



Senate Bill 786
Restraint and Seclusion—Consideration and Reporting

Monday, July 31, 2017
1:00 p.m. to 4:00 p.m., 7th Floor, State Board Room

Nancy S. Grasmick State Education Building
Maryland State Department of Education
200 West Baltimore St., Baltimore, MD 21201

Purpose: Senate Bill 786 requires the State Superintendent to convene a task force on restraint and seclusion. The task force will consider a number of assigned topics related to restraint and seclusion, review existing provisions in the Code of Maryland Regulations (COMAR), and make recommendations to the State Board and the General Assembly by October 1, 2017.

Meeting #1

Meeting Outcomes:

- Review taskforce purpose;
- Review existing State regulations (COMAR) and federal guidelines for restraint and seclusion;
- Determine recommendations for prohibitions for restraint and seclusion; and
- Determine recommendations for authorization for restraint and seclusion.

Agenda:

- Welcome, Introductions, and Agenda Overview (1:00 pm – 1:15 pm)
- Taskforce Purpose—Rationale, Activities, Outcomes (1:15 pm – 1:30 pm)
- Review of Existing State Regulations (COMAR) for Restraint and Seclusion—Prohibitions and Authorizations (1:30 pm – 1:45 pm)
- Break (1:45 pm– 1:50 pm)
- Prohibitions for Restraint and Seclusion (1:50 pm – 2:30 pm)
 - circumstances under which restraint and seclusion shall be prohibited
 - schools or types of schools in which restraint and seclusion shall be prohibited
 - Small Group Discussion
 - Consensus Building
- Authorization for Restraint and Seclusion (2:30 pm – 3:15 pm)
 - contraindications for restraint and seclusion
 - who may authorize restraint and seclusion
 - Small Group Discussion
 - Consensus Building
- Public Comments (3:15 pm - 3:45 pm)
- Wrap Up / Next Steps (3:45 pm – 4:00 pm)

Meeting 1 Notes:

Members in attendance:

Mary Gable, Co-Chair & Asst. State Superintendent of the Division of Student, Family, & School Support for MSDE; Deborah Nelson, Co-Chair & Section Chief for School Safety and Climate for MSDE; Kim Pogue, Alfred D. Noyes Children's Center; Michal Thornton, Baltimore City Health Department; Courtnay Oatts, Baltimore City Public Schools; Rebecca Rider, Baltimore County Public Schools; David Ring, Calvert County Public Schools; Michael McGrew, Carroll County Public Schools; Lynn Davis, Child Advocacy Center-Frederick County; Julie Mika, Col. E. Brooke Lee Middle School; Leslie Margolis, Disability Rights Maryland;; Delegate Jheanelle Wilkins, Maryland House of Delegates; Albert Chchester, MSDE; Ms. Jillian Storm, MSDE; Dr. Syliva Lawson, MSDE; Senator Craig Zucker, Maryland State Senate; Jennifer Jeffrey-Pearsall, Mid-Atlantic PBIS Network; Jodi Chesman, Montgomery County Public Schools; Yolanda Brown, New Visions Academy; Tea Purnell, On Our Own Maryland; Lauren Grimes, On Our Own Maryland; Trinnell Bowman, Prince George's County Public Schools; Jimmy Robinson, REACH Partnership; Beverly Ursic, Shorehaven School; and Damion Crawford, Baltimore City Public Schools PRIDE Program; Neal Lichter, Baltimore County; and Aaron Parson, Kennedy Krieger Institute.

Members of the Public:

John Woolums; Sarah Karlan; Tricia Swanson

Welcome and Introductions by Taskforce Chair

Dr. Deborah Nelson opened the meeting with a warm welcome to all in attendance. Dr. Nelson introduced Dr. Sylvia Lawson, Deputy Superintendent for School Effectiveness, who shared remarks and sentiments of thanks on behalf of Dr. Karen Salmon, State Superintendent. Dr. Lawson briefly explained the purpose and scope of work for the assembled task force.

Mrs. Mary Gable, Assistant State Superintendent, welcomed the task force and asked everyone to introduce themselves and share their professional role outside the taskforce. Following taskforce introductions, Mrs. Gable asked members of the public and members of the Maryland State Department of Education (MSDE) Division of Student, Family, and School Support (DOSFSS) to introduce themselves and share their professional roles.

Taskforce Purpose – Rationale, Activities, Outcomes

Dr. Nelson reviewed all the folder content and explained each document in more detail. Dr. Nelson shared that electronic versions of all the materials were accessible via the [Link to the MSDE website for the Restraint & Seclusion Taskforce](#).

