



## **Chapter 9: Behavioral Interventions and Supports for Students with Disabilities**

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### **Introduction**

The passage of Assembly Bill (AB) 86 on July 1, 2013, repealed the Hughes Bill, which was a California behavioral intervention mandate for children with disabilities who exhibited serious behavioral problems. AB 86 now requires behavioral interventions for children with disabilities to align more closely with federal law, as identified in the Individuals with Disabilities Education Act (IDEA) and its regulations. AB 86 revised California Education Code §§ 56520-56525 and requires the California Department of Education (CDE) to repeal §§ 3052 and 3001(d)-(g) and (ab) of Title 5 of the California Code of Regulations. Amendments to Title 5 of the California Code of Regulations §§ 3001-3088 went into effect on July 1, 2014.

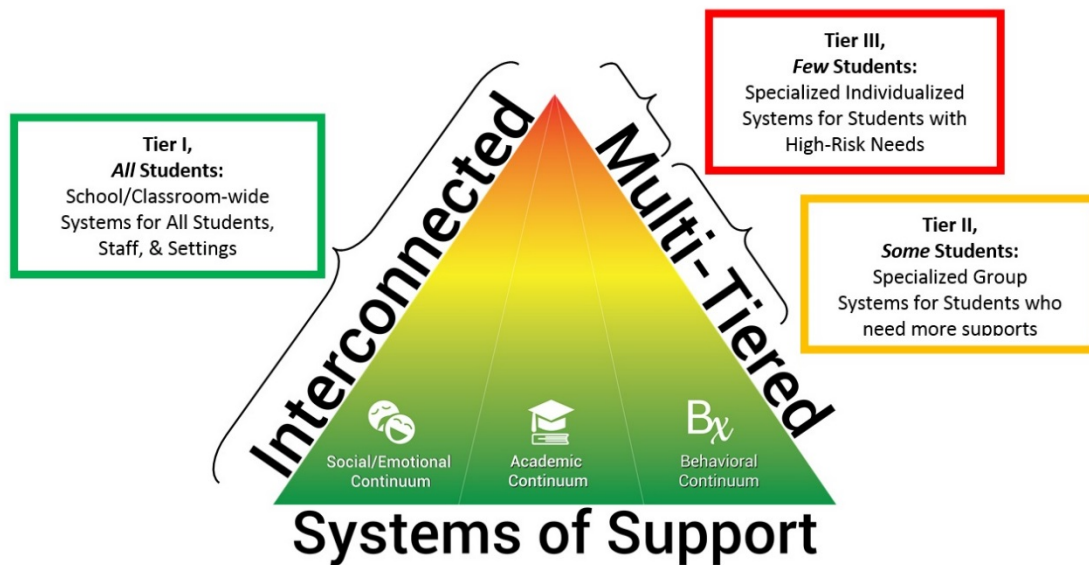
Positive Behavioral Interventions and Supports for children with disabilities are requirements of federal and state law. Charter Local Education Agency (LEA) staff must address behavior when the behavior of a child with a disability impedes the child’s learning or that of others. To address the behavioral concern(s), the Charter LEA may, through the Individualized Education Program (IEP) process, use their professional discretion to address behavior in a variety of ways, including the development of goals, conducting behavioral assessments, and developing positive behavioral interventions and supports and other strategies consistent with Title 20 of the United States Code § 1414(d) and Title 34 of the Code of Federal Regulations § 300.324. The IEP must include a statement of the special education, related services, supplementary aids and services, and program modifications or supports that will be provided to the child (*Title 20 of the United States Code § 1414(d)(1)(A)(i)(IV)*).

## Section A – Positive Behavioral Interventions and Supports

The Desert/Mountain Charter Special Education Local Plan Area (SELPA) supports interconnected multi-tiered systems of support for behavior similar to the Response-to-Intervention (RtI) Model used for academic interventions.

Tier I, universal supports for all children, creates the foundation for all subsequent interventions. Some children will benefit from additional strategic interventions and supports at Tier II. A few children will also require targeted and intensive Tier III interventions often in the form of a Behavioral Intervention Plan (BIP).

**Figure 1**



The Positive Behavioral Interventions and Supports (PBIS) diagram shown in Figure 1 demonstrates the systemic provision of behavioral supports for all children. This type of system-wide intervention creates a culture of positive behavioral interactions for all. PBIS is a multi-tiered framework for enhancing the adoption and implementation of a continuum of evidence-based interventions to achieve academic and behavior outcomes for all children. At the universal level,

Charter LEAs learn how to build their school pro-social environment by establishing a common language, common practices, and common vision. Tier II targeted interventions include Check In Check Out (CICO), social and academic groups, and Check and Connect. Tier III implementation includes interventions such as Prevent, Teach, Reinforce (PTR) and Linking Individuals and Families with Education (LIFE). PBIS teams will build internal capacity to further their implementation efforts at their school sites.

Charter LEAs participating in PBIS learn less reactive, adverse, dangerous, and exclusionary practices; understand how to build more engaging, responsive, preventive, and productive environments; become familiar with better classroom management practices with less discipline issues and more instructional minutes; become familiar with a continuum of services available for student learning and emotional needs; and learn more strategies to maximize academic engagement and achievement for all children.

Information on each tier is discussed below along with the federal requirements for individual behavioral assessment and intervention planning.

## **Tier 1: All Students**

It can be assumed the majority of children will arrive at school already possessing basic social and academic skills. An effective school-wide discipline and behavioral supports system ensures that these skills are reinforced and embedded in the ongoing workings of the school. Strategies aimed at all children create the foundational culture that supports positive behavior throughout the system.

Effective school-wide or universal models incorporate some common basic principles. Models like PBIS include similar core elements. School-wide positive behavior begins with *clearly defining expected behaviors* for both children and adults. Then, strategies are developed for *explicitly teaching the expected behaviors*. Finally, methods are designed for *reinforcing the expected behaviors* when they occur.

It has been demonstrated that monitoring and teaching all children, even those who do not have problem behaviors, serves as a preventive measure for potential negative interactions. A school-wide model provides the foundation of universal training, adult modeling, and broad reinforcement of expected social behavior that supports more intensive efforts at Tier II and Tier III.

## **Tier II: Some Students**

Not all children will respond to school-wide approaches alone. Some children require selected supports and interventions. These children may need supports such as cognitive-behavior therapies from counselors. Some may benefit from small group instruction in social skills or self-management. Other successful programs for selected support include extra academic assistance and extra adult attention. Good examples of adult mentoring programs appropriate for Tier I include the U.S. Department of Education, Office of Special Education Programs (OSEP) “Check and Connect” and the Behavior Education Program, Second Edition. Crone, Deanne A., Robert A.

Horner, and Leanne S. Hawken. *Responding to Problem Behavior in Schools (Practical Intervention in the Schools)*. New York: Guilford, 2010.

Classroom-wide activities and reinforcement systems are used at Tier II. Skilled classroom management is key as a selected intervention for more difficult children. Other programs that focus on the needs of smaller groups of children including more frequent access to reinforcers can be useful in reducing levels of problem behavior. Behavioral goals for children with exceptional needs would be appropriate. Behavioral contracts may also be employed effectively at this level.

### **Tier III: Few Students**

Tertiary Prevention at Tier III was originally designed to focus on the needs of individuals who exhibited patterns of problem behavior. Research has demonstrated the effectiveness of PBIS in addressing the challenges of behaviors that are dangerous, highly disruptive, and/or impede learning and result in social or educational exclusion. PBIS has been used to support the behavioral adaptation of children (and other individuals) with a wide range of characteristics, including developmental disabilities, autism, emotional and behavioral disorders, and even children with no diagnostic label.

