions, strategies, and supports;
 - Trauma-informed interventions;
 - Evidence-based crisis prevention and intervention training programs; and
 - Training in the use of seclusion.
- Certification indicating that an observation of seclusion rooms and seclusion training plans had been conducted; and

- Findings from the observations of the seclusion rooms and the review of seclusion training plans.

Each point of contact was instructed to complete the online survey for their school system or the reporting agency (e.g., nonpublic school). Respondents were asked to complete the survey based upon the collected data for the 2017-2018 academic school year. Nonpublic schools, and other programs that operate year round, were asked to submit data for the time period of September 4, 2017-June 1, 2018 to ensure consistency of reporting. Because the 2017-2018 academic school year represents the first year for the data collection, these data are considered baseline data for the purposes of reporting. Future efforts by the MSDE will continue to revise the data collection tool(s) and analysis strategies used to comply with the statute. As such, the report is intended to be viewed as baseline data collection effort that will continue to be developed over time.

Physical Restraint and Seclusion Data by Local Education Agency

Responses were obtained from the 24 LEAs in Maryland. In addition, responses were obtained from 44 nonpublic schools that responded to the survey. There were 68 respondents to the survey. The number of physical restraints self-reported by respondents for the 2017-2018 academic school year in Maryland totaled 18,222. The number of seclusion incidents self-reported by respondents for the 2017-2018 academic school year in Maryland totaled 7,325. Table 1 provides the reported number of physical restraint incidents reported by LEA. Table 2 provides the reported number of seclusion incidents by LEA. For the purposes of this report, the data for the responding nonpublic schools have been combined into a single number. As a result, each total number reported for Maryland nonpublic schools represents the total reported for the 44 nonpublic schools.

Table 1. Reported Number of Physical Restraint Incidents by LEA for 2017-2018

Local Education Agency	Total Enrollment of LEA	Number of Physical Restraint Incidents
Allegany County	8,629	22
Anne Arundel County	82,777	292
Baltimore City	80,591	512
Baltimore County	113,282	1,859
Calvert County	15,908	576
Caroline County	5,787	31
Carroll County	25,290	468
Cecil County	15,364	79
Charles County	26,891	553
Dorchester County	4,767	13
Frederick County	42,140	2152
Garrett County	3,811	8
Harford County	37,780	77
Howard County	56,784	406
Kent County	1,193	2
Montgomery County	161,546	1,656
Prince George's County	132,322	127
Queen Anne's County	7,778	30

Local Education Agency	Total Enrollment of LEA	Number of Physical Restraint Incidents
Somerset County	2,918	41
St. Mary's County	18,053	37
Talbot County	4,646	11
Washington County	22,595	618
Wicomico County	14,953	56
Worcester County	6,684	68
Maryland Nonpublic Schools (N=44)	N/A	8,528
TOTAL		18,222

Note: The reported number of incidents for all nonpublic schools who responded (n=44) is combined.

Table 2. Reported Number of Seclusion Incidents by LEA for 2017-2018

Local Education Agency	Total Enrollment of LEA	Number of Seclusion Incidents
Allegany County	8,629	30
Anne Arundel County	82,777	0
Baltimore City	80,591	51
Baltimore County	113,282	45
Calvert County	15,908	701
Caroline County	5,787	0
Carroll County	25,290	120
Cecil County	15,364	234
Charles County	26,891	312
Dorchester County	4,767	0
Frederick County	42,140	837
Garrett County	3,811	1
Harford County	37,780	283
Howard County	56,784	371
Kent County	1,193	2
Montgomery County	161,546	0
Prince George's County	132,322	0
Queen Anne's County	7,778	0
Somerset County	2,918	5
St. Mary's County	18,053	38
Talbot County	4,646	0
Washington County	22,595	327
Wicomico County	14,953	0
Worcester County	6,684	7
Maryland Nonpublic Schools (N=44)	N/A	3,961
TOTAL		7,325

Physical Restraint and Seclusion by Disability

Respondents were asked to report physical restraint incidents by disability and seclusion incidents by disability for the 2017-2018 school year. Due to small cell sizes for some LEAs and nonpublic schools, the total number for each LEA and nonpublic school was placed into a category reporting number of incidents for students with an IEP. Table 3 represents the number of reported physical restraints incidents for students who currently have an IEP by LEA. Table 4 represents the number of reported seclusion incidents for students who currently have an IEP by LEA. The total number of students with an IEP in nonpublic schools (N=44) is combined and presented as one total.

