

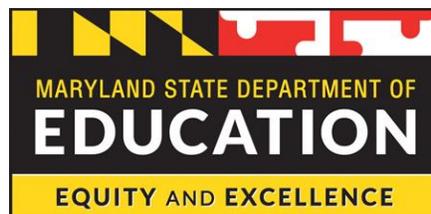
**2020 Physical Restraint and Seclusion Report:
Data Collection, Findings, and Recommendations**

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

December 1, 2020

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Table of Contents

Introduction.....	3
Background.....	4
Physical Restraint and Seclusion Data Collection	5
Total Number of Physical Restraint and Seclusion Incidents by Local School System and Other Public Agencies/Nonpublic Special Education Schools.....	8
Physical Restraint and Seclusion Incidents for Students by Disability Category.....	10
Physical Restraint and Seclusion Incidents for Students by Race/Ethnicity	11
Physical Restraint and Seclusion Incidents by Gender.....	13
Physical Restraint and Seclusion Incidents by Age/Grade Band.....	15
Physical Restraint and Seclusion Incidents by Placement Type.....	17
Observations of Seclusion Rooms and Review of Training Plans for Seclusion	18
Professional Development Provided by Local School Systems, Other Public Agencies, and Nonpublic Schools	19
Number of Hours of Professional Development Training Required	19
Content of Professional Development Training	19
Professional Development Training Events.....	20
Position Held by Individuals Conducting the Professional Development Training Events	20
Positions Held by School Personnel Authorized to Physically Restrain and/or Seclude Students.....	20
Percent of School Personnel Authorized to Conduct Physical Restraint and/or Seclusion	21
Recommendations.....	21
Appendix A.....	23

Introduction

The Annotated Code of Maryland Education Article § 7-1102.1 requires the Maryland State Department of Education (MSDE) to report to the General Assembly annually (on or before December 1 each year) on the findings and recommendations reported to the MSDE by local school systems (LSSs), other (non-LSS) public agencies, and nonpublic schools on physical restraint and seclusion. The legislation specifically requires the collection of the following data:

- (1) Number of physical restraint 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.

On December 1, 2018, the MSDE submitted the first *Restraint and Seclusion* report, as mandated by Education Article § 7-1102.1, based on 2017-2018 school year data. The 2020 *Physical Restraint and Seclusion Report: Data Collection, Findings, and Recommendations* draws on 2019-2020 school year data. Due to the impact of the COVID-19 pandemic, the December 2020 report captures data from the start of the 2019-2020 school year through the statewide closure of public schools that began on March 16, 2020. As with previous reports, the 2020 report describes the data collection process, provides summary data for the 2019-2020 school year based on LSS, other public agencies, and nonpublic school responses, and outlines findings and recommendations based on an analysis of the data.

Background

The Code of Maryland Regulations (COMAR) 13A.08.04.02 defines *physical restraint* as, “a personal restriction that immobilizes or reduces the ability of a student to move the student's torso, arms, legs, or head freely.” Physical restraint does not include:

- “(1) briefly holding a student to calm or comfort the student;
- (2) a physical escort, which is the temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purposes of inducing a student who is acting out to walk to a safe location;
- (3) moving a disruptive student who is unwilling to leave the area if other methods such as counseling have been unsuccessful; or
- (4) intervening in a fight in accordance with Education Article §7-307, Annotated Code of Maryland.”

COMAR 13A.08.04.02 defines *seclusion* as, “the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. Seclusion does not include a timeout, which is a behavior management technique that is part of an approved program

that involves the monitored separation of the student in a non-locked setting, and is implemented for the purpose of calming.”

Under COMAR 13A.08.04.05 *General Requirements for the Use of Restraint or Seclusion*, the use of physical restraint or seclusion is prohibited in Maryland public agencies (a category that includes both LSSs and other [non-LSS] public agencies) and nonpublic schools until there is an emergency situation and physical restraint or seclusion, “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.”

Physical Restraint and Seclusion Data Collection

To obtain the specific data required under the Annotated Code of Maryland Education Article §7-1102.1 for the 2020 *Physical Restraint and Seclusion Report: Data Collection, Findings, and Recommendations*, covering the 2019-2020 school year, the MSDE employed an electronic survey (see Appendix A). New to the 2020 survey was the request for more extensive information related to professional development activities conducted by each public agency and nonpublic school.

For the 2020 data collection, the MSDE disseminated the survey to public agencies (all 24 LSSs and other public agencies) and nonpublic special education schools in summer 2020. Individuals tasked with completing the survey for each public agency/ nonpublic school participated in a virtual training conducted by the MSDE specialist to review the survey and data requirements.

The survey requested the following data/asked the following questions:

- Name of the local school system (i.e., one of Maryland’s 24 LSSs or other public agencies) or reporting agency (i.e., nonpublic special education school).
- Name, title, department/division, email address, and telephone number of the person completing the survey.
- Physical restraint data for the 2019-2020 school year:
 - Total number of physical restraint incidents;
 - Total number of students who were physically restrained;
 - Number of physical restraint incidents for students with an Individualized Education Program (IEP);
 - Number of physical restraint incidents for special education students disaggregated by disability type;
 - Number of physical restraint incidents for students disaggregated by educational placement type;
 - Number of physical restraint incidents for students disaggregated by race/ethnicity;
 - Number of physical restraint incidents for students disaggregated by gender; and
 - Number of physical restraint incidents for students disaggregated by age.
- Seclusion data for the 2019-2020 school year:

