2. Is the situation one that arises frequently? If so, it should be addressed with positive behavioral supports as part of the student's behavior intervention plan and should be part of his or her IEP. It is not appropriate to respond to a chronic situation with an emergency response, which is what exclusion, restraint, and seclusion are considered to be.

3. What supplementary aids and services and programmatic modifications and supports will enable the student with behavioral needs to be successfully served in the general education setting and in nonacademic and extracurricular activities? Remember that to the greatest extent possible, students should be educated in the general education classroom with appropriate supports in place. Students should not be removed solely on the basis of their disability, because of administrative convenience, or because of the configuration of the service delivery system. The supplementary aids, services, supports, and program modifications that will help the student be educated successfully in the least restrictive environment possible must be provided. If these supports and supplementary aids and services have not been provided, it is unlikely that a meaningful determination can be made that less restrictive alternatives to restraint and seclusion were not available.

When considering the use of exclusion, restraint, or seclusion, what other factors must be considered?

1. The use of exclusion, restraint, and seclusion must be implemented in a "humane, safe, and effective" manner. It is important to consider whether the proposed intervention promotes "a safe, inclusive, equitable learning community." Evaluations of safety and efficacy should be based on data at the individual student level and at the level of peer-reviewed research. At the individual student level, school personnel must be able to use data to determine if the use of exclusion, restraint, or seclusion is effective in changing the targeted behavior, is safe, and is not causing detrimental effects in other aspects of the student's life, at the system level, school-based practices should be research-based.

2. The use of exclusion, restraint, and seclusion must be "consistent with known medical or psychological limitations." It is essential that medical contraindications, such as, asthma, seizures, or other medical conditions be considered by school personnel when determining the use of exclusion, restraint, and seclusion. Likewise, psychological history, such as past sexual abuse or abandonment must be considered as well. To re-traumatize a student through the use of exclusion, restraint, or seclusion will only exacerbate the behavior issues that need to be addressed.

3. When exclusion, restraint, and seclusion are used, they must be used "without intent to harm or create discomfort." Exclusion, restraint, and seclusion cannot be used as punishment or discipline or for retaliatory purposes.

These provisions do not override the authority that school personnel have to address questions of disciplinary action, allegations of criminal activity, or security risk.

Exclusion

When may exclusion be used?

School personnel may use exclusion to address a student's behavior:

(1)   If the student's behavior unreasonably interferes with the student's learning or the learning of others;
(2)   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, nonphysical interventions have failed or been determined inappropriate;
(3)   If exclusion is requested by the student; or
(4)   If supported by the student's behavior intervention plan.

However, exclusion should not be used for behaviors which are merely annoying or which can be redirected or de-escalated. In determining whether to use exclusion, school personnel should consider the student's capacity to understand why he or she is being removed from the learning environment. A student who is unable to understand the reason for removal will be unable to participate meaningfully in the process for bringing the exclusion to an end.

What happens during exclusion?

School personnel must ensure that each period of exclusion is appropriate to the developmental level of the student, the severity of the behavior, does not exceed 30 minutes. During this period, school personnel must monitor the student. School personnel must provide the student with an explanation of the behavior that resulted in the exclusion and instructions on the behavior required to return to the learning environment. This is a particularly important requirement, and school personnel must be sensitive to the student's disability as well as his or her individual needs when implementing this requirement. For example, for a student with autism or an auditory processing disorder, the stress of processing a verbal explanation and instructions while he or she is upset may be too complex and overwhelming; the student may need modeling or an alternative presentation of the explanation and instructions.

Is there a limit to the amount of time a student can be placed in exclusion?

If numerous periods of exclusion occur and a cumulative total of 10 school days is reached during a school year, the procedural requirements governing the disciplinary removal of students with disabilities will apply.

What should be done if a student is repeatedly placed in exclusion?

If a student with disabilities is removed form the educational setting for a cumulative total of 10 school days, the IEP team must meet and plan to conduct a functional behavioral assessment, or develop, review, or revise a student's behavioral intervention plan. If a student not identified as disabled has experienced excessive exclusion, school personnel must consider referring the student to a pupil services or IEP team to determine whether that student may be eligible for special education and related services.

Restraint

When may physical restraint be used?

Physical restraint may be used:

a) In an emergency situation in order to protect the student or others from "imminent, serious, physical harm" after other less intrusive, non-physical interventions have failed or been determined inappropriate;
b) When a student's behavioral intervention plan or IEP describes the specific behaviors and circumstances in which physical restraint may be used; or
c) The parents of a non-disabled student have otherwise provided written consent to the use of physical restraints while a behavior intervention plan is being developed.

If physical restraint is used in an emergency, it may not be used past the point at which the emergency has ended.

In applying physical restraint, school personnel shall only use reasonable force as is necessary to protect a student or other person from imminent, serious, physical harm.
Physical restraint shall be removed as soon as the student is calm and may not exceed 30 minutes. In applying physical restraint, school personnel may not place a student in a face down position, place a student in any other position that will obstruct a student's airway or otherwise impair a student's ability to breathe, obstruct a staff member's view of a student's face, restrict a student's ability to communicate distress, or place pressure on a student's head, neck, or torso, or straddle a student's torso.

Physical restraint **may not** be used to:

a) Discipline, punish, or retaliate;
b) Get a student to focus on instruction during class time; and
c) Prevent a student from causing property damage.

What should happen if emergencies requiring restraint occur frequently?