Tertiary Prevention at Tier III is most effective when there are positive Tier I (school-wide) and secondary Tier II (classroom) systems in place. In addition, the design and implementation of individualized supports are best executed when they are conducted in a comprehensive and collaborative manner. The process should include the individual with behavioral challenges and people who know him/her best all working as a team together to promote positive change. Support should be tailored to people's specific needs and circumstances. It should involve a comprehensive approach to understanding and intervening with the behavior, and should use multi-element interventions. The goal of Tier III is to diminish problem behavior and, also, to increase the child's adaptive skills and opportunities for an enhanced quality of life.

Prevent Teach Reinforce (PTR) is the model used at this level that involves a process of Functional Behavioral Assessment (FBA) and a support plan comprised of individualized, assessment-based intervention strategies, including a wide range of options such as (1) guidance or instruction for the child to use new skills as a replacement for problem behaviors, (2) some rearrangement of the antecedent environment so that problems can be prevented and desirable behaviors can be encouraged, and (3) procedures for monitoring, evaluating, and reassessing the plan as necessary. If continuing support is necessary after the PTR process, then a Linking Individuals and Families with Education (LIFE) plan is created for the child's needs. In some cases, the plan may also include emergency procedures to ensure safety and rapid de-escalation of severe episodes (this is required when the target behavior is dangerous to the child or others), or major ecological changes, such as changes in school placements, in cases where more substantive environmental changes are needed.

For the few children who do not respond to universal and selected interventions at Tier I and Tier II, additional intensive supports are necessary. The IDEA 2004 requires the creation and implementation of specific procedures to guide IEP teams in their response to children with the

most challenging behaviors. There are two basic triggers to the need for behavioral assessment and an intervention plan that are a requirement of IDEA 2004. The trigger points are:

- Behaviors that impede the learning of the child, or of others; or
- Disciplinary actions that constitute a “change of placement” (refer to Chapter 8 – Suspension and Expulsion).

## **Section B – Responsibility of the IEP Team**

State law requires that the psychoeducational assessment report for all children suspected of having a disability include “the relevant behavior noted during the observation of the child in appropriate setting” and the “relationship of that behavior to the child’s academic and social functioning.” Therefore, many children will have goals in their IEPs relating to behaviors, either behaviors that contribute to improved learning skills or behaviors that enhance interpersonal and social skills. The IEP team utilizes assessment findings to determine which instructional strategies are most appropriate to teach or manage behavior and then develops goals accordingly. Such goals may contain behavioral interventions that are not based on a FBA or a Behavioral Intervention Plan (BIP). Per OSEP, if a BIP is developed, it should be included in the IEP and aligned with the goals in the IEP (*71 Fed. Reg., pg. 46683, August 14, 2006*).

In an effort to ensure consistency with federal law, California Education Code § 56523, as amended by AB 86, in effect, repealed Title 5 of the California Code of Regulations § 3001 and deleted the requirement for a BIP when a child with a disability exhibits a “serious behavioral problem” that significantly interferes with the implementation of the goals and objectives of his/her IEP. Instead, pursuant to California Education Code § 56521.2, as added by AB 86, a Charter LEA is required to address any student behavior that impedes the child’s own learning or the learning of other students.

When the IEP team finds that (1) instructional strategies, classroom management approaches, and current goals are ineffective in a given situation, or (2) the behaviors are “other severe behavior problems that are pervasive and are maladaptive,” or (3) when previous positive behavioral intervention plans are determined to be unsuccessful in reducing dangerous or seriously maladaptive behavior, the IEP team will initiate a FBA to obtain necessary information about the related antecedent(s) and consequences of the targeted behavior. Using this information, a more systematic and comprehensive BIP may be developed by an expanded IEP team; implemented by appropriately trained staff, parents, and others necessary to carry out the goals and objectives; and regularly monitored by one or more members of the IEP team. The BIP is to be implemented as necessary in all school-related settings such as the classroom, playground, community-based instructional setting, and/or work site.

Since the functional assessment will also include many other aspects of the child’s functional life behaviors, it is intended that the BIP be discussed with the parents and/or caregivers and shared, as appropriate, with other agency staff responsible for related services or residential care for the child. It is not intended that school staff be required to implement the plan in non-educational settings unless the service and setting is specifically designated in the child’s IEP.

## **Section C – Behavioral Assessment and Intervention Plan**

### **I. Student Whose Behavior Impedes Learning**

In the case of a child who exhibits a pattern of behavior that interferes with the child's learning or that of others, federal and state law requires that the Charter LEA consider the use of positive behavioral interventions and supports and other strategies to address the behavior. IDEA 2004 further requires that both general and special educators receive the training and support necessary to contribute to the development and implementation of positive behavioral strategies. All of this makes it imperative that educational personnel within Charter LEAs become aware of these procedures and are proficient in implementing them.

The ultimate goal is to have educators who understand the guiding principles underlying the procedures and who regularly apply sound positive programming strategies. The consequence should be the learning of replacement behaviors and a significant decrease in chronic and/or dangerous behaviors. The training outcomes must be to provide local staff with the tools and knowledge necessary to not only meet the requirements of the law, but to more effectively and efficiently meet the needs of children with challenging behaviors.

After less restrictive approaches have been utilized, behavioral goals, a FBA and a BIP might become necessary to effect change. The BIP must be a result of the gathering of information obtained from multiple sources including the parents. The FBA and BIP require an assessment plan if new information is obtained or if the observation to be conducted by the Charter LEA constitutes an assessment or is conducted for the purpose of determining eligibility for special education and/or needs relating to a disability, including appropriate accommodations, modifications, or other special education support. Best practices suggest that the BIP be revised regularly as the needs and circumstances of the child changes.

### **II. Student Requiring a Manifestation Determination (Disciplinary Action)**

When a child attains more than 10 suspensions in a school year that constitutes a change of placement, a manifestation determination must be conducted. The Charter LEA shall determine on a case-by-case basis whether a pattern of removals of a child from his/her current educational placement for disciplinary reasons constitutes a change in placement. A change in placement shall be deemed to have occurred under any of the following circumstances (*Title 34 of the Code of Federal Regulations §§ 300.530(e)(i)(ii), 300.530(f)(1), and 300.536*):

1. The removal is for more than 10 consecutive school days; or
2. The child has been subjected to a series of removals that constitute a pattern because of all of the following:
  - a. The series of removals total more than 10 school days in a school year;

- b. The child's behavior is substantially similar to his/her behavior in previous incidents that resulted in the series of removals; and
- c. Additional factors, such as the length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another, indicate a change of placement.

If, after the manifestation determination meeting has been conducted, the team determines that the removals (suspensions) are a manifestation of the child's disability or disabilities, the team must either conduct a FBA, unless the Charter LEA had conducted a FBA before the behavior that resulted in the change of placement occurred, and implement a BIP for the child, or if a BIP already has been developed, review the BIP, and modify it, as necessary, to address the behavior. An assessment plan (D/M 66), obtaining parental consent, is required before the Charter LEA can proceed with a FBA.

A FBA can be defined as an evidence-based, analytical process based on observations, review of records, interviews, and data analysis. It strives to determine the immediate past antecedents and consequences supporting the problem behavior. This assessment is the first step in designing function-based interventions that promote educational and/or social/emotional success. A FBA is necessary prior to identifying a functionally-equivalent replacement behavior and should be integrated, as appropriate, throughout the process of developing, reviewing, and, if necessary, revising a child's IEP. After a FBA is conducted, the team must consider whether or not to develop a BIP. For this purpose, the team may utilize the BIP (D/M 136 – BIP Level I or 137 – BIP Level II) which must be modified as needed as the child's needs or circumstances change (*Title 34 of the Code of Federal Regulations §§ 300.530(e)(i)(ii), and 300.530(f)(1)*).

