



## **“School Districts’ Obligations to Implement Positive Behavior Support and Prohibition of Aversive Techniques for Special Education Students”**

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School districts must follow specific requirements in managing the behaviors of special education children pursuant to Chapter 14 of the Pennsylvania Code. School districts must implement Positive Behavior Support programs that include research-based practices and techniques. This means that the practices and techniques utilized for behavior programming must have been scientifically proven to be effective in increasing positive behavior and decreasing problematic behavior.

School districts must conduct a Functional Behavioral Assessment in order to develop a Positive Behavior Support plan. A Functional Behavioral Assessment involves several observations over a period of time, in various settings, by a qualified professional in order to assess the student’s “function” of the problematic behavior(s). In other words, the assessment involves finding the reason(s) for the problematic behavior(s). These reasons can include a variety of factors, including environmental and social factors.

A Positive Behavior Support plan must be developed for students with disabilities who require specific intervention to address behavior that interferes with learning. Such a behavior plan must be developed by the student’s Individualized Education Plan (“IEP”) team, based on a functional behavior assessment, and become part of the student’s IEP. These behavior plans must include methods that utilize positive reinforcement and other positive techniques to shape a student’s behavior, including, but not limited to, the use of positive verbal statements, preferred activities, homework passes, and specific tangible rewards.

When school districts must intervene to address problem behaviors, the types of interventions for special education students must be the least intrusive necessary. Restraints may be used only when the student is acting in a manner as to be a clear and present danger to himself or to other students or to employees, and when less intrusive measures have been used and proven ineffective. Thus, the use of restraints is a measure of last resort. The District must first use de-escalation techniques before using restraints.

Furthermore, school districts have several requirements to follow when a student is restrained. Specifically, school districts must notify the parent of the use of restraint and formally offer to hold an IEP team meeting within ten (10) school days of the inappropriate behavior causing the use of restraints. A parent may agree in writing to waive an IEP team

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meeting, but only after receiving written notice. At this meeting, the IEP team shall consider whether the student needs a: 1) Functional Behavioral Assessment; 2) Reevaluation; 3) new or revised Positive Behavior Support plan; or 4) change of placement, to address the inappropriate behavior.

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