

### Guidelines on the Use of Behavioral Interventions with Students with Disabilities

It is the practice of the districts to use positive behavior interventions and supports. Positive behavioral interventions and supports are those strategies used to improve the school environment and teach children skills likely to increase the ability of the student to exhibit appropriate behaviors. Positive behavioral interventions and supports are evaluation-based, individualized behavioral interventions or supports for children with challenging behavior. Positive behavioral interventions and supports focus on proactive approaches to address a child's target behaviors by teaching appropriate replacement behaviors, making environmental modifications, increasing skill performance, and using positive consequences. These approaches include:

- a positive reinforcement for engaging in preferred adaptive behaviors;
- the proactive teaching of behavioral expectation for the setting;
- corrective feedback or prompts (prompts can be verbal, physical, or visual and reinforcement is provided immediately following the response);
- physical assistance to facilitate completion of a response with no physical resistance from the student;
- temporary interruptions in instruction or activity in which a student is directed to leave an activity for a brief period of time to a location where he/she can observe the ongoing activity and see others receiving positive reinforcement for appropriate behaviors (contingent observations, a non-regulated procedure);
- temporary interruptions in instruction or activity when a student is sent to a different location under appropriate supervision, from which he/she may leave;
- temporary withdrawal of goods, services, or activities as a result of the student's inappropriate use of these; and
- medically prescribed restraints for positioning, maintaining posture, or aiding in the acquisition of self-help or other functional skills.

*This list is not all inclusive and may be modified to meet the needs of each school within the Hiawatha Valley Education District.*

All behavioral interventions not covered in the IEP will be consistent with the districts' discipline policies. Continued and repeated use of any element of a district's discipline policy will be reviewed in the development of the individual student's IEP.

### Refer to Appendix D for Restrictive Procedures.

#### Documentation

- [Recommendations and Requirements Under State and Federal Laws and Regulations/Rules for Suspensions/Removals of Students with Disabilities and Frequently Asked Questions Regarding Discipline of Students with Disabilities](#)
- [When to Hold Manifestation Determination Meetings](#)
- [Disability Manifestation Determination Form](#)
- [Suspension Checklist](#)
- [Procedures for FAPE During Suspension/Expulsion/Exclusion or Alternative Settings](#)
- [Sample Letter to Parents When Unilateral Placement Exceed 45 Calendar Days](#)

- [Alternatives to Suspension](#)
- [Recommended Steps Before Proceeding to an Expedited Hearing Regarding Change of Placement](#)
- [Highlights MN Student Fair Dismissal Act](#)
- [District's Procedures Related to Reporting a Crime Committed by a Student with a Disability](#)

## Recommendations and Requirements Under State and Federal Laws Regulations/Rules for Suspensions/Removals of Students with Disabilities

### Suspensions/Removals One Day and Under

**MN Rule:** MN Rule does not count as a suspension, a removal from school for one day or less.

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**Federal Regulations:** Federal regulations referred to "removals," rather than "suspensions" because states such as MN do not consider a day or less removal as a suspension. Under federal law, removals of one day or less must be included in the 10 day cumulative count. However, in a memo from OSEP the following latitude was provided, in counting multiple short-term suspensions, a half-day or less can be counted as a half-day. More than a half-day must be counted as a day. If unable to record data on an hourly or half-day basis, count part of a day as a whole day.

### Suspensions/Removals of 10 Days or Less Consecutive or Cumulative Within a Given School Year

**MN Rule:** The MN Rule requires compliance with federal law, however, provides a more restrictive provision for meetings. The student's IEP team is required to meet to conduct a manifestation meeting if the student is removed for 5 or more consecutive days (federal regulations require a meeting only after 10 day removals). A functional behavioral assessment is not required.

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**Federal Regulations:** No requirements.

### Suspensions/Removals More Than 10 Consecutive or Cumulative Days

**MN Rule:** The MN Rule requires alternative educational services for all students, disabled or non-disabled, after the 5<sup>th</sup> consecutive day of removal.

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**Federal Regulations:** Federal Regulations consider a removal of more than 10 days consecutive to be a change of placement. Removals of not more than 10 consecutive days are allowed for any violation of school rules. Additional removals are allowed for separate incidence of misconduct as long as they do not change the student's placement. Federal Regulations require FAPE provisions to begin if a student with disabilities is removed for more than 10 consecutive or cumulative days within a given school year. On day 11, services must be provided to the extent necessary for the student to make progress in the general curriculum and toward achieving IEP goals. The decision regarding these services and the location of the services is made by the principal and student's special education teacher. A review of the IEP/IIP, behavior plan and a manifestation meeting are also required within 10 days of the removal if not previously completed. A Functional Behavioral Assessment (FBA) must be completed within 30 school days. Parent permission is required before completing a Functional Behavioral Assessment (FBA) if not previously completed for the behavior that resulted in the discipline.

## Suspensions/Removals Constitute a Change of Placement

**MN Rule:** Follow Federal Regulations

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**Federal Regulations:**

Federal Regulations: IDEA 2004 states, students with disabilities may be suspended for not more than 10 consecutive school days and for additional removals of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as removals do not cause a change in placement. IDEA 2004 considers it to be a change of placement if:

- the removal is for more than 10 consecutive school days;
  - the student had been subjected to a series of removals that constitute a pattern;
  - because the series of removals total more than 10 school days a school year;
  - because the student's most recent behavior is substantially similar to the student's previous behavior that resulted in disciplinary action and these behaviors taken cumulatively are determined to be a manifestation of the student's disability.
  - Because of such additional factors as the length of each removal total amount time the student had been removed and the proximity of the removals to one another.
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## In-School Suspensions

**MN Rule:** Follow guidelines under MN Student Fair Dismissal Act.

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**Federal Regulations:**

"In-school" suspension days would not have to be included in the 10 day count if:

1. student is allowed to progress in general education curriculum;
  2. student receives IEP services;
  3. student is allowed to participate with nondisabled peers to the extent they would in current placement.
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## Frequently Asked Questions

### *When must FAPE be provided?*

- Whenever a suspension exceeds five consecutive days (MN Rule), services begin on day 6.
- Whenever a student's number of suspensions accumulates to 10 days, services begin on day 11.

### *When must a manifestation meeting be held?*

A manifestation meeting must be held within 10 school days of:

- Total days of removal exceed 10 cumulative in a school year; and additional suspension days beyond 10.
- Any removal that constitutes a change of placement, including a 45 school day unilateral change of placement;
- Parent requests a manifestation determination following any removal for disciplinary reasons;
- Expulsion.

### *When must the IEP team meet to review the student's program plan and revise, if necessary?*

- Whenever the parent(s) request(s) a meeting:
- Whenever the student is removed from the student's current placement for five or more (MN Rule) consecutive days; or

- Whenever the student’s total days of removal from the current placement during a school year exceed 10 cumulative days.
- If 2 restraints (restrictive procedures) have been conducted within 30 days of each other an IEP meeting must be held.

### ***When should a Functional Behavioral Assessment (FBA) be completed?***

1. Whenever a student is evaluated for emotional/behavioral disorder, the functional assessment should be conducted as part of the identification process (HVED requirement).
2. An IEP team must meet to develop a FBA within 10 days:
  - a. of removing a student for the 11<sup>th</sup> cumulative day in a school year, as appropriate;
  - b. if a behavior is a manifestation of the disability and no Behavior Intervention Plan (BIP) is in place.

### ***When does a change of placement occur?***

1. Whenever removals are more than 10 consecutive school days;
2. Whenever a student has been subjected to a series of removals that constitute a pattern because:
  - a. the removals are for more than 10 school days;
  - b. the student’s most recent behavior was similar to the student’s previous behavior and these behaviors taken cumulatively are determined to be a manifestation of the student’s disability; and
  - c. such additional factors as length of each removal, total amount of time the student had been removed and the proximity of the removals to one another are considered.
3. District makes unilateral 45 school day interim alternative educational placement.

### ***When may a district make a unilateral 45 school day placement to an interim? alternative educational setting? \****

1. Whenever a student carries (interpreted to also mean possession) a weapon to school or school function. Weapon is defined under federal definition to be a device, instrument, or material capable of causing death or serious injury (e.g., guns, grenades). This definition excludes knives smaller than 2.5 in. and hunting rifles, if the planned use is for sporting events;
2. Whenever a student knowingly possesses or uses illegal drugs;
3. Whenever a student sells or solicits the sale of a controlled substance (e.g., Ritalin, Viagra);
4. Whenever a student inflicts serious bodily harm defined as “showing substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss of impairment of function of a bodily member, organ or mental faculty (averyhighstandard) on another person; or
5. Can be ordered by a hearing officer when evidence exists that a student is substantially likely to injure self or others.

Unilateral changes can only be made to the extent the district would use the same or similar consequence for regular education students for the same course of misconduct.

\* State Law requires districts to provide parents with a written statement of the reasons for an interim placement exceeding 45 calendar days. (see [Sample Letter to Parents When Placement Exceeds 45 Calendar Days](#)).

### ***What is an interim alternative educational setting?***

The school administrator and IEP manager can make the decision to change the placement of a student with disabilities for the reasons described above. The choice of the interim alternative setting must be made by the IEP team and can include a continuum of settings, including the student’s home, ALC residential treatment, another school district, etc. The team must select a setting that enables the student to continue participating in the general

education curriculum and to progress toward meeting goals in the student's IEP. The student "stays put" in the alternative setting if parent(s) disagree and request an expedited hearing.

