

Behavior Management Documentation

Nonpublic School Approval Branch (NSAB)
Training Series

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Acting Branch Chief

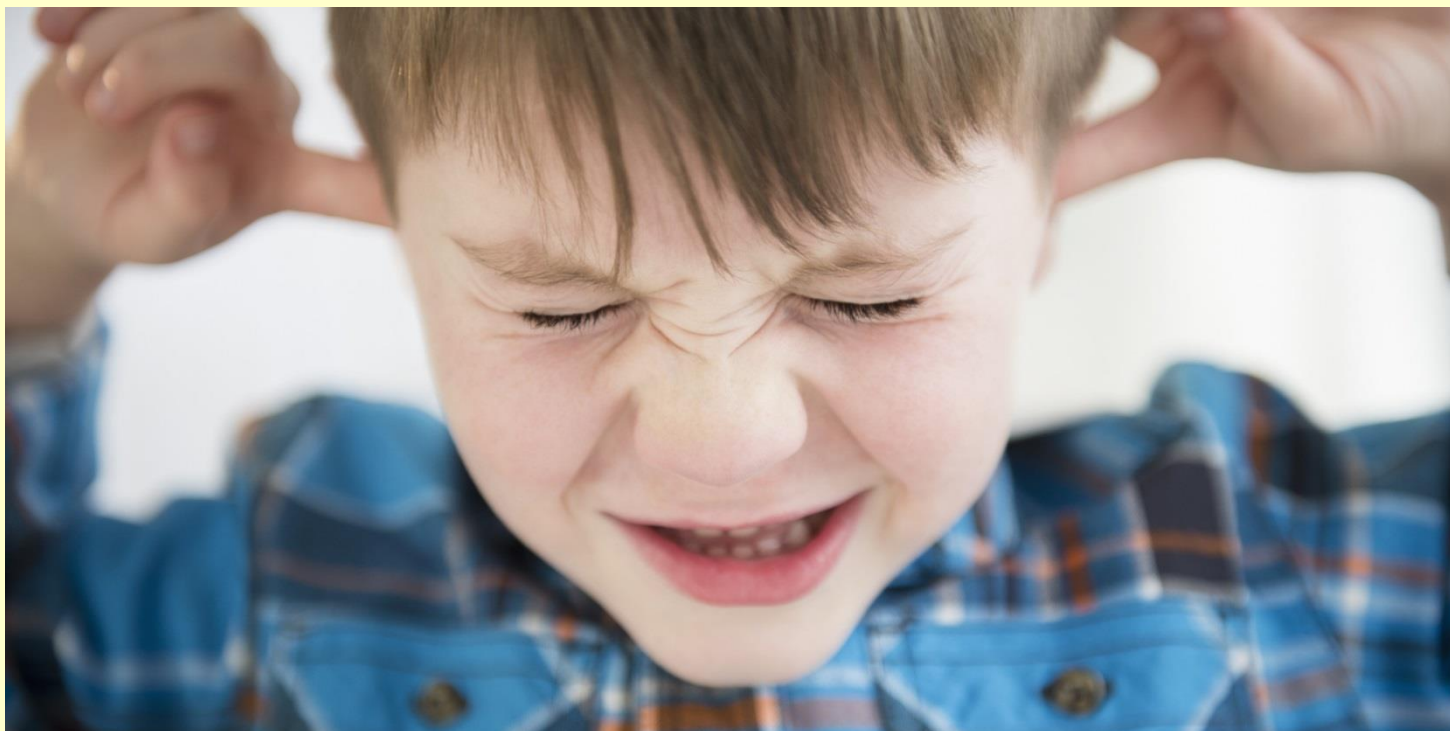
October 27, 2015
9:30 – 12:00
Strawbridge School



Purpose

- Discuss behavior management regulations
- Examine behavior intervention documentation requirements
- Review 13A.08.04 monitoring forms
- Examine school behavior management policies and procedures
- Identify common errors found during monitoring visits

Type I Educational Program Behavior Management COMAR 13A.09.10.11



Behavior Management

- General educational program shall maintain a comprehensive document that includes a statement of the school's behavior management policies and procedures
- Special education program shall develop and maintain policies and procedures that include:
 - Use, documentation, and monitoring of restraint, exclusion, and seclusion
 - Compliance with COMAR 13A.08.04

