Providing A Safe & Equitable Education For All Students

Understanding Education Law and Evidence-Based Practices

The Arc Livingston
www.arclivingston.org

Behavior is Communication!

There is logic behind the behaviors of children.

Our challenge is to understand what they are trying to communicate.

Everyone Communicates Through Behavior

- **An infant may cry when they are hungry or wet.**

- **An adult may yawn when they are bored at work.**

- **Adults and children are constantly communicating something through their behavior, even if they are not aware of it.**

- **A child's problematic or inappropriate behavior is a sign that they are upset and that something is not right.**

The child is viewed as HAVING a problem...

What we do:

- ✓ **Teach academic skills**
- ✓ **Teach behavioral skills**
  - ▪ **Same strategies as for other skills**
  - ▪ **Individualization at school for intensive problems (504, IEP, BIP)**

- ✓ **Positive behavior is expected and taught**
- ✓ **Positive behaviors are reinforced**
- ✓ **Negative behaviors receive consequences that are meaningful and instructive**

Goal: Changing Behavior

Teach or re-teach the behavior

Provide Meaningful Incentives

Provide Meaningful Consequences
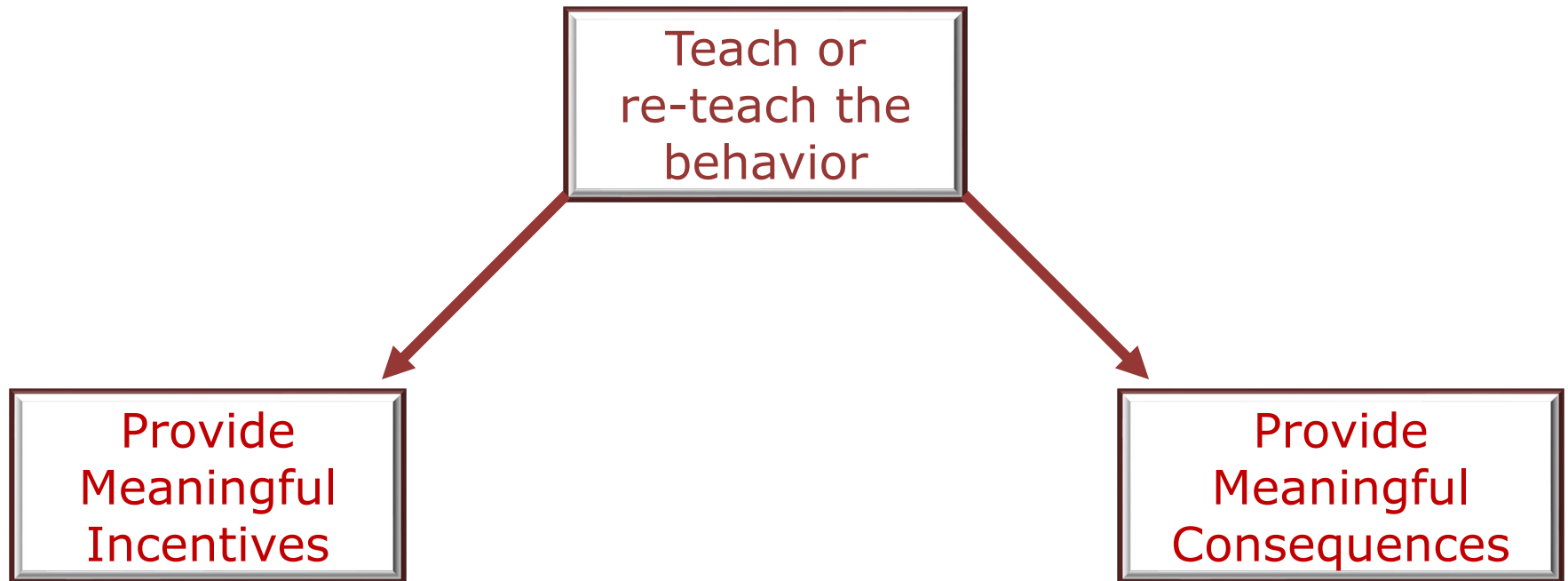
Meaningful: having significance, meaning or purpose in the child's life (from the child's perspective)

Michigan Alliance for Families
information, support, and education

What are Positive Behavior Interventions?

