

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

2019-2020 School Year



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF EDUCATION
333 Market Street
Harrisburg, PA 17126-0333
www.education.pa.gov

Commonwealth of Pennsylvania

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Department of Education
Noe Ortega, Acting Secretary

Office of Elementary and Secondary Education
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School Services Unit Director
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Voice Telephone: (717) 783-3750, Fax: (717) 783-6802

If you have any questions about this publication or for additional copies, contact:

Pennsylvania Department of Education
Bureau of Special Education
333 Market Street, 7th Floor, Harrisburg, PA 17126-0333
Voice: (717) 783-6913, Fax: (717) 783-6139
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Introduction

This report represents aggregated and disaggregated 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 use of restraints. If patterns of restraints or other data bring into question compliance with Chapters 14 and 711, the Special Education Adviser assigned to the Commonwealth's 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.

The following is a summation of the data included in the RISC 2019-2020 system:

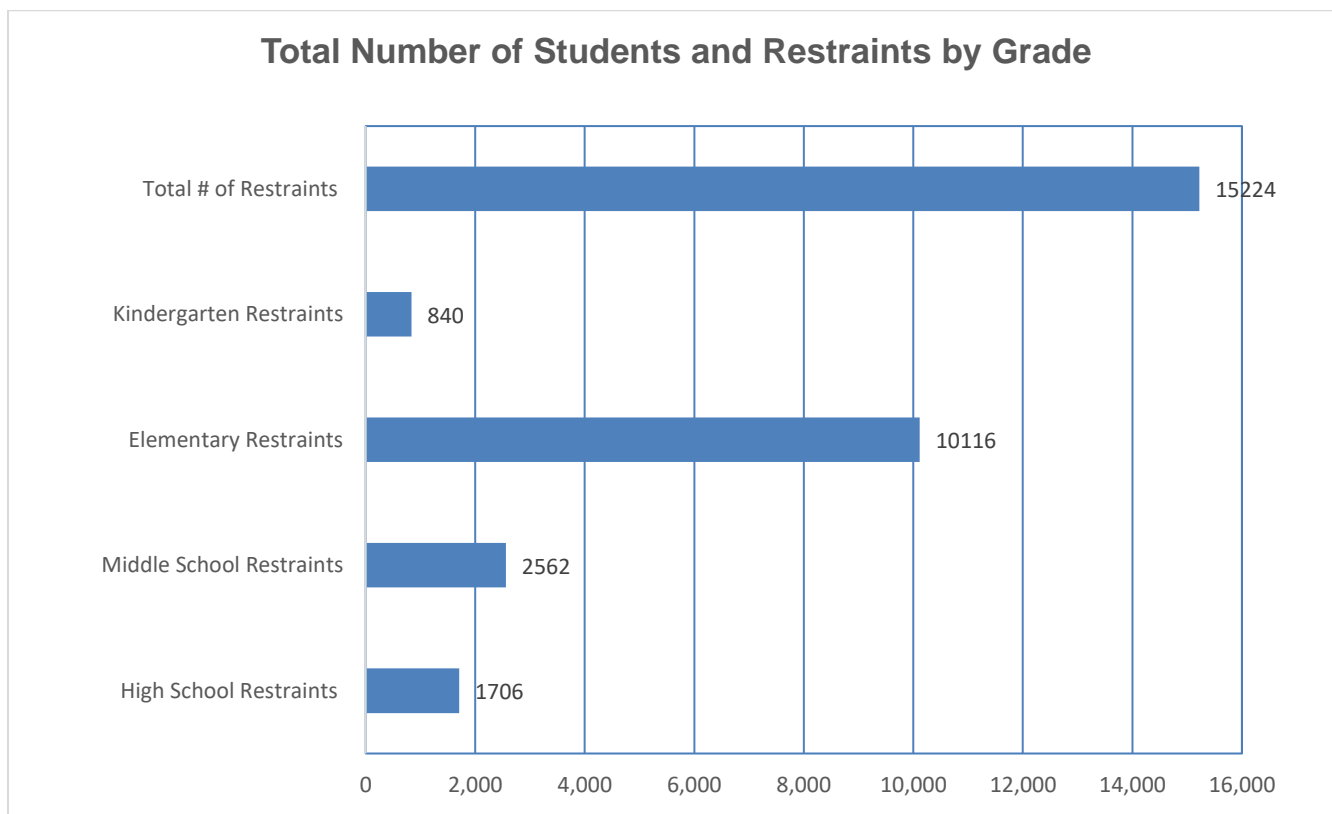
Educational Entities

In the 2019-20 School Year, of the total 676 LEAs, 596 LEAs reported restraints occurred, and 80 LEAs reported zero restraints. All LEAs complied with reporting in the Restraint Information Collection System (RISC) program.

The total number of restraint entries was 15,224. Of the 15,224 entries, the number of restraints by academic level were:

- 840 (5.51%) restraints occurred in Kindergarten (Part/Full day);
- 10,116 (66.44%) restraints occurred in Elementary School (Grades 1-6);
- 2,562 (16.82%) restraints occurred in Middle School (Grades 7-9); and
- 1,706 (11.20%) restraints occurred in High School (Grades 10-12).

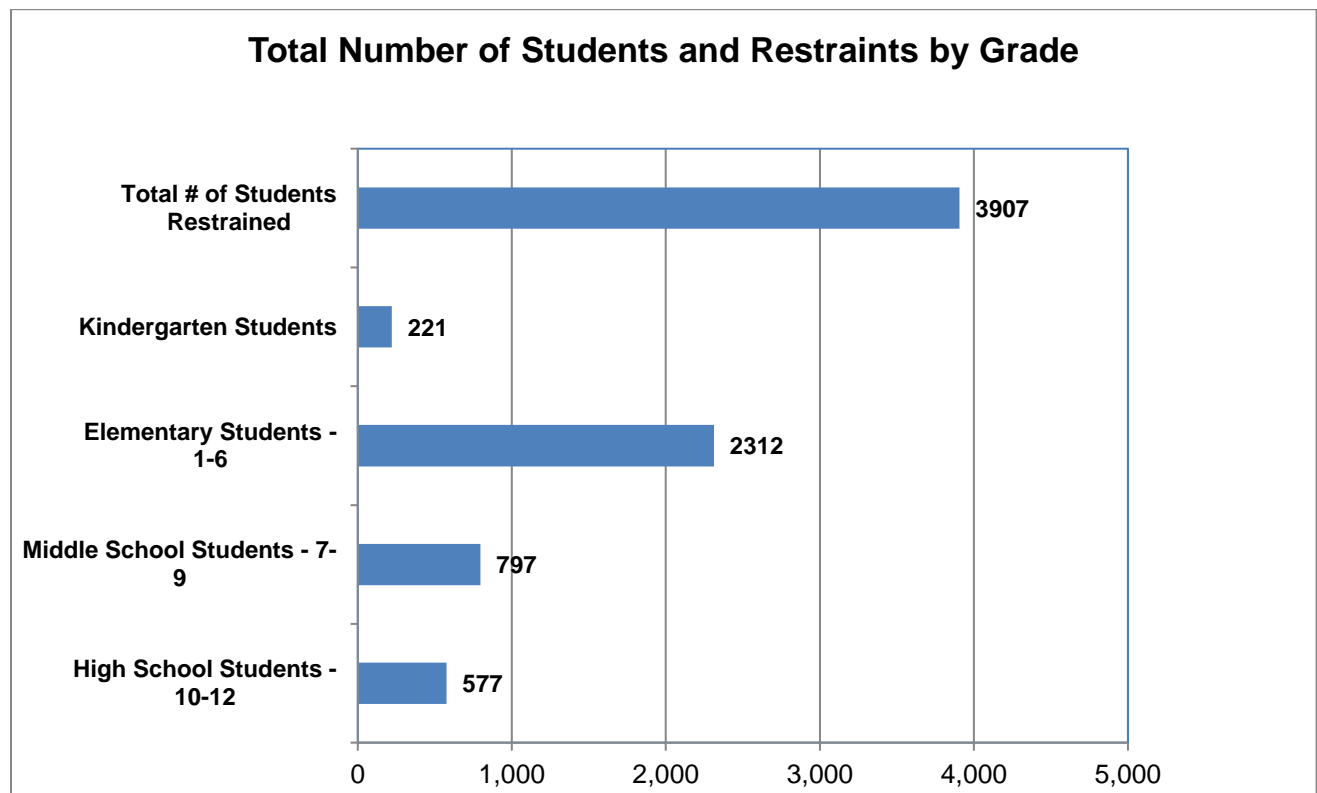
Table 1a: Total Number of Incidents of Restraints by Academic Level



