

# School Behavior and Discipline



*Developed by Educational Access Project for DCFS*



NORTHERN ILLINOIS UNIVERSITY  
Center for Child Welfare and Education  
Educational Access Project for DCFS

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# We Will Learn About:

Special and general education regulations

Suspensions and expulsions

Effective behavioral interventions

Functional Behavior Analysis (FBA)

Behavior Intervention Plans (BIP)



If kids cannot adapt to the schools' predetermined curriculum based on age and grade level, it should be the schools' responsibility to adapt the curriculum to the kids.

- Bill Page



Part One

# DISCIPLINE IN GENERAL



# Discipline - Basic Themes

- All students deserve to be educated in safe, well-disciplined schools and orderly learning environments.
- School personnel should have effective techniques and methodologies to prevent behavior problems and to deal with them positively when they occur.
- A balanced approach to discipline must exist in which order and safety are maintained while the rights to receive a free, appropriate public education are protected.
- IEPs must contain behavior intervention strategies that will contribute to a reduction in discipline problems.

# Discipline - General Provisions

The School Code gives schools the authority to discipline students in order to:

- Protect the safety of students and property
- Provide self-defense or the defense of property
- Address disruptive behavior

School districts must have policies that state which acts of conduct will result in disciplinary measures.

Policies must be shared with parents and students at enrollment, and procedures are shared upon request.

# Recent Guidance on Discipline

On January 8, 2014, the Department of Education and the Department of Justice released joint legal guidance and resources on school discipline.

Guidance package is available at:

<http://www.ed.gov/school-discipline/>



# Department of Education and Department of Justice Guidance:

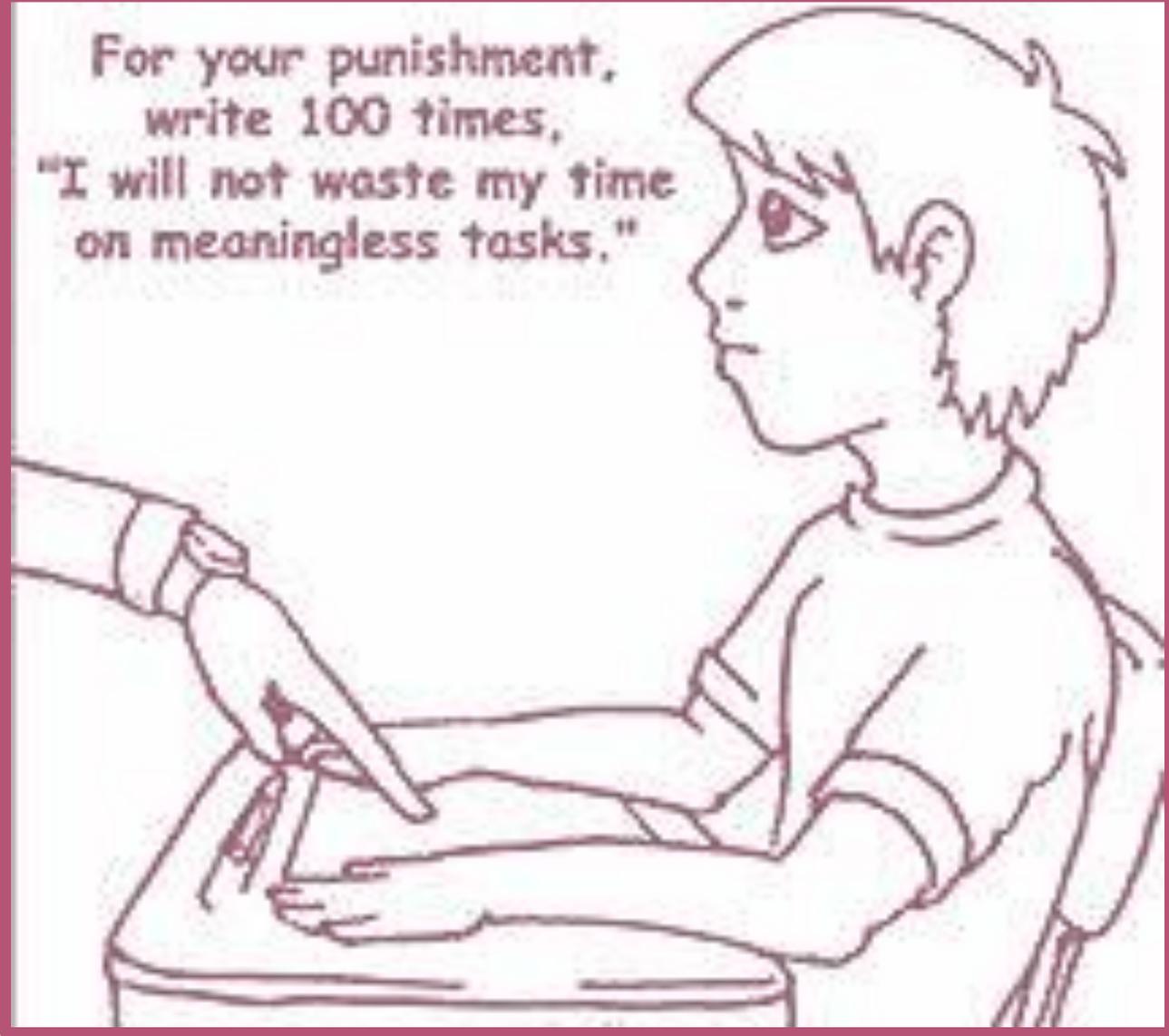
- Applies to all schools receiving federal dollars, including charter and alternative schools
- Articulates both different treatment and disparate impact standards of liability and provides examples of their application in the disciplinary context
- Makes clear that “racial discrimination in school discipline is a real problem,” one with long-term consequences for students and their communities
- Explicitly addresses a number of forms of exclusionary discipline (e.g., suspension and expulsion), including actions taken by police in schools
- Calls out certain policies (e.g. zero tolerance, out of school suspensions for truancy) as problematic
- Provides examples of remedies and best practices

