

2021 Physical Restraint and Seclusion Report:

Data Collection, Findings, and
Recommendations

**Division of Student Support, Academic
Enrichment, and Educational Policy**

December 2021 Legislative Report



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Introduction

The Annotated Code of Maryland Education Article § 7-1102 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: Consistent with the language codified in HB-1300, this report to the Accountability and Implementation Board and to the Maryland General Assembly serves to provide an update on the planning associated with operationalizing specific early childhood components of the Blueprint. As required, the report will highlight efforts related to:

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, and 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 2021 Physical Restraint and Seclusion Report: Data Collection, Findings, and Recommendations draws on 2020-2021 school year data. As with previous reports, the 2021 report describes the data collection process, provides summary data for the 2020-2021 school year based on LSS, other public agency, and nonpublic school responses, and outlines findings and recommendations based on an analysis of the data.

Due to the impact of the COVID-19 pandemic, the 2021 report reflects data from a school year in which many Maryland students engaged with instruction in a virtual environment, outside of the school building. The number of students receiving instruction "in-person" varied throughout the school year across all school settings and age spans. The variability across school settings and system types, and across each month of the school year due to the shifting nature of school operations in response to the COVID-19 pandemic makes it difficult to draw valid conclusions or compare incident data from this year's report with previous reports.

Background

The Code of Maryland Regulations (COMAR) 13A.08.04.02 (website: www.dsd.state.md.us/comar/comarhtml/13a/13a.08.04.02.htm) 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:

3. “briefly holding a student to calm or comfort the student;
4. 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;
5. moving a disruptive student who is unwilling to leave the area if other methods such as counseling have been unsuccessful; or
6. 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* (website: <http://www.dsd.state.md.us/comar/comarhtml/13a/13a.08.04.05.htm>), 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 for the 2021 *Physical Restraint and Seclusion Report: Data Collection, Findings, and Recommendations*, covering the 2020-2021 school year, the MSDE employed an electronic survey (see Appendix A). New to the 2021 survey was the inclusion of a transgender option for respondents when providing incident data disaggregated by gender.

For the 2021 data collection, the MSDE disseminated the survey to public agencies (all 24 LSSs and other [non-LSS] public agencies) and nonpublic special education schools in summer 2021.

The survey requested the following data and 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 2020-2021 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 2020-2021 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 an individual from the LSS, public agency, or nonpublic school has:
 - Observed each seclusion room during the 2020-2021 school year; and
 - Reviewed the training plan(s) for seclusion during the 2020-2021 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 2020-2021 school year, explain why.
- Provision of professional development training relating to physical restraint and/or seclusion to school personnel during the 2020-2021 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 66 other public agencies and nonpublic special education schools, for a total of 90 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; 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 (1,834) and seclusion incidents (1,071) for the 2020-2021 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. Respondents were asked whether seclusion is an

allowable practice in their LSS, public agency, or nonpublic school. Responses to this question indicated that 14 out of 24 LSSs allowed the use of seclusion as a practice in the 2020-2021 school year (those school systems that do not allow this practice are noted in Table 2). Forty-eight other public agencies and nonpublic special education schools also allowed this practice. Additionally, two of the 66 other public agencies and nonpublic special education schools reported that they barred the use of both physical restraint and seclusion as practices, which account for the N size of 64 noted in Table 1 and the subsequent physical restraint incident tables included in the report.

Table 1. Reported Number of Physical Restraint Incidents for 2020-2021

Respondent	Total Enrollment	Number of Physical Restraint Incidents
Allegany County	8,075	9
Anne Arundel County	83,044	107
Baltimore City	77,856	1
Baltimore County	111,084	123
Calvert County	15,292	12
Caroline County	5,553	4
Carroll County	24,568	74
Cecil County	14,718	37
Charles County	26,768	46
Dorchester County	4,662	1
Frederick County	43,221	87
Garrett County	3,648	4
Harford County	37,333	32
Howard County	57,293	137
Kent County	1,812	0
Montgomery County	160,564	65
Prince George's County	131,657	5
Queen Anne's County	7,395	4
Somerset County	2,818	4
St. Mary's County	17,246	5
Talbot County	4,524	2
Washington County	21,939	69
Wicomico County	14,354	8
Worcester County	6,711	3
Other Public Agencies/Nonpublic Special Education Schools (N=64)	N/A	995

Respondent	Total Enrollment	Number of Physical Restraint Incidents
TOTAL	N/A	1,834