Of the 15,224 entries, 3,907 students were restrained.

- 221 (5.66%) students were in Kindergarten (Part/Full day);
- 2,312 (59.19%) students were in Elementary School (Grades 1-6);
- 797 (20.40%) students were in Middle School (Grades 7-9); and
- 577 (14.77%) students were in High School (Grades 10-12).

Table 1b: Total Number of Students Restrained by Grade Level



2019-2020 Students Restrained by Student Disability Categories

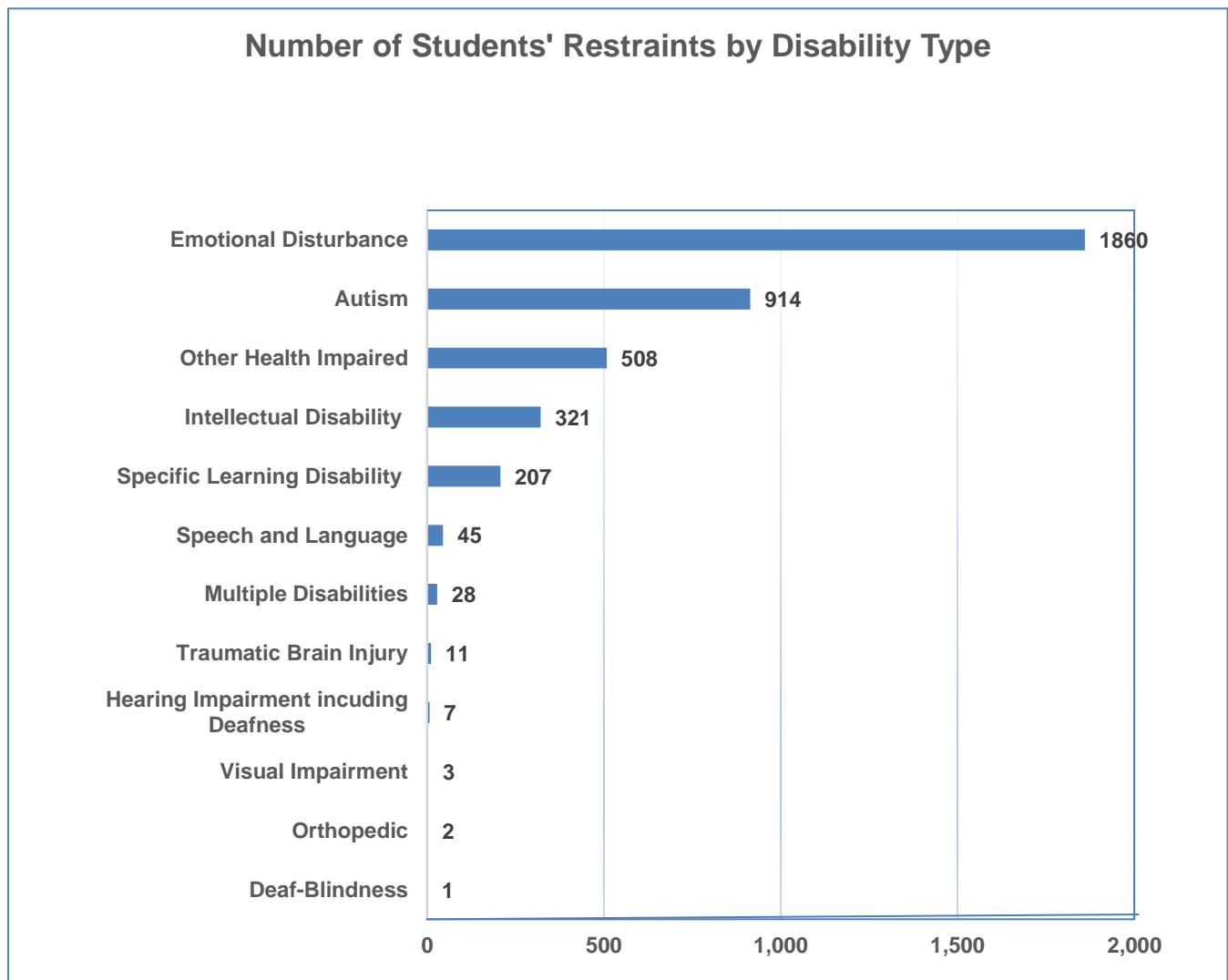
Of the 3,907 students restrained, below are the number of restraints by disability category:

- 1,860 (47.61%) - Emotional Disturbance
- 914 (23.39%) - Autism
- 508 (13.00%) - Other Health Impairment
- 321 (8.22%) - Intellectual Disability
- 207 (5.30%) - Specific Learning Disability
- 45 (1.15%) - Speech and Language Impairment
- 28 (0.72%) - Multiple Disabilities
- 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 up.

Table 2: Number of Students' Restraint by Disability Type



* - Denotes 10 count or less

Location Where Restraints Occurred – Disaggregated

Location of the 15,224 restraints in school-age programs for the 2019-2020 School Year:

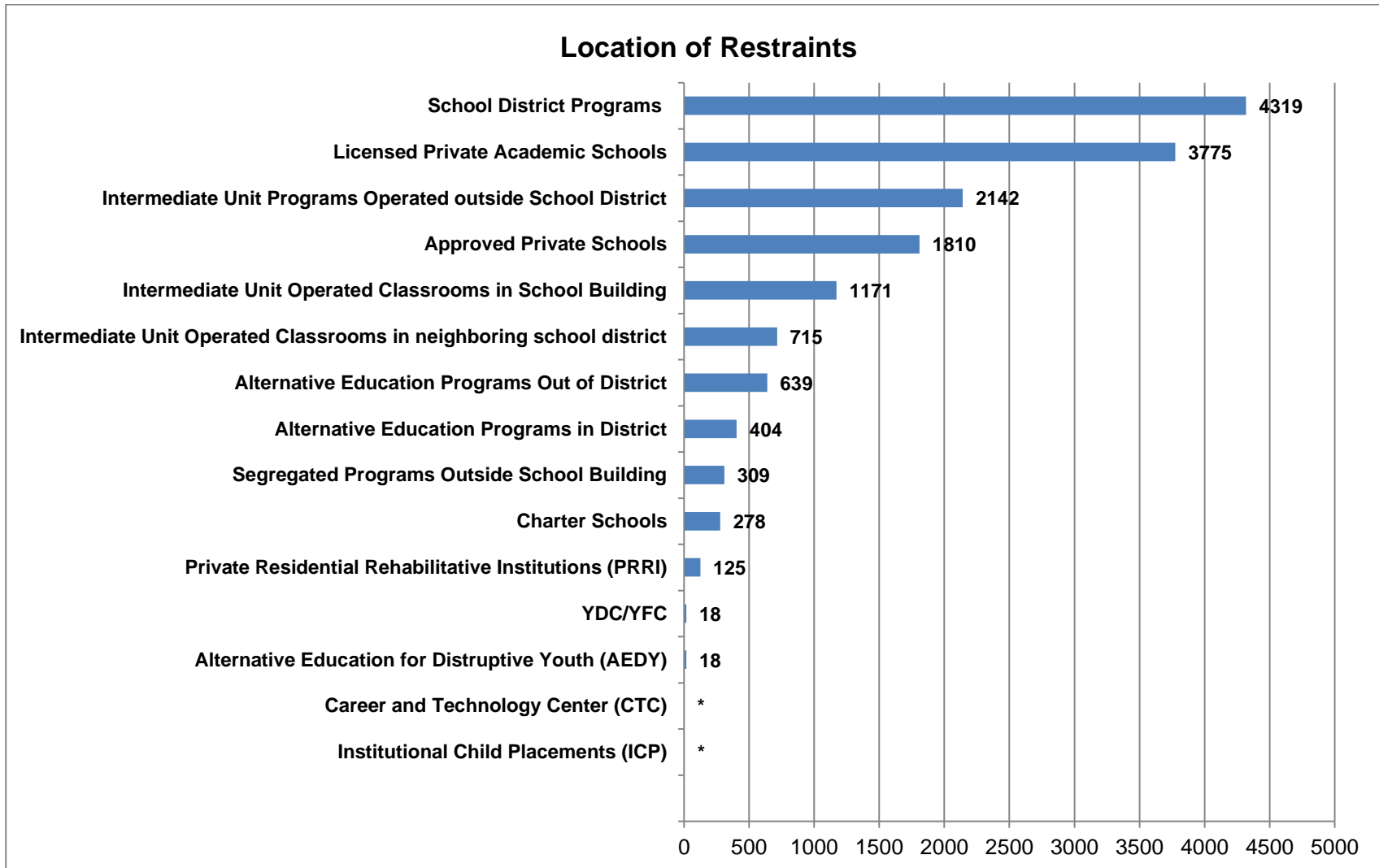
- 4,319 (28.37%) - School District (SD) Programs
- 3,275 (21.51%) - Licensed Private Academic Schools
- 2,142 (14.07%) - Intermediate Unit (IU) programs operated outside the SD
- 1,810 (11.89%) - Approved Private Schools (APS)
- 1,171 (7.69%) - IU operated classrooms in a SD building
- 715 (4.70%) - IU operated classrooms in a neighboring School District
- 639 (4.20%) - Alternative Education Programs Out of District
- 404 (2.65%) - Alternative Education Programs in District
- 309 (2.03%) - Segregated Programs outside the school buildings
- 278 (1.83%) - Charter Schools (CS)
- 125 (0.82%) - Private Residential Rehabilitative Institutions (PRRI)
- 18 (0.12%) - Approved Alternative Education for Disruptive Youth program
- 18 (0.12%) - 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 2018-2019, the top five school-age programs with the highest restraints were as follows:

- 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

Table 3: Location of Restraints



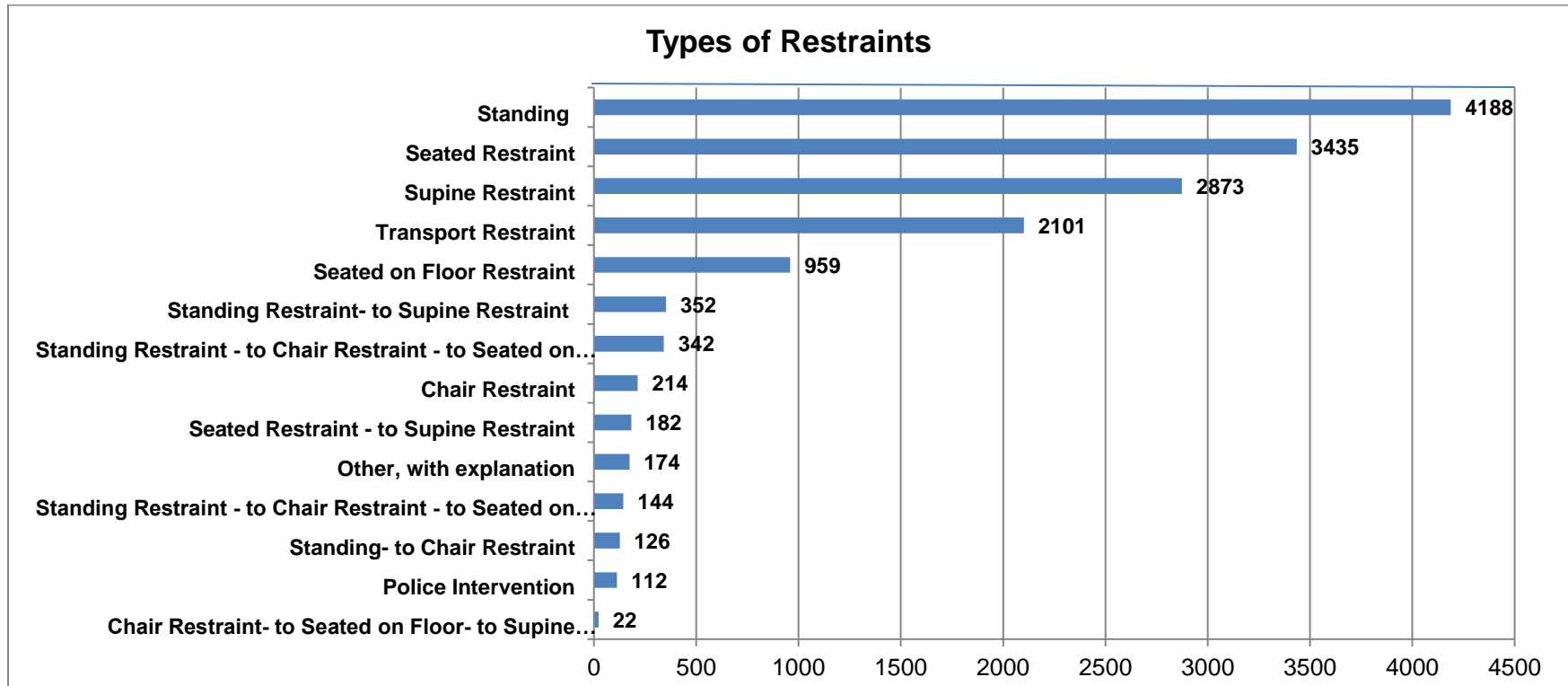
Types of Restraints - Disaggregated

Of the 15,224 restraints, the following types of restraints were utilized:

