

SYLVAN HEIGHTS  
SCIENCE CHARTER SCHOOL

SECTION:  
TITLE: BEHAVIOR SUPPORT  
ADOPTED: 11/16/2011  
REVISED: 2/26/2018

<p>1. Purpose</p> <p>2. Authority</p> <p>Title22</p> <p>Sec. 14.133</p> <p>20 U.S.C.</p> <p>Sec. 1400 et seq</p> <p>34 CFR Part 300</p> <p>3. Definitions</p> <p>Title 22</p> <p>Sec. 14.133</p> <p>Title 22</p> <p>Sec. 14.133</p>	<p style="text-align: center;"><b>113.2 BEHAVIOR SUPPORT</b></p> <p>The Board of Trustees and school faculty believe in the use of positive behavior support techniques.</p> <p>This policy is designed to enable students with disabilities who need a Behavior Support Program to obtain a Free Appropriate Public Education (FAPE) within the Least Restrictive Environment (LRE), who shall only be placed in settings other than the regular education class when the nature or severity of the student’s disability is such that education in the regular education class with the use of appropriate supplementary aids and services cannot be achieved satisfactorily, in accordance with the Individuals with Disabilities Education Act (IDEA) and its accompanying regulations, and Pennsylvania’s regulations (22PA Code Chapter 14).</p> <p>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><b>Aversive Techniques</b> – deliberate activities designed to establish a negative association with a specific behavior (punishments).</p> <p><b>Behavior Support</b> – the development, change and maintenance of selected behaviors through the systematic application of behavior change techniques.</p> <p><b>Positive Behavior Support Plan</b> – a plan for students with disabilities who require specific intervention to address behavior that interferes with learning. A Positive Behavior Support Plan (PBSP) shall be developed by the Individualized Education Plan (IEP) team, be based on a Functional Behavior Assessment (FBA), and become part of the individual student’s IEP. These plans must include</p>
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<p>Title 22 Sec. 14.133</p>	<p>methods that use positive reinforcement and other positive techniques and related services to assist a student with a disability to benefit from special education.</p> <p><b>Restraints</b> – the application of physical force, with or without use of any device, designed to restrain free movement of a student’s body. The term does not include guiding a student to an appropriate activity; hand-over-hand instruction, ; hand or arm holding to guide the student to or from a place or activity, and brief physical calming or comforting of the student. . The term 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 for therapy or medical treatment as agreed to by the parent(s)/guardians(s)and specified in the student’s IEP. The term also does not include mechanical restraints governed by this policy, such as devices used for physical or occupational therapy, seatbelts in wheelchairs or on toilets used for balance and safety, safety harnesses in buses, and functional positioning devices.</p> <p><b>Seclusion</b> – confinement of a student in an unlocked room with or without staff supervision, in order to provide a safe environment to allow the student to regain self-control.</p> <p>The Principal/CAO and/or his/her designee(s) is authorized to carry out requirements of this policy and is responsible for ensuring that this policy is implemented in compliance with the 22 PA Code Chapter 14 and IDEA and its implementing regulations. The Principal/CAO and/or his/her designee(s) shall develop procedures to implement this policy and appropriate behavior support activities.</p>
<p>Delegation of Responsibility</p> <p>Title 22 Sec. 14.133</p>	<p>The Principal and/or designee shall have responsibility for:</p> <ol style="list-style-type: none"> <li>1. Ensuring that positive behavior supports used in school programs are in accordance with applicable statutory and regulatory requirements, including personnel training for specific procedures, methods, and techniques of behavior support.</li> </ol>

<p>Title 22 Sec. 14.133</p>	<p>2. Obtaining parental consent prior to the use of intrusive procedures as defined by subsection (c) of 22 Pa Code 14.33 and restraints as part of the student’s IEP.</p> <p>Positive, rather than negative, measures shall form the basis of behavior support programs to 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</p> <p>The use of restraints is considered a measure of last resort, only to be used after other less restrictive measures, including de-escalation techniques.</p> <p><u>Restraints</u></p>
<p>Title 22 Sec. 14.133</p>	<p>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 him/herself, to other students or employees, and only when less restrictive measures and techniques have proven to be or are less effective. The use of restraints to control aggressive behavior of an individual student shall cause a meeting of the IEP team within ten (10) days of the use of restraints, unless the parent/guardian, after written notice, agrees in writing to waive the meeting. At this meeting, the IEP team shall consider whether the student needs a functional behavior assessment, re-evaluation, or a new or revised positive behavior support plan, or a change of placement to address inappropriate behavior.</p>
<p>Title 22 Sec. 14.133</p>	<p>The use of restraints may be specified in the IEP only if the restraint: (i) is used with specific component elements of a PBSP; (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 PBSP includes efforts to eliminate the use of restraints. 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.</p>
<p>Title 22 Sec. 14.133</p>	<p>SHSCS shall maintain and report data on the use of restraints as prescribed by the Secretary of Education of the Pennsylvania Department of Education or other proper authority.</p>

<p>Title 22 Sec. 14.133</p>	<p>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.</p> <p>Seclusion</p> <p>The School permits involuntary seclusion of a student in accordance with the student’s IEP or in an emergency to prevent immediate or imminent injury to the student or others, but the seclusion must be the least restrictive alternative. The School prohibits the seclusion of students in locked rooms, locked boxes and other structures or spaces from which the student cannot readily exit.</p> <p><u>Aversive Techniques</u></p> <p>The following aversive techniques of handling behavior are considered inappropriate and may not be used by the school in educational programs:</p> <ol style="list-style-type: none"><li>1. Corporal punishment.</li><li>2. Punishment for a manifestation of a student’s disability.</li><li>3. Locked rooms, locked boxes or locked structures or spaces from which the student cannot readily exit.</li><li>4. Noxious substances.</li><li>5. Deprivation of basic human rights, such as withholding meals, water, or fresh air.</li><li>6. Suspensions constituting a pattern.</li><li>7. Treatment of a demeaning nature.</li></ol>
<p>Title 22 Sec. 14.133</p>	<ol style="list-style-type: none"><li>8. Electric shock.</li><li>9. Prone restraints (those restraints where a student is held face down on the floor).</li></ol> <p><u>Compliance</u></p> <p>The school shall convene an IEP team meeting whenever a student injures him/herself or others, at which meeting the IEP team shall consider the</p>

Law Enforcement Referrals

The Principal/CAO and his/her designee shall immediately report required incidents (see Student Code of Conduct Policy) and may report discretionary incidents committed on school property, at any school-sponsored activity, or on a conveyance providing transportation to or from a school or school-sponsored activity by a student with a disability, including a student for whom an evaluation is pending, to the local police department that has jurisdiction over the school's property, in accordance with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and the Board policies.

If, as a result of such referral, the student is detained or otherwise placed in a residential setting located outside SHSCS, the Principal/CAO or designee shall ensure that the responsible school or intermediate unit is informed of the need to update the student's FBA and PBSP.

For a student with a disability who does not have a PBPS, subsequent to notification to law enforcement, the SHSCS shall convene the student's IEP team to consider whether a PBSP should be developed to address the student's behavior, in accordance with law, regulations, and Board policy. Subsequent to a referral to law enforcement, for students with disabilities who do have PBSPs, an updated FBA and PBSP shall be required.

References:

State Board of Education Regulations – 22 PA Code Sec. 14.133, 14.145

Individuals with Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq.

Individuals with Disabilities Education, Title 34, Code of Federal Regulations – 34 CFR Part 300

Policy 113, 113.3, 113.4

