



Mohammed Choudhury
State Superintendent of Schools

January 10, 2022

Dr. Mike Markoe
Interim Superintendent
Frederick County Public Schools
191 South East Street
Frederick, MD 21701

Dear Dr. Markoe,

The Maryland State Department of Education (MSDE) is aware of the investigation initiated on October 16, 2020 by the Department of Justice's Civil Rights Division (DOJ) and the U.S. Attorney's Office for the District of Maryland (USAO) into the discriminatory use of restraint and seclusion by Frederick County Public Schools (FCPS) under Title II of the Americans with Disabilities Act (ADA).

The MSDE reviewed the letter and settlement agreement released on December 1, 2021 by the DOJ and USAO. Upon review of these documents, locally reported data, and subsequent complaints from stakeholders, the MSDE finds the illegal and inappropriate use of restraint and seclusion in FCPS alarming and in need of immediate remedy. While FCPS has entered a settlement agreement with the DOJ and USAO, the MSDE is independently exercising its authority under the Education Article for the general care and supervision of public and secondary education, as well as its authority under the Individuals with Disabilities Education Act (IDEA), to ensure FCPS utilizes appropriate behavioral interventions and discontinues any illegal use of restraint and seclusion.

The MSDE has developed a comprehensive Plan of Action to address any illegal or inappropriate use of restraint and seclusion practices in FCPS. This Plan will utilize a cross-departmental approach, led by the Division of Student Support, Academic Enrichment, and Educational Policy (DSSAEEP) and the Division of Early Intervention and Special Education Services (DEI/SES), to address both increased monitoring and accountability of FCPS. Attached is the detailed Plan of Action outlining the steps the MSDE will take to address restraint and seclusion policy and practice change in FCPS.

The MSDE is requesting a meeting with your leadership to discuss the Plan, including the system's restraint and seclusion data, progress on reducing identified illegal and inappropriate use of the practices, and opportunities for MSDE support and resources. The Plan includes an MSDE-led audit of your system's restraint and seclusion policies and procedures, as well as individual incident report documentation to determine any violations of the COMAR 13A.08.04 *Student Behavior Interventions* regulations and the IDEA (i.e. denial of a free appropriate public education for students with disabilities). If the MSDE identifies violations during the audit, the MSDE will require the FCPS to take corrective steps. Failure to comply may result in the MSDE requiring FCPS to enter into a formal compliance agreement with sanctions.

The MSDE will also collaborate with your system to support the identification and implementation of universal behavior interventions to mitigate the use of restraint and seclusion along with a comprehensive training program for FCPS central office, school administrators, and teachers. I will provide progress updates to the State Board on the execution of the Plan of Action for reform.

The requested meeting is of high importance to determine actionable next steps for implementation with meaningful and measurable outcomes for FCPS students and their families. In addition to your attendance, the MSDE is requesting the participation of your leadership team, including the:

- Executive Director of Accelerating Achievement & Equity,
- Student Services Director,
- Supervisor of Accelerating Achievement and Equity, and
- Directors of Special Education (Elementary Programs and Secondary Programs).

Please coordinate with Marcella Franczkowski, Assistant State Superintendent, Division of Early Intervention and Special Education Services, by phone at (410) 767-0238 or by email at marcella.franczkowski@maryland.gov to schedule a virtual meeting by Tuesday, January 18, 2022. MSDE will provide the necessary meeting participation details once a date has been confirmed. Ms. Franczkowski is my designated point of contact for this work, so please be sure to copy her on all communications.

