

# MONTGOMERY AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: BEHAVIOR SUPPORT FOR  
STUDENTS WITH  
DISABILITIES

ADOPTED: August 19, 1997

REVISED: May 17, 2005

<p>1.Purpose</p> <p>2. AUTHORITY 34 CFR 300.519 300.523 Title 22 Sec. 14.133</p> <p>3. DEFINITIONS</p>	<p style="text-align: center;">113.1 BEHAVIOR SUPPORT FOR STUDENTS WITH DISABILITIES</p> <p>The Montgomery Area School District Board of Directors must ensure that all district students are educated in settings free from restrictions or injuries caused by challenging behaviors or others. At the same time the Board recognizes that every special education student in the district is entitled to receive a free appropriate public education (FAPE) in the least restrictive environment (LRE). Any student with disabilities who has an Individualized Education Program (IEP) and exhibits significant behaviors that interfere with appropriate functioning within educational settings must have a plan for behavior support included in the IEP.</p> <p>Behavior support programs must be based on positive rather than negative measures. The Board acknowledges that all necessary district personnel must be trained in the proper use of specific procedures, methods and techniques. The behavior support methods and procedures must be applied in a nondiscriminatory manner and in full compliance with the requirements of applicable state and federal laws.</p> <p>The Behavior Support Policy is designed in compliance with the provisions in the Individuals with Disabilities Education Act (IDEA) and Chapter 14 PA Regulations 14.133</p> <p>The following words and terms, when used in this policy or in its implementing guidelines, shall have the following meanings, unless the context clearly indicates otherwise:</p> <ol style="list-style-type: none"><li>1. <b>Aversive Techniques:</b> deliberate activities designed to establish a negative association with specific behavior.</li><li>2. <b>Behavior Support:</b> the development, change and maintenance of selected behaviors through the systematic application of behavior change techniques.</li><li>3. <b>Behavior Support Plan:</b> a plan addressing a disabled student's behavioral</li></ol>
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	<p>needs and intervention within an IEP.</p> <p>Behavior Support Plans include a variety of techniques to develop and maintain skills that will enhance an individual student’s opportunity for learning and self-fulfillment. Potential causes of behavior problems such as physical or medical conditions, environment factors, staffing and program concerns shall be reviewed and addressed prior to development of a Behavior Support Plan.</p> <ol style="list-style-type: none"> <li>4. <b>Functional Behavioral Assessment:</b> an assessment of a student, the purpose of which shall be to determine the environmental, behavioral, or circumstantial factors that precede or accompany the problem behavior and the effectiveness of the interventions undertaken to address the behavior.</li> <li>5. <b>Positive Techniques:</b> methods that utilize positive reinforcement to shape a student’s behavior, ranging from the use of positive verbal statements as a reward for good behavior to specific tangible rewards.</li> <li>6. <b>Restraints:</b> devices and techniques designed and used to control acute or episodic aggressive behaviors or to control involuntary movements or lack of muscular control due to organic causes or conditions. The term includes physical and mechanical restraints.</li> <li>7. <b>Eligible Student:</b> a student with disabilities under provisions of the Individuals with Disabilities Education Act (IDEA 300.7) and its implementing regulation, Chapter 14 of the regulations of the Pennsylvania State Board of Education. For the purposes of this policy and its implementing guidelines, the definition of disabled students include students whom the district suspects or has reason to suspect are students with disabilities and to students who are in the process of a multidisciplinary team evaluation at the time of the incident for which discipline is imposed.</li> </ol> <p><b>BEHAVIOR SUPPORT REQUIREMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Positive rather than negative measures shall form the basis of behavior support programs. Behavior support programs include a variety of techniques to develop and maintain skills that will enhance an individual student’s opportunity for learning and self-fulfillment. The types of intervention chosen for a particular student shall be individualized and the least intrusive necessary.</li> <li>2. Restraints to control acute or episodic aggressive behavior may be used only when the student is acting in a manner as to be a clear and present danger to</li> </ol>