***Parent must receive prior Notice of Change of Placement for Disciplinary Action whenever a change of placement occurs.***

"Notices" should include the following information:

1. Description of proposed action;
2. Explanation of reasons district is proposing the action;
3. Description of the other options the team considered and reasons those options were rejected;
4. Description of procedures, tests, records, and reports the team used as a basis for the decision;
5. Any other relevant factors.

This "Notice" must be provided to the parent on the date the decision was made to make the removal that constitutes the change of placement.

***What constitutes "knowledge" by the district that a student has a disability and is thus entitled to procedural protections of IDEA:***

- Parental concern in writing to supervisory or administrative personnel or the student's teacher that the child is in need of special education and related services, unless parent is illiterate or has a disability that prevents compliance;
- Parent has requested an evaluation of the child pursuant to IDEA;
- Teacher or other school staff have expressed a specific concern about a pattern of behavior demonstrated by the child and this concern was expressed to supervisory personnel of the district;

***Can a student with a disability be expelled?***

Under both state and federal law, a student with a disability may not be expelled if the conduct was a manifestation of the student's disability. That means, the conducts must be caused by or have a direct and substantial relationship to the student's disability. MN Student Fair Dismissal Act requires that special education and related services be provided after a period of suspension, if suspension was imposed.

## When to Hold Manifestation Determination Meetings

	IEP Team Meeting Required	Manifestation Determination Required	Functional Behavioral Assessment Required	Alternative Educational Services
Student removed for 1 school day or less (but not suspended)	NO*	NO*	NO*	NO
Student suspended for less than 5 consecutive school days	NO*	NO*	NO*	NO
Student suspended for 5 to 10 consecutive school days	YES (within 10 days)	NO*	NO*	YES
Student removed for 10 or less cumulative school days in a school year	NO	NO	NO	NO
Student removed for 11 or more cumulative school days in a school year (this includes 45-day unilateral placement)	YES	YES (within 10 school days)	YES (or review)	YES
Student placed on in-school suspension	NO**	NO**	NO**	Regular Sped Services
Student suspended from the bus	Depends***	Depends***	Depends***	NO

The purpose of this memorandum is to provide requested clarification as to when a manifestation determination must be made for a student with a disability. The following table

summarizes district obligations in light of recent changes to state law and federal regulations.

Restrictive procedures used 1 time in 30 days	NO	NO	NO	NO
Restrictive procedures used 2 or more times in 30 days	YES	NO	Review	NO
Law enforcement called to deal with student behavior 2 or more times in 30 days	YES	NO	Review	NO

**Suspension and Dismissal**

### **Discipline Chart**

- \* Unless the removal brings the total number of cumulative days this school year that the student has been removed to more than 10, or unless the parent requests a meeting.
- \*\* An in-school suspensions would not be considered a part of the days of removal as long as the student is afforded the opportunity to continue to appropriately progress in the general curriculum, continue to receive the services specified on his or her IEP, and continue to participate with non-disabled children to the extent they would have in their current placement.
- \*\*\* If bus transportation is a part of the student’s IEP, a bus suspension would be treated as a removal unless the school provides transportation in some other way, because that transportation is necessary for the student to obtain access to the location where all other services will be delivered. If bus transportation is not a part of the student’s IEP, a bus suspension typically would not be a removal.

#### ***What must the team consider at a manifestation determination meeting under state law?***

Minnesota law used to require the team to determine the appropriateness of the student’s IEP as part of the manifestation determination inquiry. That requirement has been deleted. The legislature revised the law so that it now includes the same manifestation determination standard as IDEA. Minn. Stat. § 121A.43(d). During the manifestation determination meeting, the team must determine the following:

- (a) whether the behavior was caused by the disability;
- (b) whether the behavior has a direct and substantial relationship to the disability; and ,
- (c) whether the behavior is the direct result of the school district’s failure to implement the IEP.

If the team answers “yes” to any of these questions, the behavior is a manifestation of the student’s disability. 34 C.F.R. § 300.530(5)(e).

#### ***Meeting Requirements:***

Relevant members of the child’s IEP team, including at least one of the child’s teachers, shall meet and determine the extent to which the child needs services in order to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the child’s IEP. Minn. Stat. § 121A.43(a). The meeting must occur as soon as possible, but no more than 10 days after the sixth consecutive day of suspension or the tenth cumulative day of suspension has elapsed.

#### ***What are Alternative Educational Services?***

Alternative educational services may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessment, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center selected to allow the student to progress toward meeting graduation standards although in a different setting (Minn. Stat. § 121A.41, Subd.11).

## Disability Manifestation Determination Form

See SpEd Forms.

### Suspension Checklist

Student's Name: \_\_\_\_\_ DOB: \_\_\_\_\_

Address: \_\_\_\_\_

Parent(s): \_\_\_\_\_ Phone: \_\_\_\_\_

Parent(s): \_\_\_\_\_ Phone: \_\_\_\_\_

### Out-of-School Suspension

Date	✓	Suspensions 1 day (or less) up to 10 days cumulative (Please check when completed)
		No Requirements
Date	✓	Suspensions of 5 (MN rule) or more consecutive days (please check when completed)
		<i>Notice of a Team Meeting</i> (Manifestation and IEP Review)
		Manifestation Meeting (within 10 school days of removal) and conduct an IEP Review Meeting (review/develop behavior plan).
		<u>FAPE Requirements</u>
		General education curriculum
		IEP services and modifications
		Services and modifications designed to address misbehavior so it does not recur.
Date	✓	Suspensions/Removals constitute change of placement (removals are more than 10 consecutive days or series of removals cumulate to more than 10 days in school year and the length, total amount of time removed and proximity of removals continue to create a change of placement).
		<i>Notice of a Team Meeting</i> (Manifestation and IEP Review)
		Manifestation Meeting (within 10 school days of removal) and conduct an IEP Review Meeting (review/develop behavior plan).
		Functional Behavioral Assessment (within 30 school days). The FBA requires parent informed consent.
		<u>FAPE Requirements</u>
		General education curriculum
		IEP services and modifications
		Services and modifications designed to address misbehavior so it does not recur.

### In-School Suspension

✓	In-school suspensions do not have to be included in 10 days count if:
	Student is allowed to progress in regular education curriculum.
	Student receives IEP services.
	Student is allowed to participate with nondisabled peers to extent the they would in current placement.

Developed by Mora SELT

## Procedures for FAPE during Suspension/Expulsion/Exclusion or Alternative Setting

### FAPE requirements include:

- Student must be allowed to continue participating in the general education curriculum;
- Student must be able to receive IEP services and modifications to meet the identified goals and objectives set by the IEP; and
- Student must receive services and modifications designed to address the behavior.

### Alternative Settings include but are not limited to:

- ALC
- Another school or district
- A specialized program to meet behavior/social needs of the student
- Out-of-school suspension
- In-school suspension

### Alternative Education can include:

- Special tutoring
- Modified curriculum
- Modified instruction
- Other modifications or adaptations
- Instruction through electronic media
- Special education services as indicated by appropriate assessment
- Homebound instruction
- Supervised homework
- Enrollment in another district or in an ALC

### More Effective Alternatives to Suspension

- Circles of Success
- Natural and logical consequences
- Restitution
- Social skills training (conflict resolution, anger management, moral reasoning, empathy training, making friends, getting along with others, communication skills, etc.)
- Mini courses on alcohol/drugs
- Counseling
- Family conferences
- Community service
- Peer mediation
- Individual contracts and plans
- Communication with home

### In-School Suspension

*Always provide:*

- Coursework from general education classes;
- Services from special education staff identified on the IEP;

Review the student's behavior plan and make changes as needed. The behavior plan must be shared with the "in-school" supervisor

## Alternatives to Suspension

### Quality Indicators

- positive approach to students
- individualized approach
- multi-system response
  - school culture
  - classroom
  - community
  - family
  - kid

### Model for dropout prevention

#### *Protective Factors*

- participation in school activities
- successful performance outcomes
- identification with school community

Examples:

- Individualized plan-- based on student and family resources
  - improved coping strategies
  - how to handle the suspension hearing
  - advocacy and self-advocacy
- Supervised restitution
- Community service-- instructional nature
  - day-care centers
  - senior citizens centers
  - soup kitchens
  - homeless shelters
- Group instruction-- DWI model
  - anger control class
  - self-management skills training
  - social skills training
  - problem solving
  - mediation and conflict resolution
  - personal therapy
  - buddy and peer mentoring system “positive probation”

### Resources

- Existing staff
  - school psychologists/social workers/counselors
- interagency collaboration
- volunteers
- seniors

- interns
- retired professionals
- business partnerships

### *Stealing*

- Letter of apology to the person who was “hurt” and ask how they can help to make things better
- Work during recess time
- Student court - brought before peers
- Student works to earn points to give to other student
- Loss of points/cost to person
- Police liaison called to speak to student (when it is a consistent problem) - what would happen in the “real world”

### *Refusing*

- Don’t earn points - give choices
- Problem solving sheets
- Boys Town curriculum
- Students talk to parent (phone call)
- Loss of free time/privileges
- Peer practice and checklist to practice following directions

### *Physical Aggression*

- Student can work for peer/adult who was aggressed upon to provide restitution
- Loss of recess/privilege
- Research what would happen in the community if this behavior occurred
- Police liaison/county attorney speak to aggressive student
- Peer mediation or student court - a sentence could be monitoring the playground instead of playing
- Loss of privilege in participating in the activity that they act out in. The student needs to problem solve and earn his/her way back in. Alternative time not a fun time.
- Giving a formal apology
- Call police
- Charges filed
- Peer remediation
- Problem solving essay
- Provide empathy training