***Title 34 of the Code of Federal Regulations § 300.530 Authority of school personnel - Behavioral Assessment***

*(a) Case-by-case determination. School personnel may consider any unique circumstances on a case-by-case basis when determining whether a change in placement, consistent with the other requirements of this section, is appropriate for a child with a disability who violates a code of student conduct.*

*(b) General.*

*(1) School personnel under this section may remove a child with a disability who violates a code of student conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension, for not more than 10 consecutive school days (to the extent those alternatives are applied to children without disabilities), and for additional removals of not more than 10 consecutive school days in that same school year for separate incidents of misconduct (as long as those removals do not constitute a change of placement under Sec. 300.536).*

*(2) After a child with a disability has been removed from his or her current placement for 10 school days in the same school year,*

*during any subsequent days of removal the public agency must provide services to the extent required under paragraph (d) of this section.*

*(c) Additional authority. For disciplinary changes in placement that would exceed 10 consecutive school days, if the behavior that gave rise to the violation of the school code is determined not to be a manifestation of the child's disability pursuant to paragraph (e) of this section, school personnel may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to children without disabilities, except as provided in paragraph (d) of this section.*

*(d) Services.*

*(1) A child with a disability who is removed from the child's current placement pursuant to paragraphs (c), or (g) of this section must--*

*(i) Continue to receive educational services, as provided in Sec. 300.101(a), so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP; and*

*(ii) Receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur.*

*(2) The services required by paragraph (d)(1), (d)(3), (d)(4), and (d)(5) of this section may be provided in an interim alternative educational setting.*

*(3) A public agency is only required to provide services during periods of removal to a child with a disability who has been removed from his or her current placement for 10 school days or less in that school year, if it provides services to a child without disabilities who is similarly removed.*

*(4) After a child with a disability has been removed from his or her current placement for 10 school days in the same school year, if the current removal is for not more than 10 consecutive school days and is not a change of placement under Sec. 300.536, school personnel, in consultation with at least one of the child's teachers, determine the extent to which services are needed, as provided in Sec. 300.101(a), so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.*

*(5) If the removal is a change of placement under Sec. 300.536, the child's IEP Team determines appropriate services under paragraph (d)(1) of this section.*



***Title 34 of the Code of Federal Regulations § 300.382 Improvement Strategies - Enhancing Ability of Teachers***

- (f) Enhance the ability of teachers and others to use strategies, such as behavioral interventions; to address the conduct of children with disabilities that impedes the learning of children with disabilities and others;*

***Title 34 of the Code of Federal Regulations § 300.324 (a) Development, review, and revision of IEP***

*(2) Consideration of special factors. The IEP team must --*

- (i) In the case of a child whose behavior impedes the child's learning or that of others, consider the use of positive behavioral interventions and supports, and other strategies, to address that behavior;*

**Manifestation Determination (MD) Definition**

A manifestation determination meeting must be conducted by the IEP team when a child with a disability is being considered for a change of placement as a result of:

- Suspensions amounting to more than 10 days; or
- Removals resulting in 45-day placement by an IEP team (weapons or illegal drugs) or by an impartial hearing officer (dangerous students).

The IEP team (along with other necessary qualified personnel) must investigate whether there is a relationship between the child's action(s) and his/her disability. This manifestation determination meeting must be conducted no later than 10 days after the "behavioral incident" occurred. Charter SELPA form D/M 68J is used to document the results of the team's determination.

**Manifestation Determination Requirements**

The IEP team must consider the following:

1. Evaluation/diagnostic results;
2. Observations;
3. IEP placement/data;
4. Other information in the child's IEP file; AND
5. The IEP team must determine the answers to the following two questions:
  - (a) Were the services, goals, strategies, and placements identified in the IEP appropriate, with all necessary behavioral supports and related services being implemented at the time of the behavioral incident? and

- (b) Was the behavior caused by or did it have a direct and substantial relationship to the child's disability?

There is NO relationship between the child's action(s) and his/her disability (No Manifestation).

1. The IEP team considered all of the items listed above; AND
2. The IEP team determined that the answer to question (a) and (b) above is "YES."

**ACTION:**

1. The child is subject to the same discipline as used for nondisabled students;
2. FAPE must continue to be provided (special education services); and
3. If the parent disagrees with the school's determination, an expedited due process hearing must be arranged and the child remains in the Interim Alternative Educational Setting (IAES) during hearing unless:
  - (a) 45 days in an IAES expire; or
  - (b) The parent and school agree on another setting.

**There IS a relationship between the child's action(s) and his/her disability.**

1. The IEP team considered all of the items listed above; AND
2. The IEP team determined that the answer to question (a) and (b) above are "NO."

**ACTION:**

1. The school may not suspend the child past 10 days or expel the child; and
2. Placement cannot be changed except through the usual IEP process.

**Important Additional Considerations**

1. Children who violate conduct codes may claim IDEA protections if, prior to the incident:
  - The parent expressed concerns in writing to the LEA;
  - The child's behavior or performance indicated a need for services;
  - Teacher(s) requested an evaluation or assistance regarding the behavior pattern; or
  - Teacher(s) or other personnel expressed concern about behavior to other professionals.
2. If an evaluation is requested during the time when the child is undergoing disciplinary action, the child remains in the current placement until the results of an expedited evaluation are available.

NOTE: A functional behavioral assessment (FBA) is required any time:

- Suspensions are over 10 cumulative days; or
- Removals resulting in 45-day placement by an IEP team (weapons or illegal drugs) or by an impartial hearing officer (dangerous students).

### **Manifestation Determination Best Practices**

1. Do not wait until the 10th day of suspension to conduct a manifestation determination. Ensure that there are behavior goals written in the IEP for the child;
2. If the days of suspension for a child with a disability rise, add a behavior plan if there is none, or re-evaluate the current plan. Ensure that there are behavioral goals written in the IEP for the child;
3. If the manifestation determination found that the child's action(s) were a result of the disability, add a behavior plan immediately, as behavior is interfering with learning.

## **Section D – Behavioral Emergency and Interventions**

State law continues to require that Charter LEAs complete a Behavioral Emergency Report (BER) when emergency interventions are used for a child with a disability or if serious property damage occurs (*Education Code § 56521.1(e)*). To be defined as a behavioral emergency, the behavior must pose a clear and present danger of serious physical harm to the child or others, or pose a threat of serious property damage. Emergency interventions such as physical restraint may be necessary to control the unpredictable, spontaneous behavior that poses clear and present danger of serious physical harm to the child or others, that cannot be immediately prevented by a response less restrictive than the temporary application of a technique used to contain the behavior.

The law requires that the Charter LEA schedule an IEP team meeting within two days (D/M 68M) after emergency interventions have been used to review the completed BER (D/M 114) for a child who has a BIP, to determine whether any incident involving a previously unseen serious behavior problem or where a previously designed intervention is not effective, warrants further assessment through a FBA or revision of the BIP. If the child does not have a BIP, the designated responsible administrator shall, within two days, schedule an IEP meeting to determine if a FBA of that emergency behavior is warranted, document the reason why the FBA will or will not be conducted, and develop an interim BIP.

Emergency interventions shall not be used as a substitute for a systematic BIP that is designed to change, replace, modify, or eliminate a targeted behavior. No emergency intervention shall be used for longer than is necessary to contain the behavior. For any situation that requires a prolonged use of an emergency intervention, Charter LEA staff shall seek assistance of the site administrator or law enforcement agency, as applicable to the situation.