- Is seclusion an allowable practice in your LSS, public agency, or nonpublic school?
- Total number of seclusion incidents;
- Total number of students who were secluded;
- Number of seclusion incidents for students with an Individualized Education Program (IEP);
- Number of seclusion incidents for special education students disaggregated by disability type;
- Number of seclusion incidents for students disaggregated by educational placement type;
- Number of seclusion incidents for students disaggregated by race/ethnicity;
- Number of seclusion incidents for students disaggregated by gender; and
- Number of seclusion incidents for students disaggregated by age.
- Certification indicating that a member of the LSS, public agency, or nonpublic school has:
 - Observed each seclusion room during the 2019-2020 school year; and
 - Reviewed the training plan(s) for seclusion during the 2019-2020 school year.
- Name and title of the individual(s) who:
 - Conducted the observation of the seclusion room(s); and
 - Reviewed the training plan(s) for seclusion.
- Findings from the observation of the:
 - Seclusion room(s); and
 - Training plan(s) for seclusion.
- If your local school system, public agency, or nonpublic school did not observe its seclusion room(s) and/or review its training plan(s) for the 2019-2020 school year, explain why.
- Provision of professional development training relating to physical restraint and/or seclusion to school personnel during the 2019-2020 school year:
 - The total number of hours of training required for school personnel to be considered authorized to perform physical restraint and/or seclusion;
 - The content of the professional development training provided to school personnel;
 - On average, the number of unique professional development training events that school personnel were required to participate in;
 - On average, the duration of each professional development training event provided;
 - The position(s) held by the person(s) conducting the professional development training event(s);
 - The total number of individuals who received professional development training related to physical restraint and/or seclusion; and

- The positions held by the individuals who received the professional development training.

All 24 LSSs in Maryland responded, along with 71 other public agencies and nonpublic special education schools, for a total of 95 systems and schools represented in the survey. Excluding the total LSS enrollment data displayed in Tables 1 and 2, which the MSDE generated, all the physical restraint and seclusion data presented in this report are self-reported by the respondents. The data for each of the 24 LSSs are disaggregated by the individual school system, whereas the data for the other public agencies and nonpublic special education schools that responded have been combined to produce aggregated response totals.

Total Number of Physical Restraint and Seclusion Incidents by Local School System and Other Public Agencies/Nonpublic Special Education Schools

Tables 1 and 2 show the statewide total number of reported physical restraint incidents (12,310) and seclusion incidents (6,487) for the 2019-2020 school year, disaggregated for each individual LSS and combined for all other public agencies/nonpublic special education schools.

Additionally, for reference, both tables include the total student enrollment for each LSS. A new question added to the 2020 survey asked each respondent to indicate whether seclusion is an allowable practice in their LSS, public agency, or nonpublic school. Responses to this question indicated that 18 out of 24 LSSs allowed for the use of seclusion as a practice in the 2019-2020 school year (those school systems that do not allow this practice are noted in Table 2), while 47 other public agencies and nonpublic special education schools also allowed for this practice. Additionally, three of the 71 other public agencies and nonpublic special education schools reported that they barred the use of both physical restraint and seclusion as practices, thus the N size of 68 noted in Table 1 and the subsequent physical restraint incident tables included in the report.

Table 1. Reported Number of Physical Restraint Incidents for 2019-2020

Respondent	Total Enrollment	Number of Physical Restraint Incidents
Allegany County	8,437	20
Anne Arundel County	84,984	834
Baltimore City	79,187	190
Baltimore County	115,038	926
Calvert County	16,022	70
Caroline County	5,874	5
Carroll County	25,345	357
Cecil County	15,256	76
Charles County	27,521	399
Dorchester County	4,710	21
Frederick County	43,828	559
Garrett County	3,834	10
Harford County	38,429	547
Howard County	58,868	616
Kent County	1,918	1
Montgomery County	165,267	778
Prince George's County	135,962	78
Queen Anne's County	7,764	6
Somerset County	2,905	22
St. Mary's County	18,083	62
Talbot County	4,703	8
Washington County	22,993	208
Wicomico County	15,203	30
Worcester County	6,882	124
Other Public Agencies/Maryland Nonpublic Schools (N=68)	N/A	6,363
TOTAL	N/A	12,310

Note: The reported number of incidents for all other public agencies and nonpublic special education schools who responded is combined; N=total number of other public agencies/nonpublic special education schools who allow for the use of physical restraint as a practice.

Table 2. Reported Number of Seclusion Incidents for 2019-2020

Respondent	Total Enrollment	Number of Seclusion Incidents
Allegany County	8,437	55
Anne Arundel County*	84,984	N/A
Baltimore City*	79,187	N/A
Baltimore County	115,038	330
Calvert County	16,022	78
Caroline County*	5,874	N/A
Carroll County	25,345	61
Cecil County	15,256	31
Charles County	27,521	36
Dorchester County	4,710	8
Frederick County	43,828	348
Garrett County	3,834	9
Harford County	38,429	817
Howard County	58,868	132
Kent County	1,918	0
Montgomery County	165,267	615
Prince George's County*	135,962	N/A
Queen Anne's County	7,764	0
Somerset County*	2,905	N/A
St. Mary's County	18,083	38
Talbot County	4,703	11
Washington County	22,993	159
Wicomico County*	15,203	N/A
Worcester County	6,882	23
Other Public Agencies/Maryland Nonpublic Schools (N=47)	N/A	3,736
TOTAL	N/A	6,487

Note: The reported number of incidents for all other public agencies and nonpublic special education schools who responded is combined; N=total number of other public agencies/nonpublic special education schools who allow for the use of seclusion as a practice.

**LSS does not allow for the use of seclusion as a practice.*

Physical Restraint and Seclusion Incidents for Students by Disability Category

Tables 3 and 4 show the number of reported physical restraint and seclusion incidents for students during the 2019-2020 school year, disaggregated by disability category, for all LSSs combined and for all other public agencies/nonpublic special education schools combined.

