

BEHAVIORAL INTERVENTION PLANS (BIP)

And Mental Health Supports

Mental Health and BIPs

- Abundant research highlights negative outcomes associated with mental and behavioral health problems in children and adolescents
 - *School dropout, low achievement, increased expulsion, antisocial behaviors, relationship problems, and difficulty finding and maintaining employment (Darney et al, 2013)*
- Prevention-based frameworks have been developed to provide prevention and intervention in the school setting.
- Behavioral supports include the use of Behavioral Intervention Plans [BIPs] – for which significant positive student outcomes have been documented (Oram et al., 2016)

How do BIPs Support Student Mental Health?

- BIPs are a vital component **of School-based Mental Health Services [SBMHS]**
- BIPs are developed collaboratively by the IEP Team – assuring **connectedness with families** in communication, coordination of goals, and joint decision making (Mathur et al, 2017)
- BIPs – like IEPs – are **individualized** to meet the Ss unique mental, emotional, behavioral, and social needs (Bruns et al., 2016)

Questions?????

- How does the Individuals with Disabilities Education Act [IDEA] address a students' mental, emotional, behavioral, and social needs?
- What are the components of a BIP designed to address a student's mental, emotional, behavioral, and social needs?
- What case law examples illustrate how these components address a student's mental, emotional, behavioral, and social needs?
- What are the prevention and intervention needs to address behavioral challenges?

The IDEA

- A LEA may not use more than **15 percent** of the amount such agency receives under this part... to develop and implement coordinated, **early intervening services ...** who have **not been identified as needing special education or related services but who need additional academic and behavioral support** to succeed in a general education environment [20 U.S.C. § 1413(f)(1)].

Other IDEA Requirements

- The **IEP Team** shall in the case of a child whose behavior impedes the child's learning or that of others, consider the use of **positive behavioral interventions and supports**, and other strategies, to address that behavior [20 U.S.C. § 1414(d)(3)(B)(i)].

Gen. Ed. Teacher

- A **regular education teacher** of the child, as a member of the IEP Team, shall, to the extent appropriate, participate in the development of the IEP of the child, including the determination of appropriate **positive behavioral interventions and supports**, and other strategies, and the determination of **supplementary aids and services, program modifications, and support for school personnel** [20 U.S.C. § 1414(d)(3)(C)].

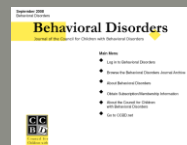
The discipline provisions...

- A child with a disability who is removed from the child's current placement ... (irrespective of whether the behavior is determined to be a manifestation of the child's disability) ...**shall continue to receive educational services...so** as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP; **and receive**, as appropriate, **a functional behavioral assessment, behavioral intervention services** and modifications, that are designed to address the behavior violation so that it does not recur [20 U.S.C. § 1415(k)(1)(D)].

More discipline....

- If the LEA, the parent, and relevant members of the IEP Team make the determination that the conduct **was** a manifestation of the child's disability, the IEP Team shall **conduct a functional behavioral assessment, and implement a behavioral intervention plan** for such child, provided that the LEA had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement...

BIP's: A Review of the Case Law



- Etscheidt, S. (2006). Behavioral intervention plans: A pedagogical and legal analysis of issues. *Behavioral Disorders*, 31(20) 221-241.

BIP'S MUST BE DEVELOPED WHEN BEHAVIOR IS INTERFERING WITH STUDENT LEARNING

Mobile County Board of Education (SEA AL 2004)

- 11-year-old M w/ multiple disabilities
- S's **escalating** behavior resulted in physical attack on aides. SD argued that program provided to S was appropriate.
- For P: Omission of FBA and BIP deprived S of educational benefit. Ordered certified behavior analyst engaged **at SD expense** to evaluate and develop IEP and BIP.

Larson v. Independent School District No. 361 (D.C. MN 2004)

- Elementary aged M w/ EBD and ADHD
- P contended that SD failed to complete FBA and BIP. SD argued that **"informal"** BIP was integrated into the IEP.
- For P: Since S behaviors sole focus of IEP, FBA and BIP must be conducted.

Maine School Administrative District #61 (SEA ME 2004)

- 10th-grade M w/ LD later changed to OHI
- P argued SD had failed to develop BIP for 3 years. SD social worker developed a **"responsibility contract"** to address behavior.
- For P: SD's "responsibility contract" not a substitute for BIP. Tuition reimbursement for private school and transportation costs awarded.