### *Tardiness*

- Give up free time for equal minutes of the tardiness (5 minutes late, give up 5 minutes of free time)
- Set up a contact person
- “Special” job/activity so student looks forward to coming on time
- Reward system for getting to class on time - loss of points
- When on time, earn a reinforced activity
- Time after school to make up time

### ***Threatening/Telling Teacher Off***

- Problem solving essay
- Apologize - written and verbal
- Script for different ways of being appropriate

### ***Skipping***

- Have detention before and/or after school in the teacher's class he/she skipped
- Natural consequence: "F" on assignments
- Truancy
- Parent contact
- Problem solving essay

### ***Property Destruction***

- Restitution (i.e., earn money to pay off the damage)
- Have student fix it him/herself
- Life Space Intervention
- Problem solving essay
- Student court

### ***Smoking***

- Locker inspection ladder
- 1<sup>st</sup> week, check lockers daily
- 2<sup>nd</sup> week, check 2-3 times week
- Pick up "butts"
- Day wellness curriculum/independent study
- Visit people with emphysema/follow-up report, written or oral
- Research paper on smoking and health
- Report to police for tickets

### ***Assignment Completion***

- Saturday school
- After school detention/parent permission
- Individual contract with teacher and class

### ***Harassment***

- Peer mediation
- Research paper/presentation on diversity
- Apologies, face-to-face
- Social skills instruction
- Formal warning

### ***Arson***

- Restitution/replacement of extinguishers
- Videotapes of fire victims
- Volunteer time in a burn unit
- Clean up

## Recommended Steps Before Proceeding to an Expedited Hearing for Change of Placement

IDEA allows schools to initiate expedited hearings and request that a hearing officer order a student's change in placement to an appropriate interim alternative educational setting for up to 45 school days. Districts have the option to seek a short-term injunction from an administrative hearing officer rather than from a court. IDEA also allows school officials to unilaterally change the placement of a child with a disability to an interim alternative educational placement for up to 45 school days if the child carries a weapon to school or to school functions, the child knowingly possesses or uses illegal drugs, sells or solicits the sale of a controlled substance at school or at a school function, or the student inflicts serious bodily harm to another person. This change of placement is "unilateral" since it occurred without the consent of a parent, judge, or administrative hearing officer. The steps that must be taken prior to an expedited hearing are listed below:

### Conduct a Manifestation Meeting

No later than 10 school days after the date on which the team (or a hearing officer) decides unilaterally to change the child's placement. If the child is suspended before the change of placement occurs, the team must conduct the manifestation determination meeting within **10 school days** of the first day of suspension.

**Conduct a Functional Behavior Assessment (see FBA) and Implement a Behavior Intervention Plan** (see section on [Behavior Intervention Plan](#)).

Functional Behavioral Assessment (FBA) and a Behavior Intervention Plan (BIP) should be conducted no later than 10 days after a team unilaterally changes the placement of a disabled child for possession of a weapon; knowingly possessing or uses illegal drugs; sells or solicits the sale of a controlled substance at school or at a school function, or inflicts serious harm on another person.

- If a FBA has already been conducted and a BIP is in effect, the IEP team should meet and review the BIP and modify it if necessary, to address the child's conduct.

### Select an Appropriate Interim Alternative Educational Setting

The team must select a setting that enables the child to:

- Continue participating in the general curriculum, although in another setting;
- Continue to progress toward meeting the goals of the student's IEP;
- Receive services and modifications designed to address the misbehavior so that it does not recur.

### Develop a Plan of Action to be Taken During the Temporary Change of Placement.

- Because changes of placement to an interim alternative educational setting are of a limited duration, school officials should develop a plan before the change of placement occurs to determine what action(s) will be taken during the 45 school day period. If the team determines during the manifestation determination meeting that additional evaluation is necessary, the evaluation should be completed as soon as possible so the team can use results of the evaluation to begin planning for the student's placement at the end of the 45 school day period. If changes are deemed necessary, the team should propose a new IEP to the parents several weeks before the end of the 45 school day period; otherwise, a parent may withhold consent until after the 45 school day period expires and the child is returned to the earlier placement. During the appeals process, the student remains in the interim educational setting pending the hearing officer's decision.

- A student's placement in an interim alternative educational setting should be consistent with the amount of time a child without a disability would be subject to for the same offense, but never more than 45 school days.

## Highlights of Minnesota Student Fair Dismissal Act

### Dismissal

- Dismissal under Minnesota law means the denial of the appropriate educational program to any student, including: exclusion, expulsion, and suspension.
- It does not include removal from class for a period of one day or less
- It does not include in-school suspension:
  - unless the student is formally suspended and then allowed to participate through the in-school suspension setting.

### Grounds for Dismissal: The Three "Willfuls"

- Willful violation of any reasonable School Board regulation.
- Willful conduct that disrupts the rights of others to an education.
- Willful conduct that endangers the student, others, or school property.

### Exclusion

Exclusion means an action taken by a district to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year.

### Expulsion

- Expulsion means an action taken by a school board to prohibit an enrolled student from further attendance for up to 12 months from the date the student is expelled.

### Firearms

- A school district must expel for at least one year, a student who is determined to have brought a firearm to school.
- School Board may modify on a case-by-case-basis.

### Suspension

- Prohibit attendance for a period of time no more than 10 days.
- Must notify superintendent with reason if longer than 5 days.
- Does not include dismissals of one school day or less.
- The district must implement alternative educational services in the event the suspension exceeds 5 days.

### Consecutive Suspensions

1. Consecutive suspensions may not be imposed for the same course of conduct:
  - a. unless the student will create an immediate and substantial danger, or
  - b. where the district is in the process of initiating an expulsion.
2. In either case, the total suspension may not exceed 15 days.

Note: 15 days may not be applied to a student with a disability (10 consecutive days maximum).

### Readmission Plans

- May still be used
- May not be used to extend the current suspension.

## **Procedures Related to Reporting a Crime Committed By a Student With a Disability**

Federal IDEA LAW 20 USC Sec. 1415 (k) (6) (B) requires that “An agency reporting a crime committed by a child with a disability shall ensure that copies of the special education and disciplinary records of the child are transmitted for consideration by the appropriate authorities to whom the agency reports the crime.”

The districts will comply with the law through the following practices:

1. Principals or the Director of Special Education will seek parental approval to release special education records to the appropriate authorities in compliance with FERPA regulations;
2. If parental permission is received, all discipline records will be sent to the law enforcement agency where the crime was reported;
3. The complete special education file will be sent to the law enforcement agency where the crime was reported for their consideration; and
4. Parent(s) will be notified that records were sent to the authorities.

## Behavior Intervention Plan

Available in SpEd Forms.

## Continuum of Behavior Change Techniques and Positive Behavior Interventions

Strategy

Frequency of Use and Purpose

<p>Positive Behavior Intervention and Supports (PBIS)</p> <p>Social &amp; Problem Solving Skills Instruction</p> <p>Teaching and Reinforcing Competing Behaviors and Use of Positive Consequence Strategies</p> <p>Adult Modeling of Pro-Social and Respectful Behavior</p> <p>Behavior Specific and General Praise</p> <p>Token, Tangible, Activity &amp; Social Reinforcers</p> <p>Providing Choices</p> <p>Differential Reinforcement</p>	<p>Used Numerous Times Per Day to Teach, Encourage and Support Positive Student Behaviors.</p> <p>Social skill instruction done on a planned and preventative basis and following each incident of a challenging behavior.</p> <p>Provide and reinforce functionally equivalent replacement behaviors and alternative behaviors that will eventually elicit reinforcement in natural environment.</p> <p>Teacher and adult interactions with student are respectful and firm. Teacher combines compassion with firm limits.</p> <p>Reinforcement of desired &amp; newly learned/taught social and problem solving skills. School personnel should strive to maintain 4 to 1 positive/praise to reductive statement ratio.</p> <p>Reinforcement of desired &amp; newly learned/taught social and problem solving skills.</p> <p>Allow student some choice and control over environment and tasks.</p> <p>Reinforcement of socially acceptable behaviors &amp; extinction of undesired/maladaptive behaviors.</p>
<p>Behavior Reduction Strategies</p> <p>Verbal Redirections – Girls and Boys Town Coupling, Reality &amp; Empathy Statements</p> <p>Presenting Consequences as Choices</p> <p>Response Cost</p> <p>Contingent Observation Time-Out</p> <p>Exclusionary Time-Out</p>	<p>Used Daily in Response to Challenging Student Behavior</p> <p>Providing student with feedback on desired and undesired behaviors. Informing student of positive and impending reductive consequences.</p> <p>Allow student some choice and control. Increase student ability to accept responsibility for behavior; teaches student that she/he is in control of both positive and negative consequences.</p> <p>Loss of point(s) or privilege for occurrence of challenging behavior.</p> <p>Reduction of undesired behaviors via extinction</p> <p>Reduction of undesired behaviors via extinction</p>

## OVERVIEW OF THE LEVELS OF TIMEOUT

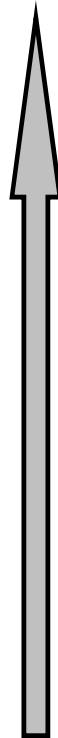
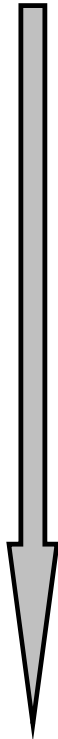
Least Restrictive

Used Most Often

Level of TimeOut	Example of Behavior	Conditions For Use
<p>Contingent Observation— The student is removed from the reinforcing activity, but is still allowed to observe the activity. The teacher directs the student to a timeout area in the classroom where the student is able to listen to the discussion, but not allowed to participate for a period of time.</p>	<p>A grade 4 student is disrupting the class by poking a neighbor and talking during class, despite teacher’s behavior specific redirections.</p>	<p>Use is unrestricted.</p> <p>Document frequency and duration.</p> <p>Ensure positive behavioral supports and interventions are being used in conjunction with this procedure.</p>
<p>Exclusionary Timeout — The student is excluded from the reinforcing activity and is not allowed to participate or observe the activity. The teacher asks the student to leave the timeout area in the classroom and go to another supervised area until the student demonstrates appropriate behavior and is ready to return to class.</p>	<p>The student continues to talk while in contingent observation timeout. The student yells, throws a pencil and disrupts the class activity.</p>	<p>Use is unrestricted.</p> <p>Document frequency and duration.</p> <p>Ensure positive behavioral supports and interventions are being used in conjunction with this procedure.</p>

Most Restrictive

Used Infrequently



1.