- An approach to supporting positive behavior skills
- Children's behavior can change if adults:

  – **teach** the behaviors we expect to see

  – **model** those behaviors

  – **consistently recognize and reward** the behaviors when they occur

  – **consistently enforce meaningful consequences** for behavioral violations

What we know about behavior...

Problem behaviors are context related
(respond to environmental or ecological events)

Classroom environment
- -seating
- -noise level
- -disruptions

Child-specific condition
- **-**medication
- -allergies
- -sickness
- -anxiety
- -fatigue

Setting events
- -peer issue
- -teacher interaction
- -new person(s)

Instruction/curriculum
- -work too hard
- -work too easy
- -transitions
- -directions
- -assignment
- -no choices

Problem Behaviors Serve a Function

- **Access to something tangible**
  - **Desired item or activity**

- **Sensory Stimulation**
  - **Movements/actions that feel good/soothing**

- **Access to Attention**
  - **Desire for social interaction**

- **Escape**
  - **Undesirable situation or task**

The <u>function</u> of a behavior is not the problem.

New behaviors that are taught should serve the same function

Positive Behavioral Interventions & Supports

Few Students

Some Students

All Students
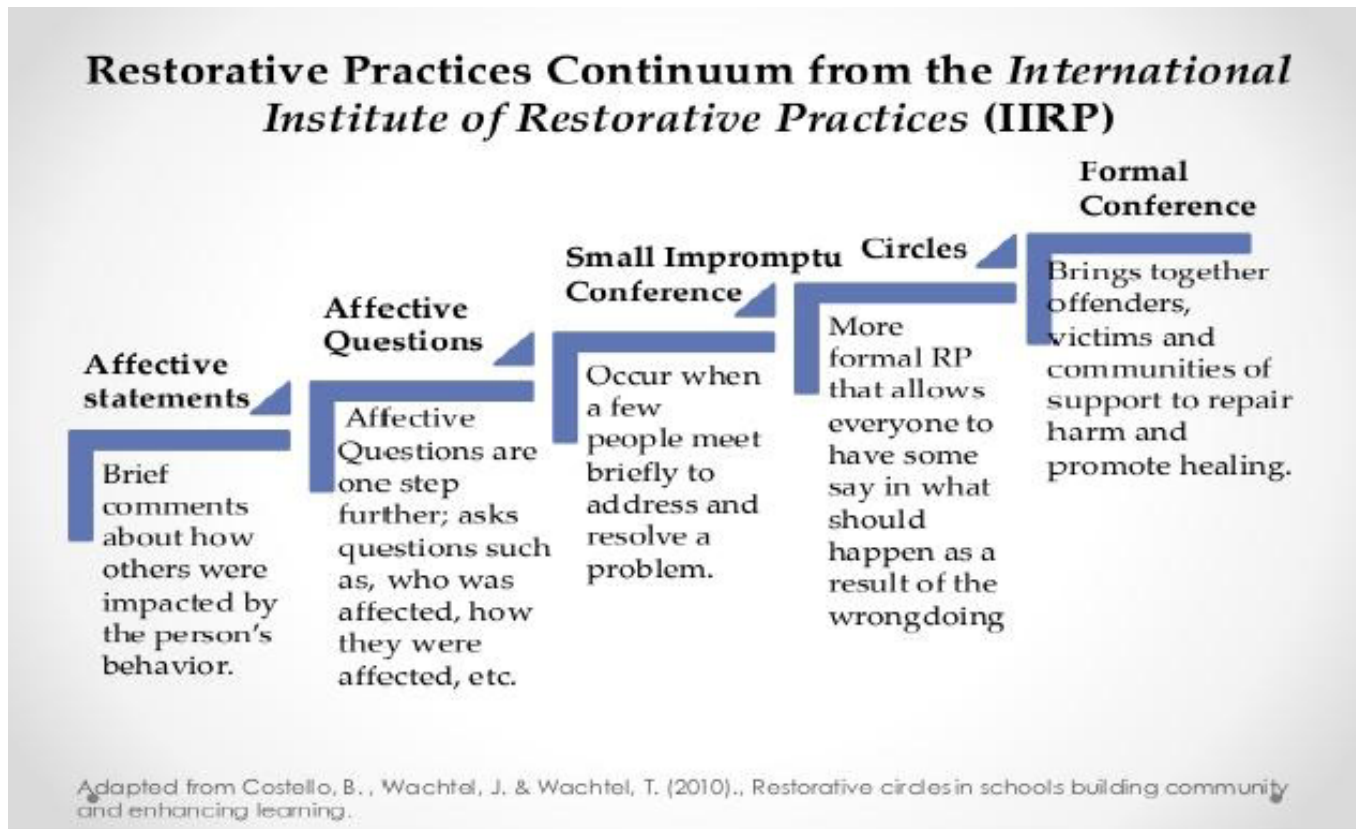
Michigan Alliance for Families
information, support, and education