Type I General/Special Ed

- Must adhere to the more prescriptive of the two regulations (COMAR 13A.08.04)

unless

- The programs are completely separate

Student Behavior Interventions

COMAR 13A.08.04



Background (13A.08.04)

- Effective June 23, 2003
 - Revised May 7, 2007 and October 5, 2009
- Applies to public agencies and nonpublic schools approved to provide special education and related services under COMAR 13A.09.10
- Addresses Exclusion, Seclusion, and Restraint

Exclusion [COMAR 13A.08.04.02(4)]

“Removal of a student to a supervised area for a limited period of time during which the student has an opportunity to regain self-control and is not receiving instruction including special education, related services, or support”

Exclusion-Criteria for Implementation

- The student's behavior unreasonably interferes with learning (themselves or others)
- The student's behavior constitutes an emergency and exclusion is necessary to protect the student or others AND other, less intrusive interventions have failed or been deemed inappropriate
- Requested by the student
- Supported by the student's behavior intervention plan
- No specific regulations for schools' documentation for use of exclusion in 13A.08.04 however 13A.09.10.11C states that schools must document student behavior interventions that are implemented

Exclusion- Setting

- School personnel has the ability to see the student at all times
- Adequate lighting, ventilation and furnishings
- Unlocked and free of barriers to egress

Exclusion- School Personnel

- Must provide an explanation of the behavior that resulted in the removal
- Instruct student on the behavior required to return to the learning environment
- Ensure that each period of exclusion is appropriate to the developmental level of the student and severity of the behavior

****No period of exclusion should exceed 30 minutes****

Seclusion [COMAR 13A.08.04.02(17)]

“The confinement of a student alone in a room from which the student is physically prevented from leaving.”

Seclusion- Criteria for Implementation

- Emergency situation and seclusion is necessary to protect a student or another person after other less intrusive interventions have failed or are deemed to be inappropriate
- Student's IEP or BIP describes the specific behaviors and circumstances in which seclusion may be used
- Student's parents have provided written consent for the use of seclusion while a BIP is being developed

Seclusion- Setting

- Free of objects and fixtures that could be used to inflict bodily harm
- Adequate view of the student from an adjacent area
- Adequate lighting and ventilation

Seclusion- Implementation

- Only implemented by school personnel trained in the appropriate use consistent with COMAR 13A.08.04.06C
- Appropriate to student's developmental level and severity of behavior
- May not restrict the student's ability to communicate distress

*****May not exceed 30 minutes*****

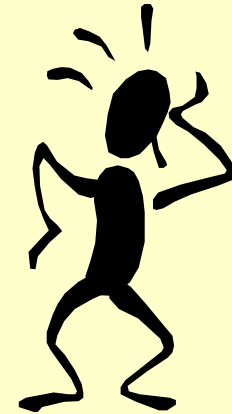
Seclusion- Documentation

- Shall Include:
 - Less intrusive interventions
 - Precipitating event immediately preceding the seclusion
 - Behavior that prompted use of seclusion
 - Names of the personnel who observed the behavior prompting the seclusion
 - Names and signatures of the staff members implementing and monitoring the seclusion
 - Justification for initiating seclusion
 - Length of time
 - Student's behavior and reaction to seclusion
 - Name and signature of the Administrator informed of the seclusion

Seclusion- Documentation

- Maintained in student record and available for inspection by parent/legal guardian
- Notification of parent within 24 hours unless otherwise provided for in BIP or IEP
- If student's IEP or BIP does not include the use of seclusion, the IEP team shall meet within 10 business days of the incident
- If the IEP or BIP includes use of seclusion, it shall specify how often the IEP team shall meet to review or revise

Common Errors



- Length of time greater than 30 minutes
- Omission of name(s) and signature(s) of staff
- Missing explanation of student behavior that prompted seclusion
 - **Behavior:** Clearly observable manner in which student conducts himself
- School's form to document seclusion includes more than is required by the regulation and those areas are left blank

