



September 20, 2022

MEMORANDUM

To: Members of the Board of Education

From: Michael J. Martirano, Ed.D.
Superintendent

Subject: SY20-21 Restraint & Seclusion Data

The purpose of this memorandum is to inform the Board of Education about errors in the SY20-21 Restraint and Seclusion data that was submitted to MSDE in September 2021.

In responding to an MPIA request which requested school- and grade-level data from SY20-21 and SY21-22, staff realized that two points of data reported as part of the Maryland State Department of Education Physical Restraint and Seclusion Data Collection SY 2020-2021 were incorrect:

1. For Question #4, staff reported the unduplicated count of students who were restrained as 38. It was 29.
2. For Question #13, staff reported the unduplicated count of students who were secluded as 21. It was 13.

Staff were using Synergy data which subtotaled incidents as *incidents of restraint only*, *incidents of seclusion only*, and *incidents of both restraint and seclusion*. While it was proper to combine the subtotals for data related to the number of incidents, subtotaling the data to obtain the number of students resulted in the double count of students. MSDE is now requiring student-level data and HCPSS has instituted a new data reporting process; this mistake was not repeated with the SY21-22 data recently submitted to MSDE.

Staff will be contacting MSDE to report the incorrect information and provide correct student counts. The student count data was not included in the 2021 Physical Restraint and Seclusion Report published by MSDE.

Please direct questions to Caroline Walker, Executive Director of Program Innovation and Student Well-Being.

Copy to: Executive Staff
Board of Education Office



October 3, 2022

CONFIDENTIAL
MEMORANDUM

To: Members of the Board of Education

From: Michael J. Martirano, Ed. D.
Superintendent

Subject: Alleged Seclusion Incident

The purpose of this memorandum is to inform you that today, September 29, 2022, an incident of seclusion was alleged to have taken place at [REDACTED].

It is important to note that this incident may result in disciplinary action that may be appealed to the Board of Education. Therefore, to avoid a potential conflict and/or need to recuse yourself, it is requested you refrain from discussing this matter with anyone.

Copy to: Executive Staff
Board of Education Office



November 3, 2022

MEMORANDUM

To: Members of the Board of Education

From: Michael J. Martirano, Ed.D.
Superintendent

Subject: Restraint & Seclusion Report - Reschedule from November 17th

The purpose of this memorandum is to share information requiring a postponement of the Restraint & Seclusion Report from the November 17, 2022 Board Meeting and to provide an update on behavioral intervention efforts.

The Restraint & Seclusion Report, originally scheduled for the November 17, 2022 Board of Education Meeting, is being postponed to a future meeting. In past years, staff have anchored this board report with the MSDE Restraint and Seclusion Annual Report and verified HCPSS data. This year, MSDE has dedicated additional time to work with LEAs on the new reporting requirements and implementing the prohibition on seclusion in Maryland public schools. As a result, the delivery of the MSDE report to the HCPSS is being delayed. Once the report and final verified data have been received from MSDE, I will reschedule this presentation and full report.

I would like to share that staff have been implementing changes to align with the updated Policy 9400 - Student Behavior Intervention and the changes to state law. All HCPSS were required to complete professional learning that included:

- changes in the Maryland law
- a review of HCPSS policy and implementation procedures
- definitions and examples of restraint, seclusion and exclusion
- new MSDE reporting requirements
- frequently asked questions from staff

Staff from the Department of Program Innovation and Student Well-Being and the Department of Special Education developed new processes for reporting, tracking and problem solving for multiple incidents of restraint. These processes include:

- a central team to track the number of incidents of restraint for individual students and county-wide
- a consultation process in which central office staff consult with school teams when students reach designated thresholds
- a process for re-training of individual staff members or school teams as needed/requested

If you have any questions, please contact Caroline Walker, Executive Director, Program Innovation and Student Well-Being or Terri Savage, Executive Director, Special Education.

Copy to: Executive Staff
 Board of Education Office



March 31, 2023

MEMORANDUM

To: Members of the Board of Education

From: Michael J. Martirano, Ed.D.
Superintendent

Subject: Restraint & Seclusion Report - Update

The purpose of this memorandum is to provide an update to information, previously provided to the Board in a November 2, 2022, memo, regarding the postponement of the Restraint & Seclusion Report and an update on behavioral intervention efforts. At this time, staff are still waiting for access to the MSDE Restraint and Seclusion Annual Report and official data to ensure the validated data is what is shared with the public. HCPSS continues to implement procedures in alignment with Policy 9400 - Student Behavior Intervention and the state law.

At the beginning of the school year, staff from the Departments of Program Innovation and Student Well-Being and Special Education developed new processes for reporting, tracking and problem-solving for multiple incidents of restraint. These processes continue to be in place and refined as we learn additional information from MSDE. Current processes include:

- a central team to track the number of incidents of restraint for individual students and county-wide
- a consultation process in which central office staff consult with school teams when students reach designated thresholds
- a process for re-training of individual staff members or school teams as needed/requested
- a process to review individual incident of restraint forms to ensure accurate reporting

On January 26, 2023, MSDE provided LEAs with a Restraint and Seclusion Implementation Guide as well as a Restraint and Seclusion Process Guide. Staff have reviewed these documents carefully and are making adjustments to current processes and procedures to ensure we are in alignment with MSDE guidance by the July 1, 2023 deadline. While in the process of finalizing consistent processes and reporting procedures, MSDE is collecting data to assess the current status of restraint and/or seclusion incidents. As part of this MSDE assessment, HCPSS recently submitted data on the eight students whose data met or exceeded the threshold of 10 or more incidents of restraint for the period of July 1 2022, through January 31, 2023.

Per the Annotated Code of Maryland, the maximum length of time a student can be restrained is 30 minutes. The majority of incidents of restraint in HCPSS are between 1 and 5 minutes in duration. It is important to note that some students have multiple incidents of consecutive restraints due to circumstances that require staff to release a hold and then re-engage when safe to do so. For example, when a student drops to the floor, staff must release the hold. However, the student may immediately re-engage in unsafe behavior resulting in a new incident of restraint.

Weekly review of central office data allows staff to quickly support school staff and has led to responsive interventions such as Ukeru training at a comprehensive elementary school with multiple restraints.

If you have any questions, please contact Dr. Caroline Walker, Executive Director, Program Innovation and Student Well-Being and Dr. Terri Savage, Executive Director, Special Education.

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