

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.

When a special education student's serious behavioral problem significantly interferes with implementing the goals and objectives of his/her individualized education program, a functional analysis assessment shall be conducted with parental consent and a written behavioral intervention plan may be developed for the student in accordance with law and Ventura County Special Education Local Plan Area (SELPA) procedures.

The Superintendent or designee shall ensure that staff are informed of the SELPA's policy and regulations governing the systematic use of behavioral and emergency interventions.

Legal Reference:

EDUCATION CODE

49001	Prohibition of Corporal Punishment
56321	Notice of Parental Rights; Consent of Parents
56500-56507	Procedural Safeguards, Including Due Process Rights
56520-56524	Behavioral Interventions

CODE OF REGULATIONS, TITLE 5

3001	Definitions
3052	Designated Positive Behavioral Interventions

BEHAVIORAL INTERVENTIONS FOR SPECIAL EDUCATION STUDENTS

All assessment, intervention and evaluation activities related to a special education student's behavioral intervention plan shall be authorized, facilitated and supervised by the Individualized Education Program (I.E.P.) team. Qualified staff, trained in behavior analysis with an emphasis on positive behavioral interventions, shall participate in developing and implementing the plan.

Definitions

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

A 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 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. (Code of Regulations, Title 5, Section 3001)

A 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. (Code of Regulations, Title 5, Section 3001)

A 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. (Code of Regulations, Title 5, Section 3001)

Functional Analysis Assessment

Before assessment for a behavioral intervention plan begins, parents/guardians shall be notified and consent obtained pursuant to Education Code 56321. (Code of Regulations, Title 5, Section 3052)

Qualified assessment staff shall:

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 factor which may influence behavior.
6. Review the history of the behavior, including the effectiveness of intervention 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 behavior(s) 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. (Code of Regulations, Title 5, Section 3052)

Behavioral Intervention Plan

Based on the functional assessment, the IEP team shall meet to determine whether a behavioral intervention plan is needed. If a behavioral intervention plan is needed, the IEP team, including a behavioral intervention case manager, shall develop a written behavioral intervention plan which includes:

1. A summary of information gathered from the functional analysis assessment;
2. An objective description of the targeted maladaptive behavior(s) 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;

BEHAVIORAL INTERVENTIONS FOR SPECIAL EDUCATION STUDENTS – AP 6159.4 (CONT.)

Page 3

7. The extent to which the behavioral intervention will be used in the home, residential facility, work site or other settings;
8. Specific dates when the IEP team will periodically review the efficacy of the program; and
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. (Code of Regulations, Title 5, Section 3001)

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 by, or under the supervision of, staff with documented training and qualifications in behavioral management techniques. (Code of Regulations, Title S, Section 3052)

Based on the results of the functional analysis assessment, interventions may include:

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; or
4. Manipulating the consequences of behaviors so that the alternative behavior more effectively produce desired outcomes. (Code of Regulations, Title 5, Section 3052)

Acceptable responses to targeted behavior may include, but are not limited to, one or more of the following:

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; or
5. Providing a brief physical prompt to interrupt or prevent aggression, self-abuse or property destruction, (Code of Regulations, Title 5, Section 3052)

The district prohibits:

1. Any intervention designed or likely to cause physical pain.
2. Releasing harmful or unpleasant sprays or substances near the student's face.
3. Interventions that deny adequate sleep, food, water, shelter, bedding, physical comfort or access to the bathroom.
4. Interventions that subject the student to verbal abuse, ridicule, humiliation or excessive emotional trauma.
5. Using any material or object which simultaneously immobilize all hands and feet.
6. Locked seclusion, unless otherwise licensed or permitted by law.
7. Intervention, that precludes adequate supervision of the student.
8. Intervention that deprives the student of one or more of his/her senses. (Code of Regulations, Title 5, Section 3052)

BEHAVIORAL INTERVENTIONS FOR SPECIAL EDUCATION STUDENTS - AP 6159.4 (CONT.)

Page 4

Note: The Code of Regulations, Title 5, Section 3052 identifies procedures to be used for evaluation of the behavioral intervention plan and provides that this review may be conducted in meetings, by telephone conference, or by other means, as agreed upon by the IEP team.

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. (Code of Regulations, Title 5, Section 3052)

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. (Code of Regulations, 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 intervention shall not be used as a substitute for systematic behavioral intervention plan. (Code of Regulations, Title 5, Section 3052) Only emergency intervention approved by the SELPA may be used. (Code of Regulation, Title 5, Section 3052)

BEHAVIORAL INTERVENTIONS FOR SPECIAL EDUCATION STUDENTS - AP 6159.4 (CONT.)

Page 5

Emergency intervention may not include:

1. Locked seclusion, unless otherwise licensed or permitted by law;
2. Use of any material or object which simultaneously immobilize all hand and feet; or
3. Force exceeding what is reasonable and necessary under the circumstances. (Title 5, Section 3002)

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. The report shall include:

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; and
6. Details of any injuries sustained by the students or others, including staff, as a result of the incident. (Code of Regulations, Title 5, Section 3052)

If the behavioral emergency report deals with a student who does not have a behavioral intervention plan, the site Principal or designee shall, within two days, schedule a functional analysis assessment leading to an IEP review and meeting to develop an interim behavior intervention plan. (Code of Regulations, Title 5, Section 3052)

If the behavioral emergency report deals with a student who has a behavioral intervention plan, the IEP team shall review the incident and determine whether the student's plan needs to be modified. (Code of Regulations, Title 5, Section 3052)

Legal Reference:

EDUCATION CODE

49001	Prohibition of Corporal Punishment
56321	Notice of Parental Rights; Consent of Parents
56500-56507	Procedural Safeguards, Including Due Process Rights
56520-56524	Behavioral Interventions

CODE OF REGULATIONS, TITLE 5

3001	Definitions
3052	Designated Positive Behavioral Interventions