Restraint [COMAR 13A.08.04.02(15)]

“The use of physical or mechanical restraint”

- Physical restraint [COMAR 13A.08.04.02(11)]
 - *The use of physical force, without the use of any device or material, that restricts the free movement of all or a portion of a student’s body.*
- Mechanical restraint [COMAR 13A.08.04.02(8)]
 - *Any device or material attached or adjacent to the student’s body that restricts freedom of movement or normal access to any portion of the student’s body and that the student cannot easily remove.*

Physical restraint

- Is NOT:
 - Briefly holding a student to calm or comfort
 - Holding a student's hand or arm to escort the student safely from one area to another
 - Moving a disruptive student who is unwilling to leave the area if other methods such as counseling have been unsuccessful
 - Intervening in a fight in accordance with Education Article §7-307

Physical Restraint- Criteria for Implementation

- Emergency situation and physical restraint is necessary to protect the student or others from imminent, serious, physical harm after less intrusive, nonphysical interventions have failed or are deemed inappropriate
- The student's BIP or IEP describes specific behaviors and circumstances
- Parent has provided written consent while a BIP is being developed

Physical Restraint- Implementation

- Only implemented by school personnel trained in the appropriate use consistent with COMAR 13A.08.04.06C
- Only use reasonable force as necessary to protect a student or other person from imminent, serious, physical harm
- Removed as soon as the student is calm

****May not exceed 30 minutes****

Physical Restraint- Implementation

- School personnel may NOT:
 - Place a student in a face down position
 - Place a student in a position that will obstruct the airway or impair the ability to breathe
 - Obstruct the view of a student's face
 - Restrict the ability to communicate distress
 - Place pressure on a student's head, neck or torso
 - Straddle a student's torso
 - Exceed 30 minutes

Mechanical Restraint

- Is prohibited unless the school is certified by and meets the requirements of the Joint Commission for the Accreditation of Health Care Organizations
- Does not include protective or stabilizing devices
 - Prescribed by a health professional
 - Documented on the IEP or BIP

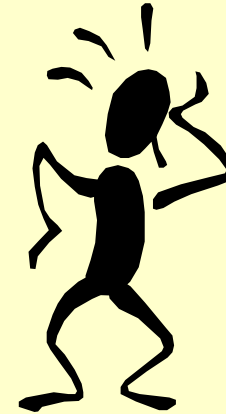
Restraint- Documentation

- Shall include:
 - Less intrusive interventions
 - Precipitating event immediately preceding the restraint
 - Behavior that prompted use of restraint
 - Names of the personnel who observed the behavior prompting the restraint
 - Names and signatures of the staff members implementing and monitoring the restraint
 - The type of restraint
 - Length of time
 - Student's behavior and reaction to restraint
 - Name and signature of the Administrator informed of the restraint

Restraint- Documentation

- Must be maintained in the student's record and available for inspection by the parent/legal guardian
- Parent shall be notified within 24 hours, unless otherwise provided for in a student's BIP or IEP
- If student's IEP or BIP does not include the use of restraint, the IEP team shall meet within 10 business days of the incident
- If the IEP or BIP includes use of restraint, it shall specify how often the IEP team shall meet to review or revise

Common Errors



- Length of time greater than 30 minutes
- Omission of name(s) and signature(s) of staff **implementing** and **monitoring** restraint
- School's form to document restraint includes more than is required by the regulation and those areas are left blank
- Missing explanation of student behavior **and** reaction during restraint
 - **Behavior:** Clearly observable manner in which student conducts himself
 - **Reaction:** A response to a specific stimulus; in this case restraint
- Undocumented parent notification

Administrative Procedures

COMAR 13A.08.04.06



Policies and Procedures

- Must address:
 - A continuum of positive behavioral interventions, strategies of supports
 - The prevention of self-injurious behaviors
 - Methods for identifying and defusing potentially dangerous behavior
 - The use and documentation of exclusion
 - The use of restraint and seclusion
- Must be updated annually and provided to parents and school personnel

NSAB Student Behavior Intervention Monitoring Form



Division of Educator Effectiveness
Nonpublic School Approval Branch
200 West Baltimore Street
Baltimore, Maryland 21201
(410) 767-0409