Sincerely,



Mohammed Choudhury
State Superintendent of Schools

cc: Dr. Deann Collins, Deputy State Superintendent for Teaching and Learning
Dr. Sylvia Lawson, Deputy State Superintendent for School Effectiveness
Marcella Franczkowski, Assistant State Superintendent for Early Intervention and Special Education Services
Mary Gable, Assistant State Superintendent for Student Support, Academic Enrichment, and Educational Policy

Action: MSDE will form a cross-departmental team to address R/S reform within FCPS and across the State for ALL students.		
Actionable Steps:	Timeline:	Assigned MSDE Staff:
<p>Internal MSDE Team: MSDE will establish an internal, cross-departmental team to review and evaluate FCPS progress and address R/S on the State level for ALL students. This team will provide bi-weekly updates to the Superintendent.</p> <p>Superintendent Updates: The leadership team will provide updates to the Superintendent.</p>	<ul style="list-style-type: none"> The internal MSDE team will communicate weekly to monitor FCPS’s R/S data, progress, any required local action, and State-wide reform. Bi-weekly 	<ul style="list-style-type: none"> Division of Early Intervention and Special Education Services (DEI/SES) team, Division of Student Support, Academic Enrichment, and Educational Policy (DSSAEEP) team, and other representative staff as appropriate (e.g., Data, Research, Teacher Certification, Nonpublic Approval, and Deputy Superintendents) Dr. Sylvia Lawson, Dr. Deann Collins, Marcella Franczkowski, and Mary Gable

CROSS-DEPARTMENTAL: FCPS ACTIONS

Action: MSDE will meet regularly with FCPS leadership to address R/S reform within the system.		
Actionable Steps:	Timeline:	Assigned MSDE Staff:
<p>MSDE/FCPS Team: MSDE will establish a joint MSDE/FCPS leadership team to review and evaluate FCPS progress on R/S priorities as established by MSDE (e.g., DEI/SES audit process). The FCPS team will include:</p> <ul style="list-style-type: none"> FCPS Interim Superintendent, Executive Director of Accelerating Achievement & Equity, Student Services Director, Supervisor of Accelerating Achievement and Equity, Directors of Special Education (Elementary Programs and Secondary Programs), and Others as identified by FCPS. 	<ul style="list-style-type: none"> The MSDE/FCPS team will communicate weekly to discuss FCPS’s R/S data, progress, and any support/resources needed to forward the work. 	<ul style="list-style-type: none"> Division of Early Intervention and Special Education Services (DEI/SES) team, Division of Student Support, Academic Enrichment, and Educational Policy (DSSAEEP) team, and other representative staff as appropriate (e.g., Data, Research, Teacher Certification, Nonpublic Approval, and Deputy Superintendents)

Action: FCPS will provide a biannual report to the local board of education on its R/S data, as well as progress on the MSDE required actionable steps.

Actionable Steps:	Timeline:	Assigned MSDE Staff:
<p>Local Board Report of Progress: FCPS will provide a report to their local board of education on local R/S data (all students, SWD, students of color), including an explanation/analysis of the data, and FCPS corrective action and progress.</p>	<ul style="list-style-type: none"> • Biannual 	DEI/SES and DSSAEEP teams

Action: MSDE will review FCPS data, including documentation generated by the DOJ/USAO settlement agreement, to identify both (1) patterns and trends to inform State-wide reform, technical assistance needs, and best practices, and (2) opportunities for MSDE to provide local support.

Actionable Steps:	Timeline:	Assigned MSDE Staff:
<p>MSDE Review of Restraint and/or Seclusion (R/S) Documentation from DOJ/FCPS Settlement Agreement:</p> <ul style="list-style-type: none"> • FCPS will provide MSDE with copies of the BCBA Supervisor reports as required under Part IV(c) of the DOJ/USAO settlement agreement • MSDE’s trained CBAs will review the documentation to determine any additional technical assistance needs that MSDE can address through training and/or written guidance <p>MSDE Support of Training Requirements from DOJ/USAO Settlement Agreement: FCPS is required to provide annual training to all CBAs, school Administrators, and any individual trained to implement Physical Restraint. (See Part XIII of the DOJ/FCPS Settlement Agreement.) MSDE will provide support, as needed, to FCPS in</p>	<ul style="list-style-type: none"> • At the end of every semester as required in the DOJ/USAO settlement agreement • To be determined with FCPS dependent on their internal timelines. 	<ul style="list-style-type: none"> • Support of BCBA staff (Paula Gonc) in DEI/SES and DSSAEEP (two to be hired) teams • DEI/SES and DSSAEEP teams