- 4,188 (27.51%) - Standing Restraint
- 3,435 (22.56%) - Seated Restraint
- 2,873 (18.87%) - Supine Restraint
- 2,101 (13.80%) - Transport
- 959 (6.30%) - Seated on Floor Restraint
- 352 (2.31%) - (Combination hold) Standing Restraint - to Supine Restraint
- 342 (2.25%) - (Combination hold) Standing Restraint - to Chair Restraint - to Seated on Floor Restraint
- 214 (1.41%) - Chair Restraints
- 182 (1.20%) - (Combination hold) Seated Restraint - to Supine Restraint
- 174 (1.14%) - Other, with an explanation
- 144 (0.95%) - (Combination hold) Standing Restraint - to Chair Restraint – to Seated on Floor Restraint - to Supine Restraint
- 126 (0.83%) - (Combination hold) Standing Restraint - to Chair Restraint
- 112 (0.74%) - Police Intervention
- 22 (0.14%) - (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 add total 100% as the data points were not rounded up.

Table 4: Number of Restraints by Restraint Type - School Year 2019-2020



In the previous 18-19 SY, the Seated and the Supine Restraint were the two top restraints used.

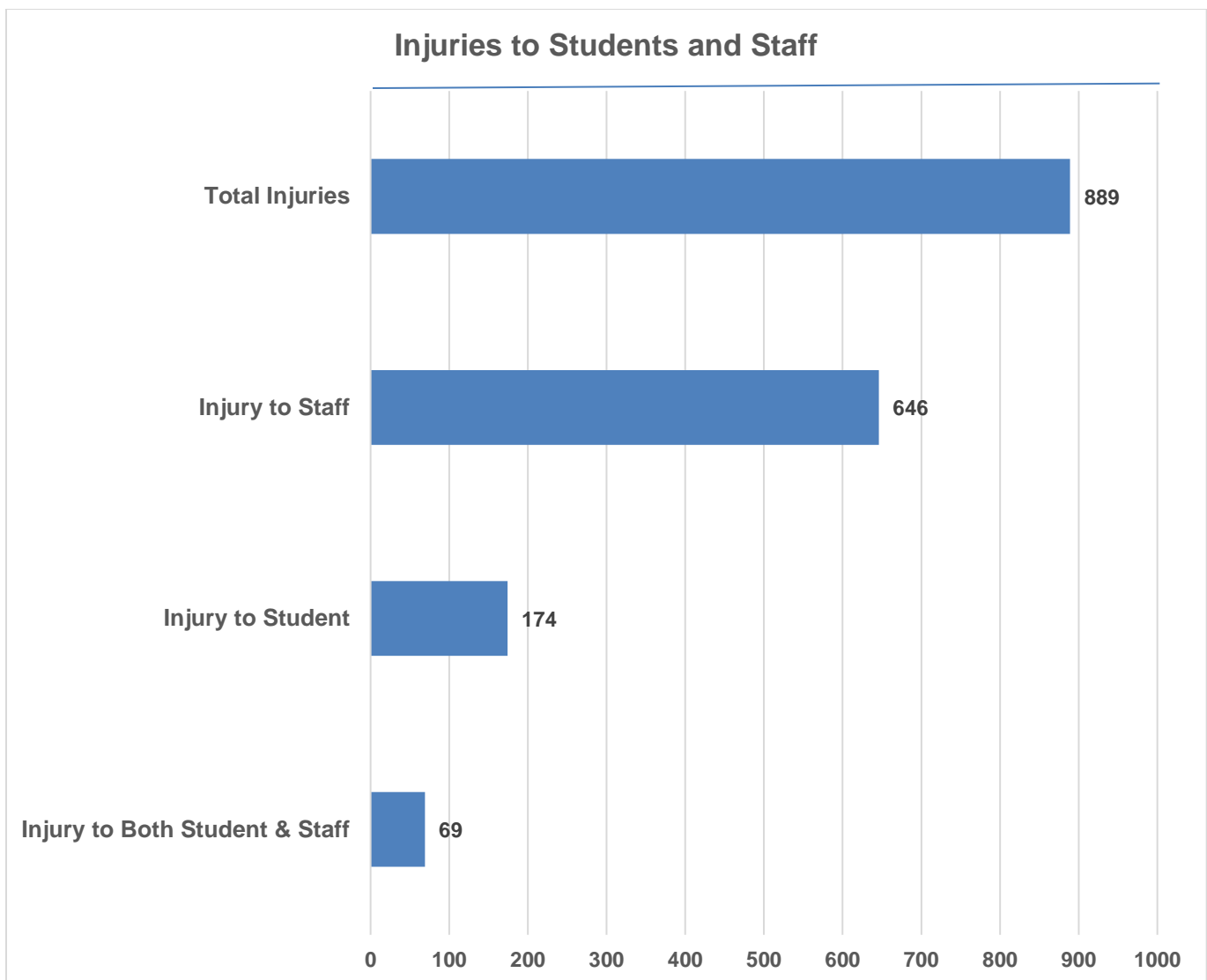
- 4,394 (20.67%) - Seated
- 4,339 (20.41%) - Supine
- 4,274 (20.11%) - Standing
- 3,467 (16.31%) - Other, with an explanation
- 2,221 (10.45%) - Transport

Injuries to Staff / Injuries to Students

Of the 15,224 restraints during the 2019-2020 School Year, there were a total of 889 injuries (5.84%). The 2019-2020 Injuries to Staff were 646 injuries. There were 174 students that sustained an injury. There were also 69 restraints which occurred where both a staff member and student were injured.

- 646 (72.67%) - injuries occurred to a staff member during the restraint.
- 174 (19.57%) - injuries occurred to a student during the restraint.
- 69 (7.76%) - injuries occurred to both students and staff during the restraint.

