

## **SUGAR VALLEY RURAL CHARTER SCHOOL**

POLICY NUMBER: 113.2  
SECTION: PROGRAMS  
TITLE: **POSITIVE BEHAVIOR SUPPORT**  
DATE ADOPTED: FEBRUARY 2015  
DATE LAST REVISED: SEPTEMBER 2017

### **POSITIVE BEHAVIOR SUPPORT**

#### PURPOSE:

SVRCS believes students with disabilities shall be educated in the least restrictive environment and shall only be placed in settings other than the regular education class when the nature or severity of the student's disability is such that education in the regular education class with the use of appropriate supplementary aids and services cannot be achieved satisfactorily. The IEP team for a student with a disability shall develop a positive behavior support plan if the student requires specific intervention to address behavior that interferes with learning. The identification, evaluation, and plan or program shall be conducted and implemented in accordance with state and federal laws and regulations.

#### DEFINITION

The following terms shall have these meanings, unless the context clearly indicates otherwise:

Aversive techniques – deliberative activities designed to establish a negative association with a specific behavior.

Behavior Support – Development, change, and maintenance of selected behaviors through the systematic application of behavior change techniques.

Behavior Support Plan or Behavior Intervention Plan – plan for students with disabilities who require specific intervention to address behavior that interferes with learning. A positive behavior support plan shall be developed by the IEP team, be based on a functional behavioral assessment, and become part of the individual student's IEP. These plans must include methods that use positive reinforcements, other positive techniques and related services required to assist a student with a disability to benefit from special education.

Positive techniques – Methods that utilize positive reinforcement to shape a student's behavior, ranging from the use of positive verbal statements as a reward for good behaviors to specific tangible rewards.

Restraints - The application of physical force, with or without the use of any device, for the purpose of restraining the free movement of a student's body, excluding the following:

1. Briefly holding a student, without force, to calm or comfort him/her.
2. Guiding a student to an appropriate activity.
3. Holding a student's hand to escort him/her safely from one area to another.
4. Hand-over-hand assistance with feeding or task completion.
5. Techniques prescribed by a qualified medical professional for reasons of safety or for therapeutic or medical treatment, as agreed to by the student's parents/guardians and specified in the IEP.
6. Mechanical restraints governed by this policy, such as devices used for physical or occupational therapy, seatbelts in wheelchairs or on toilets used for balance and safety, safety harnesses in buses, and functional positioning devices.

Seclusion - confinement of a student in a room, with or without staff supervision, in order to provide a safe environment to allow the student to regain self-control.

Students with disabilities - school-aged children within the jurisdiction of SVRCS 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.

#### AUTHORITY

The Board directs that the school'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.

#### DELEGATION OF RESPONSIBILITY

The CEO or designee shall ensure that this Board policy is implemented in accordance with federal and state laws and regulations.

The CEO or designee shall develop administrative regulations to implement this policy.

The CEO 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.

The CEO 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 SVRCS by entities educating students with disabilities who attend programs or classes outside SVRCS campus, including private schools, agencies, intermediate units and vocational schools.

#### GUIDELINES:

Development of a separate Behavior Support Plan is not required when appropriate positive behavioral interventions, strategies and supports can be incorporated into a student's IEP.

When an intervention is necessary to address problem behavior, the types of intervention chosen for a student shall be the least intrusive necessary. Positive rather than negative measures shall form the basis of behavior support programs.

#### Physical restraints

Restraints to control acute or episodic aggressive or self-injurious behavior may be used only when the student is acting in a manner as to be a clear and present danger to themselves, to other students or to employees, and only when less restrictive measures and techniques have proven to be or are less effective.

The CEO and / or Director of Special Education 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.

The use of restraints shall not be included in the IEP for the convenience of staff, as a substitute for an educational program, or employed as punishment. Restraints may be included in an IEP only if:

1. The restraint is utilized with specific component elements of positive behavior support.
2. The restraint is used in conjunction with the teaching socially appropriate alternative skills or behavior.
3. Staff are authorized to use the restraint and have received the appropriate training required.
4. Behavior Support Plan includes efforts to eliminate the use of restraints.

