

# **Annual Report Regarding the Use of Restraints in Pennsylvania's Special Education Programs**

**2018-2019 School Year**



COMMONWEALTH OF PENNSYLVANIA  
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## **Introduction**

This report represents aggregated data collected from the Restraint Information System of Collection (RISC) developed by the Pennsylvania Department of Education (PDE) in conjunction with recommendations from the state Special Education Advisory Panel (SEAP). The RISC system was implemented in 2008 as a manual system and was enhanced as a secure web-based system in the spring of 2009.

PDE's Bureau of Special Education (BSE) closely monitors the reporting of the use of restraints. If patterns of restraint or other data bring into question compliance with Chapters 14 and 711, the Special Education Adviser assigned to the Local Educational Agency (LEA) is directed to intervene. A Checklist for the Review of Excessive Restraints Form was developed and distributed to all Advisers to assist them in reviewing all pertinent policies and documents. The final report is then forwarded to the assigned BSE Restraint Adviser for review. Interventions include communications with Special Education Directors, visits to the place of service, and/or corrective action plans, if deemed necessary. Ongoing follow-up is provided throughout the school year and Extended School Year.

The following is a summation of the data included in the RISC system for the 2018-2019 school year.

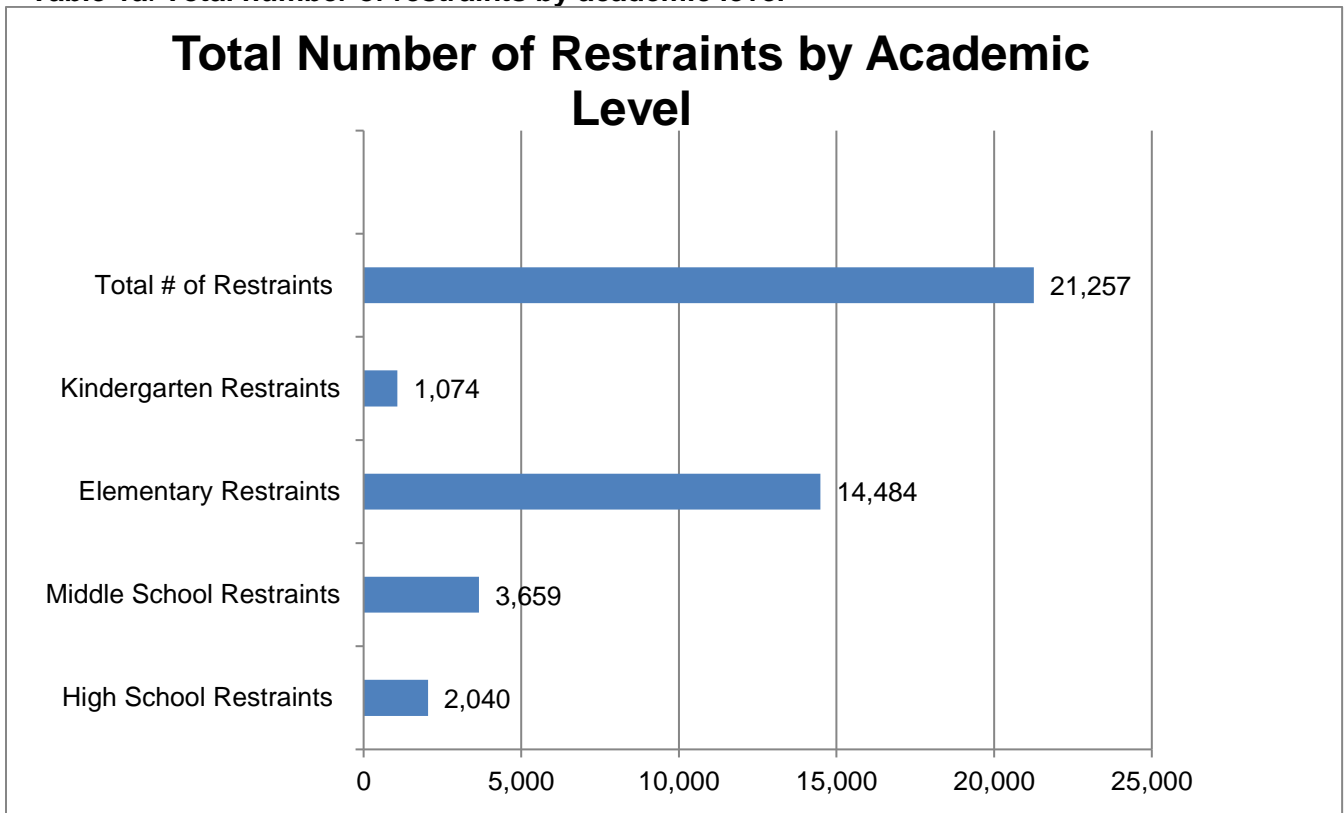
### Educational Entities

In the 2018-19 School Year, of the total 676 LEAs, 556 LEAs reported restraints occurred, and 120 LEAs reported zero restraints. All but two LEAs complied with reporting to RISC.

The total number of restraint entries was 21,257. Of the 21,257 entries, the number of restraints by academic level were:

- 1,074 (5.05%) restraints occurred in Kindergarten (Part/Full day);
- 14,484 (68.14%) restraints occurred in Elementary School (Grades 1-6);
- 3,659 (17.21%) restraints occurred in Middle School (Grades 7-9); and
- 2,040 (9.60%) restraints occurred in High School (Grades 10-12).

**Table 1a: Total number of restraints by academic level**

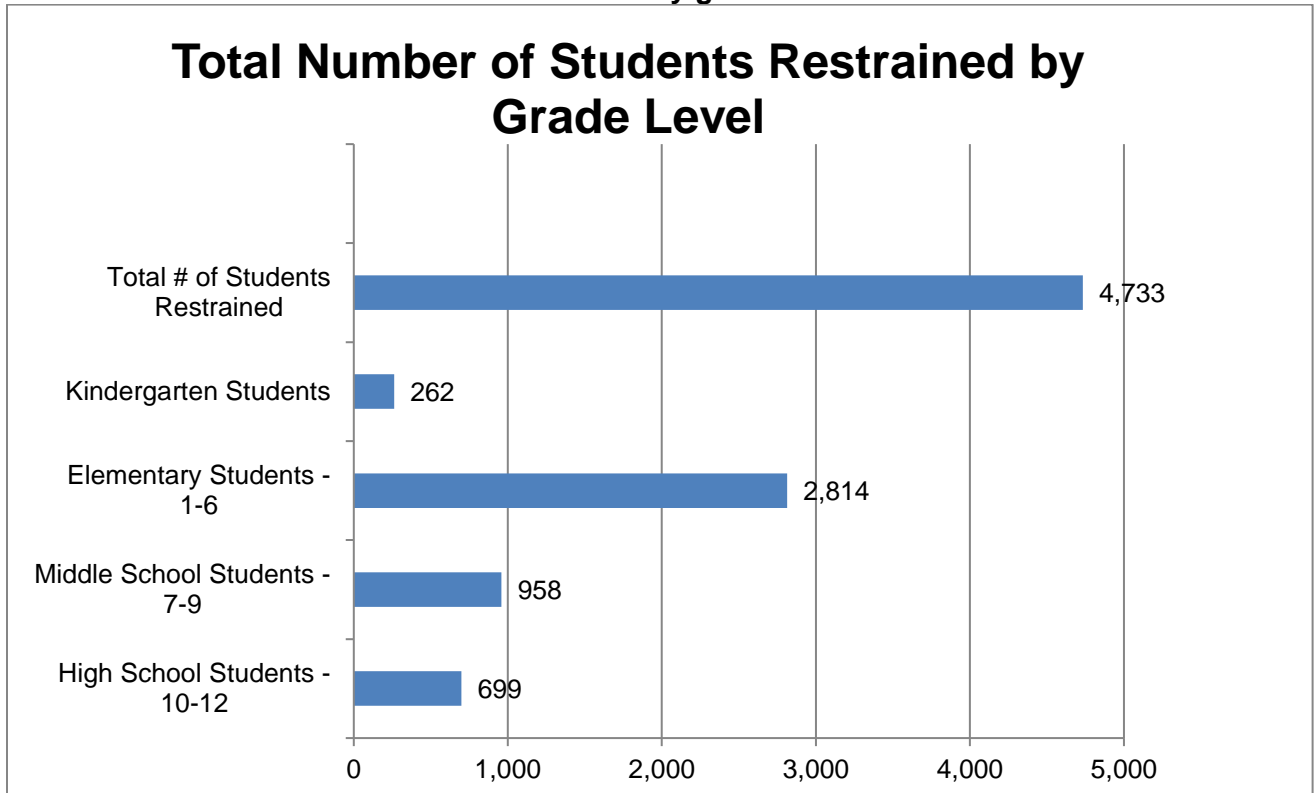


The total number of restraint entries was 21,257. Of the 21,257 entries, 4,733 students were restrained.