Suspension and Expulsion

- **Under new Section 380.1310d, a school must consider a student's age, history, disability, seriousness of violation, threat to safety, use of restorative practices, and use of less drastic interventions before suspending or expelling a student.**

- **Under Section 380.1310c of the Revised School Code, a school must consider the possible use of balanced and restorative justice (BARJ) before suspending or expelling a student.**

https://www.mpas.org/sites/default/files/spec_chap11_2017.pdf

Utilization of Restorative Practices

- **Addresses conflict and misconduct with a focus on healing instead of punishment.**

Restorative Practices Continuum from the *International Institute of Restorative Practices* (IIRP)

Affective statements
Brief comments about how others were impacted by the person's behavior.

Affective Questions
Affective Questions are one step further; asks questions such as, who was affected, how they were affected, etc.

Small Impromptu Conference
Occur when a few people meet briefly to address and resolve a problem.

Circles
More formal RP that allows everyone to have some say in what should happen as a result of the wrongdoing

Formal Conference
Brings together offenders, victims and communities of support to repair harm and promote healing.

Adapted from Costello, B., Wachtel, J. & Wachtel, T. (2010)., Restorative circles in schools building community and enhancing learning.

Seclusion and Restraint are used ONLY in EMERGENCY situations!

Why do we have a law and required policy on the emergency use of seclusion and physical restraint?

- **Pupils and adults have been emotionally harmed and severely injured or died from the use of seclusion and restraint.**
- **The law and required policy were written to address pupil behavior that has escalated to an emergency situation.**
- **The policy provides guidance to school personnel to address emergency situations in a manner that will protect the health, safety, and dignity of the pupils and adults.**
- **If emergency restraint is necessary, it is only implemented by trained personnel, documented and reported.**

https://www.michigan.gov/documents/mde/EmergencySeclusionRestraintFAQ_599229_7.pdf

Crisis Intervention

- When severe episodes of a problem behavior occur, it is important to provide a rapid response to ensure the safety of the student and others as well as produce a rapid de-escalation of the behavior.

- **The goals of crisis management procedures are not to punish but to ensure the safety of the student and all others and to de-escalate the situation as rapidly as possible.**

Does the Student Have a Disability?

- **The additional protections for students with disabilities exist to ensure that Individuals with Disabilities Education Act (IDEA) is implemented properly and so students are not excluded because of their disability status.**

- **Incidents of child misbehavior and classroom disruptions, as well as violations of a code of student conduct, may indicate that the child's Individualized Education Plan (IEP) needs to include appropriate behavioral supports.**

- **If the child has a disability and already has behavioral supports, upon repeated incidents of child misbehavior or classroom disruption, the IEP team should meet to consider whether the child's behavioral supports should be changed.**

Is Trauma a Factor?

Traumatic experiences during early childhood can not only alter a child's brain development, but also…..

– Change the way children respond to stimuli

– Affect their ability to build attachments

– Create dysfunctional patterns of feelings, behavior and thoughts

Who is on the TEAM?

- **The IEP team can include:**
  - **Psychologist**
  - **Social worker**
  - **Occupational Therapist**
  - **Speech Therapist**
  - **Consultants**
  - **Administrators**
  - **Teachers**
  - **Parents**
  - **Others involved in the student's educational experience or life**

Free and Appropriate Public Education (FAPE)

- **The landmark Individuals with Disabilities Education Act (IDEA) requires that children with disabilities have a right to a "free and appropriate public education" (FAPE) designed to meet the child's unique educational needs at no cost to parents in the least restrictive environment.**

- **Free:** at no cost to parents
- **Appropriate:** the program is tailored and planned to meet the child's needs
- **Public:** public schools are responsible for designing and implementing the Individualized Education Program (IEP)
- **Education:** specially designed instruction described in an IEP

Least Restrictive Environment (LRE)

- §300.114(a)(2) General LRE requirements
- (i) Each public agency shall ensure—
  - (ii) That to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and
  - (2) That special classes, separate schooling or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily

Functional Behavior Assessment

When...

✓ When a child's behaviors do not respond to the interventions used with all students, or

✓ When the team cannot provide data that supports why inappropriate behaviors occur, or

✓ When a child is repeatedly disciplined for behaviors that do not improve, then

The team should request FBA as part of initial or ongoing evaluation

What is a Functional Behavior Assessment

- helps the team to understand the purpose that a behavior serves for a child

- guides decision-making

- leads to intervention strategies

- required for removals beyond 10 days

- useful when behaviors have not responded to standard interventions

Behavior Intervention Plan

Behavior Intervention Plan

BIP, PBI, BSP, etc.: A plan by any name, should be **positive and instructive**, based on FBA, and address—

- Effective re-teaching of the expected behavior
- Rewards and consequences that are personally meaningful to a child (no two plans are alike)
- **Opportunities to self-manage behaviors**
  - Self-management skills facilitate pro-social skills
  - Self-management skills lead to generalization
  - Positive behaviors are not maintained over time with mood rings and stickers

Behavior Intervention Plan

- Behavior intervention supports can take time to be effective.

- It is likely that behaviors of concern will continue to occur and may even become more severe initially.

IEP and FBA/BIP

- WHERE'S THE DATA??

- Special Education decisions are driven by data not opinions or belief systems…

- Positive Behavior Interventions are based on Functional Behavior Assessment

- IEPs should include behavior goals and Positive Behavior Interventions

How Can You Help?

- **Help your child understand that some of their classmates may need more or different supports and services to be successful than they do.**

- **Remind your child that all students need to feel loved and accepted.**

- **Reassure your child that the staff are teaching appropriate behaviors to ensure the safety of all students.**

- **If you see staff working with a student who is experiencing difficult behavior, ignore the situation and move on to a different location.**

- **Understand that in some cases, you may not realize when or how interventions/plans are being implemented.**

- **Respect confidentiality. If you see behavior of concern that you believe is not being addressed, share that information with a teacher, principal or other school staff only.**

On-Line Resources

www.michiganallianceforfamilies.org/behavior

www.michiganallianceforfamilies.org/behavior/pbs

www.michiganallianceforfamilies.org/webinar
Behavior is Communication
Introduction to Positive Behavior Intervention Supports

www.pbis.org

Follow us on Facebook @thearclivingston