## Part 2

# SUSPENSIONS AND EXPULSIONS



For your punishment,  
write 100 times,  
"I will not waste my time  
on meaningless tasks."



# Suspension- General Provisions

- May last for **no more than 10 school days**
- May be issued by School Board, Superintendent, Principal, Asst. Principal or Dean of Students
- May take effect immediately
- Parents must be notified of:
  - Reason for suspension
  - Right to request review by the School Board
- Suspension may include restriction from school activities and presence on school grounds

# Suspension- General Provisions

- Out-of-school suspensions
  - When a student is removed from school for all or part of an instructional day
- In-school suspensions
  - When a student remains in school, but is removed from classroom instruction for all or part of a day
- Bus suspensions
  - May be suspended for more than 10 days for safety reasons
  - If bus suspension results in the student's inability to attend school, it is considered a suspension from school and subject to 10-day provision

# Expulsion- General Provisions

- May last up to 2 calendar years
- May be issued only by School Board
- May take effect only after parents are requested by certified mail to appear at expulsion hearing
- Student has the right to be represented by legal counsel, present evidence and cross-examine witnesses at expulsion hearing
- Students may be administratively transferred to an alternative school in lieu of suspension or expulsion (Safe Schools Act)

# Legal Representation

Foster parents should notify the caseworker immediately if suspension or expulsion occurs.

Legal Representation is available for foster children facing suspensions or expulsions through the DCFS Legal Services Contract.

## Part 3

# SPECIAL EDUCATION DISCIPLINE PROVISIONS



# Discipline- Special Education Provisions

Special education students may be disciplined in the same manner as regular education students, except that:

- School districts must have policies and procedures for students with disabilities that require behavioral intervention
- Special provisions exist for suspensions and expulsions
- An individualized Behavior Intervention Plan (BIP) is required in certain situations that may dictate consequences for targeted behaviors

# Suspensions for Special Education Students

Except under special circumstances, suspensions for students with IEPs must **not** result in a change of placement, which means:

- The removal is for more than 10 consecutive days
- There is a series of removals that constitute a pattern
- The series of removals total more than 10 school days in the same school year

# Removals that Cause a Change in Placement

Within 10 school days of the decision to change placement because of a violation of conduct, the IEP team must convene a Manifestation Determination Review (MDR):

- Was the conduct caused by or related to the disability?
- Was the conduct caused by the school's failure to implement the IEP?