- 262 (5.54%) students were in Kindergarten (Part/Full day);
- 2,814 (59.45%) students were in Elementary School (Grades 1-6);

- 958 (20.24%) students were in Middle School (Grades 7-9); and
- 699 (14.77%) students were in High School (Grades 10-12).

**Table 1b: Total number of students restrained by grade level**



### **2018-2019 Students Restrained by Student Disability Categories**

Of the 4,733 students restrained, the number of restraints by disability category is detailed below:

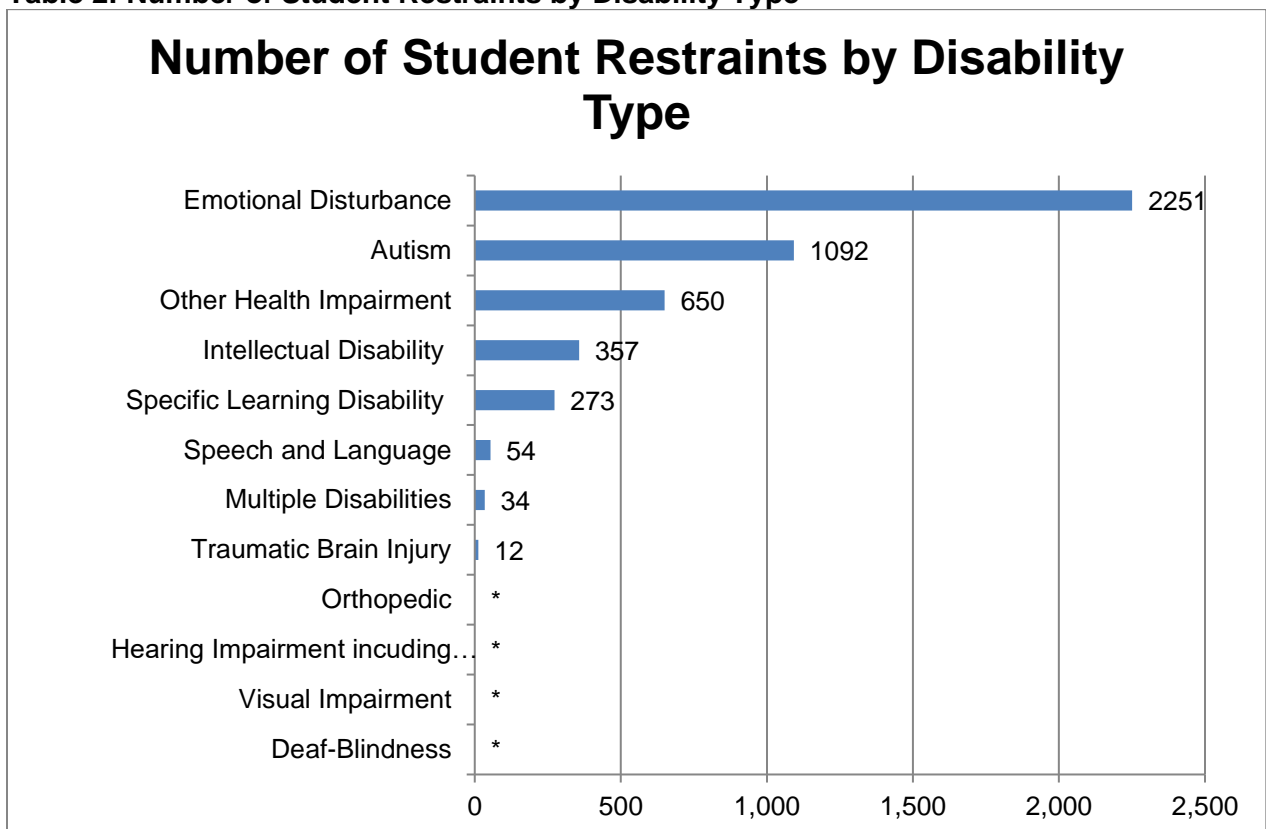
- 2,251 (47.56%) - Emotional Disturbance
- 1,092 (23.07%) - Autism
- 650 (13.73%) - Other Health Impairment
- 357 (7.54%) - Intellectual Disability
- 273 (5.77%) - Specific Learning Disability
- 54 (1.14%) - Multiple Disabilities
- 34 (0.72%) - Speech and Language Impairment
- 12 (0.25%) - Traumatic Brain Injury

- \* - Orthopedic Impairment
- \* - Hearing Impairment including Deafness
- \* - Visual Impairment including Blindness
- \* - Deaf-Blindness

\*Denotes 10 count or less

The total percentage of the disaggregated data points (Disability Categories) do not add up to exactly 100% as the data points were not rounded.

**Table 2: Number of Student Restraints by Disability Type**



\*Denotes 10 count or less

## Location Where Restraints Occurred – Disaggregated

Location of the 21,257 restraints in school-age programs for the 2018-2019 School Year:

- 5,344 (25.14%) - School District (SD) Programs
- 5,220 (24.56%) - Licensed Private Academic Schools
- 3,126 (14.71%) - Intermediate Unit (IU) programs located outside the SD
- 2,172 (10.22%) - Approved Private Schools (APS)
- 1,652 (7.77%) - IU operated classrooms in a SD building
- 1,495 (7.03%) - “Other” settings”
- 840 (3.95%) - IU operated classrooms in a neighboring SD
- 558 (2.63%) - Alternative Education Programs
- 391(1.84%) - Charter Schools (CS)
- 216 (1.02%) - Segregated Programs outside the school buildings
- 188 (0.88%) - Private Residential Rehabilitative Institutions (PRRI)
- 31 (0.15%) - Approved Alternative Education for Disruptive Youth program
- 19 (0.09%) - Youth Development Center/Youth Forestry Camp (YDC/YFC)
- \* - County Detention Center
- \* - Career and Technology Center (CTC)
- \* - Institutional Child Placements (ICP)