### ***California Education Code § 56521.1***

- (a) *Emergency interventions may only be used to control unpredictable, spontaneous behavior that poses clear and present danger of serious physical harm to the individual with exceptional needs, or others, and that cannot be immediately prevented by a response less restrictive than the temporary application of a technique used to contain the behavior.*
- (b) *Emergency interventions shall not be used as a substitute for the systematic behavioral intervention plan that is designed to change, replace, modify, or eliminate a targeted behavior.*
- (c) *No emergency intervention shall be employed for longer than is necessary to contain the behavior. A situation that requires prolonged use of an emergency intervention shall require the staff to seek assistance of the school site administrator or law enforcement agency, as applicable to the situation.*
- (d) *Emergency interventions shall not include:*
  - 1) *Locked seclusion, unless it is in a facility otherwise licensed or permitted by state law to use a locked room.*
  - 2) *Employment of a device, material, or objects that simultaneously immobilize all four extremities, except that techniques such as prone containment may be used as an emergency intervention by staff trained in those procedures.*
  - 3) *An amount of force that exceeds that which is reasonable and necessary under the circumstances.*
- (e) *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 schoolday if an emergency intervention is used or serious property damage occurs. A behavioral emergency report shall immediately be completed and maintained in the file of the individual with exceptional needs. The behavioral emergency report shall include all of the following:*
  - 1) *The name and age of the individual with exceptional needs*
  - 2) *The setting and location of the incident*
  - 3) *The name of the school staff or other persons involved*
  - 4) *A description of the incident and the emergency intervention used, and whether the individual with exceptional needs is currently engaged in any systematic behavioral intervention plan.*
  - 5) *Details of any injuries sustained by the individual with exceptional needs, or others, including staff, as a result of the incident.*
- (f) *All behavioral emergency reports shall immediately be forwarded to, and reviewed by, a designated responsible administrator.*
- (g) *If a behavioral emergency report is written regarding an individual with exceptional needs who does not have a behavioral intervention plan, the designated*

*responsible administrator shall, within two days, schedule an individualized education program (IEP) team meeting to review the emergency report, and to determine the necessity of an interim plan. The IEP team shall document the reasons for not conducting the functional behavioral assessment, not developing an interim plan, or both.*

- (h) If a behavioral emergency report is written regarding an individual with exceptional needs who has a positive behavioral intervention plan, an incident involving a previously unseen serious behavior problem, or where a previously designed intervention is ineffective, shall be referred to the IEP team to review and determine if the incident constitutes a need to modify the positive behavioral intervention plan.*

An individual who applies physical restraint shall use only techniques in which he/she has received such training within the preceding two years, as indicated by written evidence of participation in a professionally recognized, research-based program such as Professional Assault Crisis Training (Pro-ACT® or Crisis Prevention and Intervention (CPI).

Trainings with respect to physical restraint, may be provided either by the employer or by an external entity and shall include, but need not be limited to:

- (a) Appropriate procedures for preventing the need for physical restraint, including the deescalating of problematic behavior, relationship-building, and the use of alternatives to restraint;
- (b) A description and identification of dangerous behaviors on the part of children that may indicate the need for physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted;
- (c) The simulated experience of administering and receiving a variety of physical restraint techniques, ranging from minimal physical involvement to very controlling interventions;
- (d) Instruction regarding the effects of physical restraint on the person restrained, including instruction on monitoring physical signs of distress and obtaining medical assistance;
- (e) Instruction regarding documentation and reporting requirements and investigation of injuries and complaints; and
- (f) Demonstration by participants of proficiency in administering physical restraint.

Parents shall be notified within one school day whenever an emergency intervention is used or serious property damage occurs. A BER shall immediately be completed, kept in the child's file, and forwarded to the Administrator of the Charter LEA or designee for review. This report shall include:

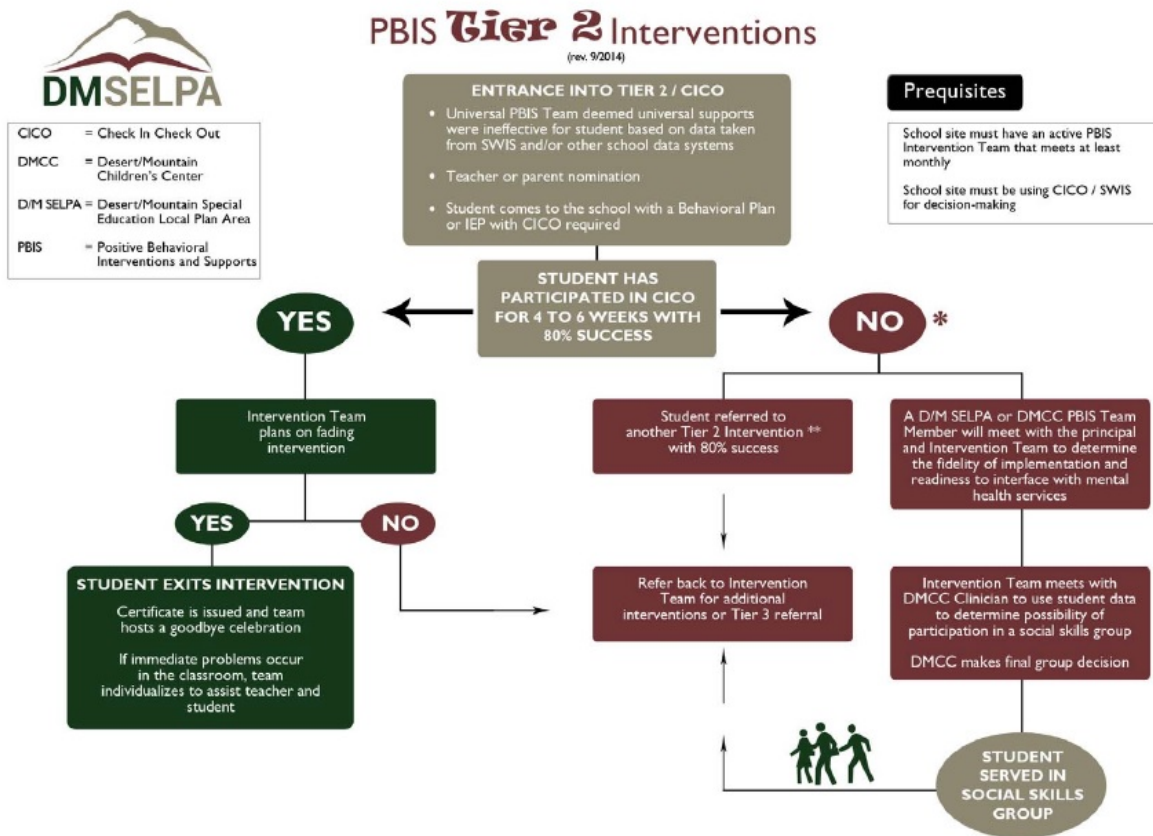
1. The name and age of the child;
2. The setting and location of the incident;

3. The name of the staff or other persons involved;
4. A description of the incident and the emergency intervention used;
5. A statement of whether the child is currently engaged in a systematic behavioral intervention plan; and
6. Details of any injuries sustained by children or others, including staff, as a result of the incident.

To ensure that these responsibilities are carried out in a professional and consistent manner, Charter LEA staff who work with children who demonstrate the potential for violent or dangerous behavior are required to become certified in CPI or Pro-ACT®. CPI and Pro-ACT® emphasize the prevention of serious behavior where least restrictive approaches such as non-verbal, para-verbal, and verbal communication are utilized first. Second, as necessary, staff may use personal safety techniques of evasion to get out of holds. Finally, and only as a last resort, physical restraint may be utilized by trained personnel, emphasizing a team-approach. Other personnel available must ensure that the child who exhibits serious behavior is kept safe as well as other children and staff members within the vicinity.