# Manifestation Determination Review

If conduct **related** to the disability or IEP services weren't implemented as written, the school must:

- Conduct an FBA and develop a BIP or modify BIP if already in place
- Return the child to the previous placement, unless parent and school agree otherwise

# Manifestation Determination Review

If conduct **not related** to disability, LEA may suspend for more than 10 days in a school year, **but:**

- The school must provide IEP services necessary to enable progress in regular curriculum and meet IEP goals
- Subsequent removals must not cause a change in placement

# Expulsions for Special Education Students

- If a district is considering expulsion for a student with an IEP a Manifestation Determination Review must be held to determine if behavior is part of child's disability.
- No child should be expelled for behavior that results from the child's disability.
- Special education students can be expelled for behavior that is not related to their disability, but IEP services must never cease.

# Interim Alternative Educational Setting

- The school may order an immediate change in placement, up to 45 days, if student displays the following conduct at school or at school functions:
  - Possesses, uses or sells illegal drugs
  - Carries to, or possesses a weapon at school
  - Has inflicted serious bodily injury upon another person
- Alternative setting is determined by IEP team
- If you seek an appeal, the child remains in the alternative setting pending the due process hearing.

# Protections for Students Not Yet Eligible for Special Education and Related Services

- If the school district had knowledge that the student had a disability prior to the incident, the student may assert any of the protections under IDEA.
- With no prior knowledge of disability students are:
  - Subject to district-wide disciplinary measures,
  - If requested, an evaluation must be conducted in an expedited manner and
  - If eligible, relevant IDEA protections should be ensured.

Our job is to teach the students we have.  
Not the ones we would like to have.  
Not the ones we used to have.  
Those we have right now.  
All of them.

Dr. Kevin Maxwell

Part 4

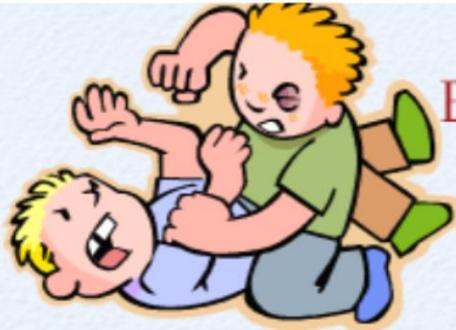
# WHAT ABOUT TRAUMA?



Always remember the possibility of behaviors being the result of the effects of trauma.