### *Understanding an Extinction Burst*

It is important for anyone implementing a time-out or other limit-setting program to understand that initially the duration and intensity of a challenging behavior(s) may increase upon implementation of the program. When reinforcement for a challenging behavior is withdrawn, the individual will often respond by increasing the intensity and duration of the challenging behavior. This increase is an attempt to gain access to the reinforcer by exhibiting the behavior at a greater intensity or duration. This phenomenon is known as extinction burst.

An extinction burst is both normal and a strong indication that the time-out or limit setting program is reducing or eliminating the reinforcement that is maintaining the challenging behavior. An extinction burst may result in initial time-outs being of greater length than are typically recommended. This should be expected and explained to the parent as a normal process.

An extinction burst on the initial applications of time-out has been observed to last as long as 60 or 70 minutes. Time-outs after this burst typically quickly drop to 10 to 20 minutes or less in duration.

Staff need to carefully collect and analyze time-out data to determine if extended time-outs are due to an extinction burst. Consistent extended time-outs are likely not due to an extinction burst but rather due to either an avoidance behavior or an indication that the "time in" environment is not sufficiently reinforcing. If this is observed in the data, contact your school psychologist or behavior analyst for immediate programming assistance.

## Physical Holding, Seclusion, Removal by Peace Officer Procedures:

Refer to Administrative Procedures Policy 532

Hiawatha Valley Education District #6013 Restrictive Procedures Plan

Minnesota Statutes, Section 125A.0942, Subd. 1

Schools that intend to use restrictive procedures shall maintain and make publicly accessible a restrictive procedures plan for children that includes at least the following: (1) the list of restrictive procedures the school intends to use; (2) how the school will monitor and review the use of restrictive procedures, including conducting post-use briefings and convening an oversight committee; and (3) a written description and documentation of the training staff completed under subdivision 5.

(A copy of this completed plan must be publicly accessible, on file at each district building, and on file with the district named director of special education.)

Adopted: September 19, 2011

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Adopted: September 19, 2011

Hiawatha Valley Education District #6013

Restrictive Procedures Plan

In accordance with Minnesota Statute 125A.0942, Subd. 1, every school district is required to develop and make public a plan that discloses its use of restrictive procedures. The plan specifically outlines the list of restrictive procedures the school intends to use; how the school will monitor and review the use of restrictive procedures, including post use debriefings and convening an oversight committee; and a written description and documentation of the training and staff that have completed the training.

Hiawatha Valley Education District #6013 uses restrictive procedures only in response to behavior(s) that constitutes an emergency, even if written into a child's Individual Education Plan (IEP) or Behavior Intervention Plan (BIP).

A. Definitions

The following terms are defined as:

1. "Emergency" means a situation where immediate intervention is needed to protect a child or other individual from physical injury to prevent serious property damage.
2. "Physical holding" means physical intervention intended to hold a child immobile or limit a child's movement and where body contact is the only source of physical restraint. The term physical holding does not mean physical contact that:
  - a. helps a child respond or complete a task;
  - b. assists a child without restricting the child's movement;
  - c. is needed to administer an authorized health-related service or procedure; or

- d. is needed to physically escort a child when the child does not resist or the child's resistance is minimal.
3. "Positive behavioral interventions and supports" means interventions and strategies to improve the school environment and teach children the skills to behave appropriately.
4. "Restrictive procedures" means the use of physical holding or seclusion in an emergency.
5. "Seclusion" means confining a child alone in a room from which egress is barred. Removing a child from an activity to a location where the child cannot participate in or observe the activity is not seclusion.

## B. Staff Training - Requirements and Activities

### Requirements

Staff who design and use behavioral interventions will complete training in the use of positive approaches as well as restrictive procedures. Training records will identify the content of the training, attendees and training dates. Hiawatha Valley Education District will post a list of all Crisis Prevention Institute (CPI) trainings and forward attendance records to the district on a quarterly basis. The district will maintain records of additional trainings provided within the district. Records of all trainings will be maintained at each building site. See Appendix B and C for Site Trainings and Attendance Forms, respectively.

When trained, the following employee job classifications are authorized and certified to use restrictive procedures:

- Licensed special education teacher
- School social worker
- School psychologist
- Behavior analyst certified by the National Behavior Analyst Certification Board
- A person with a master's degree in behavior analysis
- Other licensed education professional
- Highly qualified education paraprofessional
- Mental health professional

### Activities

Personnel development activities will be provided to district staff and contracted personnel who have routine contact with students and who may use restrictive procedures in the following areas:

1. Positive behavioral interventions;
2. Communicative intent of behaviors;

3. Relationship building;
4. Alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior;
5. De-escalation methods;
6. Standards for using restrictive procedures;
7. Obtaining emergency medical assistance;
8. Physiological and psychological impact of physical holding and seclusion;
9. Monitoring and responding to a child's physical signs of distress when physical holding is being used; and
10. Recognizing the symptoms of and interventions that may cause positional asphyxia when physical holding is used.

### C. Restrictive Procedures and Seclusion

Restrictive procedures that may be used in emergency situations include physical holding and seclusion. Physical holding and seclusion will end when the threat of harm has ended and staff has determined that the student can safely return to the requested activity.

#### Physical Holdings

With required training, The Students Achieving Integrative Learning (SAIL) program at RVA intends to use the following types of physical holding: Children's Control, Team Control, Team Escort, and Interim Control.

With required training, Winona Elementary Day Treatment at Jefferson School intends to use the following types of physical holding: Children's Control, Team Control, Team Escort, and Interim Control.

With required training, Winona Children's Day Treatment at the Family and Children's Center intends to use the following types of physical holding: Children's Control, Team Control, Team Escort, and Interim Control.

The following programs/buildings do not intend to use physical holding: River Valley Academy Area Learning Center and Valley View Area Learning Center.

#### Seclusion

Hiawatha Valley Education District schools do not use any locked time out rooms for seclusion.

D. Prohibited Procedures

Hiawatha Valley Education District #6013 will never use the following prohibited procedures on a child:

1. Corporal Punishment which includes conduct involving: (a) hitting or spanking a person with or without an object; or (b) unreasonable physical force that causes bodily harm or substantial emotional harm.
2. Requiring the student to assume and maintain specified physical position, activity, or posture that induces physical pain.
3. Presenting an intense sound, light or other sensory stimuli using smell, taste, substance, or spray as punishment.
4. Denying or restricting the students access to equipment and devices such as wheelchairs, hearing aids or communication boards that facilitate the student's functioning except when temporarily removing the equipment or device is needed to prevent injury to the student others or serious damage to the equipment or device, in which case the equipment or device shall be returned to the student as soon as possible.
5. Interacting with a student in a manner that constitutes sexual abuse, neglect, or physical abuse.
6. Totally or partially restricting a student's senses as punishment.
7. Withholding regularly scheduled meals or water.
8. Denying the student access to bathroom facilities.
9. Physical holding that restricts or impairs a student's ability to breathe.

E. Documentation of Physical Holding and/or Seclusion

Each time physical holding or seclusion is used, the staff person who implements or oversees the physical holding or seclusion shall document, as soon as possible after the incident concludes, the following information:

- A description of the incident that led to the physical holding or seclusion;
- Why a least restrictive intervention failed or was determined by staff to be inappropriate or impractical;
- The time the physical holding or seclusion began and the time the child was released; and
- A brief record of the child's behavioral and physical status.

The use of restrictive procedures in emergency situations will be documented through the use of the Critical Incident Data Sheet for Restrictive Procedures (see Appendix D).

F. Documentation of Post-use Staff Debriefing Meeting

Each time physical holding or seclusion is used; the staff person who implemented or oversaw the physical holding or seclusion shall conduct a post-use debriefing with involved staff within 2 school days of the incident after the restrictive procedure concludes. There will be at least one staff member attending the debriefing meeting who was not involved in the incident and has knowledge of behaviors. A copy of the Critical Incident Data Sheet for Restrictive Procedures (see Appendix D) and the Staff Debriefing Meeting form (see Appendix E) will be sent to: the child's case manager, the cluster special education director, the executive director and a copy placed in the student's due process file. The case manager will keep a comprehensive file of all restrictive procedure forms to be used by the Building Oversight Committee (see Appendix F for list of committee members).