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 2020-2021

Respondent	Total Enrollment	Number of Seclusion Incidents
Allegany County	8,075	19
Anne Arundel County*	83,044	N/A
Baltimore City*	77,856	N/A
Baltimore County	111,084	40
Calvert County	15,292	16
Caroline County*	5,553	N/A
Carroll County	24,568	31
Cecil County	14,718	14
Charles County	26,768	24
Dorchester County*	4,662	N/A
Frederick County	43,221	42
Garrett County	3,648	29
Harford County	37,333	102
Howard County	57,293	161
Kent County*	1,812	N/A
Montgomery County	160,564	73
Prince George's County*	131,657	N/A
Queen Anne's County*	7,395	N/A
Somerset County*	2,818	N/A
St. Mary's County	17,246	3
Talbot County	4,524	4
Washington County	21,939	35
Wicomico County*	14,354	N/A
Worcester County*	6,711	N/A
Other Public Agencies/Nonpublic Special Education Schools (N=48)	N/A	478
TOTAL	N/A	1,071

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 2020-2021 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 2020-2021

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 Special Education Schools Combined) (N=64)
Autism	180	154
Hearing Impairment	0	0
Deaf/Blind	0	0
Developmental Delay	114	9
Emotional Disturbance	192	416
Intellectual Disability	12	183
Multiple Disability	84	98
Orthopedic Impairment	0	0
Other Health Impaired	154	46
Specific Learning Disability	8	46
Speech/Language Impairment	7	0
Traumatic Brain Injury	0	0
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 physical restraint as a practice.

Table 4. Reported Number of Seclusion Incidents for Students by Disability Category for 2020-2021

Disability Category	Total Number of Seclusion Incidents (All LSSs Combined) (N=14)	Total Number of Seclusion Incidents (All Other Public Agencies/Maryland Nonpublic Special Education Schools Combined) (N=48)
Autism	60	265
Hearing Impairment	0	0
Deaf/Blind	0	0
Developmental Delay	59	0
Emotional Disturbance	217	82
Intellectual Disability	4	8
Multiple Disability	35	94
Orthopedic Impairment	0	0
Other Health Impaired	125	14
Specific Learning Disability	7	10
Speech/Language Impairment	2	0
Traumatic Brain Injury	0	0
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 2020-2021 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 2020-2021

Respondent	White	Hispanic	African American	Asian	American Indian / Alaskan	Native Hawaiian / Pacific Islander	Two or More Races
Allegany County	7	0	0	0	0	0	2
Anne Arundel County	35	14	47	4	0	0	7
Baltimore City	1	0	0	0	0	0	0
Baltimore County	43	13	64	1	0	0	2
Calvert County	9	1	2	0	0	0	0
Caroline County	4	0	0	0	0	0	0

Respondent	White	Hispanic	African American	Asian	American Indian / Alaskan	Native Hawaiian / Pacific Islander	Two or More Races
Carroll County	40	0	12	0	0	0	22
Cecil County	17	0	8	0	0	0	12
Charles County	9	0	37	0	0	0	0
Dorchester County	0	1	0	0	0	0	0
Frederick County	48	0	15	0	0	0	24
Garrett County	4	0	0	0	0	0	0
Harford County	11	0	11	0	0	0	10
Howard County	8	4	95	30	0	0	0
Kent County	0	0	0	0	0	0	0
Montgomery County	5	11	43	4	0	0	2
Prince George's County	0	0	5	0	0	0	0
Queen Anne's County	4	0	0	0	0	0	0
Somerset County	0	0	4	0	0	0	0
St. Mary's County	1	0	0	0	0	0	4
Talbot County	0	1	0	0	0	0	1
Washington County	34	4	8	0	5	0	18
Wicomico County	0	2	6	0	0	0	0
Worcester County	1	1	1	0	0	0	0
Other Public Agencies/ Nonpublic Special Education Schools (N=64)	464	72	412	13	0	0	34

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 2020-2021

Respondent	White	Hispanic	African American	Asian	American Indian / Alaskan	Native Hawaiian / Pacific Islander	Two or More Races
Allegany County	16	0	0	0	0	0	3
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	25	1	14	0	0	0	0
Calvert County	8	0	8	0	0	0	0

