



1. PURPOSE

In January 2002, P.A. 91-600 amended the Illinois School Code to specifically address the issue of discipline used in schools, specifically the use of isolated time out and physical restraint.

These procedures establish the process by which East Aurora District 131 shall comply with the Illinois School Code, including Sections 10-20.14, 14-8.05, and 24-24, which require that guidelines be established for the use of disciplinary measures and behavioral interventions for students with disabilities. Behavioral supports and interventions should be used by teachers and administrators to promote and strengthen desirable adaptive behaviors in all students, including those with disabilities.

Fundamentally, school personnel should conscientiously design positive, non-aversive interventions that promote desirable student behaviors. However, in some extreme cases, more restrictive interventions may be necessary.

East Aurora District 131 shall comply with the Individuals with Disabilities Education Improvement Act, the Illinois School Code, and the regulations disseminated there under when disciplining students with disabilities.

These procedures recognize that school personnel (teachers and other staff) may use reasonable force as needed to maintain safety for the other students and school staff, for the purpose of self-defense or the defense of property. Additionally, a teacher may remove a student from the classroom for disruptive behavior. It is the intent of these procedures to offer due process to students.

2. OUTLINE OF PROCEDURES

East Aurora District 131 has developed procedures in line with the above purpose. These procedures shall include, but not be limited to the following:

- a) Designation of the level of restrictiveness and range of acceptable interventions.
- b) Procedures for the use of positive behavioral supports.
- c) Procedures for choosing and using more restrictive interventions, including emergency procedures for students who exhibit more severe behavioral incidents.
- d) Procedures for conducting functional behavioral assessments and for the subsequent development of behavior management plans in students' IEPs.
- e) Procedures for when and how to use highly restrictive interventions, including notification and review by administrative personnel.
- f) Procedures for data collection and the systematic review and analysis for all of the above.
- g) Provisions for parent involvement and notification of the use of highly

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restrictive interventions.

h) Provisions for staff consultation, training, and professional development.

3. PARENT-TEACHER ADVISORY COMMITTEE

As required by Sections 10-20.14 and 14-8.05 of the Illinois School Code, East Aurora District 131, shall maintain a parent-teacher advisory committee that will meet at least once per academic year. Supervisory-level personnel shall also be members of this committee. This committee shall develop and review the procedures outlined above, with input and perspective from both parents and school staff.

LEVELS OF RESTRICTIVENESS OF INTERVENTIONS

Behavioral interventions shall be categorized into four levels of restrictiveness:

A.) Non-restrictive, B.) Restrictive, C.) Highly Restrictive, and D.) Prohibited

A. Non-restrictive Interventions and Positive Behavioral Supports

Non-restrictive interventions should be used in conjunction with the positive behavioral support model (PBIS) and in the development of the Social-Emotional Learning Standards set forth by ISBE. Non-restrictive, positive behavioral interventions, should always be considered and used first. When conducting a functional behavior assessment and in the development of a behavior management plan in a student's IEP, these interventions should be documented. Examples of these types of interventions include, but are not limited to:

Antecedent-Based Interventions	Positive Reinforcement
Adaptions/Modifications	Prompting
Behavioral Momentum	Proximity
Communicating with Family/Guardians	Relationship Building
Exercise & Movement	Restorative Conferencing
Direct Instruction	Scripting
Discrete Trial Training	Structured Play Group
Environmental Activity/Modification	Self-Management
Errorless Learning	Sensory Regulation
First, Then	Shaping
Functional Communication Training	Social Skills Training
Picture Exchange Communication Systems	Social Narratives
Incidental Teaching	Task Analysis
Negative Reinforcement	Teaching Alternative Behaviors
Parent Training	Time Delay
Modeling	Token Economy
Pairing	Verbal Feedback

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Peer-Mediated Instruction
Positive Practice

Visual Schedules
Visual Supports

B. Restrictive Interventions

Restrictive interventions may be used in emergency situations or when less restrictive interventions have been attempted and have not been successful. Restrictive interventions shall only be used in the following situations:

- a. In emergencies
- b. After nonrestrictive interventions have been attempted and failed
- c. In conjunction with positive interventions designed to strengthen alternate behaviors

Data collection should support the choice of restrictive interventions during their use.