Frequent emergencies should raise concerns about the efficacy of the student's behavioral intervention plan. Repeated challenging behavior that leads to an emergency situation can be anticipated and should be addressed through the "array of positive behavior interventions, strategies, and supports" required by the regulations. Any determination that positive behavior interventions, strategies, and supports cannot address the identified behavior should be based on data. Likewise, any determination that restraint is necessary should be based on data to support the efficacy of restraint in addressing that behavior in the school setting,

May school personnel use mechanical restraint?

NO. Neckties, seatbelts, Rifton Chairs (if **not** used for purposes other than prescribed by a health professional), helmets (if **not** used for purposes other than prescribed by a health professional), or any other similar equipment, objects, or devices, are mechanical restraints if used to prevent a student from moving all or any of his or her body for a reason other than that prescribed by a health professional and for the purpose for which the device is intended by the manufacturer.

What are the documentation requirements for the use of restraint?

Whenever a student is restrained by school personnel, the restraint must be documented in the student's educational record, the documentation must be available to the parent or guardian, and the parent or guardian must be notified about the restraint verbally or in writing within 24 hours, unless the student's behavior plan or the IEP require some other arrangement. School personnel must document the following:

1.   Other less intrusive interventions that have failed or been determined inappropriate;

2.   The precipitating event immediately preceding the behavior that prompted the used of restraint;

3.   The behavior that prompted the use of restraint;

4.   The names of school personnel who observed the behavior that prompted the use of restraint;

5.   The names and signatures of the staff members implementing and monitoring the use of restraint;

6.   A description of the restraint event, including the type of restraint, the length of time in restraint, the student's behavior and reaction during the restraint, and the name and signature of the administrator informed of the use of restraint.

Seclusion

When may seclusion be used?

As with restraint, seclusion may be used:

a)   In an emergency situation in order to protect the student or another person after other less intrusive interventions have failed or been determined to be inappropriate;
b)   When a student's IEP or behavioral intervention plan describes the specific behaviors and circumstances in which seclusion may be used; or
c)   When the parents of a non-disabled student have otherwise provided written consent for the use of seclusion while a behavior intervention plan is being developed.

Seclusion may not be used for discipline, punishment, or retaliation. It may not be used to prevent a student from causing property damage. If used in an emergency situation, it may not be used past the point at which the emergency has ended.

In considering whether seclusion is appropriate, school personnel should consider the student's capacity to understand why he or she is being removed from the learning environment. A student who is unable to understand the reason for removal will be unable to participate meaningfully in the process for bringing the seclusion to an end.

A seclusion event shall be appropriate to the student's developmental level and severity of the behavior. It may not restrict the student's ability to communicate distress and may not exceed 30 minutes.

Additionally, school personnel should consider the nature of the situation for which seclusion is being considered. If it is a true emergency, which is the only legitimate reason for the use of seclusion, consideration must be given to the safety issues involved in transporting a student to a seclusion room, as opposed to using a different intervention, including, if absolutely necessary, physical restraint as an alternative to seclusion.

May any space be used for seclusion?

No. There are specific requirements for a room used for seclusion. At a minimum, the room must not contain any objects or fixtures with which a student could harm him or her self. School personnel must be able to see the student adequately from an adjacent area. Additionally, the room must provide adequate lighting and ventilation. It is unlikely that a box, closet or concrete, unpadded room, for instance, will meet these requirements.

What happens during seclusion?

When a student is placed in seclusion, school personnel must watch him or her at all times. As with exclusion, school personnel must provide the student with an explanation of the behavior that resulted in seclusion and instructions on the behavior required to return to the learning environment. As discussed in the section regarding exclusion, this is a particularly important requirement. School personnel must be sensitive to the student's disability, as well as to his or her individual needs when implementing this requirement. For some students, verbal presentation of the explanation and instructions may not be appropriate. At a minimum, school personnel must reassess a student in seclusion every 30 minutes.

Can any school personnel place a student in seclusion?

No. Only school personnel trained in the appropriate use of seclusion may use seclusion with a student.

What should happen if emergencies requiring seclusion occur frequently?

Frequent emergencies should raise concerns about the efficacy of the student's behavioral intervention plan. Repeated challenging behavior that leads to an emergency situation can be anticipated and should be addressed through the "array of positive behavior interventions, strategies, and supports" required by the regulations. Any determination that positive behavior interventions, strategies, and supports cannot address the identified behavior should be based on data. Likewise, any determination that seclusion is necessary should be based on data to support the efficacy of seclusion in addressing that behavior in the school setting.

What are the documentation requirements for the use of seclusion?

Each time a student is placed in seclusion by school personnel, the seclusion must be documented in the student's educational record. The documentation must be available to the parent or guardian, and the parent or guardian must be notified about the seclusion verbally or in writing within 24 hours, unless the student's behavior plan or the IEP requires some other arrangement. School personnel must document the following:

1. Other less intrusive interventions that have failed or been determined inappropriate;
2. The precipitating event immediately preceding the behavior that prompted the use of seclusion;
3. The behavior that prompted the use of seclusion;
4. The names and signatures of the staff members implementing and monitoring the seclusion;
5. A description of the seclusion event, including justification for initiating the use of seclusion, the length *of* time in seclusion, the student's behavior and reaction during the seclusion, and the name and signature of the administrator informed of the use of seclusion.

Do the regulations require review by an IEP team if a student has been restrained or placed in seclusion?

It depends on the situation. If a student has not been identified as a student with disabilities and restraint or seclusion is used, the student must immediately be referred to the school's pupil services team or to the IEP team. The choice lies with school personnel who can assess whether the student's behavior appears to be an unusual, isolated event or an ongoing interference that needs to be assessed.

