

Jersey Shore Area School District

POLICY NO: 113.2
SECTION: PROGRAMS
TITLE: BEHAVIOR SUPPORT
ADOPTED: April 28, 2014
REVISED:

113.2. BEHAVIOR SUPPORT

1. Purpose

Title 22
Sec. 14.133,
14.145
20 U.S.C.
Sec. 1414(d)
34 CFR
Sec. 300.114,
300.324(a)

Students with disabilities shall be educated in the least restrictive environment and shall only be placed in settings other than the regular education class when the nature or severity of the student's disability is such that education in the regular education class with the use of appropriate supplementary aids and services cannot be achieved satisfactorily. The IEP team for a student with disabilities shall develop a positive behavior support plan if the student requires specific intervention to address behavior that interferes with learning. The identification, evaluation, and plan or program shall be conducted and implemented in accordance with state and federal law and regulations.

3. Authority

Title 22
Sec. 14.133
20 U.S.C.
Sec. 1414(d),
1415(k)
34 CFR
Sec. 300.34(c),
300.324(a),
300.530(d),
(f)

The Board directs that the district's behavior support programs shall be based on positive rather than negative behavior techniques to ensure that students shall be free from demeaning treatment and unreasonable use of restraints or other aversive techniques. The use of restraints shall be considered a measure of last resort and shall only be used after other less restrictive measures, including de-escalation techniques. Behavior support programs and plans shall be based on a functional assessment of behavior and shall include a variety of research-based techniques to develop and maintain skills that will enhance students' opportunity for learning and self-fulfillment.

Pol. 113,
113.1, 113.3

3. Definitions

Title 22

Sec. 14.133

The following terms shall have these meanings, unless the context clearly indicates otherwise.

Aversive techniques - deliberate activities designed to establish a negative association with a specific behavior.

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

Behavior Support Plan or Behavior Intervention Plan - 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 behavioral assessment, and become part of the individual student's IEP. These plans must include methods that use positive reinforcements, other positive techniques and related services required to assist a student with a disability to benefit from special education.

Positive techniques - methods that utilize positive reinforcement to shape a student's behavior, ranging from the use of positive verbal statements as a reward for good behaviors to specific tangible rewards.

Restraints - application of physical force, with or without the use of any device, designed to restrain free movement of a student's body, excluding the following:

1. Briefly holding a student, without force, to calm or comfort him/her.
2. Guiding a student to an appropriate activity.
3. Holding a student's hand to escort him/her safely from one area to another.
4. Hand-over-hand assistance with feeding or task completion.
5. 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/guardians and specified in the IEP.
6. Mechanical restraints governed by this policy, such as 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.

Pol. 113

Seclusion - confinement of a student in a room, with or without staff supervision, in order to provide a safe environment to allow the student to regain self-control.

Students with disabilities - school-aged children within the jurisdiction of the district who

