



Book	Policy Manual
Section	100 Programs
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Purpose

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.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#).

Authority

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.[\[1\]](#)[\[3\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)

Definitions

The following terms shall have these meanings, unless the context clearly indicates otherwise.[\[1\]](#)

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.

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 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.[9]

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 regulations to implement this policy.

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.[1]

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.[1]

Guidelines

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.[1][5]

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

Intervention Levels

The district's Behavior Management program utilizes three (3) levels of intervention from which to choose depending upon staff training and type of behaviors which require attention. The three (3) levels of intervention are:

Level I – Effective classroom management strategies. Level I does not require a positive Behavior Support Plan attached to the IEP.

Level II – Specific interventions designed for individual students. Level II requires a positive Behavior Support Plan as part of the IEP.

Level III – Very restrictive interventions which can only be considered after Level II interventions are determined ineffective. Level III interventions require the IEP team to reconvene.

Adverse techniques, restraints or discipline procedures may not be used as a substitute for a Behavior Support Plan.

Level I –

Classroom management traditionally has been associated with discipline, control or other terms that connote reducing unacceptable student behavior. Classroom management is commonly viewed as a prerequisite to instruction, something that must be accomplished so that teaching can occur.

Successful classroom management involves not merely responding effectively when problems occur, but also preventing problems from occurring by creating environments that encourage learning and appropriate behavior. Thus, comprehensive classroom management incorporates both proactive planning for and encouragement of productive behavior as well as reactive responding to unproductive student behavior.

Proactive classroom management activities involve the establishment and maintenance of a productive learning environment that fosters high levels of student engagement and prevention of student disruptions. The effectiveness of behavior control strategies will be maximized when used in conjunction with preventive methods. Without proactive management methods, behavior-change interventions will have limited long-term effectiveness.

Level II –

Behavioral interventions are used to replace inappropriate or maladaptive behaviors with the development of coping skills and controls resulting in adaptive behaviors. The underlying assumption of any behavioral intervention is that the student's behavioral problems represent either deficits in adaptive behavior, or excesses in behavior that prove maladaptive in the student's environment. If a student is unable to carry out a required task or behavior because of deficits in prerequisite skills, the task of instruction may be to develop the lacking skills. In contrast, a student may be capable of performing a target skill or behavior but may for some reason lack the motivation to perform at a level commensurate with ability. In addition to basic acquisition or performance deficits, consideration must be given to other potential interfering behaviors.

Level III –

Level III interventions are formal behavior programs that are restrictive in nature and may modify the student's rights during implementation. They specifically focus on restraining strategies and are considered more intrusive to personal freedom than either Level I or Level II interventions. Level III interventions are used only to control acute or episodic aggressive behavior that presents a danger to self or others. Contacts with outside agencies for help and support may be warranted where Level III interventions are employed. An IEP meeting is convened as soon as possible to review program design, implementation and placement for continued appropriateness.

Emergency Procedures

Emergency procedures for behavior that presents a clear and present danger to the student or others may be delineated on the IEP. These emergency procedures may include such activities as:

1. Parent/Guardian contact to immediately remove student from school.
2. Notifying police.
3. Notifying Mental Health and/or Children and Youth Offices.
4. Calling emergency services and ambulance.

Physical Restraints

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. [\[1\]](#)

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. [\[1\]](#)

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: [\[1\]](#)

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.

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 or others or promote normative body positioning and physical functioning.

Seclusion

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 students in locked rooms, locked boxes and other structures or spaces from which the student cannot readily exit. [\[1\]](#)

Aversive Techniques

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

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.
6. Suspensions constituting a pattern as defined in state regulations.[\[12\]](#)
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.

Referral to Law Enforcement

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.[\[1\]](#)

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.[\[1\]](#)

Legal

1. 22 PA Code 14.133
 2. 22 PA Code 14.145
 3. 20 U.S.C. 1414
 4. 34 CFR 300.114
 5. 34 CFR 300.324
 6. 20 U.S.C. 1415
 7. 34 CFR 300.34
 8. 34 CFR 300.530
 9. Pol. 113
 10. Pol. 113.1
 11. Pol. 113.3
 12. 22 PA Code 14.143
- 20 U.S.C. 1400 et seq
34 CFR Part 300
Pennsylvania Training and Technical Assistance Network (PaTTAN), Questions and Answers on the Restraint Reporting Requirements and System, June 2009
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Last Modified by Tammy L Shedden on November 21, 2018