



ADMINISTRATIVE PROCEDURE

SAN DIEGO UNIFIED SCHOOL DISTRICT

NO: 4907

PAGE: 1 OF 12

CATEGORY: Instruction, Miscellaneous

EFFECTIVE: 2-24-93

SUBJECT: Routine Positive and Emergency Behavioral Interventions—Special Education

REVISED: 1-20-04

A. PURPOSE AND SCOPE

1. To provide procedures for the use of routine positive and emergency behavioral interventions for special education students. Use of positive behavioral intervention techniques, emphasizing positive reinforcement, are seen as the primary method to bring about behavior change.
2. **Related Procedures:**

Child abuse or neglect (nonaccidental physical injury)	6370
Discipline and supervision, general	6270
Prohibition of aversive procedures	4905
Prohibition of corporal punishment	6285
Suspension	6290

B. LEGAL AND POLICY BASIS

1. **Reference:** Board policy: F-2510, F-6000, H-6000; Education Code Sections 44807, 49001, 56321, 56520. California Code of Regulations Title 5, Sections 3001, 3052.

C. GENERAL

1. **Originating Office.** Suggestions or questions concerning the procedures should be directed to the Special Education Division, Office of Instructional Support. (Specific questions or concerns should be directed to special education program offices.)
2. **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 antecedents and consequences associated with problem behavior. Emergency interventions are intended to control unpredictable, spontaneous behaviors that pose a clear and present danger to the individual or to others or can cause serious property damage and which cannot be immediately prevented by a response less restrictive than the temporary application of the emergency intervention.

3. **Definitions**

- a. **Behavioral intervention:** The systematic implementation of procedures that result in lasting positive changes in the individual's behavior; the design, implementation, and evaluation of individual or group instructional and environmental modifications, including programs of behavioral instruction, to produce significant improvements in human behavior through skill acquisition and the reduction of problematic behavior. Behavioral interventions are designed to provide the individual with greater access to a variety of community settings, social contacts, and public events, and to ensure the individual's right to placement in the least restrictive educational environment as outlined in the individual's IEP. Behavioral interventions do not include procedures that cause pain or trauma. Behavioral interventions respect the individual's human dignity and personal privacy. Such interventions shall assure the individual's physical freedom, social interaction, and individual choice.
- b. **Serious behavioral problems:** Individual behaviors which are self-injurious, assaultive, or cause property damage which could lead to suspension or expulsion pursuant to Education Code Section 48900 and other severe behavioral problems which are pervasive and maladaptive and require a systematic and frequent application of behavioral interventions.
- c. **Behavioral emergency:** The demonstration of a serious behavioral problem (1) which has not previously been observed and for which a behavioral intervention plan has not been developed; or (2) for which a previously designed behavioral intervention is not effective.
- d. **Behavioral intervention plan:** A written document which is developed when the individual exhibits a serious behavioral problem which significantly interferes with the implementation of the goals and objectives of the individual's IEP. The behavioral intervention plan shall become part of the IEP. The plan shall describe the frequency of the consultation to be provided by the behavioral intervention case manager to the staff members and parents/guardians who are responsible for implementing the plan. A copy of the plan shall be provided to the person or agency responsible for implementation in noneducational settings. The plan shall include the following:
 - (1) Summary of relevant and determinative information gathered from a functional analysis assessment.

- (2) Objective and measurable description of the targeted maladaptive behavior(s) and replacement positive behavior(s).
- (3) Individual's goals and objectives specific to the behavioral intervention plan.
- (4) Detailed description of the behavioral interventions to be used and the circumstances for their use.
- (5) Specific schedules for recording frequency of the use of interventions and frequency of the targeted and replacement behaviors, including specific criteria for discontinuing the use of intervention for lack of effectiveness, or replacing it with an identified and specified alternative.
- (6) Criteria by which the procedure will be faded or phased out, or less intense/frequent restrictive behavioral intervention schedules or techniques will be used.
- (7) Behavioral intervention that will be used in the home, residential facility, work site or other noneducational settings.
- (8) Specific dates for periodic review by the IEP team of the efficacy of the program.

- e. **Behavioral intervention case manager:** A designated certificated school district staff member(s) or other qualified personnel contracted by the school district who has been trained in behavior analysis with an emphasis on positive behavioral interventions.

