



District 62
Use of Behavioral Interventions for
Students Receiving Special Education Services
(August 2021)

Overview

The purpose of this communication is to provide an overview of the use of behavioral interventions for students with disabilities in accordance with the requirements of School Board Policy 7:230, *Misconduct by Students with Disabilities*, which states that “Behavioral interventions shall be used with students with disabilities to promote and strengthen desirable behaviors and reduce identified inappropriate behaviors. The School Board will establish and maintain a committee to develop, implement, and monitor procedures on the use of behavioral interventions for children with disabilities.”

As it relates to the discipline of students with disabilities the same policy states “the District shall comply with the Individuals With Disabilities Education Improvement Act of 2004 and the Illinois State Board of Education’s *Special Education* rules when disciplining special education students. No special education student shall be expelled if the student’s particular act of gross disobedience or misconduct is a manifestation of his or her disability.”

Proactive Behavioral Supports

While positive behavioral intervention approaches alone will not always succeed in managing inappropriate behavior, the use of more restrictive behavior interventions should be used sparingly and approached with caution. In addition, all behavior interventions must incorporate procedures and methods consistent with generally accepted practice in the field of behavioral interventions.

District 62 is committed to providing high-quality care and supports in a respectful, safe environment through the ongoing training of Nonviolent Crisis Intervention® (NVCi), developed by the Crisis Prevention Institute (CPI). NVCi is embraced worldwide as a

highly effective behavior management system and provides a solid foundation to structure prevention and intervention approaches based on a philosophy of providing the best possible *Care, Welfare, Safety, and Security* (SM) for students and staff. District 62 provides annual training using CPI's enhanced content to staff with ongoing supports from certified trainers to ensure safe and quality care. The strategies provide staff with an effective framework for decision making and problem solving to prevent, de-escalate, and safely respond to behavior. Please visit [CPI's website](#) for more information.

In addition to CPI, District 62 utilizes the crisis management technique Ukeru, along with their trauma-informed methodologies. Ukeru is a restraint-free crisis management technique developed for and used by behavioral health caregivers and educators. Ukeru is a technique rooted in the belief that the use of physical restraints and seclusions are unnecessary and unproductive. Ukeru stands true to the belief that all crisis interventions should be built on the ideals of comfort rather than control. With the issued mandates to eliminate restraints and seclusions, Ukeru does not compromise employee or student safety. Please visit the [Ukeru](#) website for additional details.

ISBE Guidance on Use of Time out, Isolated Time out and Physical Restraint

According to *School Board Policy 7:190, Student Behavior*, neither isolated time out, time out, nor physical restraint shall be used to discipline or punish a student. These methods are only authorized for use as permitted in 105 ILCS 5/10-20.33, State Board of Education rules (23 Ill.Admin.Code §§ 1.280, 1.285), and the District's procedure(s).

For more information about when the use of these procedures are permitted, please refer to the guidance document, [Illinois State Board of Education: Permanent Regulations for the Use of Time Out, Isolated Time Out, and Physical Restraint: Guidance and Frequently Asked Questions](#)

Behavioral Interventions Advisory Committee

Public Act 91-0600 requires that each school board must establish and maintain a committee to develop policies and procedures on the use of behavioral interventions for students with disabilities who require behavioral intervention. The district policies shall be developed with the advice of parents of students with disabilities and other parents, teachers, administrators, advocates for persons with disabilities, and individuals with knowledge or expertise in the development and implementation of behavioral interventions for persons with disabilities. Additionally, the committee shall:

1. Establish policies that emphasize positive interventions that are designed to develop and strengthen desirable behaviors.

2. Incorporate procedures and methods consistent with generally accepted practice in the field of behavioral intervention.

3. Include criteria for determining when a student with disabilities may require a behavior intervention plan.

4. Reflect that the guidelines of the State Board of Education have been reviewed and considered and provide the address of the State Board of Education so that copies of the State Board of Education behavioral guidelines may be requested. This should include procedures for monitoring the use of restrictive behavioral interventions.

Components of Behavior Intervention Plan

Each student receiving special education services, who require the use of a restrictive behavioral intervention, will have a written behavior intervention plan developed by the IEP team and documented in the student's IEP. This plan must include the following:

- A summary of the functional analysis or target behaviors
- Interventions attempted previously
- A description of interventions to increase or strengthen more appropriate behaviors, including setting events, positive programming, skill training, reactive strategies, and a crisis plan
- Personnel responsible for implementing the plan
- Data collection procedures and methods for monitoring the plan
- A schedule of ongoing review of the plan's effectiveness

A behavior intervention plan shall be written for students whose behavior significantly disrupts the student's ability, or the ability of other students, to benefit educationally. A behavior intervention plan will also be drafted for any student who receives special education services and (1) is suspended for more than 10 days in a school year, (2) is recommended for expulsion, and/or (3) is referred to a 45-calendar day interim alternative placement. A behavior management plan shall be based on a functional analysis of the student's behavior.

Guidelines for Implementation of Behavioral Procedures

When evaluating an intervention for potential use, the impact of the intervention on the student's physical freedom, social interaction, personal dignity, and privacy will be carefully considered. When monitoring the effectiveness of the behavior intervention plan, IEP team members will make every effort to plan for generalization and maintenance of skills across settings. Interventions will be evaluated by teachers, parents, and other stakeholders involved in the intervention on a regular basis, utilizing baseline data and ongoing progress monitoring. Parent input will be solicited and

parents will be notified of any significant changes to the plan. Thereafter, such changes will be implemented through an IEP meeting.

Emergency Use of Restrictive Interventions

Restrictive interventions may be used in the case of emergency. For the purposes of this policy, “emergency” refers to a situation in which an immediate restrictive intervention is necessary to protect students, other individuals, or the physical site from physical injury, severe emotional abuse due to verbal and nonverbal threats and gestures, severe property damage, and/or serious and continuous disruption of the learning environment. When confronted with an emergency, school personnel will use interventions that are the least intrusive possible to reasonably respond to the situation. The emergency use of restrictive interventions will be documented in writing and the parents or guardians of student will be notified within twenty-four hours. Written notice of the intervention also will be provided to the assistant Superintendent for Student Services and Special Education.

All guidelines for developing behavior intervention plans will be followed by the IEP team and an IEP meeting convened no later than ten days after emergency procedures have commenced.

Protections and Due Process Rights

Parents and/or guardians will have the right to be actively involved in the development of any behavior support plan utilizing restrictive procedures. Also, parents and/or guardians will be provided with copies and/or explanations of the functional analysis conducted and the behavior support plan developed for the student. Parents/guardians will receive written notification of the development of any behavior support plan. Furthermore, documentation will be provided through the IEP process and a copy of the plan will be attached. Under no circumstances will a behavior support plan be implemented without its inclusion in the student’s IEP.

All procedural safeguards, including rights to conflict resolution, mediation, and an impartial due process hearing, as required through the Individuals with Disabilities Education Improvement Act and the Illinois School Code, will be applicable to the resolution of disputes involving behavior intervention plans. If a parent/guardian disagrees with a proposed restrictive behavior intervention or any aspect of the implementation of a restrictive intervention, the District will coordinate with the parent/guardian to attempt resolution of the dispute.

Students must be informed of the existence of the policy and procedures annually. In addition, at each annual review for students with disabilities, the District shall explain the policy and procedures, provide a copy of the policy to parents, and make a copy of the procedures available upon request of the parents. A copy of the ISBE guidelines on behavioral interventions may be requested by contacting:

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