

**Office of Special  
Education**

**185 Peninsula Boulevard Hempstead,  
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**Functional Based Assessment  
Procedures**



Action	Responsibilities & Person Responsible
<p>1. An FBA must be considered:</p> <ul style="list-style-type: none"> <li>• a student is exhibiting persistent behaviors that impede his or her learning or that of others, despite consistently implemented general school-wide or classroom-wide interventions;</li> <li>• the student’s behavior places the student or others at risk of harm or injury;</li> <li>• the committee on special education (CSE) or committee on preschool special education (CPSE) is considering more restrictive programs or placements as a result of the student’s behavior;</li> <li>• the student is subject to disciplinary actions and a determination has been made that the behavior is related to the student’s disability.</li> </ul> <p>This can be determined during a</p> <ul style="list-style-type: none"> <li>• Initial Referral</li> <li>• Reevaluation</li> <li>• MDR</li> <li>• Program review (aka “Amendment meeting”)</li> <li>• Annual review</li> </ul>	<p>For initial referral, the intake coordinator (please see appendix A), at the special education office, completes the intake.</p> <p>For reevaluation or MDR, CSE/CPSE chairperson chairing the meeting, subcommittee chair, or building psychologist will send PWN and consent to the parent/guardian. After receipt, she/he will give the consent to the intake coordinator, at the special education office.</p> <p>Intake coordinator, at the special education office, assigns psychologist and agency to complete the FBA</p>

<p>2. Send PWN and request for consent in parent/guardian's home language – 1<sup>st</sup> attempt– record date on IEP direct The school district must make reasonable effort to obtain written informed consent of the parent/guardian - 200.5(b)</p> <ul style="list-style-type: none"> <li>• If consent is not received within 7 days a second attempt using an alternate method from the 1<sup>st</sup> attempt (e.g., mail, phone call, certified letter, email, etc.) to obtain consent must be made and documented on IEP direct under the view action (comment) - process tracking</li> <li>• If consent is not received within 14 days from 1<sup>st</sup> attempt a third attempt must be made using various methods (e.g., if mail was unsuccessful, try a phone call or home visit) including attempts during different times of days to obtain consent must be made and</li> </ul>	<p>CSE/CPSE chairperson who chairs the meeting, subcommittee chair, and building psychologist. will monitor attempts to obtain parent/guardian consent</p>
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FBA/BIP Procedures

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<p>documented on IEP direct under the view action (comment) - process tracking</p>	
<p>3. Within 2 days of receipt of signed consent form, the school psychologist is informed to begin the FBA - proceed to Step 7</p>	<p>For initial, upon receipt of parental consent, the intake coordinator, at the special education office, will generate a work order with a time frame to complete the FBA. For reevaluation or consent for additional assessments, the compliance monitor generates the work order. School psychologist or behavior specialist may conduct the FBA as soon as the consent is received and will consult the work order to ensure that the FBA is completed by the date listed on the work order.</p>

<p>4. For a <b>reevaluation</b>, after 3 attempts to obtain parental/guardian consent with no response then the building psychologist is notified and can move forward with the FBA [200.5(b)(1)(i)(b)]</p> <p>For an <b>initial referral</b>, after 3 attempts to obtain parental/guardian consent with no response a decision to pursue due process or decline to conduct an evaluation needs to be determined [200.5(b)(3)]</p> <p>If the parent/guardian refuses to provide consent (for an initial or reevaluation) a decision to pursue due process or decline to conduct an evaluation needs to be determined [200.5(b)(3)]</p>	<p>For a reevaluation, if the sub-committee chair or school psychologist does not obtain parental/guardian consent during the meeting or after 3 attempts, the compliance monitor and psychologist should be notified and the team can move forward with the FBA</p> <p>For initial referral, the intake coordinator, from the special education office, will notify the building psychologist.</p> <p>If parent/guardian refuses to provide consent, Assistant Superintendent will pursue Due Process or decline to conduct an evaluation</p>
<p>5. Conduct the FBA as per NYSED regulations • Identify behavior/s in concrete terms and identify contextual factors that contribute to the behavior (including cognitive and affective factors)– 200.1 (r)</p> <ul style="list-style-type: none"> <li>• As appropriate, collect multiple sources of data including, but not limited to, information obtained from direct observation of the student, information from the student, the student’s teacher(s) and/or related service provider(s), a review of available data and information from the student's record and other</li> </ul>	<p><b>FBA team:</b> Psychologist, behavior specialist, social worker, teachers, and others as appropriate</p> <p>The process and FBA report should be completed by the school psychologist and/or behavior specialist assigned to the school</p>

