

SECTION: PROGRAMS

TITLE: POSITIVE BEHAVIOR
SUPPORT

ADOPTED: September 13, 2010

REVISED: March 18, 2013

PENN MANOR SCHOOL DISTRICT

113.2. POSITIVE BEHAVIOR SUPPORT	
<p>1. Purpose Title 22 Sec. 14.133, 14.145 20 U.S.C. Sec. 1414(d) 34 CFR Sec. 300.114, 300.324(a)</p>	<p>Students with disabilities shall be educated in the least restrictive environment and shall only be placed in settings other than the regular education class when the nature or severity of the student's disability is such that education in the regular education class with the use of appropriate supplementary aids and services cannot be achieved satisfactorily. The IEP team for a student with disabilities shall develop a Positive Behavior Support Plan if the student requires specific intervention to address behavior that interferes with learning. The identification, evaluation, and plan or program shall be conducted and implemented in accordance with state and federal law and regulations.</p>
<p>2. Authority Title 22 Sec. 14.133 20 U.S.C. Sec. 1414(d), 1415(k) 34 CFR Sec. 300.34(c), 300.324(a), 300.530(d), (f) Pol. 113, 113.1, 113.3</p>	<p>The Board directs that the district's behavior support programs shall be based on positive rather than negative behavior techniques to ensure that students shall be free from demeaning treatment and unreasonable use of restraints or other aversive techniques. The use of restraints shall be considered a measure of last resort and shall only be used after other less restrictive measures, including de-escalation techniques. Behavior support programs and plans shall be based on a functional assessment of behavior and shall include a variety of research-based techniques to develop and maintain skills that will enhance students' opportunity for learning and self-fulfillment.</p>
<p>3. Definitions Title 22 Sec. 14.133</p>	<p>The following terms shall have these meanings, unless the context clearly indicates otherwise.</p> <p>Aversive techniques - deliberate activities designed to establish a negative association with a specific behavior.</p> <p>Positive Behavior Support - development, change and maintenance of selected behaviors through the systematic application of behavior change techniques.</p>

<p>Pol. 113</p> <p>4. Delegation of Responsibility</p>	<p>Positive Behavior Support Plan or Positive Behavior Intervention Plan - plan for students with disabilities who require specific intervention to address behavior that interferes with learning. A Positive Behavior Support Plan shall be developed by the IEP team, be based on a functional behavioral assessment, and become part of the individual student’s IEP. These plans must include methods that use positive reinforcements, other positive techniques and related services required to assist a student with a disability to benefit from special education.</p> <p>Positive techniques - methods that utilize positive reinforcement to shape a student's behavior, ranging from the use of positive verbal statements as a reward for good behaviors to specific tangible rewards.</p> <p>Restraints - application of physical force, with or without the use of any device, designed to restrain free movement of a student’s body, excluding the following:</p> <ol style="list-style-type: none"> 1. Briefly holding a student, without force, to calm or comfort him/her. 2. Guiding a student to an appropriate activity. 3. Holding a student’s hand to escort him/her safely from one area to another. 4. Hand-over-hand assistance with feeding or task completion. 5. Techniques prescribed by a qualified medical professional for reasons of safety or for therapeutic or medical treatment, as agreed to by the student’s parents/guardians and specified in the IEP. 6. Mechanical restraints governed by this policy, such as devices used for physical or occupational therapy, seatbelts in wheelchairs or on toilets used for balance and safety, safety harnesses in buses, and functional positioning devices. <p>Seclusion - confinement of a student in a room, with or without staff supervision, in order to provide a safe environment to allow the student to regain self-control.</p> <p>Students with disabilities - school-aged children within the jurisdiction of the district who have been evaluated and found to have one or more disabilities as defined by law, and who require, because of such disabilities, special education and related services.</p> <p>The Superintendent or designee shall ensure that this Board policy is implemented in accordance with federal and state laws and regulations.</p>
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<p>Title 22 Sec. 14.133</p>	<p>The Superintendent or designee shall develop administrative regulations to implement this policy.</p>
<p>Title 22 Sec. 14.133</p>	<p>The Superintendent or designee shall provide regular training, and retraining as needed, of staff in the use of specific procedures, methods and techniques, including restraints and seclusions, that will be used to implement positive behavior supports or interventions in accordance with students' IEPs and Board policy.</p>
<p>5. Guidelines Title 22 Sec. 14.133 34 CFR Sec. 300.324(a)</p>	<p>The Superintendent or designee shall maintain and report data on the use of restraints, as required. Such report shall be readily available for review during the state's cyclical compliance monitoring. Procedures shall be established requiring reports be made to the district by entities educating students with disabilities who attend programs or classes outside the district, including private schools, agencies, intermediate units and vocational schools.</p> <p>Development of a separate Positive Behavior Support Plan is not required when appropriate positive behavioral interventions, strategies and supports can be incorporated into a student's IEP.</p>
<p>Title 22 Sec. 14.133</p>	<p>When an intervention is necessary to address problem behavior, the types of intervention chosen for a student shall be the least intrusive necessary.</p> <p><u>Physical Restraints</u></p> <p>Restraints to control acute or episodic aggressive behavior may be used only when the student is acting in a manner that presents a clear and present danger to the student, other students or employees, and only when less restrictive measures and techniques have proven to be or are less effective.</p>
<p>Title 22 Sec. 14.133</p>	<p>The Director of Special Education or designee shall notify the parent/guardian as soon as practicable of the use of restraints to control the aggressive behavior of the student and shall convene a meeting of the IEP team within ten (10) school days of the use of restraints, unless the parent/guardian, after written notice, agrees in writing to waive the meeting. At this meeting, the IEP team shall consider whether the student needs a functional behavioral assessment, re-evaluation, a new or revised Positive Behavior Support Plan, or a change of placement to address the inappropriate behavior.</p>

