

BEHAVIORAL INTERVENTIONS FOR SPECIAL EDUCATION STUDENTS

A special education student's minor behavioral problems shall be subject to the disciplinary measures applicable to all students for such infractions.

(cf. 5131 - Conduct)

(cf. 5144 - Discipline)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

More serious behavioral problems shall be addressed through the systematic use of behavioral and emergency interventions as provided below.

Definitions

Serious behavioral problems are self-injurious or assaultive or cause property damage, which could lead to suspension or expulsion, or are other pervasive and maladaptive severe behavior problems requiring frequent and systematic use of behavioral interventions. (Code of Regulations, Title 5, Section 3001)

Behavioral intervention is a systematic use of procedures that result in lasting positive changes in the individual's behavior. Behavioral interventions should be designed to provide greater access to community settings, social contacts and public events and ensure placement in the least restrictive environment, pursuant to the student's individualized education program (IEP). The use of behavioral interventions shall not cause pain or trauma, shall respect the individual's human dignity and personal privacy, and shall assure his/her physical freedom, social interaction, and individual choice. (Title 5, Section 3001)

Behavioral intervention case manager is a designated certificated school/district/county staff member or other qualified personnel contracted by the District or county office, and trained in behavior analysis with emphasis on positive behavioral interventions. (Title 5, Section 3001)

Behavioral emergency is the demonstration of a serious behavior problem which has not previously been observed and for which a behavioral intervention plan has not been developed, or for which a previously designed behavioral intervention is not effective. (Title 5, Section 3001)

BEHAVIORAL INTERVENTIONS FOR SPECIAL EDUCATION STUDENTS (continued)**Functional Analysis Assessment**

When a special education student's serious behavioral problem significantly interferes with implementing the goals and objectives of his/her IEP, the student's IEP team shall determine whether the instructional/behavioral approaches specified in the student's IEP have proven ineffective. If the IEP team finds that these approaches have been ineffective, a functional analysis assessment shall be conducted. (Title 5, Section 3052)

(cf. 6159 - Individualized Education Program)

Before a functional analysis assessment begins, parents/guardians shall be notified and consent obtained pursuant to Education Code 56321. No such assessment shall preclude a parent/guardian from requesting a functional analysis assessment on the basis of language and speech disorders or specific learning disabilities. (Title 5, Section 3052)

The functional analysis assessment shall be conducted by, or be under the supervision of, a person with documented training in behavior analysis with an emphasis on positive behavioral interventions. This staff shall: (Title 5, Section 3052)

1. Observe the targeted inappropriate behavior, its frequency, duration and intensity
2. Observe events immediately preceding the behavior
3. Observe the consequences of the behavior to determine the purpose it serves for the individual
4. Analyze the environment in which the behavior most frequently occurs
5. Analyze records for medical and health factors which may influence behavior
6. Review the history of the behavior, including the effectiveness of interventions used in the past

The parent/guardian shall receive a complete written report of the assessment including a description of the nature and severity of the targeted behaviors in objective and measurable terms, with baseline data and an analysis of the antecedents and consequences that maintain the behavior, a functional analysis of the behavior across all appropriate settings in which it occurs; a description of the rate of alternative behaviors, their antecedents and consequences; and a proposed behavioral intervention plan for consideration by the IEP team. (Title 5, Section 3052)

BEHAVIORAL INTERVENTIONS FOR SPECIAL EDUCATION STUDENTS (continued)**Behavioral Intervention Plan**

Based on the functional assessment, the IEP team shall meet to determine whether a behavioral intervention plan is needed. If such a plan is needed, the IEP team shall be expanded to include a behavioral intervention case manager, qualified staff knowledgeable of the student's health needs, and others with expertise as deemed necessary by the parent/guardian, District or Special Education Local Plan Area (SELPA). This team shall develop a written behavioral intervention plan which includes: (Title 5, Section 3001)

1. A summary of information gathered from the functional analysis assessment
2. An objective description of the targeted maladaptive behaviors and replacement positive behavior(s)
3. The student's goals and objectives specific to the behavioral intervention plan
4. A detailed description of interventions to be used and the circumstances for their use
5. Specific schedules for recording the frequency of intervention use and the frequency of the targeted and replacement behaviors, including specific criteria for discontinuing an ineffective intervention or replacing it with a specified alternative
6. Criteria by which the procedure will be diminished or less restrictive intervention schedules or techniques used
7. The extent to which the behavioral interventions will be used in the home, residential facility, work site or other settings
8. Specific dates when the IEP team will periodically review the efficiency of the program
9. The frequency of the consultation to be provided by the behavioral intervention case manager to the staff and parents/guardians who are responsible for implementing the plan

BEHAVIORAL INTERVENTIONS FOR SPECIAL EDUCATION STUDENTS (continued)

