

## Current News in Special Education

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### Funding cuts, school vouchers, and mandate relief: what they mean to you

By now you've probably heard a lot about what's going on in Harrisburg: a voucher bill that could cost taxpayers \$1 billion is moving through the state senate. While proponents call it "school choice," it's important to note that private and religious schools get the real "choice" of which students they accept – which may not include special education students who need extra supports. Voucher programs like what's been proposed in Senate Bill 1 could leave kids behind – in already underfunded schools that lose even more state funding due to vouchers.

Making matters worse, the Governor's proposed \$1.2 billion cut to public schools, and a "mandate relief" package that would allow schools to hire uncertified school nurses, furlough employees without regard for seniority, and other changes would put additional strain on our schools.

What can you do? Visit [www.psea.org/actnow](http://www.psea.org/actnow) to oppose school vouchers, school funding cuts, and mandate relief.

## Analysis of the PA Restraint Report

Note: You will find the PDE's report in its entirety following this analysis.

The information is more comprehensive in this second annual report. PDE made the requirement that all schools report out if any restraints were used. Incidents requiring security forces to restrain students had to be reported. The numbers seem high but when you look at it from a statewide perspective, the number of students being restrained is 1% of the state's special education population.

Some statistics show that the same disability categories exhibit behaviors that require intense interventions - mental retardation, emotional disturbance, and autism - as they did in the first report. We see that the students in the elementary grades have the highest number of reported cases. PDE has said they will be adding a new category under injuries for students to define if the students were restrained because they were self injurious or if injury was caused by the restraint. They received reports that students who use extreme force and head bang will have injuries while staff is trying to restrain and prevent additional bodily harm. On a final note, the students that we call "frequent fliers" are the students that are most likely to injure staff. Staff should consider asking for additional support in the development of behavior plans, safety mechanics training, and a review of all of the data and evaluations when dealing with a student who has had to be restrained multiple times so as not to become a casualty.

Reminder - there is support for members facing behaviorally challenged students. Contact your local union officers and UniServ rep for assistance.



Many current updates and other helpful information on Special Education can be found on the PSEA website. Go to [www.psea.org](http://www.psea.org) Teaching and Learning > Special & Gifted Education



Wyoming Valley ESP members in training at NE Region Office

Comments or questions about the items in this newsletter may be directed to this mailbox: [currentnews@psea.org](mailto:currentnews@psea.org)

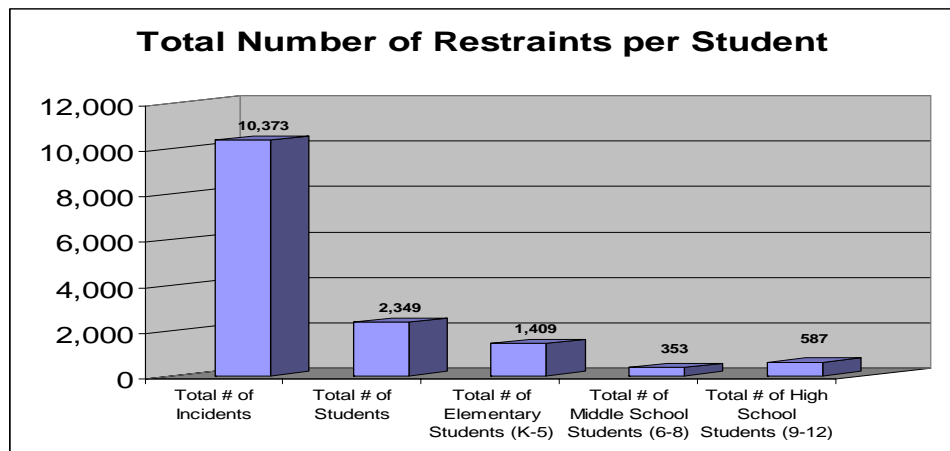
# PA Department of Education's 2009-10 Annual Report on the Use of Restraints in Pennsylvania's Special Education Programs



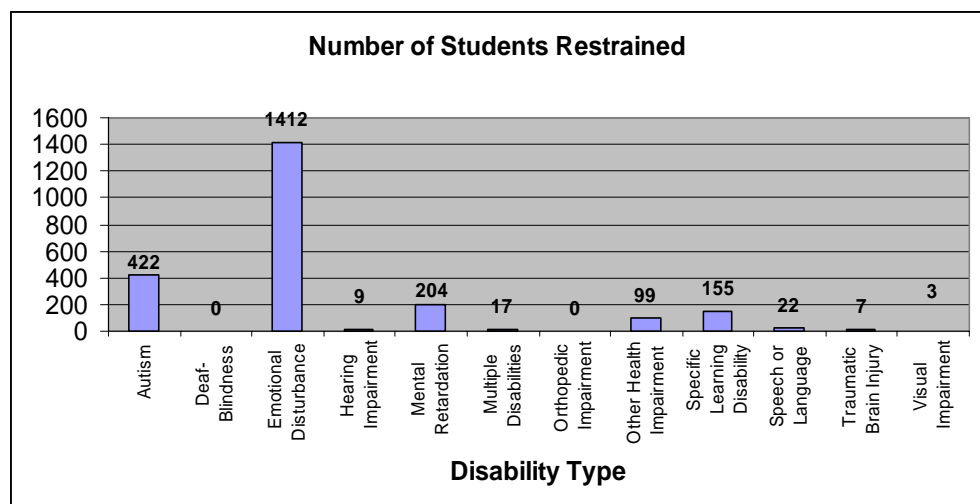
As provided in the provisions of 22 Pa. Code Chapters 14 and 711, positive rather than negative measures must form the basis of behavior support programs to ensure that all students with disabilities and eligible children shall be free from demeaning treatment, the use of aversive techniques and the unreasonable use of restraints. This report represents aggregated data collected from the Restraint Information System of Collection (RISC) developed by the Bureau of Special Education in conjunction with recommendations from the State 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.