<p>the development of the required yearly professional development course to be created by the BCBA Supervisor with the FCPS Dept. of Special Education.</p> <p>MSDE Support of Staffing Plan from DOJ/FCPS Settlement Agreement: FCPS is required to submit a plan to the DOJ/USAO outlining how it will increase hiring of special education teachers and incentivize staff to earn their special education and BCBA certifications. (See Part XII of the DOJ/FCPS Settlement Agreement.) MSDE will collaborate with FCPS to identify creative and innovative solutions to address this requirement.</p>		<ul style="list-style-type: none"> • DEI/SES, DSSAEEP, Division of Educator Certification and Program Approval
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Action: FCPS will provide MSDE with an internal communication plan for the dissemination of revised policies and procedures, released technical assistance bulletins, guidance documents, and professional learning/training schedule.

Actionable Steps:	Timeline:	Assigned MSDE Staff:
<p>FCPS will provide MSDE with an internal communication plan. The plan will outline the dissemination of revised FCPS policies and procedures, released technical assistance bulletins, guidance documents, and professional learning/training schedule. This dissemination plan is important for ensuring that R/S messaging and expectations are transmitted from top-to-bottom of FCPS staffing.</p>	<ul style="list-style-type: none"> • To be determined in conjunction with FCPS. 	<p>DEI/SES and DSSAEEP teams</p>

IDEA: FCPS ACTIONS

Action: Division of Early Intervention and Special Education Services (DEI/SES) will conduct an audit of Frederick County Public Schools’ (FCPS) Restraint and Seclusion (R/S) policies and procedures, as well as individual incident report documentation for students with disabilities, to determine whether there are any violations of federal or State special education law and/or a denial of a free appropriate public education (FAPE) under the IDEA.		
Actionable Steps:	Timeline:	Assigned MSDE Staff:
<p>Policies, Procedures, and Forms</p> <ul style="list-style-type: none"> MSDE will review FCPS’s R/S policies and procedures (formal board policies, any internal guidance procedures and documents, and R/S forms - including those to be revised per the DOJ settlement agreement). MSDE will review the Functional Behavior Assessment (FBA) and Behavior Intervention Plan (BIP) tools housed on the Maryland Online IEP (MDOIEP) with FCPS to determine whether the tools comply with the settlement agreement MSDE and FCPS will identify “checkpoints” for reviewing policies and procedures before and after they are finalized. 	<ul style="list-style-type: none"> Identify with FCPS the timeline for revising and publishing new R/S policies, procedures, guidance documents, and forms/tools to determine appropriate timelines and checkpoints. 	<ul style="list-style-type: none"> DEI/SES and DSSAEEP will share the responsibility, each reviewing through their respective lens DEI/SES Staff: <ul style="list-style-type: none"> Marcella Franczkowski, Assistant State Superintendent Brian Morrison, Branch Chief of Policy and Accountability Nicol Elliott, Section Chief of Monitoring and Accountability Vicky Ciulla, Monitoring Specialist Emma Stephan, Monitoring Specialist Sabrina Jones, Monitoring Specialist
<p>Individual Incident Document Review</p> <ul style="list-style-type: none"> MSDE will conduct a review of incident reports for a select sample of students with disabilities. The sample will be composed of 100% of students with disabilities with documented R/S incidents during the 2021-2022 school year enrolled in one of the three DOJ identified schools (Lewistown ES, Spring Ridge ES, and Rock Creek), as well as a randomized 	<ul style="list-style-type: none"> The full audit will be completed within two months from the initial request from MSDE to FCPS for the list of students with documented R/S during the 2021-2022 school year (current data at the time of request). 	<p>DEI/SES Staff</p> <ul style="list-style-type: none"> Brian Morrison, Branch Chief of Policy and Accountability Nicol Elliott, Section Chief of Monitoring and Accountability Vicky Ciulla, Monitoring Specialist Emma Stephan, Monitoring Specialist Sabrina Jones, Monitoring Specialist