If restraint or seclusion is used for a student who already is identified as being a student with a disability and the student's IEP or behavior intervention plan does not include the use of restraint or seclusion, the IEP team must meet within 10 business days of the incident to consider the need for a functional behavioral assessment, the development of appropriate behavior interventions, and the implementation of a behavioral intervention plan. If a student's IEP or behavior intervention plan does include the use of restraint or seclusion, the document shall specify how often the IEP team will meet to review or revise the document, as appropriate.

Administrative Procedures

Does the IEP team have any additional obligations?

Yes. The IEP team must consider existing health, physical, psychological, and psychosocial information, information provided by the parents, observations by teachers and related service providers, and the student's current placement. When the IEP team proposes or refuses to initiate or change the student's IEP or behavior intervention plan that includes the use of restraint or seclusion, the local school system or nonpublic school must provide the student's parent with prior written notice in accordance with federal and State law. The parent may file for mediation or a due process complaint if he or she disagrees with the IEP team's proposals or refusals.

Do public agencies have any obligations to develop policies and procedures regarding exclusion, restraint, and seclusion?

Yes. Each public agency and nonpublic school must develop policies and procedures to address:

1. A continuum of positive behavioral interventions, strategies, and supports for use by school personnel before exclusion, restraint or seclusion;
2. The prevention of self-injurious behaviors;
3. Methods for identifying and defusing potentially dangerous behavior;
4. The use and documentation of exclusion, consistent with the regulations;
5. The use of restraint consistent with the regulations;
6. The use of seclusion consistent with the regulations.

In accordance with COMAR 13A.08.01.10 each local board of education shall have a document on students' responsibilities and rights. This document shall conform to guidelines established by the State Board of Education. The local document shall be disseminated periodically to all members of the school community, including students, teachers, administrators, and parents or guardians. Local school systems are to involve representatives of the school community in the review of the document.

Do the public agencies and nonpublic schools have to conduct any professional development activities?

Yes. Each public agency and nonpublic school must provide professional development to designated school personnel regarding the regulations and the appropriate implementation of the policies and procedures developed in accordance with the regulations.

At the beginning of each school year, each public agency and nonpublic school must identify school personnel authorized to serve as a school-wide resource to assist in ensuring that exclusion, restraint, and seclusion are utilized properly at the school. These school personnel shall receive training in current, professionally accepted practices and standards regarding:

1. Positive behavior interventions, strategies, and supports;
2. Functional behavior assessment and behavior intervention planning;
3. Exclusion;
4. Restraint;
5. Seclusion; and
6. Symptoms of physical distress and positional asphyxia.

The professional development described above shall include a written examination and physical demonstration of proficiency in the described skills and competencies. Additional areas in which public agencies and nonpublic schools may wish to consider training to include child development, trauma recognition and prevention, neuro-biological/psychological effects of trauma, relationship-building and collaborative problem-solving, collaborating with families to create and maintain positive behavioral supports, matching behaviors with interventions, prevention and de-escalation techniques, signs of physical distress, systemic effects of the use of restraint and seclusion on bystanders, legal and ethical issues, investigation of injuries and complaints, documentation, and data collection and analysis.

Do public agencies and nonpublic schools have an oversight role with respect to the use of exclusion, restraint, and seclusion?

Yes. Each public agency and nonpublic school must develop policies and procedures regarding monitoring the use of exclusion, restraint, and seclusion, and receiving and investigating complaints regarding exclusion, restraint, and seclusion practices.

Additionally, the Maryland State Department of Education may monitor and ask for any information about any matter related to exclusion, restraint, or seclusion implemented by a public agency or nonpublic school. The Department must provide written notice of the requested information and specify the time and manner in which the public agency or nonpublic school shall answer the request.

References

Americans with Disabilities Act of 1990, 42 U.S.C.A. & Sect. 2, 104 Stat. 328 (1991).

American Psychiatric Association (1994). Diagnostic and statistical manual of mental disorders (4th ed.). Washington, DC: American Psychiatric Association.

Bettenhausen, S. (1997). Using proactive strategies to deal with students with challenging behaviors. In *Counterpoint*, Vol.18. Alexandria, VA: National Association of State Directors of Special Education.

Carr, E.G., Durand, V.M. (1985). Reducing behavior problems through functional communication training. In *Journal of Applied Behavior Analysis*, 18(2), pp. 111-126.

Colvin, G., Kameenui, E. J., & Sugai, G. (1993). Reconceptualizing behavior management and schoolwide discipline in general education. In *Education and Treatment of Children*, 16(4) pp. 361-381.

Department of Education, Office of Special Education Programs. Individuals with Disabilities Education Act (IDEA), 20 U.S.C. Section 1400 et seq.

Dunlap, G., & Foster-Johnson, L. (1993). Using functional assessment to develop effective, individualized interventions for challenging behaviors. *In Teaching Exceptional Children*, 25(3), pp. 44-50.

Dunlap, G. (1998). Functional behavioral assessment & planning. NASDE Satellite Teleconference.

Feil, E. G., Sverson, H. H., & Walker, H. M. (1995). Identification of critical factors in the assessment of preschool behavior problems. In *Education and Treatment of Children*, 18(3), pp. 261-271.

Flannery, K. B., O'Neill, R. E., & Horner, R. H. (1995). Including predictability in functional assessment and individual program development. In *Education and Treatment of Children*, 8(4), pp. 499-509.

Gable, R., (1996). A critical analysis of functional assessment: Issues for researchers and practitioners. In *Behavioral Disorders*, 22(1), 36-40.

Gable R., Quinn M., Rutherford, R., Howell K., & Hoffman, C. C. (1998). Addressing student problem behavior. Part II: Conducting a functional behavioral assessment. The Center for Effective Collaboration and Practice. Available: http://www.air-dc.org/cecp/.

