LAKE COUNTY SELPA

Special Education Local Planning Area

Guide to Using the Behavior Emergency Report (BER) Online Form

Major incident reporting is necessary for severe behavior incidents involving physical harm to self or others, and/or when a restraint or seclusion practice is used as consequence to a severe behavior. Restraint and seclusion should always be considered a last resort option and used as a safety measure, never as a discipline or punishment strategy or for the convenience of staff.

Emergency interventions may not be used in lieu of an appropriate Behavior Intervention Plan (BIP) that is designed to change, replace, modify, or eliminate a targeted behavior. Emergency interventions may only be "used to control unpredictable, spontaneous behavior that poses clear and present danger of serious physical harm" to the student with a disability or others and that "cannot be immediately prevented" by a lesser restrictive response.

The Behavior Emergency Report does not replace district discipline reporting policies and procedures. Reference discipline procedures and district board policy as necessary.

Use the online Behavior Emergency Report (BER) Form if you mark at least one of the following:

- ☐ Did the incident involve a violation of Education Code Sections 48900 or 48915? (see Education Codes 48900 and 48915 for reference of code violations)
- ☐ Did the incident result in restraint or seclusion? (see definition in Education Code 49005.1)

*If restraint was applied by law enforcement or school security personnel, the incident is not reportable using the BER.

Below is a checklist/guide for completing the BER Form for the behavior incident reporting. Complete only one BER for a behavior incident. Request assistance in completing the BER as necessary.
Please note, for the purposes of the BER do not use other student names in the report, refer to others by title, for example students as “student” or “student 1” “peer”, etc.

Section 1: Student Information

- ☐ Complete this section with all required information.

Section 2: Emergency Interventions

- ☐ Complete this section to provide necessary information regarding the details of the incident being reported.

Section 3: Antecedents

- ☐ To the best of your knowledge, mark all appropriate areas to describe what was happening prior to behavior escalation, where the student was prior to the incident and any de-escalation strategies used.

- ☐ Add additional documentation when describing the incident, as necessary, in the appropriate location in the form.

Section 4: Incident Description

- ☐ Upload all staff/witness reports as part of this section.
- ☐ To the best of your ability identify the potential reason/function of the behavior in this particular incident.
- ☐ Identify the consequences following the behavior.
    - ☐ What, Who, Where, Time frame, etc.
- ☐ Indicate the level of emergency interventions used by paramedics or law enforcement.

Section 5: Debriefing

- ☐ Support for the Student Debriefing process occurs following the incident.
- ☐ Staff Debriefing followed the incident.
    - ☐ Incident Reports for injuries are reported to an administrator and necessary forms are completed following district policy and procedures.
    - ☐ The IEP team reviewed the IEP and BIP, if applicable.
    - ☐ The Staff Debriefing Form should be used to support this phase of the process.
- ☐ Restorative meeting with students/classroom and staff is encouraged prior to a student's return to school after the incident.

Section 6: Notification Procedures (required Notifications)

- ☐ Inform the site and district special education administration of the behavior incident noted in the BER, if not involved during the intervention process.
- ☐ The Administrator and Case Manager should review the BER form.
- ☐ Contact Parents/Guardians by the end of the school day or within 24 hours of the behavior incident.
    a. A copy of the BER does NOT go to parents/guardians, UNLESS they request a copy. It is the LEA's discretion to provide upon receipt of an informal request.
- ☐ Should an outside agency or NPA staff be involved in the reported incident, especially if injured, that staff member's supervisor should also receive a copy of the incident report.
- ☐ Once the behavioral incident is documented within the Student Information System (SIS), this incident should be printed from the SIS, attached to this form, and included with the original BER that is submitted to the SELPA within 5 school days following the incident.

Section 7: Administrative Actions

- ☐ Administrative actions are to be completed within two school days following the incident.
- ☐ An IEP meeting is calendared within two school days, and a meeting is scheduled within 10 school days.
    - ☐ It is recommended the IEP team should attempt to meet prior to the student returning to school, prior to returning from a suspension..
    - ☐ The purpose of the IEP meeting is to discuss the supports and services that are currently in place for the student and if additional supports and services may be

needed in order to assist in decreasing the students inappropriate and dangerous behaviors and thus avoiding the need for a restraint in the future .

- ☐ If a Behavior Intervention Plan (BIP) is already included in the IEP, team should consider revising it as needed
- ☐ If no BIP exists, the IEP team should consider writing one to address behaviors and/or completing a Functional Behavior Assessment (FBA) in order to write a BIP.

☐ A Manifestation Determination meeting is held once the student has reached or surpassed 10 days of suspension, AND every suspension following 10 days.

Section 8: Assurances

☐ Final section documenting submission information and staff contact information.

Keep a copy of this completed checklist and BER form for your records.

This is a guide for reference of the procedures to be followed. A downloadable copy of this document, the Behavior Emergency Report template along with the Staff Debriefing Form can be found in the SEIS document library and the SELPA website.