Table 5: Injuries to Students and Staff SY 2019 - 2020



Restraints with Injuries – by Location

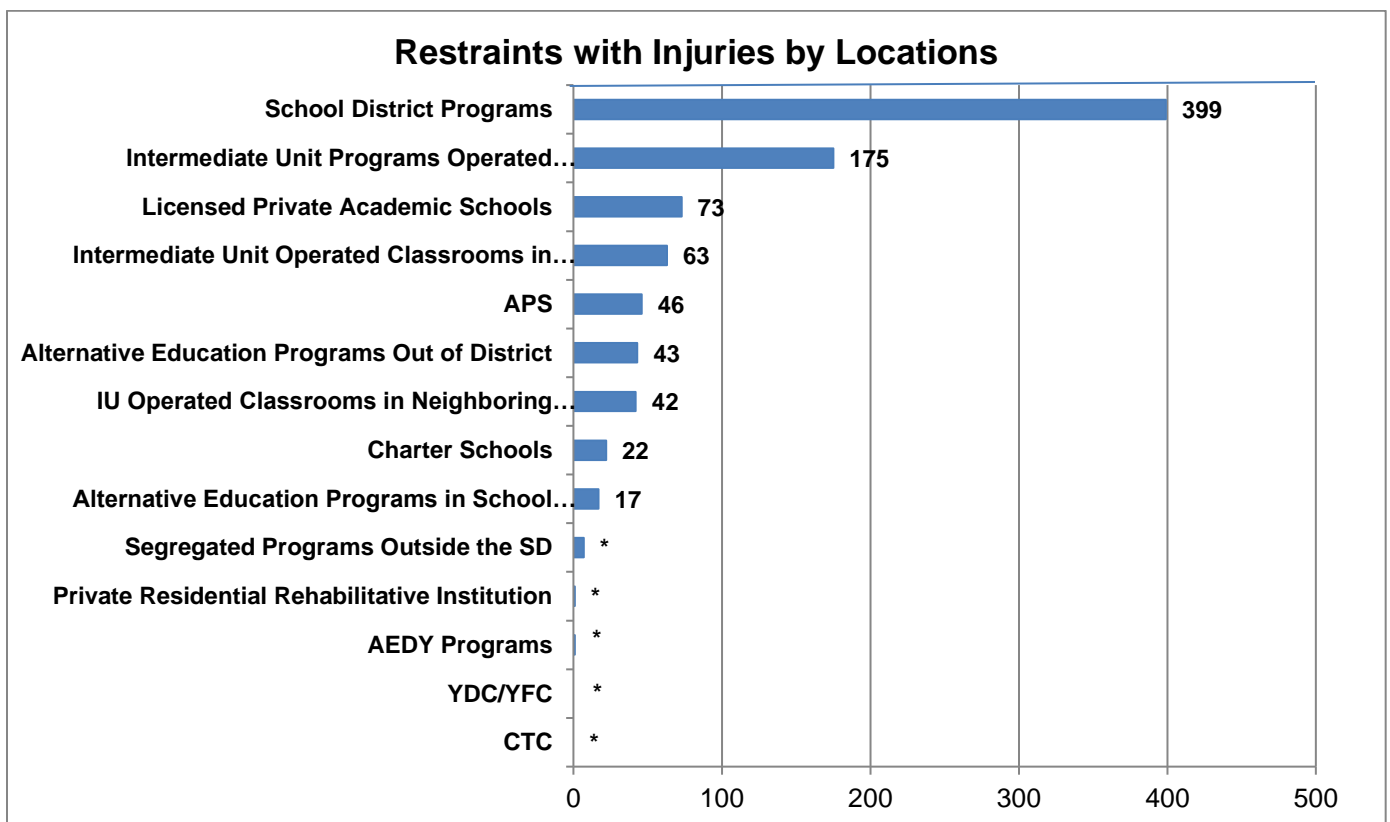
Of the 889 injuries in 2019-2020, below are the locations of restraint where injuries occurred:

- 399 (44.88%) - SD Programs
- 175 (19.68%) - IU programs operated outside the SD
- 73 (8.21%) - Licensed Private Academic Schools
- 63 (7.08%) - IU operated classrooms in the SD
- 46 (5.17%) - APS
- 43 (4.83%) - Alternative Education Programs Out of District
- 42 (4.72%) - IU operated classrooms in a neighboring school district
- 22 (0.24%) - Charter Schools
- 17 (0.19%) - Alternative Education Programs in District
- * - Segregated program outside the SD
- * - 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 (Restraints and Injuries) do not add up to exactly 100% as the data points were not rounded up.

Table 6: Restraints with Injuries by Location, SY 2019-2020



Types of Restraints Resulting in Injuries – SY 2019-2020

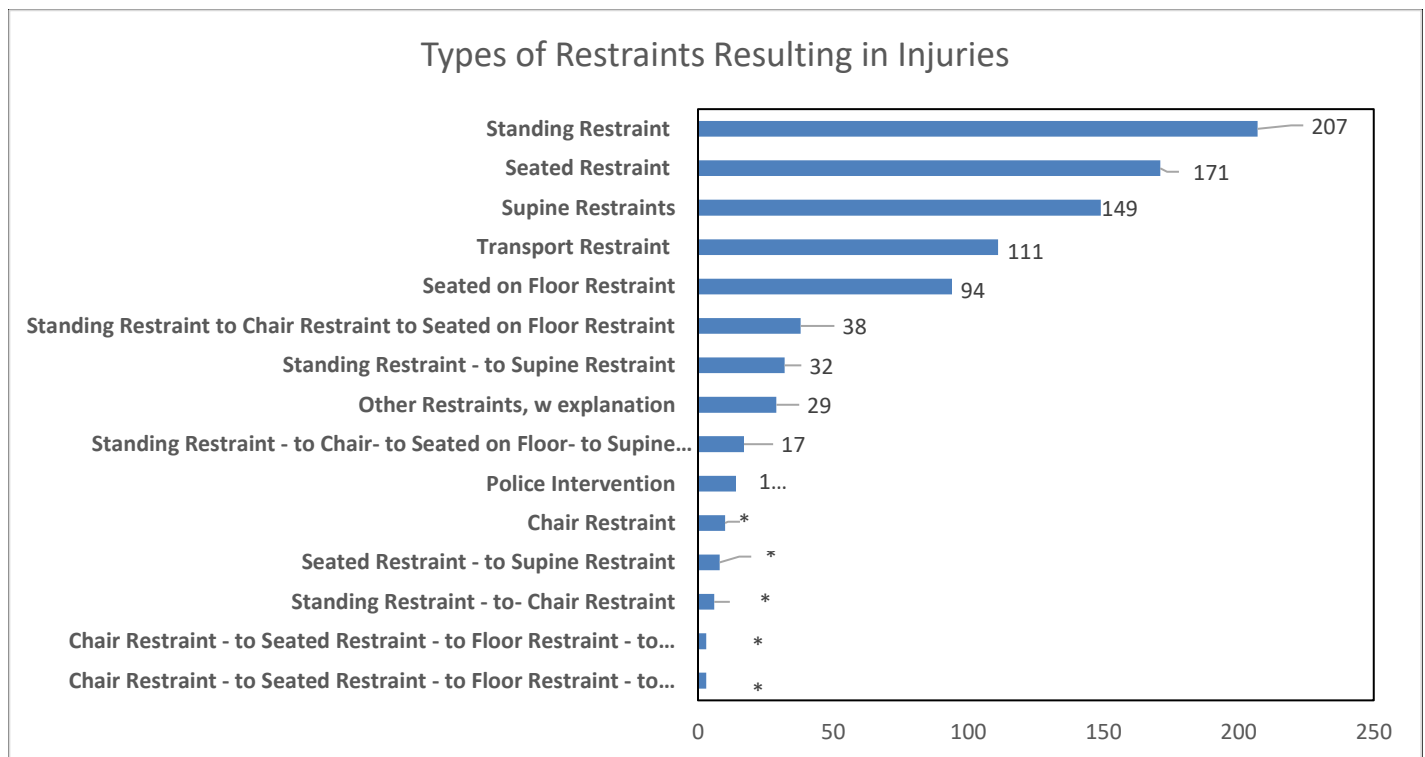
Of the 889 injuries to students and staff, below are the types of restraints utilized:

- 207 (23.28%) - Standing Restraints
- 171 (19.23%) - Seated restraint
- 149 (16.76%) - Supine Restraints
- 111 (12.49%) - Transport Restraint
- 94 (10.57%) - Seated on Floor Restraint
- 38 (4.27%) - Standing Restraint - to Chair Restraint - to Floor Restraint
- 32 (3.59%) - Standing Restraint to Supine Restraint
- 29 (3.26%) - Other Restraints, with an explanation
- 17 (1.19%) - Standing - to Chair - to Seated on Floor - to Supine Restraint
- 14 (1.57%) - Police Intervention Restraints
- 10 (1.12%) - Chair Restraint
- 8 (0.89%) - Seated on Floor Restraints - to Supine Restraint
- 6 (0.67%) - Standing Restraint to Chair Restraint
- 3 (0.33%) - Chair Restraint - to Seated on Floor Restraints - to Supine 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 up.