Gable R., Quinn M., Rutherford, R., Howell K., & Nelson M. (1998). Addressing student problem behaviors: Part I: An IEP team's introduction to functional behavioral assessment and behavior intervention plans (2nd ed.) The Center for Effective Collaboration and Practice. Available: http://www.air-dc.org/cecp/.

Gable R., Quinn M., Rutherford, R., Howell K., Hoffman, C. C. (2000) Addressing student problem behaviors: Part III: Creating positive behavioral intervention plans and supports. The Center for Effective Collaboration and Practice. Available: http://www.air-dc.org/cecp/.

Gresham, F. M. (1998) Designs for evaluating behavior change. In *Handbook of Child Behavior Therapy*, New York: Plenum Press.
Hartwig, E. (1999). A new understanding: Discipline in education. Presentation, Administrative Law Judges, Office of Administrative Hearings Sponsored by the Maryland State Department of Education.

Hendrickson, J. M. (1992). Assessing the student-instructional setting interface using an eco-behavioral observation system. In *Preventing School Failure*, 36(3), pp. 26-31.

Heumann, J.E. & Warlick, K. (2001). *Prevention research and the IDEA discipline provisions: A guide for school administrators.* Washington, DC: United States

Hodgdon, L. (2007). www.lindahodgdon.com

Individuals with Disabilities Education Improvement Act 20 U.S.C. §1400, et. seq. (IDEA 2006).

Lewis, T. J., & Sugai, G. (1996). Functional assessment of problem behavior: A pilot investigation of the comparative and interactive affects of teacher and peer social attention on students in general education settings. In *School Psychology Quarterly*, 11(1), pp. 1-19.

Lombardo, L. (1997). Behavior intervention: Place the emphasis on the positive. In *Counterpoint*, Vol.18. A publication of the National Association of State Directors of Special Education.

Lombardo L. (1997) Functional assessment: putting research on methods of behavior management to practical use in the classroom. In *Counterpoint*, Vol.18. Alexandria, VA: National Association of State Directors of Special Education.

Mason, M. (August, 2006). *Best Practices Conducting FBAs.*

Maryland State Department of Education, Division of Special Education/Early Intervention Services. (December 2001). *Code of Maryland Regulations (COMAR), 13A.05.01 Provision of a Free Appropriate Public Education, 13A.05.02 Administration of services for students with disabilities, 13A.08.03 Discipline of students with disabilities*. Baltimore, MD: Author.

National Information Center for Children and Youth with Disabilities. (1999). Research Brief. Interventions for chronic behavior problems.

New York State Education Department, Office of Vocational Educational Services for Individuals with Disabilities, Special Education Policy Unit. (January 2001). *Discipline procedures for students with disabilities*. Albany, NY: Author.

Office of the Surgeon General. (2000). Report of the Surgeon General's Conference on Children's Mental Health: A National Action Agenda. Washington, DC: Department of Health and Human Services.

O'Neill, R. E., Horner, R. H., Albin, R. W., Storey, K., Sprague, J. R. (1990). *Functional analysis of problem behavior: A practical assessment guide*. Sycamore, Il: Sycamore.

Sasso, G. M., Reimers, T. M., Cooper, L.J., Wacker, D., Berg, W,. Steege, M., Kelly, L., & Allaire, A. (1992). Use of descriptive and experimental analyses to identify the functional properties of aberrant behavior in school settings. In *Journal of Applied Behavior Analysis*, 25(4), pp. 809-821.

Sugai, G., Lewis-Palmer, T., & Hagan, S. (1998). Using functional assessments to develop behavior support plans. Eugene, OR: *Preventing School Failure*, 43(1), pp. 6-13.

Sugai, G., Horner, R. H., Dunlap, G., Hieneman, M., Lewis, T. J., Nelson, C. M., Scott, T., Liaupsin, C., Sailor, W., Turnbull, A. P., Turnbull, R., Wickham, D., Ruef, N. M., Wilkcox, B. (1999). Applying positive behavioral support and functional assessment in schools. OSEP Center on Positive Behavioral Interventions and Support.

Taylor-Greene, S., (1997). School-wide behavioral support: Starting the year off right. In *Journal of Behavioral Education*, 7(1), pp. 99-112.

Tilly, D., Kovaleski, J., Dunlap, G., Knoster, T., Bambara, L., Kincaid, D. (1998). Functional behavioral assessment: Policy development in light of emerging research and practice. Alexandria, VA: National Association of State Directors of Special Education.

Todd, A. W., Horner, R. H., Sugai, G., & Sprague, J. R. (1999). Effective behavior support: Strengthening school-wide systems through a team-based approach. *In Effective School Practices*, 17(4), pp. 23-37.

U.S. Department of Education, Office of Special Education and Rehabilitative Services, Office of Special Education Programs. (2000). Functional behavioral assessment. Available: http://www.ed.gov/offices/OSERS/OSEP/Products/factsheets.html

U.S. General Accounting Office (2001). Report to the Committees on Appropriations, U.S. Senate and House of Representatives: Student Discipline, Individuals with Disabilities Education Act (GAO-01-210). Washington, DC: U.S. Government Printing Office.

