

# CHESTER COUNTY INTERMEDIATE UNIT 24

SECTION: PROGRAMS

TITLE: BEHAVIOR INTERVENTION

ADOPTED: January 18, 2012

REVISED:

<p>1. Purpose Title 22 Sec. 14.133</p> <p>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</p> <p>2. Definitions Title 22 Sec. 14.133</p>	<p style="text-align: center;">113.2. BEHAVIOR INTERVENTION</p> <p>To ensure compliance with the requirements of Chapter 14 regulations of the Pennsylvania State Board of Education governing behavior interventions and the use of restraint with students identified with disabilities who participate in Intermediate Unit (IU) operated programs.</p> <p>The following principles shall govern the use of behavior supports and interventions for children with disabilities:</p> <ol style="list-style-type: none"> <li>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 aversive techniques and the unreasonable use of restraints.</li> <li>2. Behavior support programs and plans must be based on a functional assessment of behavior and use positive behavior techniques.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>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 the body of the IEP.</li> </ol> <p>As used in this policy, the following words and terms shall have the following meanings, unless the context clearly indicates otherwise.</p>
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<p>3. Guidelines</p> <p>Title 22 Sec. 14.133</p>	<p><b>Aversive techniques</b> - deliberate activities designed to establish a negative association with a specific behavior.</p> <p><b>Behavior support</b> - the development, change and maintenance of selected behaviors through the systematic application of behavior change techniques.</p> <p><b>Positive Behavior Support Plans</b> - 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. These plans must include methods that use positive reinforcement and other positive techniques to shape 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.</p> <p><b>Restraints</b> - the 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:</p> <ol style="list-style-type: none"><li>1. Briefly holding a student, without force, to calm or comfort him/her.</li><li>2. Guiding a student to an appropriate activity.</li><li>3. Holding a student's hand to escort him/her safely from one area to another.</li><li>4. Hand-over-hand assistance with feeding or task completion.</li><li>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.</li><li>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.</li></ol> <p><u>Specific Limitations And Requirements</u></p> <p><i>Use Of Physical Restraints Other Than Mechanical Restraints –</i></p> <p>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, to other students or to employees, and only when less restrictive measures and techniques have proven to be or are less effective.</p>
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<p>Title 22 Sec. 14.133</p>	<p>The responsible IU administrator or his/her designee shall notify the parent/guardian as soon as practicable of the use of restraint to control the aggressive behavior of his/her child 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.</p> <p>Whenever the use of restraint to control acute or episodic aggressive or self-injurious behavior can be reasonably anticipated for a particular student, the IU 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/guardians have received appropriate prior written notice of that IEP, shall constitute sufficient evidence of parental 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/guardians refuse to provide consent therefore, appropriately trained staff may use such restraint when the student is acting in a manner that constitutes a clear and present danger to him/herself, to other students, or to employees.</p> <p>The use of restraints may only be included in a student's IEP under the following conditions:</p> <ol style="list-style-type: none"> <li>1. The restraint is used in conjunction with specific components of positive behavior support.</li> <li>2. The restraint is used in conjunction with the teaching of socially acceptable alternative skills to replace problem behavior.</li> <li>3. Staff are authorized, and have received all training required, to use the specific procedure.</li> <li>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.</li> <li>5. The use of restraints are not included in the IEP for the convenience of staff, as a substitute for an educational program, or to be employed as punishment.</li> </ol>
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<p>Title 22 Sec. 14.133</p>	<p><i>Use Of Mechanical Restraints –</i></p> <p>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.</p>
<p>Title 22 Sec. 14.133</p>	<p><i>Proscription Of Certain Aversive Techniques –</i></p> <p>The following aversive techniques for addressing behavior are inappropriate and may not be used in educational programs:</p> <ol style="list-style-type: none"> <li>1. Corporal punishment.</li> <li>2. Punishment for a manifestation of a child’s disability.</li> <li>3. Locked rooms, locked boxes, or other locked structures or spaces from which the child cannot readily exit.</li> <li>4. Noxious substances.</li> <li>5. Deprivation of basic human rights, such as withholding meals, water or fresh air.</li> </ol>
<p>Title 22 Sec. 14.143</p>	<ol style="list-style-type: none"> <li>6. Suspensions constituting a pattern as defined in Section 14.143(a) of the regulations of the State Board of Education, 22 PA Code § 14.143(a), and any successor regulation.</li> <li>7. Treatment of a demeaning nature.</li> <li>8. Electric shock.</li> <li>9. The use of prone restraints, which are those by which a student is held face down on the floor.</li> </ol>
<p>Title 22 Sec. 14.133</p>	<p><i>Reporting And Monitoring –</i></p> <p>The Executive Director or his/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. When restraint reporting is the responsibility of the school district of residence, the IU and that school district may agree that required data will be furnished to the school district, rather than directly to the Secretary of Education.</p>

<p>Title 22 Sec. 14.133</p> <p>Title 22 Sec. 14.133</p>	<p><i>Referral To Law Enforcement –</i></p> <p>Subsequent to a referral to law enforcement, an updated functional behavior assessment and Positive Behavior Support Plan shall be required for students with disabilities who have Positive Behavior Support Plans at the time of such referral. If, as a result of such referral, the student is detained or otherwise placed in a residential setting located outside the IU, the responsible IU administrator or his/her designee shall ensure that the responsible school district or intermediate unit is informed of the need to update the functional behavioral assessment and the Positive Behavior Support Plan of the student.</p> <p><u>Training</u></p> <p>The Executive Director or his/her designee shall provide for the regular training and retraining, as needed, of personnel in the use of specific procedures, methods, and techniques, including restraints, that those personnel will be expected to employ in the implementation of positive behavior supports or interventions in accordance with the IEP of the student and this policy.</p> <p>References:</p> <p>State Board of Education Regulations – 22 PA Code Sec. 14.133, 14.143, 14.145</p> <p>Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq.</p> <p>Individuals With Disabilities Education, Title 34, Code of Federal Regulations – 34 CFR Part 300</p> <p>Pennsylvania Training and Technical Assistance Network, Questions and Answers on the Restraint Reporting Requirements and System, June 2009 – <a href="http://www.pattan.net">www.pattan.net</a></p> <p>Board Policy – 113, 113.1, 113.3</p>
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