# What Can it Look Like at School?



Externalizing Behaviors

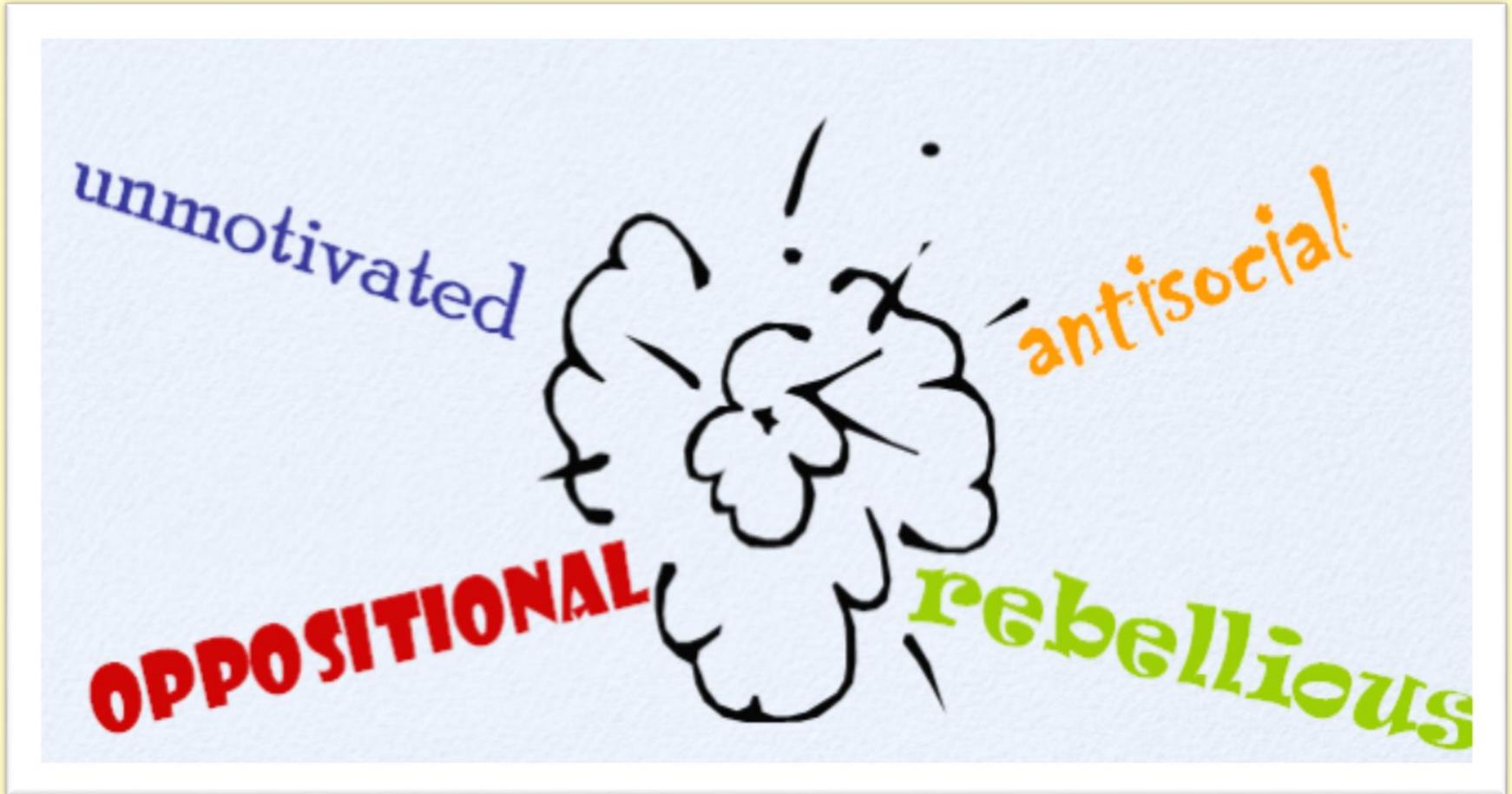


Internalizing Behaviors



Somatic Disorders

Unless teachers understand the nature of traumatic re-enactments, they are likely to label the child as...



# Change in Focus

- With a change in focus, we look at the student NOT being the problem but the student having a problem.
- We are now ready to problem solve in order to work with the student and address the behaviors.

For more information on trauma and education go to The National Child Traumatic Stress Network at <http://www.nctsn.org/>

## Part 5

# BEHAVIORAL INTERVENTIONS FOR STUDENTS WITH DISABILITIES



# Power and Control Strategies are NOT Beneficial

Threats

Bribes

Control over  
bodily  
functions

Random  
enforcement  
of rules

Humiliation  
or  
degradation

Isolation

Corporal  
punishment

(van der Kolk, 2006)

# Trained and Qualified Personnel

School districts must:

- Provide professional development for teachers and other school staff in order to provide scientifically based academic and behavioral interventions
- Provide scientifically based behavioral evaluations, services & supports

# Positive Behavioral Interventions and Supports (PBIS) and the Law

- IDEA includes PBIS as the recommended form of behavioral intervention
  - IEP teams are required by IDEA to consider the use of PBIS for children with disabilities whose behavior
    - Impedes their learning
    - Impedes the learning of others
- IDEA requires that a functional behavioral assessment (FBA) and a behavior intervention plan (BIP) be completed for a student subject to disciplinary action
  - Either before a disciplinary action
  - Or no later than 10 days after a disciplinary action if not completed prior to

# Foundations

1. Problem behaviors are contextual, usually triggered & maintained by something in the environment
  - Environmental influences may be discrete events external or internal to the child such as:
    - Presented a difficult task
    - Being told what to do
    - Having asthma or the flu
  - Environmental influences may also be broad, such as:
    - Child's routines
    - Quality of social relationships
    - Experiences with negative events
    - Lack of opportunity to participate in rewarding activity

# Foundations

2. Although socially unacceptable, problem behaviors serve a function for the child
  - Escape or avoidance of unpleasant situations
  - Gain access to desired activities, objects or social interactions
  - To fill the need for the attention of adults or peers
  - To get help

# Foundations

3. Effective interventions are based on a thorough understanding of the child, his/her social contexts, and the function of the problem behavior.