4. **Designated Positive Behavioral Interventions**

a. **General provisions**

- (1) An IEP team shall facilitate and supervise all assessment, intervention, and evaluation activities related to an individual's behavioral intervention plan.
- (2) Behavioral intervention plans shall be implemented by, or be under the supervision of, staff with documented training and qualifications in behavioral management intervention techniques, including the use of

positive behavioral interventions. Such interventions shall only be used to replace specified maladaptive behavior(s) with alternative acceptable behavior(s) and shall never be used solely to eliminate maladaptive behavior(s).

- (3) Behavioral intervention plans shall be based upon a functional analysis assessment (C.4.b.).
- (4) Emergency behavioral interventions shall not be used as a substitute for behavioral intervention plans.
- (5) Elimination of any maladaptive behavior does not require the use of intrusive behavioral interventions that cause pain or trauma.
- (6) To the extent possible, behavioral intervention plans shall be developed and implemented in a consistent manner appropriate to each of the individual's life settings.

b. **Functional analysis assessments.** Whenever the systematic use of behavioral interventions is proposed in response to a serious behavior problem, a functional analysis assessment must be conducted by, or be under the supervision of, a person who has documented training in behavioral analysis with an emphasis in positive behavioral intervention. Functional analysis assessment personnel shall gather information from three sources: direct observation, interviews with significant others, and review of available data such as assessment reports prepared by other professionals and other student records. Prior to conducting the assessment, parental notice shall be given and consent obtained pursuant to Education Code Section 56321.

- (1) A functional analysis assessment procedure shall include all of the following:
 - (a) Systematic observation of the occurrence of the targeted behavior for an accurate definition and description of frequency, duration, and intensity.
 - (b) Systematic observation of the immediate antecedent events associated with each instance of the targeted inappropriate behavior.

- (c) Systematic observation and analysis of the consequences following the behavior to determine the function the behavior serves for the individual (i.e., to identify the specific environmental or physiological outcomes produced by the behavior). The communicative intent of the behavior is identified in terms of what the individual is either requesting or protesting through the display of the behavior.
 - (d) Ecological analysis of the settings in which the behavior occurs most frequently. Factors to consider include the physical setting, the social setting, the activities and the nature of instruction, scheduling, the quality of communication between the individual and staff and other students, the degree of independence, the degree of participation, the amount and quality of social interaction, the degree of choice, and the variety of activities.
 - (e) Review of records for health and medical factors that may influence behaviors (e.g., medication levels, sleep cycles, health, and diet).
 - (f) Review of the history of the behavior to include the effectiveness of previously used behavioral interventions.
- (2) Functional analysis assessment reports. Following the assessment, a written report of the assessment results shall be prepared and a copy shall be provided to the parent/guardian. The report shall include all of the following:
- (a) Description of the nature and severity of the targeted behavior(s) in objective and measurable terms.
 - (b) Description of the targeted behavior(s) that includes baseline data and an analysis of the antecedents and consequences that maintain the targeted behavior, and a functional analysis of the behavior across all appropriate settings in which it occurs.
 - (c) Description of the rate of alternative behaviors, their antecedents and consequences.
 - (d) Proposed behavioral intervention plan.

- c. **IEP team meeting.** Upon completion of the functional analysis assessment, an IEP team meeting shall be held to develop a behavioral intervention plan. The behavioral intervention plan shall become a part of the IEP and shall be written with sufficient detail so as to direct the implementation of the plan.
- d. **Intervention.** Based upon results of the functional analysis assessment, positive programming for behavioral intervention may include the following:
- (1) Altering the identified antecedent event to prevent the occurrence of the behavior (e.g., providing choice, changing the setting, offering variety and a meaningful curriculum, removing environmental pollutants such as excessive noise or crowding, or establishing a predictable routine for the individual).
 - (2) Teaching the individual alternative behaviors that produce the same consequences as the inappropriate behavior (e.g., teaching the individual to make requests or protests using socially acceptable behaviors or to participate with alternative communication modes as a substitute for socially unacceptable “attention-getting” behaviors or providing the individual with activities that are physically stimulating as alternatives for stereotypic, self-stimulatory behaviors).
 - (3) Teaching the individual adaptive behaviors (e.g., choice-making, self-management, relaxation techniques, and general skill development) which ameliorate negative conditions that promote the display of inappropriate behaviors.
 - (4) Manipulating the consequences for targeted inappropriate behaviors and alternative, acceptable behaviors so that it is the alternative behaviors that more effectively produce desired outcomes (i.e., positively reinforcing alternative and other acceptable behaviors and ignoring or redirecting unacceptable behaviors).
- e. **Acceptable responses.** When the targeted behavior(s) occurs, positive response options shall include, but are not limited to, one or more of the following:
- (1) The behavior is ignored, but not the individual.
 - (2) The individual is verbally or verbally and physically redirected to an activity.