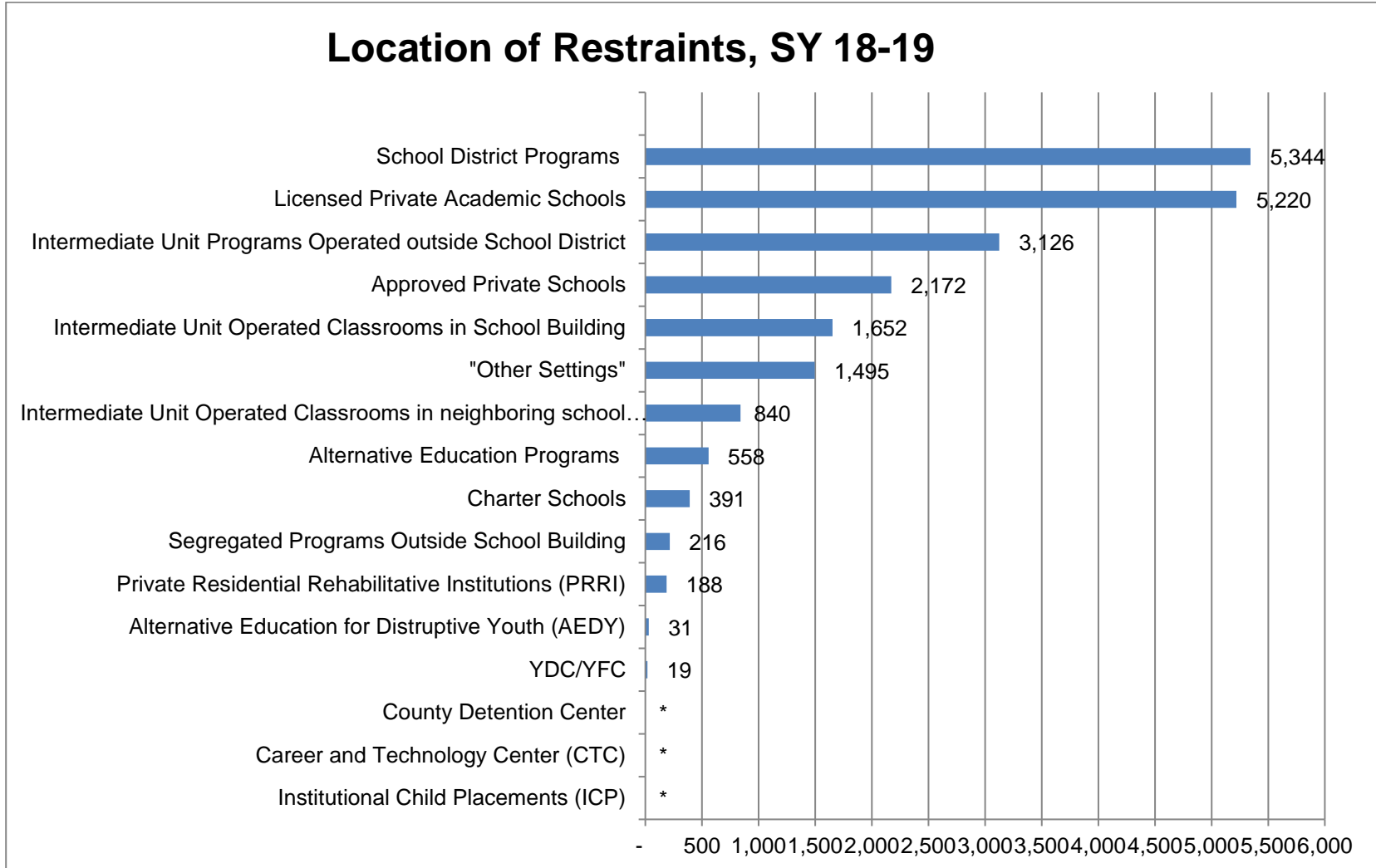
\*Denotes 10 count or less

In 2017-2018, the top five school-age programs with the highest restraints were:

- 5,491 (26.97%) - SD Programs
- 3,881 (19.06%) - Licensed Private Academic Schools
- 3,203 (15.73%) - IU programs located outside the SD
- 2,418 (11.88%) - APSs
- 1,867 (9.17%) - “Other” settings”



**Table 3: Location of Restraints - SY 18-19**



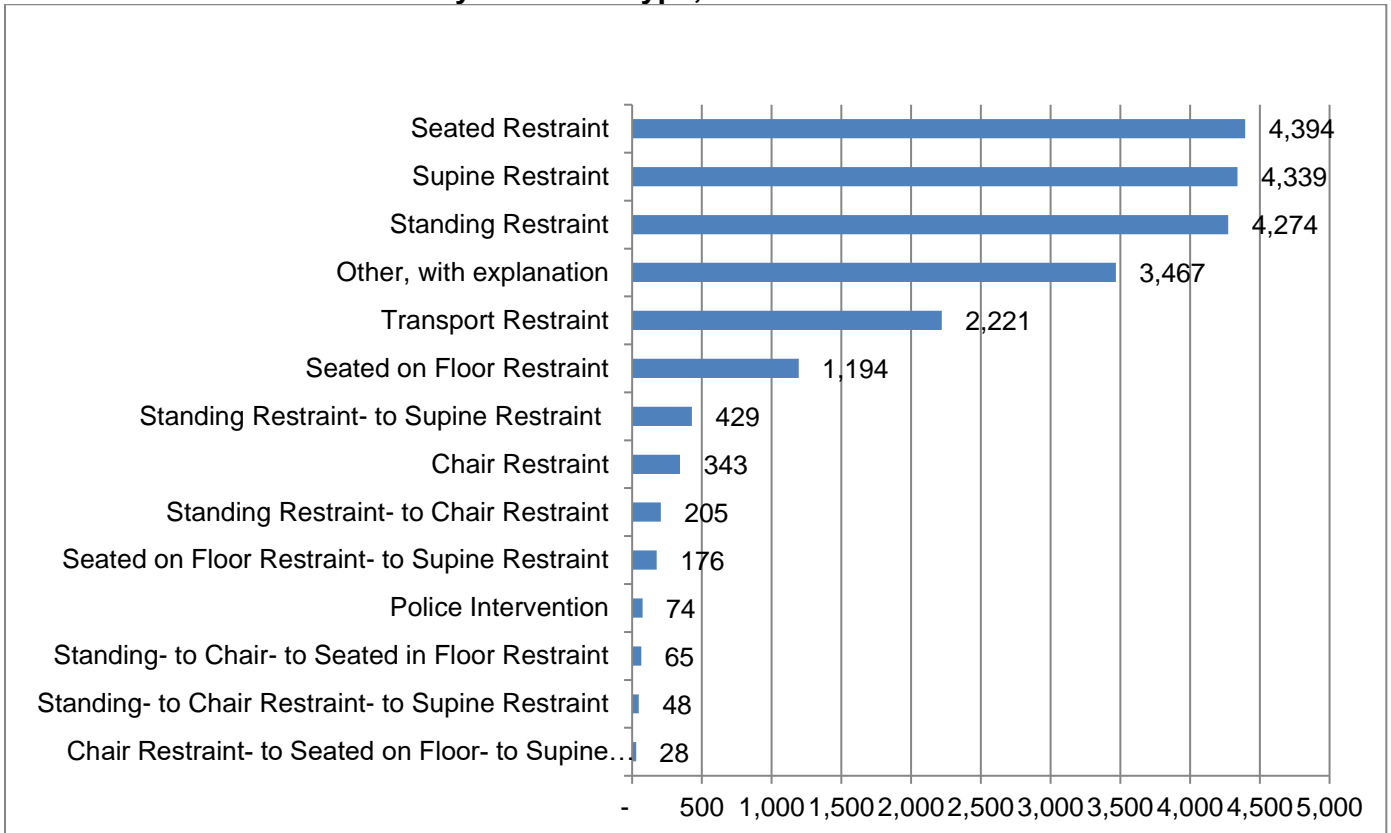
## Types of Restraints – Disaggregated

Of the 21,257 restraints, below are the types of restraints utilized:

- 4,394 (20.67%) - Seated Restraint
- 4,339 (20.41%) - Supine Restraint
- 4,274 (20.11%) - Standing Restraint
- 3,467 (16.31%) - Other, with an explanation
- 2,221 (10.45%) - Transport
- 1,194 (5.62%) - Seated on Floor Restraint
- 429 (2.02%) - (Combination hold) Standing Restraint - to Supine Restraint
- 343 (1.51%) - Chair Restraints
- 205 (0.96%) - (Combination hold) Standing Restraint - to Chair Restraint
- 176 (0.83%) - (Combination hold) Seated on Floor Restraint - to Supine Restraint
- 74 (0.35%) - Police Intervention
- 65 (0.31%) - (Combination hold) Standing Restraint - to Chair Restraint - to Seated in Floor Restraint
- 48 (0.23%) - (Combination hold) Standing Restraint - to Chair Restraint - to Supine Restraint
- 28 (0.13%) - (Combination hold) Chair Restraint - to Seated on Floor Restraint - to Supine Restraint

The total percentage of the disaggregated data points (Types of Restraints) do not total 100% as the data points were not rounded.

**Table 4: Number of Restraints by Restraint Type, SY 18-19**



In the previous 17-18 SY, the restraint types were similar to those used in the 18-19 SY.

