

**SAN MATEO COUNTY SELPA
POSITIVE BEHAVIORAL INTERVENTIONS POLICY**

It is the Policy of the San Mateo County Special Education Local Plan Area that all children be provided educational opportunities that promote the development of each student's potential in a safe and healthy environment.

Further, it is the policy of the SELPA to ensure the rights of students with disabilities to have educational programs that provide for continuing growth and development in an atmosphere that respects their dignity and personal privacy.

Pupil patterns of pervasive and maladaptive behaviors which significantly hinder development and require systematic and frequent application of behavioral intervention shall be addressed by trained and qualified education staff taking into consideration the pupil's physical freedom and social interaction.

Behavioral intervention strategies shall be developed which promote sustained positive changes. No intervention method shall be employed that causes pain or trauma. When writing behavior intervention plans, each IEP team shall include practices and procedures which motivate and support positive ways of working with students with disabilities.

References:

California Education Code §56520 - 56524
California Code of Regulations 3001,3052

PROCEDURES REGARDING POSITIVE BEHAVIORAL INTERVENTIONS

Introduction

Regulations, procedures and forms have been developed by the San Mateo County SELPA in response to the requirement to provide Behavior Intervention Plans for special education students. These procedures are meant to provide uniform implementation of Education Code §56520-56524 throughout the county.

A behavior Intervention assessment request may be made when there is a serious concern about a special education student's behavior. These serious behavior problems include those that are deemed self-injurious, assaultive or cause property damage which could lead to a suspension or expulsion according to Education Code §48900 (see appendix A). These behaviors also include those that are pervasive and maladaptive and require systematic and frequent application of behavioral interventions. A Behavior Intervention Plan must be developed by the IEP team and a case manager identified prior to the plans implementation. Emergency interventions approved by the SELPA may be required to control unpredictable, spontaneous behaviors which pose a clear and current danger of serious physical harm to the student, others, or serious property damage which cannot be prevented without temporally application of safe emergency techniques to contain the behavior.

The following are descriptions of the major components necessary to develop an appropriate Behavioral Intervention Plan. Included In subsequent appendices is a procedural flowchart, timelines, Functional Analysis Worksheets (FAWS) and Report and the Behavioral Intervention Plan (BIP) SELPA forms. The Behavioral Intervention Plan is included as part of the student's IEP.

Definitions

Serious Behavior Problems are student behaviors which are self-injurious, assaultive, or cause significant property damage which could lead to suspension or expulsion, as well as other severe pervasive and maladaptive behaviors which require a systematic and frequent application of behavioral interventions.

Behavioral Intervention means the systematic implementation of procedures which result in lasting positive changes in the student's behavior. Interventions are designed to provide the student with greater access to a variety of community settings, social contacts and public events and to ensure the student's right to placement in the least restrictive educational environment as outlined in his/her IEP. Behavioral interventions respect the student's human dignity and personal privacy and assure the student's physical freedom, social interaction, and individual choice.

Behavioral Intervention Case Manager (BICM) means a designated certificated school/district/county staff member(s) or other qualified contract person who has been trained in behavior analysis with an emphasis on positive behavior interventions. The case manager may be any staff member trained in behavioral analysis with an emphasis on positive behavioral interventions, including, but not limited to, a teacher, resource specialist, school psychologist, or program specialist. The Behavioral Intervention Case Manager (BICM) must hold a certificate of completion from a SELPA approved training program. The Behavioral Intervention Case Manager shall not be the student's current classroom teacher.

Behavior Intervention Plan (BIP) is written by the IEP team when a student demonstrates a pattern of pervasive, maladaptive behaviors that significantly interfere with the implementation of the student's IEP goals. The plan becomes part of the IEP.

Behavior 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 behavior intervention is not effective.

Procedures for Developing a Behavioral Intervention Plan

A special education student exhibiting a Serious Behavior Problem may be referred for a behavior intervention assessment. A referral for assessment is made to a qualified Behavioral Intervention Case Manager. A **Functional Analysis Assessment** is completed and an **Assessment Report** is prepared and presented at an IEP meeting. If an IEP team determines a plan is required, a **Behavioral Intervention Plan** is developed by the IEP team (see appendices B,C,D). Only approved interventions may be used as part of the BIP. Further descriptions of the behavior assessment, report and plan, including approved and prohibited interventions, follow.