If the post-use debriefing meeting reveals that the use of physical holding or seclusion was not used appropriately, the Building Oversight Committee will convene immediately to ensure corrective action is taken. The Building Oversight Committee will review and evaluate the Critical Incident Data Sheet for Restrictive Procedures (see Appendix D) and the Staff Debriefing Meeting form (Appendix E) to determine and recommend training needs.

#### G. Documentation for an IEP

The use of restrictive procedures in response to an emergency may be documented in the student's IEP or a behavior intervention plan attached to the IEP. Reviews will be conducted in accordance with MN Statute which requires when restrictive procedures are used twice in 30 days or when a pattern emerges and restrictive procedures are not included in a child's IEP or BIP, the district will hold a meeting of the IEP team. The team shall conduct or review a functional behavioral analysis, review data, consider developing additional or revised positive behavioral interventions and supports, consider actions to reduce the use of restrictive procedures, and modify the IEP or BIP as appropriate. At the meeting the team will review any known medical or psychological limitations that contraindicate the use of a restrictive procedure, consider whether to prohibit that restrictive procedure, and document any prohibition in the IEP or BIP.

Record retention will be in accordance with district policies on student records.

#### H. Building Oversight Committees

The Building Oversight Committee will meet yearly to review data provided in the Critical Incident Data Sheet for Restrictive Procedures (Appendix D) and the Staff Debriefing Meeting form (see Appendix E). The Committee will complete the Building Oversight Committee Review Form (see Appendix G). The Building Oversight Committee will also complete the Annual Summary of Use of Restrictive Procedures form (Appendix H). The Building Oversight Committee will make recommendations in regards to the District's Restrictive Procedures Plan and, if necessary, indicate training needs and establish a plan for addressing Committee recommendations.

If a post-use debriefing meeting reveals that the use of physical holding or seclusion was not used appropriately, the Building Oversight Committee will convene immediately to ensure corrective action is taken. The Building

Oversight Committee will review and evaluate the Critical Incident Data Sheet for Restrictive Procedures (see Appendix D) and the Staff Debriefing Meeting form (Appendix E) to determine and recommend training needs.

#### I. Emergency Situations – Use of Restrictive Procedures

The Hiawatha Valley Education District #6013 shall make reasonable efforts to notify the parent on the same day when restrictive procedures are used in an emergency. If the school is unable to provide same-day notice, notice will be sent by written or electronic means or as otherwise indicated by the parent. Documentation of how the parent wants to be notified when a restrictive procedure is used may be found in the IEP or BIP.

The special education director will receive written notification when restrictive procedures are used in emergency situations. Records will be reviewed and summarized annually.

#### J. Positive Behavior Interventions and Supports

The district is committed to using positive behavioral interventions and supports. Positive behavior interventions and supports (PBIS) means interventions and strategies to improve the school environment and teach children the skills to behave appropriately.

All HVED schools use the following practices and procedures to teach expected behaviors and provide additional positive supports to students requiring further intervention. (see Appendix A).

### Appendix A

#### District Practices and Procedures: Positive Behavior Intervention Supports

The school board and staff employed by HVED School Districts believe that all students can experience success. We believe that behavior that is rewarded is more likely to be repeated. We believe that encouragement and positive reinforcement are effective techniques for changing behavior. Our goal is to model and shape prosocial behavior for the students under our care, using positive approaches that focus on skill acquisition.

#### PROMOTION OF THE USE OF POSITIVE APPROACHES

The District endeavors to encourage the use of positive interventions and strategies.

All staff who work directly with students with disabilities will be trained in the use of positive approaches to behavior management and in Non-Violent Crisis Prevention Intervention. This training will encourage the use of positive approaches and procedures, such as: praise and encouragement, planned ignoring, contracts, monitoring sheets, modeling of appropriate behavior, and proximity control.

Refer to Hiawatha Valley Education District Board Approved Policies:

532: Use of Peace Officers and Crisis Teams to Remove Students with IEP from School Grounds

693: Behavior Interventions with Students with Disabilities.

## Appendix B

Hiawatha Valley Education District #6013

### Site Trainings

To meet all of the requirements of 125A.0942 subd 1(3), staff that use restrictive procedures will complete training in the following skills and knowledge areas.

(NOTE: HVED has reviewed and ensured focus on all requirements in CPI training plan.)

Skills and Knowledge Areas      Building\_\_\_\_\_      Building\_\_\_\_\_

1. Positive behavioral interventions      •      CPI

•      •      CPI

•

2. Communicative intent of behavior      •      CPI

•      •      CPI

•

3. Relationship building •      CPI

•      •      CPI

•

4. Alternatives to restrictive procedures •      CPI

•      •      CPI

•

5. De-escalation methods      •      CPI

•      •      CPI

•

6. Standards for using restrictive procedures      •      CPI

- 
- CPI

- 

7. Obtaining Medical Assistance • CPI

- 
- CPI

- 

8. Psychological/Physiological impact of restrict and seclusion • CPI

- 
- CPI

- 

9. Physical signs of distress during restraint • CPI

- 
- CPI

- 

10. Recognizing symptoms of asphyxia during restraint • CPI

- 
- CPI

- 

Appendix C (Optional)

Hiawatha Valley Education District #6013

Restrictive Procedures Training Attendance





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Name, position, telephone number, and signature of person completing form:

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Description of the incident that led to the physical holding:

Description of physical holding and the student's behavioral and physical status:

Type

P/S Intervention Time

Start End

Location Type of Physical Hold Used (options below) \*Other

(see below) Denied (Y/N)

Water Denied (Y/N)

Restroom

CC	TC	TE	IC
CC	TC	TE	IC
CC	TC	TE	IC
CC	TC	TE	IC

Was seclusion conducted in a room other than a specially designed approved and registered time out room? Yes \_\_\_\_\_ No \_\_\_\_\_ Room location \_\_\_\_\_

Any clothing removed? Shoes \_\_\_\_\_ Belt \_\_\_\_\_ Pocket Contents \_\_\_\_\_ Other \_\_\_\_\_

Was meal delayed due to extreme behavior or safety concern? Yes \_\_\_\_\_ No \_\_\_\_\_

Explanation: \_\_\_\_\_

Intervention was used to protect child or others from physical injury? Yes \_\_\_\_\_ No \_\_\_\_\_

Intervention was used to prevent serious property damage? Yes \_\_\_\_\_ No \_\_\_\_\_

Positive and least restrictive interventions tried before use of restrictive procedure:

Redirection, Correction, Verbal or Non-verbal Feedback

Brief supervised removal – (another location for purposes of engaging in activities or discussion related to behavior, thoughts or feelings.)

Safe place to relax/regroup (voluntary)

Other:

\_\_\_\_\_  
 Description of why a less restrictive intervention failed or was determined by staff to be inappropriate or impractical: \_\_\_\_\_

Did the physical holding end when the threat of harm ended and staff determined that the student could safely return to the classroom or activity? Yes \_\_\_\_\_ No \_\_\_\_\_

Explain:

Did staff directly observe the child during the physical hold? Yes \_\_\_\_\_ No \_\_\_\_\_

Explain:

Parent(s) Notification: Parents must be notified the same day the procedure is used. A written or electronic notice will be sent within 2 days if unable to notify on same day.

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Method Used (phone/writing/email: \_\_\_\_\_

Parent Name: \_\_\_\_\_ By Whom: \_\_\_\_\_

Parent Comments: \_\_\_\_\_

Was law enforcement contacted? Yes \_\_\_\_\_ No \_\_\_\_\_ By Whom: \_\_\_\_\_

Outcome of call: \_\_\_\_\_

Physical Hold Options: Children's Control=CC, Team Control=TC, Team Escort=TE, Interim Control=IC

\*Other: Adaptations as taught and monitored by a qualified CPI Instructor.

Appendix E

Hiawatha Valley Education District #6013

Staff Debriefing Meeting

Student Name: \_\_\_\_\_ DOB: \_\_\_\_\_ Building: \_\_\_\_\_

Date of Debrief: \_\_\_\_\_ Date of Incident: \_\_\_\_\_

Student on an IEP: Yes \_\_\_\_\_ No \_\_\_\_\_ BIP in Place: Yes \_\_\_\_\_ No \_\_\_\_\_

Was IEP followed: Yes \_\_\_\_\_ No \_\_\_\_\_ Was BIP followed: Yes \_\_\_\_\_ No \_\_\_\_\_

If answered no, explain why:

Signatures of staff attending debrief (should include at least one person not involved in incident who has knowledge of behavior). Circle the Facilitator's signature:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Identify the antecedents, triggers and proactive interventions used prior to escalation. Briefly describe the impact of the less restrictive interventions. What behavior did the student exhibit to require a restrictive procedure? Was the intervention used to protect child/others from injury or to prevent serious property damage? Describe student and staff behavior during the intervention.

What actions helped/what did not help?

Describe the procedure used to return the child to his/her routine activity, education setting, intervention, and/or site determined by the team, BIP and/or administrator.

Was the hold/seclusion an emergency? Yes \_\_\_\_\_ No \_\_\_\_\_

Was the hold/seclusion least intrusive? Yes \_\_\_\_\_ No \_\_\_\_\_

Did the hold/seclusion end when threat of harm ended? Yes \_\_\_\_\_ No \_\_\_\_\_

Is corrective action needed? Yes \_\_\_\_\_ No \_\_\_\_\_

Is the behavior likely to occur again? Yes \_\_\_\_\_ No \_\_\_\_\_

Follow-up action (to prevent need for future restrictive procedures):

Behavior history:

Other restrictive procedures used in the last 4 weeks? Yes \_\_\_\_\_ No \_\_\_\_\_

Restrictive procedures used twice in a month? Yes \_\_\_\_\_ No \_\_\_\_\_

Does the team see this as a pattern? Yes \_\_\_\_\_ No \_\_\_\_\_

Does the child's IEP team need to meet? Yes \_\_\_\_\_ No \_\_\_\_\_

Place a copy of these forms in Student's Due Process File.