Internet References

"Building the Legacy: IDEA 2004"
U.S. Department of Education (USDE),
Office of Special Education Programs
http://idea.ed.gov

Center for Effective Collaboration and Practice (CECP)
American Institutes for Research
1000 Thomas Jefferson Street, NW, Suite 400
Washington, DC 20007
http://www.air-dc.org/cecp/

Center on Positive Behavioral Interventions and Supports (PBIS)
Behavioral Research and Training
5262 University of Oregon
Eugene, OR 97403
http://www.PBIS.org

Council for Exceptional Children
1920 Association Drive
Reston, VA 22091-1589
http://www.cec.sped.org/

Maryland State Department of Education
200 W. Baltimore Street
Baltimore, MD 21201-2595
http://marylandpublicschools.org

National Association of School Psychologists
4340 East West Highway, Suite 402
Bethesda, MD 20814
http://www.nasponline.org/

National Information Center for Children and Youth with Disabilities
Academy for Educational Development
P. O. Box 1492
Washington, DC 20013-1492
http://nichcy.org

Office of Special Education Programs
U.S. Department of Education
Mary E. Switzer Building
330 C Street, SW
Washington, DC 20202
http://www.ed.gov/offices/OSERS/OSEP

PACER Center
8161 Normandale Boulevard
Minneapolis, MN 55437-1044
http://www.pacer.org

Appendices

Review of federal and State regulations finds there are no mandated processes and forms to conduct a functional behavioral assessment (FBA) or document a behavior intervention plan (BIP). For the user's convenience, MSDE has included additional materials and resources to support local public agencies when conducting an FBA and developing a BIP.

It must be noted that these resources are guides and **not mandated** for use. Many of the resources have been prepared by the Center for Effective Collaboration and Practice, http://www.air-dc.org/cecp/ and supported by the U.S. Department of Education, Office of Special Education Programs (OSEP).

Appendix A: DATA COLLECTION INSTRUMENTS

- ABC Observation Form 1

- ABC Observation Form 2

- Forced Choice Reinforcement Menu

- Interview Form

- Functional Assessment Scatter Plot: Example & Blank Form

- Classroom Scatter Plot: Example & Blank Form

ABC Observation Form

Student Name: _____   **Observation Date:** _____

Observer: _____   **Time:** _____

Activity: _____   **Class Period:** _____

ANTECEDENT	BEHAVIOR	CONSEQUENCE

Prepared by the Center for Effective Collaboration and Practice

ABC Observation Form

Student Name: _____   Observer: _____

Date: _____   **Time:** _____   **Activity:** _____

Context of Incident:

Antecedent:

Behavior:

Consequence:

Comments/Other Observations:

Prepared by the Center for Effective Collaboration and Practice

Forced-Choice Reinforcement Menu

Name: _____

In order to identify possible classroom reinforcement, it is important to go directly to the source, namely, you the student. Below is a paragraph that provides instructions for completing a series of "controlled choice" survey items about individual reinforcement preferences. Please read the following paragraph carefully:

"Let's suppose that you have worked hard on an assignment and you think that you have done a super job on it. In thinking about a reward for your effort, which one of the two things below would you most like to happen? Please choose the one from each pair that you would like best and mark and "X" in the blank that comes in front of it. Remember, mark only one blank for each pair."

1. _____ Teacher writes "100" on your paper. (A)
   _____ Be first to finish your work. (CM)

2. _____ A bag of chips. (CN)
   _____ Classmates ask you to be on their team. (P)

3. _____ Be free to do what you like. (I)
   _____ Teacher writes "100" on your paper. (A)

4. _____ Classmates ask you to be on their team. (P)
   _____ Be first to finish your work. (CM)

5. _____ Be free to do what you like. (I)
   _____ A bag of chips. (CN)

6. _____ Teacher writes "100" on your paper. (A)
   _____ Classmates ask you to be on their team. (P)

7. _____ Be first to finish your work. (CM)
   _____ Be free to do what you like. (I)

8. _____ A bag of chips. (CN)
   _____ Teacher writes "100" on your paper. (A)

9. _____ Classmates ask you to be on their team. (P)
   _____ Be free to do what you like. (I)

10. _____ Be first to finish your work. (CM)
    _____ A bag of chips. (CN)

11. _____ Teacher writes "A" on your paper. (A)
    _____ Be the only one that can answer a question. (CM)

12. _____ A candy bar. (CN)
    _____ Friends ask you to sit with them. (P)

13. _____ Be free to go outside. (I)
    _____ Teacher writes "A" on your paper. (A)

14. _____ Friends ask you to sit with them. (P)
    _____ Be the only one that answers a question. (CM)

15. _____ Be free to go outside. (I)
    _____ A candy bar. (CN)

16. _____ Teacher writes "A" on your paper. (A)
    _____ Friends ask you to sit with them. (P)

17. _____ Be the only one that can answer a question. (CM)
    _____ Be free to go outside. (I)

18. _____ A candy bar. (CN)
    _____ Teacher writes "A" on your paper. (A)

19. _____ Friends ask you to sit with them. (P)
    _____ Be free to go outside. (I)

20. _____ Be the only on that can answer a question. (CM)
    _____ A candy bar. (CN)

21. _____ Teacher writes "Perfect" on your paper. (A)
    _____ Have only your paper shown to the class. (CM)

22. _____ A can of soda. (CN)
    _____ Classmates ask you to be class leader. (P)

23. _____ Be free to play outside. (I)
    _____ Teacher writes "Perfect" on your paper. (A)

24. _____ Classmates ask you to be class leader. (P)
    _____ Have only your paper shown to the class. (CM)

25. _____ Be free to play outside. (I)
    _____ A can of soda. (CN)

26. _____ Teacher writes "Perfect" on your paper. (A)
    _____ Classmates ask you to be class leader. (P)

27. _____ Have only your paper shown to the class. (CM)
    _____ Be free to play outside. (I)

28. _____   A can of soda. (CN)
    _____   Teacher writes "Perfect" on your paper. (A)

29. _____   Classmates ask you to be class leader. (P)
    _____   Be free to play outside. (I)

30. _____   Have only your paper shown to class. (CM)
    _____   A can of soda. (CN)