<p>selection of 50% of all other FCPS students with disabilities with documented R/S incidents during the 2021-2022 school year.</p> <ul style="list-style-type: none"> ○ FCPS will provide to MSDE a list of all students with disabilities (including students placed in a nonpublic setting) with any documented incident of R/S during the 2021-2022 school year, including the number of incidents of R/S, Race, Least Restrictive Environment (LRE) placement, and Disability Code for each student, for the period of August 2021 through present. ○ DEI/SES will finalize the list of students to be included in the sample for incident review and submit the list to FCPS. ○ FCPS will provide DEI/SES with ALL of the R/S documentation for the students identified in the sample. ○ DEI/SES will review each R/S incident documentation for each student for compliance with COMAR 13A.08.04.05 utilizing the DEI/SES <i>Restraint and/or Seclusion Audit Tool</i> (including a review of the restraint and seclusion incident forms, IEP, signed parental consent, Prior Written Notice, FBA, BIP – as appropriate per student/incident). 	<ul style="list-style-type: none"> ○ FCPS List: To be provided within one week of MSDE’s request ○ DEI/SES List: To be provided to FCPS within one week from receipt of FCPS’ disaggregated data ○ Student Documentation: To be provided by FCPS to DEI/SES within two weeks from receipt of the DEI/SES list ○ DEI/SES Review: To be completed within 30 calendar days 	
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Action: If DEI/SES identifies noncompliance during the audit, FCPS will be required to develop an Improvement Plan addressing the areas of noncompliance, including actionable steps for correction, to be submitted to MSDE for approval within 30 days of notification of the audit findings.		
Actionable Steps:	Timeline:	Assigned MSDE Staff:
<p>FCPS will submit an Improvement Plan. The Plan will include:</p> <ul style="list-style-type: none"> • A weekly review of data, • Root cause analysis, • Goals, • Strategies/Activities to Accomplish Goals, and • Evidence of Achievement/Progress. <p>The Plan and implementation must address:</p> <ul style="list-style-type: none"> • <i>Student-Specific Correction:</i> Where DEI/SES identifies an individual student violation, FCPS must convene an IEP Team to review the violation, including the impact on instruction and related services, to determine appropriate remedies, such as compensatory services. FCPS will submit documentation to MSDE verifying completion of the corrective action. • <i>School/System-Specific Correction:</i> Where DEI/SES identifies systemic noncompliance, FCPS will identify and implement corrective actions as appropriate, including: <ul style="list-style-type: none"> ○ revision of policies, procedures, guidance documents, and documentation forms; ○ revising policies; 	<ul style="list-style-type: none"> • FCPS will submit the Improvement Plan within 30 days of notification by MSDE of finding(s) of noncompliance. • FCPS will have one year from the day of notification of noncompliance to implement the improvement plan and correct the areas of noncompliance. 	<p>DEI/SES Staff</p> <ul style="list-style-type: none"> • Marcella Franczkowski, Assistant State Superintendent • Brian Morrison, Branch Chief for Policy and Accountability • Nicol Elliott, Section Chief of Monitoring and Accountability • Emma Stephan, Monitoring Specialist • Salimah Jassani, Regional School-Age Performance Specialist • Paula Gonce, Access, Equity, and Progress Specialist

