



House Bill 1166
Education – Restraint and Seclusion – Requirements, Reporting and Training

House Ways and Means Committee
February 24, 2021

POSITION: Favorable

The Maryland Coalition of Families: Maryland Coalition of Families (MCF) helps families who care for someone with behavioral health needs. Using personal experience as parents, caregivers and other loved ones, our staff provide one-to-one peer support and navigation services to parents and caregivers of young people with mental health issues and to any loved one who cares for someone with a substance use or gambling issue.

MCF strongly supports HB 1166.

The bill would primarily do two things:

- Require MSDE to make recommendations to reduce the use of restraint in schools
- Prohibit the use of seclusion except in certain circumstances

Both are necessary changes.

Children who have significant mental health needs often have experienced trauma in their lives. Studies on Adverse Childhood Experiences (ACEs) consistently show that children who have experienced four or more traumatic events, including physical or mental abuse, parental mental health or substance use problems, domestic violence, bullying, poverty, or community violence, to name a few, are at much greater risk of developing mental health problems such as depression, anxiety, behavioral disorders and suicidality. Behavioral disorders in children include ADHD, Conduct Disorder, and Oppositional Defiant Disorder, behaviors which are often addressed in schools with the use of restraint and seclusion. These interventions can be extremely re-traumatizing to a child.

For the 2018-19 school year (the last year for which full data exists owing to the school closures in March 2020), MSDE collected data on the use of restraint and seclusion in schools. The number of incidents of restraint and seclusion were alarmingly high. These are the counties with the highest incidence of restraint and seclusion:

Incidents of restraint

Frederick County:	1,966
Montgomery County:	1,356
Baltimore County:	1,053
Anne Arundel County:	1,002

Incidents of seclusion

Frederick County:	1,604
Harford County:	1,153
Montgomery County	602
Charles County:	391

Students with disabilities, especially those who have been determined to have an Emotional Disability (ED) under the Individuals with Disabilities Education Act, are far more likely to experience restraint and seclusion than other students. Students coded with ED experienced the highest number of incidents of restraint and seclusion of all disability groups, with 2,537 incidents of restraint and 1,749 incidents of seclusion. Students coded with ED are also much more likely to be youth of color.

Schools with well-trained personnel do not resort to the traumatizing interventions of restraint and seclusion. Children with mental health disabilities are not subjected to further re-traumatization. Instead, school personnel know how to implement policies, procedures and practices designed to alleviate the impact of trauma. These have been well-researched and have a strong evidence-base, and include relationship-building, helping traumatized children regulate their emotions, and collaborating across child-serving systems to coordinate care.

HB 1166 puts a number of mechanisms in place to reduce the use of restraint and seclusion. Therefore we urge a favorable report.

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