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| | <p>have been evaluated and found to have one or more disabilities as defined by law, and who require, because of such disabilities, special education and related services.</p> |
| <p>4. Delegation of Responsibility</p> | <p>The Superintendent or designee shall ensure that this Board policy is implemented in accordance with federal and state laws and regulations.</p> <p>The Superintendent or designee shall develop administrative regulations to implement this policy.</p> |
| <p>Title 22 Sec. 14.133</p> | <p>The Superintendent or designee shall provide regular training, and retraining as needed, of staff in the use of specific procedures, methods and techniques, including restraints and seclusions, that will be used to implement positive behavior supports or interventions in accordance with students' IEPs and Board policy.</p> |
| <p>Title 22 Sec. 14.133</p> | <p>The Superintendent or designee shall maintain and report data on the use of restraints, as required. Such report shall be readily available for review during the state's cyclical compliance monitoring. Procedures shall be established requiring reports be made to the district by entities educating students with disabilities who attend programs or classes outside the district, including private schools, agencies, intermediate units and vocational schools</p> |
| <p>5. Guidelines Title 22 Sec. 14.133 34 CFR Sec. 300.324(a)</p> | <p>Development of a separate Behavior Support Plan is not required when appropriate positive behavioral interventions, strategies and supports can be incorporated into a student's IEP</p> <p>When an intervention is necessary to address problem behavior, the types of intervention chosen for a student shall be the least intrusive necessary.</p> <p><u>Implementation Guidelines</u></p> <p>The Board intends with these guidelines neither to confer upon students and their parents/guardians any greater rights than they enjoy under applicable state and federal law nor to impose upon the district greater limitations or duties than are imposed by applicable state and federal law.</p> <p>It is the policy of the district that basic classroom support shall be in place in every classroom within the district. The activities associated with basic classroom support are directed toward total classroom support. This classroom management plan will not only respond when a problem occurs, but will also aim to prevent problems by creating environments conducive to learning.</p> <p>The district's policy for Behavior Support for an eligible student consists of three (3) levels, based upon best practices and current professional research. The three (3) levels of intervention are:</p> <p><i>Level I:</i></p> |

Consistent application of general classroom management strategies. Behavior Support goals and objectives are not required in the IEP.

Level II:

Specific interventions designed for individual students. Behavior Support Plan is required in the IEP.

Level III:

Very restrictive interventions which can only be considered after Level II interventions are determined ineffective. The transition from Level II to Level III interventions requires IEP team agreement about specific content of the Level III behavior plan.

LEVEL I

Level I intervention is the application of general classroom management that is routines implemented within the everyday operations of a classroom. These interventions are used to teach students appropriate social and academic behaviors. Some examples of Level I strategies are as follows:

Level I Models

Strategies Emphasized

Proactive Classroom Management

Effective teaching practices
Frequent monitoring
Clear rules and procedures
Social praise
Classroom management system
Proximity control

Prosocial Behavior

Systematic reinforcement
Modeling prosocial behavior
Verbal instruction
Role-playing
Token economy
Response cost

Social Problem Solving

Classroom discussion of real dilemmas
Role-playing
Student participation in making decisions
Alternative thinking
Means/End thinking
Self-instruction training
Social skills instruction

LEVEL II

In Level II, an Individual Behavior Support Plan is needed when a student is unable to meet the requirements of Level I.

Behavior interventions focus on increasing appropriate behavior and decreasing inappropriate behavior. IEP teams are encouraged to conduct Functional Behavior Assessments, using a five-step process as follows:

1. Define the problem behavior and indicate why it is in need of change
2. Develop hypotheses statements concerning the function of the defined behavior
3. Design and implement a behavior support plan that simultaneously uses proactive and reactive strategies
4. Evaluate the effectiveness of the plan with the student and the student's family, as well as other people involved
5. Modify the behavior support plan as needed

The following are examples of approaches to the development of behavior support plans:

Level II Framework
Behavior Interventions

Suggested Strategies

- Retraining
- Reinforcement techniques
- Differential reinforcement
- Positive correction
- Verbal prompts
- Redirection
- Home/School intervention programs
- Behavioral contracting
- Environmental restructuring
- Manipulation of antecedents and consequences
- Behavior charting/Daily behavior logs
- De-escalation strategies

Social Skills Training

- Direct instruction
- Modeling/Rehearsing and role plan
- Coaching
- Anger control training

Cognitive Training

- Self-monitoring
- Self-evaluation/Individual student goal review

Reality Training

- Confrontational questioning
- Social problem solving

LEVEL III

Level III interventions are restrictive behavior programs which may modify the student's rights during implementation. When Level II is no longer adequate to manage the student's behavior, the student's IEP team convenes and reviews the behavior support plan.