Respondent	White	Hispanic	African American	Asian	American Indian/Alaskan	Native Hawaiian / Pacific Islander	Two or More Races
Caroline County*	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Carroll County	0	0	31	0	0	0	0
Cecil County	5	0	9	0	0	0	0
Charles County	3	0	21	0	0	0	0
Dorchester County*	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Frederick County	31	0	8	0	0	0	3
Garrett County	29	0	0	0	0	0	0
Harford County	66	1	15	0	0	0	20
Howard County	29	0	59	73	0	0	0
Kent County*	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Montgomery County	32	10	29	1	0	0	1
Prince George's County*	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Queen Anne's County*	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Somerset County*	N/A	N/A	N/A	N/A	N/A	N/A	N/A
St. Mary's County	1	0	0	0	0	0	2
Talbot County	0	0	4	0	0	0	0
Washington County	15	9	2	0	0	0	7
Wicomico County*	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Worcester County*	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Other Public Agencies/ Nonpublic Special Education Schools (N=48)	236	11	219	0	0	**	11

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.

**Denotes number suppressed (fewer than 10 students in this category).

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 2020-2021 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 2020-2021

Respondent	Male	Female	Transgender
Allegany County	8	1	0
Anne Arundel County	101	6	0
Baltimore City	1	0	0
Baltimore County	103	20	0
Calvert County	11	1	0
Caroline County	1	3	0
Carroll County	59	15	0
Cecil County	37	0	0
Charles County	39	7	0
Dorchester County	1	0	0
Frederick County	66	21	0
Garrett County	4	0	0
Harford County	16	16	0
Howard County	125	11	0
Kent County	0	0	0
Montgomery County	58	7	0
Prince George's County	5	0	0
Queen Anne's County	4	0	0
Somerset County	3	1	0
St. Mary's County	4	1	0
Talbot County	1	1	0
Washington County	54	15	0
Wicomico County	6	2	0
Worcester County	3	0	0
Other Public Agencies/Nonpublic Special Education Schools (N=64)	552	443	0

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 2020-2021

Respondent	Male	Female	Transgender
Allegany County	16	3	0
Anne Arundel County*	N/A	N/A	N/A
Baltimore City*	N/A	N/A	N/A
Baltimore County	19	21	0
Calvert County	16	0	0
Caroline County*	N/A	N/A	N/A
Carroll County	10	21	0
Cecil County	14	0	0
Charles County	19	5	0
Dorchester County*	N/A	N/A	N/A
Frederick County	32	10	0
Garrett County	29	0	0
Harford County	36	66	0
Howard County	143	8	0
Kent County*	N/A	N/A	N/A
Montgomery County	67	4	**
Prince George's County*	N/A	N/A	N/A
Queen Anne's County*	N/A	N/A	N/A
Somerset County*	N/A	N/A	N/A
St. Mary's County	3	0	0
Talbot County	4	0	0
Washington County	28	7	0
Wicomico County*	N/A	N/A	N/A
Worcester County*	N/A	N/A	N/A
Other Public Agencies/ Nonpublic Special Education Schools (N=48)	423	55	0

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.

**Number has been suppressed (fewer than 10 students in this category).

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 2020-2021 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 2020-2021

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	8	1	0	0
Anne Arundel County	3	83	21	0	0
Baltimore City	0	1	0	0	0
Baltimore County	0	96	25	2	0
Calvert County	0	12	0	0	0
Caroline County	0	4	0	0	0
Carroll County	0	73	1	0	0
Cecil County	0	18	18	1	0
Charles County	0	41	2	2	1
Dorchester County	0	1	0	0	0
Frederick County	0	56	31	0	0
Garrett County	0	4	0	0	0
Harford County	0	28	3	1	0
Howard County	0	130	6	1	0
Kent County	0	0	0	0	0
Montgomery County	0	48	10	6	1
Prince George's County	0	5	0	0	0
Queen Anne's County	0	4	0	0	0
Somerset County	1	2	1	0	0
St. Mary's County	0	2	3	0	0
Talbot County	0	2	0	0	0
Washington County	0	63	2	4	0
Wicomico County	0	4	2	2	0
Worcester County	0	2	0	1	0
Other Public Agencies/ Nonpublic Special Education Schools (N=64)	0	66	402	491	36

