MCPS Board of Education

Special Populations Committee Meeting

Thursday, October 10, 2019[[1]](#footnote-1)

On Thursday, October 10, 2019, Associate Superintendent for Special Education, Kevin Lowndes, and Jodi Chesman, Resolution and Compliance Unit, appeared before the MCPS BOE Special Populations Committee to provide an update on and respond to questions about the use of physical restraint and seclusion in MCPS. Committee members Rebecca Smondrowski and Brenda Wolff presided over the meeting. A copy of the presentation is available for viewing and download at xMinds website.

Mr. Lowndes opened his comments by stating that there are currently approximately 600 MCPS students placed in non-public programs and MCPS is actively trying to bring those students back into the public school system. The re-integration of some of these students has lead, in part, to in an increase in the incidents of restraint and seclusion. Mr. Lowndes underscored, however, that the use of restraint or seclusion are the absolute last options to be utilized when de-escalating a crisis at school. MCPS follows all state guidelines regarding these interventions. Ms. Chesman added that the majority of the Crisis Prevention training that she provides to MCPS educators and staff focuses on a variety of de-escalation strategies as opposed to restraint.

Ms. Chesman has been the coordinator for MCPS Physical Restraint Training for the last 15 years; this summer, Ms. Chesman’s position became a full-time position dedicated to training, monitoring implementation of training, and troubleshooting crisis prevention strategies, including restraint and seclusion.

Mr. Lowndes and Ms. Chesman provided the legal definition of restraint, as defined by the Maryland State Department of Education (MSDE) in order to clarify any misunderstandings. MSDE defines physical restraint as “the use of physical holding skills, without the use of any device or material, that restricts the free movement of all or a portion of a student’s body.” Ms. Chesman underscored that contrary to rumors that might be circulating, MCPS staff are not allowed to use the floor when engaging a student in a physical restraint. All holds are either in the standing or seated position and have been reviewed for safety.

Seclusion is defined as “the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving.” Ms. Lowndes stated that MCPS only has seclusion spaces in 26 schools, all of which have discrete programs. Seclusion rooms are not present in every school in the county. The seclusion rooms in these 26 schools have been reviewed to meet state regulations. Mr. Lowndes added that these programs are once in which some of the students have a tendency toward physical violence.

Ms. Smondrowski asked that Mr. Lowndes clarify the term “violence”. Mr. Lowndes responded that for students in these programs, violent behavior is typically one that the student can’t control, as it is a manifestation of their disability. Mr. Lowndes added that the school district has implemented a variety of de-escalation skills building programs, such as Zones of Regulation, in some of these programs.

Ms. Wolff asked how a staff member decides that a student is a “danger” or physical threat to himself or others, especially in terms of children of color. Furthermore, Ms. Wolff wanted to know if there was a lack of cultural competency in situations that escalate to the use of physical restraint.

Mr. Lowndes shared that MCPS had determined that training school staff had been inadequate in reducing the incidents of restraint and seclusion and for that reason, the district made Ms. Chesman’s position full-time and dedicated not only to training but also to auditing implementation of that training. There have been an increasing number of requests for de-escalation strategy training from MCPS staff at the school level and, as a result, Ms. Chesman held trainings over the summer as well as during pre-service week.

Ms. Wolff inquired as to whether MCPS is collecting data on the number of restraint and seclusion incidents that happen to the same student or by the referring teacher. Why are incident numbers higher at some schools rather than others?

Mr. Lowndes replied that it is becoming increasingly difficult to find non-public placements for students who cannot be served in MCPS, but those students must stay in MCPS until such a placement can be found. That is why sometimes you might see an abnormally high number in a specific school.

Ms. Smondrowski asked for those programs in which a seclusion room is part of the program, are parents notified each and every time a student is placed in seclusion?

Mr. Lowndes responded that yes, the school should be calling the parents to inform them every time their student is placed in seclusion.

Mr. Smondrowski commented that she has consistently been asking how MCPS could better serve students within their own schools given how much money the school district spends on placement in non-public schools. Could we be building better programs within MCPS?