Note: Level II is no longer adequate when:

1. Less restrictive measures were unsuccessful
2. Behavior is dangerous to self and/or others

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| <p>Title 22 Sec. 14.133</p> | <p>3. Alternative placements have been ruled out</p> <p>Use of Level II techniques must be documented by the persons involved.</p> <p>The interventions for Level III are as follows:</p> <p><u>Safe Crisis Management</u></p> <p><u>Physical Restraints</u></p> <p>Restraints to control acute or episodic aggressive behavior may be used only when the student is acting in a manner that presents a clear and present danger to the student, other students or employees, and only when less restrictive measures and techniques have proven to be or are less effective.</p> |
| <p>Title 22 Sec. 14.133</p> | <p>The Director of Special Education or designee shall notify the parent/guardian as soon as practicable of the use of restraints to control the aggressive behavior of the student and shall convene a meeting of the IEP team within ten (10) school days of the use of restraints, unless the parent/guardian, 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, re-evaluation, a new or revised positive Behavior Support Plan, or a change of placement to address the inappropriate behavior.</p> |
| <p>Title 22 Sec. 14.133</p> | <p>The use of restraints shall not be included in the IEP for the convenience of staff, as a substitute for an educational program, or employed as punishment. Restraints may be included in an IEP only if:</p> <ol style="list-style-type: none"> 1. The restraint is used with specific component elements of a positive Behavior Support Plan. 2. The restraint is used in conjunction with teaching socially appropriate alternative skills or behaviors. 3. Staff are authorized to use the restraint and have received appropriate training. 4. Behavior Support Plan includes efforts to eliminate the use of restraints. <p><u>Mechanical Restraints</u></p> |
| <p>Title 22 Sec. 14.133</p> | <p>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/guardians.</p> <p>Mechanical restraints shall prevent a student from injuring him/herself or others or promote normative body positioning and physical functioning.</p> <p><u>Seclusion</u></p> |

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| | <p>The district permits involuntary seclusion of a student in accordance with the student’s IEP or in an emergency to prevent immediate or imminent injury to the student or others, but the seclusion must be the least restrictive alternative.</p> |
| <p>Title 22 Sec. 14.133</p> | <p>The district prohibits the seclusion of students in locked rooms, locked boxes and other structures or spaces from which the student cannot readily exit.</p> |
| | <p><u>Aversive Techniques</u></p> |
| <p>Title 22 Sec. 14.133</p> | <p>The following aversive techniques of handling behavior are considered inappropriate and shall not be used in educational programs:</p> <ol style="list-style-type: none"> 1. Corporal punishment. 2. Punishment for a manifestation of a student's disability. 3. Locked rooms, locked boxes, 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. |
| <p>Title 22 Sec. 14.143</p> | <ol style="list-style-type: none"> 6. Suspensions constituting a pattern as defined in state regulations. 7. Treatment of a demeaning nature. 8. Electric shock. 9. Methods implemented by untrained personnel. 10. Prone restraints, which are restraints by which a student is held face down on the floor. |
| | <p><u>Referral To Law Enforcement</u></p> |
| <p>Title 22 Sec. 14.133</p> | <p>Subsequent to a referral to law enforcement, an updated functional behavioral assessment and Behavior Support Plan shall be required for students with disabilities who have Behavior Support Plans at the time of such referral.</p> |
| <p>Title 22 Sec. 14.133</p> | <p>If, as a result of such referral, the student is detained or otherwise placed in a residential setting located outside the district, the Director of Special Education or designee shall ensure that the responsible school district or intermediate unit is informed of the need to update the student’s functional behavioral assessment and Behavior Support Plan.</p> |
| <p>6. References</p> | <p>State Board of Education Regulations – 22 PA Code Sec. 14.133, 14.143, 14.145</p> |

Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq.

Individuals With Disabilities Education, Title 34, Code of Federal Regulations –
34 CFR Part 300

Pennsylvania Training and Technical Assistance Network, Questions and Answers
on the Restraint Reporting Requirements and System,
June 2009 – www.pattan.net

Board Policy – 000, 113, 113.1, 113.3

PSBA Revision 9/09