- (3) The individual is provided with feedback, stating a desired outcome.
 - (4) The message of the behavior is acknowledged (e.g., “You are having a hard time with your work”).
 - (5) A brief, physical prompt is provided to interrupt or prevent aggression, self-abuse, or property destruction.
- f. **Evaluation of behavioral intervention plan effectiveness.** Evaluation of the effectiveness of the behavioral intervention plan shall be determined through the following procedures:
- (1) A baseline measure of the frequency, duration, and intensity of the targeted behavior, taken during the functional analysis assessment.
 - (2) Measures of frequency, duration, and intensity of the targeted behavior taken after the behavioral intervention plan is implemented, at scheduled intervals determined by the IEP team.
 - (3) Documentation of the program implementation as specified in the behavior intervention plan.
 - (4) A review of measures of program effectiveness.
 - (5) If the IEP team determines that changes are necessary to increase program effectiveness, additional functional analysis assessments shall be conducted and, based on the outcomes, changes proposed to the behavioral intervention plan.
- g. **Modifications without IEP team meeting.** Minor modifications to the behavioral intervention plan can be made by the case manager and the parent/guardian or parent/guardian representative. Each modification or change shall be addressed in the behavioral intervention plan provided that the parent/guardian, or parent/guardian representative, is notified of the need and is able to review the existing program evaluation data prior to implementing the modification or change. Parents/guardians shall be informed of their right to question any modification to the plan through the IEP procedures.

- h. **Contingency behavioral intervention plans.** Nothing in these procedures is intended to preclude the IEP team from initially developing the behavioral intervention plan in sufficient detail to include schedules for altering specified procedures, or the frequency or duration of the procedures, without the necessity of reconvening the IEP team. Where the intervention is to be used in multiple settings, such as the classroom, home, and job sites, those personnel responsible for implementation in other sites must be notified and consulted prior to the change.
- i. **Emergency interventions.** Emergency interventions may only be used to control unpredictable, spontaneous behavior which poses a clear and present danger of serious physical harm to the individual or others or can cause serious property damage and which cannot be immediately prevented by a response less restrictive than the temporary application of a technique used to contain the behavior.
- (1) Emergency interventions shall not be used as a substitute for systematic behavioral intervention plans that are designed to change, replace, modify, or eliminate a targeted behavior.
 - (2) Whenever a behavior emergency occurs, only behavioral interventions approved by the special education local planning area (SELPA) may be used.
 - (3) No emergency intervention shall be employed for longer than is necessary to contain the behavior. Any situation that requires prolonged use of an emergency intervention shall require staff to seek the assistance of the school site administrator or law enforcement agency, as applicable in the situation.
 - (4) Emergency interventions may not include:
 - (a) Locked seclusion.
 - (b) Employment of a device or material or objects or therapeutic equipment which simultaneously immobilize all four extremities, except that “prone containment” may be used as an emergency intervention by staff trained in the procedure.
 - (c) An amount of force which exceeds that which is reasonable and necessary under the circumstances.

SUBJECT: **Routine Positive and Emergency
Behavioral Interventions—Special
Education**

NO: **4907**

PAGE: **9 OF 12**

EFFECTIVE: **2-24-93**

REVISED: **1-20-04**

- (5) To prevent emergency interventions from being used in lieu of planned, systematic behavioral interventions, the parent/guardian, and residential care provider, if appropriate, shall be notified within one school day whenever an emergency intervention is used. A “Behavioral Emergency Report” shall immediately be completed and maintained in the individual’s file. The report shall include all of the following:
 - (a) Name and age of the individual.
 - (b) Setting and location of the incident.
 - (c) Name of the staff or other persons involved.
 - (d) Description of the incident and the emergency intervention used and whether the individual is currently engaged in any systematic behavioral intervention plan.
 - (e) Details of any injuries sustained by the individual or others, including staff, as a result of the incident.
- (6) All “Behavioral Emergency Reports” shall immediately be forwarded to, and reviewed by, a designated responsible administrator.
- (7) Anytime a “Behavioral Emergency Report” is written regarding an individual who *does not have* a behavioral intervention plan, the designated responsible administrator shall, within two days, schedule an IEP team meeting to review the emergency report, to determine the necessity for a functional analysis assessment, and to determine the necessity for an interim behavioral intervention plan. The IEP team shall document the reasons for not conducting the assessment and/or not developing an interim plan.
- (8) Anytime a “Behavioral Emergency Report” is written regarding an individual who *has* a behavioral intervention plan, any incident involving a previously unseen serious behavior problem or in which a previously designed intervention is not effective should be referred to the IEP team to review and determine whether the incident constitutes a need to modify the plan.