Table 3. Reported Number of Physical Restraint Incidents for Students with an Individualized Education Program by LEA for 2017-2018

Local Education Agency	Total Number of Reported Physical Restraint Incidents for Students with an IEP
Allegany County	11
Anne Arundel County	167
Baltimore City	512
Baltimore County	1,859
Calvert County	483
Caroline County	7
Carroll County	445
Charles County	546
Cecil County	71
Dorchester County	8
Frederick County	21
Garrett County	2
Harford County	76
Howard County	893
Kent County	0
Montgomery County	1,480
Prince George's County	54
Queen Anne's County	71
Somerset County	21
St. Mary's County	29
Talbot County	11
Washington County	510
Wicomico County	17
Worcester County	17
Maryland Nonpublic Schools (N=44)	8,612

Table 4. Reported Number of Seclusion Incidents for Students with an Individualized Education Program by LEA for 2017-2018

Local Education Agency	Total Number of Reported Seclusion Incidents for Students with an IEP
Allegany County	30
Anne Arundel County	0
Baltimore City	51
Baltimore County	45
Calvert County	632
Caroline County	0
Carroll County	118
Cecil County	210
Charles County	305
Dorchester County	0
Frederick County	830
Garrett County	7
Harford County	283
Howard County	371
Kent County	0
Montgomery County	681
Prince George's County	0

Local Education Agency	Total Number of Reported Seclusion Incidents for Students with an IEP
Queen Anne's County	0
Somerset County	3
St. Mary's County	35
Talbot County	0
Washington County	267
Wicomico County	0
Worcester County	7
Maryland Nonpublic Schools (N=44)	3,911

Physical Restraint and Seclusion by Race

Respondents to the survey were asked to report the physical restraint incidents by student race (see Table 5) and seclusion incidents by student race (see Table 6) for the 2017-2018 school year. The total number of students by race in nonpublic schools (N=44) is combined and presented as one total.

Table 5. Reported Number of Physical Restraint Incidents for Students by Race by LEA for 2017-2018

Local Education Agency	White	Hispanic	African American	Asian	American Indian/Alaskan	Native Hawaiian/Pac. Islander	Two or More Races
Allegany County	20	0	0	0	0	*	2
Anne Arundel County	96	12	109	2	1	0	12
Baltimore City	11	16	99	0	0	0	0
Baltimore County	86	0	1,745	0	0	0	25
Calvert County	397	0	77	0	10	0	16
Caroline County	2	8	18	0	0	*	3
Carroll County	413	10	44	7	0	0	4
Cecil County	47	0	26	0	0	0	6
Charles County	118	5	357	1	0	0	76
Dorchester County	4	0	9	0	*	*	0
Frederick County	627	60	1312	45	3	3	162
Garrett County	6	0	1	0	*	*	0
Harford County	4	0	2	0	0	0	4
Howard County	47	2	18	2	0	0	20
Kent County	2	0	0	0	*	*	0
Montgomery County	308	269	28	74	4	0	93
Prince George's County	4	9	110	0	0	0	13
Queen Anne's County	19	0	2	9	0	2	0
Somerset County	7	0	27	0	*	*	0
St. Mary's County	29	1	4	0	0	0	4
Talbot County	9	0	1	0	*	*	1
Washington County	359	62	104	31	0	0	124
Wicomico County	20	4	29	0	0	0	3

Local Education Agency	White	Hispanic	African American	Asian	American Indian/Alaskan	Native Hawaiian/Pac. Islander	Two or More Races
Worcester County	11	1	4	0	0	0	0
Maryland Nonpublic Schools (N=44)	4,016	609	4,468	327	29	13	312

** Indicates that the total number of students in the student group is fewer than 10 and corresponding counts of incidents of restraint or seclusion have been suppressed.

Table 6. Reported Number of Seclusion Incidents for Students by Race by LEA for 2017-2018

Local Education Agency	White	Hispanic	African American	Asian	American Indian/Alaskan	Native Hawaiian/Pac. Islander	Two or More Races
Allegany County	25	0	0	0	0	*	5
Anne Arundel County	0	0	0	0	0	0	0
Baltimore City	1	0	20	0	0	0	0
Baltimore County	45	0	0	0	0	0	0
Calvert County	524	46	82	4	0	0	16
Caroline County	0	0	0	0	0	*	0
Carroll County	61	3	30	6	0	0	23
Cecil County	116	0	118	0	0	0	0
Charles County	58	1	228	0	0	0	0
Dorchester County	0	0	0	0	*	*	0
Frederick County	396	5	359	2	0	0	80
Garrett County	11	0	0	0	*	*	0
Harford County	10	0	8	0	0	0	0
Howard County	8	4	2	0	0	0	0
Kent County	0	0	0	0	*	*	0
Montgomery County	151	75	469	13	0	0	15
Prince George's County	0	0	0	0	0	0	0
Queen Anne's County	9	0	1	1	0	0	0
Somerset County	0	0	5	0	*	*	0
St. Mary's County	14	0	19	0	0	0	5
Talbot County	0	0	0	0	*	*	0
Washington County	167	55	113	0	0	0	47
Wicomico County	0	0	0	0	0	0	0
Worcester County	5	1	0	0	0	*	1
Maryland Nonpublic Schools (N=44)	1,227	309	2,129	56	2	1	137

** Indicates that the total number of students in the student group is fewer than 10 and corresponding counts of incidents of restraint or seclusion have been suppressed.

