

Senate Bill 786
Restraint and Seclusion—Consideration and Reporting

Wednesday, August 9, 2017
1:00 p.m. to 4:00 p.m., 8th Floor, Conference Room 6
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 #3

Meeting Outcomes:

- Review discussion of definitions and training requirements;
- Determiner recommendations for minimal requirements for Maryland policies and procedures; and
- Determine recommendations for considerations for seclusion.

Agenda:

- Welcome and Agenda Overview (1:00 p.m.-1:15 p.m.)
- Review Discussion of Definitions and Training Requirements (1:15 p.m.-1:20 p.m.)
- Review of existing State regulations (COMAR) for Restraint and Seclusion—Requirements for Policies and Procedures and Considerations for Seclusion (1:20 p.m.-1:30 p.m.)
- Break (1:30 p.m.-1:40 p.m.)
- Minimum Requirements for Maryland Policies and Procedures (1:40 p.m.-2:15 p.m.)
 - local school systems
 - state-operated programs
 - Nonpublic schools
 - Small Group Discussion
 - Consensus Building
- Considerations for Seclusion (2:15 p.m.-3:00 p.m.)
 - types of doors and locks
 - safety of rooms
 - requirements for observation
 - period of time for use
 - requirements for discontinuation
 - Small Group Discussion
 - Consensus Building
- Discussion of recommendations for Updating/Revising COMAR (3:00 p.m.-3:15 p.m.)
- Public Comments (3:15 p.m.-3:45 p.m.)
- Wrap Up/Next Steps (3:45 p.m.-4:00 p.m.)

Meeting 3 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; Courtney Oatts, Baltimore City Public Schools; Damion Crawford, Baltimore City Public Schools PRIDE Program; Neal Lichter, Baltimore County; 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; Rob Harrell, Kennedy Krieger Institute; Delegate Jheanelle Wilkins, Maryland House of Delegates; Albert Chichester, MSDE; Jillian Storm, MSDE; Senator Craig Zucker, Maryland State Senate; Jennifer Jeffrey-Pearsall, Mid-Atlantic PBIS Network; Ms. Jodi Chesman, Montgomery County Public Schools; Yolanda Brown, New Visions Academy; Lauren Grimes, On Our Own Maryland; Trinnell Bowman, Prince George's County Public Schools; Beverly Ursic, Shorehaven School; and Aaron Parsons, Kennedy Krieger

Members of the Public: Patricia Swanson, Gabriel Rose, Alex Cambra, Amy Leishear, Karen Dates Dunmore, and Tiffany Clark

Welcome and Introductions

Dr. Nelson officially welcomed everyone and opened the meeting at 1:02 PM. Dr. Nelson provided an overview of the meeting topics and referenced the materials located in the provided resource folders.

Dr. Nelson asked everyone to read and review the meeting minutes from the second meeting for approval. The taskforce made a recommendation to clarify one comment pertaining to policy. The taskforce voted and approved the meeting minutes from the second meeting held on Wednesday, 08/02/17.

Review Discussion of Definitions and Training Requirements

Dr. Nelson reviewed the definition of seclusion by reading aloud and displaying a powerpoint for all to see.

Review of existing State regulations (COMAR) for Restraint and Seclusion—Requirements for Policies and Procedures and Considerations for Seclusion

Dr. Nelson reviewed the legislation requirements of the taskforce.

Dr. Nelson shared and reviewed a chart titled, *Summary of Maryland Local School System Policies on Restraint and Seclusion* to highlight each local school systems' stance on restraint and seclusion. The chart can be found at the [Link to the MSDE website for the Restraint & Seclusion Taskforce](#). The taskforce privately read the chart and made comments on specific school system's policies.

Minimum Requirements for Maryland Policies and Procedures

Dr. Nelson asked the taskforce to discuss under what circumstances, if any, seclusion may be used in the public, nonpublic, or special education program settings. The taskforce discussed seclusion within each of the three settings extensively. Special considerations and key topics that surfaced from the large group discussion included alternatives for seclusion, clinician consultation, implications for school-based crisis teams, and implications for the least restrictive environment (LRE) of students with Individualized Education Programs (IEPs).

Guest Speaker Jillian Storms

Dr. Nelson introduced guest speaker Jillian Storms, Architect, MSDE School Facilities Branch who presented on “*Seclusion Rooms*”: *Characteristics and Best Practices*. Ms. Storm presented to the taskforce by reading aloud and displaying a powerpoint. Presentation topics included the following:

- The definition of a seclusion room
- COMAR Requirements for seclusion and the physical requirements
- Common terminology
- Size and placement of the rooms
- Door and view for staff and student
- Hardware and student view looking out
- Youtube video titled, *How A School Seclusion Room Works*
- Padding for the room
- Furnishings

Ms. Storms also displayed pictures of seclusion rooms and their unique characteristics throughout the presentation.

Dr. Nelson dismissed the group at 2:13 PM for a short break.

Dr. Nelson welcomed the taskforce back from their break at 2:30 PM

Dr. Nelson provided an overview of the remaining topics they would be discussing in small groups. Each small group discussed the topics and questions below for fifteen minutes before reporting to the entire taskforce.

- Definitions of seclusion
- Should seclusion be prohibited, yes or no?
- If prohibited, under what circumstances could it be used?
- Seclusion room requirements

Special considerations and key topics that emerged from the small group discussions included the federal definition of seclusion cited from the U.S. Department of Education, operational definitions for key terms in the definition of seclusion, clinical consultation considerations for seclusion-related decisions, considerations for training to minimize the overall use of restraint and seclusion, and the development of school-based teams to manage seclusion related decisions.

Public Comments

Dr. Nelson checked with members of the public in attendance during small group discussions to see if anyone wished to provide a comment. No one desired to comment.

Closing Comments & Next Steps

Dr. Nelson noted that policy, procedure, and compliance would be discussed at the next meeting.

Adjournment

The taskforce was officially dismissed at 4:00 PM.

Next Meeting: Wednesday, August 16, 2017, 1:00 p.m. -4:00 p.m., Maryland State Department of Education, 8th Floor, Conference Room 6 (Topic: Standards for Monitoring Compliance)

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.