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 2020-2021

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	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	0	31	9	0	0
Calvert County	0	16	0	0	0
Caroline County*	N/A	N/A	N/A	N/A	N/A
Carroll County	0	31	0	0	0
Cecil County	0	14	0	0	0
Charles County	0	24	0	0	0
Dorchester County*	N/A	N/A	N/A	N/A	N/A
Frederick County	0	28	14	0	0
Garrett County	0	29	0	0	0
Harford County	0	88	14	0	0
Howard County	0	141	20	0	0
Kent County*	N/A	N/A	N/A	N/A	N/A
Montgomery County	0	43	23	7	0
Prince George's County*	N/A	N/A	N/A	N/A	N/A
Queen Anne's County*	N/A	N/A	N/A	N/A	N/A
Somerset County*	N/A	N/A	N/A	N/A	N/A
St. Mary's County	0	3	0	0	0
Talbot County	0	4	0	0	0
Washington County	0	33	2	0	0
Wicomico County*	N/A	N/A	N/A	N/A	N/A
Worcester County*	N/A	N/A	N/A	N/A	N/A
Other Public Agencies/ Nonpublic Special Education Schools (N=48)	0	176	95	196	11

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 PLACEMENT TYPE

Tables 11 and 12 show the number of reported physical restraint and seclusion incidents for students during the 2020-2021 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 2020-2021

Respondent	General Education	Special Education (includes separate classes, separate public/private day schools, public/private residential settings)
Allegany County	1	8
Anne Arundel County	2	105
Baltimore City	0	1
Baltimore County	11	112
Calvert County	1	10
Caroline County	0	4
Carroll County	26	48
Cecil County	8	29
Charles County	0	46
Dorchester County	0	1
Frederick County	25	62
Garrett County	4	0
Harford County	0	32
Howard County	29	105
Kent County	0	0
Montgomery County	2	63
Prince George's County	0	5
Queen Anne's County	0	4
Somerset County	4	0
St. Mary's County	0	5
Talbot County	0	2
Washington County	16	53
Wicomico County	0	8
Worcester County	3	0
Other Public Agencies/Nonpublic Special Education Schools (N=64)	74	921

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 2020-2021

Respondent	General Education	Special Education (includes separate classes, separate public/private day schools, public/private residential settings)
Allegany County	0	19
Anne Arundel County*	N/A	N/A
Baltimore City*	N/A	N/A
Baltimore County	5	35
Calvert County	0	16
Caroline County*	N/A	N/A
Carroll County	22	9
Cecil County	1	13
Charles County	0	24
Dorchester County*	N/A	N/A
Frederick County	0	42
Garrett County	29	0
Harford County	1	101
Howard County	11	150
Kent County*	N/A	N/A
Montgomery County	0	73
Prince George's County*	N/A	N/A
Queen Anne's County*	N/A	N/A
Somerset County*	N/A	N/A
St. Mary's County	1	2
Talbot County	4	0
Washington County	9	26
Wicomico County*	N/A	N/A
Worcester County*	N/A	N/A
Other Public Agencies/Nonpublic Special Education Schools (N=48)	6	472

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 agency, or nonpublic 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 2020-2021 school year. The survey was configured so that only respondents who allow for the use of seclusion as a practice were asked to respond to this section of the survey (amounting to 14 out of 24 LSSs and 48 out of 66 other public agencies and nonpublic special education schools). Eighty-seven percent of this subset of respondents indicated that seclusion rooms were observed and that training plans were reviewed. Each of the 14 LSSs that use the practice of seclusion indicated that seclusion rooms were observed, and training plans had been reviewed. The 13 percent of this subset of respondents who did not observe seclusion rooms and review training plans during the 2020- 2021 school year were all nonpublic special education schools, and the reasons given were due to COVID- 19 mitigation efforts and students not accessing the seclusion space.

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

Survey respondents were asked to report on professional development training relating to physical restraint and seclusion provided to school personnel during the 2020-2021 school year. Professional development activities typically require staff to engage in learning in a face-to-face format so that techniques can be modeled and demonstrated to ensure compliance, particularly for first-time certification. COVID-19 mitigation strategies and safety protocols precluded most systems and schools from delivering this type of in-person professional development experience. Consequently, this year's survey indicated that respondents offered far fewer professional development experiences, and fewer participants engaged in these activities, during the 2020-2021 school year in comparison to previous school years unaffected by COVID-19-related restrictions. Nonetheless, some respondents demonstrated the ability to meet the challenge of providing professional development virtually rather than in-person, and this approach could serve as a model in future years as systems and schools look to expand their professional development activities to include both in-person and fully virtual delivery options. The following sections of the report summarize the professional development training related to physical restraint and seclusion delivered by LSSs, other public agencies, and nonpublic special education schools during the 2020-2021 school year. Due to the impact of the pandemic, the data presented in this year's report should not be considered as reflective of the typical scope of professional development efforts that most systems and schools engage in on an annual basis.