Send copies to:  case manager  special ed director  building principal  other \_\_\_\_\_

## Appendix F

Hiawatha Valley Education District #6013

Building Oversight Committee Members

(2011-12 School Year)

The District Oversight Committee will meet yearly to complete the Review Form (Appendix G) based on data provided in the Critical Incident Data Sheet for Restrictive Procedures (Appendix D) and the Staff Debriefing Meeting (Appendix E) forms. The Committee will also complete the Annual Summary of Use of Restrictive Procedures form (Appendix H) and establish a plan for addressing Committee recommendations. The Building Oversight Committee may be called together at other times to address the inappropriate use of physical holding and/or seclusion and determine and recommend training needs.

River Valley Academy (Including the ALC and the Students Achieving Integrative Learning (SAIL) Program)

Oversight Committee Members:

- John Sakellariou (Principal) Amy Adams (Director of Special Education)
- Margaret Bluske (Special Education Coordinator/Crisis Prevention Trainer)
- Cheryl Polachek (Behavior Interventionist)
- Catherine Hébert and Shannon Czaplewski (EBD Classroom Teachers)

Winona Elementary Day Treatment

Oversight Committee Members:

- Glenn Haupt (Executive Director)
- Amy Mahlke (Special Education Coordinator)

- Margaret Bluske (Crisis Prevention (CPI) Trainer)
- (Mental Health Therapist)
- Ruth Durand (EBD Teacher)

Winona Children's Day Treatment

Oversight Committee Members:

- Glenn Haupt (Executive Director)
- Amy Mahlke (Special Education Coordinator)
- Margaret Bluske (Crisis Prevention Trainer)
- (Mental Health Therapist)
- Kyle Scharhag (EBD Teacher)

Valley View Learning Center ALC

Oversight Committee Members:

- John Sakellariou (Principal)
- Amy Adams (Director of Special Education)
- Margaret Bluske (Special Education Coordinator/CPI Trainer)
- Charlene Kronebusch (Special Education Teacher)

Appendix G

Building Oversight Committee Review Form

Student Name: \_\_\_\_\_ Building: \_\_\_\_\_ Meeting Date: \_\_\_\_\_

Restrictive procedures are documented in the IEP or attached BIP: Yes No

Key: Children's Control=CC, Team Control=TC, Team Escort=TE, Interim Control=IC, \*Other=O

Date	CC	TC	TE	IC	*O	Seclusion	Total Duration of Holdings (H) or Seclusion (S)
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\*Holds as taught and monitored by a qualified CPI instructor

## Appendix G

### Summary of Critical Incident Data Sheet

Frequency of Use:    Increased    Decreased    Same

Duration of Use:    Increased    Decreased    Same

Were the positive interventions consistently used prior to use of a restrictive procedure?    Yes    No

Were parents routinely notified on the same day of the procedure or within 2 days via written or electronic notice?  
Yes    No

Summary of Staff Debriefing Meeting forms:

Is there a pattern of antecedents? Yes No Specify \_\_\_\_\_

Is there a pattern of behaviors? Yes No Specify \_\_\_\_\_

Is there a pattern of staff responses? Yes No Specify \_\_\_\_\_

Is there a pattern of interventions that helped return this student to his/her routine activities ASAP?

Yes No Explain: \_\_\_\_\_

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Is there a pattern of interventions that escalated student behaviors? Yes No Explain: \_\_\_\_\_

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Were procedures routinely discontinued when threat of harm ended? Yes No

Were procedures routinely used only in an emergency? Yes No

Members of the Reviewing Team:

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Appendix H

Hiawatha Valley Education District #6013  
Annual Summary of Use of Restrictive Procedures

School: \_\_\_\_\_ Date: \_\_\_\_\_

Staff Training:

How many staff members received the required CPI training in your building? -- \_\_\_\_\_

Did any untrained staff participate in a restrictive procedure? Yes \_\_\_ No \_\_\_ If yes, what was the rationale?

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Seclusionary Time Outs:

How many seclusionary time outs were used during the school year? \_\_\_\_\_

Were any seclusionary time outs conducted in other than the specially designed time out room? Yes No

Were seclusionary time outs used only in response to an "Emergency?" Yes No

If the answer is "no," explain why and the corrective action taken: \_\_\_\_\_

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Seclusionary time out room(s) was/were inspected during the school year? Yes No

Any repairs to the room(s) have been made? Yes No

If no, responsible parties have been contacted to ensure room(s) has/have been repaired? Yes No

All room repairs must be made prior to the start of the next school year.

Physical Holding:

How many physical holdings were used during the school year? \_\_\_\_\_

Were physical holdings used only in response to an "Emergency?" Yes No

If the answer is "no," explain why and the corrective action taken: \_\_\_\_\_

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Prohibited Use:

Did the debriefing teams find incorrect or prohibited use of a restrictive procedure? Yes No

If "yes," what corrective action was taken: \_\_\_\_\_

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Building Oversight Committee Recommendations for the Next Year (include training):

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Sample Administrative Procedures Policy 532

Adopted: MSBA/MASA Model Policy 532 Orig. 2003 Revised: Rev. 2011

532 USE OF PEACE OFFICERS AND CRISIS TEAMS TO REMOVE STUDENTS WITH IEPs FROM SCHOOL GROUNDS

[Note: School districts are required by statute to have a policy addressing these issues.]

[Note: Minnesota Laws 2009, Chapter 96, makes a number of changes to the laws and rules governing the use of “conditional procedures” with respect to special education students. Specifically, Chapter 96 repeals, EFFECTIVE AUGUST 1, 2011, Minn. Stat. §§ 121A.66, 121A.67, Subd. 1, as well as Minn. Rules 3525.0210, Subparts 5, 6, 9, 13, 17, 29, 30, 46, 47, and 3525.2900, Subp. 5. These laws and rules will be replaced, effective August 1, 2011, with a “restrictive procedures law which generally addresses the restraint of special education students.” Also note that the new restrictive procedures law contains a significant staff training component, found at Minn. Stat. § 125A.0942, Subds. 1, 2, and 5. Staff who intend to use restrictive procedures must be trained in the areas specified in Subd. 5 to use the new procedures when they become effective.]

## I. PURPOSE

The purpose of this policy is to describe the appropriate use of peace officers and crisis teams to remove, if necessary, a student with an individualized education program (IEP) from school grounds.

## II. GENERAL STATEMENT OF POLICY

The school district is committed to promoting learning environments that are safe for all members of the school community. It further believes that students are the first priority and that they should be reasonably protected from physical or emotional harm at all school locations and during all school activities.

In general, all students, including those with IEPs, are subject to the terms of the school district’s discipline policy. Building level administrators have the leadership responsibility to maintain a safe, secure, and orderly educational environment within which learning can occur. Corrective action to discipline a student and/or modify a student’s behavior will be taken by staff when a student’s behavior violates the school district’s discipline policy.

If a student with an IEP engages in conduct which, in the judgment of school personnel, endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, that student may be removed from school grounds in accordance with this policy.

## III. DEFINITIONS

For purposes of this policy, the following terms have the meaning given them in this section:

A. “Student with an IEP” or “the student” means a student who is eligible to receive special education and related services pursuant to the terms of an IEP or an individual interagency intervention plan (IIIP).

B. "Peace officer" means an employee or an elected or appointed official of a political subdivision or law enforcement agency who is licensed by the Board of Peace Officer Standards and Training, charged with the prevention and detection of crime and the enforcement of general criminal laws of the state and who has the full power of arrest. The term "peace officer" includes a person who serves as a sheriff, a deputy sheriff, a police officer, or a state patrol trooper.

C. "Police liaison officer" is a peace officer who, pursuant to an agreement between the school district and a political subdivision or law enforcement agency, is assigned to a school building for all or a portion of the school day to provide law enforcement assistance and support to the building administration and to promote school safety, security, and positive relationships with students.

D. "Crisis team" means a group of persons, which may include teachers and non-teaching school personnel, selected by the building administrator in each school building who have received crisis intervention training and are responsible for becoming actively involved with resolving crises. The building administrator or designee shall serve as the leader of the crisis team.

E. The phrase "remove the student from school grounds" is the act of securing the person of a student with an IEP and escorting that student from the school building or school activity at which the student with an IEP is located.

F. "Emergency" means a situation where immediate intervention is needed to protect a child or other individual from physical injury or to prevent serious property damage.

G. All other terms and phrases used in this policy shall be defined in accordance with applicable state and federal law or ordinary and customary usage.

#### IV. REMOVAL OF STUDENTS WITH IEPs FROM SCHOOL GROUNDS

##### A. Removal By Crisis Team

If the behavior of a student with an IEP escalates to the point where the student's behavior endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, the school building's crisis team may be summoned. The crisis team may attempt to de-escalate the student's behavior by means including, but not limited to, those described in the student's IEP and/or behavior intervention plan.

When such measures fail, or when the crisis team determines that the student's behavior continues to endanger or may endanger the health, safety, or property of the student, other students, staff members, or school property, the crisis team may remove the student from school grounds.

If the student's behavior cannot be safely managed, school personnel may immediately request assistance from the police liaison officer or a peace officer.