(9) “Behavioral Emergency Report” data shall be collected by SELPAs who shall report annually the number of behavioral emergency reports to the State Department of Education and the Advisory Commission on Special Education.

j. **SELPA plan.** The local plan of each SELPA shall include procedures governing the systematic use of behavioral interventions and emergency interventions. These procedures shall be part of the SELPA local plan.

(1) Upon adoption, these procedures shall be available to all staff members and parents/guardians whenever a behavioral intervention plan is proposed.

(2) At a minimum, the plan shall include:

(a) Qualifications and training of personnel to be designated as “behavioral intervention case managers” who coordinate and assist in conducting functional analysis assessments and in developing behavioral intervention plans (including training in behavioral analysis with an emphasis on positive behavioral management techniques).

(b) Qualifications and training required of personnel who will participate in the implementation of the behavioral intervention plans (including training in positive behavioral management techniques).

(c) Special training required for the use of emergency behavioral interventions and the types of interventions requiring such training.

(d) Approved behavioral emergency procedures.

k. **Nonpublic school policy.** Nonpublic schools and agencies serving pupils pursuant to Education Code Sections 56365 *et seq.*, shall develop policies consistent with those specified in C.4.i.

l. **Prohibitions.** No public education agency, or nonpublic school or agency serving pupils, 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 (Procedure 4905):

(1) Any intervention that is designed to, or likely to, cause physical pain.

- (2) Releasing noxious, toxic, or otherwise unpleasant sprays, mists, or substances close to the individual's face.
 - (3) Any intervention that denies adequate sleep, food, water, shelter, bedding, physical comfort, or access to bathroom facilities.
 - (4) Any intervention which is designed, used, or likely to subject the individual to verbal abuse, ridicule, or humiliation, or which can be expected to cause excessive emotional trauma.
 - (5) Restrictive interventions which employ a device, material, or objects which 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).
 - (6) Locked seclusion.
 - (7) Any intervention that precludes adequate supervision of the individual.
 - (8) Any intervention that deprives the individual of one or more of his/her senses.
- m. **Due process hearings.** The provisions of this administrative procedure relating to functional analysis assessments and the development and implementation of behavioral intervention plans are subject to due process hearing procedures specified in Education Code Sections 56501 *et seq.* No hearing officer may order the implementation of a behavioral intervention that is otherwise prohibited by this section, by SELPA policy, or by any other applicable statute or regulation.

5. **Special Education Staff Training**

- a. **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 before becoming involved in any behavior management program that includes development of positive behavioral support plans and use of emergency interventions.

SUBJECT: **Routine Positive and Emergency
Behavioral Interventions—Special
Education**

NO: **4907**

PAGE: **12 OF 12**

EFFECTIVE: **2-24-93**

REVISED: **1-20-04**

D. IMPLEMENTATION

1. **When a serious** behavioral problem occurs (self-injury, assaults, property damage and other severe behavioral problems that are pervasive and maladaptive), a staff member observing the incident(s) should take appropriate action to intervene and coordinate subsequent functional analysis assessments and development of positive behavioral intervention plans (C.4.a.–h.).
2. **When unpredictable**, spontaneous behavior occurs that poses a clear and present danger of serious physical harm to the individual or others or can cause serious property damage, action should be taken to initiate emergency behavioral interventions (C.4.i.[1]–[9]).
3. **Possible appropriate** special education staff to contact for support in conducting functional analysis assessments and developing positive behavioral intervention plans include, but are not limited to, school psychologists, diagnostic resource teachers, resource teachers and itinerant teachers.

E. FORMS AND AUXILIARY REFERENCES

1. IEP Procedures Manual, available from the Special Education Division

G. APPROVED BY

Kerry B. Flanagan

Deputy Chief of Staff, Kerry B. Flanagan
For the Superintendent of Public Education