Mr. Lowndes provided the example of the program at Magruder High School (*no further information*). Originally, MCPS brought back 17 students from private placement into the Magruder program. Today there are over 50 students in that program.

Next, Ms. Chesman provided some specific details about the contents of the MCPS Physical Restraint Training, noting that she has been supervising this training for the past 15 years and also served on the MSDE Restraint and Seclusion Task Force, which wrote the recommendations for the current state restraint and seclusion regulations. According to Ms. Chesman, staff members who are authorized to perform restraint must also have training in the following areas:

* Trauma-informed Interventions
* Functional Behavior Assessments and Behavior Intervention Plans
* CPR and First Aid
* Seclusion
* Exclusion
* CPI *Nonviolent Crisis Intervention Training*, which includes training on symptoms of physical distress and positional asphyxia

All schools are required to have a 5-member team with this training. Staff members in discrete special education programs (such as Autism, SESES, Extensions, LFI, SCB, Learning Centers) are also required to be trained.

MCPS has used the *Nonviolent Crisis Intervention Training* program ([www.crisisprevention.com](http://www.crisisprevention.com)) since 2011. This training focuses on preventing crises and 8 out of the 10 units focus on de-escalation strategies. Ms. Chesman added that she has trained over 1,000 staff members since the beginning of this school year and trained 1,600 staff members in de-escalation techniques last year. MCPS is now offering just the de-escalation portions of the training (without the 2 units dedicated to restraint). Ms. Chesman’s goal is to train staff development teachers at all schools in order to develop a train the trainer model (i.e. staff development teachers will train staff at the school-level).

Ms. Wolff expressed a concern that there is no explicit reference to cultural competency as part of this training. Ms. Chesman responded that cultural competency is interwoven into the training, but there is not a discrete section of the training that addresses this topic. Mr. Lowndes added we should include Troy Boddy of the Equity Initiatives Unit in our discussion about whether additional information about cultural competency can be integrated. Mr. Lowndes does not want to contradict what Troy is teaching in his cultural competency trainings. Ms. Wolff responded that she would still like to see an explicit reference to implicit bias made in this training.

Ms. Wolff asked a follow up question about how frequently data is reported out. Ms. Chesman responded that data is collected on an ongoing basis. She reviews data almost weekly now and must report to the state annually. Ms. Wolff stated that she would like to see data more frequently so that she can track cultural competency issues more closely.

Ms. Chesman stated that all incidents of restraint and seclusion must be documented in the Online Administrative Student Information System. Staff members must inform parents/guardians verbally and in writing after every incident of restraint or seclusion. Staff members have been trained in this requirement and it has been the expectation for some time now. Mr. Lowndes added that an IEP meeting for special education students must be called if restraint and/or seclusion are not a part of the student’s IEP.

After any incident of restraint or seclusion, the school team is required to debrief the incident with Ms. Chesman. This year, RACU is piloting a formal debriefing form in discrete programs. The form can be completed online (it’s a Google Form) or printed out and completed by hand. Ms. Wolff expressed concerns that there was no mechanism for staff members to file their debrief privately, which may be crucial if there are racial, cultural, or power disparities on the crisis intervention team. Mr. Lowndes appreciated the concern that Ms. Wolff raised and conceded that they are struggling with how to take those dynamics into account while simultaneously building a cohesive crisis response team at the school level.

Ms. Smondrowski asked how the Department of Special Education can make sure that school staff understand an individual’s 504 Plan or IEP. Mr. Lowndes responded that the Special Education Supervisors are going out to schools to provide support to general educators. If the student is a discrete program, there are behavioral specialists who provide support.

Finally, Ms. Chesman presented information about how MCPS addresses disproportionality in incidents of restraint and seclusion. Mechanisms for addressing disproportionality include:

* Debriefing requirement for discrete special education programs
* Crisis Intervention Training Specialist
* Reviewing data monthly
* Scheduling data review meetings with school teams
* Debriefing with specific schools after an incident
* Meeting with school teams to review practices regarding the use of restraint or seclusion
* Joining school teams for practice sessions
1. These notes reflect the best understanding of the xMinds representatives attending the meeting and are not an official statement from MCPS. [↑](#footnote-ref-1)