Functional Analysts Assessment

Whenever the systematic use of behavioral interventions is proposed in response to a serious behavior problem, a functional analysis assessment must be conducted by, or completed under the supervision of a person who has documented training in behavior analysis with an emphasis on positive behavioral intervention. Prior to conducting the assessment, an assessment plan must be signed by the parent.

After determination of the need for a Behavior Intervention Plan, an Assessment Plan for a Functional Analysis will be forwarded to the parents/guardians within fifteen days.

When the signed permission to assess is received, the Functional Analysis Assessment will begin and an IEP meeting will be held within fifty days. The purpose of the IEP is to review the Functional Analysis and develop the Behavior Intervention Plan. The Behavioral Intervention Case Manager is responsible for supervising the collection of information and developing the Functional Analysis Assessment Report.

Information must be gathered from the following:

- ✓ Direct observation
- ✓ Interviews with significant others
- ✓ Review of available data, such as assessment reports prepared by other professionals and other records.

A functional analysis assessment procedure includes all of the following:

- ✓ Systematic observation of the occurrence of the targeted behavior for an accurate definition and description of the frequency, duration, and intensity
- ✓ Systematic observation of the immediate antecedent events associated with each instance of the display of the targeted inappropriate behavior
- ✓ Systematic observation and analysis of the consequences following the display of the behavior to determine the function the behavior serves for the student, i.e., to identify the specific environmental or physiological outcomes produced by the behavior, or the communicative intent of the behavior
- ✓ Identification and analysis of the settings where the behavior occurs
- ✓ Identification of the function the behavior serves for the student, (i.e.; Sensory, Escape, Attention, Social, Tangibles etc.)
- ✓ Ecological analysis of the settings in which the behavior occurs most frequently. Factors to consider include the physical setting, social setting, activities and nature of instruction, scheduling, quality of communication between the pupil and staff and other students, degree of independence, degree of participation, amount and quality of social interaction, degree of choice, and variety of activities
- ✓ Review of records for health and medical factors which may influence behaviors (e.g. medication levels, sleep cycles, health, diet)
- ✓ Review of the history of the behavior to include the effectiveness of previously used behavior interventions
- ✓ Identification of one or more replacement behaviors and its current frequency.

Functional Analysis Assessment Report

Following the assessment, a written report of the assessment results shall be prepared and a copy provided to the parent. The report is developed by the behavioral intervention case manager. The report shall include all of the following:

- ✓ A description of the nature and severity of the targeted behavior(s) in an objective and measurable terms
- ✓ A description of the targeted behavior(s) which includes baseline data and an analysis of the antecedents and consequences that maintain the targeted behavior, and a functional analysis of the behavior across all appropriate settings in which it occurs
- ✓ A description of the rate of alternate behaviors, their antecedents and consequences
- ✓ A proposed behavioral intervention plan for consideration by the IEP team.

IEP Team Meeting

Upon completion of the functional analysis assessment, an IEP team meeting is held to develop a behavioral intervention plan. The IEP team is expanded to include the behavioral intervention case manager, with documented training in behavioral analysis including positive behavioral intervention(s), qualified personnel knowledgeable of the student's health needs, and others as appropriate. The behavioral intervention plan becomes a part of the IEP and is written with sufficient detail so as to direct the implementation of the plan.

Behavioral Intervention Plan

Behavioral Intervention Plan is a written document developed by the IEP team when the student exhibits a serious behavior problem that significantly interferes with the implementation of the goals and objectives in his/her IEP. The plan is made part of the IEP. The plan describes the frequency of the consultation to be provided by the behavioral intervention case manager to the staff members and parents who are responsible for implementing the plan.

The Behavior Intervention Plans shall include all of the following:

- ✓ A summary of relevant and determinative information from a functional analysis assessment report
- ✓ An objective and measurable description of the targeted maladaptive behavior(s) and replacement positive behavior(s)
- ✓ The student's goals and objectives specific to the behavioral intervention plan
- ✓ A detailed description of the behavioral interventions to be used and the circumstances for their use
- ✓ Specific schedules for recording the frequency of the use of the interventions and the frequency of the targeted and replacement behaviors including specific criteria for discontinuing the use of the intervention for lack of effectiveness or replacing it with an identified and specified alternative

- ✓ Criteria by which the procedure will be faded or phased out, or less intense/frequent restrictive behavioral intervention schedules or techniques will be used
- ✓ Extent to which the behavioral interventions will be used in the home, residential facility, work site or other settings
- ✓ Specific dates for periodic review by the IEP team of the efficacy of the program.