Table 7: Types of Restraints Resulting in Injuries, SY 2019 – 2020



* Denotes 10 count or less

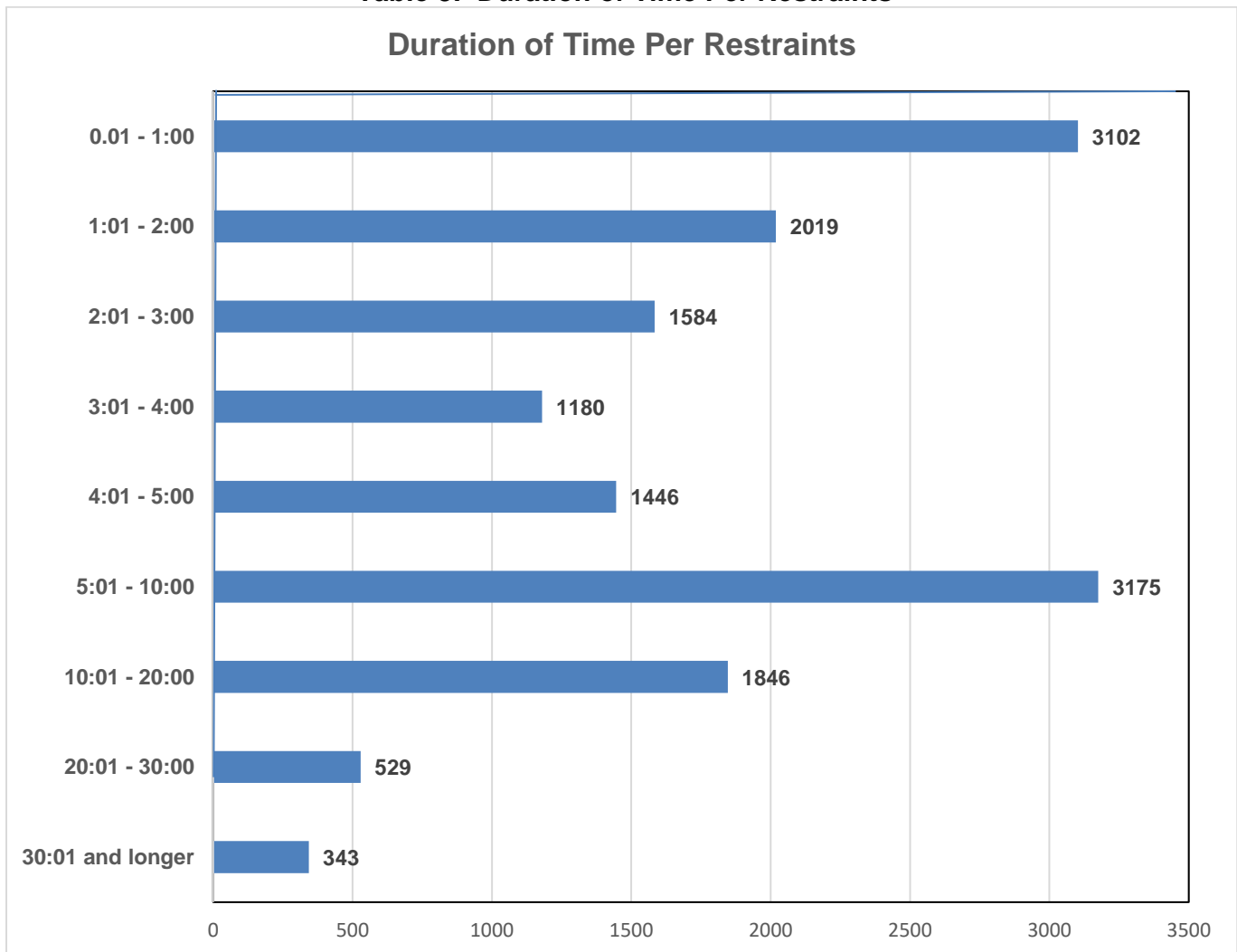
Duration of Time per Restraints, SY 2019 - 2020

The time interval of the 15,224 restraints that occurred in the 2019-2020 school year 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:

- 3,102 (20.38%) - 0:01 to 1:00 minute
- 2,019 (13.26%) - 1:01 to 2:00 minutes
- 1,584 (10.40%) - 2:01 to 3:00 minutes
- 1,180 (7.75%) - 3:01 to 4:00 minutes
- 1,446 (9.56%) - 4:01 to 5:00 minutes
- 3,175 (20.86%) - 5:01 to 10:00 minutes
- 1,846 (12.13%) - 10:01 to 20:00 minutes
- 529 (3.47%) - 20:01 to 30:00 minutes
- 343 (2.25%) - 30:01 and longer

