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The House of Brick
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INDEPENDENT REGULATORY
REVIEW COMMISSION

Ms. Michaele A. Totino
Regulatory Analyst
Independent Regulatory Review Commission
333 Market Street, 14th Floor
Harrisburg, PA 17101

Jim Buckheit
Executive Director
PA State Board of Education
333 Market Street, Harrisburg, PA 17126-0333

Dear Ms. Totino and Mr Buckheit:

Subject: Re: Use of Restraint in Education Settings

This is in regard to the proposed regulations in dealing with children with challenging behaviors.

I am a retired, deaf school administrator of the Pennsylvania School for the Deaf with triple certification in PA as supervisor of special education, school psychologist, and teacher of the deaf. I have concerns about some procedures that may restrict the ability of the deaf child with challenging behaviors to communicate with the staff trying to help the child regain control. Many deaf children use their hands to communicate in American Sign Language and the restriction of the deaf child's arms may only aggravate the situation. I've been retired for 10 years but have remained active in the Deaf and Hard of Hearing community representing them on various issues in the education of deaf children, interpreter certification, telecommunications, captions on TV and movies, etc. Below are comments based on my experience in using restraints with elementary school aged deaf children (8-12 years old) that I wish to share with you the importance of considering the deaf child's communication methods when restrictions are used?

There needs to be some discussion on appropriate use of restraints and isolation of deaf students. I've been trained and certified in the use of restraints and used them only when the deaf student was a danger to others, self, or property. I would immediately use what was considered safe at the time (I've been out of the deaf education business for over 10 years and acceptable procedures may have changed since then), always keeping uppermost in my mind making it possible for the deaf child to communicate

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with his arms within safe boundaries. During my time, I was trained to restrain the child from behind which meant that the deaf child and I did not have eye contact to make communication possible. Also because of the restraint procedure, the deaf child couldn't use the arms to communicate. For these reasons I always had another adult facing the child while being restricted by me from behind to ensure that the child was not hurt and to provide eye contact for communication purposes. My primary objective was to get the child to agree to come willingly with me to my office (I would forcibly with appropriate restraint procedures move the child from the classroom into the hall for more privacy). I would voice to the adult facing the child, asking if he would come with me to my office just to relax and cool off. After the child nodded yes, I would partially relax my restraint to see if the child was cooperating and slowly release the child. Sometimes this restraint had to be done 3 or 4 times before the child cooperated completely. After the child was in my office for a while, the child was counseled and when felt ready, allowed to go back to class.

As for isolation, I never permitted visual isolation of any deaf child. I remember a couple of teachers putting the child in the cubby that very much restricted the child's visual range and physical movement. This was forbidden during my tenure as a supervisor. Time out was acceptable either in or out of the classroom. If the child didn't decide, I would be called to deal with the child so that the teacher can go back to attending to the class.

Bottom line, I've had to deal with children with serious behavior problems that were very disruptive in the classroom and interfered with the education of the other students. My concern was for the disruptive child's safety as well as protecting the learning environment and feeling of safety of the child's classmates. Uppermost in my mind was always the disruptive child's and the classmates' safety, preserving the rights of the disruptive child's classmates to be educated without fear and interruptions, and helping the child with challenging behaviors regain composure.

Keep in mind that we've had a few children over the years that were repeatedly so dangerous that they were "farmed out" to other facilities. So the approach described above applied only to those that didn't pose such dangers of real permanent harm to self and others.

The bottom line with regard to the use of restraints with deaf children with challenging behaviors is to make sure that there is eye contact between an adult and the deaf child and that visual communication between the deaf child and adult is always present.

Sincerely yours,



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