

COMMONWEALTH  
CHARTER ACADEMY

SECTION: PROGRAMS  
TITLE: BEHAVIOR SUPPORT  
ADOPTED: January 17, 2018  
REVISED:

<p>22 PA Code § 14.133, Chapter 711; 20 U.S.C. §1400, et seq.; 34 CFR Part 300</p> <p>22 PA Code § 711.46</p> <p>22 PA Code § 711.46</p>	<p style="text-align: center;">113.1 BEHAVIOR SUPPORT</p> <p>§ 1. <u>Purpose</u></p> <p>Students with disabilities shall be educated in the least restrictive environment and shall only be placed in settings other than the regular education class when the nature or severity of the student’s disability is such that education in the regular education class with the use of appropriate supplementary aids and services cannot be achieved satisfactorily. The IEP team for a student with a disability shall develop a positive behavior support plan if the student requires specific intervention to address behavior that interferes with learning. The identification, evaluation, and plan or program shall be conducted and implemented in accordance with state and federal laws and regulations.</p> <p>§ 2. <u>Authority</u></p> <p>The Board directs that Commonwealth Charter Academy’s behavior support programs shall be based on positive rather than negative behavior techniques to ensure that students shall be free from demeaning treatment. Restraints are prohibited by use of any provider. Behavior support programs and plans shall be based on a functional assessment of behavior and shall include a variety of research-based techniques to develop and maintain skills that will enhance students’ opportunity for learning and self-fulfillment. Commonwealth Charter Academy shall coordinate with the student’s contracted provider in the development and implementation of a behavior support plan.</p> <p>§ 3. <u>Definitions</u></p> <p><b>Aversive techniques</b> - deliberate activities designed to establish a negative association with a specific behavior.</p> <p><b>Behavior support</b> - development, change and maintenance of selected behaviors through the systematic application of behavior change techniques.</p>
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**Behavior Support Plan or Behavior Intervention Plan** - plan for students with disabilities 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 behavioral assessment, and become part of the individual student's IEP. These plans shall include methods that use positive reinforcements, other positive techniques and related services required to assist a student with a disability to benefit from special education.

**Positive techniques** - methods that utilize positive reinforcement to shape a student's behavior, ranging from the use of positive verbal statements as a reward for good behaviors to specific tangible rewards.

**Restraints** - application of physical force, with or without the use of any device, designed to restrain free movement of a student's body, excluding the following:

1. Briefly holding a student, without force, to calm or comfort him/her.
2. Guiding a student to an appropriate activity.
3. Holding a student's hand to escort him/her safely from one area to another.
4. Hand-over-hand assistance with feeding or task completion.
5. Techniques prescribed by a qualified medical professional for reasons of safety or for therapeutic or medical treatment, as agreed to by the student's parents/guardians and specified in the IEP.

**Seclusion** - confinement of a student in a room, with or without staff supervision, in order to provide a safe environment to allow the student to regain self-control.

**Students with disabilities** – school-age children, who have been evaluated and found to have one or more disabilities as defined by law, and who require, because of such disabilities, special education and related services.

§ 4. Delegation of Responsibility

The CEO or designee shall ensure that this Board policy is implemented in accordance with federal and state laws and regulations.

The CEO or designee shall develop administrative regulations to implement this policy.

22 PA Code,  
Chapter 711

The CEO or designee shall maintain and report data on the use of restraints, as may be required by law. Procedures shall be established requiring reports to be made to the Commonwealth Charter Academy by entities or agencies educating students with disabilities who attend programs or classes outside the Commonwealth Charter Academy.

§ 5. Guidelines

Development of a separate Behavior Support Plan is not required when appropriate positive behavioral interventions, strategies and supports can be incorporated into a student's IEP.

When an intervention is necessary to address problem behavior, the types of intervention chosen for a student shall be the least intrusive necessary and does not include restraints.

The use of restraints shall not be included in the IEP for the convenience of staff, as a substitute for an educational program, or employed as punishment.

Aversive Techniques

The following aversive techniques of handling behavior are considered inappropriate and shall not be used in educational programs:

1. Corporal punishment.
2. Punishment for a manifestation of a student's disability.
3. Locked rooms, locked boxes, 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 state regulations.
7. Treatment of a demeaning nature.
8. Electric shock.
9. Methods implemented by untrained personnel.
10. Prone restraints, which are restraints by which a student is held face down on the floor.

### Referral to Law Enforcement

The CEO or designee shall immediately report required incidents and may report discretionary incidents committed in virtual classroom or field trips, Commonwealth Charter Academy programs, on school property of Commonwealth Charter Academy, at any school function under the jurisdiction of Commonwealth Charter Academy, or on a conveyance providing transportation to or from a school function under the jurisdiction of Commonwealth Charter Academy by a student with a disability, including a student for whom an evaluation is pending, to the local police department that has jurisdiction over the school locations.

Subsequent to notification to law enforcement, an updated functional behavioral assessment and Behavior Support Plan shall be required for students with disabilities who have Behavior Support Plans at the time of such referral.

If, as a result of such referral, the student is detained or otherwise placed in a residential setting, the Director of Special Education or designee shall coordinate with the operator of that residential setting with respect to the need to update the student's functional behavioral assessment and Behavior Support Plan.

For a student with a disability who does not have a Behavior Support Plan, subsequent to notification to law enforcement, the Commonwealth Charter Academy shall convene the student's IEP team to consider whether a Behavior Support Plan should be developed to address the student's behavior, in accordance with law, regulations and Board policy.

### Relations With Law Enforcement

Commonwealth Charter Academy shall provide a copy of its administrative regulations and procedures for behavior support to each local police department that has jurisdiction over school property of Commonwealth Charter Academy. Updated copies shall be provided each time the administrative regulations and procedures for behavior support are revised by the Commonwealth Charter Academy.

Commonwealth Charter Academy shall invite representatives of each local police department that has jurisdiction over school property of Commonwealth Charter Academy to participate in training on the use of positive behavior supports, de-escalation techniques and appropriate responses to student behavior that may require intervention, as included in Commonwealth Charter Academy's positive behavior support program.