- Once the function of behavior is understood, the goal is to teach socially acceptable alternatives.
- Once environmental influences are understood, the goal is to modify environmental factors to:
  - Minimize stressors on the child
  - Prevent problem behaviors
  - Encourage long-term use of alternative skills.

# Foundations

4. Effective interventions and support are grounded in child-centered values, regardless of the child's level of functioning or the nature of the behavior.

- To be child-centered, interventions:
  - Must not stigmatize the child
  - Must be acceptable to same-age peers without disabilities in typical settings
  - Must honor personal preferences and goals
  - Must be meaningful to the child

## Part 6

# PUTTING TOGETHER THE PLAN



*“Most of them (learners at risk) are very tough and tenacious in confronting the challenges life presents to them. Despite the difficulties they face, they continue to respond with the best they can draw out of their personal resources and experience. If their responses are less than fully competent, or even maladaptive, this is the result of faulty knowledge rather than lack of effort.”*

Frank Wood



# PBIS Individual Support Process

Identify goals of intervention

```
graph TD; A[Identify goals of intervention] --> B[Gather relevant information (FBA)]; B --> C[Develop summary statements (Hypothesis)]; C --> D[Generate behavioral intervention plan and monitor outcomes (BIP)];
```

Gather relevant information  
(FBA)

Develop summary statements  
(Hypothesis)

Generate behavioral intervention  
plan and monitor outcomes (BIP)

# ISBE Forms

- For the next portion, refer to the handouts of the copies of the FBA and BIP provided.
- Directions for both the FBA and BIP can be found at:

[http://www.isbe.state.il.us/speced/pdfs/iep\\_instructions.pdf](http://www.isbe.state.il.us/speced/pdfs/iep_instructions.pdf)

# Functional Behavioral Assessment (FBA)

- FBA is a systematic way of identifying problem behaviors and the events that predict occurrence, non-occurrence, and maintenance of those behaviors.
- Research on the use of FBA shows:
  - Interventions based on prior FBA are almost twice as successful as those not based on prior FBA.

Define problem behaviors

Describe conditions where a problem behavior is and is not likely to occur

Purpose of the FBA

Identify the function of the behavior

Provide direct observation data to support the outcomes

# Steps of the FBA Process

1. Collect Information/Record observations about:
  - **Behavior-** What, specifically & concretely, did the child do?
  - **Setting-** Where and when did behavior occur?
  - **People-** Who were the significant people involved with the activity or antecedent events?
  - **Activity-** With what was the child involved when the behavior occurred?
  - **Antecedent-** What happened before targeted behavior that the child might be responding to?
  - **Consequence-** What was the outcome of the behavior? What changed in the environment? Who reacted, and how? (NOT what punishment occurred as result)

# Steps of the FBA Process, Cont'd.

Collect information about problem behaviors through:

Informal  
conversations

Structured  
interviews

Questionnaires

Checklists

Direct  
Observations

# Steps of the FBA Process, Cont'd.

2. Develop testable hypothesis or summary statement that includes:
  - **Setting event** - Before class, Mary has a conflict with a peer in hallway
  - **Triggering antecedent(s)** - Teacher presents Mary with a difficult task that requires a written response
  - **Problem behavior(s)** - Mary uses profanity, destroys her materials, threatens teachers & peers
  - **Function of behavior** - As result of behavior, Mary avoids the difficult task

# Typical Functions of Behavior

Attention Seeking

Control Seeking

Escape/Avoidance

Having Fun/Play

Self-Regulation

Revenge

# Steps of the FBA Process, Cont'd.

3. Develop an individualized Behavior Intervention Plan
4. Implement Behavior Plan and Assess the validity of hypothesis.
5. Collect direct observation data to demonstrate if the occurrences of the target behavior is diminished and whether the presence of the assumed setting events, antecedents, and functions of behavior are related and predictable.

# Determining the Function of Behavior

- Juan, a 16 year old who reads at a second grade level, feels embarrassed to be seen with an elementary text and reacts by throwing his reading book across the room and using inappropriate language to inform the teacher that he does not intend to complete his homework.
- Sumi, an eight year old who reads Stephen King novels for recreation, finds her reading assignments boring and, therefore, shoves her book and workbook to the floor when the teacher comments on her lack of progress.





Don't just tell me how you think he is doing.