31. _____   Teacher writes "Excellent" on your paper. (A)
    _____   Have your paper put on the bulletin board. (CM)

32. _____   A pack of gum. (CN)
    _____   Friends ask you to work with them. (P)

33. _____   Be free to work on something you like. (I)
    _____   Teacher writes "Excellent" on your paper. (A)

34. _____   Friends ask you to work with them. (P)
    _____   Have your paper put on the bulletin board. (CM)

35. _____   Be free to work on something you like. (I)
    _____   A pack of gum. (CN)

36. _____   Teacher writes "Excellent" on your paper. (A)
    _____   Friends ask you to work with them. (P)

37. _____   Have your paper put on the bulletin board. (CM)
    _____   Be free to work in something you like. (I)

38. _____   A pack of gum. (CN)
    _____   Teacher writes "Excellent" on your paper. (A)

39. _____   Friends ask you to work with them. (P)
    _____   Be free to work on something you like. (I)

40. _____   Have your paper put on the bulletin board. (CM)
    _____   A pack of gum. (CN)

Other suggestions about classroom rewards:

Thank you for taking the time to complete this survey.

Scoring Key

_____ Adult Approval (A)

_____ Competitive Approval (CM)

_____ Peer Approval (P)

_____ Independent Rewards (I)

_____ Consumable Rewards (CN)

Modified by Gable, R. A. (1991) from:

Cartwright, C. A., & Cartwright, G. P. (1970). Determining the motivational systems of individual children. Teaching Exceptional Children, 2:3, 143-149.

Functional Assessment Interview Form

Interviewer(s) _____   Date(s) _____

Student(s) _____

Respondent(s) _____   Title _____

1. Describe the behavior of concern. _____
    _____
    _____
    _____
    _____

2. How often does the behavior occur? _____
    _____
    How long does it last? _____
    _____
    _____
    How intense is the behavior? _____
    _____
    _____

3. What is happening when the behavior occurs? _____
    _____
    _____
    _____
    _____

4. *When/where* is the behavior *most/least* likely to occur? _____
    _____
    _____
    _____
    _____

5. With whom is the behavior *most/least* likely to occur? _____
    _____
    _____
    _____
    _____

Prepared by the Center for Effective Collaboration and Practice

6.   What conditions are most likely to precipitate ("set-off") the behavior? _____
_____
_____
_____
_____

7.   How can you tell the behavior is about to start? _____
_____
_____
_____
_____

8.   What usually happens after the behavior the behavior? Describe what happens according to adult(s), peers, and student responses. _____
_____
_____
_____
_____

9.   What is the likely function (intent) of the behavior; that is, why do you think the student behaves this way? What does the student get or avoid? _____
_____
_____
_____
_____

10.   What behavior(s) might serve the same function (see question 9) for the student that is appropriate within the social/environmental context? _____
_____
_____
_____
_____

11.   What other information might contribute to creating an effective intervention plan (e.g., under what conditions does the behavior not occur)? _____
_____
_____
_____
_____

12.   Who should be involved in planning and implementing the intervention plan? _____
_____
_____
_____
_____

Prepared by the Center for Effective Collaboration and Practice

Example Form

Functional Assessment Scatterplot

Student: *Myree*   Grade: *6th*   School: *John B. Lynn*

Date(s): *10/4/97 to 10/8/97*   Observer(s): *Dennis*

Behavior(s) of concern: *disrupts class w/inappropriate comments and verbal threats directed at peers.*

Setting: _____

ACTIVITY	TIME	DAY OF THE WEEK					TOTAL
		Monday	Tuesday	Wednesday	Thursday	Friday	
Math	9:20 – 10:10	II	I THH THH	THH III	III	THH	29
Science	10:10 – 11:00	II		I	I		4
Social Studies	11:00 – 11:50		I				1
English	11:50 – 12:30	I	I THH	I THH		II	15
Lunch	12:30 – 1:00						0
Health/P.E.	1:00 – 1:50						0
Art	1:50 – 2:40						0
Total		5	18	15	4	7	49

Prepared by the Center for Effective Collaboration and Practice

Blank Form

Functional Assessment Scatterplot

Student:_____　　Grade: _____　　School: _____

Date(s): _____　　Observer(s): _____

Behavior(s) of concern: _____

Setting:_____

ACTIVITY	TIME	DAY OF THE WEEK					TOTAL
		Monday	Tuesday	Wednesday	Thursday	Friday	
Total							

Prepared by the Center for Effective Collaboration and Practice

Example Form

Classsroom Scatterplot

Student ___Charles___   Teacher ___Miller___   Observer(s) ___Evans___

Activity _____   Date _____

No. of Students ___21___   Start Time ___9:10___   End Time ___9:55___   Total ___45 min.___

Observation Interval:	10 sec___ 15 sec___ 20 sec _X_	Time Sampling Procedure:	1. Continuous Recording: _____	2. Non-Continuous Recording _X_ (every _3_ min.):	3. Other: _____

Phase *baseline*	Instructional Conditions	Acad Talk	Answer Ques	Ask Ques	Atten	Task Partic	Read Aloud	Read Silent	Write	Other Appro.	Total	Aggresa/ Disruptive	Off Task	Out of Seat	Non Compliance	Talk Out	Other Inappro.	Total Inappro.	Grand Total
	Paper—Pencil																		
	Listen-Lecture			I							1								2
	Teacher-Pupil Discussion		II		II						4	I				II		3	7
	Manipulatives																		
	Inst. Games																		
	Worksheets Workbook																		
	Readers											III	II		II	THL	II	14	14
	Student-Student																		
	Media/Tech-Other																		
	Transition																		
	Other																		
	Total	0	2	1	2	0	0	0	0		5	4	2	0	2	7	2	17	22

