

Section 504 Webinar Behavior, Discipline, and Students with Disabilities

Utah State Board of Education (USBE)

October 25, 2023

Introductions

- Who we are
- Why we're here
 - Secretary Cardona letter July 19, 2022, to provide tools for addressing any disability-based behaviors that interfere with their or other students' learning, or that could lead to student discipline or impact safety.
 - Setting all students up for success and meeting their academic, behavioral, and mental health needs.

Learning Intentions & Success Criteria

Learning Intentions:

- Gain understanding of how to create trauma-sensitive educational environments to support the behavioral needs of students with disabilities.
- Increase awareness of Section 504 supports for students with behavioral needs.
- Overview of the Least Restrictive Behavioral Intervention (LRBI) technical assistance manual.

Success Criteria:

- I am aware of some of the root causes underlying behavior.
- I understand how to create a trauma-sensitive educational environment to support the behavioral needs of students with disabilities.
- I know how Section 504 supports and accommodates students with behavioral needs and potential behavioral interventions.

Potential root causes underlying behavior

- Mental health conditions
- Difficulty communicating effectively, managing behavior, and lack of social skills due to a disability
- Harassment and bullying
- Discrimination
- Substance use
- Cultural norms
- Language barriers
- Trauma
- Homelessness
- Intergenerational poverty
- Prior involvement in the juvenile justice system

Trauma-Sensitive Systems: Supporting Educational Equity for Students with Disabilities Under Section 504

— irene h. yoon, ph.d., University of Utah
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Learning Intentions & Success Criteria (Trauma)

Learning Intentions:

- Rethink trauma and disability from individual to include community.
- Provide contexts for behavior and discipline that are related to trauma and disability.
- Focus on educational equity and equitable trauma-sensitive systems when complying with and implementing 504 rules and plans.

Success Criteria:

- I am considering trauma and disability beyond individual experience to community and society contexts.
- I am focusing on educational equity in behavior and discipline with students with (potential) disabilities based on understanding trauma and disability.
- I will seek out resources on trauma-sensitive systems that are equity-centered.

Terminology and Definitions

Disability or disabled: (1) a physical or mental impairment that substantially limits a major life activity; (2) a record of such an impairment; or (3) being regarded as having such an impairment. 29 U.S.C. § 705(9)(B); 42 U.S.C. § 12102(1).

Educational Equity: Acknowledging that all students are capable of learning, educational equity is the distribution of resources to provide equal opportunities based upon the needs of each individual student. Equitable resources include funding, programs, policies, initiatives and supports that recognize each student's unique background and school context to guarantee that all students have access to high-quality education (USBE, 2020).

Trauma: community-level and institutional contexts beyond a single event or individual experience.

Trauma-Sensitive Systems: when policies, resources, programming, and processes are designed with the expectation that people who have been traumatized or are experiencing trauma will be present and participating in the (school) community. These include and connect beyond an individual practitioner.

USBE Definition of Inclusion

Inclusion: the practice of ensuring students feel a sense of belonging and support (USBE, 2022), and; ensuring each student is valued as a visible member of the school community with equal opportunities to contribute by creating conditions for active, meaningful participation with:

- (a) Interaction and engagement age-appropriate peers;
 - (b) Systems that promote high expectations and learner agency for each student;
 - (c) Grade/age-appropriate core content standards, curricular materials, and resources; and
 - (d) Availability of customized supports including IEP-Team determined services across all educational settings, including extra-curricular activities,
- (1) To the maximum extent possible and appropriate in the least restrictive environment (USBE, 2023).

Rethinking Trauma

What is trauma? Limitations of tallying adverse childhood experiences (ACEs)

- A fragmentation, a fundamental shattering of self that is experienced physically, cognitively, affectively, and spiritually (Burstow, 2003).
- Traumatic events (e.g., ACEs) vs. persistent (complex/chronic) traumas, transgenerational, and collective traumas.
- Trauma loops time: chronological time loses power and is caught in repetitions.
- Being disabled by institutional violence that assaults individuals' sense of self, safety, and community.

Cautions: Trauma is Tricky

- Trauma may or may not be recognized as trauma by the person who shows signs of it. That doesn't matter in planning and practice.
- You may never know if something happens in response to trauma or something else, and *you don't need to know.*
- Anyone can be experiencing trauma. *And still, trauma does not affect all communities to the same degree. This is the educational equity issue.*
 - Everyone has mild behaviors that seem like traumatization sometimes.
 - It can be harder to notice some of the internalized effects.
 - Be careful of over-labeling/casual diagnosing ("he's so bipolar" "she has attachment issues" "I was totally dissociated"). This is dehumanizing to people for whom this is part of their everyday reality, and who are valuable members of our school communities.