Table 3. Reported Number of Physical Restraint Incidents for Students by Disability Category for 2019-2020

Disability Category	Total Number of Physical Restraint Incidents (All LSSs Combined) (N=24)	Total Number of Physical Restraint Incidents (All Other Public Agencies/Maryland Nonpublic Schools Combined) (N=68)
Autism	919	3,814
Hearing Impairment	2	0
Deaf/Blind	0	0
Developmental Delay	641	34
Emotional Disturbance	1,732	1,685
Intellectual Disability	108	331
Multiple Disability	643	857
Orthopedic Impairment	0	0
Other Health Impaired	629	490
Specific Learning Disability	110	2
Speech/Language Impairment	88	0
Traumatic Brain Injury	30	36
Visual Impairment	0	0
Deaf	0	1

Note: N=total number of LSSs or other public agencies/nonpublic special education schools who allow for the use of physical restraint as a practice.

Table 4. Reported Number of Seclusion Incidents for Students by Disability Category for 2019-2020

Disability Category	Total Number of Seclusion Incidents (All LSSs Combined) (N=18)	Total Number of Seclusion Incidents (All Other Public Agencies/Maryland Nonpublic Schools Combined) (N=47)
Autism	417	1,908
Hearing Impairment	0	2
Deaf/Blind	0	0
Developmental Delay	244	36
Emotional Disturbance	1,265	660
Intellectual Disability	10	109
Multiple Disability	217	746
Orthopedic Impairment	0	1
Other Health Impaired	522	169
Specific Learning Disability	72	6
Speech/Language Impairment	39	0
Traumatic Brain Injury	6	36
Visual Impairment	0	0
Deaf	0	0

Note: N=total number of LSSs or other public agencies/nonpublic special education schools who allow for the use of seclusion as a practice.

Physical Restraint and Seclusion Incidents for Students by Race/Ethnicity

Tables 5 and 6 show the number of reported physical restraint and seclusion incidents for students during the 2019-2020 school year, disaggregated by race/ethnicity, for each individual LSS and for all other public agencies/nonpublic special education schools combined.

Table 5. Reported Number of Physical Restraint Incidents for Students by Race/Ethnicity for 2019-2020

Respondent	White	Hispanic	African American	Asian	American Indian/Alaskan	Native Hawaiian/Pacific Islander	Two or More Races
Allegany County	15	0	4	0	0	0	1
Anne Arundel County	360	59	339	5	4	0	67
Baltimore City	11	0	178	0	0	0	1
Baltimore County	261	63	439	20	3	0	140
Calvert County	34	2	17	0	0	0	14
Caroline County	2	0	2	0	0	0	1
Carroll County	213	11	108	0	0	0	25
Cecil County	14	0	17	0	0	0	0
Charles County	69	1	283	0	0	0	45
Dorchester County	12	0	9	0	0	0	0
Frederick County	259	0	278	3	3	0	0
Garrett County	10	0	0	0	0	0	0
Harford County	246	6	244	0	0	0	51
Howard County	101	25	428	55	0	0	7
Kent County	1	0	0	0	0	0	0
Montgomery County	148	113	407	21	0	0	89
Prince George's County	3	1	74	0	0	0	0
Queen Anne's County	5	0	1	0	0	0	0
Somerset County	5	0	17	0	0	0	0
St. Mary's County	36	1	23	0	0	0	2
Talbot County	3	1	1	0	0	0	4
Washington County	130	5	42	2	3	0	26
Wicomico County	13	0	17	0	0	0	0
Worcester County	110	0	12	0	0	0	2
Other Public Agencies/ Maryland Nonpublic Schools (N=68)	3,881	345	3,088	6	57	0	83

Note: The reported number of students for all other public agencies and nonpublic special education schools who responded is combined; N=total number of other public agencies/nonpublic special education schools who allow for the use of physical restraint as a practice.

Table 6. Reported Number of Seclusion Incidents for Students by Race/Ethnicity for 2019-2020

Respondent	White	Hispanic	African American	Asian	American Indian/Alaskan	Native Hawaiian/Pacific Islander	Two or More Races
Allegany County	45	0	10	0	0	0	0
Anne Arundel County*	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Baltimore City*	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Baltimore County	105	30	164	1	1	0	29
Calvert County	26	3	43	0	0	0	6
Caroline County*	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Carroll County	26	0	19	0	0	0	16
Cecil County	14	0	17	0	0	0	0
Charles County	57	1	135	0	0	0	39
Dorchester County	5	0	0	0	0	0	3
Frederick County	106	0	232	0	0	0	10
Garrett County	8	0	1	0	0	0	0
Harford County	402	19	326	0	0	0	70
Howard County	16	3	103	9	0	0	1
Kent County	0	0	0	0	0	0	0
Montgomery County	156	61	299	5	0	0	94
Prince George's County*	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Queen Anne's County	0	0	0	0	0	0	0
Somerset County*	N/A	N/A	N/A	N/A	N/A	N/A	N/A
St. Mary's County	27	0	5	0	0	0	6
Talbot County	0	0	0	0	0	0	11
Washington County	97	11	41	0	2	0	8
Wicomico County*	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Worcester County	19	0	1	0	0	0	3
Other Public Agencies/ Maryland Nonpublic Schools (N=47)	1,042	397	2,171	27	5	0	40

Note: The reported number of students for all other public agencies and nonpublic special education schools who responded is combined; N=total number of other public agencies/nonpublic special education schools who allow for the use of seclusion as a practice.

*LSS does not allow for the use of seclusion as a practice.

Physical Restraint and Seclusion Incidents by Gender

Tables 7 and 8 show the number of reported physical restraint and seclusion incidents for students during the 2019-2020 school year, disaggregated by gender, for each individual LSS and for all other public agencies/nonpublic special education schools combined.

