

ND PROTECTION & ADVOCACY PROJECT

SPECIAL EDUCATION POSITIVE BEHAVIORAL SUPPORTS

What are Positive Behavioral Interventions and Supports?

Positive behavioral interventions and supports (PBIS) is one type of evidence-based, preventive and proactive, data-driven framework to teach positive behavioral skills. It also reduces disciplinary incidents, reduces and prevents the need for seclusion and restraint, increases a school's sense of safety, and support improved academic outcomes. It is a way to support everyone – especially students with disabilities – to create the kinds of schools where all students are successful. It is a commitment to addressing student behavior through systems change. PBIS schools apply a multi-tiered behavioral framework used to improve the integration and implementation of behavioral practices, data driven decision-making systems, professional development opportunities, school leadership, and evidence-based instructional strategies. A PBIS framework uses academic and disciplinary data and principles of behavior analysis to develop schoolwide (Tier 1), targeted (Tier 2), and individualized (Tier 3) interventions and supports to improve behavioral and academic outcomes, identify and prevent problem behavior as early as possible, and improve school climate.

The U.S. Department of Education has emphasized the need for schoolwide Positive Behavioral Interventions and Supports

In its 2012 publication *Restraint and Seclusion: Resource Document*, the Department of Education included positive behavioral interventions and supports in its “15 principles” and best practices designed to prevent the use of restraint or seclusion in schools. The Department said that behavioral strategies, particularly when implemented as part of the schoolwide program of positive behavioral supports, can be used to address the underlying causes of violent and dangerous behavior and reduce the likelihood that restraint or seclusion will need to be used.

Under the IDEA, when a student exhibits violent or dangerous behavior, before implementing disciplinary procedures, the school must decide whether the behavior in question was a manifestation of the student's

This handout is for informational purposes and is not legal advice.

disability. If it is, the school must conduct a functional behavioral assessment (FBA) and implement a behavioral intervention plan (BIP) for the student. According to the DOE Resource Document, an FBA should be used to identify the combination of antecedent factors (that immediately precede behavior) and consequences (that immediately follow behavior) that are associated with the occurrence of a student's inappropriate or dangerous behavior. Data collected through direct observations, interviews, and record reviews help to identify the function of the dangerous behavior and then guide the development of the student's BIP. A complete BIP should describe strategies for:

- (1) addressing the characteristics of the setting and events;
- (2) removing antecedents that trigger dangerous behavior;
- (3) adding antecedents that maintain appropriate behavior;
- (4) removing consequences that maintain or escalate dangerous behaviors;
- (5) adding consequences that maintain appropriate behavior; and
- (6) teaching alternative appropriate behaviors, including self-regulation techniques to replace the dangerous behaviors.

The Department of Education emphasized that positive behavioral strategies should be in place in schools and that teachers should be regularly trained on the appropriate use of effective alternatives to physical restraint and seclusion such as positive behavioral interventions and supports. School personnel should also be trained to collect and analyze individual student data to determine the effectiveness of PBIS procedures in increasing appropriate behavior and decreasing inappropriate behavior. These data should inform the need for additional training, staff support, or policy change.

In 2016, the Department of Education issued a Dear Colleague document offering "significant guidance" regarding the requirement that an IEP team must consider the use of positive behavioral interventions and supports in cases where a student's behavior impedes the student's learning or that of others:

"We are issuing this guidance to clarify that the failure to consider and provide for needed behavioral supports through the IEP process is likely to result in a child not receiving a meaningful educational benefit or FAPE. In addition, a failure to make behavioral supports available throughout a continuum of placements, including in a regular education setting, could result in an inappropriately restrictive

placement and constitute a denial of placement in the least restrictive environment (LRE). While such determinations are necessarily individualized, this guidance is intended to focus attention on the need to consider and include evidence-based behavioral supports in IEPs that, when done with fidelity, often serve as effective alternatives to unnecessary disciplinary removals, increase participation in instruction, and may prevent the need for more restrictive placements.” (See <https://www.ed.gov/news/press-releases/us-department-education-releases-guidance-schools-ensuring-equity-and-providing-behavioral-supports-students->)

FOR MORE INFORMATION, CONTACT:

ND PROTECTION & ADVOCACY PROJECT
400 E. BROADWAY, SUITE 409
BISMARCK, ND 58501
1-800-472-2670
(701) 328-2950
www.ndpanda.org
panda_intake@nd.gov



If you need this handout in an alternative format, please contact the Protection & Advocacy Project.

This handout is for informational purposes and is not legal advice.