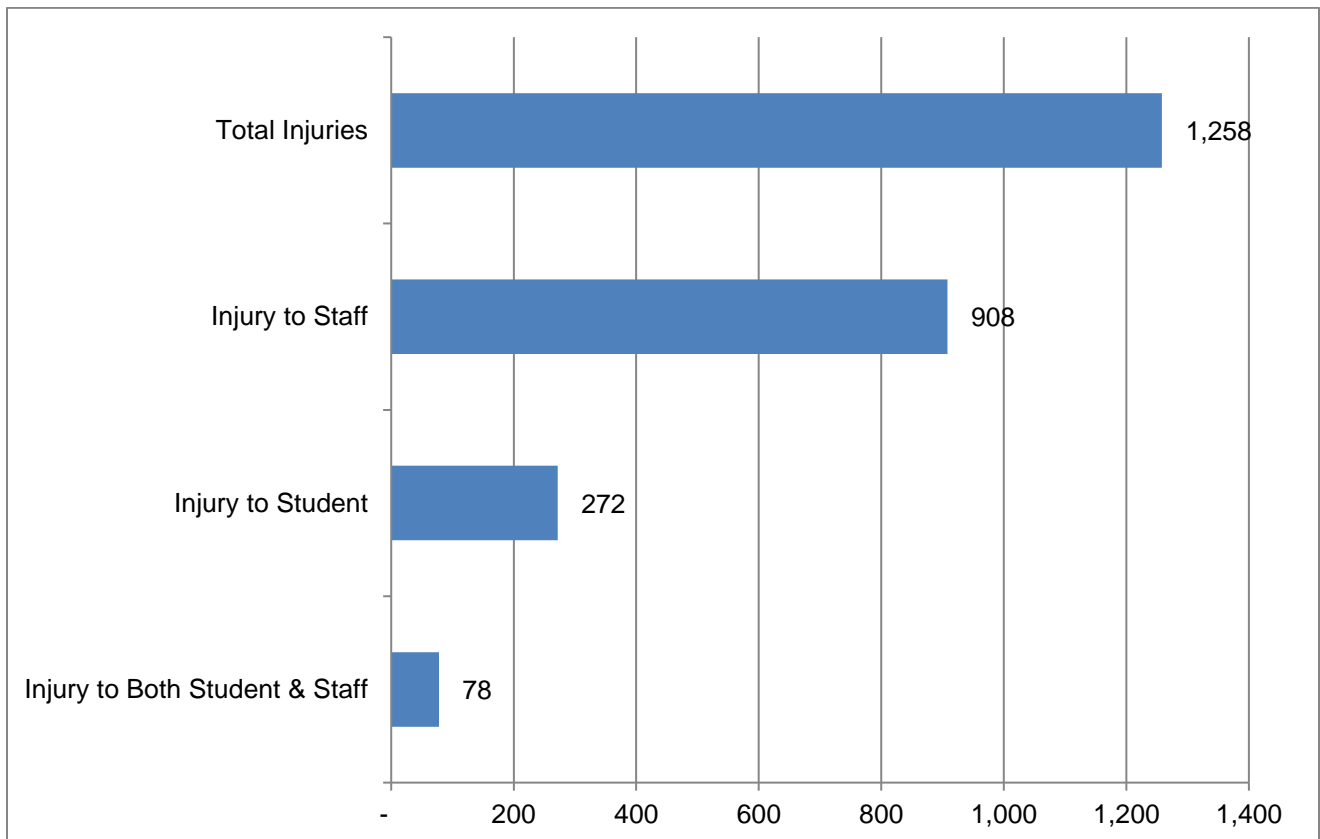
- 4,420 (21.71%) - Seated
- 4,288 (21.06%) - Standing
- 4,136 (20.31%) - Supine
- 3,036 (14.91%) - Other, with an explanation
- 2,232 (10.96%) - Transport

## Injuries to Staff / Injuries to Students

Of the 21,257 restraints during the 2018-2019 School Year, there were 1,258 injuries (5.92%). The 2018-2019 Injuries to Staff were 908 injuries. There were 272 students that sustained an injury. There were also 78 restraints which occurred where both a staff member and student were injured.

- 908 (72.18%) were injuries occurred to a staff member during the restraint.
- 272 (21.62%) were injuries occurred to a student during the restraint.
- 78 (6.20%) were injuries occurred to both students and staff during the restraint.

**Table 5: Injuries to Students and Staff SY 2018-19**



## Restraints with Injuries – by Location

Of the 1,258 injuries in 2018-2019, the location of restraint where injuries occurred are outlined below:

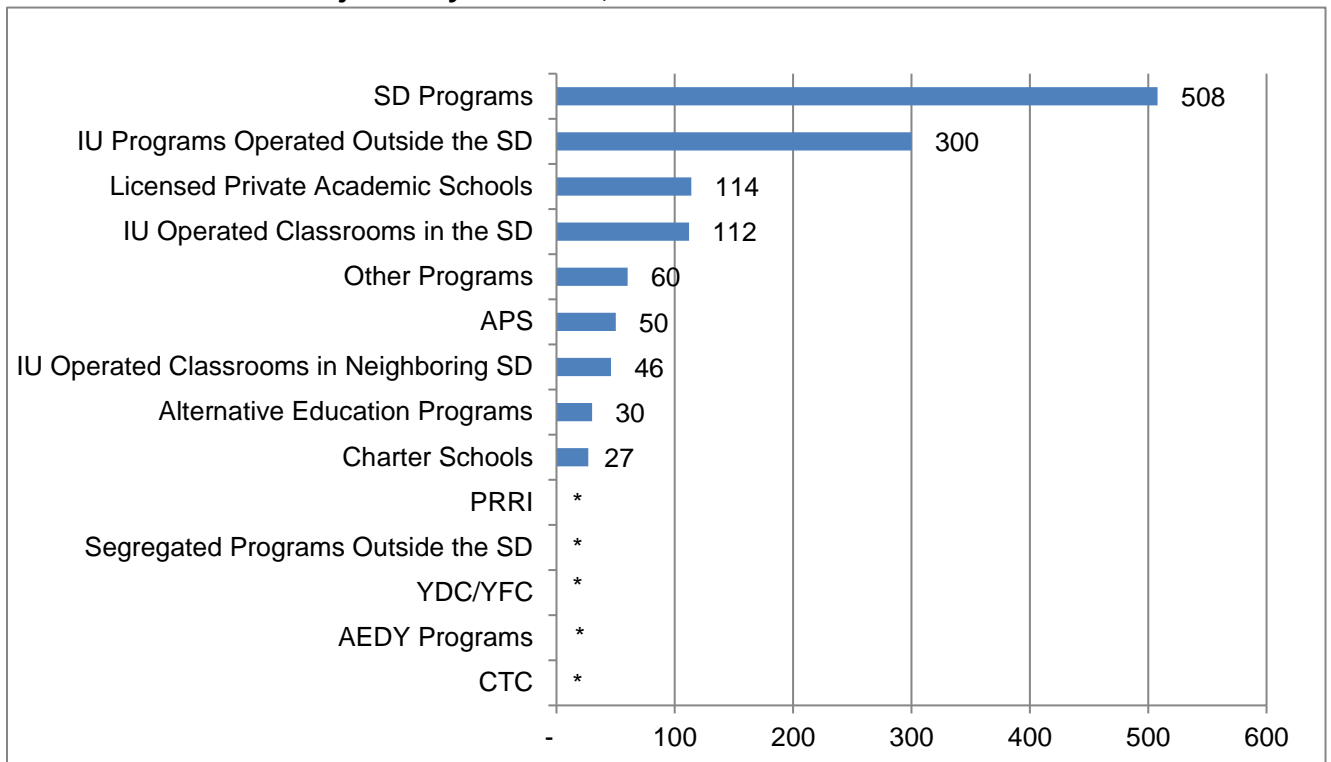
- 508 (40.38%) - SD Programs
- 300 (23.85%) - IU programs operated outside the SD
- 114 (9.06%) - Licensed Private Academic Schools

- 112 (8.90%) - IU operated classrooms in the SD
- 60 (4.77%) - Other programs
- 50 (3.97%) - APS
- 46 (3.66%) - IU Operated classrooms in a neighboring SD
- 30 (2.38%) - District Alternative Emotional Support Programs
- 27 (2.15%) - Charter Schools
- \* - Private Residential Rehabilitative Institution (PRRI)
- \* - Segregated program outside the SD
- \* - YDC/YFC
- \* - AEDY programs
- \* - CTC

\*Denotes 10 count or less

The total percentage of the disaggregated data points (Restrains and Injuries) do not add up to exactly 100% as the data points were not rounded.

**Table 6: Restraints with Injuries by Location, SY 18-19**



### Types of Restraints Resulting in Injuries

Of the 1,258 injuries to students and staff, the types of restraints utilized are outlined below:

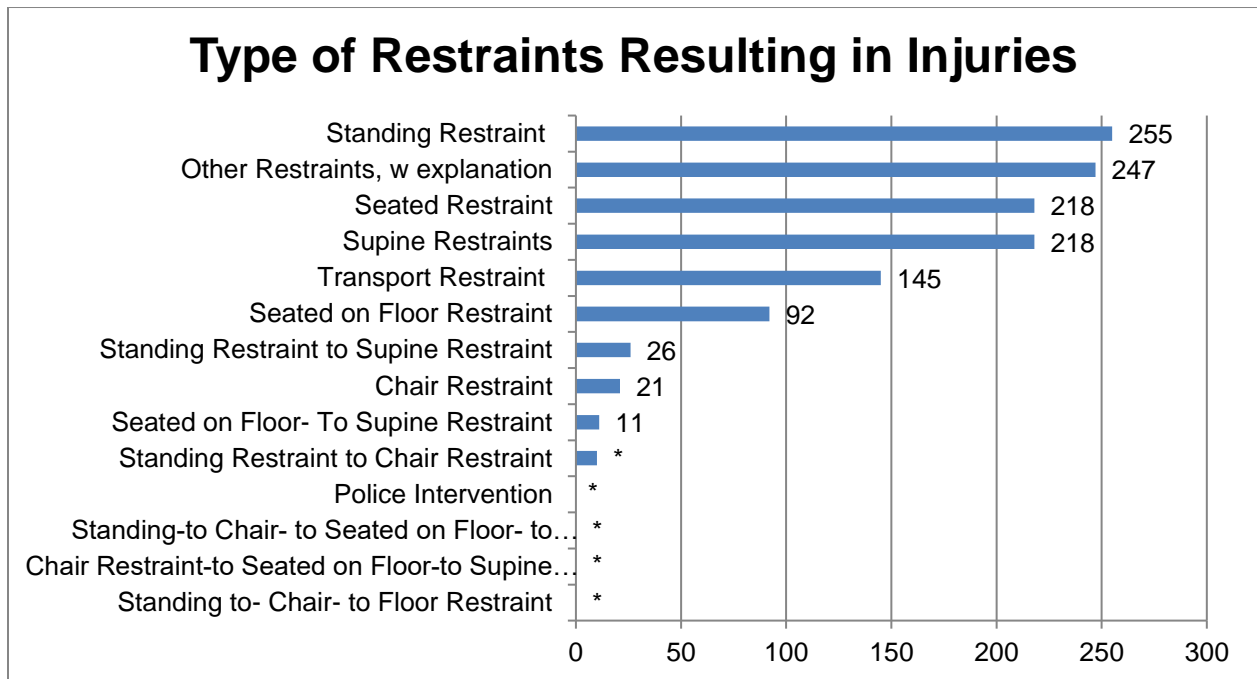
- 255 (20.27%) - Standing Restraints
- 247 (19.63%) - Other Restraints, with an explanation
- 218 (17.33%) - Seated restraint
- 218(17.33%) - Supine Restraints
- 145 (11.53%) - Transport Restraint
- 92 (7.31%) - Seated on Floor Restraint
- 26 (2.07%) - Standing Restraint to Supine Restraint
- 21 (1.67%) - Chair Restraint
- 11 (0.87%) - Seated on Floor Restraints - to Supine Restraint
- \* - Standing Restraint to Chair Restraint
- \* - Police Intervention Restraints
- \* - Standing - to Chair - to Seated on Floor - to Supine Restraint

- \* - Chair Restraint - to Seated on Floor Restraints - to Supine Restraint
- \* - Standing - to Chair - to Floor Restraint

\*Denotes 10 count or less

The total percentage of the disaggregated data points (Types of Restraints Resulting in Injuries) do not add up to exactly 100% as the data points were not rounded.

**Table 7: Type of Restraints Resulting in Injuries, SY 18-19**



\*Denotes 10 count or less

### Duration of Time per Restraints, SY 18-19

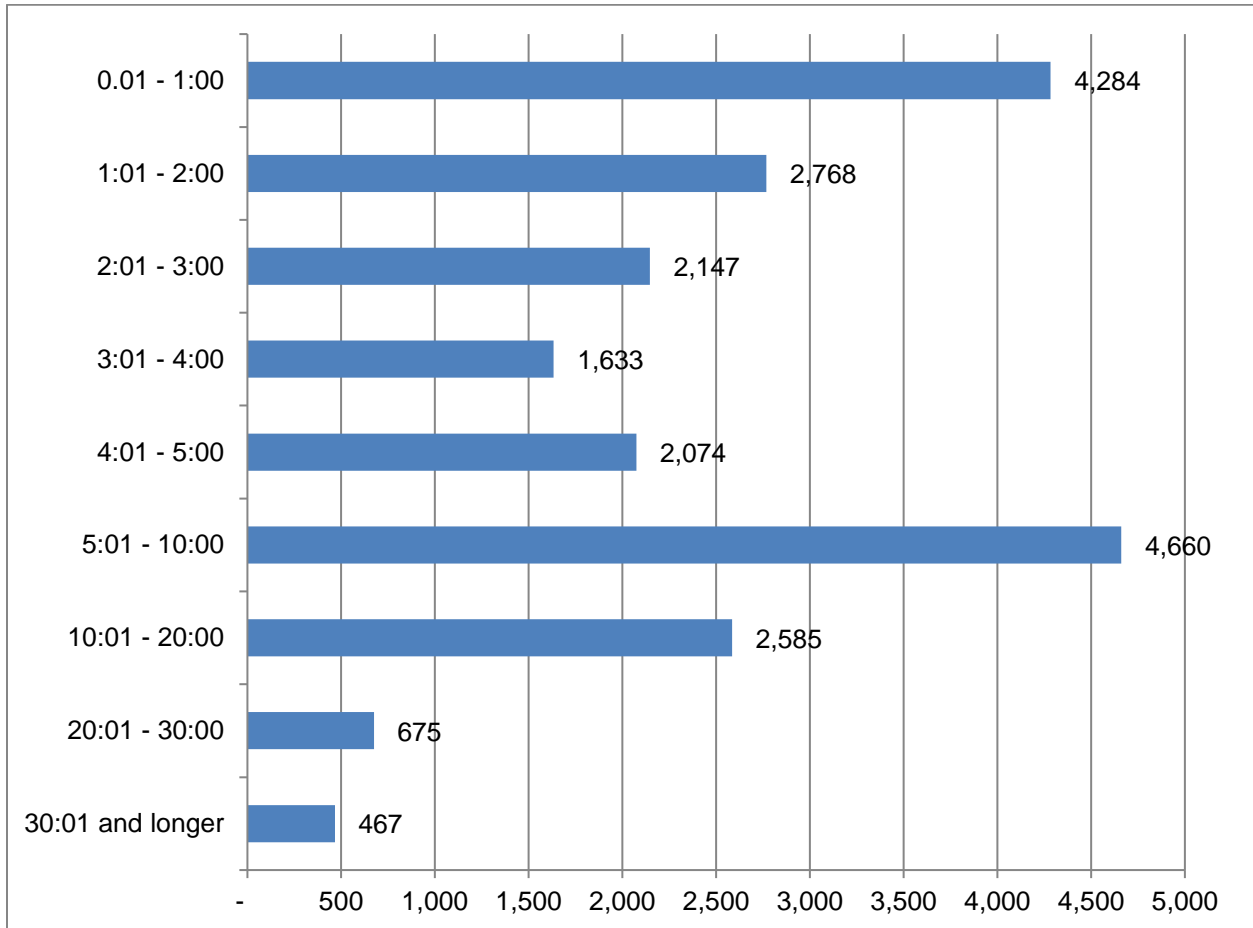
The 21,257 restraints that occurred in 2018-2019, ranged from under one minute to over 30 minutes. The chart below details the length of time of the restraint in increments.

The interval ranges are listed below:

- 4,284 (19.98%) - 0:01 to 1:00 minute
- 2,768 (13.02%) - 1:01 to 2:00 minutes
- 2,147 (10.10%) - 2:01 to 3:00 minutes
- 1,633 (7.68%) - 3:01 to 4:00 minutes
- 2,074 (9.76%) - 4:01 to 5:00 minutes
- 4,660 (21.92%) - 5:01 to 10:00 minutes

- 2,585 (12.16%) - 10:01 to 20:00 minutes
- 675 (3.18%) - 20:01 to 30:00 minutes
- 467 (2.20%) - 30:01 and longer

**Table 8: Duration of Time Per Restraints.**





## Staff Title Breakdown for 2018-2019

LEAs identify the staff involved in the restraint through the RISC process. Additionally, the report requires information if the staff was trained in a restraint system. Below is a compilation of staff involved and the percentage of staff that have been trained.