<ul style="list-style-type: none"> ○ reorganization of infrastructure; ○ redirection of funding; ○ development of an internal monitoring process for student record reviews; ○ identification of alternative behavior interventions; ○ conduct staff training; and ○ staffing changes. <p>FCPS will be assigned to a “focused tier” of general supervision and performance support, which will require:</p> <ul style="list-style-type: none"> ● Local leadership (including Superintendent) and other required stakeholders jointly implementing the Improvement Plan; ● Monthly meetings with DEI/SES team for progress monitoring; ● FCPS will receive on-site technical assistance; and ● DEI/SES may require redirection of funds. <p>FCPS will provide the Improvement Plan and progress monitoring updates, including explanations of the Plan and data, to its local board of education.</p>	<ul style="list-style-type: none"> ● Bi-annually to present initial Improvement Plan and MSDE Correction of Noncompliance formal notification letter, as applicable. 	
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Action: If FCPS fails to complete and meet the requirements of the Improvement Plan, then FCPS will be required to enter into a formal, compliance agreement with MSDE, which may include the redirection and/or withholding of IDEA funds.		
Actionable Steps:	Timeline:	Assigned MSDE Staff:
<p>FCPS will enter into a formal compliance agreement with MSDE. If after one year, FCPS fails to complete and meet the requirements of the Improvement Plan, then FCPS will be moved to an “intensive tier” of general supervision and performance support, which will require:</p> <ul style="list-style-type: none"> • A formal, compliance agreement between MSDE and the FCPS Superintendent to direct improvement and correction, with onsite supervision and sanctions. • Sanctions may include redirection and/or withholding of IDEA funds by MSDE. <p>FCPS will provide the formal compliance agreement and progress monitoring updates, including explanations of the agreement and data, to its local board of education.</p>	<ul style="list-style-type: none"> • One year after the notification of noncompliance if correction of identified noncompliance has not been achieved. • Quarterly to present initial Improvement Plan and MSDE Correction of Noncompliance formal notification letter, as applicable. 	<p>DEI/SES Staff</p> <ul style="list-style-type: none"> • Marcella Franczkowski, Assistant State Superintendent • Brian Morrison, Branch Chief for Policy and Accountability

Action: If DEI/SES finds FCPS compliant with the State R/S regulations and the FAPE requirements under IDEA, then DEI/SES will implement on-going audits to ensure continuing compliance.		
Actionable Steps:	Timeline:	Assigned MSDE Staff:
<p>DEI/SES will implement on-going audits. If FCPS is compliant with the State R/S regulations and the FAPE requirements under IDEA, then DEI/SES will implement on-going audits to ensure FCPS remains compliant.</p>	<ul style="list-style-type: none"> • Following the initial audit, the DEI/SES will conduct an audit quarterly for one year. 	<p>DEI/SES Staff</p> <ul style="list-style-type: none"> • Marcella Franczkowski, Assistant State Superintendent • Brian Morrison, Branch Chief for Policy and Accountability • Nicol Elliott, Section Chief of Monitoring and Accountability

**Maryland State Department of Education
Restraint and Seclusion Action Plan**

Draft 1.4.21

<p>The on-going audit process will include a random review of 20% of SWD in self-contained settings (including students placed in self-contained classrooms, public special education schools, and nonpublic special education schools), 10% of all SWD.</p>	<ul style="list-style-type: none"> • If FCPS remains compliant for one year, the audit will occur annually thereafter. 	<ul style="list-style-type: none"> • Emma Stephan, Monitoring Specialist
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Action: FCPS will develop and submit a Communication Plan, to be submitted to DEI/SES for approval, outlining how FCPS will increase efforts to inform students and families of their dispute resolution options/rights under IDEA.		
Actionable Steps:	Timeline:	Assigned MSDE Staff:
<p>FCPS will develop and submit a Communication Plan to DEI/SES for approval.</p> <p>The plan will outline how FCPS will increase efforts to inform students and families of their rights under IDEA, as well as available State/local resources. The plan will include the following information:</p> <ul style="list-style-type: none"> • IDEA dispute resolution options/rights; • Contact information for the local Family Support Coordinator/Facilitator; • Contact information for the DEI/SES Family Support team; and • the State Special Education Complaint Process. <p>This Communication Plan may build upon requirements under the DOJ settlement agreement requiring an internal complaint procedure process.</p>	<ul style="list-style-type: none"> • FCPS will submit the Communication Plan within 30 days of notification by MSDE of the requirement. • MSDE will review and provide feedback/approval within one week. 	<p>DEI/SES Staff</p> <ul style="list-style-type: none"> • Kenneth Huddock, Section Chief for Family Support • Gerald Loicano, Complaint Investigator