NUMBER OF HOURS OF PROFESSIONAL DEVELOPMENT TRAINING REQUIRED

Survey responses indicate the number of professional development hours required for authorization to perform physical restraint and/or seclusion varied across LSSs, other public agencies, or nonpublic special education schools. For individuals being trained for the first time, the number of training hours required by LSSs ranged from three to 46 hours, while for individuals undergoing reauthorization training, the number of training hours required by LSSs ranged from two to 14 hours. The responses for other public agencies and nonpublic special education schools ranged from two to 41 training hours.

CONTENT OF PROFESSIONAL DEVELOPMENT TRAINING

Table 13 shows the type of trainings LSSs, other public agencies, and nonpublic special education schools provided to school personnel during the 2020-2021 school year, disaggregated by the percentage of respondents who indicated that they provided training in the specified content areas.

Table 13: Content of Professional Development Training Provided



POSITIONS HELD BY INDIVIDUALS CONDUCTING PROFESSIONAL DEVELOPMENT TRAINING EVENTS

Table 14 shows the positions held by those individuals conducting professional development training events during the 2020-2021 school year for LSS personnel.

Table 14: Positions Held by Individuals Conducting Professional Development Training Events for LSSs

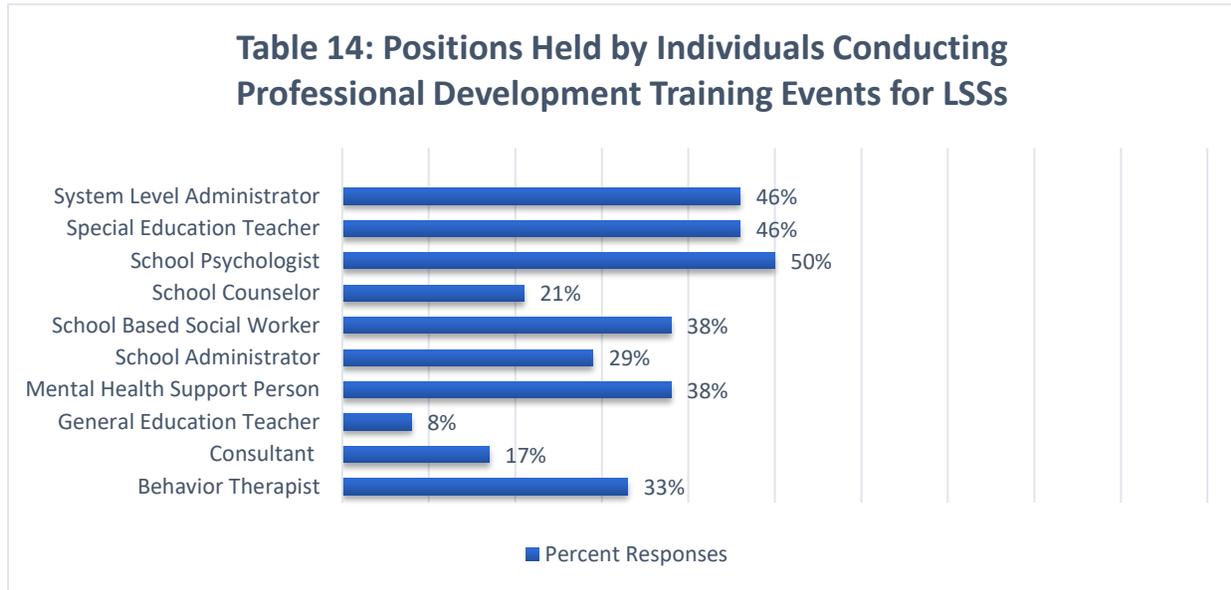
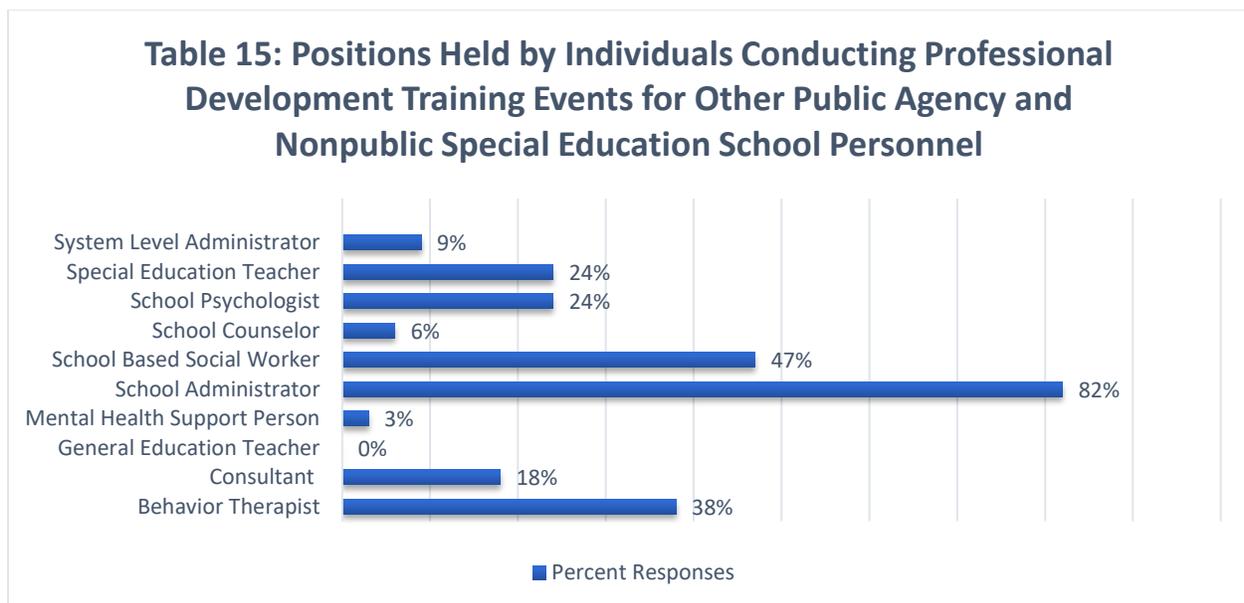