Prepared by the Center for Effective Collaboration and Practice

Blank Form

Classsroom Scatterplot

Student _____   Teacher _____   Observer(s) _____
Activity _____   Date _____
No. of Students _____   Start Time _____   End Time _____   Total _____

| Observation Interval: | 10 sec___ 15 sec___ 20 sec___ | Time Sampling Procedure: | 1. Continuous Recording: _____ | 2. Non-Continuous Recording ____ (every ___ min.): | 3. Other: _____ |

Phase *baseline*		Appropriate Responses										Inappropriate Responses							
		Acad Talk	Answer Ques	Ask Ques	Atten	Task Partic	Read Aloud	Read Silent	Write	Other Appro.	Total	Aggresse/ Disruptive	Off Task	Out of Seat	Non Compliance	Talk Out	Other Inappro.	Total Inappro.	Grand Total
Instructional Conditions	Paper—Pencil																		
	Listen-Lecture																		
	Teacher-Pupil Discussion																		
	Manipulatives																		
	Inst. Games																		
	Worksheets Workbook																		
	Readers																		
	Student-Student																		
	Media/Tech-Other																		
	Transition																		
	Other																		
	Total																		

Prepared by the Center for Effective Collaboration and Practice

Appendix B:
FUNCTIONAL BEHAVIOR ASSESSMENT

- Quality Indicators of Functional Behavior Assessments and Behavior Intervention Plans

- Functional Assessment/Behavioral Intervention Checklist

- Functional Behavior Assessment Format

Quality Indicators of Functional Behavior Assessments and Behavior Intervention Plans

Indicator	YES	Some	NO
1. Assessing school wide behavior intervention needs is a collaborative team process.			
2. Behaviors are defined in operational terms (observable).			
3. Multiple data sources and methods are used involving qualitative and quantitative information (e.g., interviews, observations, questionnaires, motivations scales).			
4. A team provides input, including teachers and family members, and when appropriate, the student.			
5. Situations (times, places, conditions) under which the behavior is likely to occur AS WELL AS situations when the behavior is NOT likely to occur are identified.			
6. A functional hypothesis is generated to explain the behavior and guide the development of the support plan, response plan, and teaching plan.			
7. Replacement or alternative behavior that serves the same function as the target behavior is identified.			
8. An instructional plan has clear components for what and how to teach and reinforce the replacement/alternative behavior.			
9. Reinforcement that is valued to the individual student is identified; a plan to use and fade reinforcement is put into place.			
10. A Support plan that designates changes to the environment cues or prompts for appropriate responding, or other strategies that minimize the need for the student to use the target behavior are specified.			
11. A response plan that considers the function that the behavior serves is designed to minimize the value of the target behavior.			
12. Data on the occurrence of the target and replacement behavior are taken on a regular basis and progress is monitored.			
13. A team meets regularly to evaluate the extent to which the plan is being implemented with fidelity; and if not – identifies the factors that interfere with implementation.			
14. The intervention/support plan emphasizes: o general education class participation o meaningful social relationships o enhanced opportunities for choice o creation of a role for the student within the class or school that engenders respect from others o continued development of personal competencies			
15. The intervention/support plan emphasizes prevention by intervening or supporting the student when the behavior is *not occurring* to reduce the likelihood of the student's need to use the behavior.			
16. There is a structure for ongoing input from all involved stakeholders and a collaborative planning process to redesign the interventions/supports.			

Courtesy of the Maryland Center for Inclusive Education (MCIE)

Functional Assessment/Behavioral Intervention Checklist

IEP teams can use this checklist to guide them through the process of conducting a functional behavioral assessment and writing and implementing a positive behavioral intervention plan.

Student: _____ Date: _____

Team leader: _____ Grade: _____

Behavior(s) of concern: _____

Yes	No	
		1. Is the student behavior of concern clearly defined?
		2. Have replacement behaviors that serve the same function (or result in the same outcome) for the student been identified, along with the circumstances under which they should occur (e.g., when threatened by peer in hallway)?
		3. Are multiple sources of information available that have been collected from various individuals (e.g., teachers, parents, classmates, and student)? At least two separate indirect measures and multiple direct measures (e.g., ABC charts, scatterplots) that capture multiple occurrences/non-occurrences of the behavior (and its context) should be in agreement
		4. Has the team produced an acceptable convergent database?
		5. Is the hypothesis statement written according to the three-term contingency (i.e., under *x* conditions, the student does *y*, in order to achieve *z*) so that an intervention plan can easily be produced?
		6. Is the plan aligned with student needs and assessment results?
		7. Does the plan address all aspects of the social/environmental contexts in which the behavior of concern has occurred?
		8. Is there a strategy to verify the accuracy of the hypothesis statement (e.g., analogue assessment)?
		9. Does the plan address both short-term and long-term aspects of student behavior (and its social/environmental context), including procedures to eliminate reliance on unacceptable behavior?
		10. Does the plan include practical ways to monitor both its implementation (e.g., checklist, treatment scripts) and its effectiveness as a behavioral intervention plan?
		11. Does the plan include ways to promote the maintenance and generalization of positive behavior changes in student behavior (e.g., self-monitoring)?
		12. Is the plan consistent with building-level systems of student behavior change and support?

Prepared by the Center for Effective Collaboration and Practice

Functional Behavior Assessment (FBA)
Form from the On-line IEP, Maryland State Department of Education

The Functional Behavior Assessment (FBA) examines the content, pattern, and function of the student's behavior and leads to an effective Behavior Intervention Plan (BIP).

