

Requirements For FBAs/BIPs Following Physical Restraint Event

It is the District's goal to reduce the use of physical restraint of students in the District to the maximum extent possible. To accomplish this goal, the District recognizes that thorough and in-depth data analysis, problem solving, instruction, and interventions will be required to assist students who have exhibited crisis behaviors in schools. Therefore, within two (2) school days after a crisis prevention call resulting in a physical restraint, the District will conduct a systematic review of the Functional Behavior Assessment (FBA) and Behavior Intervention Plan (BIP) of the student who was physically restrained, or if the student is not yet eligible, a systematic review of data.

This review will be conducted according to the following requirements:

1. If the student has not yet been identified as eligible for an Individualized Education Plan (IEP) or 504 Plan, a meeting will be held to propose conducting an evaluation to determine eligibility. This evaluation will be subject to parental consent as required by law. If parental consent is obtained, the evaluation will be conducted and completed as soon as practicable, but no later than sixty (60) days from the date parental consent is obtained. If the student is found eligible, an IEP or 504 Plan will be developed in accordance with applicable law, including conducting an Functional Behavior Assessment (FBA) and developing a Behavior Intervention Plan (BIP) consistent with District procedures.
2. If the student has an IEP or 504 Plan but does not have an FBA, subject to parental consent, an FBA will be immediately conducted and completed within fifteen (15) school days after the physical restraint event. Upon completion of the FBA, the District will use the FBA to develop a BIP that is specific to the behavior that led to the physical restraint. The BIP will be completed within five (5) school days after completion of the FBA.
3. If the student has an FBA that is more than one year old or has an FBA that was conducted in a different educational setting than the one the student is currently in (including a change in teacher), a new FBA will be conducted, subject to parental consent, and completed within fifteen (15) school days after the physical restraint event. As soon as the FBA is completed, the District will use the FBA to develop a BIP that is specific to the behavior that led to the physical restraint within five (5) school days after completion of the FBA.
4. If the student has an FBA that was created within the last year and the student's educational setting has not changed since the FBA was conducted, the District will:
 - a. Review the FBA to ensure that the FBA includes the behavior that resulted in the physical restraint.
 - i. If the FBA does not include the behavior that resulted in the physical restraint, the District will take all necessary steps to ensure the behavior and the hypothesized function of the behavior are included in the FBA.
 1. The District will use the FBA to develop a BIP that is specific to the behavior that led to the physical restraint.
 2. The District will implement the BIP with fidelity and monitor this implementation to assess the fidelity of implementation and the effectiveness of the BIP.
 - a. If the BIP is not implemented with fidelity, the District will ensure that training and support is provided to ensure the BIP is implemented with fidelity.
 - b. If the BIP is not effective, the District will revise the BIP or develop a new BIP.
 - ii. If the FBA does include the behavior resulting in the physical restraint, the District will review the FBA to ensure the function of the behavior resulting in the physical restraint matches the function identified during the crisis prevention and physical restraint processes.
 1. If the function in the FBA does not match the function identified in the crisis prevention and physical restraint processes, the District will ensure the new behavior and the hypothesized function of that behavior are included in the FBA. The District will use the FBA to develop a BIP that is specific to the behavior that led to the physical restraint. The District will implement the BIP with fidelity and monitor this implementation to assess the fidelity of implementation and the effectiveness of the BIP.
 - a. If the BIP is not implemented with fidelity, the District will ensure that training and support is provided to ensure the BIP is implemented with fidelity.
 - b. If the BIP is not effective, the District will revise the BIP or develop a new BIP.

- iii. If the FBA includes the function identified in the crisis prevention and physical restraint processes, the District will review the BIP to ensure that the BIP is implemented with fidelity and that the BIP is effective. The District will implement the BIP with fidelity and monitor this implementation to assess the fidelity of implementation and the effectiveness of the BIP.
 - 1. If the BIP is not implemented with fidelity, the District will ensure that training and support is provided to ensure the BIP is implemented with fidelity.
 - 2. If the BIP is not effective, the District will revise the BIP or develop a new BIP consistent with District procedures.

Approved: 10-26-2022