Dr. Nelson reviewed the meeting topics for each of the four scheduled meetings reading the special considerations associated with each. Dr. Nelson explained that one of the primary goals of the taskforce was to potentially recommend new legislation regarding restraint and seclusion for both public and nonpublic schools.

Dr. Nelson reviewed the taskforce deliverables providing a due date for each.

Review of existing State regulations (COMAR) for Restraint and Seclusion – Prohibitions and Authorizations

Dr. Nelson read aloud the current Code of Maryland Regulations (COMAR) pertaining to restraint and seclusion calling special attention to the language used for their development. Dr. Nelson explained that it would be a key objective of the taskforce to thoroughly review the regulations for the purpose of making potential recommendations for changes. During this segment the taskforce read over the regulations individually preparing to discuss them in more depth in small groups.

Before transitioning to the next agenda item, Mrs. Mary Gable introduced Senator Craig Zucker, Bill sponsor, to share remarks about the Bill and the work of the taskforce.

Prohibitions for Restraint and Seclusion

Dr. Nelson requested the taskforce to form four smaller groups to discuss the following questions in more detail:

1. When should restraint be prohibited?
2. When should seclusion be prohibited?
3. Should the COMAR regulations for the prohibitions of Restraint and Seclusion be changed?
4. If so, what should the new regulations address?

The small groups discussed the questions for twenty minutes and prepared separate lists of questions and special considerations. After small group deliberations, Dr. Nelson asked each group to report out on their major discussion points and lingering questions related to the material. Group responses were recorded on flip-chart paper and in the electronic meeting notes.

The taskforce briefly adjourned for a five minute break and reconvened promptly at 2:37 PM. The taskforce returned to their previous small groups to discuss the next items on the agenda.

Authorization for Restraint and Seclusion

Dr. Nelson provided four additional questions for the small groups to consider:

1. When should restraint be authorized?
2. When should seclusion be authorized?
3. Should the COMAR regulations for the authorizations of Restraint and Seclusion be changed?
4. If so, what should the new regulations address?

The small groups discussed the above stated questions for twenty minutes preparing separate lists of questions and special considerations. Following small group deliberations, Dr. Nelson asked each group to report out on their major discussion points and lingering questions related to the material. Group responses were recorded on flip-chart paper and in the electronic meeting notes.

Key Areas Discussed by the Taskforce

- Review of existing State Regulations (COMAR) for Restraint and Seclusion— Prohibitions and Authorizations
- Prohibitions for restraint and seclusion
- Circumstances under which restraint and seclusion shall be prohibited
- Schools, or types of schools, in which restraint and seclusion shall be prohibited
- Authorization for restraint and seclusion
- Contraindications for restraint and seclusion
- Who may authorize restraint and seclusion
- Medical contraindications and associated implications
- The role of clinicians, physicians, and other notable medical experts in providing guidance to schools and districts about appropriate measures of restraint and seclusion
- Training requirements, standards, and accountability measures that could be enforced for restraint and seclusion
- Debriefing models, standards, and practices that could be established following an incident of restraint and / or seclusion
- Further clarification on current COMAR regulations pertaining to restraint and seclusion

Public Comments & Next Steps

Dr. Nelson asked if anyone from the public wished to make any comments. No one from the public desired to comment.

Closing Comments

Dr. Nelson reminded the taskforce about the next meeting date and the assigned homework to complete before Wednesday, August 2nd.

Adjournment

Dr. Nelson officially closed the meeting and dismissed the group at 3:45 PM.

Next Meeting: Wednesday, August 2, 2017, 1:00 p.m. -4:00 p.m., Maryland State Department of Education, 8th Floor, Conference Room 6 (Topic: Definitions and Training Requirements)

Taskforce Contact: Deborah Nelson, deborah.nelson@maryland.gov (410) 767-0294

The Task Force on Restraint and Seclusion is pleased to receive oral public comment at each of its meetings. The total time allotted to public comment will generally be limited to thirty (30) minutes. Individuals seeking to speak to the Task Force will be given three (3) minutes each. Persons desiring to speak are asked to call (410-767-3678) or e-mail

(carol.beck@maryland.gov) to register to speak. Registration will be accepted on a first come, first served basis. In order to make the limited time available most effective, speakers are urged to provide multiple written copies of their comments or other material amplifying their views.

Upon request, appropriate accommodations will be provided for individuals with disabilities. To allow time to arrange accommodations, five (5) business days notice prior to the meeting is requested. Please contact Carol Beck at (410) 767-3678 or carol.beck@maryland.gov if you wish to request accommodations or have questions regarding the meeting.

For copies of agendas, minutes, and resources, please refer to the website for the Restraint and Seclusion Task Force at: [Link to the MSDE website for the Restraint & Seclusion Taskforce.](#)