Table 7. Reported Number of Physical Restraint Incidents for Students by Gender for 2019-2020

Respondent	Male	Female
Allegany County	20	0
Anne Arundel County	728	106
Baltimore City	183	7
Baltimore County	801	125
Calvert County	62	8
Caroline County	4	1
Carroll County	306	51
Cecil County	27	4
Charles County	371	28
Dorchester County	20	1
Frederick County	449	110
Garrett County	9	1
Harford County	480	67
Howard County	565	51
Kent County	1	0
Montgomery County	704	74
Prince George's County	66	12
Queen Anne's County	5	1
Somerset County	21	1
St. Mary's County	57	5
Talbot County	8	0
Washington County	195	13
Wicomico County	27	3
Worcester County	116	8
Other Public Agencies/ Maryland Nonpublic Schools (N=68)	6,388	885

Note: The reported number of students for all other public agencies and nonpublic special education schools who responded is combined; N=total number of other public agencies/nonpublic special education schools who allow for the use of physical restraint as a practice.

Table 8. Reported Number of Seclusion Incidents for Students by Gender for 2019-2020

Respondent	Male	Female
Allegany County	55	0
Anne Arundel County*	N/A	N/A
Baltimore City*	N/A	N/A
Baltimore County	311	19
Calvert County	77	1
Caroline County*	N/A	N/A
Carroll County	57	4
Cecil County	27	4
Charles County	226	6
Dorchester County	8	0
Frederick County	288	60
Garrett County	8	1
Harford County	670	147
Howard County	120	12
Kent County	0	0
Montgomery County	555	60
Prince George's County*	N/A	N/A
Queen Anne's County	0	0
Somerset County*	N/A	N/A
St. Mary's County	25	13
Talbot County	11	0
Washington County	150	9
Wicomico County*	N/A	N/A
Worcester County	20	3
Other Public Agencies/ Maryland Nonpublic Schools (N=47)	3,226	455

Note: The reported number of students for all other public agencies and nonpublic special education schools who responded is combined; N=total number of other public agencies/nonpublic special education schools who allow for the use of seclusion as a practice.

**LSS does not allow for the use of seclusion as a practice.*

Physical Restraint and Seclusion Incidents by Age/Grade Band

Tables 9 and 10 show the number of reported physical restraint and seclusion incidents for students during the 2019-2020 school year, disaggregated by age/grade band, for each individual LSS and for all other public agencies/nonpublic special education schools combined.

Table 9. Reported Number of Physical Restraint Incidents for Students by Age/Grade Band for 2019-2020

Respondent	Pre-Kindergarten (3-4 years of age)	Elementary School (5-10 years of age)	Middle School (11-13 years of age)	High School (14-18 years of age)	Transition (19-21 years of age)
Allegany County	0	19	1	0	0
Anne Arundel County	10	736	63	25	0
Baltimore City	0	152	30	8	0
Baltimore County	6	808	87	25	0
Calvert County	0	64	0	5	1
Caroline County	0	4	0	1	0
Carroll County	3	325	29	0	0
Cecil County	0	27	4	0	0
Charles County	0	366	19	14	0
Dorchester County	0	4	12	5	0
Frederick County	0	469	86	4	0
Garrett County	0	9	1	0	0
Harford County	3	537	7	0	0
Howard County	0	547	61	7	1
Kent County	0	1	0	0	0
Montgomery County	16	552	128	79	3
Prince George's County	6	69	3	0	0
Queen Anne's County	0	1	5	0	0
Somerset County	0	21	0	1	0
St. Mary's County	0	40	17	4	1
Talbot County	0	7	0	1	0
Washington County	4	183	11	6	4
Wicomico County	0	27	1	0	1
Worcester County	0	119	3	2	0
Other Public Agencies/ Maryland Nonpublic Schools (N=68)	0	2,920	1,843	1,819	565

Note: The reported number of students for all other public agencies and nonpublic special education schools who responded is combined; N=total number of other public agencies/nonpublic special education schools who allow for the use of physical restraint as a practice.

Table 10. Reported Number of Seclusion Incidents for Students by Age/Grade Band for 2019-2020

Respondent	Pre-Kindergarten (3-4 years of age)	Elementary School (5-10 years of age)	Middle School (11-13 years of age)	High School (14-18 years of age)	Transition (19-21 years of age)
Allegany County	0	55	0	0	0
Anne Arundel County*	N/A	N/A	N/A	N/A	N/A
Baltimore City*	N/A	N/A	N/A	N/A	N/A
Baltimore County	3	274	53	0	0
Calvert County	0	72	5	1	0
Caroline County*	N/A	N/A	N/A	N/A	N/A
Carroll County	0	47	11	3	0
Cecil County	0	27	4	0	0
Charles County	0	215	17	0	0
Dorchester County	0	5	3	0	0
Frederick County	0	283	58	6	1
Garrett County	0	9	0	0	0
Harford County	2	784	31	0	0
Howard County	0	125	7	0	0
Kent County	0	0	0	0	0
Montgomery County	0	459	52	30	74
Prince George's County*	N/A	N/A	N/A	N/A	N/A
Queen Anne's County	0	0	0	0	0
Somerset County*	N/A	N/A	N/A	N/A	N/A
St. Mary's County	0	28	6	4	0
Talbot County	0	11	0	0	0
Washington County	2	155	2	0	0
Wicomico County*	N/A	N/A	N/A	N/A	N/A
Worcester County	0	15	8	0	0
Other Public Agencies/ Maryland Nonpublic Schools (N=47)	0	1,437	1,204	778	92

Note: The reported number of students for all other public agencies and nonpublic schools who responded is combined; N=total number of other public agencies/nonpublic schools who allow for the use of seclusion as a practice.

**LSS does not allow for the use of seclusion as a practice.*

Physical Restraint and Seclusion Incidents by Placement Type

Tables 11 and 12 show the number of reported physical restraint and seclusion incidents for students during the 2019-2020 school year, disaggregated by placement type (general education or special education), for each individual LSS and for all other public agencies/nonpublic special education schools combined. The special education category includes incidents that occurred with students placed in separate classes, separate public/private day schools, and public/private residential settings.

