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Ways and Means Committee



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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

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House Bill 1043 Education - Physical Restraint and Seclusion - Guidelines and Reporting

Dear Colleagues,

I am pleased to present House Bill 1043 Education - Physical Restraint and Seclusion - Guidelines and Reporting, which requires local school systems and nonpublic schools to report on the total number of unduplicated physical restraint and seclusion incidents to the Maryland State Department of Education (MSDE) to analyze, create recommendations, and send to the Maryland Longitudinal Data System Center.

In 2017, the General Assembly voted to create a task force to examine policies and practices related to behavioral interventions in schools. While there is no evidence that restraint and seclusion provides any educational or therapeutic benefit to students, use of these interventions in non-emergency situations can be physically dangerous and traumatic for children. Restraint and seclusion is also disproportionately used on students with disabilities and students of color. According to the 2018-19 MSDE report, 93 percent of physical restraint incidents and 98 percent of seclusion incidents involved students with disabilities. In the same year, in Montgomery County, 72 percent of the restraint incidents and 77 percent of the seclusion incidents involved students of color.

HB 1043 requires MSDE to analyze the data and make recommendations on how to reduce the use of restraint and seclusion by the top 30 percent of public agencies and nonpublic schools that have the highest number and rates of restraint or seclusion incidents. It also requires training on trauma informed interventions, positive behavior supports, and effective implementation of individualized education programs (IEPs) and Section 504 plans for students with disabilities.

Our schools should be a safe space, where children can get the help they need to succeed without the use of force or isolation. It's critical that this data is broken down and reported to the General Assembly so we can take the necessary steps to reduce the use of restraint and seclusion in schools. For these reasons, I urge a **favorable report for House Bill 1043**.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jheanelle Wilkins'.

Delegate Jheanelle Wilkins