Lake County SELPA Behavioral Emergency Procedures

Serious behavior problem
Behavior is assaultive, self-injurious, causes serious property damage or other pervasive maladaptive behavior.

Behavioral emergency
Behavior Emergency is the demonstration of a serious behavior problem:

1. Which has not previously been observed and for which a behavioral intervention plan has not been developed; or
2. For which a previously designed behavior intervention is not effective.

To be defined as a behavioral emergency, a behavior must pose a clear and present danger of serious physical harm to the student or others or it must pose the threat of serious property damage.

Furthermore, emergency interventions such as physical restraint are necessary to control the behavior and/or to prevent further harm or damage.

The teacher can identify a behavioral emergency by asking the following questions:

1. Is there a threat of serious physical harm to the student, to another student, or to a staff member?
2. Is the possibility of serious physical harm imminent?
3. Are less restrictive alternatives to physical restraint unavailable?

Philosophical guidelines should be considered by teachers/aide in responding to a behavioral emergency
The use of punishing contingencies, including the use of physical force or corporal punishment, is not an accepted practice. It is neither utilized or condoned. At times, however, a student may engage in behavior that presents a potential danger to the physical safety of staff, other students, or to the student himself. In such crisis situations, teachers must be committed to utilizing the least restrictive method that will enable the student to regain self-control. Care is taken to ensure that the safety and welfare of the individuals are protected at all times. It is the responsibility of all educators to provide the best care and safety of students by accurately identifying and responding to the unique behavioral and emotional characteristics of any student in a crisis situation.

Response to a behavioral emergency
To ensure that these responsibilities are carried out in a professional and consistent manner, all BICMS and staff who work with students who demonstrate the potential for violent or dangerous behavior is required to become certified in Crisis, Prevention and Intervention (CPI), or (Pro-ACT), in safe and humane responses to dangerous behaviors. These trainings can be scheduled through the Lake County SELPA.

1. The teacher, or other professional in the vicinity, determines that a behavioral emergency exists per the analysis of an emergency
2. Use only Lake County SELPA approved non-violent crisis intervention procedures (CPI) or(Pro-ACT)
3. Student is made safe per staff judgment
4. Other students and staff are made safe
5. Staff members in crisis situations involving potential physical intervention should request assistance from at least one additional staff member at the earliest possible moment
6. The site administrator is to be informed as soon as possible
7. Students shall not be subjected to verbal abuse, threats, or derogatory remarks under any circumstances
8. Students shall not be subjected to corporal punishment under any circumstances
Limitations/prohibitions the teacher/aide must be aware of when responding to a behavior emergency

1. Locked seclusion, unless it is in a facility otherwise licensed or permitted by state law to use a locked room, is prohibited
2. Staff shall not employ a device or material or objects, which simultaneously immobilizes all four extremities, except that prone containment may be used as an emergency intervention by staff trained in the procedure
3. Staff shall not use an amount of force that exceeds that which is reasonable and necessary under the circumstances
4. The duration and application cannot be longer than is necessary to contain the behavior... Beyond this point, the emergency event would cease and further application would constitute a punishment procedure

**Procedures the teacher should follow**
The technique applied to contain the behavior must have been specifically designed for such contingencies with a focus on containment of the student without accompanying harm or injury. Such techniques must never be used as a substitute for systematic behavioral interventions which are designed to change, modify, or eliminate the targeted behavior.

- Notify site and special education administrator immediately
- Notify parent/guardian within one school day
- File Behavior Emergency Incident Report with the above administrator and parent/guardian within 24 hours
- Anytime a Behavior Emergency Incident Report is written regarding a student who does not have either a Behavior support plan or behavioral intervention plan, the designated responsible administrator shall, within two days, schedule an IEP meeting to:
  1. Determine if a functional analysis assessment of that emergency behavior is warranted, and
  2. To develop an interim behavioral intervention plan with the parent/care provider, if appropriate

- Anytime a Behavior Emergency Report is written regarding a student who has either a Behavioral Support Plan, or a Positive Behavioral Intervention Plan, the following procedures should prevail:
  1. If the incident involves a previously unseen serious behavior, the plan should be modified to address the new behavior, which would probably require a functional analysis of the new behavior
  2. Where a previously designed plan is not effective, it should be referred to the IEP team including the BICM, to review and determine if the incident constitutes a need to modify the plan.

- Copies of Behavior Emergency Incident Reports must be forwarded to the SELPA office within one school day. Data from these reports will be summarized and forwarded annually to the State Department of Education and the Advisory Commission on Special Education.

Responsibility of the IEP Team
California Education Code requires that the psycho educational assessment report for all students suspected of having a disability include “the relevant behavior noted during the observation of the pupil in an appropriate setting” and “the relationship of that behavior to the pupil's academic and social functioning.” Therefore, many students will have goals in their IEPs relating to behaviors, either behaviors which contribute to improved learning skills or behaviors which 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 develop goals accordingly. Such goals may contain behavioral interventions that are not based on a functional analysis assessment or a behavioral intervention plan.

However, 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 behavior support plans are now determined to be unsuccessful in reducing dangerous or serious maladaptive behavior, the IEP team will initiate the functional analysis assessment to obtain necessary information about the related antecedent(s) and consequences of the targeted behavior. Using this information, a more systematic and comprehensive
behavioral intervention plan, 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 including the Behavioral Intervention Case Manager (BICM). The positive behavioral intervention plan 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 analysis assessment will also include many other aspects of a student's functional life behaviors, it is intended that the behavioral intervention plan should 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 student. 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 student's IEP.

*If the BSP or BIP Plan is not successful in decreasing the targeted behavior(s)*

Behavioral Intervention Case Managers are encouraged to secure support from the following sources when it becomes apparent that the existing plan, with modifications, is not being successful:

1. Convene the IEP team to discuss further assessment or plan modifications
2. Consultation with another BICM
3. Consultation with SELPA Program Specialist