Table 11. Reported Number of Physical Restraint Incidents for Students by Placement Type for 2019-2020

Respondent	General Education	Special Education (includes separate classes, public/private separate day school, public/private residential settings)
Allegany County	6	14
Anne Arundel County	224	610
Baltimore City	0	143
Baltimore County	220	706
Calvert County	12	58
Caroline County	5	0
Carroll County	179	178
Cecil County	39	37
Charles County	19	380
Dorchester County	13	8
Frederick County	72	487
Garrett County	10	0
Harford County	16	531
Howard County	286	330
Kent County	1	0
Montgomery County	91	516
Prince George's County	25	53
Queen Anne's County	2	4
Somerset County	22	0
St. Mary's County	22	40
Talbot County	0	8
Washington County	85	123
Wicomico County	20	10
Worcester County	13	111
Other Public Agencies/ Maryland Nonpublic Schools (N=68)	0	6,363

Note: The reported number of students for all other public agencies and nonpublic special education schools who responded is combined; N=total number of other public agencies/nonpublic special education schools who allow for the use of physical restraint as a practice.

Table 12. Reported Number of Seclusion Incidents for Students by Placement Type for 2019-2020

Respondent	General Education	Special Education (includes separate classes, public/private separate day school, public/private residential settings)
Allegany County	0	55
Anne Arundel County*	N/A	N/A
Baltimore City*	N/A	N/A
Baltimore County	45	285
Calvert County	3	75
Caroline County*	N/A	N/A
Carroll County	28	33
Cecil County	2	29
Charles County	0	232
Dorchester County	8	0
Frederick County	0	348
Garrett County	6	3
Harford County	3	814
Howard County	42	88
Kent County	0	0
Montgomery County	57	542
Prince George's County*	N/A	N/A
Queen Anne's County	0	0
Somerset County*	N/A	N/A
St. Mary's County	23	15
Talbot County	0	11
Washington County	43	116
Wicomico County*	N/A	N/A
Worcester County	2	21
Other Public Agencies/ Maryland Nonpublic Schools (N=47)	0	3,736

Note: The reported number of students for all other public agencies and nonpublic special education schools who responded is combined; N=total number of other public agencies/nonpublic special education schools who allow for the use of seclusion as a practice.

*LSS does not allow for the use of seclusion as a practice.

Observations of Seclusion Rooms and Review of Training Plans for Seclusion

Survey respondents were asked to report on whether someone from their LSS, other public agencies, or nonpublic special education school had observed their system's or school's seclusion room(s) and reviewed their system's or school's training plan(s) for seclusion during the 2019-2020 school year. The 2020 survey was configured in such a way so that only those respondents who allow for the use of seclusion as a practice were asked to respond to this section of the survey (amounting to 18 out of 24 LSSs and 47 out of 71 other public agencies and nonpublic special education schools). Ninety-one percent responded that seclusion rooms were observed and that training plans were reviewed, while nine percent of respondents indicated that they neither observed seclusion rooms nor reviewed training plans during the 2019-2020 school

year. Reasons provided by the nine percent of respondents that did not observe seclusion rooms or review training plans included: planned observations were scheduled for March 2020 and the COVID-19 closure did not allow for observations or the review of the training plan to occur; new procedures were being developed and the system was unable to initiate these new procedures prior to the closure of schools; and that it was not necessary to create (and thus not possible to observe either) a seclusion area during the 2019-2020 school year.

Professional Development Provided by Local School Systems, Other Public Agencies, and Nonpublic Schools

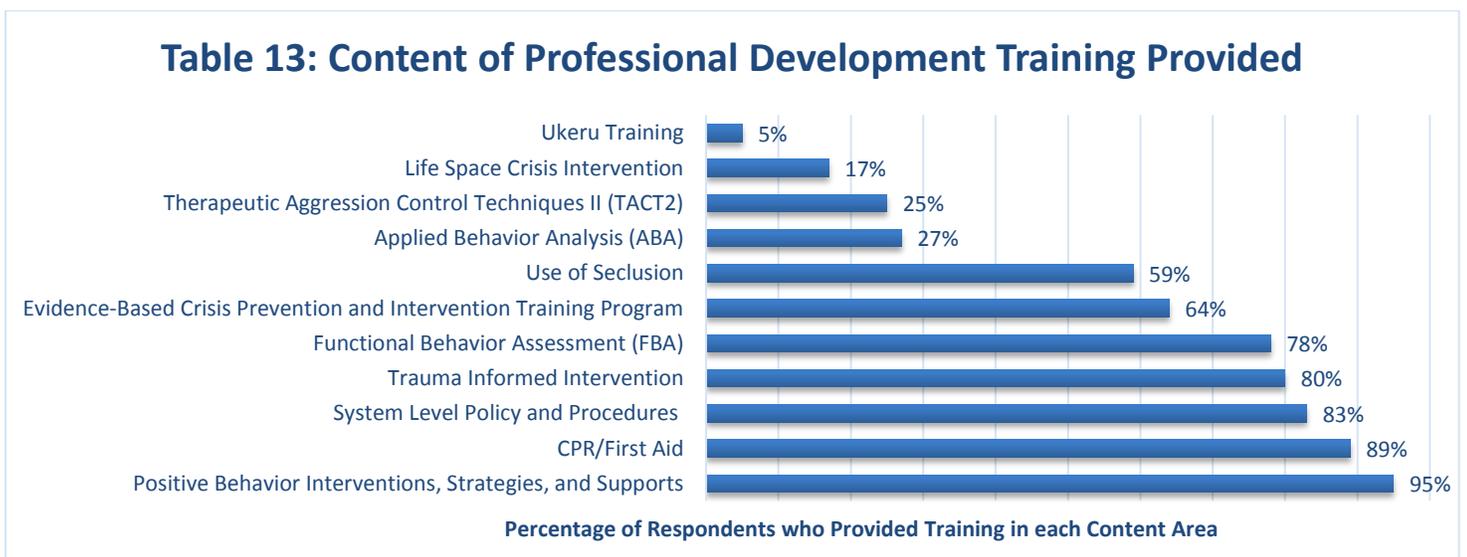
Survey respondents were asked to report on professional development training relating to physical restraint and seclusion provided to school personnel during the 2019-2020 school year. The following sections of the report summarize the professional development training related to physical restraint and seclusion provided by LSSs, other public agencies, and nonpublic schools.