Common Trauma Effects and Signs

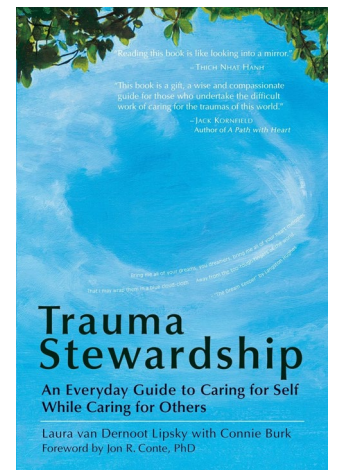
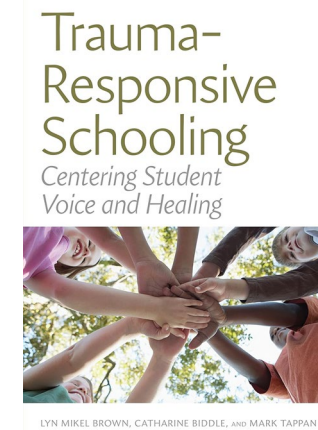
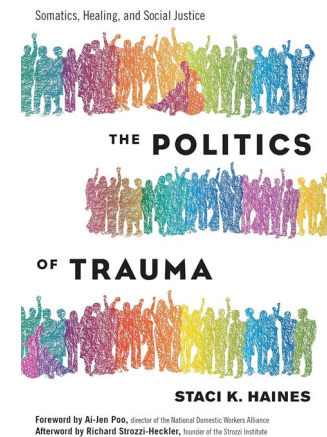
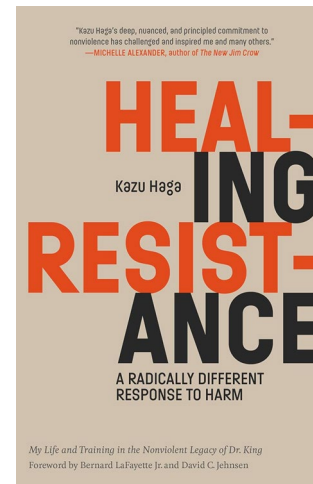
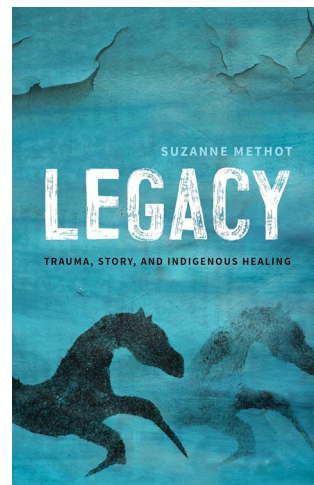
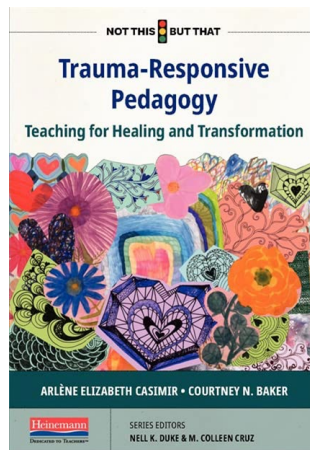
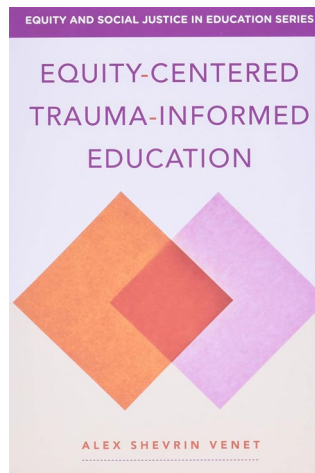
It is *nearly guaranteed* (in some schools and communities) that someone in the room/grade/school will show (behave with) signs of trauma:

- Unpredictable emotions (outbursts, fidgetiness).
- Anxiety or depression (fidgeting, lack of motivation, poor sleep, hopelessness, perfectionism, and compulsions).
- Disordered sleep and nightmares (which affect everything else).
- Weird senses of déjà vu or inability to get something out of your head (impedes focus and memory).
- Dissociation (this is not the common parlance, but a serious disconnection between body and emotion, mind, and consciousness).
- Issues with attachment (clingy, “lacking empathy,” not making friends, obsessed with someone else).

Our Job for Trauma-Sensitive Systems

- Our job *is not* to figure out whether or not someone is experiencing trauma or what caused it.
- Our job *is* to prevent the trauma effects from impeding students' and parents' success, learning, and inclusion while they are in the educational environment.
- Our job *is* to never give up on kids or try to “fix” them.