R.K. v. New York City Dept. of Ed. [ED DC 2011]

District of Columbia Public Schools (SEA PA 2019)

5-year-old F w/ autism. **P:** S unable to access curriculum due to self-stimulatory behavior, inappropriate vocalizations & inattention
SD: behaviors **"not unusual"** for S w/ autism
For P: SD failed to include BIP in IEP; Ps reimbursed for private program. **Inquiry NOT if behavior atypical but if behavior impedes learning**

S with ADHD [OHI]
P: SD failed over 2-year **period to conduct FBA & develop BIP** despite "severe elopement" issues & recommendations by SD psychologist
 Behavior deteriorated to S eloping all classes.
For P: 180 hours of comp ed ordered

BIP'S MUST BE BASED
ON ASSESSMENT DATA
[FBA]

Montgomery County Board of Education (SEA AL 2004)

- High-school M w/ SLD
- P challenged the appropriateness and sufficiency of evaluations resulting in the BIP. SD described appropriate and extensive efforts to improve behavior.
- For SD: BIP based on appropriately conducted and interpreted evaluations. **Ineffectiveness** of BIP due to lack of attendance, lack of participation, and lack of cooperation by both S & P.

Ingram Independent School District (SEA TX 2001)

- 13-year-old M w/ LD
- P argued SD failed to provide appropriate FBA and implement or modify the BIP to meet S's needs. SD argues both FBA and BIP adequate.
- For P (in part): SD ordered to provide more detailed FBA addressing behavior function. "Cursory" FBA and use of **home time-outs** in BIP inappropriate.

Nevada School District
(SEA AK 2002)

- 13-year-old M w/ ED and ADHD
- P alleged BIP with **shortened school day**, parent escort to and from school, and adult supervision and escort throughout the school day inappropriately denied student FAPE. SD maintained appropriateness of BIP.
- For P: BIP outdated and inappropriate. SD ordered to conduct extensive psychoeducational and neuropsychological evaluations

C.F. v. New York Dept. of Ed. [2nd Cir 2014]

6-year-old M w/ autism.
P: alleged proposed [restrictive] district placement due to inappropriate BIP.
SD: FBA not conducted but **based on reports**. BIP included target behavior and remedial strategies
For P: Failure to do FBA led to inappropriate BIP = **vague & didn't match behaviors w/ specific interventions & strategies**. Tuition reimbursement awarded.

In re: S w/ Disability (SEAPA 2019)

S w/ ADHD & ODD Hyperactivity, aggression, inappropriate peer and adult interactions
SD: behavior incidents < by 9.5 % [from 84 to 76 annually]
For P: S's BIP [breaks & Dean intervention] **not based on FBA data** and failure to include appropriate behavioral supports denied FAPE

BIP'S MUST BE
INDIVIDUALIZED

Upper Dublin School District
(SEA PA 2004)

- 7th-grade F w/ ED and ADD
- P charged that program did not include individualized supports to address behavior and self-concept. SD offered **group counseling** to meet student's needs.
- For P: SD offer of group counseling did not equate with specific and individualized interventions.

BIP'S MUST INCLUDE
POSITIVE BEHAVIORAL
SUPPORTS

Kingsport City School System v. J. R. [ED TN 2008]

- HS S w/ LD & ADHD
- P: Deficiencies of BIP denied FAPE
- For P: Rather than counseling or social skills training, BIP = S **refrain** from name calling/inappropriate remarks, **avoid** contact w/ Ss, have "shadow" **escorts**

Neosho R-V School District v. Clark (8th Cir. 2003)

12-year-old M w/ autism/Asperger's Syndrome.
SD appealed decision that it failed to provide FAPE. Specifically, P charged BIP had not been adequately developed or implemented.
 For **P**: No cohesive plan in place; **only goals and objectives without specific strategies**

Peacoder Charter School (SEA DE 2013)

16-year-old S w/ autism.
P: not involved in BIP development; BIP inappropriate.
 For **P**: BIP **did not include replacement behaviors or systems to R appropriate behavior**. Staff training, new BIP based on FBA ordered.

Dept. of Ed. State of Hawaii (DCHW 2019)

HS S w/ autism & anxiety
SD: Had annual behavioral goals and benchmark
 BIP = ABA, positive reinforcement and counseling
 For **P**: **"Goals reasonable but services and supports provided to achieve goals = unreasonably lacking"**

BIP'S MUST BE IMPLEMENTED AS PLANNED & MONITORED

Forrestville Valley Community Unit School District 221 (SEA IL 2002)

- 10-year-old M w/ Landau-Kleffner Syndrome impairing language and behavior
- P** alleged SD failed to provide services to address S's behavioral needs.
- For **P**: SD failure to implement BIP resulted in **crisis** for student. SD ordered to hire specialists to oversee BIP and train staff.

