

**PENNSYLVANIA  
DEPARTMENT OF EDUCATION  
Bureau of Special Education**

**Restraint Information System of Collection  
(RISC) Program Guidelines**

<https://apps.leadingservices.com/risc>

**July 31, 2023**

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## I. Introduction

The Pennsylvania Department of Education (PDE), Bureau of Special Education (BSE) developed the Restraint Information System of Collection (RISC) program in 2008. The purpose of the RISC program is to support both the State Education Agency (SEA) and Local Education Agencies (LEAs) to fulfill and adhere to the positive behavior support requirements set forth in the Pennsylvania Code. (22 Pa. Code §14.133 and §711.46.) The RISC program provides the structure for LEAs to report restraints via a web-based system. It also requires BSE to monitor restraint reporting on an ongoing basis and as part of cyclical monitoring of all LEAs in the Commonwealth.

**PDE asserts restraints are a measure of absolute last resort and are only to be used in emergency situations.** Restraints are not to be used for punishment or incidents of non-compliance. Physical restraint may only be considered when a student presents severe aggressive or self-injurious behavior that is a clear and present danger to themselves or others after less restrictive measures, including de-escalation techniques, have been used by school personnel.

## II. Pennsylvania Regulatory Authority

Pennsylvania's special education regulations, specifically sections 14.133 (related to school entities) and 711.46 (related to charter schools and cyber charter schools) of the Pennsylvania Code, set forth requirements and procedures for the delivery of special education services and programs related to positive behavior support. (22 Pa. Code § 14.133 and 711.46.) In addition, these regulations outline BSE's authority to monitor the use of restraints on students with Individualized Educational Programs (IEPs).

Section 14.133 provides as follows:

(a) Positive, rather than negative, measures must form the basis of behavior support programs to ensure that all students and eligible young children shall be free from demeaning treatment, the use of aversive techniques and the unreasonable use of restraints. Behavior support programs must include research-based practices and techniques to develop and maintain skills that will enhance an individual student's or eligible young child's opportunity for learning and self-fulfillment. Behavior support programs and plans must be based on a functional assessment of behavior and utilize positive behavior techniques. When an intervention is needed to address problem behavior, the types of intervention chosen for a particular student or eligible young child shall be the least intrusive necessary. **The use of restraints is considered a measure of last resort**, only to be used after other less restrictive measures, including de-escalation techniques, in accord with subsection (c)(2).

(b) Notwithstanding the requirements incorporated by reference in 34 CFR 300.34, 300.324 and 300.530 (relating to related services; development, review, and revision of

IEP; and authority of school personnel), with regard to a child's behavior, the following words and terms, when used in this section, have the following meanings, unless the context clearly indicates otherwise:

*Aversive techniques*—Deliberate activities designed to establish a negative association with a specific behavior.

*Behavior support*—The development, change and maintenance of selected behaviors through the systematic application of behavior change techniques.

*Positive behavior support plans*—A plan for students with disabilities and eligible young children who require specific intervention to address behavior that interferes with learning. A positive behavior support plan shall be developed by the IEP team, be based on a functional behavior assessment, and become part of the individual eligible young child's or student's IEP. These plans must include methods that utilize positive reinforcement and other positive techniques to shape a student's or eligible young child's behavior, ranging from the use of positive verbal statements as a reward for good behavior to specific tangible rewards.

*Restraints*—

- (i) The application of physical force, with or without the use of any device, for the purpose of restraining the free movement of a student's or eligible young child's body.
  - (ii) The term does not include briefly holding, without force, a student or eligible young child to calm or comfort him, guiding a student or eligible young child to an appropriate activity, or holding a student's or eligible young child's hand to safely escort her from one area to another.
  - (iii) The term does not include hand-over-hand assistance with feeding or task completion and techniques prescribed by a qualified medical professional for reasons of safety or for therapeutic or medical treatment, as agreed to by the student's or eligible young child's parents and specified in the IEP. Devices used for physical or occupational therapy, seatbelts in wheelchairs or on toilets used for balance and safety, safety harnesses in buses, and functional positioning devices are examples of mechanical restraints which are excluded from this definition, and governed by subsection (d).
- (c) Restraints to control acute or episodic aggressive or self-injurious behavior may be used only when the student is acting in a manner as to be a clear and present danger to himself, to other students or to employees, and only when less restrictive measures and techniques have proven to be or are less effective.
- (1) 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.