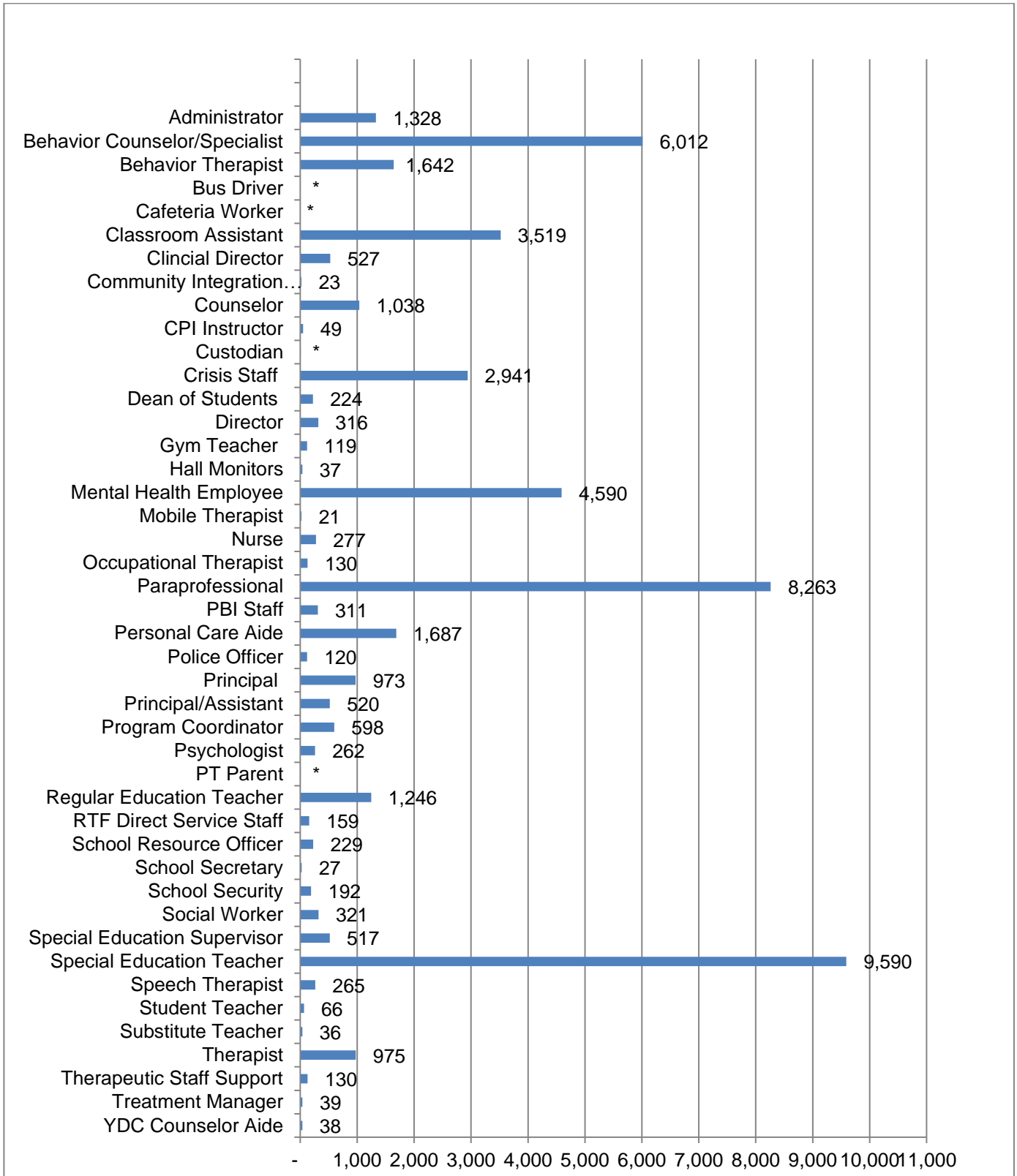
NOTE: There are duplicate staff reported in the Staff Title Breakdown Report as some reported restraints have multiple staff assisting in the process.

**Table 9: Restraint by Staff Type, SY 18-19**

Staff Type	Total Count	Total Count Where Staff Member is Trained	% Trained
Administrator	1,328	1312	98.80%
Behavior Counselor/Specialist	6012	5,858	99.92%
Behavior Therapist	1642	1642	100.00%
Behavior Assistant	2707	2704	99.89%
Bus Driver	*	*	80.00%
Cafeteria Worker	*	*	50.00%
Classroom Assistant	3,519	3514	99.86%
Clinical Director	527	527	100.00%
Community Integration Specialist	23	23	100.00%
Counselor	1,038	1,023	98.55%
CPI Instructor	49	49	100.00%
Custodian	*	*	87.50%
Crisis Staff	2941	2939	99.93%
Dean of Students	224	223	99.55%
Director	316	315	99.68%
Gym Teacher	119	116	97.48%
Hall Monitors	36	36	100.00%
Mental Health Employee	4590	4587	99.93%
Mobile Therapist	21	21	100.00%
Nurse	277	271	97.83%
Occupational Therapist	130	125	97.73%
Paraprofessional	8263	8231	99.61%
Parent	*	*	00.00%
PBI Staff	311	311	100.00%
Personal Care Aide	1687	1684	99.82%
Police Officer	120	108	90.00%
Principal	973	957	98.36%
Principal/Assistant	520	511	98.27%
Program Coordinator	598	598	100.00%
Psychologist	266	264	99.25%
Regular Education Teacher	1246	1214	97.43%
RTF Direct Service Staff	159	159	100.00%
School Resource Officer	229	210	91.70%
School Secretary	27	27	100.00%
School Security	192	185	96.35%
Social Worker	321	320	99.69%
Specialist	464	463	99.79%
Special Education Supervisor	517	508	98.26%

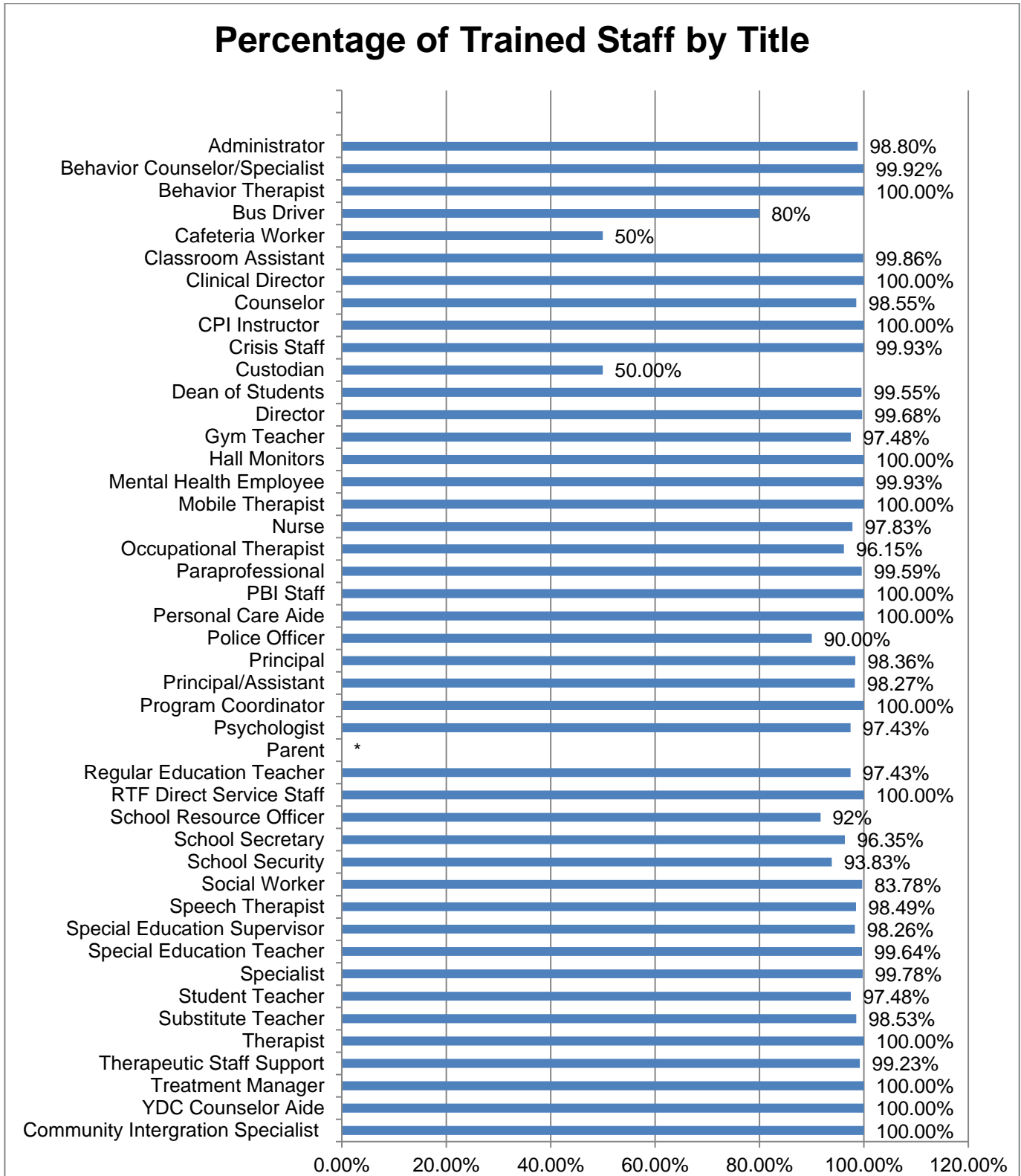
Staff Type	Total Count	Total Count Where Staff Member is Trained	% Trained
Special Education Teacher	9590	9555	99.64%
Speech Therapist	265	261	98.49%
Student Teacher	66	64	96.97%
Substitute Teacher	36	30	83.33%
Therapist	975	975	100.00%
Therapeutic Staff Support	130	139	99.23%
Treatment Manager	39	39	100.00%
YDC Counselor Aide	38	38	100.00%
<b>Total</b>	<b>53,600</b>	<b>53,335</b>	<b>99.51%</b>

