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541 - USE OF REGULATED BEHAVIORAL PROCEDURES AS PART OF A WRITTEN BEHAVIORAL INTERVENTION PLAN

Policies apply to all staff, volunteers or contracted persons who work with pupils who have I.E.P.'s which include a regulated procedure.

1. Personnel development activities that promote the use of positive approaches, provide an awareness of how to limit the use of an aversive and deprivations procedure, how to avoid abuse of such procedures, and specific cautions for use with certain populations:
 - Yearly inservice to staff will be held to cover topics involved in behavioral intervention.
 - Provide current journal articles and other pertinent sources of information regarding positive behavioral interventions, and the use of regulated interventions.

Specific activities that encourage the use of positive interventions and strategies are:

- Specific activities include inservice for all new staff in the techniques provided in the National Crisis Institute's Nonviolent Physical Crisis Intervention. Refresher inservice will be provided yearly to staff.

Specific strategies for limiting the use of aversive and deprivation procedures:

- Nonviolent physical Crisis Intervention techniques, as well as requirements for at least two documented positive interventions to be tried before implementing a regulated procedure.

Specific plans on how to avoid the abuse of aversive and deprivation procedures:

- Required documentation of the intervention plan on file - specific review dates to ensure complete reviews of the procedures. Yearly inservice on Nonviolent Physical Crisis Intervention Techniques and safety program.

Specific cautions when using regulated procedures:

- Complete documentation of the procedure.
- Frequent review of the intervention plan.
- Safety is considered first when implementing procedures.

- Consideration of possible side effects or potential outcomes of the procedure.
2. Staff training requirements for the design and use of behavioral interventions:
- Training on CPI techniques.
 - Training on required behavioral assessment.
 - Training on required elements of a regulated Behavior Intervention Plan.
 - Training on positive interventions.
3. Documentation procedures of the use for regulated procedures:
- Required behavior assessment.
 - Required behavior intervention plan.
 - Documented an assessment team report and I.E.P. on forms provided by district.
 - Documented on an Emergency Procedures Form as provided by the district.
4. District procedures for complaints and appeals from parents:
- Informed consent procedures followed. A parent has the right to withdraw consent for a behavioral intervention plan at any time by notifying the special education director or the E/BD instructor. The district will stop the procedure immediately. After parental consent is withdrawn, and the procedure stopped, the school must send written acknowledgement to the parent and request a parent signature. If a parent's signature to withdraw consent cannot be obtained, the district must document its efforts to communicate and obtain the signature. Parents must be contacted within three school days to determine the need to convene the I.E.P. team for a change in placement or program.
5. Standards for identifying persons knowledgeable to serve on the Independent Review Committee:
- The review committee will be comprised of at least two persons who are independent of the pupil's I.E.P. and who are not employees of or under contract with the district, except a contact to serve on this committee. The independent review committee shall include at least one person independent of the pupil's I.E.P. and who is knowledgeable of behavior interventions. Knowledgeable persons may include community mental health professions, college professors, or regional E/BD coordinators or staff.

Description of the membership and procedures for an Independent Review Committee:

- The independent review committee must be comprised of at least two persons who are independent of the pupil's I.E.P. and who are not employees of or under contract with the district, except a contact to serve on this committee. The independent review committee shall include at least one person who is independent of the pupil's I.E.P. and who is knowledgeable about behavioral interventions. One person shall also be knowledgeable about ethnic and cultural issues relevant to the pupil's behavior and education. The written recommendation of the independent review committee is advisory and must not be used to overrule a pupil's I.E.P. team decision.
 - The independent committee will be convened by the special education director at the request of the pupil's parent or other district staff. The district shall inform the parents they may appoint one member of the independent review committee if the parent so desires.
6. Procedures for reviewing the use of a regulated procedure in emergency situations, including the notification of parents and administrators:
- "Emergency" means a situation in which immediate intervention is necessary to protect a pupil or other individual from physical injury, emotional abuse due to verbal and nonverbal threats and gestures, or to prevent severe property damage. The emergency intervention possible to reasonably react to the emergency situation. This does not prohibit staff persons from using reasonable force to protect themselves or other pupils or students as provided in Minnesota Statutes, Section 609.379. If an emergency intervention is used twice in a month or a pupil's pattern of behavior is emerging that interfere with the achievement of the pupil's educational goals and objectives, a team meeting must be called to determine if the pupil's I.E.P. is adequate, if additional assessment is needed, and, if necessary, to amend the I.E.P. including the behavioral intervention plan. The district may use regulated procedures in emergencies until the I.E.P. team meets, provided the emergency measures are deemed necessary by the district to protect the individual pupil or others from harm. The I.E.P. team shall meet as soon as possible but no later than three school days after emergency procedures have commenced.

The district will document their efforts to involve parents. District administration and parents will be notified immediately when a regulated procedure is used in an emergency situation. The regulated procedures used in an emergency situation will be reviewed with the district administration and the special education director. This review will be documented on the Emergency Procedures Form.

INDEPENDENT SCHOOL DISTRICT #22
DETROIT LAKES PUBLIC SCHOOLS

Date: _____

Staff Involved: _____

Student: _____

EMERGENCY PROCEDURES

Describe the situation that warranted immediate intervention to protect a pupil or other individual from physical injury, emotional abuse due to verbal and nonverbal threats and gestures, or to prevent severe property damages:

List staff and the regulated procedures involved:

Was the procedure the least intrusive intervention possible to reasonably react to the emergency situation?

The I.E.P. team will meet on the following date to review the current I.E.P.:
Must be **NO LATER** than three (3) school days after emergency procedures have commenced.)

EMERGENCY PROCEDURES TEAM:

Building Administrator: _____

Special Ed./Regulated Ed. Staff Involved: _____

School Psychologist or Special Education Director: _____

Parent: _____