(2) The use of restraints may only be included in a student's or eligible young child's IEP when the following conditions apply:

(i) The restraint is utilized with specific component elements of positive behavior support.

(ii) The restraint is used in conjunction with the teaching of socially acceptable alternative skills to replace problem behavior.

(iii) Staff are authorized to use the procedure and have received the staff training required.

(iv) There is a plan in place for eliminating the use of restraint through the application of positive behavior support.

(3) The use of prone restraints is prohibited in educational programs. Prone restraints are those in which a student or eligible young child is held face down on the floor.

(4) The use of restraints may not be included in the IEP for the convenience of staff, as a substitute for an educational program, or employed as punishment.

(5) School entities shall maintain and report data on the use of restraints as prescribed by the Secretary. The report shall be reviewed during cyclical compliance monitoring conducted by the Department.

(d) Mechanical restraints, which are used to control involuntary movement or lack of muscular control of students when due to organic causes or conditions, may be employed only when specified by an IEP and as determined by a medical professional qualified to make the determination, and as agreed to by the student's parents. Mechanical restraints shall prevent a student from injuring himself or others or promote normative body positioning and physical functioning.

(e) The following aversive techniques of handling behavior are considered inappropriate and may not be used by agencies in educational programs:

(1) Corporal punishment.

(2) Punishment for a manifestation of a student's disability.

- (3) Locked rooms, locked boxes or other structures or spaces from which the student cannot readily exit.
- (4) Noxious substances.
- (5) Deprivation of basic human rights, such as withholding meals, water or fresh air.
- (6) Suspensions constituting a pattern under § 14.143(a) (relating to disciplinary placement).
- (7) Treatment of a demeaning nature.
- (8) Electric shock.

(f) School entities have the primary responsibility for ensuring that positive behavior support programs are in accordance with this chapter, including the training of personnel for the use of specific procedures, methods and techniques, and for having a written policy and procedures on the use of positive behavior support techniques and obtaining parental consent prior to the use of restraints or intrusive procedures as provided in subsection (c).

(g) In accordance with their plans, agencies may convene a review, including the use of human rights committees, to oversee the use of restrictive or intrusive procedures or restraints.

(h) Subsequent to a referral to law enforcement, for students with disabilities who have positive behavior support plans, an updated functional behavior assessment and positive behavior support plan shall be required.

22 Pa. Code § 14.133.

Section 711.46 provides as follows:

(a) Positive rather than negative measures shall form the basis of positive behavior support programs to ensure that all students shall be free from demeaning treatment, the use of aversive techniques and the unreasonable use of restraints. Behavior support programs must include research-based practices and techniques to develop and maintain skills that will enhance an individual student's opportunity for learning and self-fulfillment. Behavior support programs and plans shall be based on a functional assessment of behavior and utilize positive behavior techniques. When an intervention is needed to address problem behavior, the types of intervention chosen for a particular student must be the least intrusive necessary. The use of restraints is considered a measure of last resort, only to be used after other less restrictive measures, including de-escalation techniques in accordance with subsection (c)(2).

(b) Notwithstanding the requirements incorporated by reference in 34 CFR 300.34, 300.324, 300.530 (relating to related services; development, review, and revision of IEP; and authority of school personnel), with regard to a child's behavior, the following words and terms, when used in this section, have the following meanings, unless the context clearly indicates otherwise:

*Aversive techniques*—Deliberate activities designed to establish a negative association with a specific behavior.