Trauma-Sensitive Principles for Educational Equity



Success Criteria Recap (Trauma)

- I am considering trauma and disability beyond individual experience to community and society contexts.
- I am focusing on educational equity in behavior and discipline with students with (potential) disabilities based on understanding trauma and disability.
- I will seek out resources on trauma-sensitive systems that are equity-centered.

Least Restrictive Behavioral Intervention (LRBI) and Section 504 — Sarah Cárdenas Daniels, USBE Behavior Support Specialist

Learning Intentions & Success Criteria

Learning Intentions

- How Section 504 support and accommodate students with behavioral needs.
- The Functional Behavior Assessment (FBA) & Behavioral Intervention Plan (BIP) process steps.
- The benefits of the Least Restrictive Behavioral Intervention (LRBI) as a resource.

Success Criteria

- I can name possible accommodations and related aids and services for behavior under 504.
- I know the steps for the FBA and BIP.
- I know where to locate the LRBI.
- I am familiar with the topics within the LRBI Technical Assistance Manual.

Eligibility: 504 and Behavior Support

Data to review for eligibility:

- Academic records
- Medical diagnosis, if available
- Assessments completed by the school
- Observations from the classroom or other school areas
- Information from the parent
- Information provided for the evaluation
 - Relevant assessments
 - Disability-related needs

Development of a 504

Gather:

- Notes and other documentation relating to previous behavior interventions.
- Observations of the student engaging in the identified problem behavior(s).
- Documentation from the school's multi-tiered systems of support (MTSS) team.
- Medical or psychological records.
- Discipline records relevant to the identified problem behavior(s).
- Results of a Functional Behavior Assessment (FBA).

Identifying Services within a 504

Should be

- Ideally in writing
- Individualized

Services Examples

- Modified and/or preferential seating
- Scheduled and/or unscheduled breaks



More Services Examples

- Access to calming materials
- Schedule adjustments
- School-based mental health support
- Counseling
- Behavior Intervention Plan (BIP)



Student Example	A	B	C	D	E	F	G	H
8:30	Math	History	English	Science	Flex	Art or PE	Trimester	Spanish
9:40	Break Snack	Break Snack	Break Snack	Break Snack	Break Snack	Break Snack	Break Snack	Break Snack
9:55	Trimester	Spanish	Math	History	English	Science	Flex	Art or PE
11:10	Music	Advisory	Music	Advisory	Music	Advisory	Music	Advisory
12:00	Lunch	Lunch	Lunch	Lunch	Lunch	Lunch	Lunch	Lunch
12:45	Flex	Art or PE	Trimester	Spanish	Math	History	English	Science
1:55	English	Science	Flex	Art or PE	Trimester	Spanish	Math	History
3:00	Study Prep	Study Prep	Study Prep	Study Prep	Study Prep	Study Prep	Study Prep	Study Prep



Behavior involved with 504s

Should be accessible to all staff involved with services.

When a BIP is involved:

- Statement about the BIP
- Attach a BIP copy
- Meeting notes
- Documentation for service needs



Review and Revision of 504s

Review and Revise:

- Student progress regularly
- BIP or other services, if relevant

No Progress?

- Consider additional data and adjust
- Additional assessments
- Fidelity of
 - Data
 - Implementation
 - Resources

**Be Wise
Review
&
Revise**

So you want to be a FBA/BIP Star?

FBA Process:

1. Consent for Evaluation from parents.
2. Create Operational Definition.
3. Collect Baseline Data according to definition.
4. Collect ABC data for FBA – Analyze for Function.
5. Create Behavior Hypothesis.



On to the Behavior Intervention Plan (BIP)!

BIP Process:

1. Choose a Function Matched Intervention (based on FBA data)
2. Write a detailed BIP Protocol – easy for all!
 - Write in supports for
 - Antecedents
 - Behavioral occurrences
 - Appropriate adult responses during behavior/emotional crisis
 - Crisis Cycle supports (if needed)
 - Safety Plan (if needed)
3. Create a Protocol checklist for
 - Fidelity check
 - Staff training
 - Monitoring with data!