Table 8: Duration of Time Per Restraints



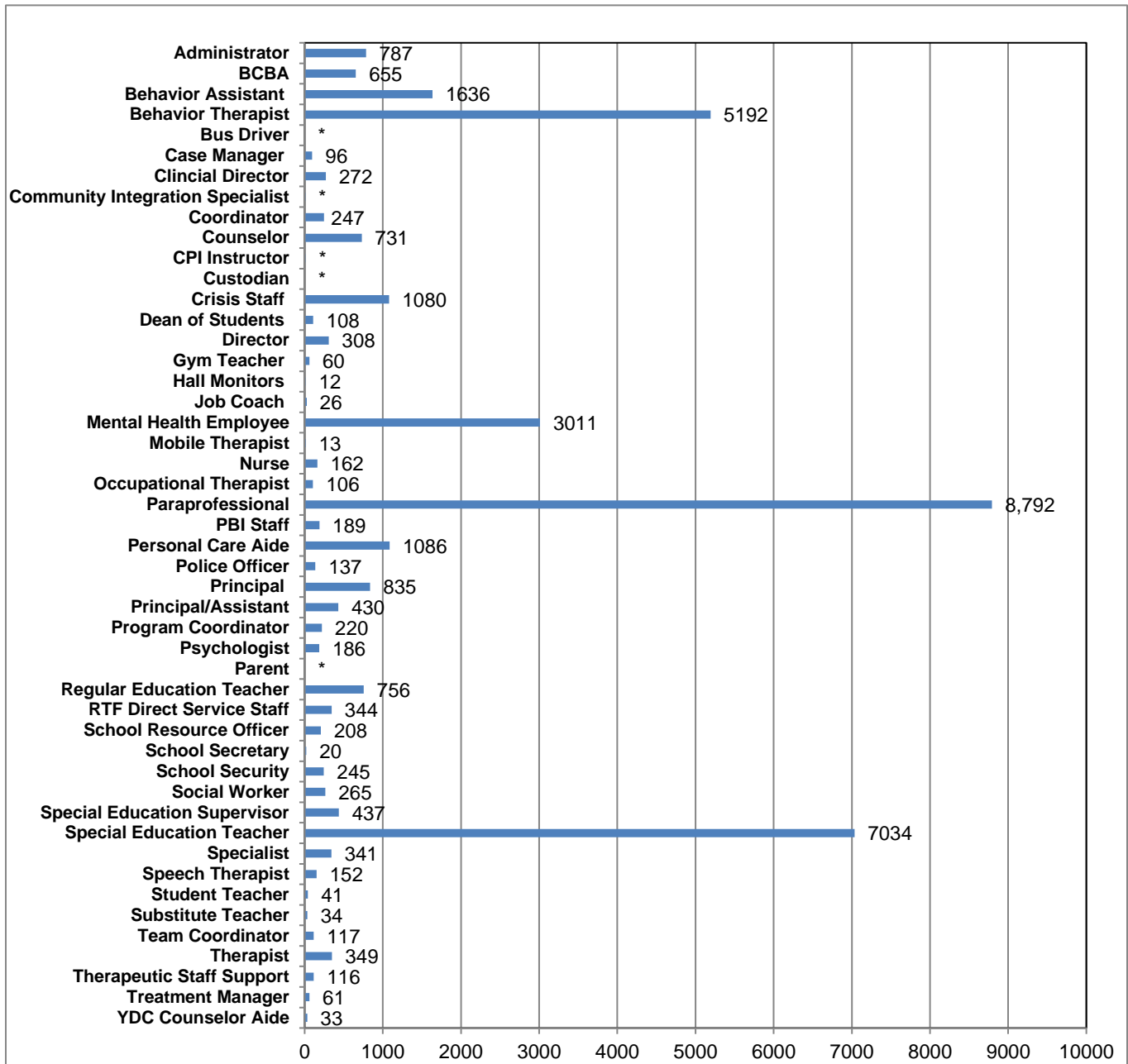
Staff Title Breakdown for 2019-2020

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 2019 -2020

Staff Type	Total Count	Total Count Where Staff Member is Trained	% Trained
Administrator	787	777	98.73%
BCBA	655	654	99.85%
Behavior Asst.	1636	1635	99.94%
Behavior Counselor/Specialist	4872	4866	99.88%
Behavior Therapist	1040	1037	99.71%
Bus Driver	2	1	50.00%
Case Manager	96	96	100.00%
Classroom Asst.	2279	2277	99.91%
Clinical Director	272	272	100.00%
Community Integration Specialist	9	9	100.00%
Coordinator	247	244	98.79%
Counselor	731	726	99.32%
CPI Instructor	10	10	100.00%
Crisis Staff	1080	1080	100.00%
Custodian	4	3	75.00%
Dean of Students	108	103	95.37%
Director	308	308	100.00%
Gym Teacher	60	57	95.00%
Hall Monitors	12	12	100.00%
Instructional Assistant	363	358	98.62%
Job Coach	26	26	100.00%
MH employee	3011	3011	100.00%
Mobile Therapist	13	13	100.00%
Nurse	162	156	96.30%
One to One	100	100	100.00%
OT	106	106	100.00%
Paraprofessional	4890	4876	99.71%
Parent	1	1	100.00%
PBI Staff	189	189	100.00%
Personal Care Aide	986	979	99.29%
Police Officer	137	129	94.16%
Principal	835	824	98.68%
Principal/Assistant	430	425	98.84%
Program Coordinator	220	220	100.00%
Psychologist	186	184	98.92%
Regular Education Teacher	756	735	97.22%
RTF Direct Service Staff	344	344	100.00%
School Resource Officer	208	200	96.15%
School Secretary	20	19	95.00%
School Security	245	239	97.55%
Social Worker	265	261	98.49%
Special Education Aide	970	966	99.59%
Special Education Supervisor	437	436	99.77%
Special Education Teacher	7034	7010	99.66%
Specialist	341	340	99.71%
Speech Therapist	152	152	100.00%
Student Teacher	41	41	100.00%
Total	37,676	37,498	99.53%

Tale 10: Total of Restraints by Staff



Individualized Education Program (IEP) Meetings After Restraints

The LEAs are responsible to adhere to 22 Pa. Code § 14.133. **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.” See 22 Pa. Code § 711.46(c)(1) (positive behavior support related to charter school and cyber charter schools.

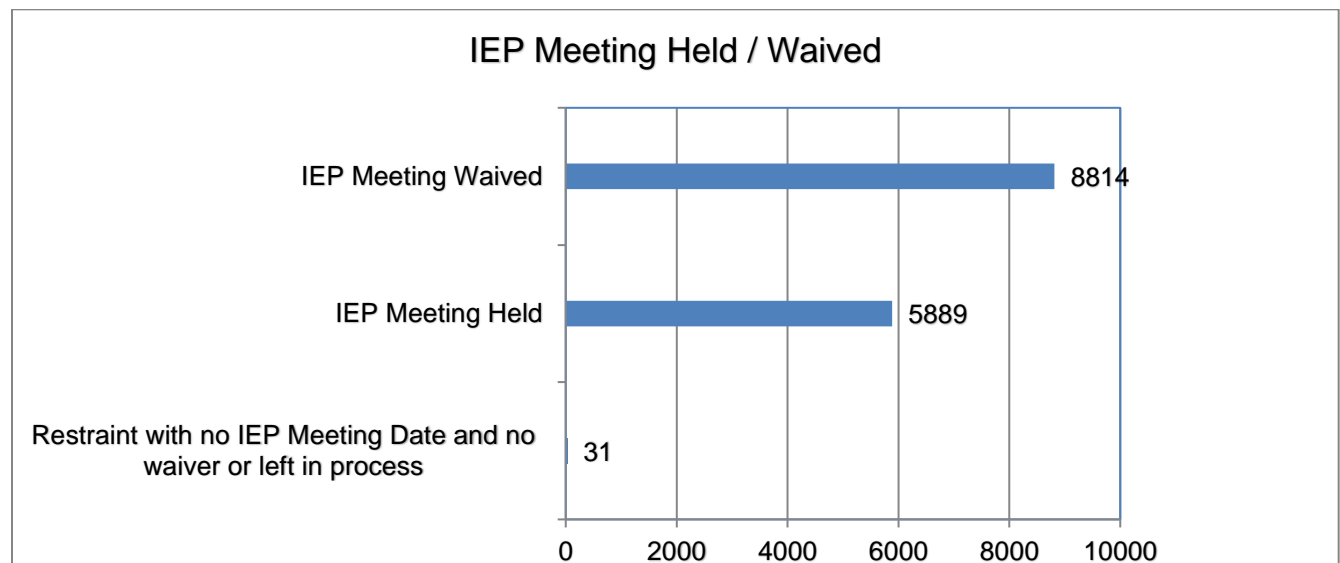
Of the 15,224 restraints, the number of waivers and IEP meetings are as follows:

- 8,814 (57.90%) of restraints, the parents waived the available IEP meeting;
- 5,889 (38.68%) of restraints, an IEP meeting was held;
- 490 (3.22%) of restraints had both a waiver and IEP checked; and
- 31 (0.20%) of restraints were left “In Process” - In-Process – More information was needed in the required fields of the individual restraint report and the LEA had not yet fulfilled the process. The In-Process restraint report can still be read by the adviser.

****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.**

- In-Process – More information was needed in the required fields of the individual restraint report and the LEA had not yet fulfilled the process. The In-Process restraint report can still be read by the adviser.

