

MEMORANDUM

To: Glenna Gallo, Director of Special Education Services
From: Utah Special Education Advisory Panel
Subject: Least Restrictive Behavior Interventions (LRBI)
Date: September 19, 2013

In our role as an advisory panel, we would like to provide input and recommendation to the Special Education Section of the Utah Office of Education to improve services to students with disabilities. After receiving training on bullying and engaging in panel discussion, it is the feeling of this panel that issues around LRBI need to be a priority of the State Office of Education.

The panel believes that all people in the school environment have the right to be safe and be treated in a manner that respects their human rights and dignity. Individuals with a disability are people first and all students deserve the dignity of safety.

Based on these beliefs, the Panel makes the following recommendations:

- Proceed with the LRBI framework and take the final product to the Utah State Board of Education for consideration as a rule, rather than the current guideline.
- Update the statewide implementation of the proposed plan for “LRBI: Use of Highly Intrusive Behavioral Interventions” with the following changes/modifications:
 - Clarify the definition of “emergency situations” providing additional specificity, such as adding the language like “threatening with a weapon or device.”
 - Continue to include “severe destruction of property” and “threatened abuse toward others, self, or property” with additional clarification as described above.
- Continue to use the “Emergency Contact Form” with the following modifications:
 - Require the reporting of highly intrusive interventions in individual LEAs to the USOE at least biannually, and possibly as frequently as quarterly, to allow for external review and LEA/SEA response to the data.
 - Track the above data and use these data for critical decision-making.
 - Provide technical assistance to LEAs on training all school staff to accurately complete the “Emergency Contact Form.”
 - Add to the “Emergency Contact Form” a checklist of other interventions staff tried before using the highly intrusive behavioral intervention.
 - Provide the opportunity for multiple incidents and events on item two of the “Emergency Contact Form.”
 - Add to the “Emergency Contact Form” an invitation for the parents to be involved in a review of the incident and how it was handled.

- Change the wording on the “Emergency Contact Form” to “Staff must notify parents as soon as possible (and within 24 hours) of the use of emergency intervention procedures and provide a copy of this form for the parents.”
- Consider using phone and written notification of Emergency Procedures, rather than written only.
- Require use of written form to be provided to parent, with a place to document how the information was provided to the parent.