Physical Restraint and Seclusion by Gender

Respondents to the survey were also asked to report the physical restraint incidents by student gender (see Table 7) and seclusion incidents by student gender (see Table 8) for the 2017-2018

school year. The total number of students by gender in nonpublic schools (N=44) is combined and presented as one total.

Table 7. Reported Number of Physical Restraint Incidents for Students by Gender for 2017-2018

Local Education Agency	Male	Female
Allegany County	22	0
Anne Arundel County	191	41
Baltimore City	93	20
Baltimore County	1,849	7
Calvert County	507	58
Caroline County	28	3
Carroll County	456	12
Cecil County	73	6
Charles County	452	101
Dorchester County	11	2
Frederick County	1,933	218
Garrett County	4	3
Harford County	77	0
Howard County	406	0
Kent County	2	0
Montgomery County	1,422	234
Prince George's County	125	2
Queen Anne's County	28	2
Somerset County	32	2
St. Mary's County	22	15
Talbot County	7	4
Washington County	466	152
Wicomico County	45	11
Worcester County	13	14
Maryland Nonpublic Schools (N=44)	7,606	1,608

Table 8. Reported Number of Seclusion Incidents for Students by Gender by LEA for 2017-2018

Local Education Agency	Male	Female
Allegany County	30	0
Anne Arundel County	0	0
Baltimore City	16	6
Baltimore County	45	0
Calvert County	637	32
Caroline County	0	0
Carroll County	119	1
Cecil County	218	16
Charles County	248	64
Dorchester County	0	0
Frederick County	749	88
Garrett County	10	1
Harford County	371	0
Howard County	283	0
Kent County	0	0
Montgomery County	646	77
Prince George's County	0	0

Local Education Agency	Male	Female
Queen Anne's County	0	0
Somerset County	4	1
St. Mary's County	38	0
Talbot County	0	0
Washington County	239	88
Wicomico County	0	0
Worcester County	6	1
Maryland Nonpublic Schools (N=44)	3,258	483

Physical Restraint and Seclusion by Age

Respondents to the survey were asked to report the physical restraint incidents by student age (see Table 9) and seclusion incidents by student age (see Table 10) for the 2017-2018 school year. Due to some of the small cell sizes for LEAs and nonpublic schools, the total number for each LEA and nonpublic school was placed into a category reporting age by grade band. For example, preschool age represents ages 3 and 4; elementary school age represents ages 5-10; middle school age represents ages 11-13; high school age represents ages 14-18; and transition age represents ages 19-21. The total number of students by age in nonpublic schools (N=44) is combined and presented as one total.

Table 9. Reported Number of Physical Restraint Incidents for Students by Age by LEA for 2017-2018

Local Education Agency	Pre Kindergarten Age (3-4 years of age)	Elementary School Age (5-10 years of age)	Middle School Age (11-13 years of age)	High School Age (14-18 years of age)	Transition Age (19-21 years of age)
Allegany County	2	18	1	0	0
Anne Arundel County	8	198	32	28	1
Baltimore City	0	43	46	24	0
Baltimore County	0	1,642	214	0	1
Calvert County	4	372	31	19	1
Caroline County	0	10	18	3	0
Carroll County	2	442	19	5	0
Cecil County	1	70	8	7	0
Charles County	0	504	41	7	0
Dorchester County	0	8	4	1	0
Frederick County	4	2,016	124	8	0
Garrett County	0	6	1	0	0
Harford County	0	350	21	0	0
Howard County	0	250	23	0	0
Kent County	0	1	1	0	0
Montgomery County	4	1,177	312	260	2
Prince George's County	4	121	6	0	0
Queen Anne's County	0	22	10	0	0
Somerset County	1	28	3	2	0
St. Mary's County	0	11	21	5	0
Talbot County	0	0	6	3	0

Local Education Agency	Pre Kindergarten Age (3-4 years of age)	Elementary School Age (5-10 years of age)	Middle School Age (11-13 years of age)	High School Age (14-18 years of age)	Transition Age (19-21 years of age)
Washington County	2	467	61	59	31
Wicomico County	0	48	4	4	0
Worcester County	1	3	2	7	0
Maryland Nonpublic Schools (N=44)	1	3,807	2,121	3,176	375

Table 10. Reported Number of Seclusion Incidents for Students by Age by LEA for 2017-2018

