



# ADMINISTRATIVE PROCEDURE

SAN DIEGO UNIFIED SCHOOL DISTRICT

NO: 4905

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CATEGORY: Instruction, Miscellaneous

EFFECTIVE: 8-6-79

SUBJECT: Prohibition of Aversive Procedures

REVISED: 1-20-04

## A. PURPOSE AND SCOPE

1. To outline legal constraints prohibiting the administration of aversive procedures to students.
2. **Related Procedures:**

Routine positive and emergency behavioral interventions--Special Education .....	4907
Prohibition of corporal punishment .....	6285
Discipline and supervision, general .....	6270
Suspension .....	6290
Child abuse or neglect (nonaccidental physical injury) .....	6370

## B. LEGAL AND POLICY BASIS

1. **Reference:** Board policy: F-2510, F-6000, H-6000; Education Code Sections 44807, 49001, 56520; California Code of Regulations, Title 5, Sections 3001, 3052.

## C. GENERAL

1. **Originating Office.** Suggestions or questions concerning this procedure should be directed to the Special Education Division, Office of Instructional Support. (Specific questions or concerns should be directed to appropriate special education program offices.)
2. **Definition.** Aversive Procedures: An intervention upon an individual that represents a significant negative consequence used to decrease or eliminate maladaptive behavior. An aversive procedure is intended to decrease a behavior through either (a) presentation of a stimulus or event that the individual will ordinarily act to avoid, or (b) contingent removal of a stimulus or event that the individual will ordinarily act to maintain.
3. **Education Code Sections 56520 et seq.,** mandate that when behavioral interventions are used, they be used in consideration of the student's physical freedom and social interaction and be administered in a manner that respects human dignity and personal privacy and ensures a student's right to placement in the least restrictive educational environment. Procedures for the elimination of maladaptive behaviors shall not include those deemed unacceptable under Education Code Section 49001 or those that cause pain or trauma.

4. **Types of behavioral interventions** that may be utilized with special education students in routine situations and in emergencies are outlined in Procedure 4907. Each individual with exceptional needs is entitled to an individualized education program (IEP) designed to meet his/her needs. When students have consistent difficulties in managing their behavior to the extent that their behavior interferes with their learning and the learning of those around them, positive behavioral intervention techniques are useful in facilitating behavioral change by addressing quality of life issues, environmental factors, and the antecedents and consequences associated with problem behavior.
5. **Prohibited Aversive Procedures.** No public education agency, or nonpublic school or agency serving students, pursuant to Education Code Sections 56365 *et seq.*, may authorize, order, consent to, or pay for any of the following interventions, or any other interventions similar to or like the following:
  - a. **Any intervention** designed or likely to cause physical pain.
  - b. **Releasing noxious**, toxic, or otherwise unpleasant sprays, mists, or substances close to the student's face.
  - c. **Any intervention** that denies adequate sleep, food, water, shelter, bedding, physical comfort, or access to bathroom facilities.
  - d. **Any intervention** designed, used, or likely to subject the individual to verbal abuse, ridicule, or humiliation, or which can be expected to cause excessive emotional trauma.
  - e. **Restrictive interventions** that employ a device, material, or objects that simultaneously immobilize all four extremities, including the use of therapeutic support equipment or the procedure known as prone containment (however, prone containment may be used by trained personnel as a limited emergency intervention).
  - f. **Locked** seclusion.
  - g. **Any intervention** that precludes adequate supervision of the student.
  - h. **Any intervention** that deprives the individual of one or more of his/her senses.
6. **Any written approval** obtained from parents/guardians to use aversive procedures is void and cannot be used to justify their use.

**7. Special Education Staff Training**

- a. **Periodic training** in current theories and principles of positive behavioral interventions, including emergency interventions, will be provided for staff and parents/guardians involved in using behavioral interventions.
- b. **New staff members** will receive orientation and training that includes development of positive behavioral support plans and use of emergency interventions.

**D. IMPLEMENTATION**

- 1. **Positive behavioral** interventions for special education students are indicated on behavioral intervention plans.
- 2. **Following an emergency** intervention, students' individual education plans may have to be adjusted to ensure that the negative behavior is reduced or eliminated through positive programming (Procedure 4907).

**E. FORMS AND AUXILIARY REFERENCES**

- 1. IEP Procedures Manual, available from the Special Education Division, Office of Instructional Support

**F. REPORTS AND RECORDS**

**G. APPROVED BY**

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