Types of restrictive interventions include:

- Detention (before and/or after school, weekend)
- Response cost
- Exclusion from extracurricular activities
- Suspension (in school)
- Suspension (out of school)
- Crisis Intervention Behavioral Stabilization Program (CIBS)

C. Highly Restrictive Interventions

The following highly restrictive interventions are deemed inappropriate for use in most circumstances:

- Time out (in accordance with state regulations)
- Time out area (in accordance with state regulations)
- Isolated time out area (in accordance with state regulations)
- Isolated time out room (in accordance with state regulations)
- Physical restraint (in accordance with state regulations)
- Expulsion (in accordance with state/federal regulations)

The following highly restricted interventions – isolated time out, time out, and physical restraint – shall be used only if:

- a. The student's behavior presents an imminent danger of serious physical harm to the student or to others;

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- b. Other less restrictive and intrusive measures have been tried and have proven to be ineffective in stopping the imminent danger of serious physical harm;
- c. There is no known medical contraindication to its use on the student; and
- d. The school staff member or members applying the use of time out, isolated time out, or physical restraint on a student have been trained in its safe application (105 ILCS 5/10-22.39).

D. Prohibited Interventions

Prohibited interventions are either illegal or not acceptable and cannot be used under any circumstances. The following interventions are prohibited:

- Corporal punishment
 - Which means a discipline method in which a person deliberately inflicts pain upon a student in response to the student's unacceptable behavior or inappropriate language, with an aim to halt an offense, prevent its recurrence, or set an example for others.
 - "Corporal punishment" does not include the use of physical restraint when used as outlined under Section 3C, items a through d, of this document.
- Denial or restriction of access to regularly used equipment/devices that facilitate the child's educational functioning
- Contingent electric skin shock
- Prone physical restraint
- Mechanical restraints
- Chemical restraint
- Aversive mists, aromatics, tastes

4. DEVELOPMENT OF FBAs AND BIPs

These procedures include information set forth in *Behavioral Interventions in Schools: Guidelines for the Development of District Policies for Student with Disabilities* (ISBE 2024).

A Functional Behavioral Assessment (FBA) aims to analyze problematic behavior and identify situations where such behavior is most likely to occur. An FBA is designed to help teams develop a Behavioral Intervention Plan (BIP) that includes evidence-based positive interventions expected to effectively address the behavior's function, thus leading to more appropriate replacement behavior. The assessment consists of direct and indirect data collection to determine where, when, and why specific behaviors are occurring. Direct observations of a student should occur across various settings in different situations that tend to result in the target behavior(s). Informal means of assessments should also be utilized, such as rating scales and parent/teacher/student reports and interviews, when appropriate. An FBA should identify prior interventions that have been utilized, and it should document success rates of the interventions across settings, in detail.

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An FBA might occur via an initial referral process and during the MTSS process to assist in determining a student's eligibility for an IEP. However, an FBA may also occur as an additional assessment after an IEP is already in place. Contributors to the FBA include school administration, school-based clinicians (school psychologists, social workers, etc.), classroom teachers, board-certified behavior analysts, parents/guardians, the student, and any other individuals who regularly interact with the student. Written consent from the parent/guardian to exchange student-based information also allows external experts, such as a student's private therapist or counselor, to be consulted.

An FBA should include the following components:

- a. A description of the student's strengths, including their appropriate behaviors;
- b. A detailed description of the target behavior(s) of concern, defined in observable and measurable terms;
- c. A description of the settings (e.g., classrooms/subject areas, locations within the school) in which the target behavior occurs most and least often, including data regarding the intensity, frequency, and duration of the behavior, and the conditions and/or individuals involved/present when the behavior occurs the most and least often;
- d. An analysis of antecedents to -- and consequences of -- the target behavior;
- e. A description of other environmental variables that may affect the behavior (e.g., medication, medical conditions, sleep, diet, schedule, weather, social factors); obtain information from various sources (interviews with teachers, bus drivers, paraprofessionals, lunchroom and custodial staff, clerks, etc.);
- f. Examination and hypotheses of any known communicative nature of the behavior and the functional or practical intent of the behavior;

Educators should also remember that an FBA can be useful in the development of instructional strategies for students with and without disabilities to proactively address behaviors.