IDEA: STATE-WIDE ACTIONS

Action: The DEI/SES will conduct a focused audit of the R/S policies and individual incident reports for students with disabilities in the other 23 local school systems and public agencies.		
Actionable Steps:	Timeline:	Assigned MSDE Staff:
<p>DEI/SES will implement a State-wide focused audit. For each local school system and public agency, the audit process will include a random review of individual R/S incident reports for the 2021-2022 school year, including disaggregated data. The State-wide random review will include:</p> <ul style="list-style-type: none"> • 20% of SWD with documented R/S placed in a self-contained setting (i.e. self-contained classroom, a public special education school, nonpublic special education school) or 100% if the number of SWD in those settings is less than 10. • 10% of all SWD with documented R/S placed in all other settings or 100% if the number of SWD in those settings is less than 10. 	<ul style="list-style-type: none"> • To be completed December 2022 	<p>DEI/SES Staff</p> <ul style="list-style-type: none"> • Marcella Franczkowski, Assistant State Superintendent • Brian Morrison, Branch Chief for Policy and Accountability • Nicol Elliott, Section Chief of Monitoring and Accountability • Emma Stephan, Monitoring Specialist • Lindsey Goodrich, Section Chief/Regional School-Age Performance Specialist • Salimah Jassani, Regional School-Age Performance Specialist • Marny Helfrich, Regional School-Age Performance Specialist • Karla Marty, Regional School-Age Performance Specialist • Brittany Bruno, Regional School-Age Performance Specialist

COMAR: FCPS ACTIONS

Action: The Division of Student Support, Academic Enrichment, and Educational Policy (DSSAEEP) will review FCPS’s policy on restraint and seclusion to ensure consistency and compliance with COMAR 13A.08.04 <i>Student Behavior Interventions</i> .		
Actionable Steps:	Timeline:	Assigned MSDE Staff:
<p>Policies, Procedures, and Forms</p> <ul style="list-style-type: none"> MSDE will review FCPS’s restraint and seclusion policies (to be amended per the DOJ/USAO settlement agreement approved by the FCPS Board of Education). FCPS will provide the date of the County Board meeting that includes an opportunity for comment by the public. 	<ul style="list-style-type: none"> Identify with FCPS the timeline for revising and publishing new restraint and seclusion policies, procedures, guidance documents, and forms/tools to assist in determining appropriate due dates and checkpoints. 	<ul style="list-style-type: none"> DSSAEEP and DEI/SES will share the responsibility of policy review, each reviewing through their respective lens. <p>DSSAEEP Staff</p> <ul style="list-style-type: none"> Mary Gable, Assistant State Superintendent Walt Sallee, Director of Student Services Kimberly Buckheit, Section Chief, School Safety and Climate Dr. April Turner, School Psychological Services Supervisor
Action: MSDE will conduct on-site reviews of seclusion room spaces and individual student (non-special education) records of restraint and seclusion incidents to ensure compliance with COMAR 13A.08.04 <i>Student Behavior Interventions</i> .		
Actionable Steps:	Timeline:	Assigned MSDE Staff:
<p>MSDE will conduct on-site reviews of FCPS schools with seclusion rooms to ensure compliance with State regulations.</p> <ul style="list-style-type: none"> MSDE will review the elimination of seclusion rooms as required by the DOJ/USAO settlement agreement. <p>MSDE will conduct an audit of individual student records for restraint and seclusion to ensure compliance with State regulations.</p> <ul style="list-style-type: none"> For all students without disabilities with documented restraint and/or 	<ul style="list-style-type: none"> The on-site reviews will be completed within two months from the initial request from MSDE to FCPS for the information on the seclusion rooms and the request for data. 	<p>DSSAEEP Staff</p> <ul style="list-style-type: none"> Mary Gable, Assistant State Superintendent Walt Sallee, Director of Student Services Kimberly Buckheit, Section Chief, School Safety and Climate Dr. April Turner, School Psychological Services Supervisor Brad Engel, School Climate Initiatives Specialist/Inter-Agency Collaboration