**Mechanical restraints**, which are used to control involuntary movement or lack of muscular control of students when due to organic causes or conditions, may be included in the IEP only when recommended by a qualified medical professional and agreed upon by the student's parents / guardians. Mechanical restraints shall prevent a student from injuring him/ herself or others, or promote normative body positioning and physical functioning.

**Seclusion** – SVRCS 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. SVRCS prohibits the seclusion of students in locked rooms or any structure or space which the student cannot readily exit.

The following aversive techniques of handling behavior are considered inappropriate and may not be used in educational programs:

1. Corporal punishment
2. Punishment for a manifestation of a student's disability
3. Locked rooms, locked boxes, other locked structures or spaces from which the student cannot readily exit.
4. Noxious substances.
5. Deprivations of basic human rights, such as withholding meals, water, fresh air.
6. Serial suspensions.
7. Treatment of a demeaning nature.
8. Electric Shock
9. Methods implemented by untrained personnel
10. The use of prone restraints is prohibited in educational programs. Prone restraints are those in which a student or eligible young child is held face down on the floor

School entities shall maintain and report data on the use of restraints as prescribed by the Secretary. The report shall be reviewed during cyclical compliance monitoring conducted by the Department.

The use of physical restraint when implemented as a protective procedure must be documented as a part of a student's crisis management plan in the student's Behavioral Improvement Plan with his/her IEP. Restraints used to control acute or episodic aggressive behavior may be used only when the student is acting in a manner as to be a clear and present danger to him/ herself, other students, or employees, and only when less restrictive measures and techniques have been proven to be or are less effective. The use of restraints to control aggressive behavior of an individual student shall cause a meeting of the IEP team to review the current IEP for appropriateness and effectiveness.

SVRCS, in conjunction with the IEP team, must obtain parent/guardian approval through the IEP process for all procedures identified within the students individualized Behavior Improvement Plan as part of the IEP.

SVRCS assures that it will provide adequate training and support to appropriate personnel in the use of specific procedures, methods, and techniques as outlined in the state regulations and PDE Guidelines for Effective Behavior Support for the utilization of physical restraint as a protective procedure and shall be certified in crisis intervention strategies. Training will be updated as appropriate.

#### Referral to Law Enforcement

The CEO or designee shall immediately report required incidents and may report discretionary incidents committed on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school sponsored activity by a student with a disability, including a student for whom an evaluation is pending, to the local police department that has jurisdiction over the school's property, in accordance with state and federal laws and

regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies. The CEO or designee shall respond to the procedures, methods and techniques defined in the student's Behavior Support Plan.

Subsequent to notification to law enforcement, an updated functional behavioral assessment and Behavior Support Plan shall be required for students with disabilities who have Behavior Support Plans at the time of such referral.

If, as a result of such referral, the student is detained or otherwise placed in a residential setting located outside of SVRCS, the Director of Special Education or designee shall ensure that the responsible school or intermediate unit is informed of the need to update the student's functional behavioral assessment and Behavior Support Plan.

For a student with a disability who does not have a Behavior Support Plan, subsequent to notification to law enforcement, SVRCS shall convene the student's IEP team to consider whether a Behavior Support Plan should be developed to address the student's behavior, in accordance with law, regulations and Board policy.

#### Relations with Law Enforcement

SVRCS shall provide a copy of its administrative regulations and procedures for behavior support to each local police department that has jurisdiction over school property. Updated copies shall be provided each time the administrative regulations and procedures for behavior support are revised by SVRCS.

SVRCS shall invite representatives of each local police department that has jurisdiction over school property to participate in school wide training on the use of positive behavior supports, de-escalation techniques and appropriate responses to student behavior that may require intervention.

References: PA Code Title 22 Sec 14.133