LRBI Table of Contents

1. Intro
2. Behavior Basics
3. School Systems and Practice that Support the Whole Child
4. Classrooms that Support the Whole Child
5. Tiered Supports and Problem Solving
6. Supporting Students with Extensive Behavior Needs
7. Behavioral/Emotional Crisis Prevention and Management
8. Considerations for Students with Disabilities
9. Resources, Glossary and Index

Tier 1 - Universal
Chapters 2, 3, 4

Tier 2 - Targeted
Chapter 5

Tier 3 - Intensive
Chapters 5, 6, 7



LRBI by the chapter

Chapter 2: Behavior Basics

- Behavioral factors that influence student behavior
- Identify ways to address those factors proactively

Chapter 3: School Systems and Practice that Support the Whole Child

- Identify existing school programs and resources that can be utilized for behavior support from a “whole child” lens
- Identify **evidence-based practices in school discipline to reduce the** use of exclusionary disciplinary practices and lower the risk of student drop-out

Chapter 4: Classrooms that Support the Whole Child

- Understand how to **structure school- and classroom-level learning environments** to support student engagement and success

LRBI by the chapter: continued

Chapter 5: Tiered Supports and Problem Solving

- Engage in tiered problem-solving with a team to support at-risk students

Chapter 6: Supporting Students with Extensive Behavior needs

- Select and implement evidence-based behavior intervention practices for individuals or groups of students
- Develop and evaluate behavior intervention plans
- Evaluate ongoing intervention efforts using data to measure behavior change and implementation fidelity

Chapters 6, 7, 8: Inclusion of students with behavior support needs with learning environments to gain academic and social skills necessary for success

LRBI by the chapter: continued again

Chapter 7: Behavioral/Emotional Crisis Prevention and Management

- Legal requirements and ethical guidelines related to:
 - crisis de-escalation practices
 - use of emergency safety interventions (ESI)

Chapter 8: Considerations for Students with Disabilities

- Develop Individualized Education Program (IEP) and 504 Plans for students with disabilities that address behavior

Appendix:

- Glossary
- Classroom Management Self- Assessment
- Datasheet Models for Behavior Support Progress Monitoring
- Model forms

Least Restrictive Behavioral Intervention (LRBI) Technical Assistance (TA) Manual

Consider Referencing the LRBI TA Manual when developing support for students.

This resource is meant for everyone!

- Parents, guardians, and other family members
- General education and special education teachers
- Paraeducators
- Student support specialists
- School administrators
- Local Education Agency (LEA) – district or charter) staff
- State Education Agency (SEA) staff
- Community partners



QR Code redirects to the LRBI TA Manual on the USBE Website

Success Criteria Recap (LRBI)

- I can name possible accommodations and related aids and services for behavior under 504.
- I know the steps for the FBA and BIP.
- I know where to locate the LRBI.
- I am familiar with the topics within the LRBI TA Manual.

Conclusions — Dr. Yoon and Holly Bell

Taking proactive measures

Effective Classroom Management

- Make expectations for classroom behavior explicit and visible for all students. Reiterate these expectations and model them for students.
- Engage students in discussions about class norms.
- Provide opportunities for students to practice positive classroom behaviors.
- Consistently apply classroom and school rules.
- Use positive reinforcement over negative.
- Engage families (this might require a translator/interpreter).
- Use restorative practices rather than exclusionary methods.
- Avoid addressing negative behavior in the presence of other students, when possible (this can produce defensive reactions).

Success Criteria Recap

- I am familiar with discipline data pertaining to students with disabilities, disparities between student groups, and root causes for behaviors.
- I understand how to create a trauma-sensitive educational environment to support the behavioral needs of students with disabilities.
- I know how Section 504 supports and accommodates students with behavioral needs and potential behavioral interventions.

Friends, Waffles, Work...



Q&A and announcements

- Evaluation and credit form
- Upcoming webinars
 - Part II Discipline and Students with Disabilities — December 18, 2023, 10:00-11:30 AM
 - 508/ADA Compliance — January 2024, 10:00-11:30 AM
 - Medically Fragile Students — March 25, 2024, 10:00-11:30 AM

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- [YouTube link](#) to watch the recording

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Resources

- USBE [Special Education Rules](#).
- Issued July 2022:
 - [A letter from Secretary Cardona to our nation's Educators, School Leaders, Parents, and Students about the importance of supporting the needs of students with disabilities](#).
 - [Dear Colleague Letter](#) from OSEP Director, Valerie C. Williams.
 - [Positive, Proactive Approaches to Supporting Children with Disabilities: A Guide for Stakeholders](#): a technical assistance document that provides resources, strategies, and evidence-based practices to improve outcomes for children with disabilities.

Resources continued

- [USBE Least Restrictive Behavioral Interventions Technical Assistance Manual.](#)
- [Utah Administrative Code R277-609](#) Standards for LEA Discipline Plans and Emergency Safety Interventions.
- [Breaking the School-to-Prison Pipeline for Students with Disabilities](#), National Council on Disability (issued June 2015).
- [Instead of Suspension: Alternative Strategies for Effective School Discipline](#), Duke University Center for Child and Family Policy and the Children's Law Clinic at Duke Law School, 2015.
- [Discipline Discussions: The Impact and Harm of Exclusionary Discipline.](#)
- [OSEP Fast Facts.](#)