Local Education Agency	Preschool Age (4 years of age)	Elementary School Age (5-10 years of age)	Middle School Age (11-13 years of age)	High School Age (14-18 years of age)	Transition Age (19-21 years of age)
Allegany County	0	13	16	0	0
Anne Arundel County	0	0	0	0	0
Baltimore City	0	1	4	16	0
Baltimore County	0	0	45	0	0
Calvert County	2	497	39	9	0
Caroline County	0	0	0	0	0
Carroll County	0	98	4	0	0
Cecil County	0	234	0	0	0
Charles County	0	251	51	0	0
Dorchester County	0	0	0	0	0
Frederick County	2	730	68	6	31
Garrett County	0	9	0	1	0
Harford County	0	300	71	0	0
Howard County	0	200	83	0	0
Kent County	0	0	0	0	0
Montgomery County	4	541	74	22	7
Prince George's County	0	0	0	0	0
Queen Anne's County	0	10	1	0	0
Somerset County	2	1	1	0	0
St. Mary's County	0	14	24	0	0
Talbot County	0	0	0	0	0
Washington County	0	325	20	0	0
Wicomico County	0	0	0	0	0
Worcester County	1	2	0	2	0
Maryland Nonpublic Schools (N=44)	0	1,657	1,108	887	52

Physical Restraint and Seclusion by Type of Placement

Respondents to the survey were asked to report the physical restraint incidents by student placement (see Table 11) and seclusion incidents by student placement (see Table 12) for the 2017-2018 school year. Due to small cell sizes for some LEAs and nonpublic schools, the total number for each LEA and nonpublic school was placed into categories reporting data by general

education or special education. The category of special education included incidents that occurred with students placed in separate classes, separate day programs, public residential programs, and private residential settings.

Table 11. Reported Number of Physical Restraint Incidents for Students by Type of Placement by LEA for 2017-2018

Local Education Agency	General Education	Special Education (includes separate classes, public separate day, public residential, and private residential settings)
Allegany County	17	5
Anne Arundel County	75	167
Baltimore City	0	135
Baltimore County	0	1,859
Calvert County	51	272
Caroline County	1	20
Carroll County	23	445
Cecil County	0	79
Charles County	7	546
Dorchester County	4	9
Frederick County	70	2,082
Garrett County	5	2
Harford County	1	76
Howard County	134	893
Kent County	1	1
Montgomery County	176	1,477
Prince George's County	3	124
Queen Anne's County	4	26
Somerset County	26	7
St. Mary's County	7	30
Talbot County	5	6
Washington County	108	510
Wicomico County	41	15
Worcester County	3	14
Maryland Nonpublic Schools (N=44)	0	8,528

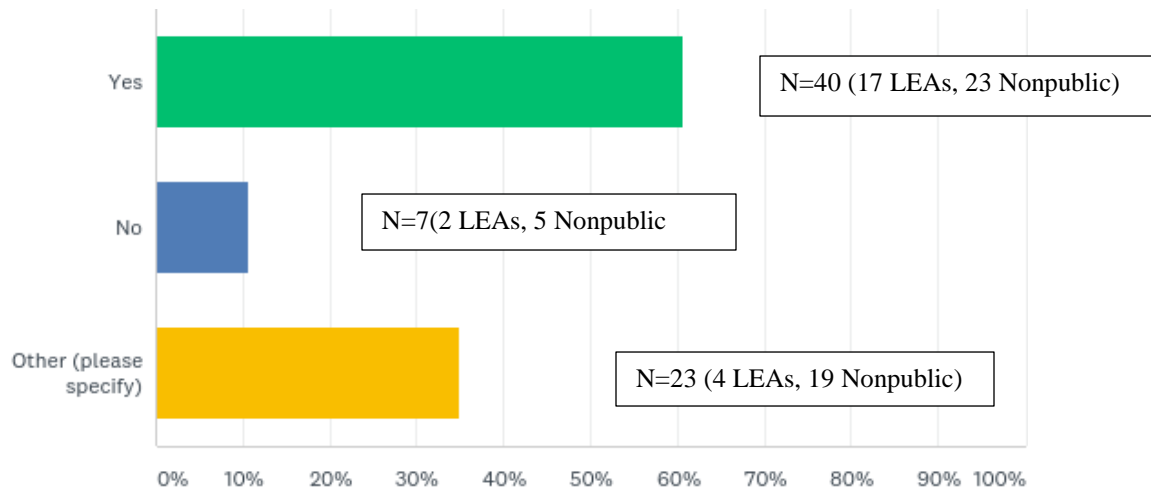
Table 12. Reported Number of Seclusion Incidents for Students by Type of Placement by LEA for 2017-2018

Local Education Agency	General Education	Special Education (includes inclusion classes, separate classes, public separate day, public residential, and private residential settings)
Allegany County	0	30
Anne Arundel County	0	0
Baltimore City	0	51
Baltimore County	0	46
Calvert County	1	263
Caroline County	0	0
Carroll County	0	120
Cecil County	0	234
Charles County	0	312
Dorchester County	0	0
Frederick County	0	837
Garrett County	0	11
Harford County	283	1
Howard County	371	35
Kent County	0	0
Montgomery County	42	681
Prince George's County	0	0
Queen Anne's County	0	11
Somerset County	0	5
St. Mary's County	0	38
Talbot County	0	0
Washington County	0	327
Wicomico County	0	0
Worcester County	0	7
Maryland Nonpublic Schools (N=44)	0	3,958