Number of Hours of Professional Development Training Required

Survey responses indicated that the number of professional development hours required for authorization to perform physical restraint and/or seclusion varied across LSSs, other public agencies, or nonpublic schools. For individuals being trained for the first time, the number of training hours required by LSSs ranged from six to 49 hours, while for individuals undergoing reauthorization training, the number of training hours required by LSSs ranged from three to 41 hours. The responses for other public agencies and nonpublic special education schools ranged from six to 65 training hours.

Content of Professional Development Training

Table 13 shows the type of trainings LSSs, other public agencies, or nonpublic schools provided to school personnel during the 2019-2020 school year, disaggregated by the percentage of respondents who indicated that they provided training in the specified content area.

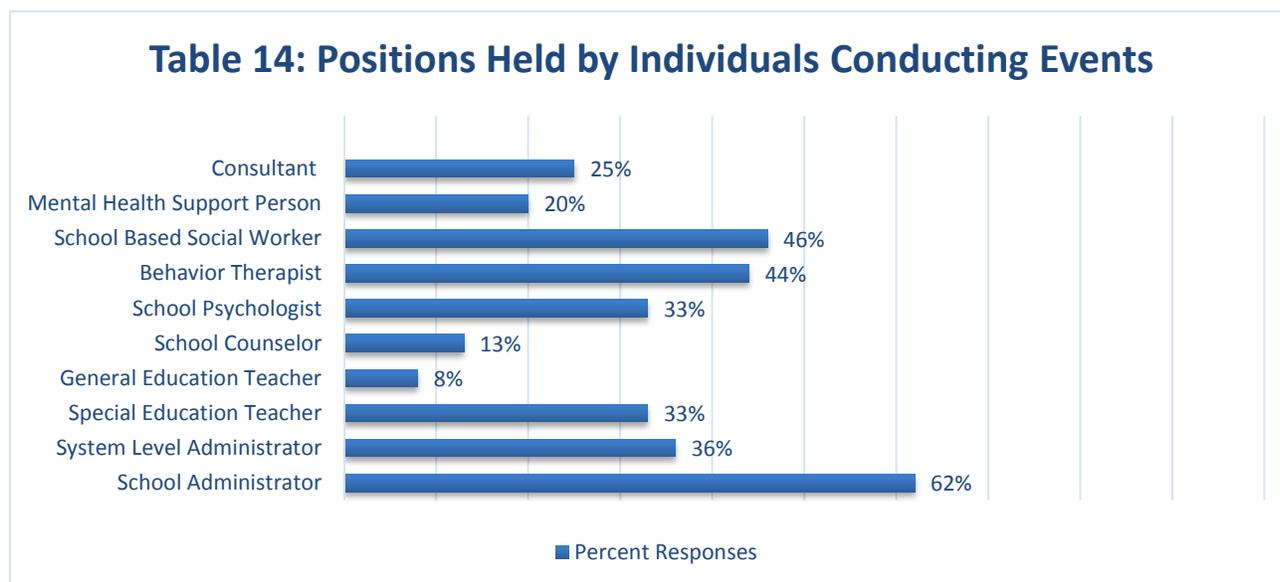


Professional Development Training Events

Respondents were asked how many unique professional development training events were held during the 2019-2020 school year and the average duration of each event. An examination of the information provided by all respondents (LSS, other public agencies, and nonpublic special education schools) showed that 56 percent provided four or more professional development training events for authorized personnel, while 27 percent of respondents offered professional development training events once or twice during the school year. Analysis of the duration of professional development training events showed a correlation between the average length of an event and the number of events delivered annually by a school system/public agency/school: namely those school systems/public agencies/schools that offered fewer events (one to two) per year typically scheduled longer events (six or more hours in duration), while those offering events on a more frequent basis (four or more per year) typically scheduled shorter events (four hours or less in duration).

Position Held by Individuals Conducting the Professional Development Training Events

Table 14 shows the positions held by those individuals conducting the professional development training events during the 2019-2020 school year for LSSs, other public agencies, and nonpublic school personnel.



Positions Held by School Personnel Authorized to Physically Restrain and/or Seclude Students

Respondents were asked to indicate the types of positions held by school personnel authorized to conduct physical restraint and seclusion. For the 2019-2020 school year, the most commonly held positions (for all LSSs, other public agencies, and nonpublic schools combined) were: school administrators (95 percent), special education teachers (92 percent), and teaching assistants (85 percent). The least commonly held positions reported were: school resource officers (12 percent), mental health support persons (26 percent), and general education teachers

(40 percent). In the case of other public agencies and nonpublic special education schools that allow for the use physical restraint and/or seclusion, every respondent indicated that all of their staff participate in professional development training and are authorized to use the practice according to their own agency/school guidelines.

Percent of School Personnel Authorized to Conduct Physical Restraint and/or Seclusion

Respondents were asked to indicate how many staff members within their LSS, public agency, or nonpublic school were authorized during the 2019-2020 school year to conduct physical restraint and/or seclusion. In the case of other public agencies and nonpublic schools, respondents reported that all school personnel were trained and authorized. An analysis of LSS responses indicated that the percentage of school personnel across an entire school system authorized to conduct physical restraint and/or seclusion ranged, as a rough estimate, from two to 22 percent.¹

Recommendations

This report presents data collected on physical restraint and seclusion for local school systems, other (non-LSS) public agencies, and nonpublic special education schools in Maryland for the 2019-2020 school year. After a review of the data, the following recommendations are provided for consideration.