Behavioral intervention plans must be implemented by, or be under the supervision of, staff with documented training and qualifications in behavioral management intervention techniques, including the use of positive behavior interventions. Such interventions shall only be used to replace specified maladaptive behavior(s) with alternative acceptable behavior(s) and shall never be used solely to eliminate maladaptive behavior(s).

Behavioral intervention plans are based upon a functional analysis assessment, specified in the IEP, and used only in a systematic manner. Behavior emergency interventions may not be used as a substitute for behavioral intervention plans. The elimination of any maladaptive behavior shall not require the use of intrusive behavioral interventions which cause pain or trauma to the extent possible, behavioral intervention plans are developed and implemented in a consistent manner appropriate to each of the student's life settings.

Interventions

Based upon the results of the functional analysis assessment, positive programming for behavioral intervention may include the following strategies:

- ✓ Altering the identified antecedent event to prevent the occurrence of behavior (e.g., providing choice, changing the setting, offering variety and a meaningful curriculum, removing environmental pollutants such as excessive noise or crowding, establishing a predictable routine for the student)
- ✓ Teaching the student alternative behaviors that produce the same consequences as the inappropriate behavior (e.g., teaching the student to make requests or protests using socially acceptable behavior, teaching the student to participate with alternative communication modes as a substitution for socially unacceptable attention-getting behaviors providing the students with activities which are physically stimulating as alternatives to stereotypic, self-stimulatory behaviors)
- ✓ Teaching the student adaptive behaviors (e.g., choice-making self-management, relaxation techniques, and general skill development) which ameliorate negative conditions that promote the display of inappropriate behaviors

- ✓ Manipulating the consequences for the display of targeted inappropriate behaviors and alternative, acceptable behaviors so that it is the alternative behaviors that more effectively produce desired outcomes (i.e.. "positively reinforcing alternative and other acceptable behaviors and ignoring or redirecting unacceptable behaviors).

Acceptable Responses

When the targeted behavior(s) occurs, positive response options shall include, but are not limited to, one or more of the following:

- ✓ The behavior is ignored, but not the student
- ✓ The student is verbally and/or physically redirected to an activity, or an acceptable behavior
- ✓ The student is provided with feedback (e.g., "You are talking too loudly.")
- ✓ The message of the behavior is acknowledged" (e.g., "You are having a hard time with your work.")
- ✓ A brief, physical prompt is provided to interrupt or prevent aggression, self-abuse, or property destruction
- ✓ Time Away may be used in anticipation of a targeted behaviors occurrence allowing for the student to regain the ability to participate in a group.

Prohibitions

The following interventions, or any other Interventions similar to them, are prohibited, unless otherwise permitted by law:

- ✓ Any intervention designed to, or likely to, cause physical pain
- ✓ Noxious, toxic or otherwise unpleasant sprays, mists, or substances released in proximity So the student's face
- ✓ Denial of adequate sleep, food, water, shelter, bedding, physical comfort, or access to bathroom facilities
- ✓ Verbal abuse, ridicule, sarcasm, humiliation, or negative comments that can be expected to cause excessive emotional trauma
- ✓ Use of a device, material, or objects which simultaneously immobilize all four extremities, including the procedure known as prone containment, (except that prone containment may be used by trained personnel as a limited emergency intervention)

- ✓ Locked seclusion
- ✓ Any intervention that precludes adequate supervision of the student
- ✓ Deprivation of one or more of the student's senses.

Evaluation of Effectiveness

The effectiveness of the behavior intervention plan is determined by comparing the baseline data for the targeted behavior(s) with data collected following the schedule written into the behavior intervention plan. Both the baseline and the evaluation data should:

- ✓ measure the same problem behavior(s) and replacement behavior(s)
- ✓ be across the same setting(s)
- ✓ measure frequency intensity and duration in an identical manner
- ✓ be charted at the same time of day.