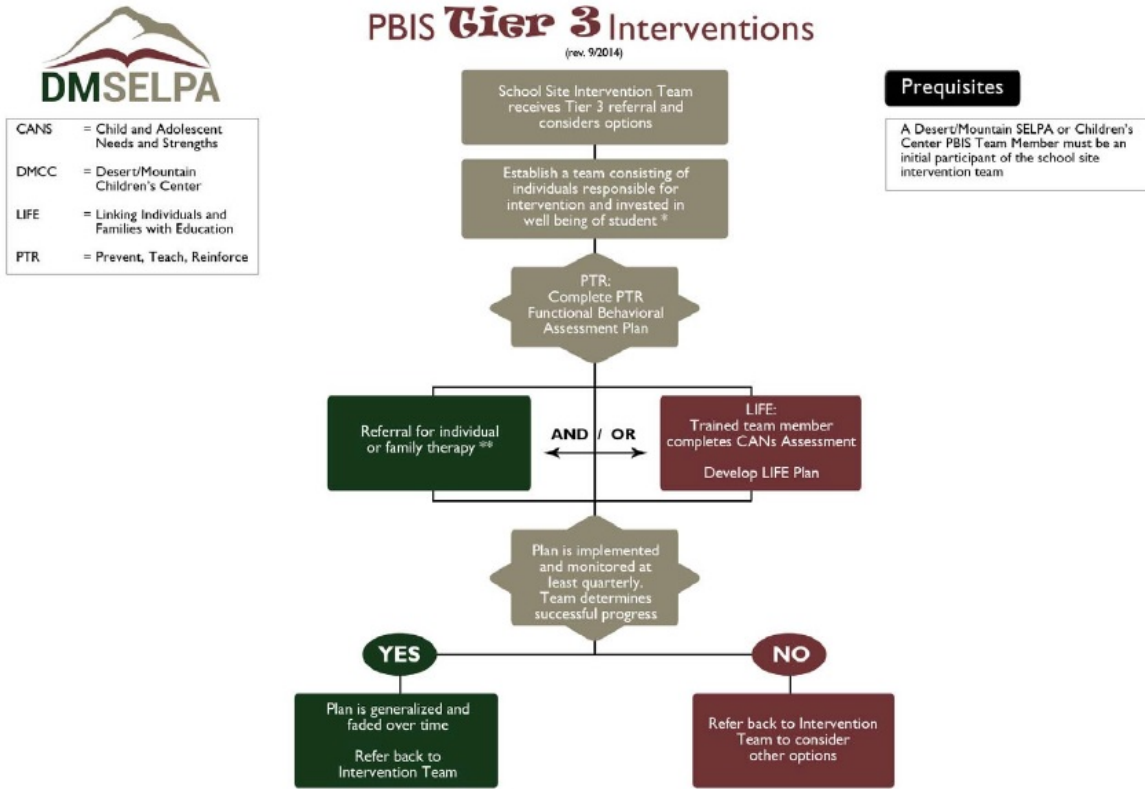
END SECTION TEXT

# APPENDIX A: PBIS Tier II Interventions Flow Chart



\* If student is on an IEP, develop a behavioral goal or at the very least interventions should be listed on IEP NOTES page  
 \*\* i.e.: Check and Connect, social skills/academic groups, Breaks are Better, Why Try, etc.

# APPENDIX B: PBIS Tier III Interventions Flow Chart



\* If the student is in special education, any change in programs or services need to be documented on an IEP or Addendum form  
 \*\* DMCC individual or family therapy is available at all three Tiers based on student needs



# APPENDIX C: Form D/M 156 – Functional Behavioral Assessment (FBA) Summary

DESERT/MOUNTAIN SPECIAL EDUCATION LOCAL PLAN AREA  
 DESERT/MOUNTAIN CHARTER SPECIAL EDUCATION LOCAL PLAN AREA  
 17800 HIGHWAY 18 • APPLE VALLEY, CA 92307  
 (760) 552-6700 • (760) 242-5363 FAX



## Functional Behavioral Assessment (FBA) Summary

### STUDENT INFORMATION

Student Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Grade: \_\_\_\_\_ Gender:  Male  Female  
 School Site: \_\_\_\_\_ District of Residence: \_\_\_\_\_

### REASON FOR REFERRAL

- Positive behavioral intervention support only - no manifestation meeting conducted - student has less than 10 days or no removals/suspension(s)  
 Positive behavioral intervention support only - removals/suspensions are not a manifestation of the disability  
 Removals/suspensions are a manifestation of the disability (after 10 *consecutive* days of suspension)  
 Removals/suspensions are a manifestation of the disability and constitute a pattern (after 10 *cumulative* days of suspension)

### FBA SUMMARY

Today's date: \_\_\_\_\_  
 Date signed assessment plan received by district/county: \_\_\_\_\_  
 Date(s) functional behavioral assessment (FBA) was conducted: \_\_\_\_\_  
 Name of individual conducting the FBA: \_\_\_\_\_

**1. Records reviewed:**

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Assistive Technology Report(s)       | <input type="checkbox"/> Medical Report(s)              | <input type="checkbox"/> Speech and Language Report(s) |
| <input type="checkbox"/> Behavioral Intervention Plans (BIPs) | <input type="checkbox"/> Nonpublic Agency Report(s)     | <input type="checkbox"/> Teacher's Notes               |
| <input type="checkbox"/> Diagnostic Center Report(s)          | <input type="checkbox"/> Occupational Therapy Report(s) | <input type="checkbox"/> Other: _____                  |
| <input type="checkbox"/> Discipline Report(s)                 | <input type="checkbox"/> Physical Therapy Report(s)     | <input type="checkbox"/> Other: _____                  |
| <input type="checkbox"/> Health Report(s)                     | <input type="checkbox"/> Psych Report(s)                | <input type="checkbox"/> Other: _____                  |
| <input type="checkbox"/> IEP(s)                               | <input type="checkbox"/> Report Card(s)                 | <input type="checkbox"/> Other: _____                  |

**2. Interviews conducted with:**

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Teacher(s)                 | <input type="checkbox"/> Parent(s)                  | <input type="checkbox"/> Paraprofessional(s)    |
| <input type="checkbox"/> Physician(s)               | <input type="checkbox"/> Administrator(s)           | <input type="checkbox"/> School Psychologist(s) |
| <input type="checkbox"/> Related Services Personnel | <input type="checkbox"/> Office/Campus Personnel    | <input type="checkbox"/> Bus Driver(s)          |
| <input type="checkbox"/> School Counselor(s)        | <input type="checkbox"/> Mental Health Counselor(s) | <input type="checkbox"/> Other: _____           |
| <input type="checkbox"/> Other: _____               | <input type="checkbox"/> Other: _____               | <input type="checkbox"/> Other: _____           |

**3. Challenging behaviors:** *(Clearly define and include frequency, duration, and intensity of behaviors.)* \_\_\_\_\_

**4. Data collection methods:** \_\_\_\_\_

**5. Environmental/ecological problems affecting behavior in the classroom, on campus, and on the bus:** *(What needs to be changed?)* \_\_\_\_\_

**6. Identified antecedents:** *(What happens right before the behavior occurs?)* \_\_\_\_\_

**7. Identified consequences:** *(What happens right after the behavior occurs?)* \_\_\_\_\_

**8. Hypothesized function:**

- Getting *OR*  Avoiding/Escaping:  Attention  Sensory  Tangible  
 Other: \_\_\_\_\_  Other: \_\_\_\_\_

**9. Identified reinforcers:** \_\_\_\_\_

**10. Level of additional intervention needed as support:**

- Check In/Check Out  Contracts  Reinforcement Systems  Prevent/Teach/Reinforce (PTR)  
 Behavioral Goal(s)  Other: \_\_\_\_\_  Other: \_\_\_\_\_  
 Behavioral Intervention Plan (BIP) *Projected team meeting date to create BIP:* \_\_\_\_\_

*FBA-Disciplinary Context, Summary Report, Diana Browning Wright, with input from Teri Ede, PENT CADRE member, 2006. Adapted with permission.*

# APPENDIX D: Form D/M 136 – Behavior Intervention Plan (BIP) Level I

Page 1

DESERT/MOUNTAIN SPECIAL EDUCATION LOCAL PLAN AREA  
 DESERT/MOUNTAIN CHARTER SPECIAL EDUCATION LOCAL PLAN AREA  
 17800 HIGHWAY 18 • APPLE VALLEY, CA 92307  
 (760) 552-6700 • (760) 242-5363 FAX



## Behavioral Intervention Plan (BIP) Level I

*For behavior interfering with student's learning or the learning of his/her peers*

Complete BIP Level I for Early-Stage Behaviors (refusal, profanity, off task, etc.) or as an *INTERIM* plan for behaviors serious in nature. A BIP Level II is recommended for Moderate, Serious, or Extreme Behaviors, or after a Functional Behavioral Assessment (FBA) has been completed.