- Compared to the previous school year, the 2019-2020 school year saw fewer incidences of physical restraint and seclusion in Maryland. However, the data presented in this report should be considered in the context of the closure of schools due to the COVID-19 pandemic in March 2020. Due to the shortened nature of the school year (in terms of in-person student attendance) and abridged reporting period, it is difficult to draw meaningful comparisons with previous years' data. Consequently, LSSs, other public agencies, and nonpublic special education schools may consider using other methodologies rather than a simple comparative analysis of the numbers reported annually to consider the effectiveness of their practices.
- This year's report contains data on additional nonpublic special education schools, with nearly all schools in this category responding to the 2020 survey request. The MSDE will continue to seek to expand the survey's outreach to nonpublic schools.
- LSSs, other public agencies, and nonpublic schools should follow the guidance provided in *Student Behavior Interventions: Restraint and Seclusion* and *Student Behavior Interventions: Physical Restraint and Seclusion Supplement on Student with Disabilities*, both of which were published by the MSDE in July 2019. These guidance documents include a detailed explanation of the updated COMAR regulations and best practices.

¹The percentage of LSS school personnel authorized to engage in physical restraint and/or seclusion in each LSS was calculated by dividing the total number of staff employees for each individual LSS, as reported in an October 2019 staffing report (see <http://www.marylandpublicschools.org/about/Documents/DCAA/SSP/20192020Staff/2020StaffEmply.pdf>), by the total number of staff reported in the 2020 restraint and seclusion survey for each LSS as having received training.

Multiple respondents provided professional development artifacts as part of the 2020 survey to demonstrate the alignment of their reference and training materials with these guidance documents. All LSSs, other public agencies, and nonpublic schools are encouraged to develop similar materials to have available for professional development events and as an ongoing resource to staff.

- The MSDE will continue to provide support and technical assistance as needed to Directors of Special Education, Directors of Student Services, and other key central office, public agency, and nonpublic school personnel on physical restraint and seclusion practices based on the guidance published by the MSDE.
- A review of the professional development information provided by respondents shows variability in all surveyed areas. There appears to be a relationship between a robust professional development program, one in which multiple events are offered throughout the entire school year and which are at least three hours in duration, and a decrease in the total number of both physical restraint and seclusion incidents reported in the 2019-2020 school year.
- While COMAR specifies minimum content requirements for professional development training in physical restraint and seclusion, the MSDE will seek to further examine methods of gathering information on professional development, develop guidance around best practices in relation to the frequency, duration, and type of training events, and provide technical assistance to LSSs, other public agencies, and nonpublic schools related to these best practices.

Appendix A

Maryland State Department of Education Physical Restraint and Seclusion Data Collection SY 2019-2020

Survey Background, Instructions, and Definitions

The Annotated Code of Maryland Education Article 7-1102.1 requires that each public agency, public school system, and nonpublic special education school in Maryland submit annual data on physical restraint and seclusion to the Maryland State Department of Education. These data are then compiled into a report that will be shared with the General Assembly.

The requested data include the following: (1) Incidents of Physical 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 for the 2019-2020 school year, from July 1, 2019, until the early closure due to COVID 19. The survey will be open for data entry from **June 26, 2020**, to **August 7, 2020**.

Contact: For any questions about the data collection or survey, please contact Kimberly Buckheit at kimberly.buckheit@maryland.gov or 410-767-4420.

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: The involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. Seclusion does not include a timeout, which is a behavior management technique that is part of an approved program that involves the monitored separation of the student in a non-locked setting, and is implemented for the purpose of calming.

PHYSICAL RESTRAINT: A personal restriction that immobilizes or reduces the ability of a student to move the student's torso, arms, legs, or head freely. Physical restraint does not include a physical escort, which is the temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purposes of inducing a student who is acting out to walk to a safe location; moving a disruptive student who is unwilling to leave the area if other methods such as counseling have been unsuccessful; or intervening in a fight.

(Definitions used for physical restraint and seclusion are from the Code of Maryland Regulations 13A.08.04)

NOTE: The local superintendent is also required to sign and submit the Physical Restraint and Seclusion Data Collection Certification Statement, along with a copy of current policies and/or

guidelines on physical restraint and seclusion, no later than August 7, 2020. This survey allows for documents to be uploaded at the end of the survey.

Question 1. Identify your Local School System (LSS) or Reporting Agency:

- Allegany County
- Anne Arundel County
- Baltimore City
- Baltimore County
- Calvert County
- Caroline County
- Carroll County
- Cecil County
- Charles County
- Dorchester County
- Frederick County
- Garrett County
- Harford County
- Howard County
- Kent County
- Maryland School for the Blind
- Maryland School for the Deaf
- Montgomery County
- Prince George's County
- Queen Anne's County
- SEED School
- Somerset County
- St. Mary's County
- Talbot County
- Washington County
- Wicomico County
- Worcester County
- Maryland Nonpublic School (Insert Name of School)

Question 2. Respondent Information:

- Name
- Title
- Department or Division
- Email Address
- Phone

Please respond to all questions below regarding physical restraint for your school system, public agency, or nonpublic school for the 2019-2020 school year.

Question 3. Provide the total number of physical restraint incidents (*Note: There may be multiple incidents per student*):

Question 4. Provide the total number of students (unduplicated count) who were physically restrained:

Question 5. Provide the number of physical restraint incidents for students with an Individualized Educational Program (IEP):

Question 6. Provide the number of physical restraint incidents that involved 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

Question 7. Provide the number of physical restraint incidents that involved students in the following placements:

- General Education
- Special Education

Question 8. Provide the number of physical restraint incidents for students by race/ethnicity:

- White
- African American
- Asian
- American Indian/Alaskan
- Native Hawaiian/Pacific Islander
- Hispanic
- Two or More Races

Question 9. Provide the number of physical restraint incidents for students by gender:

- Male
- Female
- Transgender

Question 10. Provide the number of physical restraint incidents for students by the age bands provided (these are the age bands used in the annual report):

- 3 years - 4 years old
- 5 years - 10 years old

- 11 years - 13 years old
- 14 years - 18 years old
- 19 years - 21 years old

Please respond below regarding seclusion for your school system, public agency, or nonpublic school for the 2019-2020 school year.

