



Book	Policy Manual
Section	100 Programs
Title	Behavior Support for Students With Disabilities
Number	113.2
Status	Second Reading
Adopted	May 4, 2009
Last Revised	February 2, 2015
Last Reviewed	May 21, 2018

Purpose

~~The IEP team for a student with a disability shall develop a positive behavior support plan or shall include behavioral goals, interventions, and strategies in the IEP for each student whose behavior interferes with the learning his or her learning or the learning of others. The identification, evaluation, and plan or program shall be conducted and implemented in accordance with state and federal laws and regulations.~~ To ensure compliance with the requirements of Chapter 14 of the regulations of the Pennsylvania State Board of Education governing behavior interventions and the use of restraint with students identified with disabilities. [\[1\]](#)

Authority

Section 1. General Policy and Definitions

1.0 General Policy

~~The Board directs that~~ the following principles shall govern the use of behavior supports and interventions for ~~students-children~~ with disabilities: [\[1\]](#)

1.0.1 Positive, rather than negative, measures must form the basis of behavior support programs to ensure that all students shall be free from demeaning treatment, the use of adverse techniques, punitive "time out" and the unreasonable use of restraints;

1.0.2 Behavior support programs and plans must be based on a functional assessment of behavior and use positive behavior techniques;

1.0.3 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;

1.0.4 When an intervention is needed to address problem behavior, the types of intervention chosen for a particular student shall be the least intrusive necessary;

1.0.5 The use of restraints is considered a measure of last resort, only to be used after other less restrictive measures, including de-escalation techniques;

1.0.6 Nothing in this policy shall be construed to require the development of a separate behavior support or intervention plan when appropriate positive behavioral interventions, strategies, and supports, consistent with the requirements of this policy, can be incorporated into body of the IEP;

1.0.7 Administration is directed to develop and periodically review guidelines and protocol(s) to be applied toward all behavior change strategies, inclusive of the positive use of "time out" areas.

1.1 Special Definitions.

As used in this policy, the following words and terms shall have these meanings, unless the context clearly indicates otherwise:[\[1\]](#)

1.1.1 Aversive techniques – deliberate activities designed to establish a negative association with a specific behavior;

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

1.1.3 Positive Behavior Support Plans – 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 individual student's IEP ~~whether as a separate document attached thereto or as goals and intervention.~~ These plans must include methods that use positive reinforcement and other positive techniques to shape ~~a student's behavior~~ the behavior of the child with disabilities, ranging from the use of positive verbal statements as a reward for good behavior to specific tangible rewards.

1.1.4 Restraints – application of physical force, with or without the use of any device, for the purpose of restraining the free movement of a student's body, excluding the following:

- a. Briefly holding a student, without force, to calm or comfort him/her;
- b. Guiding a student to an appropriate activity;
- c. Holding a student's hand to escort him/her safely from one area to another;
- d. Hand-over-hand assistance with feeding or task completion;
- e. 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;
- f. Mechanical restraints, governed by **Section 2.3 of** 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.

Section 2. Specific Limitations and Requirements

2.1 Use of Physical Restraints Other than Mechanical Restraints

~~Delegation of Responsibility~~

~~The Superintendent or designee shall ensure that this Board policy is implemented in accordance with federal and state laws and regulations.~~

~~The Superintendent or designee shall develop administrative guidelines or procedures as needed to implement this policy.~~

Guidelines

Physical Restraints

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 ~~him/herself~~, **himself**, other students or to employees, and only when less restrictive measures and techniques have proven to be or are less effective.[\[1\]](#)

The ~~Superintendent or designee~~ **The Director of Special Education or his or her designee** shall notify the parent/~~guardian~~ as soon as practicable of the use of restraints to control the aggressive behavior of student and shall convene a meeting of the IEP team within ten (10) school days of the inappropriate behavior causing 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.[\[1\]](#)

2.1.1 Whenever the use of restraint to control acute or episodic aggressive or self-injurious behavior can be reasonably anticipated for a particular student, the District shall make every effort to obtain prior parent consent for such use. Inclusion of such restraints in the IEP of the student, when the parents have received appropriate prior written notice of that IEP, shall constitute sufficient evidence of parent consent for purposes of this policy. In the event that the need to use restraint cannot be reasonably anticipated for a particular student, or the parents refuse to provide consent therefor, appropriately trained staff may use such restraint when the student is acting in a manner that constitutes a clear and present danger to himself, to other students, or to employees.