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	<p>him/herself, to other students or to employees, and only when less restrictive measures and techniques have proven to be or are less effective.</p> <ol style="list-style-type: none"><li>3. The use of restraints may not be included in the IEP for the convenience of staff, as a substitute for an educational program or employed as punishment.</li><li>4. The use of restraints to control aggressive behavior of an individual student shall cause a meeting of the IEP team to review the current IEP for appropriateness and effectiveness.</li><li>5. 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. Mechanical restraints shall prevent a student from injuring him/herself or others or promote normative body positioning and physical functioning.</li><li>6. The following aversive techniques of handling behavior are considered inappropriate and may not be used by agencies in educational programs:<ol style="list-style-type: none"><li>a. Corporal punishment</li><li>b. Punishment for a manifestation of a student's disability.\</li><li>c. Locked doors, locked boxes or other locked structures or spaces from which the student cannot readily exit.</li><li>d. Noxious substances.</li><li>e. Deprivation of basic human rights, such as withholding meals, water or fresh air.</li><li>f. Suspensions constituting a pattern under 22 PA Code 14.143(a).</li><li>g. Treatment of a demeaning nature.</li><li>h. Electric chock.</li><li>i. Methods implemented by untrained personnel.</li></ol></li><li>7. The district must obtain parental approval through the IEP process for all procedures identified within the child's individualized behavioral support plan. The district must obtain parental consent prior to the use of highly restraining or intrusive procedures.</li><li>8. The Montgomery Area School District has the primary responsibility for ensuring that behavior support programs are in accordance with this policy, including the training of personnel for the use of specific procedures, methods and techniques.</li><li>9. Aversive techniques, restraints or discipline procedures may not be used as a substitute for a behavior support program.</li></ol>
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<p>4. Guidelines</p>	<p>10. Components of the district and school codes of student conduct shall be applied when appropriate.</p> <p><b>IMPLEMENTATION GUIDELINES</b></p> <p>The Board intends, with these guidelines, neither to confer upon students and their parents or 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 this 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><b>Level I</b> – Consistent application of general classroom management strategies. <u>Behavior Support goals and objectives are not required in IEP.</u></p> <p><b>Level II</b> – Specific interventions designed for individual students. <u>Behavior Support Plan is required in IEP.</u></p> <p><b>Level III</b> – 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.</p> <p><u>Level I</u></p> <p>Level I intervention is the application of general classroom management that is routinely 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 used as follows:</p>
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<b>Level I – Models</b>	<b>Strategies Emphasized</b>
Proactive Classroom Management	Effective teaching practices Frequent monitoring Clear rules and procedures Social praise Classroom management system Proximity control
Pro-Social Behavior	Systematic reinforcement Modeling pro-social 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/ends thinking Self-instruction training Social skills instruction
<p><u>Level II</u></p> <p>In Level II an Individual Behavior Support Plan is needed when a student is unable to meet the requirements of Level I.</p> <p>Behavior interventions focus on increasing appropriate behavior and decreasing inappropriate behavior. IEP teams are encouraged to conduct Functional Behavioral Assessments, using a five-step process as follows:</p> <ol style="list-style-type: none"> <li>1. Define the problem behavior and indicate why it is in need of change.</li> <li>2. Develop hypotheses statements concerning the function of the defined behavior.</li> <li>3. Design and implement a behavior support plan that simultaneously uses proactive and reactive strategies.</li> <li>4. Evaluate the effectiveness of the plan with the student and the student’s family, as well as other people involved.</li> </ol>	

