

DELAWARE VALLEY SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: BEHAVIOR SUPPORT:
STUDENTS WITH
DISABILITIES

ADOPTED: JULY 16, 2009

REVISED: JUNE 18, 2009

<p>1. Purpose</p> <p>2. Authority 20 U.S.C. Sec. 1400 et seq</p> <p>3. Delegation of Responsibility</p> <p>4. Guidelines 14.133</p>	<p style="text-align: center;">113.2. BEHAVIOR SUPPORT: STUDENTS WITH DISABILITIES</p> <p>The Delaware Valley School District believes in the use of positive behavior support techniques.</p> <p>The policy is designed to enable students with Individualized Educational Programs (IEPs) who need a Behavior Support Program to obtain a Free Appropriate Public Education (FAPE) within the Least Restrictive Environment (LRE) in accordance with the Individuals with Disabilities Education Act (IDEA) and its accompanying regulations and Pennsylvania’s regulations (Chapter 14).</p> <p>The Superintendent and or his/her designees are authorized to carry out the requirements of this policy and is responsible for ensuring that this policy is implemented in compliance with the IDEA and its implementing regulations. The Superintendent and his/her designees shall develop administrative guidelines to implement this policy and appropriate behavior support activities.</p> <p><u>Behavior Support</u></p> <p>(a) Positive rather than negative measures shall form the basis of behavior support programs. Behavior support programs ensure that all students shall be free from demeaning treatment and the unreasonable use of restraints or other aversive techniques. Behavior support programs shall include a variety of research based techniques to develop and maintain skills that will enhance student opportunity for learning and self-fulfillment. The types of intervention chosen shall be the least intrusive necessary.</p> <p>(b) In addition to or in conjunction with statutory and regulatory provisions regarding behavior support, the following words and terms have the following meanings, unless the context clearly indicates otherwise:</p> <p><i>Aversive Techniques</i> – Deliberate activities designed to establish a negative association with a specific behavior.</p> <p><i>Behavior Support</i> – The development, change and maintenance of selected behaviors</p>
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the systematic application of behavior change techniques.

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 trained therapeutic holds, with or without use of any device, designed to restrain free movement. The term does not include common and appropriate hands-on interventions such as hand-over-hand instruction, hand or arm holding to guide the student away from a place, brief physical calming or comforting of the student, and similar actions. The term also does not include hand-over-hand assistance with feeding or task completion or techniques prescribed by a qualified medical professional for reasons of safety or therapy or medical treatment as agreed and specified in the student’s IEP.

(c) Restraints 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 himself, to other students or to employees, and only when less restrictive measures and techniques have proven to be or are less effective.

- (1) The use of restraints to control the aggressive behavior of an individual student shall cause a meeting of the IEP team within ten school days of the use of restraints, unless waived by the parent. At this meeting, the Team shall consider whether the student needs a functional behavioral assessment, reevaluation, a new or revised behavior plan, or change of placement to address the inappropriate behavior.
- (2) The use of restraints may 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 specified in the IEP only if the restraint (i) is used with specific component elements of a positive behavior support plan; (ii) is used in conjunction with teaching socially appropriate alternative skills or behaviors; (iii) staff are authorized to use the restraint and have received appropriate training; and (iv) the behavior plan includes efforts to eliminate the use of restraints.
- (3) The Delaware Valley School District shall maintain and report data on the use of restraints as prescribed by the Secretary of the Pennsylvania Department of Education or other proper authority.

<p>Title 22 Sec. 10.23, 14.133</p>	<p>(d) 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</p> <p>(e) 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.</p> <p>(f) The following aversive techniques of handling behavior are considered inappropriate and may not be used in educational programs:</p> <ol style="list-style-type: none">1. Corporal punishment.2. Punishment for a manifestation of a student's disability.3. Locked rooms, locked boxes or other locked structures or spaces from which the student cannot readily exit.4. Noxious substances.5. Deprivation of basic human rights, such as withholding meals, water, or fresh air.6. Suspensions constituting a pattern.7. Treatment of a demeaning nature.8. Electric shock.9. Prone restraints (those restraints where a student is held face down on the floor). <p>(g) Delaware Valley School District has the primary responsibility for:</p> <ol style="list-style-type: none">(1) ensuring that positive behavior support used in its programs are in accordance with applicable statutory and regulatory requirements, including personnel training for specific procedures, methods, and techniques of behavior support, and(2) parental consent for the use of intrusive procedures and restraints must be part of the student's IEP.(3) update a functional behavior assessment and a positive behavior support plan as appropriate. <p><u>Relations With Law Enforcement</u></p> <p>The district shall provide a copy of its administrative regulations and procedures for behavior support, developed in accordance with the Special Education Plan, to each local policy department that has jurisdiction over school property. Updated copies</p>
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<p>Title 22 Sec. 10.23, 14,104 Pol. 113, 805.1</p> <p>Title 22 Sec. 10.23, 14.104, 14.133 Policy 113, 805.1</p>	<p>shall be provided each time the administrative regulations and procedures for behavior support are revised by the district.</p> <p>The district shall invite representatives of each local police department that has jurisdiction over school property to participate in district training on the use of positive behavior supports, de-escalation techniques an appropriate responses to student behavior that may require intervention, as included in the district’s Special Education Plan and positive behavior support program.</p> <p>References:</p> <p>School Code – 24 P.S. Sec. 1302.1-A, 1303-A</p> <p>State Board of Education Regulations – 22 PA Code Sec. 10.2, 10.21, 10.22, 10.23, 10.25, 14.104, 14.133, 14.143, 14.145</p> <p>Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq.</p> <p>Individuals With Disabilities Education Act, Title 34, Code of Federal Regulations – 34 CFR Part 300</p> <p>Pennsylvania Training and Technical Assistance Network, Questions and Answers on the Restraint Reporting Requirements and System, June 2009 – www.pattan.net</p> <p>Board Policy – 000, 103.1, 113, 113.1, 113.3, 218, 218.1, 218.2, 222, 227, 805.1</p>
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