*Positive behavior support plan*—A plan for students with disabilities who require specific intervention to address behavior that interferes with learning. A positive behavior support plan shall be developed by the IEP team, be based on a functional behavior assessment and become part of the student's IEP. These plans include methods that utilize positive reinforcement and other positive techniques to shape a student's behavior, ranging from the use of positive verbal statements as a reward for good behavior to specific tangible rewards.

*Restraints*—

(i) The application of physical force, with or without the use of a device, for the purpose of restraining the free movement of a student's body. The term does not include briefly holding, without force, a student to calm or comfort him, guiding a student to an appropriate activity, or holding a student's hand to safely escort him from one area to another.

(ii) Excluded from this definition are hand-over-hand assistance with feeding or task completion and techniques prescribed by a qualified medical professional for reasons of safety or for therapeutic or medical treatment, as agreed to by the student's parents and specified in the IEP. Devices used for physical or occupational therapy, seatbelts in wheelchairs or on toilets used for balance and safety, safety harnesses in buses, and functional positioning devices are examples of mechanical restraints which are excluded from this definition, and governed by subsection (d).

(c) Restraints to control acute or episodic aggressive or self-injurious behavior may be used only when the student is acting in a manner as to be a clear and present danger to himself, to other students or to employees, and only when less restrictive measures and techniques have proven to be or are less effective.

(1) 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.

(2) The use of restraints may only be included in a student's IEP when:

- (i) Utilized with specific component elements of positive behavior support.
  - (ii) Used in conjunction with the teaching of socially acceptable alternative skills to replace problem behavior.
  - (iii) Staff are authorized to use the procedure and have received the staff training required.
  - (iv) There is a plan in place for eliminating the use of restraint through the application of positive behavior support.
- (3) The use of prone restraints is prohibited in educational programs. Prone restraints are those in which a student is held face down on the floor.
- (4) The use of restraints may not be included in the IEP for the convenience of staff, as a substitute for an educational program or employed as punishment.
- (5) Charter schools and cyber charter schools shall maintain and report data on the use of restraints as prescribed by the Secretary. The report will be reviewed during cyclical compliance monitoring conducted by the Department.
- (d) Mechanical restraints, which are used to control involuntary movement or lack of muscular control of students when due to organic causes or conditions, may be employed only when specified by an IEP and as determined by a medical professional qualified to make the determination, and as agreed to by the student's parents. Mechanical restraints must prevent a student from injuring himself or others or promote normative body positioning and physical functioning.
- (e) The following aversive techniques of handling behavior are considered inappropriate and may not be used by charter schools or cyber charter schools in educational programs:
- (1) Corporal punishment.
  - (2) Punishment for a manifestation of a student's disability.
  - (3) Locked rooms, locked boxes or other locked structures or spaces from which the student cannot readily exit.
  - (4) Noxious substances.
  - (5) Deprivation of basic human rights, such as withholding meals, water or fresh air.
  - (6) Suspensions constituting a pattern.
  - (7) Treatment of a demeaning nature.



(8) Electric shock.

(f) Charter schools and cyber charter schools have the primary responsibility for ensuring that behavior support programs are in accordance with this chapter, including the training of personnel for the use of specific procedures, methods and techniques, and for having a written policy and procedures on the use of behavior support techniques and obtaining parental consent prior to the use of restrictive or intrusive procedures or restraints.

(g) Charter schools and cyber charter schools may convene a review, including the use of human rights committees, to oversee the use of restrictive or intrusive procedures or restraints.

(h) Subsequent to a referral to law enforcement, for a student with a disability who has a positive behavior support plan, an updated functional behavior assessment and positive behavior support plan shall be required.

