



STATE OF NEW JERSEY

# DEPARTMENT OF EDUCATION

A Memo from the New Jersey Department of Education

Date: December 14, 2022  
To: Local Education Agency Leads and Administrators of Approved Private Schools for Students with Disabilities  
Route To: Directors of Special Services, School Principals, District Homeroom Administrators, Data Coordinators, Anti-Bullying Coordinators  
From: Kathy Ehling, Assistant Commissioner  
Division of Educational Services

## Mandatory Restraint and Seclusion Data Collection/Student Safety Data System Opening

The purpose of this memorandum is to provide guidance to local education agencies (LEAs), students, and parents/guardians of students regarding the mandatory collection of data regarding the use of restraint and seclusion.

### Background

In January 2018, Public Law 2017, Chapter 291 was signed into law. The law narrows the conditions under which staff in school districts, educational services commissions (ESCs), and approved private schools for students with disabilities (APSSDs) may use restraint and seclusion techniques, particularly on students with disabilities. Further, the law required the New Jersey Department of Education (NJDOE) to establish guidelines for school districts, ESCs and APSSDs to ensure that a review process is in place to examine the use of physical restraints or seclusion techniques in certain circumstances.

In July 2018, in response to this law, the NJDOE issued the [key provisions and definitions](#) to be included in the guidance. This guidance was informed by representatives from school districts, ESCs, APSSDs, attorneys representing parents and districts, and statewide advocacy groups and it incorporates the 15 principles set forth in the May 2012 document, [Restraint and Seclusion: Resource Document](#), published by the U.S. Department of Education.

### Mandatory Data Collection

Additionally, N.J.S.A. 18A:17-48 was amended to require that the Commissioner of Education post a database to the NJDOE's website which contains, at a minimum, "school level totals for each category of student disciplinary actions, including in-school suspensions, out-of-school suspensions, expulsions, use of physical restraint or seclusion techniques, referrals to law enforcement, and arrests, as well as demographic information of the students who received the disciplinary action." In response to this amendment, LEAs are required to report restraint and seclusion data for the 2022-2023 school year.

### Reporting Restraint and Seclusion Data

Reporting of incidents of restraint and seclusion will take place through the Student Safety Data System (SSDS). The SSDS is now open for reporting for the 2022-2023 school year and the report period 1 submission due date is January 31, 2023. Access to the SSDS, along with online resources to support this new data submission, are available on the [Student Safety Data System webpage](#).

Questions concerning the SSDS should be directed to [ssds@doe.nj.gov](mailto:ssds@doe.nj.gov). Questions regarding discipline, including the use of restraint and seclusion, should be directed to [oseinfo@doe.nj.gov](mailto:oseinfo@doe.nj.gov).

c: Members, State Board of Education  
NJDOE Staff  
Statewide Parent Advocacy Network  
Garden State Coalition of Schools  
NJ LEE Group