Question 11. Does your local school system, public agency, or nonpublic school allow for the use of seclusion as a practice?

- Yes
- No

Question 12. Provide the total number of seclusion incidents (*Note: There may be multiple incidents per student*):

Question 13. Provide the total number of students (unduplicated count) who were secluded:

Question 14. Provide the number of seclusion incidents involving students with an Individualized Education Program (IEP):

Question 15. Provide the number seclusion incidents involving 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

Question 16. Provide the number of seclusion incidents involving students in the following placements:

General Education
Special Education

Question 17. Provide the number of seclusion incidents for students by race/ethnicity:

- White
- African American
- Asian
- American Indian/Alaskan

- Hawaiian/Pacific Islander
- Hispanic
- Two or More Races

Question 18. Provide the number of seclusion incidents for students by gender:

- Male
- Female
- Transgender

Question 19. Provide the number of seclusion incidents for students by age (these are the age bands used in the annual report):

- 3 years - 4 years old
- 5 years - 10 years old
- 11 years - 13 years old
- 14 years - 18 years old
- 19 years - 21 years old

CERTIFICATION FOR OBSERVATION OF SECLUSION ROOMS

(For current COMAR Guidelines on Seclusion Rooms, refer to 13a.08.04.05 which can be accessed at the following link:

<http://www.dsd.state.md.us/comar/comarhtml/13a/13a.08.04.05.htm>)

Question 20. Has an individual from the local school system, public agency or nonpublic school observed each seclusion room during the 2019-2020 school year?

- Yes
- No

Question 21. Provide the name(s) and title(s) of the individual(s) who conducted the observation of the seclusion room(s):

- Name
- Title
- Email

Question 22. Please describe findings as a result of the observation of the seclusion room(s) during the 2019-2020 school year:

Question 23. Has an individual from the local school system, public agency, or nonpublic school reviewed the training plan(s) for seclusion in the 2019-2020 school year?

- Yes
- No

Question 24. Provide the name and title of the individual who reviewed the training plan(s) for seclusion during the 2019-2020 school year:

- Name
- Title
- Email

Question 25. Please describe findings as a result of the review of the training plan(s) for seclusion during the 2019-2020 school year:

Question 26. If your local school system, public agency, or nonpublic school did not observe seclusion room(s) and/or review training plan(s) for the 2019-2020 school year, explain why.

Chapter 611 (Restraint and Seclusion-Considerations and Reporting) requires that each public agency, public school system, and nonpublic special education school in Maryland shall “submit to the Department a report for the prior school year on the professional development provided to designated school personnel related to positive behavior interventions, strategies, and supports and trauma-informed interventions.”

Question 27. How many hours of training were required for personnel to be considered authorized to perform as a school-wide resource, or to be authorized to perform physical restraint and/or seclusion in the 2019-2020 school year? Please elaborate upon different hourly requirements (first time trained personnel, annual updates for previously trained personnel) within the comment box.

Question 28. Indicate what content related to physical restraint and/or seclusion was included in professional development provided to school personnel who are considered authorized to perform as a school-wide resource, or who are authorized to perform physical restraint and/or seclusion in the 2019-2020 school year (check all that apply):

- Positive Behavior Interventions, Strategies, and Supports
- System Level Policy and Procedures Related to the Use of Physical Restraint and Seclusion
- Functional Behavior Assessment
- Trauma Informed Intervention
- Evidence-Based Crisis Prevention and Intervention Training (e.g., CPI) Program
- Use of Seclusion
- CPR/First Aid
- Life Space Crisis Intervention
- Ukeru Training
- Applied Behavior Analysis
- Therapeutic Aggression Control Techniques (TACT2)
- Other (please specify)

Question 29. On average, how many unique professional development events related to physical restraint and/or seclusion were personnel required to participate in during the 2019-2020 school year?

- 1 event
- 2 events
- 3 events
- 4 events
- 5 events
- 6 or more events

Question 30. On average, what was the duration for each professional development event that occurred in the 2019-2020 school year?

- 1 hour per event
- 2 hours per event
- 3 hours per event
- 4 hours per event
- 5 hours per event
- 6 or more hours per event

Question 31. Indicate the position(s) held by those who conducted the professional development event(s) in the 2019-2020 school year:

- School Administrator
- System Administrator
- Special Education Teacher
- General Education Teacher
- School Counselor
- School Psychologist
- Behavior Therapist
- School Based Social Worker
- Mental Health Support Person
- Consultant (e.g., from an External Agency/Organization)
- Other (please specify)

Question 32. Enter the number of individuals in your local school system, public agency, or nonpublic school who received professional development related to physical restraint and/or seclusion in the 2019-2020 school year:

Question 33. Indicate what types of positions were held by the individuals that received training during the 2019-2020 school year:

- School Administrator
- Special Education Teacher
- General Education Teacher
- School Counselor
- School Psychologist
- Teaching Assistant
- School Resource Officer

- Behavior Therapist
- Mental Health Support Person
- School-Based Social Worker
- Other (please specify)

Questions 34-36. Please upload artifacts as evidence of professional development content from the 2019-2020 school year. *(Files may be uploaded as a PDF or Word Document.)*

Questions 37-38. Upload your current Physical Restraint and Seclusion Policies and/or Guidelines. *(Document must be either a PDF or Word Document.)*

Question 39. Upload the signed Physical Restraint and Seclusion Data Collection Certification Statement here (public school systems only). *(Document must be either a PDF or Word Document.)*



Division of Student Support, Academic Enrichment, and Educational Policy
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