

*Positive Behavior Support for Identified Special Education Students*

In compliance with State Board of Education regulations, the following principles shall govern the use of behavior supports and interventions for eligible students as indicated in the student's IEP:

1. Whenever behavior interferes with the learning of a student with disabilities, the IEP team of that student shall consider and shall include in the IEP of the student appropriate positive behavioral interventions, strategies, and supports to address the behavior;
2. A positive behavior support plan shall be developed by the IEP team, be based on a functional behavior assessment, and become part of the individual eligible young child's or student's IEP.
3. Positive reinforcement and other positive techniques rather than negative measures shall form the basis of Behavior Support programs;
4. Behavior Support programs include a variety of techniques to develop and maintain skills that will enhance an individual student's opportunity for learning and self-fulfillment.
5. Positive techniques for the development, change, and maintenance of behaviors shall be the least intrusive necessary and parent consent shall be obtained prior to the use of any restraints or intrusive procedures;

The following words and terms shall have the following meanings, unless the context clearly indicates otherwise:

*Aversive techniques*—Deliberate activities designed to establish a negative association with a specific behavior;

*Behavior support*—The development, change and maintenance of selected behaviors through the systematic application of behavior change techniques;

*Positive behavior support plans*—A plan for students with disabilities and eligible young children who require specific intervention to address behavior that interferes with learning. A positive behavior support plan shall be developed by the IEP team, be based on a functional behavior assessment, and become part of the individual eligible young child's or student's IEP. These plans must include methods that utilize positive reinforcement and other positive techniques to shape a student's or eligible young child's behavior, ranging from the use of positive verbal statements as a reward for good behavior to specific tangible rewards.

*Restraints—*

- (i) The application of physical force, with or without the use of any device, for the purpose of restraining the free movement of a student's or eligible young child's body.
- (ii) The term does not include briefly holding, without force, a student or eligible young child to calm or comfort them, guiding a student or eligible young child to an appropriate activity, or holding a student's or eligible young child's hand to safely escort her from one area to another.
- (iii) The term does not include hand-over-hand assistance with feeding or task completion and techniques prescribed by a qualified medical professional for reasons of safety or for therapeutic or medical treatment, as agreed to by the student's or eligible young child's parents and specified in the IEP.

The use of restraints is considered a measure of last resort, only to be used after other less restrictive measures, including de-escalation techniques.

Restraints to control acute or episodic aggressive or self-injurious behavior may be used only when the student is acting in a manner as to be a clear and present danger to themselves, to other students or to employees, and only when less restrictive measures and techniques have proven to be or are less effective.

The use of restraints to control the aggressive behavior of an individual student shall cause a meeting of the IEP team within 10 school days of the inappropriate behavior causing the use of restraints in order to review the current IEP for appropriateness and effectiveness, unless the parent, after written notice, agrees in writing to waive the meeting. . 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.

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. Mechanical restraints shall prevent a student from injuring themselves or others or promote normative body positioning and physical functioning.

The use of prone restraints is prohibited in educational programs. Prone restraints are those in which a student or eligible young child is held face down on the floor.

The use of restraints may only be included in a student's IEP when the following conditions apply:

- (i) The restraint is utilized with specific component elements of positive behavior support.
- (ii) The restraint is used in conjunction with the teaching of socially acceptable alternative skills to replace problem behavior.
- (iii) Staff are authorized to use the procedure and have received the staff training required.
- (iv) There is a plan in place for eliminating the use of restraint through the application of positive behavior support.

The following aversive techniques for handling behavior are considered inappropriate and may not be used in educational programs of the District:

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 as defined in Section 14.143(a) of the regulations of the State Board of Education, 22 Pa Code §14.143(a), and any successor regulation;
7. Treatment of a demeaning nature; and
8. Electric shock.

Subsequent to a referral to law enforcement, an updated Functional Behavioral Assessment and positive behavior support plan shall be required for students with disabilities who have positive behavior support plans.

The superintendent or designee shall provide for the regular training and re-training, as needed, of personnel in the use of specific procedures, methods and techniques that those personnel will be expected to employ in the implementation of positive behavior support plans in accordance with the IEP of the student and this Regulation.