<p>seclusion during the 2021-2022 school year, MSDE will review all incident reports to ensure compliance with State regulations.</p>		
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Action: MSDE will collaborate with FCPS to support the identification and implementation of behavior interventions.

Actionable Steps:	Timeline:	Assigned MSDE Staff:
<p>MSDE will provide FCPS support upon request in reviewing data to identify trends and provide insight.</p> <ul style="list-style-type: none"> MSDE will request that FCPS share disaggregated data on the incidents of restraint and seclusion for all students. MSDE will review and provide feedback on the data documentation forms to support the reduction of challenging behaviors. 	<ul style="list-style-type: none"> Data will be reviewed on an agreed upon timeline. 	<p>DSSAEEP Staff</p> <ul style="list-style-type: none"> Mary Gable, Assistant State Superintendent Walt Sallee, Director of Student Services Kimberly Buckheit, Section Chief, School Safety and Climate Dr. April Turner, School Psychological Services Supervisor
<p>MSDE will assist FCPS in the identification of behavior interventions to mitigate the use of restraint and seclusion.</p> <ul style="list-style-type: none"> FCPS will research and identify behavior interventions to support students in a safe learning environment. MSDE will provide support in the research and identification of alternative behavior interventions. MSDE will provide support to the FCPS BCBA supervisor to address behavior. 	<ul style="list-style-type: none"> MSDE will work with FCPS to identify timeline but no later than the start of the 2022-2023 school year. 	<p>MSDE Staff will include:</p> <ul style="list-style-type: none"> DSSAEEP Research DEI/SES (Paula Gonce, BCBA) <p>DSSAEEP staff will include:</p> <ul style="list-style-type: none"> Kimberly Buckheit, Section Chief, School Safety and Climate Dr. April Turner, School Psychological Services Supervisor Brad Engel, School Climate Initiatives Specialist/Inter-Agency Collaboration BCBA to be hired

Action: MSDE will collaborate with FCPS to assist in the development of a comprehensive training program for the implementation of universal behavior interventions.

Actionable Steps:	Timeline:	Assigned MSDE Staff:
<p>MSDE will collaborate with FCPS on a comprehensive training plan on universal behavior interventions.</p> <ul style="list-style-type: none"> ● MSDE will support FCPS in the identification of universal behavior interventions. ● MSDE will support the development of a training program for central office personnel, school administrators, and teachers. 	<p>Timeline:</p> <ul style="list-style-type: none"> ● MSDE will work with FCPS to identify the timeline but no later than the start of the 2022-2023 school year. ● MSDE will support the implementation and training through the 2022-2023 school year. 	<p>DSSAEEP Staff</p> <ul style="list-style-type: none"> ● Mary Gable, Assistant State Superintendent ● Walt Sallee, Director of Student Services ● Kimberly Buckheit, Section Chief, School Safety and Climate ● Dr. April Turner, School Psychological Services Supervisor ● Brad Engel, School Climate Initiatives Specialist/Inter-Agency Collaboration
<p>MSDE will facilitate the sharing of the preventative behavioral best practices that FCPS implements to support classroom teachers, administrators, and other school-based staff with other local school systems.</p> <ul style="list-style-type: none"> ● MSDE will collaborate with FCPS to develop a document to be shared. ● MSDE will provide a forum to share information with stakeholders. 	<ul style="list-style-type: none"> ● Draft best practices to be completed by July 1, 2022. 	<p>DSSAEEP Staff</p> <ul style="list-style-type: none"> ● Mary Gable, Assistant State Superintendent ● Walt Sallee, Director of Student Services ● Kimberly Buckheit, Section Chief, School Safety and Climate ● Dr. April Turner, School Psychological Services Supervisor ● Brad Engel, School Climate Initiatives Specialist/Inter-Agency Collaboration