Modifications of the Plan

Minor modifications of the plan can be made without convening the expanded IEP team. The types of changes that may be made outside of an IEP¹ meeting should be detailed in the behavior intervention plan. The parent/guardian should be notified of the planned change. Parents should be allowed to review the data prior to implementing the change and be informed of their right to question modification to the plan through the IEP procedure.

Contingency Behavioral Intervention Plans

Nothing in this section is intended to preclude the IEP team from initially developing the behavioral intervention plan in sufficient detail to include schedules for altering specified procedures, or the frequency or duration of the procedures, without the necessity of reconvening the IEP team. Where the intervention is to be used in multiple settings, such as the classroom, home, and job sites, those personnel responsible for implementation in the other sites must also be notified and consulted prior to the change.

Emergency Intervention Procedures

Emergency interventions may be used only to control unpredictable, spontaneous behavior which poses clear and current danger of serious physical harm to the student or others or serious property damage and which cannot be prevented immediately by a response less restrictive than the temporary application of a technique used to contain the behavior.

- ✓ Emergency interventions shall not be used as a substitute for systematic behavioral intervention plans which are designed to change, replace, modify, or eliminate a targeted behavior

- ✓ Whenever a behavior emergency occurs, only behavioral emergency interventions approved by the Special Education Local Plan Area (SELPA) may be used
- ✓ No emergency intervention shall be employed for longer than is necessary to contain the behavior
- ✓ Any situation which requires prolonged use of an: emergency intervention shall require staff to seek assistance of the school site administrator or law enforcement agency, (i.e., call 911), as applicable to the situation
- ✓ Acceptable Emergency Response Options – shall include *but are not limited to*:
 - Immediate separation from the group (i.e.. time out or removing the group from the student)
 - Restraint procedure known as basket containment
 - A brief, physical prompt is provided to interrupt or prevent aggression, self-abuse, or property destruction
 - The restraint procedure known as Prone Containment may be used only by personnel trained in the procedure.
- ✓ Unacceptable Emergency Response Options include the following or any other intervention similar to them, unless otherwise permitted by law:
 - Any intervention designed to, or likely to, cause physical pain
 - Noxious, toxic or otherwise unpleasant sprays, mists, or substances released in proximity to the face
 - Denial of adequate sleep, food, water, shelter, bedding, physical comfort, or access to bathroom facilities
 - Verbal abuse, ridicule, sarcasm, humiliation, or negative comments that can be expected to cause excessive emotional trauma
 - Use of a device, material, or objects which simultaneously immobilize all four extremities, including the procedure known as prone containment, (except that prone containment may be used by trained personnel as a limited emergency intervention)
 - Locked seclusion
 - Any intervention shall precludes adequate supervision of the student
 - Deprivation of one or more of the student's senses.

- ✓ To prevent emergency interventions from being used in lieu of planned, systematic behavioral interventions, the parent, and/or residential care provider, shall be notified within one (1) school day whenever an emergency intervention is used. A Behavior Emergency Report shall immediately be completed and forwarded to the designated administrator. A copy shall be maintained in the student's file.

Behavior Emergency Report

A Behavior Emergency Report includes all of the following:

- ✓ Name and age of the student
- ✓ Setting and location of the incident
- ✓ Name of the staff or other persons involved
- ✓ Description of the incident, the emergency intervention used, and whether the student is currently engaged in any systematic behavioral intervention plan
- ✓ Details of any injuries sustained by the pupil or others, including staff, as a result of the incident.

All Behavior Emergency Reports, (see appendix E), must be forwarded immediately to, and be reviewed by, the designated administrator. Anytime a Behavior Emergency Report is written regarding a student who does not have a behavioral intervention plan, the administrator shall, within two (2) days, schedule an IEP Meeting. The purpose of the meeting is to:

- ✓ review the student's current IEP.
- ✓ obtain parent consent to conduct a Functional Analysis Assessment
- ✓ develop a contingency plan to address the emergency behavior during the assessment period.

Anytime a Behavior Emergency Report is written regarding 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 should be referred to the IEP team to review and determine if the incident constitutes a need to modify the plan.

Copies of Behavior Emergency Reports are collected by the SELPA Administrator which reports annually the number of Behavior Emergency Reports to the California Department of Education and the Advisory Commission on Special Education.

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