This BIP attaches to:  IEP Date: \_\_\_\_\_  Team Meeting Date: \_\_\_\_\_  
 Student Name: \_\_\_\_\_ Today's Date: \_\_\_\_\_ Next Review Date: \_\_\_\_\_

<b>A</b>	<b>BEHAVIOR</b>	<p><b>Describe the behavior impeding learning:</b> <i>(undesired behavior must be observable/measurable.)</i></p> <p><input type="checkbox"/> Frequency: <i>(How often?)</i>                      <input type="checkbox"/> Intensity: <i>(How strong?)</i>                      <input type="checkbox"/> Duration: <i>(How long?)</i></p>																																																																																															
<b>B</b>	<b>ANTECEDENTS</b>	<p><b>MARK THE BOX(ES) TO DESCRIBE WHAT SPECIFIC EVENT OR ACTIVITIES OCCURRED BEFORE THE UNDESIRABLE BEHAVIOR</b></p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="background-color: #800000; color: white; padding: 2px;"><b>Time</b></td> <td><input type="checkbox"/> Time of day</td> <td><input type="checkbox"/> Unstructured time</td> <td><input type="checkbox"/> Transition between locations/activities</td> </tr> <tr> <td style="background-color: #800000; color: white; padding: 2px;"><b>Space</b></td> <td><input type="checkbox"/> Room arrangement</td> <td><input type="checkbox"/> Seating arrangement</td> <td><input type="checkbox"/> Events from other environments</td> </tr> <tr> <td style="background-color: #800000; color: white; padding: 2px;"><b>Material</b></td> <td><input type="checkbox"/> Long delays</td> <td><input type="checkbox"/> Room conditions <i>(noise level, lighting, temperature)</i></td> <td></td> </tr> <tr> <td style="background-color: #800000; color: white; padding: 2px;"><b>Interaction</b></td> <td><input type="checkbox"/> New task/activity</td> <td><input type="checkbox"/> Activity/item denied (told "no")</td> <td><input type="checkbox"/> Given direction/task/activity</td> </tr> <tr> <td></td> <td><input type="checkbox"/> Over/under stimulation</td> <td><input type="checkbox"/> Preferred activity interrupted</td> <td><input type="checkbox"/> Work level higher than student's ability</td> </tr> <tr> <td></td> <td><input type="checkbox"/> Peer conflict</td> <td><input type="checkbox"/> Given assistance/correction</td> <td><input type="checkbox"/> Consequences not clear to student</td> </tr> <tr> <td></td> <td><input type="checkbox"/> Asked to wait</td> <td><input type="checkbox"/> Activity/item denied (told "no")</td> <td><input type="checkbox"/> Interactions <i>(adult and/or peers)</i></td> </tr> <tr> <td></td> <td><input type="checkbox"/> Verbal directive</td> <td><input type="checkbox"/> Lack of freedom, choice of desirable activities, friends</td> <td></td> </tr> </table> <p><b>Describe in detail what triggers the undesired behavior based on the antecedent(s) selected above:</b></p>	<b>Time</b>	<input type="checkbox"/> Time of day	<input type="checkbox"/> Unstructured time	<input type="checkbox"/> Transition between locations/activities	<b>Space</b>	<input type="checkbox"/> Room arrangement	<input type="checkbox"/> Seating arrangement	<input type="checkbox"/> Events from other environments	<b>Material</b>	<input type="checkbox"/> Long delays	<input type="checkbox"/> Room conditions <i>(noise level, lighting, temperature)</i>		<b>Interaction</b>	<input type="checkbox"/> New task/activity	<input type="checkbox"/> Activity/item denied (told "no")	<input type="checkbox"/> Given direction/task/activity		<input type="checkbox"/> Over/under stimulation	<input type="checkbox"/> Preferred activity interrupted	<input type="checkbox"/> Work level higher than student's ability		<input type="checkbox"/> Peer conflict	<input type="checkbox"/> Given assistance/correction	<input type="checkbox"/> Consequences not clear to student		<input type="checkbox"/> Asked to wait	<input type="checkbox"/> Activity/item denied (told "no")	<input type="checkbox"/> Interactions <i>(adult and/or peers)</i>		<input type="checkbox"/> Verbal directive	<input type="checkbox"/> Lack of freedom, choice of desirable activities, friends																																																																
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<b>C</b>	<b>CONSEQUENCES</b>	<p><b>What typically happens immediately after the undesired behavior occurs, who does what, where does the student go?</b> <i>(e.g., reprimand, removed from class, moved seats, teacher proximity, etc.) (e.g., when the teacher presents a difficult task; the student uses disrespectful language, which results in the student avoiding the task.)</i></p>																																																																																															
<b>D</b>	<b>PROACTIVE ENVIRONMENTAL STRATEGIES</b>	<p><b>BASED ON THE ANTECEDENT(S) SELECTED ABOVE, MARK ALL THE PROACTIVE ENVIRONMENTAL STRATEGIES</b></p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="background-color: #800000; color: white; padding: 2px;"><b>Time</b></td> <td><input type="checkbox"/> Provide a break</td> <td><input type="checkbox"/> Precision requests</td> <td><input type="checkbox"/> Give less time on tasks</td> <td><input type="checkbox"/> Chunking</td> </tr> <tr> <td></td> <td><input type="checkbox"/> Signal transition</td> <td><input type="checkbox"/> Give more time on tasks</td> <td><input type="checkbox"/> Clear/consistent routine</td> <td><input type="checkbox"/> Offer choices</td> </tr> <tr> <td></td> <td><input type="checkbox"/> Schedule adjustment</td> <td><input type="checkbox"/> Structured daily schedule</td> <td><input type="checkbox"/> Teach a closure system to know when he/she is done</td> <td></td> </tr> <tr> <td></td> <td><input type="checkbox"/> Other: _____</td> <td></td> <td></td> <td></td> </tr> <tr> <td style="background-color: #800000; 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**Behavior Intervention Plan Level I**