District of Columbia Public Schools (SEA DC 2019)

S w/ multiple disabilities
SD: Conducted FBA & developed BIP
P: Behaviors continued to impede learning
 For **P**: As behaviors did not improve, IEP must **reconvene** and discuss how to **change BIP** to address behaviors [off task, verbal & physical aggression impulsivity]

Calvert County Public Schools (SEA MD 2019)

10-year-old S w/ ID and disruptive behaviors [screaming, yelling, crying, refusing, biting hitting, kicking, sitting & running] exceeding 55 x/day
SD: conducted FBA and developed BIP with token economy, breaks, walks to calm, verbal & nonverbal cues]
 For **P**: **Failure to implement** any of the interventions on the BIP denied FAPE.

Valparaiso Community Schools (SEA IN 2019)

S w/ unspecified disabilities
SD: Developed BIP with sensory breaks, contact with social worker, access resource room **"as needed"** to address escalating anxiety and behavior
 For **P**: ambiguity caused implementation failure. IEP failed to specify how Ts would determine if S needed interventions. No way to determine if provided or if meeting Ss needs.
 Responsibility of the **TOR to inform** Ts, RS providers, paras, and others responsible for implementing to have access to **SPECIFIC** IEP.

Behavior Intervention Plan (BIP)



<https://educateiowa.gov/sites/files/ed/documents/Behavior%20Intervention%20Plan%20%28BIP%29%20Brochure.pdf>

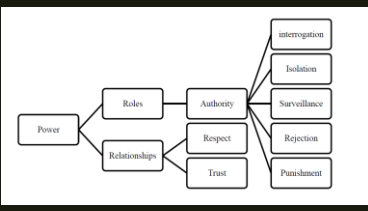
CHALLENGES

- Loss of instructional days Reduced academic supervision and support
- Less engagement
- Broken relationships in schools
- Labels and stigma attached to students creates difficulties in reintegrating into classroom and detrimental to school climate

PREVENTION AND INTERVENTION NEEDS:

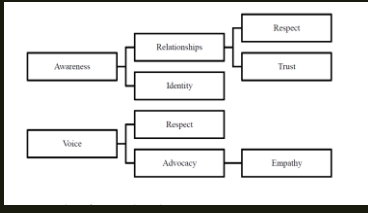
- Transformative Practices
- Collaboration between all stakeholders
- Culturally aware and responsive
- Continually monitored and modified (Williams, Griffen, & Williams, 2021)

STUDENT VOICE



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    graph LR
      Power --> Roles
      Power --> Relationships
      Roles --> Authority
      Relationships --> Respect
      Relationships --> Trust
      Authority --> Interrogation
      Authority --> Isolation
      Authority --> Surveillance
      Respect --> Rejection
      Trust --> Punishment
  
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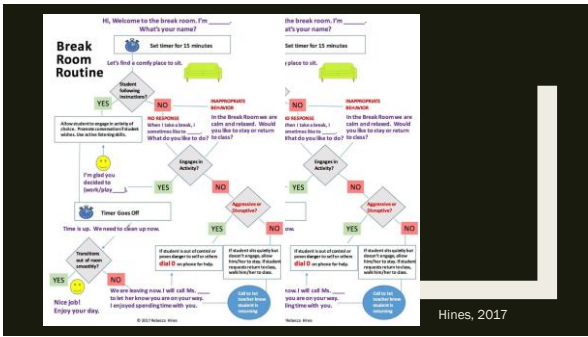
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    graph LR
      Awareness --> Relationships
      Awareness --> Identity
      Relationships --> Respect
      Relationships --> Trust
      Voice --> Respect
      Voice --> Advocacy
      Advocacy --> Empathy
  
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BREAK ROOM

A space created for **students to de-escalate** from heightened stress, gives students and teachers the **tools to respond to behavior** in a way that **promotes regulation** of emotions, encourages choice, and reduces the amount of time students spend out of class due to behavior.





UNIVERSITY OF CENTRAL FLORIDA

Student grade level

prof.	4	1	2	3	4	5
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Gender

Male Female

Reason for visit

behavior	academic support	in-class activity	work-related	TU-related	unable to describe
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On a scale of 1-5, rate student demeanor on exit:

1=calm	2	3	4	5=extremely aggressive or agitated
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Area(s) in which student spent time:

phone table study table text art couch

Exited after 10 mins?

yes no

Overall, how would you rate your performance in working with the student?

Very Effective Effective Needs Improvement



TRENDS

- The "cozy corner" with overstuffed chair and toys was overwhelmingly destination of choice with 61% of visitors selecting the area. The four other areas were roughly equally used
- Two-thirds of the visitors to the Break Room were boys.
- 42% of visitors were rated as "calm" when entering break room; 15% rated "aggressive or agitated"
- 86% of visitors were rated as "calm" when leaving the break room; 1% rated "aggressive or agitated" when leaving the break room
- 97% of the time, students smoothly transitioned out of the break room when timer sounded

QUESTIONS OR COMMENTS?