Behavioral Intervention Plans

IEP teams must properly document a student's need for positive behavioral interventions in the IEP, including a BIP, when appropriate. Prior to the development of any BIP, the IEP team should review the FBA and previous IEPs/BIPs and identify prior or current behavior interventions, including an analysis of the success rate, or lack thereof, of the interventions.

When the IEP team starts to develop a BIP, it should contemplate strategies to:

- Teach and reinforce positive, preferred behavior;
- Decrease future occurrences of the target behavior; and
- Address repeated episodes of the target behavior.

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Additionally, a BIP should include the following:

- a. A summary of the FBA analysis and findings;
- b. A summary of previous (or current) interventions attempted and their success rate;
- c. Identification of the behaviors that will be taught to replace the target behavior and strategies to do so (e.g., modeling, practicing, explicit teaching, feedback, cues, patterns of reinforcement, etc.);
- d. Documentation of any planned adjustments to the student's environment and/or instruction/curriculum;
- e. A description of motivators and rewards that will be utilized to shape the student's behavior;
- f. A description of how behavior will be measured and how data will be collected, including evaluation procedures, timelines, and measurement criteria;
- g. A specific plan or method to communicate with the parents/guardians about their child's behavior and coordinating school-based and home-based interventions; and

To ensure that the BIP is implemented with fidelity, the school should determine a list of school staff who will be informed of the BIP, who will be provided with a copy of the BIP and how the BIP will be communicated/disseminated to relevant school staff.

A BIP also should identify any restrictive disciplinary measures that may be implemented and the conditions in which such measures may be used. However, restrictive measures should only be considered after positive interventions are implemented for an appropriate amount of time. It should be noted that behavior sometimes gets worse before it improves, and aversive techniques are typically ineffective in controlling student behavior.

Finally, the IEP team should include a description of how an emergency situation or behavioral crisis will be handled. A crisis may be defined as a situation that requires an immediate intervention, and the BIP should include specific conditions under which a crisis/emergency plan will be utilized. This portion of the BIP must be reviewed to ensure it complies with any district and state policies and procedures regarding the use of behavior intervention strategies. A crisis plan should be carefully and frequently monitored.

Behavior goals in BIPs should be written in specific, positive terms that focus on increasing desired behavior rather than eliminating or reducing undesired behaviors. Goals should facilitate collection of objective, measurable data.

Additional functional behavior assessments should be conducted if significant modifications or new interventions are necessary. Modifications should be proposed based on these assessments, and parental notification and input should be obtained. If substantial changes to the BIP are deemed necessary, the appropriate procedures should be followed for reconvening, reviewing the IEP/BIP, and making any modifications or revisions.

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Generalization and Maintenance

A BIP's long-term impact will be determined substantially by the degree to which it generalizes across settings and is maintained over a period of time. Therefore, when designing behavioral interventions, school personnel should plan for generalization and maintenance. Some of the most common methods for enhancing generalization and maintenance include:

- a. Teaching new behaviors that are reinforced naturally in the child's everyday environment;
- b. Involving multiple others in training and reinforcing a new behavior;
- c. Teaching new behaviors in many different settings;
- d. Changing the timing of reinforcement (e.g., from continuous to intermittent);
- e. Moving from tangible to social reinforcers;
- f. Reinforcing the child's spontaneous use of new behavior;
- g. Phasing out the reinforcement program gradually;
- h. Developing self-reinforcement skills; and
- i. Planning periodic follow-up monitoring and "booster" training sessions, as necessary.

Addressing BIP Implementation Gaps

A BIP's effectiveness may be undermined by obstacles to its development and implementation. Such obstacles may include:

- a. Vague or subjective definitions of target behavior(s);
- b. Incomplete measurement criteria and data collection expectations regarding target behavior and interventions;
- c. Insufficient interventions (e.g., not effective to address behavior complexity or magnitude, not aligned with the FBA data);
- d. Inconsistent or incorrect implementation of the plan across settings and/or staff;
- e. Failure to adequately monitor and/or adjust the plan over time, as needed, which leads to inadequate evaluation of the BIP's impact;
- f. Lack of training to provide staff with the skills and support necessary to teach positive behavior strategies and replacement behavior; and
- g. Neglecting to consider environmental issues, cultural norms, or other issues that occur outside of the classroom and school environment that are impacting the student's behavior.

