WALLINGFORD-SWARTHMORE SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: BEHAVIOR SUPPORT

ADOPTED: January 22, 2001

REVISED: October 27, 2014

113.2. BEHAVIOR SUPPORT

1. Purpose Title 22 Sec. 14.133, 14.145 20 U.S.C. Sec. 1414(d) 34 CFR Sec. 300.114, 300.324(a)	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 a disability 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 laws and regulations.
2. Authority Title 22 Sec. 14.133 20 U.S.C. Sec. 1414(d), 1415(k) 34 CFR Sec. 300.34(c), 300.324(a), 300.530(d), (f) Pol. 113, 113.1, 113.3	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.
3. Definitions Title 22 Sec. 14.133	The following terms shall have these meanings, unless the context clearly indicates otherwise. 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.
Pol. 113	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.
4. 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 develop administrative procedures to implement this policy.
Title 22 Sec. 14.133	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.
Title 22 Sec. 14.133	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.
5. Guidelines Title 22 Sec. 14.133 34 CFR Sec. 300.324(a)	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.
	When an intervention is necessary to address problem behavior, the types of intervention chosen for a student shall be the least intrusive necessary.
	<u>Physical Restraints</u>
Title 22 Sec. 14.133	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.
Title 22 Sec. 14.133	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.
Title 22 Sec. 14.133	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. 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. <u>Mechanical Restraints</u>
Title 22 Sec. 14.133	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. Mechanical restraints shall prevent a student from injuring him/herself or others or promote normative body positioning and physical functioning. <u>Seclusion</u> 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.
Title 22 Sec. 14.133	The district prohibits the seclusion of students in locked rooms, locked boxes and other structures or spaces from which the student cannot readily exit. <u>Aversive Techniques</u>
Title 22 Sec. 14.133	The following aversive techniques of handling behavior are considered inappropriate and shall not be used in educational programs: 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.

Title 22 Sec. 14.143	5. Deprivation of basic human rights, such as withholding meals, water or fresh air. 6. Suspensions constituting a pattern as defined in state regulations. 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.
SC 1302.1-A Title 22 Sec. 10.2, 10.21, 10.22, 10.23, 10.25, 14.104, 14.133 20 U.S.C. Sec. 1415(k) 34 CFR Sec. 300.535 Pol. 103.1, 113, 113.1, 218, 218.1, 218.2, 222, 227, 805.1	<u>Referral To Law Enforcement</u> 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.
Title 22 Sec. 10.23, 14.133 Pol. 113.3	Subsequent to notification 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.
Title 22 Sec. 14.133	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.

Title 22 Sec. 10.23, 14.133	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.
	<u>Relations With Law Enforcement</u>
Title 22 Sec. 10.23, 14.104 Pol. 113, 805.1	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.
Title 22 Sec. 10.23, 14.104, 14.133 Pol. 113, 805.1	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.