22 Pa. Code § 711.46.

### **III. Restraint Prevention – Positive Behavior Supports**

**PDE asserts restraints are a measure of absolute last resort and are only to be used in emergency situations in schools.**

LEAs must establish effective, schoolwide positive behavior support and multi-tiered system of supports (MTSS) frameworks to assist in the elimination of restraints in schools. IEP teams must also effectively implement specially designed instruction in order to prevent restraints. To assist LEAs, local Intermediate Units and the Pennsylvania Training and Technical Assistance Network (PaTTAN) offer extensive supports to schools such as Positive Behavior Intervention Support (PBIS) training and technical assistance at the individual student, family, staff, and school system levels. OSEP provides further guidance at <https://osepideasthatwork.org/federal-resources-stakeholders/topical-issues/2022-osep-discipline-behavior-guidance>.

LEAs are required to provide training on the use of restraint to maintain safety of staff and students when emergencies arise, and all other options have been exhausted. PDE does not endorse specific restraint training vendors. PDE strongly recommends the use of restraint training that includes an emphasis on establishing instructional environments that promote student self-regulation of behavior and reduces the need for restraint. This includes staff training on how to effectively deescalate student behavior when it occurs. PDE also strongly recommends LEAs establish a parent session outlining the emergency procedures for response to dysregulated behavior. Recommended training for schoolwide, environmental, and procedural content can be found in the Appendix.

#### **IV. IEP Team and Positive Behavior Support Planning**

Sections 14.133(c)(2) and 711.46(c)(2) specify that the use of restraints **may only** be included in a student's or eligible young child's IEP when the following conditions apply:

- a. The restraint is utilized with specific component elements of positive behavior support.
- b. The restraint is used in conjunction with the teaching of socially acceptable alternative skills to replace problem behavior.
- c. Staff are authorized to use the procedure and have received the staff training required.
- d. There is a plan in place for eliminating the use of restraints through the application of positive behavior support.

In addition, sections 14.133(c)(4) and 711.46(c)(4) specify that the use of restraints **may not** be included in the IEP for the convenience of staff, as a substitute for an educational program, or employed as punishment.

Section 14.133(c)(1) also outlines procedures for school entities to follow after a restraint occurs:

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.

22 Pa. Code § 14.133(c)(1). Section 711.46(c)(1) outlines the same procedure for charter schools and cyber charter schools.

#### **V. Restraint Information System of Collection**

PDE promotes establishing a positive schoolwide learning culture in all schools across the Commonwealth to fully maximize social, emotional, and academic outcomes. To do so effectively, data analysis is critical. The RISC program reporting offers LEAs the ability to analyze their data to strategically decrease restraints and improve positive behavior interventions and supports.

The RISC program is a web-based program utilized by LEAs to report restraints. LEAs are required to report any school-aged students with an IEP who are restrained into the RISC program. BSE actively monitors the RISC database. The purpose of the RISC program is:

- To assist BSE in providing an annual report to PDE's Secretary of Education;
- To assist BSE in providing ongoing oversight and monitoring of restraint practices of school age students with IEPs in Pennsylvania;
- To provide LEAs continuous data on restraints of their students with IEPs to help LEAs evaluate their behavior support systems and support on least restrictive environment (LRE);
- To provide data to LEAs for LEAs to determine if intervention systems, such as the Schoolwide Behavior Support, is helping to decrease restraints within their schools;
- To provide data to BSE's RISC team to determine if different interventions and trainings being provided to LEAs and other educational entities are helping with decreasing the total restraint count across the Commonwealth;
- To help BSE determine patterns of restraints in educational entities; and
- To provide BSE data and information for investigation, as appropriate.

BSE collects the following information in the RISC annual report for PDE's Secretary of Education:

- Total number of restraints;
- Total number of restraints that occurred in Kindergarten;
- Total number of restraints that occurred in Elementary School – (Grades 1-6);
- Total number of restraints that occurred in Middle School – (Grades 7-9);
- Total number of restraints that occurred in High School – (Grades 10-12);
- Total number of restraints disaggregated by disability category;
- Education location where the restraint occurred;
- Total number of restraints disaggregated by type of restraint implemented;
- Total number of injuries which occurred because of restraints;