**Table 10: Restraint by Staff Title**



\*Denotes 10 count or less

**Table 11: Percentage of Trained Staff by Title**



## Individualized Education Program (IEP) Meetings

The LEAs are responsible to adhere to 22 Pa. Code §§ 14.133 and 711.46.(c)(1)

### Section 14.133(c)(1) Positive Behavior Support:

“The use of restraints to control the aggressive behavior of an individual student or eligible young child shall cause the school entity to notify the parent of the use of restraint and shall cause a meeting of the IEP team within 10 school days of the inappropriate behavior causing the use of restraints, unless the parent, after written notice, agrees in writing to waive the meeting. At this meeting, the IEP team shall consider whether the student or eligible young child needs a functional behavioral assessment, reevaluation, a new or revised positive behavior support plan, or a change of placement to address the inappropriate behavior.”

### Section 711.46(c)(1) Positive Behavior Support:

“The use of restraints to control the aggressive behavior of an individual student shall cause the charter school or cyber charter school to notify the parent of the use of restraint and shall cause a meeting of the IEP team within 10 school days of the inappropriate behavior causing the use of restraints, unless the parent, after written notice, agrees in writing to waive the meeting. At this meeting, the IEP team shall consider whether the student needs a functional behavioral assessment, reevaluation, a new or revised positive behavior support plan or a change of placement to address the inappropriate behavior.”

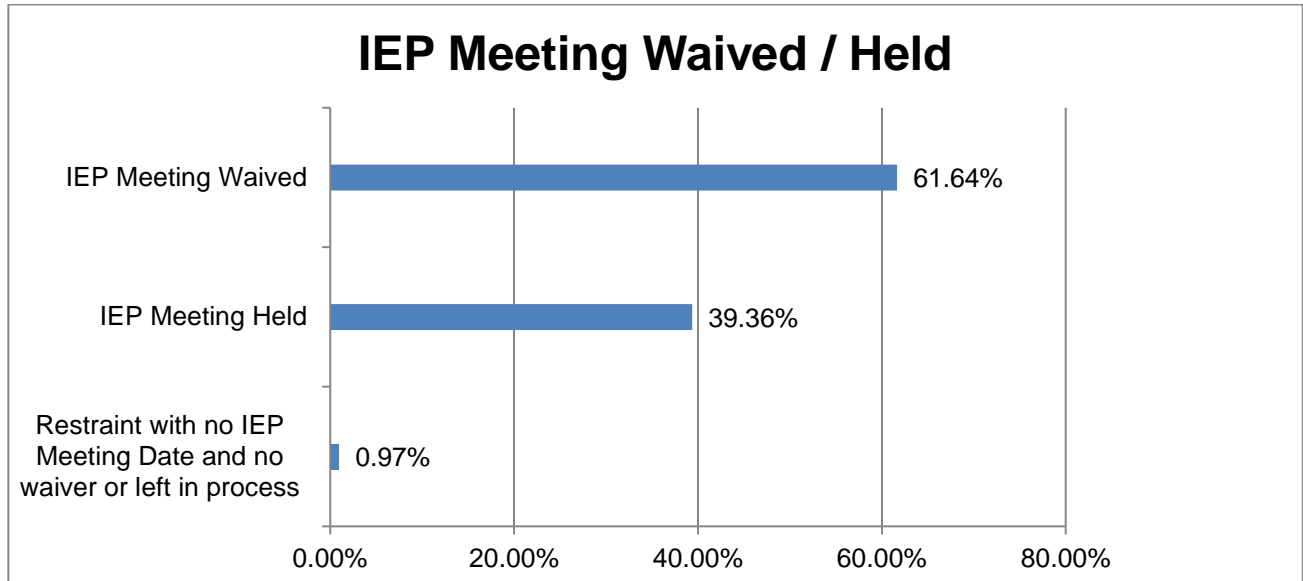
Of the 21,257 restraints, the number of waivers and IEP meetings is outlined below:

- 13,102 (61.64%) of restraints, the parents waived the available IEP meeting; and
- 8,367 (39.36%) of restraints, an IEP meeting was held.
- 206 (0.97%) of restraints, the restraint reports were left “In Process”.

Note: the above number of waivers plus the number of IEP meetings held is more than 100% as some parents signed a waiver and then additionally had an IEP meeting.

- Remaining restraints were left In-process or Unable to Complete:
  - In-Process – More information was needed in the required fields of the individual restraint report and the LEA had yet fulfilled the process. The In-Process restraint report can still be read by the adviser.
  - Unable to Complete – The LEA clicked on the Unable to Complete button and noted the purpose of that circumstance, such as failure to hold an IEP meeting or unable to attain Parent’s signature on a waiver.