The Bureau of Special Education closely monitors the reporting of restraints. If patterns of restraint or other data bring in to question the compliance with Chapters 14 and 711 requirements, the Single Point of Contact for the district is directed to intervene. A Checklist for the Review of Excessive Restraints form was developed and distributed to all Advisers in order to assist them in reviewing all pertinent policies and documents. The final report is then forwarded to the Lead Restraint Adviser for review. Interventions include communications with Special Education Directors, visits to the place of service, and/or corrective plans of action if deemed necessary. On-going follow-up is provided throughout the school and extended school year. Following is a summation of the data included in the RISC 2009-10 system:

**Table 1: total number of incidents of restraints, total number of students restrained and total number by grade level.**



**Table 2 illustrates the number of students restrained in each disability type or category.**



Intermediate Unit #4  
job coach training





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Each LEA/Charter School reported data for the 2009-10 school year. 378 Local Education Agencies (LEAs) reported restraints in the 2009-10 school year.

- 239 LEAs reported **no** restraints were used during the school year (11 LEAs reported no restraints the previous school year).
- Of the 270,150 students receiving special education services, less than 1% or 2,349 students were physically restrained during the 2009-2010 school year.
- Of the 10,373 restraints, 2,309 (22%) were conducted in School District/Charter School Programs and 8,064 (78%) were conducted in other school settings.
- No Early Interventions programs reported the use of restraints.
- The disability categories with the highest number of restraints were:
  1. Emotional Disturbance
  2. Autism
  3. Mental Retardation
  4. Specific Learning Disability
- There were 329 incidents of injury to the student during a restraint. This indicates that in 3% of restraints there was an injury to a student.
- There were 649 incidents of injury to staff during a restraint. This indicates that in 6% of restraints there was an injury to a staff member.
- In 39% of restraints, an Individualized Education Program (IEP) meeting was held.
- In 61% of restraints, the parents waived the available IEP meeting.
- In 557 (5%) of incidents, a Functional Behavior Assessment (FBA) was conducted as a result of the restraint.
- In 194 (2%) of incidents, a Re-evaluation was conducted as a result of the restraint.
- In 446 (4%) of incidents, a new Behavior Support Plan was developed as a result of the restraint.
- In 1,724 (17%) of incidents, a revised Behavior Support Plan was developed as a result of the restraint.
- In 261 (3%) of incidents, a change in placement occurred as a result of the restraint(s).
- In 69% of restraints, an FBA was not conducted, a re-evaluation conducted, a new or revised Behavior Support Plan developed, or a change in placement discussed.
- There were 192 referrals to law enforcement resulting from the need to conduct physical restraints(s). This represents 8% of the students restrained.

Based on the outcome of the first and second year of data collection, further enhancements have been made to the system for collecting data in the 2010-11 school year. The most important of these enhancements is the requirement to report whether staff conducting restraints are trained and/or certified in de-escalation and safe physical restraints. This information will be compared to injuries, resulting from restraints in an effort to reduce injuries to both students and staff. A video conference was held on November 22, 2010, with 300 registrants to discuss enhancements made to the system. In addition, the Restraint Reporting Guidelines were updated in September 2010 and published on the PaTTAN website along with a second and third set of questions and answer documents. A fourth set of questions and answers was published in early February 2011.

# PA State Board of Education

## Committee Work on Teacher Evaluations

**To: PSEA Special Education Professionals and Support Personnel**  
**From: Bernie Miller, Director for Education Services, PSEA**

April 2011

**Goal: Heighten awareness for PA State Board Committee members that teacher evaluations containing components on growth is complicated (one size does not fit all educators).**

**Background Information:** On March 16, the Committee on Teacher Evaluation held a meeting to discuss progress on a new model. The new model is being piloted in several school districts this spring. The pilot only addresses teachers in traditional classroom settings. PSEA staff spoke during the public comment period and asked the following questions: *"How do you plan to measure growth for a special education teacher who works in community-based work experience, mobility training, independent living apartments, classrooms for the multi-disabled, classrooms for life skills, speech therapists, hearing therapists, vision therapists, gifted, etc.?"* The response was they were not sure, and they asked us to send the questions/comments, in writing, to the State Board of Education.

**Our Mission:** To inform this committee of the variety of programs we work in and how you would see growth measured (not by using a single test such as the PSSA or a growth model based on PSSA scores).

**Approach:** We will send letters to the Committee sharing our unique situations and make suggestions on data that shows growth. The approach is to have letters coming from professionals statewide.

**Outline:**

- Share your story. Name your school district. Tell how unique your teaching responsibilities are for your case-load or an individual student. (Please do not name any student as we want to maintain confidentiality).
- Hand written letters are good because they show they were not "cut and pasted" from a letter mill.
- Ideas might include
  - that the student is taught to alternative standards
  - your position does not teach PSSA scored subjects (math, science or reading)
  - your students are transient – percent of students who you serve that change in a given school year
  - that poverty impacts the skill set they bring into school
  - how your field is unique to special education
  - your field is related to health, safety or the well-being of the student
- Give your suggestion as to how growth might be measured and placed on a teacher/professional's evaluation.
- Thank the State Board members for their time and consideration in this matter
- Sign the letter
- Sandra Dungee Glenn is the chairperson for this committee. Envelopes should be addressed to:

Sandra Dungee Glenn  
c/o PA State Board of Education  
333 Market Street  
Harrisburg, PA 17126-0333

Letters must arrive in Harrisburg by May 17 for their next committee meeting on May 18.