- Total number of injuries occurred to students;
- Total number of injuries occurred to staff;
- Total number of injuries occurred to both in the same restraint;
- Duration of time per restraint disaggregated by minute increments;
- Total restraints disaggregated by specific job titles;
- Total number of restraints where the parent waived an IEP meeting;
- Total number of restraints where an IEP meeting was held;
- Total number of restraints where a parent waiver was obtained and an IEP meeting was held;
- Information on the top three disability categories with the most restraints;

## VI. Restraint Reporting

LEAs are required to establish board policy on positive behavior supports and use of restraint. Further, BSE recommends that LEAs establish internal procedures that outline who is responsible for reporting restraints, notifying key administrators regarding the use of a restraint, and entering restraints into BSE's RISC system.

LEAs are also required to report restraints in BSE's RISC system in a timely manner as outlined in quarterly notices distributed to the field. Reporting restraints on a monthly basis is considered best practice and quarterly reporting is required to meet compliance. Reporting requirements also include:

- LEAs must report 0 if no restraints occurred during the designated restraint quarter.
- Restraint reports must be completed for the previous school year by the end of July of that calendar year.
- Restraints conducted during Extended School Year (ESY) are to be reported by the end of August.
- LEAs must report to BSE when a restraint results in a serious injury to a student and/or staff person. A serious injury is considered any injury that requires medical attention outside the school where the incident occurred. **E-mail notifications are to be sent within 24 hours to [RA-EDRISC@pa.gov](mailto:RA-EDRISC@pa.gov).** This information will be communicated to the BSE Director who will determine if follow-up or investigation is warranted.

## **VII. BSE Restraint Monitoring**

The RISC system provides electronic notification to BSE staff each time a restraint is entered into the system. Restraints are then reviewed by staff. Local, regional, and state level reports are also reviewed by BSE to address systemic needs for technical assistance.

Restraint reviews and serious injury may generate a need for clarification, investigation, and/or corrective action by BSE. Based on patterns of student or school level data, BSE may increase its oversight of schools. Corrective action may include:

- data entry;
- staff training;
- policy and procedure revision;
- technical assistance requirements;
- on-site visitations;
- referral(s) to educator misconduct; and/or
- required Letter of Assurance.

## **VIII. Resources**

### **US Department of Education**

#### **US Dept of Education: Students with Disabilities and the Use of Restraint and Seclusion in K-12 Public Schools**

[Students with Disabilities and the Use of Restraint and Seclusion \(PDF\) \(ed.gov\)](#)

#### **Restraints and Seclusion Resource Document**

<https://sites.ed.gov/idea/files/restraints-and-seclusion-resources.pdf>

#### **Policy Letter Signed by Secretary of Education Cardona**

[July 19, 2022 -- Letter from Secretary on School Discipline \(ed.gov\)](#)

### **US Department of Education: Office of Special Education and Rehabilitative Services**

[Questions and Answers Addressing the Needs of Children with Disabilities and the Individuals with Disabilities Education Act's \(IDEA's\) Discipline Provisions.](#)

[Positive, Proactive Approaches to Supporting the Needs of Children with Disabilities: A Guide for Stakeholders.](#)

**Basic FBA to BSP Trainer’s Manual**

<https://osepideasthatwork.org/find-a-resource/basic-fba-bsp-trainers-manual>

**Resource Collection on Positive Behavior Supports, Functional Behavioral Assessment, and School Discipline**

<https://osepideasthatwork.org/find-a-resource/resource-collection-positive-behavior-supports-functional-behavioral-assessment-and>

**Reducing Exclusionary Practices**

<https://osepideasthatwork.org/sites/default/files/2022-08/EngmtGde-ReducingExcl-508.pdf>

**US Department of Education: Office for Civil Rights**

**Fact Sheet: Restraint and Seclusion of Students with Disabilities**

[Fact Sheet: Restraint and Seclusion of Students with Disabilities \(ed.gov\)](#)

[Supporting Students with Disabilities and Avoiding the Discriminatory Use of Student Discipline under Section 504 of the Rehabilitation Act of 1973](#) and an accompanying [Fact Sheet](#).