# Behavior Intervention Plan (BIP)

The results of the FBA are used to develop an individualized behavior intervention plan which includes:

- Procedures for teaching replacement behaviors (alternative skills instruction)
- Interventions that prevent or neutralize setting events
- Interventions involving antecedent events
- Interventions involving consequence events
  - Positively reinforce appropriate behaviors
  - Appropriately respond to problem behaviors (neutralize reinforcement)

# Alternative Skills Instruction

Alternative Skills Instruction can be classified into teaching:

- Replacement skills
  - Must serve same function as problem behavior
  - Must require less effort to display than problem behavior
- General skills
  - Broad skills (e.g., organizational skills) that constructively alter problem situations and prevent problem behavior
- Coping & tolerance skills
  - e.g., Relaxation techniques, visual imagery, self-monitoring of mood, etc.

# Behavior Intervention Plan

In Illinois, the requirements for BIP documentation in the IEP are:

- Summarize the findings of the functional behavioral assessment
- Summarize prior interventions(s) implemented
- Describe any behavioral interventions to be used, including those aimed at developing or strengthening alternate or more appropriate behaviors
- Identify the measurable behavioral changes expected and method of evaluation
- Identify a schedule for a review of the intervention's effectiveness
- Identify provisions for communicating with the parents about their child's behavior and coordinating school-based and home-based interventions

# Restrictive Behavioral Interventions

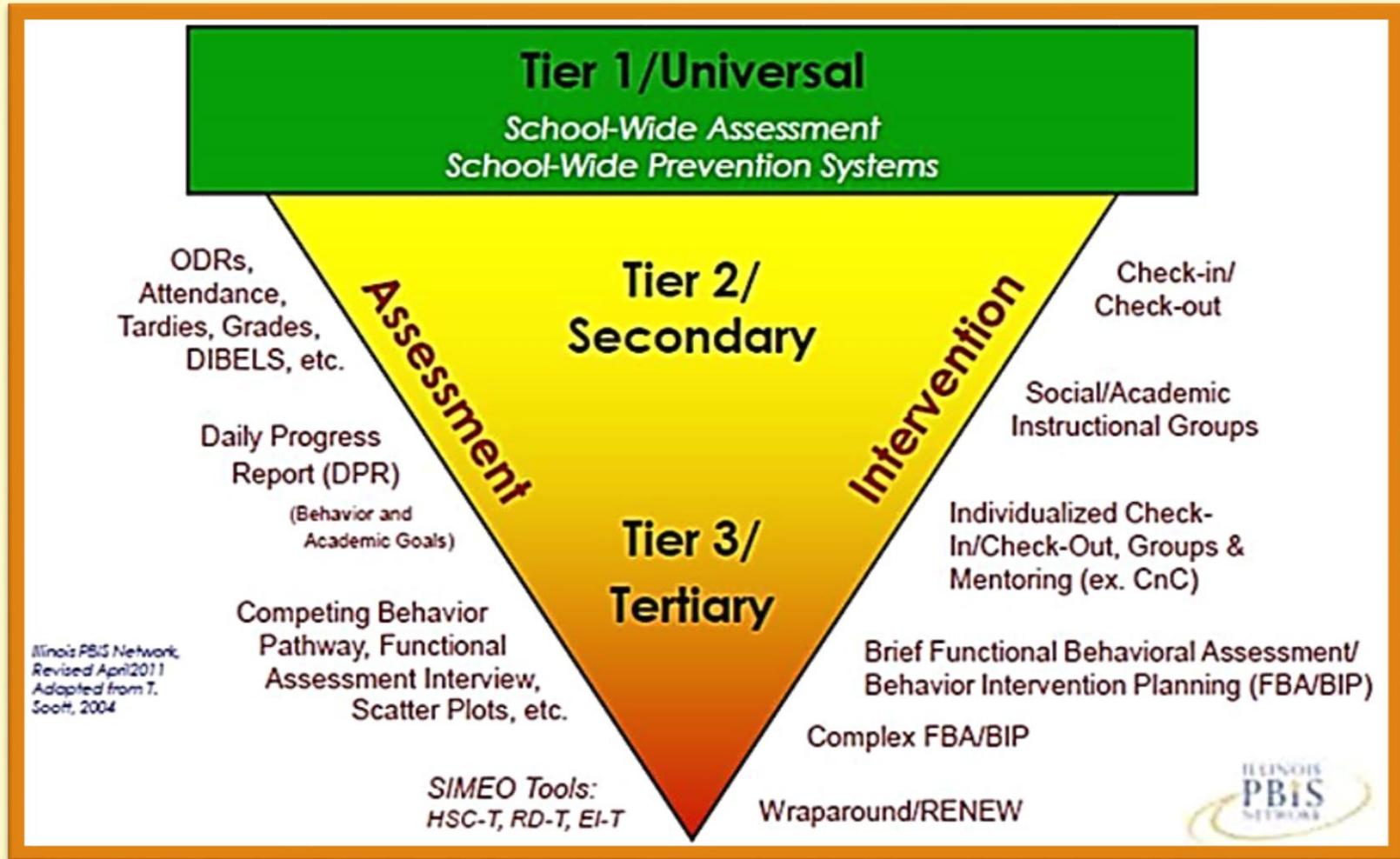
- Except in emergency situations, restrictive interventions should only be used after:
  - A functional analysis of behavior has been completed and documented
  - A behavioral management plan has been written
  - Appropriate modification of the student's IEP has been completed
- Examples include:
  - Isolated time out
  - Physical restraint