NONPUBLIC SCHOOL APPROVAL BRANCH MONITORING FORM
COMAR 13A.08.04 Student Behavior Interventions (Effective October 5, 2009)

School Name: _____ Phone: _____
 School Location Address: _____
 Date of Policies/Procedures Reviewed by School: _____
 Date Reviewed by NSAB: _____
 Signature of School Reviewer: _____ Signature of NSAB Reviewer _____
 Date of NSAB's Review of School's Documentation _____
 C= Compliance NC= Noncompliance NA= Not Applicable

.04A., B., C, D., and G. Exclusion.

_____ School's policies and procedures state that school personnel may use exclusion if the student's behavior unreasonably interferes with student's learning or learning of others; **Page #** _____

_____ School's policies and procedures state that school personnel may use exclusion if the student's behavior constitutes an emergency and exclusion is necessary to protect a student or other person from imminent, serious, physical harm after other less intrusive, non-physical interventions have failed or been determined inappropriate; **Page #** _____

_____ School's policies and procedures state school personnel may use exclusion if requested by the student; or **Page #** _____

_____ School's policies and procedures state school personnel may use exclusion if supported by the student's behavior intervention plan. **Page #** _____

_____ School's policies and procedures state school personnel shall ensure each period of exclusion:

Common Errors



- Page numbers are not indicated
- Forms required by the school's policies and procedures are not included
- School procedures do not include:
 - Each specific activity to implement policies
 - Staff position(s) responsible for specified activities
 - When the activity is to be done
 - How it is to be done (verbally, written notice, etc.)
 - Copy of specific notices and forms

Professional Development

COMAR 13A.08.04.06C



Professional Development

- At the beginning of each school year, the school shall identify school personnel authorized to serve as a school-wide resource to assist with implementing:
 - Exclusion
 - Restraint
 - Seclusion
- Personnel identified must receive training in:
 - Positive behavior supports and strategies
 - FBA and BIP planning
 - Exclusion
 - Restraint and alternatives to restraint
 - Seclusion
 - Symptoms of physical distress and positional asphyxia
- Must include a written exam and physical demonstration of proficiency



Common Errors

- Name of Legal Authority vs. Chief Officer of Legal Authority
- Dates of training documents do not match dates on the monitoring form
- Training agenda does not clearly identify each of the required areas
- Test documentation does not clearly identify each of the required areas

Let's Break



Let's take a look at your policies and procedures



Let's Document

- Read the following scenarios and document the intervention using the form of your choice, making sure to include all of the required components



Scenario 1

Peter comes into school screaming. Two staff members attempt to calm Peter by offering him sensory strategies that have been successful in the past. When Peter arrives to class, he slaps a staff member and attempts to elope from the room. Trained staff members escort him to a quiet room. During his time in the quiet room, Peter bangs on the walls and screams at staff. After 13 minutes, Peter appears calm and staff allow him to leave the room. On the way back to class, Peter attempts to hit staff and is redirected back to the quiet room. In the quiet room, Peter sits on the floor and yells. After 10 minutes, he appears calm and is escorted back to class without incident.

Scenario 2

Steven was asked by a staff member to line up to go to gym. Steven gestured as if he were going to pick up a chair and throw it. Staff asked Steven if he needed to take a walk to calm down. Steven refused and attempted to hit a nearby student. Staff attempted to transport Steven to a safe area. Steven began hitting and kicking and became unsafe to transport. Staff implemented a physical restraint. After 3 minutes, Steven calmed and was released from the restraint and escorted to the resource room. Steven was directed to sit at a carrel by himself and calm down. After 3 minutes, he attempted to leave the room and was directed back to the chair. After 10 minutes, Steven was calm. He processed the event with staff and was allowed to return to class.

Scenario 3

During math, Jane becomes frustrated when she cannot answer a question. She walks out of the classroom, stating that she needs a “self-help”. Jane’s IEP does not address this type of behavioral support. Jane is escorted to a resource room, where she sits alone at a desk quietly. After 5 minutes, Jane reports that she is calm and ready to go back to class.

Q & A