<p>Title 22 Sec. 14.133</p>	<p>Whenever the use of restraint to control acute or episodic aggressive or self-injurious behavior can be reasonably anticipated for a particular student, every effort will be made to obtain prior parental consent for such use. Inclusion of such restraints in the IEP of the student, when the parents/guardians have received appropriate prior written notice of that IEP, shall constitute sufficient evidence of parental consent for purposes of this policy. In the event that the need to use restraint cannot be reasonably anticipated for a particular student, or the parents/guardians refuse to provide consent therefore, appropriately trained staff may use such restraint when the student is acting in a manner that constitutes a clear and present danger to him/herself, to other students, or to employees.</p> <p>The use of restraints shall not be included in the IEP for the convenience of staff, as a substitute for an educational program, or employed as punishment. Restraints may be included in an IEP only if:</p> <ol style="list-style-type: none">1. The restraint is used with specific component elements of a Positive Behavior Support Plan.2. The restraint is used in conjunction with teaching socially appropriate alternative skills or behaviors.3. Staff are authorized to use the restraint and have received appropriate training.4. Positive Behavior Support Plan includes efforts to eliminate the use of restraints.
<p>Title 22 Sec. 14.133</p>	<p><u>Mechanical Restraints</u></p> <p>Mechanical restraints, which are used to control involuntary movement or lack of muscular control of students when due to organic causes or conditions, may be employed only when specified by an IEP and as determined by a medical professional qualified to make the determination, and as agreed to by the student's parents/guardians.</p> <p>Mechanical restraints shall prevent a student from injuring him/herself or others or promote normative body positioning and physical functioning.</p> <p><u>Seclusion</u></p> <p>The district permits involuntary seclusion of a student in accordance with the student's IEP or in an emergency to prevent immediate or imminent injury to the student or others, but the seclusion must be the least restrictive alternative.</p>

Title 22 Sec. 14.133	The district prohibits the seclusion of students in locked rooms, locked boxes and other structures or spaces from which the student cannot readily exit.
Title 22 Sec. 14.133	<p data-bbox="453 401 727 436"><u>Aversive Techniques</u></p> <p data-bbox="453 474 1542 543">The following aversive techniques of handling behavior are considered inappropriate and shall not be used in educational programs:</p> <ol data-bbox="453 583 1542 1346" style="list-style-type: none"><li data-bbox="453 583 781 619">1. Corporal punishment.<li data-bbox="453 659 1211 695">2. Punishment for a manifestation of a student's disability.<li data-bbox="453 735 1507 804">3. Locked rooms, locked boxes, other locked structures or spaces from which the student cannot readily exit.<li data-bbox="453 844 764 879">4. Noxious substances.<li data-bbox="453 919 1536 955">5. Deprivation of basic human rights, such as withholding meals, water or fresh air.<li data-bbox="453 995 1333 1031">6. Suspensions constituting a pattern as defined in state regulations.<li data-bbox="453 1071 935 1106">7. Treatment of a demeaning nature.<li data-bbox="453 1146 695 1182">8. Electric shock.<li data-bbox="453 1222 1097 1257">9. Methods implemented by untrained personnel.<li data-bbox="453 1297 1536 1346">10. Prone restraints, which are restraints by which a student is held face down on the floor.
Title 22 Sec. 14.143	<p data-bbox="453 1388 842 1423"><u>Referral To Law Enforcement</u></p>
Title 22 Sec. 14.133	Subsequent to a referral to law enforcement, an updated functional behavioral assessment and Positive Behavior Support Plan shall be required for students with disabilities who have Behavior Support Plans at the time of such referral.

References:

State Board of Education Regulations – 22 PA Code Sec. 14.133, 14.143, 14.145

Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq.

Individuals With Disabilities Education, Title 34, Code of Federal Regulations –
34 CFR Part 300

Pennsylvania Training and Technical Assistance Network, Questions and
Answers on the Restraint Reporting Requirements and System,
June 2009 – www.pattan.net

Board Policy – 000, 113, 113.1, 113.3