Findings from Observations and Review of Seclusion Rooms

Respondents to the survey were asked to observe and review seclusion rooms in the identified LEA or nonpublic school for the 2017-2018 school year. Some of the points of contact indicated that the LEA or nonpublic school did not use seclusion and therefore, had no seclusion rooms to observe and review. There were 30 respondents who checked either “no” or “other” which indicated that the LEA did not use seclusion as a practice and the respondent therefore, did not observe or review seclusion rooms. There were 30 respondents who checked either “No” or “Other” which indicated that they do not use seclusion as a practice and therefore, did not observe or review seclusion rooms.

Chart 1. Percentage of LEAs and Nonpublic Schools Reporting on Observation and Review of Seclusion Rooms

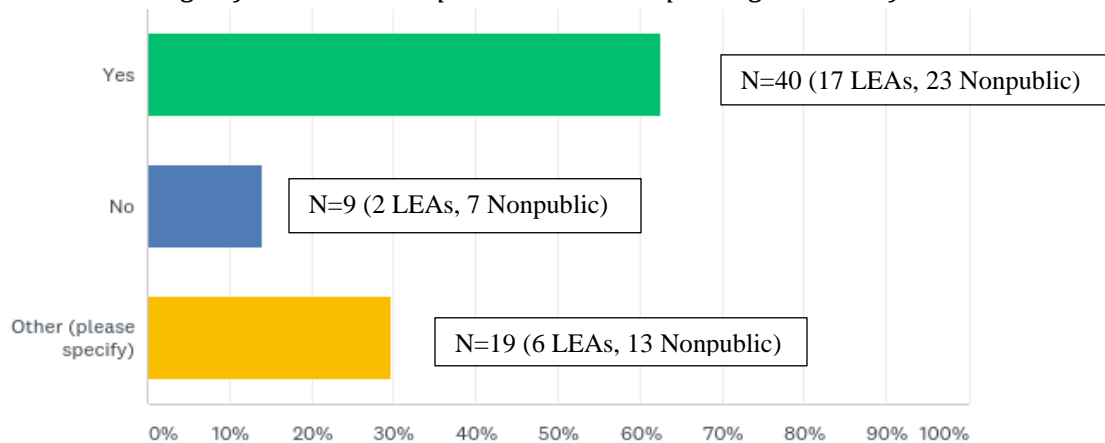


Note: Please note that “No” and “Other” were typically chosen when the LEA or nonpublic school noted that they did not use seclusion and therefore, did not have seclusion rooms to observe and review.

Findings from Review of Training Plans for the Use of Seclusion

Respondents to the survey were asked to review seclusion training plans in the identified LEA or nonpublic school for the 2017-2018 school year. Some of the points of contact indicated that the LEA or nonpublic school did not use seclusion and therefore, had no training plans to observe and review. There were 28 respondents who checked either “No” or “Other” which indicated that they do not use seclusion as a practice and therefore, did not review seclusion training plans.

Chart 2. Percentage of LEAs and Nonpublic Schools Reporting Review of Seclusion Training