5. PROCEDURES FOR USING HIGHLY RESTRICTIVE INTERVENTIONS

In accordance with Section 1.285 of the 23 Illinois Administrative Code, isolated time out, time out and/or physical restraint will only be used if:

- a. The student's behavior presents an imminent danger of serious physical harm to the

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student or to others;

- b. Other less restrictive and intrusive measures have been tried and have proven to be ineffective in stopping the imminent danger of serious physical harm;
- c. There is no known medical contraindication to its use on the student; and
- d. The school staff member or members applying the use of time out, isolated time out, or physical restraint on a student have been trained in its safe application (105 ILCS 5/10-22.39).

Isolated time out, time out, and physical restraint shall not be used in administering discipline or punishment, convenience for staff, retaliation, a substitute for appropriate educational or behavioral support, a routine safety matter, or to prevent property damage in the absence of imminent danger or serious physical harm to the student or others.

Written documentation of the use of isolated time out, time out, or physical restraint will be completed on the ISBE Physical Restraint and Time Out Form in a timely manner for each incident and will contain the following information:

- Identifying information (student name, date, location, disability category, if applicable)
- Description of incidents on a single day
- Reason for restraint or time out
- Antecedent events and less restrictive measures that were attempted
- For isolated time out, description of necessity
- For physical restraint, type used
- Student behavior log during intervention
- Evaluation by certified or trained staff member of lengthy or repeated episodes
- Name and title of staff involved in the intervention, monitoring, and supervision
- Disposition of student following the intervention
- Timely parent notification
- Identification of any injuries to student or others with nurse evaluation
- Identification of any property damage
- Duration and location of isolated time out, time out, or physical restraint
- Description of future plans to address behavior

Staff shall make a reasonable attempt to notify the parents or guardian on the same day as the isolated time out, time out, or physical restraint is imposed. Documentation will be provided to the parent/guardian within one business day, including a copy of the form required to be submitted to ISBE. The parent/guardian will also be provided the Illinois State Board of Education's physical restraint, time out, isolated time out (RTO) Bill of Rights, also known as the 'RTO Bill of Rights'. No later than two school days after each incident resulting in a highly restrictive intervention, an administrator will notify the student's parent that he or she may request a meeting to discuss the incident. If the parent requests a meeting, the meeting shall be held within two school days after the request unless the parent requests an extension.

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Additionally, an IEP meeting may be convened to modify a behavior intervention plan.

6. PROCEDURAL SAFEGUARDS

All procedural safeguards, including rights to administrative remedy, mediation, and impartial due process hearing, as required through the Individuals with Disabilities Education Improvement Act (IDEIA), the Illinois School Code, and as outlined in the RTO Bill of Rights shall be applicable to the resolution of disputes involving the behavior intervention plan, the IEP, or the use of a highly-restrictive intervention.

7. PROVISIONS FOR TRAINING AND PROFESSIONAL DEVELOPMENT

Training on the implementation of these procedures will be provided annually. No staff shall implement an isolated time out, time out, or physical restraint until they have been properly trained in the safe administration of such highly restrictive interventions. Administrative staff will oversee and advise the use of these measures.

8. REFERENCES

23 Ill.Admin.Code 1.280, 1.285, and 226.400

Code of Federal Regulations, 34 C.F.R. Part 300

Illinois School Code, 105 ILCS 5/10-20.14, 14-8.05, and 24-24

Illinois State Board of Education (2024). Behavioral interventions in schools: Guidelines for the development of district policies for students with disabilities.
<https://www.isbe.net/Documents/BAT-Statutory-Guidance.pdf>

Individuals with Disabilities Education Improvement Act of 2004,
20 U.S.C. §1401, et seq.

Guidelines of the Illinois State Board of Education have been reviewed and considered and are available on the ISBE website at www.isbe.net.