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<p>sources including any relevant information provided by the student's parent. The FBA shall not be based solely on the student's history of presenting problem behaviors - 200.22(a)(2)</p> <ul style="list-style-type: none"> <li>• Collect baseline data (i.e., frequency, duration, intensity and/or latency (if appropriate) across activities, settings, people, and time of the day – 200.22 (a)(3)</li> <li>• Formulate a hypothesis regarding the general conditions under which a behavior usually occurs and probable consequences that serve to maintain it.– 200.1 (r)</li> <li>• FBA must provide sufficient detail to form the basis for a BIP that addresses antecedent behavior, reinforcing consequences, recommendations for teaching alternative skills or behaviors and an assessment of preferences for reinforcement 200.22(a)(3)</li> </ul>	
<p>6. Use approved district form to formulate and conduct the FBA</p> <ul style="list-style-type: none"> <li>• If BCBA consultant develops the FBA report, send to psychologists for approval</li> <li>• Schedule and send written finalized report to all team members including parents</li> <li>• Send report to CSE</li> </ul>	<p><b>FBA team:</b> Psychologist, behavior specialist, social worker, teachers, parent or guardian, and others as appropriate</p>
<p>7. CSE meeting notice is sent home on NYSED's Meeting Notice Form</p>	<p>Clerical liaison (see Appendix A) assigned for each school</p>
<p>8. In order to consider whether or not the student requires a BIP, the CSE needs the results of an FBA. If the CSE determines that a BIP is necessary, the committee should be prepared to discuss strategies to be used to alter antecedent events to prevent the occurrence of the behavior, teach individual alternative and adaptive behaviors to the student, and provide consequences for the targeted inappropriate behavior(s) and alternative acceptable behavior(s) at the meeting - 200.22(b)(4)(ii)</p>	<p><b>CSE/ subcommittee team:</b> required members as per 200.3(a) and 200.3 (c)</p>
<p>9. Update the IEP and e-mail updated IEP to the psychologist and teacher</p>	<p>CSE chairperson who chairs meeting, subcommittee chair, or building psychologist notifies the all staff</p>

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FBA/BIP Procedures

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	<p>working with student and principal of the building of updates to the IEP</p> <p>Building psychologist and teachers have access to review the IEP.</p>
10. Complete and send PWN home	CPSE/CSE chairperson who chairs the meeting
11. Refer to BIP procedures	

\*All services must be implemented within 60 school days of consent for **initial** evaluation 200.4(e)

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FBA/BIP Procedures

**Behavior Intervention Plan (BIP) Procedures**

<b>Action</b>	<b>Person Responsible</b>
1. Strategies for the BIP need to be discussed at the CSE meeting, with input from the parent. This should also include the student's teacher.	CSE or subcommittee



6. Psychologist/behavior specialist to meet with team prior to implementation to answer questions (train staff) regarding the BIP and explain progress monitoring.	School Psychologist/Behavior Specialist
7. The BIP should be fully implemented within 60 school days from consent if part of initial evaluation or within 60 school days from receipt of referral if reevaluation.	School team supported by school Psychologist/Behavior Specialist
8. Progress monitoring conducted according to BIP schedule.	Designated classroom personnel and School Psychologist/Behavior Specialist
9. Progress monitoring data collected based on BIP schedule.	Designated classroom personnel and School Psychologist/Behavior Specialist
10. Progress monitoring meetings scheduled based on BIP schedule (no longer than 4 weeks based on student's need).	School Psychologist/Behavior Specialist coordinates meeting with team
11. Parents are notified of progress monitoring by phone or email after each progress monitoring meeting. A summary form with an analysis of the data, will be sent to the parents at minimum when the district reports quarterly progress and at every CSE meeting.	School Psychologist/Behavior Specialist
12. At minimum, on a quarterly basis, a summary form should be sent to parents/guardians and the Office of Special Education with an analysis of the data that was collected indicating if BIP will be continued, changed or terminated. If a BIP is deemed to no longer be necessary (i.e., terminated), a CSE meeting or IEP amendment, with agreement of the parent, must be conducted. This meeting must be held with the FBA/BIP CSE Compliance Monitor.	School Psychologist/Behavior Specialist
13. If BIP has been modified, disseminate NEW BIP to staff/principal/parent and special education office (compliance monitor) and CSE chairperson assigned to the school	School Psychologist/Behavior Specialist
14. Updated BIP to be placed in document repository.	School Psychologist Clerical staff assigned to the school in the special education office

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## Appendix A

	<b>Compliance Monitor</b>	<b>Clerical Liaison</b>
<b>Hempstead High School</b>	Sabina Perchekly	Bernadette Lamont Dawson
<b>ABGS Middle School</b>	Lisa Wiley	Bernadette Lamont Dawson
<b>Barack Obama Elementary School</b>	Veronica Jimenez	
<b>David Paterson Elementary School</b>	Veronica Jimenez	Anne-Marie Lindsay
<b>Rhodes Academy</b>	Veronica Jimenez	Clara Arnedo
<b>Joseph A. McNeill</b>	Sabina Perchekly	Deborah McPhauhl
<b>Jackson Annex School</b>	Sabina Perchekly	
<b>Jackson Main School</b>	Veronica Jimenez	
<b>Prospect School</b>	Danielle Curiel-Gaffney	Deborah McPhauhl
<b>FBA/BIP</b>	Dr. Karen Gordon-Stewart	

**Intake coordinator:** Veronica Jimenez

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