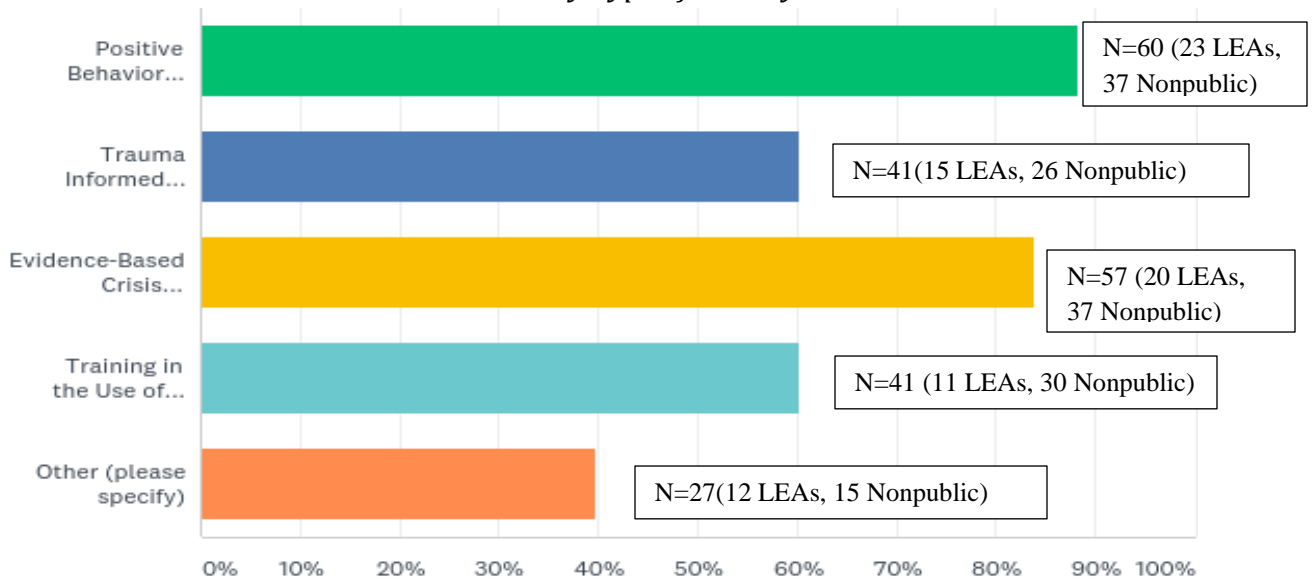


Note: Please note that “No” and “Other” were typically chosen when the LEA or nonpublic school noted that they did not use seclusion and therefore, did not have seclusion training plans to review.

Professional Development Provided to Designated School Personnel

Respondents to the survey were asked to indicate the content of the professional development provide for the LEA for nonpublic school for the 2017-2018 school year. The statute specifically inquired about professional development in the following areas: positive behavior intervention, strategies, supports, and trauma-informed interventions. Respondents could also list additional professional development activities in the “Other” category. Chart 3 provides an illustration of professional development activities that were identified by respondents.

Chart 3. Percentage of LEAs and Nonpublic Schools Reporting on Professional Development Activities Related to Restraint and Seclusion by Type of Activity



Training identified as part of the “other” category included the following:

- Exclusion
- Training in Functional Behavior Assessments/Behavior Intervention Plans
- Positional Asphyxiation
- Principles of Applied Behavioral Analysis
- Restorative Practices
- Suicide Prevention
- Therapeutic Aggression Control Techniques

Recommendations

This report presents the baseline data collected on restraint and seclusion for Maryland public and nonpublic schools for the 2017-2018 academic school year. After a review of the data, the following recommendations are provided for consideration.

- Guidance should be provided to LEAs and nonpublic schools on the regulations and best practices for restraint and seclusion. Guidance is currently being finalized on restraint and seclusion, including a detailed explanation of the updated COMAR regulations and best practices. This guidance will be distributed to the LEAs and nonpublic schools.
- Additional outreach to nonpublic schools should be conducted to increase the number of schools participating. A plan has been developed with staff at the MSDE responsible for providing support, training, and technical assistance to nonpublic schools to facilitate this recommendation. One state-level presentation was conducted in September 2018.
- A database of evidence-based practices in the area of restraint and seclusion should be developed by the MSDE to facilitate the training and technical assistance provided to schools. This database is currently in the process of being constructed.

Summary

During the 2017 legislative session, Senate Bill 786—*Restraint and Seclusion-Consideration and Reporting* (Chapter 611) was passed. Section 7-1102.1 of the Education Article of the Annotated Code of Maryland requires the MSDE to report to the General Assembly on the findings and recommendations of data collected by public and nonpublic schools on restraint and seclusion. The data required to be collected included the following:

- (1) Number of physical restraints and seclusion incidents, disaggregated by the student's jurisdiction, disability, race, gender, age, and type of placement; and
- (2) Professional development provided to designated school personnel related to positive behavioral interventions, strategies, supports, and trauma-informed interventions.

Data were collected from respondents representing the 24 local school systems and 44 nonpublic schools using an online survey. The data reported should be viewed as baseline data which provide a deeper understanding of school-level practices for restraint and seclusion. The identified recommendations provide strategies for gaining additional data from nonpublic schools, providing guidance to schools on restraint and seclusion, and developing a database to disseminate to schools on evidence-based practices for restraint and seclusion.

Appendix A

Restraint and Seclusion Data Collection Survey for 2017-2018



Survey Background, Instructions, and Definitions

During the 2017 legislative session, Senate Bill 786 (Chapter 611) was passed. The Senate Bill requires that each public agency, public school system, and nonpublic special education school in Maryland submit annual data on restraint and seclusion to the Maryland State Department of Education. These data will be compiled into a report that will be shared with the General Assembly.

The requested data include the following: (1) Incidents of Restraint and Seclusion; (2) Professional Development; (3) Observation of Seclusion Rooms; and (4) Review of Training Plans for the Use of Seclusion.

Please complete the survey items based upon the data that have been collected from July 1, 2017 to June 1, 2018. The survey will be open for data entry from June 1, 2018 to June 29, 2018.

Contact: For any questions about the data collection or survey, please contact Deborah Nelson by email at deborah.nelson@maryland.gov or by phone at 410-767-0294.

Definitions

NONPUBLIC SCHOOL: a school that receives funds from the Maryland State Department of Education for the purpose of providing special education and related services to students with disabilities.

PUBLIC AGENCY: A local school system, the Maryland School for the Deaf, the Maryland School for the Blind.