## Part 7

# BEHAVIORAL SUPPORTS FOR ALL STUDENTS



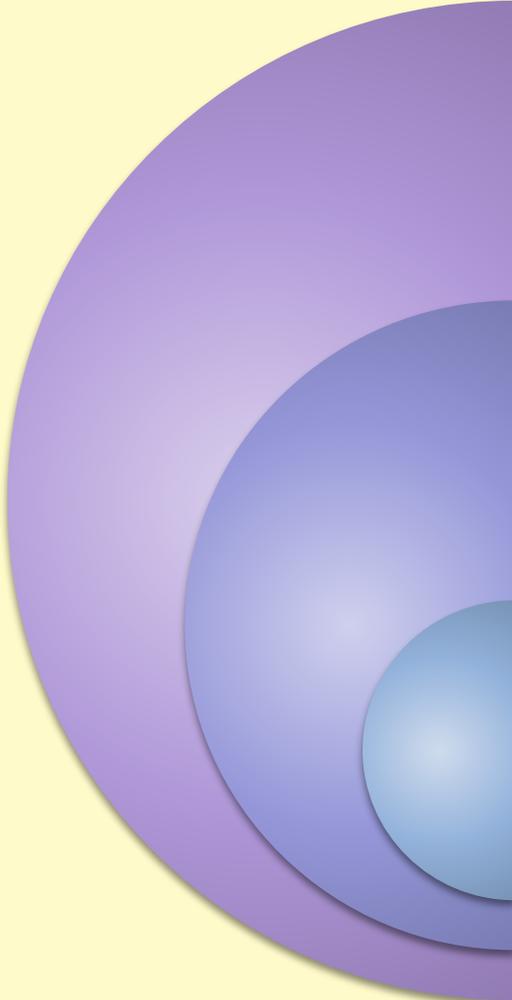
# Positive Behavior Interventions & Supports: A Response to Intervention (RtI) Model



For more information on RtI go to the Response to Intervention Network at:  
<http://www.rtinetwork.org>

For more information on Positive Behavior Interventions go to OSEP's Technical Center on Positive Behavior Interventions at:  
<http://www.pbis.org/school/rti.aspx>

# Points to Ponder



May students not eligible for special education have behavioral intervention plans?

Do you have any youth you are working with that may benefit from having a behavioral intervention plan?

Who would you approach to develop the plan?

Part 8

# RESOURCES AND SUMMARY



# Available Assistance



# Internet Resources

Illinois State Board of Education

[www.isbe.state.il.us](http://www.isbe.state.il.us)

Comprehensive System of Learning Supports

<http://www.isbe.net/learningsupports/>

PBIS Network <http://www.pbisillinois.org/>

Parent Rights

[http://www.isbe.state.il.us/speced/html/parent\\_rights.htm](http://www.isbe.state.il.us/speced/html/parent_rights.htm)