Table 11: IEP Meetings Held / Waived or Left in Process

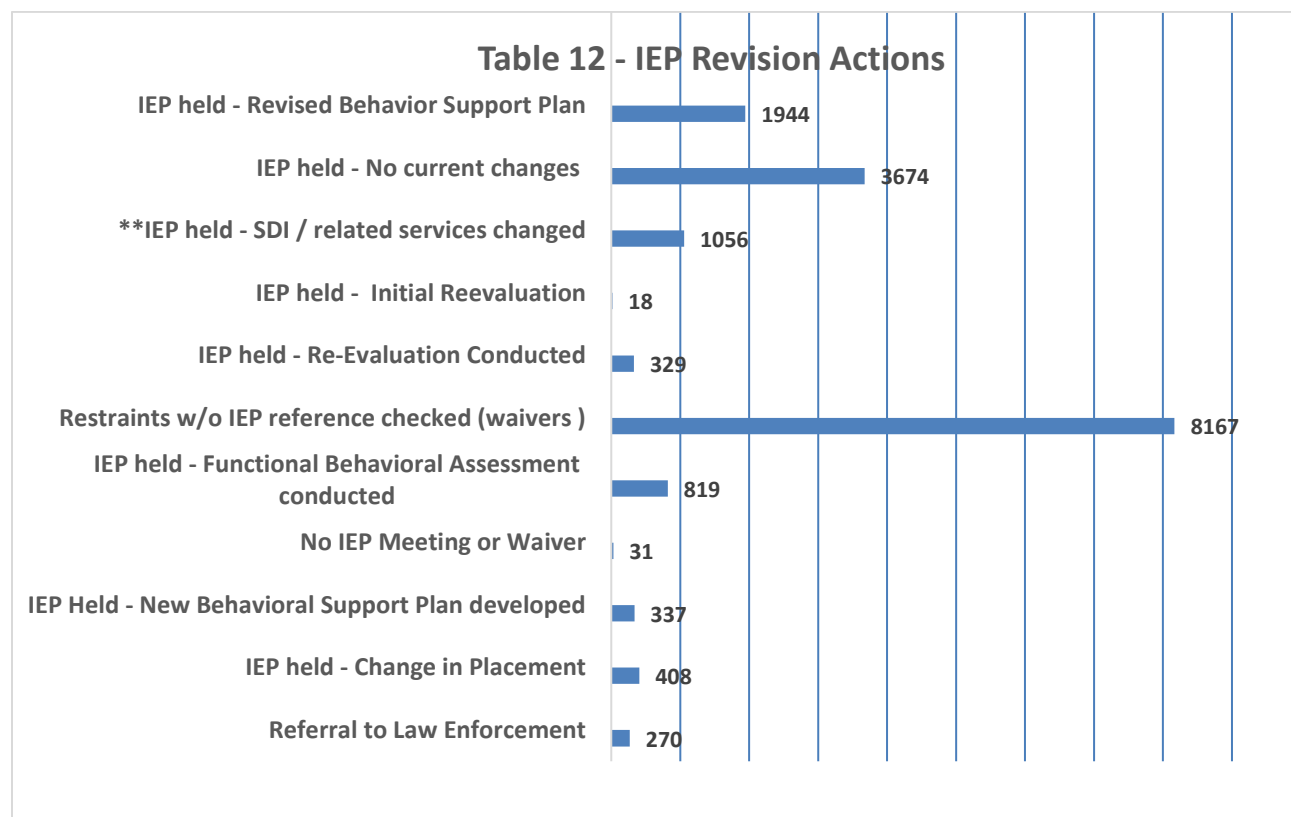


Actions taken by school entities when the IEP meeting occurred are detailed below.

- 1,944 (12.77%) of the total restraints resulted in an IEP meeting being held and a revised Behavior Support Plan (BSP) being developed.
- 3,674 (24.13%%) of the total restraints resulted in an IEP meeting being convened with no changes made.

- 1,056 (06.94%) of the total restraints resulted in an IEP meeting being convened and related services and SDIs were changed.
- 18 (0.12%) of the total restraints resulted in an IEP meeting being convened resulting in an initial evaluation.
- 329 (2.16%) of the total restraints resulted in an IEP meeting making a recommendation for a re-evaluation to be conducted.
- 8,167 (53.65%) of the total restraints had an IEP waiver or an IEP w/o noting any action.
- 819 (5.38%) of the total restraints resulted in an IEP meeting being held and a Functional Behavior Assessment (FBA) being conducted.
- 31 (0.20%) of the total restraints did not include an IEP meeting held or having a waiver signed.
- 337 (2.21%) of the total restraints resulted in an IEP meeting being held and a new BSP being developed.
- 408 (2.68%) of the total restraints resulted in an IEP meeting being held and a change in placement occurring.
- 270 (%) of the total restraints resulted in referrals to law enforcement and an IEP meeting being held.

Table 12: IEP Revision Actions



** "IEP held – SDI / related services changed" – was added into the system at the end of the 2018-2019 School Year.

Six Year Comparative Analysis

Table 13: Number of Students and Restraints, SY 2014-2015 to SY 2019-2020

Numbers of Restraints / Years	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020
Total Enrollment of All Students in PA	1,741,605	1,734,928	1,718,530	1,721,195	1,723,405	1,723,822
Total Enrollment of Special Education Students in PA	270,848	276,185	283,145	290,986	297,664	307,827
# of IEP Students Restrained	3,256	3,588	4,373	4,605	4,733	3,907
% of IEP Students Restrained / Total Special Ed. Population	0.12	0.13	0.15	0.16	0.16	0.12
% of IEP Students Restrained / Total Students Population	.0019	.0020	.0025	.0027	.0027	.002

Table 14: Disability Categories with the Most Restraints

The disability categories with the most restraints have stayed in the same order for the 2015 through 2019 School Years, but with different percentages.

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

	2014-2015	2015-2016	Difference
1. Emotional Disturbance	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. Emotional Disturbance	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. Emotional Disturbance	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. Emotional Disturbance	49.95%	47.56%	(2.39%)
2. Autism	23.24%	23.07%	(.17%)
3. OHI	11.57%	13.73%	2.16%

	2018-2019	2019-2020	Difference
1. Emotional Disturbance	47.56%	47.61%	0.05%
2. Autism	23.07%	23.39%	0.32%
3. OHI	13.73%	13.00%	(0.73%)

Summary of 2019-2020 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 in providing 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 to be 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 meeting ([22 Pa. Code §§ 14.133\(h\) and 711.46\(h\)](#)).

Each BSE Adviser assigned to an IU reviews the restraints being reported by each LEA within that geographical region. This information allows the BSE Adviser the opportunity to monitor situations where there are a high number of restraints for a particular student or setting. The Special Education 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 2019-2020 School Year, the BSE's RISC Reporting Team has developed a monitoring team using four advisers to monitor the restraint system more comprehensively. One adviser is assigned to each of the western, central, and eastern regions of the commonwealth. The fourth adviser oversees the global system looking for systemic patterns that need to be resolved throughout the commonwealth.

In 2019-2020, the Commonwealth of Pennsylvania was affected by the COVID -19 virus. The COVID-19 pandemic has influenced the overall collected data for this year, particularly due to LEA school closures and limited face-to-face instruction.