SECLUSION: confinement of a student alone in an enclosure or any other space from which the student is physically prevented from leaving.

PHYSICAL RESTRAINT: the use of physical force, without the use of any device or material, to restrict the free movement of all or a portion of a student's body.

(NOTE: Definitions used for restraint and seclusion are from the current Maryland Education Article § 7-1101)

1. Identify your Local Education Agency (LEA) or Reporting Agency:

- | | |
|---|---|
| <input type="radio"/> Allegany County | <input type="radio"/> Kent County |
| <input type="radio"/> Anne Arundel County | <input type="radio"/> Maryland School for the Blind |
| <input type="radio"/> Baltimore City | <input type="radio"/> Maryland School for the Deaf |
| <input type="radio"/> Baltimore County | <input type="radio"/> Montgomery County |
| <input type="radio"/> Calvert County | <input type="radio"/> Prince George's County |
| <input type="radio"/> Caroline County | <input type="radio"/> Queen Anne's County |
| <input type="radio"/> Carroll County | <input type="radio"/> SEED School |
| <input type="radio"/> Cecil County | <input type="radio"/> Somerset County |
| <input type="radio"/> Charles County | <input type="radio"/> St. Mary's County |
| <input type="radio"/> Dorchester County | <input type="radio"/> Talbot County |
| <input type="radio"/> Frederick County | <input type="radio"/> Washington County |
| <input type="radio"/> Garrett County | <input type="radio"/> Wicomico County |
| <input type="radio"/> Harford County | <input type="radio"/> Worcester County |
| <input type="radio"/> Howard County | <input type="radio"/> Juvenile Services Education (JSE) |
| <input type="radio"/> Maryland Nonpublic School (Insert Name) | |

2. Respondent Information:

Name:

Title:

Email Address:

Phone:

RESTRAINT

(Note: Please respond to all questions below regarding restraint incidents for your school system, public agency, or nonpublic school for the 2017-2018 school year.)

* 3. Please provide the total number of students who were physically restrained:

* 4. Provide the total number of physical restraint incidents for students (Note: There may be multiple incidents per student.)

5. Provide the number of physical restraint incidents that included students with and Individualized Educational Program (IEP):

6. Provide the number of physical restraint incidents that included students with the following special education disabilities:

Autism:

Hearing Impairment:

Deaf/Blind:

Developmental Delay:

Emotional Disturbance:

Intellectual Disability:

Multiple Disability:

Orthopedic Impairment:

Other Health Impairment:

Specific Learning Disability:

Speech/Language Impairment:

Traumatic Brain Injury:

Visual Impairment:

Deaf:

7. Provide the **number of students** in the following placements who were **restrained**, using mechanical or physical restraints, in your local school system, public agency, or nonpublic school during 2017-2018.

General Education:	<input type="text"/>
Mixed General Education/Outside General Education:	<input type="text"/>
Separate Class:	<input type="text"/>
Public Separate Day School:	<input type="text"/>
Private Separate Day School:	<input type="text"/>
Public Residential:	<input type="text"/>
Private Residential:	<input type="text"/>
Other:	<input type="text"/>

8. Provide the **number of students restrained**, either using mechanical or physical restraints, in your local school system, public agency, or nonpublic school with a 504 Plan during the 2017-2018 school year?

9. Provide the **number of students** who were **restrained** in your local school system, public agency, or nonpublic school during 2017-2018, using mechanical or physical restraints, with 504 Plans that addressed the following areas:

Emotional (e.g., depression, anxiety):	<input type="text"/>
Behavioral (e.g., ADHD):	<input type="text"/>
Physical (e.g., chronic health condition):	<input type="text"/>
Other:	<input type="text"/>

10. Provide the **number by race** and ethnicity of the **students** who were **restrained**, using mechanical or physical restraints, in your local school system, public agency, or nonpublic school during 2017-2018.

African American:	<input type="text"/>
Asian:	<input type="text"/>
White:	<input type="text"/>
Hispanic/Latino:	<input type="text"/>
American Indian/Alaskan:	<input type="text"/>
Hawaiian/Pacific Islander:	<input type="text"/>
Two or More Races:	<input type="text"/>
Other:	<input type="text"/>

11. Indicate the **number by gender** of the **students** who were **restrained**, using mechanical or physical restraints, in your local school system, public agency, or nonpublic school during 2017-2018.

Male:	<input type="text"/>
Female:	<input type="text"/>
Transgender:	<input type="text"/>

12. Indicate the **number of students** who were **restrained**, using mechanical or physical restraints, **by age** in your local school system, public agency, or nonpublic school during 2017-2018.