Based on the results of the functional analysis assessment, interventions specified in the plan may include: (Title 5, Section 3052)

1. Altering the identified antecedent event to prevent the behavior from occurring
2. Teaching the student alternative behaviors that produce the same consequences as the inappropriate behavior
3. Teaching the student adaptive behaviors
4. Manipulating the consequences of behaviors so that the alternative behaviors more effectively produce desired outcomes

Acceptable responses to targeted behavior may include, but are not limited to, one or more of the following: (Title 5, Section 3052)

1. Ignoring the behavior but not the student
2. Redirecting the student to an activity
3. Providing verbal feedback
4. Acknowledging the message of the behavior
5. Providing a brief physical prompt to interrupt or prevent aggression, self-abuse or property destruction

The behavioral intervention plan shall become a part of the student's IEP and shall be sufficiently detailed so as to direct the plan's implementation. (Title 5, Section 3052)

A copy of the behavioral intervention plan shall be provided to the person or agency responsible for implementation in noneducational settings. (Title 5, Section 3001)

At intervals scheduled by the IEP team, the behavioral intervention case manager, parent/guardian and others as appropriate shall evaluate the effectiveness of the behavioral intervention plan in accordance with law. This review may be conducted in meetings, by telephone conference or by other means as agreed upon by the IEP team. (Title 5, Section 3052)

BEHAVIORAL INTERVENTIONS FOR SPECIAL EDUCATION STUDENTS (continued)

If the IEP team determines that major changes in the behavioral intervention plan are necessary, the teacher and behavioral intervention case manager shall conduct additional functional analysis assessments and propose changes. The parent/guardian and the behavioral intervention case manager or qualified designee may make minor modifications in accordance with law without an IEP team meeting. The IEP team also may include in the plan contingency schedules for altering specified procedures, their frequency or their duration, without reconvening the IEP team. (Title 5, Section 3052)

Emergency Interventions

Emergency interventions not specified in a student's behavioral intervention plan shall be used only as long as necessary to control unpredictable, spontaneous behavior which poses clear and present danger of serious physical harm or property damage and which cannot be prevented by a less restrictive response. Emergency interventions shall not be used as a substitute for systematic behavioral intervention plans. (Title 5, Section 3052)

Only emergency interventions approved by the SELPA may be used. (Title 5, Section 3052)

Parents/guardians shall be notified within one school day whenever emergency intervention is used. A behavior emergency report shall immediately be completed, kept in the student's file, and forwarded to the Superintendent or designee for review. This report shall include: (Title 5, Section 3052)

1. The name and age of the student
2. The setting and location of the incident
3. The name of the staff or other persons involved
4. A description of the incident and the emergency intervention used
5. A statement of whether the student is currently engaged in a systematic behavioral intervention plan
6. Details of any injuries sustained by the students or others, including staff, as a result of the incident.

BEHAVIORAL INTERVENTIONS FOR SPECIAL EDUCATION STUDENTS (continued)

If the behavior emergency report is for a student who does not have a behavioral intervention plan, the Superintendent or designee shall, within two days, schedule an IEP team meeting to review the emergency report to determine the necessity for a functional analysis assessment and to determine the necessity for an interim behavioral intervention plan. The IEP team shall document the reasons for not conducting an assessment and/or not developing an interim plan. (Title 5, Section 3052)

If the behavior emergency report is for a student who has a behavioral intervention plan, any incident involving a previously unseen serious behavior problem or where a previously designed intervention is not effective shall be referred to the IEP team. The IEP team shall review the incident and determine whether the student's plan needs to be modified. (Title 5, Section 3052)

Prohibited Interventions

The District prohibits any use of the following: (Title 5, Section 3052)

1. Any intervention designed or likely to cause physical pain
2. Releasing harmful or unpleasant sprays or substances near the student's face
3. Any intervention that denies adequate sleep, food, water, shelter, bedding, physical comfort or access to the bathroom
4. Any intervention that subjects the student to verbal abuse, ridicule, humiliation or excessive emotional trauma
5. Use of any material or objects which simultaneously immobilize all hands and feet, except that prone containment or similar techniques may be used by trained staff as a limited emergency intervention
6. Locked seclusion, unless in a facility otherwise licensed or permitted by law to use a locked room
7. Any intervention that precludes adequate supervision of the student
8. Any intervention that deprives the student of one or more of his/her senses
9. Force exceeding what is reasonable and necessary under the circumstances.

BEHAVIORAL INTERVENTIONS FOR SPECIAL EDUCATION STUDENTS (continued)

Legal Reference:

EDUCATION CODE

49001 Prohibition of corporal punishment

56321 Notice of parental rights; consent of parents

56500-56508 Procedural safeguards, including due process rights

56520-56524 Behavioral Interventions

CODE OF REGULATIONS

3001 Definitions

3052 Designated positive behavioral interventions