

## **BEHAVIOR and DISCIPLINE**

Note: The following guidelines are effective until August 2011 when new rules will apply.

**Prohibited Procedures** are interventions that are prohibited from use in schools. There are 9 Specific procedures including withholding regularly scheduled meals or water and denying a pupil access to toilet facilities.

**Conditional Procedures** may only be used in an emergency situation or as part of an IEP.

Conditional procedures include:

- the use of manual restraints;
- the use of mechanical or locked restraints;
- time out procedures for seclusion; and
- temporary delay or withholding of regularly scheduled meals or water not to exceed 30 minutes except as provided in subpart 2a.

Emergency use of conditional procedures:

- team must meet ASAP but no later than 5 days;
- parent and district administration must be notified immediately;
- if used twice in a month or a pattern is developing, team must meet to discuss potential for completing FBA and adding conditional procedures to IEP.
- emergency use means a situation which requires immediate intervention to protect student from hurting self or others, severe property damage or emotional abuse due to verbal or physical threats. The intervention must be the least intrusive possible.

IEP including use of conditional procedures, team must:

- complete FBA;
- document other reasons for behavior has been ruled out;
- identify frequency and severity of target behaviors for using procedures;
- identify at least 2 positive interventions implemented and effectiveness;
- design and implement interventions based on PLEP, needs, goals and objectives documented in IEP;
- include replacement behaviors being taught, not just behavior elimination.

Verification of these conditions might be in ER, FBA, IEP or BIP.

**Time Out Procedures** that seclude a student in a designated room must:

- have specific criteria for returning the pupil to regular routine;
- have determined seclusion is not contraindicated for psychological or physical health reasons;
- be continuously monitored;
- adequate access to drinking water & bathroom for time-out that exceeds 15 mins;
- document of length of time in each procedure.

Parent has the right to withdraw consent for a BIP at any time by notifying program administrator and the district must stop the procedure immediately. A Prior Written Notice must be completed & parents contacted regarding need for meeting to discuss options.

A child who has not been determined to be eligible for special education and related services and who has engaged in behaviors that violate the code of student conduct, may assert any of the protection provided for in this part if the public agency had knowledge that the child was a child with a disability based on further language in law.