4 years old:	<input type="text"/>
5 years old:	<input type="text"/>
6 years old:	<input type="text"/>
7 years old:	<input type="text"/>
8 years old:	<input type="text"/>
9 years old:	<input type="text"/>
10 years old:	<input type="text"/>
11 years old:	<input type="text"/>
12 years old:	<input type="text"/>
13 years old:	<input type="text"/>
14 years old:	<input type="text"/>
15 years old:	<input type="text"/>
16 years old:	<input type="text"/>
17 years old:	<input type="text"/>
18 years old:	<input type="text"/>
19 years old:	<input type="text"/>
20 years old:	<input type="text"/>
21 years old:	<input type="text"/>
Other:	<input type="text"/>
Other:	<input type="text"/>

SECLUSION

13. Please provide the total number of **seclusion incidents**, in your local school system, public agency, or nonpublic school during the 2017-2018 school year. (Note: There may be multiple incidents per student.)

14. Please provide the **total number of students seclued** in your local school system, public agency, or nonpublic school during the 2017-2018 school year.

15. Provide the **number of students** with an Individualized Education Program (IEP) who were **seclued** in your local school system, public agency, or nonpublic school during the 2017-2018 school year?

16. Provide the **number of students** with the following special education disabilities who were **seclued** in your local school system, public agency, or nonpublic school during 2017-2018. (If a student has multiple disabilities, please enter the one that is most indicative of a student's primary disability).

Autism:

Deaf-Blindness:

Deafness:

Developmental Delay:

Emotional Disability:

Intellectual Disability:

Multiple Disabilities:

Orthopedic Impairment:

Other Health Impairment:

Specific Learning Disability:

Speech or Language Impairment:

Traumatic Brain Injury:

Visual Impairment, including Blindness:

17. Provide the number of students in the following placements who were **secluded** in your local school system, public agency, or nonpublic school during 2017-2018.

General Education:	<input type="text"/>
Mixed General Education/Outside General Education:	<input type="text"/>
Separate Class:	<input type="text"/>
Public Separate Day School:	<input type="text"/>
Private Separate Day School:	<input type="text"/>
Public Residential:	<input type="text"/>
Private Residential:	<input type="text"/>
Other:	<input type="text"/>

18. Provide the **number of students** who were **secluded** in your local school system, public agency, or nonpublic school during 2017-2018 with 504 Plans that addressed the following areas:

Emotional (e.g., depression, anxiety):	<input type="text"/>
Behavioral (e.g., ADHD):	<input type="text"/>
Physical (e.g., chronic health condition):	<input type="text"/>
Other:	<input type="text"/>

19. Provide the **number of students secluded** in your local school system, public agency, or nonpublic school with a 504 Plan during the 2017-2018 school year?

20. Provide the number by race and ethnicity of the **students who were secluded** in your local school system, public agency, or nonpublic school during 2017-2018.

African American:	<input type="text"/>
Asian:	<input type="text"/>
White:	<input type="text"/>
Hispanic/Latino:	<input type="text"/>
American Indian/Alaskan:	<input type="text"/>
Hawaiian/Pacific Islander:	<input type="text"/>
Two or More Races:	<input type="text"/>
Other:	<input type="text"/>

21. Provide the number by gender of the **students who were secluded** in your local school system, public agency, or nonpublic school during 2017-2018.

Male:	<input type="text"/>
Female:	<input type="text"/>
Transgender:	<input type="text"/>

22. Provide the **number of students** by age who were **secluded** in your local school system, public agency, or nonpublic school during 2017-2018.

4 years old:	<input type="text"/>
5 years old:	<input type="text"/>
6 years old:	<input type="text"/>
7 years old:	<input type="text"/>
8 years old:	<input type="text"/>
9 years old:	<input type="text"/>
10 years old:	<input type="text"/>
11 years old:	<input type="text"/>
12 years old:	<input type="text"/>
13 years old:	<input type="text"/>
14 years old:	<input type="text"/>
15 years old:	<input type="text"/>
16 years old:	<input type="text"/>
17 years old:	<input type="text"/>
18 years old:	<input type="text"/>
19 years old:	<input type="text"/>
20 years old:	<input type="text"/>
21 years old:	<input type="text"/>

PROFESSIONAL DEVELOPMENT

23. Identify the professional development provided to school staff on content related **to restraint and seclusion** during the 2017-2018 school year (check all that apply).

- | | |
|--|---|
| <input type="checkbox"/> Positive Behavior Interventions, Strategies, and Supports | <input type="checkbox"/> Evidence-Based Crisis Prevention and Intervention Training (i.e., CPI) Program |
| <input type="checkbox"/> Trauma Informed Interventions | <input type="checkbox"/> Training in the Use of Seclusion |
| <input type="checkbox"/> Other (please specify) | |

CERTIFICATION FOR OBSERVATION OF SECLUSION ROOMS

24. A member of the local school system, public agency, or nonpublic school has observed seclusion rooms.

Yes

No

Other (please specify)

25. A member of the local school system, public agency, or nonpublic school has reviewed training plans for seclusion.

Yes

No

Other (please specify)

26. Findings from observations of seclusion rooms:

27. Findings from observations of training plans for seclusion:

28. Additional Comments:



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