Table 15: Positions Held by Individuals Conducting Professional Development Training Events for Other Public Agency and Nonpublic Special Education School Personnel

Table 15 shows the positions held by those individuals conducting professional development training events during the 2020-2021 school year for other public agency and nonpublic special education 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. 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 their staff participate in professional development training and are authorized to use the practice according to their own agency/school guidelines. For the 2020-2021 school year, the most commonly held positions among LSS personnel authorized to use physical restraint and/or seclusion were: special education teachers (authorized in all 24 LSSs), school administrators (authorized in 23 LSSs), general education teachers, school counselors, and teaching assistants (authorized in 21 LSSs for all three positions). The least commonly held positions reported for LSS personnel were school resource officers (authorized in three LSSs), behavior therapists (authorized in seven LSSs), and mental health support persons (authorized in 10 LSSs).

Recommendations

This report presents data collected on physical restraint and seclusion for LSSs, other (non-LSS) public agencies, and nonpublic special education schools in Maryland for the 2020-2021 school year. As noted in the report, due to the impact of the COVID-19 pandemic, the data presented are not characteristic of a typical school year for Maryland's schools and therefore, it is not recommended that this year's report be used for data comparison purposes with previous years' reports or for broad recommendations. The research around the country is showing a deepening of stress, trauma, and mental health issues related to the pandemic and its impact on our students. Student behavior concerns may be more significant given the extended absence from school structures experienced by many students in the 2020-2021 school year. This impact makes it as important as ever that LSSs invest in training, keep a careful watch on data, and ensure that practices are implemented to reduce the use of restraint and seclusion, and to avoid abuse and disproportionality.

The MSDE will continue to provide support and technical assistance as needed on physical restraint and seclusion practices by working with Directors of Special Education, Directors of Student Services, key LSS central office staff, other public agencies, and nonpublic school personnel. The MSDE will provide support to systems and schools as needed in their efforts to meet the demands for expanded professional development for staff due to the loss of contact time with school personnel during the 2020-2021 school year resulting from the pandemic.

Appendix A: 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 2020-2021 school year, from July 1, 2020, through June 30, 2021. The survey will be open for data entry from July 16, 2021 to August 27, 2021.

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 2020-2021 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 2020-2021 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 2020-2021 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 2020-2021 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 2020-2021 school year?

- Yes
- No

Question 24. Provide the name and title of the individual who reviewed the training plan(s) for seclusion during the 2020-2021 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 2020-2021 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 2020-2021 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 2020-2021 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 2020-2021 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 2020-2021 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 2020-2021 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 2020-2021 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 2020-2021 school year:

Question 33. Indicate what types of positions were held by the individuals that received training during the 2020-2021 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 2020-2021 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.*)