**B. Removal By Police Liaison Officer or Peace Officer**

If a student with an IEP engages in conduct which endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, the school building's crisis team, building administrator, or the building administrator's designee, may request that the police liaison officer or a peace officer remove the student from school grounds.

If a student with an IEP is restrained or removed from a classroom, school building, or school grounds by a peace officer at the request of a school administrator or school staff person during the school day twice in a 30-day period, the student's IEP team must meet to determine if the student's IEP is adequate or if additional evaluation is needed.

Whether or not a student with an IEP engages in conduct which endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, school district personnel may report a crime committed by a student with an IEP to appropriate authorities. If the school district reports a crime committed by a student with an IEP, school personnel shall transmit copies of the special education and disciplinary records of the student for consideration by appropriate authorities to whom it reports the crime, to the extent that the transmission is permitted by the Family Education Rights and Privacy Act (FERPA), the Minnesota Government Data Practices Act, and school district's policy, Protection and Privacy of Pupil Records.

[Note: If the school district uses a different reference name for its student records policy, insert that name in place of the reference to Protection and Privacy of Pupil Records, which is the title of MSBA/MASA Model Policy 515.]

The fact that a student with an IEP is covered by special education law does not prevent state law enforcement and judicial authorities from exercising their responsibilities with regard to the application of federal and state law to crimes committed by a student with an IEP.

**C. Reasonable Force Permitted**

In removing a student with an IEP from school grounds, a building administrator, other crisis team members, or the police liaison officer or other agents of the school district, whether or not members of a crisis team, may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.

In removing a student with an IEP from school grounds, police liaison officers and school district personnel are further prohibited from engaging in the following conduct:

1. Corporal punishment prohibited by Minn. Stat. § 121A.58;
  2. Requiring a child to assume and maintain a specified physical position, activity, or posture that induces physical pain;
  3. Totally or partially restricting a child's senses as punishment;
  4. Denying or restricting a child's access to equipment and devices such as walkers, wheel chairs, hearing aids, and communication boards that facilitate the child's functioning except when temporarily removing the equipment or device is needed to prevent injury to the child or others or serious damage to the equipment or device, in which case the equipment or device shall be returned to the child as soon as possible;
  5. Interacting with a child in a manner that constitutes sexual abuse, neglect, or physical abuse under Minn. Stat. § 626.556;
  6. Physical holding (as defined in Minn. Stat. § 125A.0941) that restricts or impairs a child's ability to breathe;
  7. Withholding regularly scheduled meals or water; and/or
  8. Denying a child access to toilet facilities.
- D. Parental Notification

The building administrator or designee shall make reasonable efforts to notify the student's parent or guardian of the student's removal from school grounds as soon as possible following the removal.

E. Continued Removals; Review of IEP

Continued and repeated use of the removal process described herein must be reviewed in the development of the individual student's IEP or IIIP.

F. Effect of Policy in an Emergency; Use of Restrictive Procedures

A student with an IEP may be removed in accordance with this policy regardless of whether the student's conduct would create an emergency.

If the school district seeks to remove a student with an IEP from school grounds under this policy due to behaviors that constitute an emergency and the student's IEP, IIIP, or behavior intervention plan authorizes the use of one or more restrictive procedures, the crisis team may employ those restrictive procedures, in addition to any reasonable force that may be necessary, to facilitate the student's removal from school grounds, as long as the crisis team members who are implementing the restrictive procedures have received the training required by Minn. Stat § 125A.0942, Subd. 5, and otherwise comply with the requirements of § 125A.0942.

V. RESTRICTIVE PROCEDURES (Clarification of Statute 125A.0942)

The School District promotes the use of positive approaches for behavioral interventions for all students. When restrictive procedures are employed in an emergency situation for students with disabilities the School District will adhere to the standards and requirements of Minnesota Statutes 125A.094 Restrictive Procedures for Children with Disabilities.

A. Definitions

The following terms have the meanings given them.

1. "Emergency" means a situation where immediate intervention is needed to protect a child or other individual from physical injury or to prevent serious property damage.

2. “Physical holding” means physical intervention intended to hold a child immobile or limit a child’s movement and where body contact is the only source of physical restraint. The term “physical holding” does not mean physical contact that:

- (a) helps a child respond or complete a task;
- (b) assists a child without restricting the child’s movement;
- (c) is needed to administer an authorized health-related service or procedure; or
- (d) is needed to physically escort a child when the child does not resist or the child’s resistance is minimal.

3. “Positive behavioral interventions and supports” means interventions and strategies to improve the school environment and teach children the skills to behave appropriately.

4. “Restrictive procedures” means the use of physical holding or seclusion in an emergency.

5. “Seclusion” means confining a child alone in a room from which egress is barred. Removing a child from an activity to a location where the child cannot participate in or observe the activity is not seclusion.

#### B. Personnel Development Activities

Personnel development activities will be provided to District staff and contracted personnel who have routine contact with students and who may use restrictive procedures in the following areas:

- 1. Positive behavioral interventions;
- 2. Communicative intent of behaviors;
- 3. Relationship building;
- 4. Alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior;
- 5. De-escalation methods;
- 6. Standards for using restrictive procedures;
- 7. Obtaining emergency medical assistance;
- 8. Physiological and psychological impact of physical holding and seclusion;
- 9. Monitoring and responding to a child’s physical signs of distress when physical holding is being used; and
- 10. Recognizing the symptoms of and interventions that may cause positional asphyxia when physical holding is used.

### C. Staff Training Requirements

Staff who design and use behavioral interventions that include restrictive procedures will complete training in the use of positive approaches as well as restrictive procedures. Districts will maintain training records, and will identify the content of training, attendees, and training dates.

#### THOSE AUTHORIZED TO USE RESTRICTIVE PROCEDURES:

The following employee job classifications are authorized and certified to use restrictive procedures:

- Licensed special education teachers
- Licensed school social workers
- Licensed school psychologists
- Other certified/registered educational professionals (Behavior Specialists, Autism Specialists)
- Mental health professionals
- Educational assistants

### D. Restrictive Procedures and Prohibited Procedures

Restrictive procedures that may be used in emergency situations include seclusion and physical holding.

Prohibited procedures include the following:

1. Corporal Punishment which includes conduct involving: (1) hitting or spanking a person with or without an object; or (2) unreasonable physical force that causes bodily harm or substantial emotional harm under section 121.58;
2. Requiring the student to assume and maintain a specified physical position, activity, or posture that induces physical pain;
3. Totally or partially restricting a student's senses as punishment;
4. Presenting an intense sound, light or other sensory stimuli using smell, taste, substance, or spray as punishment;

5. Denying or restricting the student's access to equipment and devices such as wheelchairs, hearing aids or communication boards that facilitate the student's functioning except when temporarily removing the equipment or device as needed to prevent injury to the student or others or serious damage to the equipment or device, in which case the equipment or device shall be returned to the student as soon as possible;
6. Interacting with a student in a manner that constitutes sexual abuse, neglect, or physical abuse under section 626.556;
7. Withholding regularly scheduled meals or water;
8. Denying the student access to bathroom facilities, and/or;
9. Physical holding that restricts or impairs a student's ability to breathe.

E. Documentation Procedures

The use of restrictive procedures in emergency situations will be documented in the Student Information System and the Restrictive Procedure Reporting Form. The District will monitor and review the use of restrictive procedures, including conducting post-use debriefings and convening an oversight committee.

The use of restrictive procedures in behavioral intervention plans will be documented in the learner's file. Reviews will be conducted in accordance with the plan. Due process and documentation requirements will be followed.

Record retention will be in accordance with District policies on student records.

F. Emergency Situations - Use of Restrictive Procedures

The School District shall make reasonable efforts to notify the parent on the same day by phone when restrictive procedures are used in an emergency. If the school is unable to provide same-day notice, notice will be sent by written or electronic means or as otherwise indicated by the parent.

District Administration will receive written notification when restrictive procedures are used in emergency situations. Records will be reviewed annually.

Minn. Stat. §§ 121A.40-121A.56 (Minnesota Pupil Fair Dismissal Act)

Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)

Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)

Minn. Stat. § 121A.67, Subd. 2 (Aversive and Deprivation Procedures)

Minn. Stat. §§ 125A.094-125A.0942 (Restrictive Procedures for Children with Disabilities)

Minn. Stat. § 609.06 (Authorized Use of Force)

Minn. Stat. § 609.379 (Permitted Actions)

20 U.S.C. § 1232g et seq. (Family Educational Rights and Privacy (FERPA))

20 U.S.C. § 1415(k)(6) (Individuals with Disabilities Education Improvement Act of 2004 (IDEA))

34 C.F.R. § 300.535 (IDEA Regulation Regarding Involvement of Law Enforcement)

Cross References: MSBA/MASA Model Policy 506 (Student Discipline)

MSBA/MASA Model Policy 507 (Corporal Punishment)

MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)

MSBA/MASA Model Policy 525 (Violence Prevention)

MSBA/MASA Model Policy 806 (Crisis Management Policy)

Hiawatha Valley Education District Restrictive Procedures Plan (sample plan):

# **Any HVED School #0000**

*(All characters in red on this template shall be completed by each school.)*

## **Restrictive Procedures Plan**

*Minnesota Statutes, Section 125A.0942, Subd. 1*

***Schools that intend to use restrictive procedures shall maintain and make publicly accessible a restrictive procedures plan for children that includes at least the following: (1) the list of restrictive procedures the school intends to use; (2) how the school will monitor and review the use of restrictive procedures, including conducting post-use briefings and convening an oversight committee; and (3) a written description and documentation of the training staff completed under subdivision 5.***

*(A copy of this completed plan must be publicly accessible, on file at each district building, and on file with the district named director of special education.)*

**Date of Plan: Insert Date**

**Revised: 9/27/11**

## Functional Behavioral Assessment (FBA) Definition

Minnesota Rule 3525.0200, Subpart 3a. defines a functional behavioral assessment (FBA) as follows:

“Functional behavior assessment means a process for gathering information to maximize the efficiency of behavior supports. An FBA includes a description of problem behaviors and the identification of events, times and situations that predict the occurrence and nonoccurrence of the behavior. An FBA also identifies the antecedents, consequences, and reinforcers that maintain the behavior, the possible functions of the behavior, and possible positive alternative behaviors. An FBA includes a variety of data collection methods and sources that facilitate the development of hypotheses and summary statements regarding behavioral patterns.”

