



POLICY 113.1 – POSITIVE BEHAVIOR SUPPORT

1. Purpose

School entities have the primary responsibility for ensuring that positive behavior support programs are in accordance with law and regulations, including training of personnel for the use of specific procedures, methods, and techniques, and for having a written policy and procedures regarding the use of positive behavior management support techniques.

2. Authority

The Board directs that the District's behavior support programs shall be based on positive rather than negative measures 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. Aversive techniques, restraints or improper discipline shall not be substituted for the systematic application of behavior change techniques.

3. Definitions

Aversive techniques - deliberate activities designed to establish a negative association with a specific behavior.

Behavior support - the development, change, and maintenance of selected behaviors through the systematic application of behavior change techniques.

Positive Behavior Support 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 which utilize positive reinforcement to shape a student's behavior, ranging from the use of positive verbal statements as a reward for good behavior 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 or eligible young child's body.

The term does not include:

1. Briefly holding, without force, a student or eligible young child to calm or comfort him/her.
2. Guiding a student or eligible young child to an appropriate activity.
3. Holding a student's or eligible young child's hand to safely escort him/her 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 or young child's parents/guardians and specified in the IEP.

The following are examples of mechanical restraints, which are also excluded from this definition:

1. Devices used for physical or occupational therapy.
2. Seatbelts in wheelchairs or on toilets used for balance and safety.
3. Safety harnesses in buses.
4. Functional positioning devices.

4. Delegation of Responsibility

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

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

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.

The Superintendent or designee shall maintain and report data on the use of restraints, as required. Such report shall be readily available for review during the state's cyclical compliance monitoring. Procedures shall be established requiring reports be made to the District by entities educating students with disabilities who attend programs or classes outside the District, including private schools, agencies, intermediate units and vocational schools.

5. Delegation of Responsibility

When an intervention is necessary to address problem behavior, the types of intervention chosen for a student shall be the least intrusive necessary.

Physical Restraints

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.

The District 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, reevaluation, 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 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 is authorized to use the restraint and have received appropriate training.
4. Behavior Support Plan includes efforts to eliminate the use of restraints.

Mechanical 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 employed only when specified by an IEP and as determined by a medical professional qualified to make the determination, and as agreed to by the student's parents/guardians.

Mechanical restraints shall prevent a student from injuring him/herself or others or promote normative body positioning and physical functioning.

Seclusion

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.

The District prohibits the seclusion of students in locked rooms, locked boxes and other structures or spaces from which the student cannot readily exit.

Prohibition of Aversive Techniques

The following aversive techniques of handling behavior are considered inappropriate and shall not be used in West Jefferson Hills School District 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. Deprivation of basic human rights, such as withholding means, water or fresh air.
6. Suspensions constituting a pattern as defined in state regulations.
7. Treatment of a demeaning nature.
8. Electric shock.
9. Methods implemented by untrained personnel.
10. Prone restraints, which are restraints by which a student is held face down on the floor.

Referral to Law Enforcement

Subsequent to a referral 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 the district, the Director of Special Education or designee shall ensure that the responsible school district or intermediate unit is informed of the need to update the student's functional behavioral assessment and Behavior Support Plan.

References:

State Board of Education Regulations – 22 Pa. Code §§ 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

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