2.2 The use of restraints may only be included in a student's IEP under the following conditions:[\[1\]](#)

2.2.1 The restraint is used on conjunction with specific components of positive behavior support;

2.2.2 The restraint is used in conjunction with the teaching of socially acceptable alternative skills to replace problem behavior;

2.2.3 Staff are authorized, and have received all training required, to use the specific procedure;

2.2.4 The positive Behavior Support Plan of the student includes a plan for eliminating the use of restraint through the application of positive behavior support.

2.2.5 The use of restraints is not included in the IEP for the convenience of staff, as a substitute for an educational program, or to be employed as punishment.[\[1\]](#)

2.3 Use of Mechanical Restraints.

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~~.[\[1\]](#) Mechanical restraints shall prevent a student from injuring ~~him/herself~~ **himself** or others or promote normative body positioning and physical functioning.

Seclusion

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~~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.~~

~~The district prohibits the seclusion of student in locked rooms, locked boxes and other structures or spaces from which the student cannot readily exit.~~[\[1\]](#)

2.4 Proscription of Certain Aversive Techniques.

The following aversive techniques for addressing behavior are considered inappropriate and shall not be used in educational programs:[\[1\]](#)

2.4.1 Corporal punishment;

2.4.2 Punishment for a manifestation of a student's disability;

2.4.3 Locked rooms, locked boxes, other locked structures or spaces from which the child cannot readily exit;

2.4.4 Noxious substances;

2.4.5 Deprivation of basic human rights, such as withholding meals, water or fresh air;

2.4.6 Suspensions constituting a pattern as defined in state regulations;

2.4.7 Treatment of a demeaning nature;

2.4.8 Electric shock.

1. ~~Methods implemented by untrained personnel~~

2. **2.4.9** Prone restraints, which are restraints by which a student is held face down on the floor.

2.5 Reporting and Monitoring

The Superintendent or **his or her** designee shall maintain and report data on the use of restraints in a manner prescribed by the Secretary of Education of the Commonwealth of Pennsylvania. Such report shall be readily available for review during cyclical compliance monitoring conducted by the Pennsylvania Department of Education. ~~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.~~[\[1\]](#)

2.6 Referral to Law Enforcement

~~The Superintendent or designee shall immediately report required incidents and may report discretionary incidents committed on school property, at any school sponsored activity or on a conveyance providing transportation to or from a school or school sponsored activity by a student with a disability, including a student for whom an evaluation is pending, to the local police department that has jurisdiction over the school's property, in accordance with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies. The Superintendent or designee shall respond to such incidents in accordance with the district's Special Education Plan and, if applicable, the procedures, methods and techniques defined in the student's Behavior Support Plan.~~[\[1\]](#)

Subsequent to notification to law enforcement, an updated functional behavior assessment and Behavior Support Plan shall be required for students with disabilities who have Behavior Support Plan of such referral.[\[1\]](#)

If, as a result of such referral, the student is detained or otherwise placed in a residential setting located outside the district, the ~~Superintendent~~ Director of Special Education or **his or her** designee **shall ensure that the responsible** ~~notify the~~ school district or intermediate unit ~~in which the residential setting is located~~ **is informed** of the need to **review update** the ~~student's~~ functional behavioral assessment and Behavior Support Plan **of the student.**[\[1\]](#)

~~For a student with a disability who does not have a Behavior Support Plan, subsequent to notification to law enforcement, the district shall convene the student's IEP team to consider whether a Behavior Support Plan should be developed to address the student's behavior, in accordance with law, regulations and Board policy.~~[\[1\]](#)

Relations With Law Enforcement

~~The district shall provide a copy of its administrative regulations and procedures for behavior support, developed in accordance with the Special Education Plan, to each local police department that has jurisdiction over school property. Updated copies shall be provided each time the administrative regulations and procedures for behavior support are revised by the district.~~

~~The district shall invite representatives of each local police department that has jurisdiction over school property to participate in district training on the use of positive behavior supports, de-escalation techniques and appropriate responses to student behavior that may require intervention, as included in the district's Special Education Plan and positive behavior support program. [\[1\]](#)~~

Section 3. Training

3.0 Regular Program of Training.

The Superintendent or **his or her** designee shall provide for the regular training and re-training, as needed, of personnel in the use of specific procedures, methods, and techniques, including restraints ~~and seclusions~~, that those personnel will be expected to employ in the implementation of positive behavior supports or interventions in accordance with the IEP of the child and this policy. [\[1\]](#)

Legal

1. 22 PA Code 14.133

Last Modified by Mrs Regina Urso on May 14, 2018