An FBA needs to include, at a minimum, the following components for each target behavior:

1. Definition of the target behavior;
2. Baseline (frequency, severity, duration);
3. Situations that predict the occurrence or nonoccurrence of the behavior;
4. Hypothesis (function) of challenging behavior and consequences that reinforce or maintain the behavior;  
and
5. Alternative or replacement behavior to be taught and learned.

When an FBA is conducted prior to the development of a regulated behavior intervention plan (plans that include physical intervention or locked time out) the following components are also required in addition to those listed above:

1. Positive behavioral interventions and supports and other strategies used and changes in the environment that may reduce the behavior;
2. Effectiveness of positive behavioral supports;
3. Other treatable causes for the behavior (mental or physical health condition); and
4. Documentation that the team has considered whether any regulated intervention may be contraindicated for psychological or health reasons.

## Example: Functional Behavioral Assessment (FBA)

Student Name: Michael Watson ID: 12345678901 Date: 11/25/07

School: Trailview Elementary Grade: 4 DOB: 4/25/91

### Reason for functional assessment:

A functional assessment was conducted to determine the function of Michael's challenging behaviors prior to the development of a regulated behavior intervention plan. Michael demonstrates several behaviors. The behaviors demonstrated by Michael in the educational environments include being out of place, physical aggression and talking out and making noises.

### Data collection:

Data was collected by the special education staff working directly with Michael. Data has been collected on each significant incident of challenging behavior during the first trimester of the 2007 school year.

### Additional evaluation data used or considered in the development of the behavior intervention plan:

Michael's educational evaluation from December 2, 2005 indicates the following:

Michael has no significant history of educationally relevant medical problems.

Michael's General Intellectual Ability score would equal or exceed approximately 23 percent of same age peers within a national comparison group. This score falls within the low average range.

When compared to others at his age level, Michael's academic skills are within the average range. His ability to apply academic skills is also average. His performance is average in written language, written expression, reading and mathematics.

A pragmatic language assessment indicated that Michael demonstrates difficulty in initiating and maintaining conversational topics and understanding other people's perspective.

Michael had four incidents of escalated behavior during the evaluation process (November of 2005). Three of these incidents required the use of a physical intervention and removal from the classroom due to verbal or physical aggression, and running from staff while in an escalated state. All of these incidents began when Michael was directed to end a preferred task. The following were identified as situations in which Michael exhibited challenging behavior: 1) Michael did not want to come in from recess, 2) Michael wanted to go to media but was being picked up from school; 3) Michael wanted a book but it was group time, or 4) when he did not win a contest when he thought he should have won.

Michael has an educational disability label of Autism Spectrum Disorder.

### Description of target behaviors:

Target Behavior 1. Out of place: which is defined as being out of the assigned area without teacher permission or running from school staff.

### Baseline (frequency, severity, duration):

Out of place behavior has occurred five times during the 2007 school year and lasts from a few minutes to 30 minutes.

#### Situations that predict the occurrence or nonoccurrence of the behavior:

Data collected indicates that out of place behavior was most likely to occur when Michael was given a direction to begin working. Michael is most likely to stay in place when he is engaged in a preferred activity.

#### Hypothesis (function) of challenging behavior and consequences and reinforce or maintain the behavior:

When given a direction to begin a task, Michael sometimes leaves the assigned area, which allows him to avoid or delay completing the task.

#### Alternative or replacement behavior to be taught and learned:

Following instructions and staying in assigned area and requesting a break.

Target behavior 2. Physical aggression: which is defined as hitting, kicking, grabbing, biting, pinching, scratching, pulling hair, hitting head and any other behavior which can or does cause physical harm to self or others.

#### Baseline (frequency, severity, duration):

Michael has three incidents of physical aggression during the 2007 school year. Each was very brief lasting less than 30 seconds.

#### Situations that predict the occurrence or nonoccurrence of the behavior:

Physical aggression was most likely to occur when Michael was given corrective feedback or a consequence. Michael is least likely to engage in aggression when he is engaged in a preferred task or when he receives positive teacher attention and praise.

#### Hypothesis (function) of challenging behavior and consequences and reinforce or maintain the behavior:

When given corrective feedback (please remain quiet) or a consequence (go to time out), Michael sometimes engages in physical aggression, which allows him to avoid the feedback or consequence.

#### Alternative or replacement behavior to be taught and learned:

Accepting corrective feedback and modifying his behavior as a result of the feedback.

Target behavior 3. Talking out/making noises: which is defined as making noises with objects, mouth or body or speaking without obtaining teacher permission.

#### Baseline (frequency, severity, duration):

Michael has been observed to talk out on a daily basis. During a 30-minute observation on October 5 and 6 Michael talked out four times and seven times, respectively.

#### Situations that predict the occurrence or nonoccurrence of the behavior:

Michael is most likely to talk out during seatwork and make noises when he is out of place.

#### Hypothesis (function) of challenging behavior and consequences and reinforce or maintain the behavior:

When given a direction to complete seat work or when out of place Michael sometimes makes noises, which allows him to obtain attention from staff and peers.

### Alternative or replacement behavior to be taught and learned:

Requesting help, raising his hand before speaking during instructional time and obtaining attention in an adaptive manner.

### Positive behavioral interventions and supports and other strategies used and changes in the environment that may reduce the behavior:

A variety of antecedent and positive behavioral interventions and support strategies are used to reduce the probability of Michael using the challenging behavior. The following strategies and environmental modifications are used throughout the school day in an attempt to reduce Michael's challenging behavior. These strategies are used to teach Michael adaptive alternative behaviors, reduce the probability of Michael needing to use a challenging behavior to communicate his needs and wants, reinforce the use of alternative behaviors and increase Michael's compliant behavior.

#### **Visual schedule:**

Michael has a daily schedule that identifies each activity he is to engage in next as well as the preferred activity or reward he will receive following the task or tasks.

Michael's classroom also contains a large visual schedule of the day's activities.

#### **Differential reinforcement:**

School staff differentially reinforce Michael's compliant behavior. That is, school staff provide praise on a frequent basis whenever Michael is demonstrating compliant behavior. When Michael is engaging in mild or minor challenging behaviors, these are ignored.

#### **Non-emotional directions:**

School staff give directions in a non-emotional manner and maintain neutral body language when addressing noncompliance or other disruptive behavior.

When verbal directions are given, these are delivered in a neutral to positive voice tone. When Michael is given a direction he is allowed time to comply (e.g., 15-30 seconds) before being given a redirection or additional direction. School staff use a limited amount of verbal language with Michael when he is being redirected or beginning to become agitated.

#### **Choices:**

When possible Michael is offered choices of activities or tasks. Choices may be as simple as allowing Michael to decide the order in which activities will be completed.

#### **5 Point Scale:**

The Amazing 5 Point Scale is used to assist Michael in learning to regulate his emotions and behavior and as a structured method to direct him to take a break from the classroom or other situations in which he is becoming agitated.

#### **Breaks:**

Michael is provided with the opportunity to take a brief break (3-5 minutes) in the classroom in which he can sit on a beanbag and read a book.

**Positive reinforcement:**

Michael receives behavior specific praise frequently (many times per day) and other reinforcers on a daily basis.

Michael is provided with pre-specified reinforcers of his choosing. This is the strategy of following less preferred activities with more preferred activities. Staff using this strategy inform Michael of what he needs to do and what he will receive following that task or tasks.

**Teaching alternative behaviors:**

Michael is taught adaptive alternative behaviors on a planned (before) and situational (following an error) basis. Michael practices an alternative behavior following each error that resulted in a removal from the classroom.

**Social stories:**

Social stories are used to increase Michael's social understanding and his ability to understand why he should or should not engage in certain behaviors.

**Effectiveness of positive behavioral supports:**

Data indicates that the positive behavioral supports and environmental changes listed above have resulted in a reduction in Michael's challenging behavior. While antecedent interventions have been an effective method to reduce challenging behavior, even with very consistent use, these strategies have not prevented all instances of severely disruptive or dangerous acting out behavior. Occasionally antecedent interventions and positive behavioral supports alone are insufficient in addressing all instances of behavior. Hiawatha Valley Education District consultants are available to assist school personnel and IEP Teams with the evaluation and development of positive behavior support plans and behavior intervention plans.

**Other treatable causes for the behavior (mental or physical health condition):**

The team did not identify any other treatable causes for Michael's challenging behavior. Michael appears to be in good health and only occasionally misses school. Michael's parents did not indicate that he has any other medical or psychological concerns. Michael has been identified as a student with Autism Spectrum Disorder.