5. Modify the behavior support plan as needed.

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

**Level II Framework**

**Suggested Strategies**

Behavior Interventions

Retraining  
 Reinforcement Techniques  
 Differential reinforcement  
 Positive correction  
 Verbal prompts  
 Redirection  
 Home/school intervention programs  
 Behavioral contraction  
 Environmental restructuring  
 Manipulation of antecedents and consequences  
 Behavior Charting/Daily behavior logs  
 De-escalation strategies

Social Skills Training

Direct instruction  
 Modeling/rehearsal and role play  
 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 others.
3. Alternative placements have been ruled out.

Use of Level II techniques must be documented by the persons involved.

The interventions for Level III are as follows:

Safe Crisis Management

1. **Physical Restraint:** Physical containment of a student by direct contact for more than thirty (30) seconds for the purpose of restricting an inappropriate behavior. The behavior must be one that presents a danger to self or others. A student may not remain in a restraint for more than forty-five (45) consecutive minutes. The student must remain calm for a specified time in order to be released from the restraint. If the student does not respond, move to emergency procedures.
2. **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. Mechanical restraints shall prevent a student from injuring him/herself or others or promote normative body positioning and physical functioning.

The IEP team must make certain that the use of restraints and/or aversive measures are NOT:

- a. Employed as punishment.
- b. For the convenience of the staff.
- c. As a substitute for an educational programs

Behavioral interventions/techniques under Title 22 Sec. 14.133 may not be used.

Emergency Procedures:

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

1. Parent contact to immediately remove student from school.

2. Notifying police.
3. Notifying mental health.
4. Calling emergency services and ambulance.
5. Immediate use of Level III techniques followed by IEP team meeting to determine appropriateness of techniques used.
6. Incidents resulting in emergency procedures must be documented on a Level III incident report.

If a student's behavior is considered to be life threatening in nature, the classroom teacher will immediately take appropriate action to protect all individuals involved, followed by documentation after the incident. School personnel will notify the parent of the incident as soon as possible. A meeting must be convened with parent, representatives of the education agency and other appropriate agencies prior to the student returning to the classroom.

#### School Discipline Procedures

School discipline procedures may be applied to students with disabilities who violate school policy unless otherwise stated in the IEP. Any disciplinary measure must comply with state and federal law. This may include the following:

1. Use of after-school hours detention.
2. Saturday school.
3. In-school suspension.
4. Suspension from a specific class or classes.
5. Suspension from school.
6. Alternative school for time limited placements according to legal procedures.

#### Legal Procedures Regarding Discipline of a Student with a Disability

1. A disciplinary exclusion of a student with a disability for more than ten (10) consecutive school days or more than fifteen (15) cumulative school days in the school year is considered a change in placement requiring notification to parents of the decision. The District must provide the procedural safeguards to parents, and the IEP team must determine whether or not the student's conduct

is a manifestation of the disability.

2. A disciplinary exclusion of a student with mental retardation is considered a change in educational placement except if the student carries a weapon to school or to a school function, then the provisions in 34 CFR 300.520 apply.
3. If a student with a disability carries a weapon to school or to a school function or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function, the District may change the student's educational placement to an appropriate interim alternative educational setting for the same period of time that a student without a disability would be subject to discipline, but for no more than 45 days.
4. Either before or not later than 10 business days after removing the student for more than 10 days in a school year or commencing a removal that constitutes a change in placement, the IEP team must do one of the following:
  - a. Conduct a functional behavioral assessment if one was not previously conducted and implement a behavioral intervention plan for the behavior that resulted in the removal.
  - b. Remove the behavioral intervention plan if the student's IEP contains a plan. Modify the plan as necessary to address the behavior that resulted in the removal.

If a student with a disability, who has a behavioral intervention plan and was removed for more than ten (10) school days in a school year, is subject to a removal that does not constitute a change in educational placement, the IEP team must review the behavior support plan and modify it as necessary.

#### Expulsion

The district may not expel a student with a disability if the behavior that triggered the expulsion proceedings is related to the student's disability. The District must comply with the procedural requirements under the Individuals with Disabilities Act (IDEA), Section 504 of the Rehabilitation Act of 1973, and Chapter 14, Special Education Services and Programs State Board of Education Regulations.

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