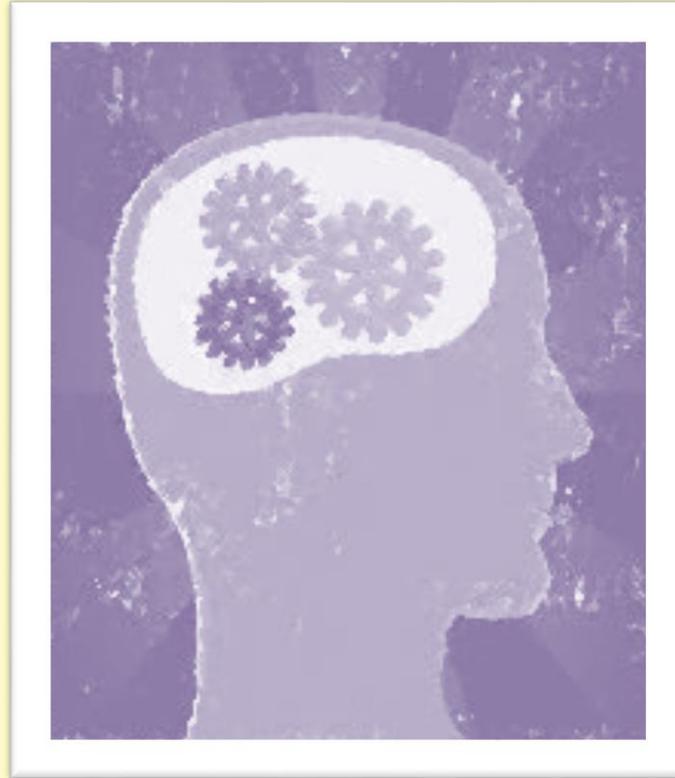
Legal Center for Foster Care and Education

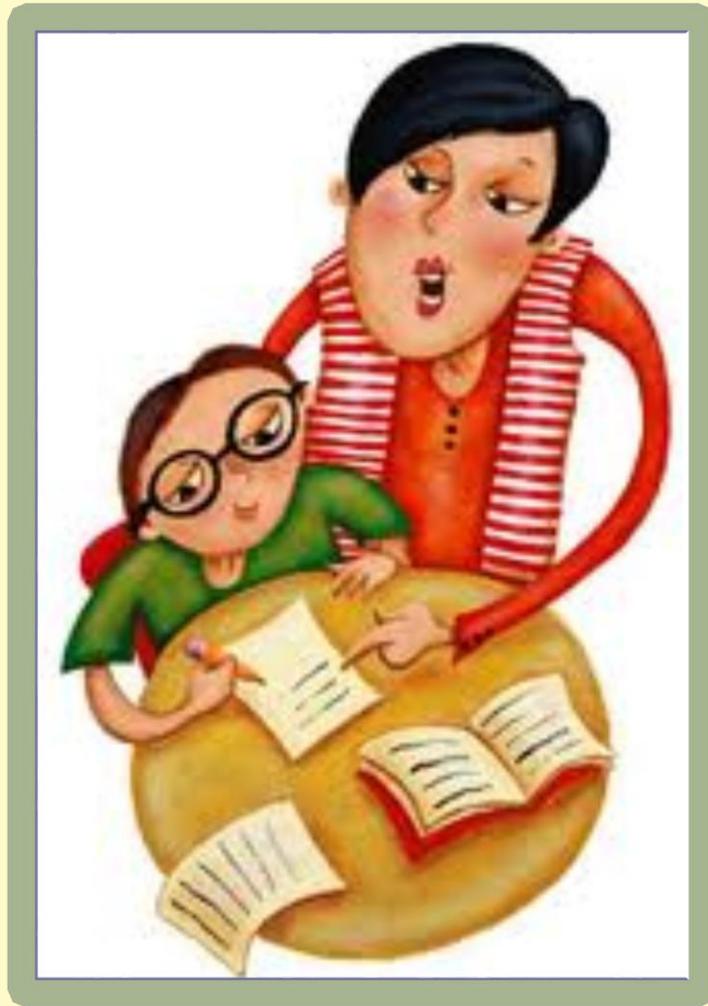
<http://www.fostercareandeducation.org/>

NIU Center for Child Welfare and Education

<http://www.cedu.niu.edu/ccwe/>

# What did we learn?





Parent: What did you learn today?

Student: Apparently not enough! We have to go back tomorrow!

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