Student Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Page 2

<b>E</b>	FUNCTION OF BEHAVIOR	<p><b>MARK THE APPROPRIATE BOX(ES) TO IDENTIFY THE PURPOSE OF SPECIFIC BEHAVIOR FOR EACH AREA BELOW</b></p> <p><b>To get</b>    <input type="checkbox"/> Attention (peer/staff)    <input type="checkbox"/> Sensory input    <input type="checkbox"/> Tangible (desired activity)</p> <p><b>To avoid/escape</b>    <input type="checkbox"/> Attention (peer/staff)    <input type="checkbox"/> Sensory input    <input type="checkbox"/> Tangible (undesired activity)</p> <p style="text-align: center;"><i>Click <a href="#">HERE</a> for more function resources.</i></p> <p><b>Describe why the team believes the undesired behavior occurs:</b> (i.e., student engages in the undesired behavior to get _____ OR student engages in the undesired behavior to avoid/escape _____).</p>												
<b>F</b>	FUNCTIONALLY EQUIVALENT REPLACEMENT BEHAVIOR	<p><b>MARK THE APPROPRIATE BOX(ES) TO PROMOTE APPROPRIATE REPLACEMENT BEHAVIOR THAT SERVES THE SAME FUNCTION AS CURRENT BEHAVIOR</b></p> <p><b>To get</b>    <input type="checkbox"/> Ask to help the teacher    <input type="checkbox"/> Ask to show completed work    <input type="checkbox"/> Write out feelings</p> <p><input type="checkbox"/> Ask to work with a peer    <input type="checkbox"/> Request to talk about feelings with an adult    <input type="checkbox"/> Develop a plan to earn item</p> <p><input type="checkbox"/> Negotiate a plan with teacher to get item back at a more appropriate time</p> <p><input type="checkbox"/> Use words, cards, pictures, or signals to let the teacher know</p> <p><input type="checkbox"/> Refer to a visual schedule to know when it is his/her turn    <input type="checkbox"/> Other: _____</p> <p><b>To avoid/escape</b>    <input type="checkbox"/> Request teacher's help    <input type="checkbox"/> Request to work on an alternate assignment    <input type="checkbox"/> Ask for a break</p> <p><input type="checkbox"/> Use words, cards, pictures, or signals to let the teacher know    <input type="checkbox"/> Other: _____</p> <p><b>Describe replacement behavior/positive behavior:</b> (insert in boxes below to form a goal in the IEP) (How can the student get or escape in a more appropriate way?)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">By when</th> <th style="width: 15%;">Who</th> <th style="width: 20%;">Will do X behavior</th> <th style="width: 20%;">Under what conditions</th> <th style="width: 15%;">At what level of accuracy</th> <th style="width: 15%;">As measured how and by whom</th> </tr> </thead> <tbody> <tr> <td>By annual IEP date</td> <td>Student name</td> <td>Insert selection from section F</td> <td>When given/presented with</td> <td>In ___ out of ___ opportunities over a ___ month period</td> <td>How long, how well, for what period of time? (at least two methods of data collection)</td> </tr> </tbody> </table>	By when	Who	Will do X behavior	Under what conditions	At what level of accuracy	As measured how and by whom	By annual IEP date	Student name	Insert selection from section F	When given/presented with	In ___ out of ___ opportunities over a ___ month period	How long, how well, for what period of time? (at least two methods of data collection)
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<b>H</b>	REINFORCEMENT	<p><b>MARK APPLICABLE POSITIVE BEHAVIOR REINFORCEMENTS</b></p> <p><b>Physical</b>    <input type="checkbox"/> Handshakes    <input type="checkbox"/> High fives    <input type="checkbox"/> Smiles    <input type="checkbox"/> Other: _____</p> <p><b>Verbal</b>    <input type="checkbox"/> Peer recognition    <input type="checkbox"/> Recognition of student's strengths &amp; talents    <input type="checkbox"/> Use of specific praises</p> <p><input type="checkbox"/> Other: _____</p> <p><b>Tangibles</b>    <input type="checkbox"/> Certificate    <input type="checkbox"/> Positive phone calls or notes    <input type="checkbox"/> Positive coupons</p> <p><input type="checkbox"/> Preferred activity    <input type="checkbox"/> Other: _____</p> <p><b>Value System</b>    <input type="checkbox"/> Points    <input type="checkbox"/> Tokens    <input type="checkbox"/> Other: _____</p> <p><b>Privileges</b>    <input type="checkbox"/> Listen to music    <input type="checkbox"/> Free time    <input type="checkbox"/> Exempt assignment    <input type="checkbox"/> Time on the computer</p> <p><input type="checkbox"/> Seating location    <input type="checkbox"/> Extra test points    <input type="checkbox"/> Other: <i>Click <a href="#">HERE</a> for more reinforcement resources.</i></p> <p><input type="checkbox"/> Preferred activity (describe): _____</p>												
<b>I</b>	CRISIS PLAN	<p><b>Indicate the next steps in case the undesired behavior continues or escalates. State how the staff will redirect the undesired behavior and/or maintain the safety of everyone. If the interventions in Level I do not work, the team should collect data and convene a meeting to consider modifications or construction of a BIP Level II. CPI or ProACT should be utilized in terms of prevention, evasion, and physical intervention.</b></p>												
<b>J</b>	COMMUNICATION	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top;"> <p><b>HOW WILL BEHAVIOR CHANGE BE MEASURED?</b></p> <p><input type="checkbox"/> Behavioral logs: _____</p> <p><input type="checkbox"/> Daily charting: _____</p> <p><input type="checkbox"/> Daily reporting: _____</p> <p><input type="checkbox"/> Weekly reports: _____</p> <p><input type="checkbox"/> Implementation Sheet</p> <p><input type="checkbox"/> Other: <i>Click <a href="#">HERE</a> for more Measurement and Communication Resources.</i></p> <p>By whom? _____</p> </td> <td style="width: 50%; vertical-align: top;"> <p><b>MANNER AND CONTENT OF COMMUNICATION</b></p> <p><input type="checkbox"/> Phone calls: _____</p> <p><input type="checkbox"/> E-mail: _____</p> <p><input type="checkbox"/> Other: _____</p> <p><input type="checkbox"/> Other: _____</p> <p>By whom? _____</p> <p>To whom? _____</p> <p>How often? _____</p> </td> </tr> </table>	<p><b>HOW WILL BEHAVIOR CHANGE BE MEASURED?</b></p> <p><input type="checkbox"/> Behavioral logs: _____</p> <p><input type="checkbox"/> Daily charting: _____</p> <p><input type="checkbox"/> Daily reporting: _____</p> <p><input type="checkbox"/> Weekly reports: _____</p> <p><input type="checkbox"/> Implementation Sheet</p> <p><input type="checkbox"/> Other: <i>Click <a href="#">HERE</a> for more Measurement and Communication Resources.</i></p> <p>By whom? _____</p>	<p><b>MANNER AND CONTENT OF COMMUNICATION</b></p> <p><input type="checkbox"/> Phone calls: _____</p> <p><input type="checkbox"/> E-mail: _____</p> <p><input type="checkbox"/> Other: _____</p> <p><input type="checkbox"/> Other: _____</p> <p>By whom? _____</p> <p>To whom? _____</p> <p>How often? _____</p>										
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		<p><b>PARTICIPANTS IN PLAN DEVELOPMENT</b></p> <p>Participant: _____ Participant: _____ Participant: _____</p> <p>Participant: _____ Participant: _____ Participant: _____</p> <p>Participant: _____ Participant: _____ Participant: _____</p>												

# APPENDIX E: D/M Form 137 – Behavior Intervention Plan (BIP) Level II

Page 1

DESERT MOUNTAIN SPECIAL EDUCATION LOCAL PLAN AREA  
 DESERT MOUNTAIN CHARTER SPECIAL EDUCATION LOCAL PLAN AREA  
 17800 HIGHWAY 18 • APPLE VALLEY, CA 92307  
 (760) 552-6700 • (760) 242-5363 FAX



## Behavioral Intervention Plan (BIP) Level II

*For behavior interfering with student's learning or the learning of his/her peers*

Complete BIP Level II for Moderate, Serious, or Extreme Behaviors, or after a Functional Behavioral Assessment (FBA) has been completed.