Action: MSDE recommends that FCPS consider the creation of an advisory stakeholder committee.

Actionable Steps:	Timeline:	Assigned MSDE Staff:
<p>Advisory Committee:</p> <ul style="list-style-type: none"> ● FCPS consider creating an advisory stakeholder committee to focus on behavior intervention tools to mitigate the 	<ul style="list-style-type: none"> ● 2021-2022 School Year and ongoing 	<p>DSSAEEP Staff</p> <ul style="list-style-type: none"> ○ Mary Gable, Assistant State Superintendent ○ Kimberly Buckheit, Section Chief, School Safety and Climate

**Maryland State Department of Education
Restraint and Seclusion Action Plan**

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<p>need for restraint and seclusion that includes:</p> <ul style="list-style-type: none"> ○ parents/caregivers ○ community partners ○ teachers (general education, special education, resource, etc.) ○ central office staff ○ school administrators ○ behavior specialists ○ school student services ○ IEP Team members ● FCPS will consider posting agendas, and minutes of the meetings on the FCPS website. ● MSDE staff will provide support, as needed. 		<ul style="list-style-type: none"> ○ Dr. April Turner, School Psychological Services Supervisor ○ Brad Engel, School Climate Initiatives Specialist/Inter-Agency Collaboration
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COMAR: STATE-WIDE ACTIONS

<p>Action: MSDE will conduct a review of the restraint and seclusion regulations and the policies of all local school systems to recommend regulatory change for increased monitoring and accountability.</p>		
Actionable Steps:	Timeline:	Assigned MSDE Staff:
<p>MSDE will review policies on restraint and seclusion.</p> <ul style="list-style-type: none"> ● MSDE will review all local school system policies for the allowance of seclusion. ● MSDE will review all local school system policies on restraint. ● MSDE will review the COMAR regulation on restraint and seclusion to amend the State’s regulation on seclusion and restraint, as needed, to improve monitoring and accountability. 	<ul style="list-style-type: none"> ● February 28, 2022 ● March 31, 2022 ● First draft by May 15, 2022 	<p>DSSAEEP Staff</p> <ul style="list-style-type: none"> ○ Mary Gable, Assistant State Superintendent ○ Walt Sallee, Director of Student Services ○ Kimberly Buckheit, Section Chief, School Safety and Climate ○ Dr. April Turner, School Psychological Services Supervisor

<p>MSDE will review the MSDE Data Collection Survey.</p> <ul style="list-style-type: none"> ● MSDE will review available data from the MSDE data collection survey to identify technical assistance needs and data trends. <ul style="list-style-type: none"> ○ MSDE will communicate with local school systems regarding the review of restraint and seclusion data. ● MSDE will review the survey items to ensure the alignment with any revised requirements, statute revisions, COMAR regulations, etc. <ul style="list-style-type: none"> ○ MSDE will make potential revisions to the restraint and seclusion survey. ○ MSDE will communicate with local school systems on any revisions to the survey. 	<ul style="list-style-type: none"> ● Review of the survey and any necessary revisions will be completed by May 31, 2022. 	<p>DSSAEEP Staff</p> <ul style="list-style-type: none"> ○ Mary Gable, Assistant State Superintendent ○ Walt Sallee, Director of Student Services ○ Kimberly Buckheit, Section Chief, School Safety and Climate ○ Dr. April Turner, School Psychological Services Supervisor
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