Student: _____   Grade: _____

School: _____   Date completed: _____

Completed By: _____

Specifically describe behavior that impedes the student's learning or that of others:

_____

_____

_____

With what frequency, intensity and duration does this behavior occur?

Frequency (How often does behavior occur?)	Intensity (How severe is the behavior?)	Duration (How long does the behavior last?)
_____ times per ❑minute ❑hour ❑day ❑week	❑1 ❑2 ❑3 ❑4 ❑5 ⬅--------------------➡ Low high (severity)	_____ (amount) ❑seconds ❑minutes ❑hours

ANTECEDENTS
Describe the circumstances that are often present BEFORE the behavior occurs:

I.   Where does the behavior occur?

	Often	Rarely	Comments
Classroom	___	_____	_____
Hallways	___	_____	_____
Cafeteria	___	_____	_____
Bus	___	_____	_____
Library	___	_____	_____
Bathrooms	___	_____	_____
Recess	___	_____	_____
Other	___	_____	_____

II. Who is involved?

	Often	Rarely	Comments
Teacher	___	_____	_____
Peer(s)	___	_____	_____
Assistant	___	_____	_____
School Support	___	_____	_____
Counselor	___	_____	_____
Administrator	___	_____	_____
Self	___	_____	_____
Other	___	_____	_____

III.   When does the behavior occur (is there a pattern in the time of day, or day of the week, when the behavior occurs)? Briefly describe:

_____

_____

_____

IV.   How is the behavior triggered and/or escalated? Briefly describe:

_____

_____

_____

CONSEQUENCES

Describe what happens AFTER the behavior occurs:

_____

_____

Effect(s) of behavior: Peer Response:
❑ interruption of learning   ❑ encouraging
❑ loss of instructional time   ❑ ignoring
❑ harm to others   ❑ avoiding
❑ damage to property   ❑ confronting
❑ other: _____   ❑ other: _____

Function of behavior: Specify hypothesized function for each area checked below.

☐ *Affective Regulation/Emotional Reactivity* (Identify emotional factors; anxiety, depression, anger, poor self-concept; that play a role in organizing or directing behavior):

_____

_____

☐ *Cognitive Distortion* (Identify distorted thoughts; inaccurate attributions, negative self-statements, erroneous interpretations of events; that play a role in organizing or directing behavior):

_____

☐ *Reinforcement* (Identify environmental triggers and payoffs that play a role in organizing and directing behavior):
        Antecedents:

_____

Consequences:

_____

☐ *Modeling* (Identify the degree to which the behavior is copied, who they are copying the behavior from, and why they are copying the behavior):

_____

☐ *Family Issues* (Identify family issues that play a part in organizing and directing behavior):

_____

_____

☐ ***Physiological/Constitutional*** (Identify physiological and/or personality characteristics; developmental disabilities, temperament; that play a part in organizing and directing behavior):

☐ ***Communicative Intent*** (Identify what the student is trying to say through the behavior):

☐ ***Curriculum/Instruction*** (Identify how instruction, curriculum, or educational environment play a part in organizing and directing behavior):

Student Information

What interventions and/or strategies are currently being used or have previously been used to address the behavior and how has the student responded to improve learning/achievement?

List the student's strengths and interests:

List the student's academic achievements;

List any rewards, reinforcements, or incentives that work with the student:

Additional comments

Teacher comments:

Counselor comments:

Administrative comments:

Parent comments:

Outside agency comments:

Functional Behavior Assessments and Behavior Intervention Plans – Rubric for Quality Components

Prepared by the Maryland Coalition for Inclusive Education, 2009

1. Defining the Problem Behavior		
Meets Expectations (*Good*)	**Partially Meets Expectations** (*Fair*)	**Does not Meet Expectations** (*Poor*)
Description of the problem behavior includes **all** of the following characteristics ❑ **Specific/clear** (*observable, unambiguous, can be replicated by a stranger*) ❑ **objective** (*description of specific student actions, not inferred traits*) ❑ **measurable** (*frequency and/or duration can be counted; beginning and ending of behavior are clearly delineated*)	Description of the problem behavior includes **two** of the following characteristics ❑ specific/clear ❑ objective ❑ measurable	Description of the problem behavior includes **one or none** of the following characteristics ❑ specific /clear ❑ objective ❑ measurable ***Or problem behavior description is not included***
+ STRENGTHS		△ NEEDS improvement

2. Identifying the FUNCTION of the behavior		
Meets Expectations (Good)	Partially Meets Expectations (Fair)	Does not Meet Expectations (Poor)
Description of the function of the behavior has **all** of the following characteristics: ❑ it identifies what the student is trying to communicate ❑ it is based on data and analysis ❑ it includes motivating factors (i.e. to escape/avoid or obtain/acquire) ❑ it identifies reinforcing consequences of the behavior (i.e. sensory input, activity/event/object (tangible), social interaction)	Description of the function of the behavior includes **two to three** of the following characteristics: ❑ it identifies what the student is trying to communicate ❑ it is based on data and analysis ❑ it includes motivating factors (i.e. to escape/avoid or obtain/acquire) ❑ it identifies reinforcing consequences of the behavior (i.e. sensory input, activity/event/object (tangible), social interaction)	Description of the function of the behavior includes **one or none** of the following characteristics: ❑ it identifies what the student is trying to communicate ❑ it is based on data and analysis ❑ it includes motivating factors (i.e. to escape/avoid or obtain/acquire) ❑ it identifies reinforcing consequences of the behavior (i.e. sensory input, activity/event/object (tangible), social interaction) ***Or the function is not Included**
+ STRENGTHS		△ NEEDS improvement