This BIP attaches to:  IEP Date: \_\_\_\_\_  Team Meeting Date: \_\_\_\_\_  
 Student Name: \_\_\_\_\_ Today's Date: \_\_\_\_\_ Next Review Date: \_\_\_\_\_

1. The behavior impeding learning is: *(Describe what it looks like.)*
  
2. It impedes learning because:
  
3. The need for a Behavioral Intervention Plan:  Moderate  Serious  Extreme
4. The frequency/intensity/duration of behavior:

Reported by: \_\_\_\_\_ and/or  Observed by: \_\_\_\_\_

### PREVENTION PART I: ENVIRONMENTAL FACTORS AND NECESSARY CHANGES

<b>OBSERVATION &amp; ANALYSIS</b>	<p>5. Indicate the predictors for the behavior: <i>(List situations in which the behavior is likely to occur: physical setting, social setting, instructional strategies, curriculum and activities, scheduling factors, degree of independence, degree of participation, social interaction, degree of choice.)</i></p> <p>6. Indicate what supports the student using the undesired behavior: <i>(List what is missing in the environment and curriculum, or what is in the environment and curriculum that needs changing: physical setting, social setting, instructional strategies, curriculum and activities, scheduling factors, degree of independence, degree of participation, social interaction, degree of choice.)</i></p>
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### REMOVE STUDENT'S NEED TO USE THE UNDESIRE BEHAVIOR

<b>INTERVENTION</b>	<p>7. Indicate the environmental changes, structure, and supports necessary to remove the student's need to use this behavior: <i>(List changes in physical setting, social setting, instructional strategies, curriculum and activities, scheduling factors, degree of independence, degree of participation, social interaction, degree of choice to remove the likelihood of behavior.) Notate environmental strategies on form DM68D.</i></p> <p>Who will establish? _____ Who will monitor? _____ Frequency? _____</p>
---------------------	--

D/M 137 Rev. 04/16

*Behavioral Intervention Plan, Diana Browning Wright, PENT, 2013. Adapted with permission.*

Page \_\_\_\_ of \_\_\_\_

Behavior Intervention Plan Level II

Student Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

**ALTERNATIVES PART II: FUNCTIONAL FACTORS AND NEW BEHAVIORS TO TEACH AND SUPPORT**

**OBSERVATION & ANALYSIS**

8. The team believes the behavior occurs because: *(State the function of behavior in terms of getting or avoiding/escaping something.)*

**ACCEPT A REPLACEMENT BEHAVIOR THAT MEETS SAME NEED**

9. The team believes the student should do the following instead of the undesired behavior: *(List how the student should get or avoid/escape to get his/her need met in an acceptable way.)*

**INTERVENTION**

10. The teaching strategies, curriculum, or materials needed: *(List successive teaching steps for students to learn replacement behaviors.)*

Who will establish? \_\_\_\_\_ Who will monitor? \_\_\_\_\_ Frequency? \_\_\_\_\_

11. Indicate the reinforcement procedures to use for establishing, maintaining, and generalizing the replacement behavior(s):

Selection of reinforcers based on: \_\_\_\_\_

Reinforcer: for using replacement behavior  
By whom? \_\_\_\_\_

Reinforcers for general increase in positive behaviors  
Frequency? \_\_\_\_\_

Behavior Intervention Plan Level II

Student Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

**EFFECTIVE REACTION PART III: REACTIVE STRATEGIES**

EFFECTIVE REACTION PART III: REACTIVE STRATEGIES

12. The strategies that will be employed if the undesired behavior occurs again:

a. Prompt student to switch to the replacement behavior:

Who will establish? \_\_\_\_\_ Who will monitor? \_\_\_\_\_ Frequency? \_\_\_\_\_

b. Describe how staff should handle the situation if the undesired behavior continues to occur and/or escalate:

Who will establish? \_\_\_\_\_ Who will monitor? \_\_\_\_\_ Frequency? \_\_\_\_\_

c. Positive discussions with student after behavior ends:


Who will establish? \_\_\_\_\_ Who will monitor? \_\_\_\_\_ Frequency? \_\_\_\_\_

**\*OPTIONAL**

d. \*Any necessary further classroom or school consequences:

Who will establish? \_\_\_\_\_ Who will monitor? \_\_\_\_\_ Frequency? \_\_\_\_\_

# APPENDIX F: Form D/M 114 – Behavioral Emergency Report (BER)

	
<b>DESERT/MOUNTAIN SPECIAL EDUCATION LOCAL PLAN AREA</b> <b>DESERT/MOUNTAIN CHARTER SPECIAL EDUCATION LOCAL PLAN AREA</b> 17800 HIGHWAY 18 • APPLE VALLEY, CA 92307 (760) 552-6700 • (760) 242-5363 FAX	
<b>Behavioral Emergency Report (BER)</b>	
<p><b>DIRECTIONS:</b> Review/complete the information below and mark the appropriate box. Forward the completed Behavioral Emergency Report (BER) to the site administrator and to the director of special education for review. The director of special education will forward the information to SELPA (Attn: MIS Support Analyst). Please note that a BER <u>must</u> be completed immediately whenever an emergency intervention is used (such as a Pro-ACT®/CPI approved behavioral restraint/seclusion) or serious property damage occurs. The parent(s)/guardian(s) and residential care provider, if applicable, must be notified of the incident within one school day.</p> <p><i>(NOTE: The existing law requires the IEP team to consider the use of positive behavioral interventions and supports to address behaviors that impede the learning of the child and others. U.S.C. 1414(a)(2)(B)(i) and EC 56521.2)</i></p>	
<input type="checkbox"/> If the student <u>does not have a behavioral plan</u> (Behavioral Intervention Plan - BIP): If a behavioral emergency report is written regarding an individual with exceptional needs who does not have a behavioral intervention plan, the designated responsible administrator shall, within two days, schedule an individualized education program (IEP) team meeting to review the emergency report, to determine the necessity for a functional behavioral assessment, and to determine the necessity for an interim plan. The IEP team shall document the reasons for not conducting the functional behavioral assessment, not developing an interim plan, or both. <i>EC 56521.1(g)</i>	
<input type="checkbox"/> If the student <u>has a behavioral intervention plan</u> (BIP): If a behavioral emergency report is written regarding an individual with exceptional needs who has a positive behavioral intervention plan, an incident involving a previously unseen serious behavior problem, or where a previously designed intervention is ineffective, shall be referred to the IEP team to review and determine if the incident constitutes a need to modify the positive behavioral intervention plan. <i>EC 56521.1(h)</i>	
Student Name:	Age: Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female
Race/Ethnicity:	LEA of Attendance: LEA of Residence:
Date of Incident:	Time of Incident: Setting and Location of Incident:
Describe the incident: <i>(including, in specific terms, the triggers of the challenging behavior, the types of non-verbal, verbal, and/or physical (behavioral restraint and/or seclusion) interventions that were used by team members from least to most restrictive, and student and staff debriefing)</i>	
Explain the details of injuries sustained by the student(s) and staff.	
Explain any serious property damage that was sustained during the incident <i>(ex: school wall graffiti, broken windows/furniture, damage to walls or personal property of others):</i>	
IEP meeting scheduled:	Date: Time:
Report completed by:	Title/Position:
<b>A copy of the Behavioral Emergency Report was provided to the following:</b>	
<input type="checkbox"/> Site Administrator	Date/Time: <input type="checkbox"/> phone <input type="checkbox"/> fax <input type="checkbox"/> e-mail <input type="checkbox"/> other:
<input type="checkbox"/> Parent/Guardian (within 1 school day)	Date/Time: <input type="checkbox"/> phone <input type="checkbox"/> fax <input type="checkbox"/> e-mail <input type="checkbox"/> other:
<input type="checkbox"/> Special Education Director	Date/Time: <input type="checkbox"/> phone <input type="checkbox"/> fax <input type="checkbox"/> e-mail <input type="checkbox"/> other:
<input type="checkbox"/> SELPA	Date/Time: <input type="checkbox"/> phone <input type="checkbox"/> fax <input type="checkbox"/> e-mail <input type="checkbox"/> other: