

EMOTIONAL AND BEHAVIORAL DISORDER (EBD)

Definition.

An emotional and behavioral disorder is an emotional disability characterized by the following:

- (i) An inability to build or maintain satisfactory interpersonal relationships with peers and/or teachers. For preschool-age children, this would include other care providers.
- (ii) An inability to learn which cannot be adequately explained by intellectual, sensory or health factors.
- (iii) Consistent or chronic inappropriate type of behavior or feelings under normal conditions.
- (iv) Displayed pervasive mood of unhappiness or depression.
- (v) Displayed tendency to develop physical symptoms, pains or unreasonable fears associated with personal or school problems.

A student with EBD is a student who exhibits one or more of the above emotionally based characteristics of sufficient duration, frequency and intensity that it/they interfere(s) significantly with educational performance to the degree that provision of special educational services is necessary. For preschool-age children, these characteristics may appear within the preschool environment or in another setting documented through an extended assessment period. The student's difficulty is emotionally based and cannot be adequately explained by intellectual, cultural, sensory or general health factors.

Eligibility and Placement.

A student may be considered for placement in a program for students with EBD based upon an eligibility report that shall include the following:

- (i) Documentation of prior extension of services available in the regular program such as counseling, modifications of the regular program or alternative placement available to all students. The documentation is applicable for preschool-age children who are enrolled in an organized preschool program as evidenced in modification(s) made within the home environment through an extended assessment period.
- (ii) Psychological and educational evaluations or developmental evaluations for preschool-age children.
- (iii) Report of behavioral observations over a significant period of time.
- (iv) Appropriate social history.
- (v) Adequate documentation of the duration, frequency and intensity of one or more of the characteristics of emotional and behavioral disorders.

The term does not include students with social maladjustment unless it is determined that they are also students with EBD. A student whose values and/or behavior are in conflict with the school, home or community or who has been adjudicated through the courts or other involvement with correctional agencies is neither automatically eligible for nor excluded from EBD placement. Classroom behavior problems and social problems, e.g., delinquency and drug abuse, or a diagnosis of conduct disorder, do not automatically fulfill the requirements for eligibility for placement.

Additional Requirements.

Crisis Support Service. For some regular education students, a behavior problem may be temporary or transitory as a direct result of a crisis in the student's life, e.g., death in the family, separation or divorce of parents or another stressful situation which could not be determined by looking at the student's emotional/behavioral history. Although not eligible for the full-time equivalency (FTE) or December 1 counts, these students may be given support to resolve these problems while still enrolled in the regular education program. This service is only intended for acute problems and is not meant to replace the normal due process procedures that should be operating for students who have a history of behavioral/emotional problems.

The following procedures shall apply.

- (i) Prior to any crisis support service, there shall be documented attempts to notify the parent during the school day. Parental consent for crisis support services shall be obtained within 24 hours when such services are first provided. The consent form shall include a statement of the reason(s) for services and signatures of at least three persons recommending crisis support services. These shall include the director of special education or designee, special education teacher and principal.
- (ii) Such services are not intended as an alternative to due process procedures. When crisis support services extend more than five consecutive days or a second occurrence of similar nature takes place, procedural due process shall be initiated and completed within 20 school days for services to be continued.
- (iii) During the period of service, the teacher of students with EBD may provide direct service, as well as coordinate the support and guidance of the regular classroom teacher(s) and principal in dealing with the student's problem.
- (iv) The direct service provided to the regular education student through crisis support service shall not affect the normal caseload. Any crisis support service provided to a regular education student will be above the normal caseload for the teacher.
- (v) Crisis support service shall not be used as in-school suspension.