[Positive, Proactive Approaches to Supporting the Needs of Children with Disabilities: A Guide for Stakeholders](#).

**Center on PBIS Positive Behavioral Interventions and Supports**

<https://www.pbis.org/>

**Pennsylvania Department of Education**

**Basic Education Circular: Use of Restraints for Students with Disabilities**

[Use of Restraints for Students with Disabilities \(pa.gov\)](#)

**Pattan Publications**

**Functional Behavioral Assessment Process**

[PaTTAN - Functional Behavioral Assessment Process](#)

**Annotated Positive Behavior Support Plan**

<https://www.pattan.net/Publications/Annotated-Positive-Behavior-Support-Plan>

**Alternative to Suspension and Expulsion**

<https://www.pattan.net/Publications/Alternatives-to-Suspension-and-Expulsion>

**Multi-Tiered Systems of Support**

<https://www.pattan.net/Multi-Tiered-System-of-Support>

## **Positive Behavior Support**

<https://www.pattan.net/https://www.pattannet/Multi-Tiered-System-of-Support/MULTI-TIERED-SYSTEM-OF-SUPPORTS/Behavior/Postive-Behavior-Interventions-and-Supports>

## **IX. Appendix: Considerations for Training**

PDE strongly recommends the use of restraint training includes an emphasis on establishing instructional environments that promote student self-regulation of behavior and reduces the need for restraint. This includes staff training on how to effectively deescalate student behavior when it occurs. PDE also strongly recommends LEAs establish a parent session outlining the emergency procedures for response to dysregulated behavior. The following schoolwide, environmental, and procedural content for training should be considered.

### **Schoolwide**

- Establish a schoolwide commitment to reduce the use of restraints.
- Establish a schoolwide, multi-tiered positive behavior support framework.
- Establish a highly trained crisis team— external from the classroom.
- Train all staff on risks associated with the use of physical interventions including the signs of physical distress, potential asphyxiation, and the psychological effects of restraint.
- Train all staff on signs of student/staff anxiety and distress to prevent escalation of behavior.
- Implement instructional practices to teach students self-regulation and co-regulation strategies.
- Ensure all staff have knowledge of known triggers for restraint producing behaviors in individual students.
- Demonstration and modeling of de-escalation techniques and other alternatives to physical restraint.
- Train all staff on how to depersonalize student/adult conflict and avoid power struggles.
- Train all staff understand the legal, ethical and policy aspects of physical restraint use.

### **Environmental**

- Establish an instructional environment where engagement and positive measures form the basis of a behavior management framework.
- Assess the educational environment during student escalation to ensure safety by removing objects, staff, or students.
- Proactively establish a physically safe environment that considers:
  - Reduction of easily accessible sharp objects and protrusions to the maximum extent possible.
  - Limit or eliminate configurations that provide climbing opportunities.

- Use of protective coverings for heating systems, outlets, and electrical connections.
- Within the parameters of local fire and safety codes, closely monitor or eliminate egress points in and outdoors.

### **Procedural**

- Ensure designated staff are trained on PDE's Restraint Guidelines Manual.
- Ensure designated staff are trained on safe techniques for the use of physical restraints (prone restraints prohibited).
- Identification of the phases of escalation and matching strategies to de-escalate behavior at the various phases.
- Training on regulatory and procedural requirements of effective individualized functional behavior assessments and positive behavior support plans.
- Develop a staff protocol to be implemented before, during, and after an incident of in restraint. Implementation of the protocol should include a debrief of the incident, ongoing staff training, review of effectiveness, and revision of procedures, as appropriate.
- Establish and implement effective and timely procedures to communicate with parents regarding the use of restraint and the need for a subsequent IEP meeting.
- Establish and implement clear documentation procedures of the incident and compliance with notification procedures.
- Conduct post intervention debriefing with student and staff.