**Table 12: IEP Meetings Waived / Held or Left in Process**

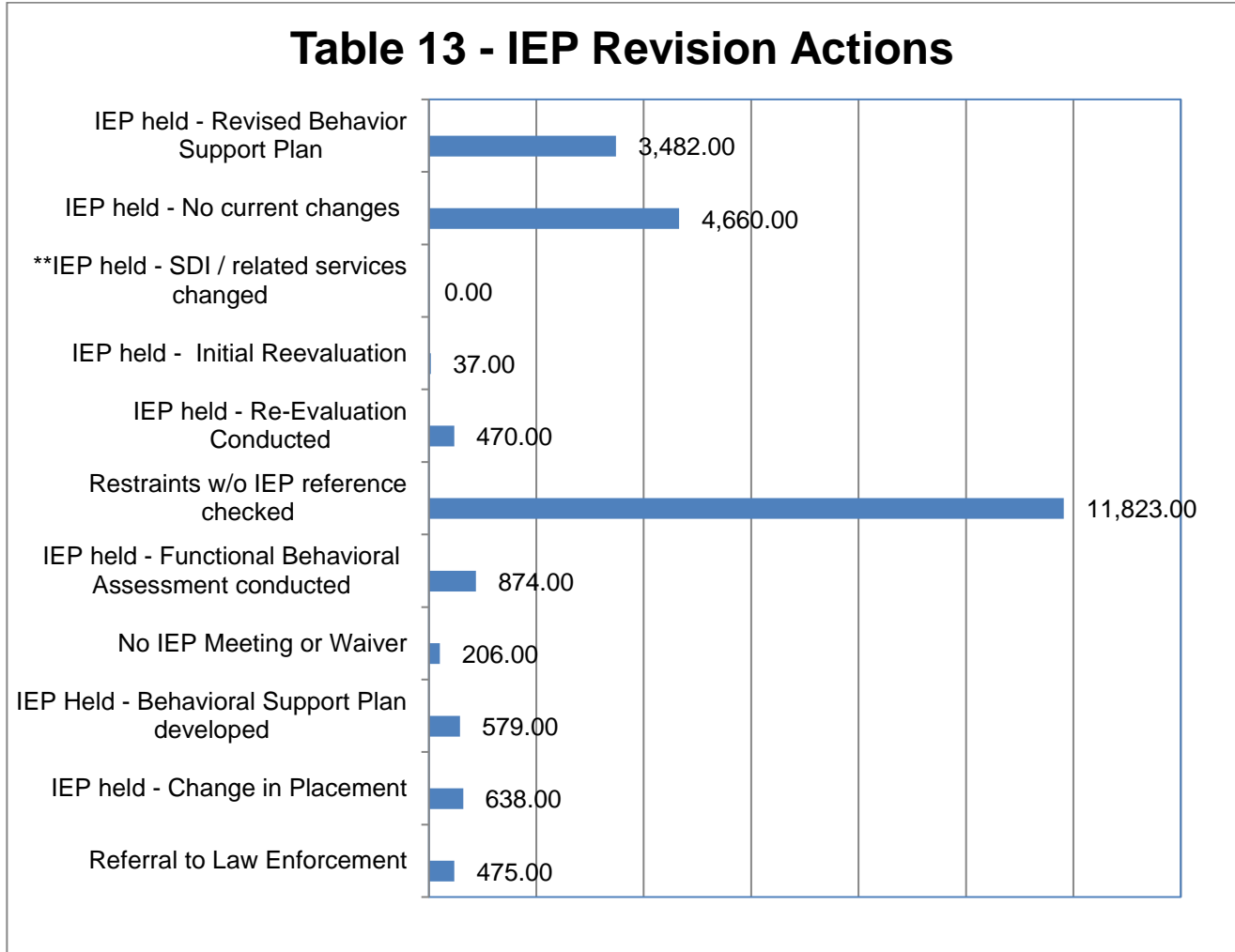


**Actions taken by LEAs when the IEP meeting occurred are detailed below.**

- 3,482 (16.38%) of the total restraints resulted in an IEP meeting being held and a revised Behavior Support Plan (BSP) being developed.
- 4,460 (21.92%) of the total restraints resulted in an IEP team convening with no changes made.
- 0 (00.00%) of the total restraints resulted in an IEP team convening and related services and SDIs were changed.
- 37 (0.17%) of the total restraints resulted in an IEP team convening resulting in an initial evaluation.
- 470 (2.21%) of the total restraints resulted in an IEP team making a recommendation for a re-evaluation to be conducted.
- 11,823 (55.62%) of the total restraints had an IEP waiver or an IEP w/o noting any action.
- 874 (4.11%) of the total restraints resulted in an IEP meeting being held and a Functional Behavior Assessment (FBA) being conducted.
- 206 (0.97%) of the total restraints did not include an IEP meeting being held or having a waiver signed.
- 579 (2.72%) of the total restraints resulted in an IEP meeting being held and a new BSP being developed.
- 638 (3.00%) of the total restraints resulted in an IEP meeting being held and a change in placement occurring.

- 457 (2.15%) of the total restraints resulted in referrals to law enforcement and an IEP meeting being held.

**Table 13: IEP Revision Actions**



\*\*“IEP held – SDI / related services changed” was added to the system at the end of the School Year.

## Four Year Comparative Analysis

Table 14: Number of Students and Restraints, SY14-15 to SY18-19

Numbers of Restraints / Years	2014-15	2015-16	2016-17	2017-18	SY18-19	Variance Between SY14-15 and SY 15-16	Variance Between SY15-16 and SY16-17	Variance Between SY16-17 and SY17-18	Variance Between SY17-18 and SY18-19
# of Students Restrained	3,256	3,588	4,373	4,605	4,733	332	785	232	128
# of Restraints	14,368	17,067	20,580	20,362	21,284	2,699	3,513	(218)	922
# of Kindergarten Students Restrained	148	201	216	235	262	53	15	19	27
# of Kindergarten Restraints	547	871	816	968	1074	324	(55)	152	106
# of Elementary Students Restrained	1,849	2,003	2,471	2,685	2,814	110	468	214	129
# of Elementary Restraints	9,749	10,953	13,590	13,351	14,484	1,204	2,637	(239)	1,133
# of Middle School Students Restrained	691	815	997	1,002	958	160	182	5	(44)
# of Middle School Restraints	2,422	3,305	4,218	3,667	3,686	883	913	(551)	19



# of High School Students Restrained	556	569	689	683	699	13	120	(6)	16
# of High School Restraints	1,605	1,938	1,956	2,376	2,040	333	18	438	(336)

The disability categories with the most restraints have stayed in the same order for the 2015, 2016, 2017, and 2018 School Years, but with different percentages.

1. Emotional Disturbance (ED)
2. Autism
3. Other Health Impairment (OHI)

**Table 15: Disability Categories with the Most Restraints**

	2014-2015	2015-2016	Difference
1. Emotional Disturbance (ED)	51.97%	50.20%	(1.77%)
2. Autism	23.33%	24.4%	1.07%
3. OHI	8.22%	9.39%	1.17%

	2015-2016	2016-2017	Difference
1. ED	50.20%	51.80%	1.60%
2. Autism	24.4%	23.05%	(1.35%)
3. OHI	9.39%	9.99%	.60%

	2016-2017	2017-2018	Difference
1. ED	51.80%	49.95%	(1.85%)
2. Autism	23.05%	23.24%	.19%
3. OHI	9.99%	11.57%	1.58%

	2017-2018	2018-2019	Difference
1. ED	49.95%	47.56%	(2.39%)
2. Autism	23.24%	23.07%	(.17%)
3. OHI	11.57%	13.73%	2.16%

## Summary of 2018-2019 Restraints of Students with Disabilities

PDE closely monitors the use of restraints for Special Education students to ensure that there is no unreasonable use of restraints. PDE utilizes the Pennsylvania Training and Technical Assistance Network (PaTTAN) and the 29 Intermediate Units to provide trainings to the LEAs in Positive Behavior Intervention and Support programs (PBIS) and other research-based practices and techniques to develop and maintain skills that enhance an individual student's opportunity for learning and self-fulfillment.

### Conclusion

BSE RISC Advisers continue to review restraints being reported within the RISC system by the LEAs across the Commonwealth. The RISC Advisers are in contact with the BSE Advisers assigned to the 29 IU regions throughout the year sharing different circumstances that may need investigated. The specific restraint issues, listed below, prompt further discussion and investigation by the BSE Adviser of that IU region:

- Mechanical (handcuff);
- Electric shock intervention (taser);
- Excessive restraints longer than 60 minutes;
- Multiple injuries occurring with student and/or staff;
- Patterns of excessive holds of a specific student
- Pattern of excessive holds that have not decreased over time;
- Excessive law enforcement interventions;
- High waiver count without reconvening of an IEP meeting;
- Serious injury warranting an investigation; and
- Law enforcement intervention without reconvening an IEP [\(22 Pa. Code §§ 14.133\(h\) and 711.41\(h\)\)](#).

Each BSE Adviser assigned to an IU reviews the restraints being reported by each LEA within that geographical region. This information allows the Adviser the opportunity to monitor situations where there are a high number of restraints for a particular student or setting. The BSE Adviser additionally uses the RISC information to inform and connect the RISC data with the cyclical monitoring process. LEAs can use the data to improve the behavioral services for their educational entities to better serve children.

In 2018-2019 School Year, BSE refined the RISC Reporting Template to clarify to the LEAs expected procedures prior to a restraint being implemented. BSE additionally provided more clarity to the LEAs in filling out the RISC Reporting Template as it relates to defining antecedent behaviors prior to the student's outburst and the behavior of concern which prompted the need to restrain the student.

## Interpretations and Recommendations for the 2018-2019 School Year

### Historical Overview

Since the 2016-2017 School Year until the present report of 2018-2019, restraints have been relatively consistent: 20,580, 20,362, and 21,257, respectively. Prior to this, there were 14,368 in 2014-2015 and 17,067 in 2015-2016.

<b>Numbers of Restraints / Years</b>	<b>2014-2015</b>	<b>2015-2016</b>	<b>2016-2017</b>	<b>2017-2018</b>	<b>2018-2019</b>
Total Enrollment of All Students in PA	1,741,605	1,734,928	1,718,530	1,721,195	1,723,405
Total Enrollment of Special Education Students in PA	270,848	276,185	283,145	290,986	297,664
# of IEP Students Restrained	3,256	3,588	4,373	4,605	4,733
% of IEP Students Restrained / Total Special Ed. Population	0.12	0.13	0.15	0.16	0.16
% of IEP Students Restrained / Total Students Population	.0019	.0020	.0025	.0027	.0027

In the last five years, BSE has made a concerted effort to have LEAs fulfill their obligation in reporting restraints that occur with students with IEPs. PDE issued quarterly PennLinks addressing this issue the last two years to all the LEAs. In addition, BSE Advisors have shared this information with their assigned LEAs. To this end, the LEAs are more accurately reporting the total numbers of restraints for the last two school years.

Additionally, there has been an extensive effort by LEAs to provide more training for their staff in de-escalation techniques as well as restraint interventions to help effectively and safely manage a student's behavior. The RISC system collects data on each restraint which includes de-escalation techniques, staff involved in the incident, and staff training. If a RISC report shows a staff member is not trained, the BSE Adviser contacts the LEA to discuss the event and to determine if the LEA needs to provide further training. In 2015-2016 School Year, 82.45% of staff involved in a restraint had the proper training to manage the event safely. During the 2017-2018 School Year, there was an increase to 99.44% trained staff involved in a restraint, and this year 99.51 % of all staff, involved in a restraint, have been trained.

BSE will continue to promote to LEAs the Positive Behavior Intervention and Support initiative. Providing a positive educational culture is essential in helping students learn more effectively while at the same time decreasing aggressive events that could curtail learning.

BSE will continue to support LEAs through trainings and guidance to ensure school environments are structured proactively to address challenging behaviors and promote a positive learning environment for all involved.