

# Polk County School District

## Final Report: On-Site Monitoring Reporting Incidents of Restraint and Seclusion

May 14–17, 2013



Florida Department of Education  
Bureau of Exceptional Education and Student Services

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Dr. Kathryn LeRoy, Superintendent  
Polk County School District  
1915 S. Floral Avenue  
Bartow, FL 33830

Dear Superintendent LeRoy:

We are pleased to provide you with the *Final Report: On-Site Monitoring Reporting Incidents of Restraint and Seclusion* for the Polk County School District. This report was developed by integrating multiple sources of information related to an on-site monitoring visit to your district on May 14–17, 2013. Those information sources included student record reviews, interviews with district and school staff and classroom observations. The final report will be posted on the Bureau of Exceptional Education and Student Services' website and may be accessed at <http://www.fldoe.org/ese/mon-home.asp>.

The Polk County School District was selected for an on-site visit due to a disproportionately low number of reported incidents of restraint as compared to other districts within the size-alike group. Ms. Diane Callaway-Taylor, director, Exceptional Student Education, and her staff were very helpful during the bureau's preparation for and during the on-site visit. In addition, the principals and other staff members at the schools visited welcomed the monitoring team and demonstrated exceptional commitment to the education of all students. The on-site visit identified strengths related to the district's special education services and reporting and monitoring of the use of restraint and seclusion. In addition, the bureau's on-site monitoring activities identified noncompliance that required corrective action.

MONICA VERRA-TIRADO, Ed.D., CHIEF  
Bureau of Exceptional Education and Student Services

Superintendent LeRoy  
December 23, 2013  
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Thank you for your commitment to improving services to exceptional education students in the Polk County School District. If there are any questions regarding this final report, please contact Patricia Howell, program director, Monitoring and Compliance, at 850-245-0476 or via email at [Patricia.Howell@fldoe.org](mailto:Patricia.Howell@fldoe.org).

Sincerely,

A handwritten signature in blue ink that reads "Monica Vera-Tirado". The signature is written in a cursive style with a large initial 'M'.

Bureau of Exceptional Education and Student Services

Enclosure

cc: Diane Callaway-Taylor  
Cathy Bishop  
Patricia Howell  
Liz Conn  
Jacqueline Roumou

**Polk County School District**

**Final Report: On-Site Monitoring  
Reporting Incidents of Restraint and Seclusion  
May 14–17, 2013**

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**Polk County School District**  
**Final Report: On-Site Monitoring**  
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**May 14–17, 2013**

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# **Polk County School District**

## **Final Report: On-Site Monitoring Reporting Incidents of Restraint and Seclusion May 14–17, 2013**

### **Authority**

The Florida Department of Education (FDOE), Bureau of Exceptional Education and Student Services (bureau), in carrying out its roles of leadership, resource allocation, technical assistance, monitoring and evaluation, is required to oversee the performance of district school boards in the enforcement of all exceptional student education (ESE) laws and rules (sections 1001.03(8), 1003.571 and 1008.32, Florida Statutes [F.S.]). One purpose of the Individuals with Disabilities Education Act (IDEA) is to assess and ensure the effectiveness of efforts to educate children with disabilities (s. 300.1(d) of Title 34, Code of Federal Regulations [CFR]). The bureau is responsible for ensuring that the requirements of IDEA and the educational requirements of the state are implemented (34 CFR §300.149(a)(1) and (2)).

In fulfilling this requirement, the bureau monitors ESE programs provided by district school boards in accordance with ss. 1001.42, 1003.57 and 1003.573, F.S. Through these monitoring activities, the bureau examines records and ESE services, evaluates procedures, provides information and assistance to school districts and otherwise assists school districts in operating effectively and efficiently. The monitoring system is designed to facilitate improved educational outcomes for students while ensuring compliance with applicable federal laws and regulations and state statutes and rules.

### **Monitoring Process**

#### **Background Information**

Section 1003.573, F.S., Use of restraint and seclusion on students with disabilities, was created in July 2010, and established documentation, reporting and monitoring requirements for districts regarding the use of restraint and seclusion for students with disabilities. School districts were required to have policies and procedures that govern parent notification, incident reporting, data collection and monitoring of the use of restraint or seclusion for students with disabilities in place no later than January 31, 2011.

In July 2011, s. 1003.573, F.S., was amended to require that the FDOE establish standards for documenting, reporting and monitoring the use of manual or physical restraint and occurrences of seclusion. In September and October 2011, the standards established by the FDOE were provided to school districts and were included in the district's *Exceptional Student Education Policies and Procedures* (SP&P).

Manually unduplicated data for restraint and seclusion incidents by district for August 2011 through June 2012 indicated that the Polk County School District reported 68 incidents of restraint for 34 students and 71 incidents of seclusion for 17 students. With 10,584 students with disabilities reported as enrolled in the district during this time period, 0.32 percent of the students with disabilities were restrained and 0.16 percent were secluded.

In a letter dated January 11, 2013, the superintendent of the Polk County School District was informed that the bureau would be conducting an on-site monitoring visit due to a disproportionately low number of reported incidents of restraint as compared to other districts within the size-alike group.

The 2012–13 first quarter data from the FDOE’s web-based reporting system for incidents of restraint and seclusion indicated a decrease in restraint incidents reported (38 percent) and seclusion incidents reported (67 percent) when compared to the first quarter data from the 2011–12 school year. In response to a questionnaire from the bureau requesting information about the actions the district had taken to reduce the need for restraint and seclusion, the Polk County School District responded as follows:

- Polk is working on increasing the number of staff who are certified to implement restraint in the district by:
  - Increasing the number of staff members certified as trainers in the use of Crisis Prevention Intervention (CPI). The number of trainers increased from five to 10. The training opportunities have expanded.
  - Providing training for local education agency facilitators in the problem-solving process.
  - Ongoing provision of school-based mental health services.

In response to the item on the questionnaire about resources, methods and strategies that the district has found to be effective in helping to reduce the number of incidents of restraint or seclusion, the district responded as follows:

- The resources used are listed below. Sharing and monitoring information from the sources has helped bring about changes in the district.
  - State data report on restraint and seclusion
  - Audio conference the bureau provided related to restraint and seclusion
  - The Multiagency Network for Students with Emotional Behavioral Disabilities (SEDNET) and Positive Behavior Support: Multi-tiered System of Supports (PBS:MTSS)
  - Weekly monitoring of state database and correct data entry of information
  - Follow-up with schools on restraint and seclusion incidents

### **School Selection**

Upon review of the district’s data reported via the FDOE’s web-based reporting system for incidents of restraint and seclusion, it was determined that the on-site monitoring visit would be conducted at Carlton Palmore Elementary School, Garner Elementary School, ESE Countywide, Oscar J. Pope Elementary School, Roosevelt Academy and Wendell Watson Elementary School.

## **On-Site Activities**

### ***Monitoring Team***

The following bureau and SEDNET staff members conducted the on-site monitoring visit:

- Liz Conn, compliance specialist (team leader)
- Cathy Bishop, administrator, BEESS
- Jacqueline Roumou, compliance specialist
- Jennifer Jenkins, program director, Curriculum and Instructional Supports
- Zoe Mahoney, learning disabilities program specialist
- Deborah Thornton, SEDNET Region 5 project manager

### ***Data Collection***

Monitoring activities included the following:

- Case studies – 9 students
- Additional records reviewed – 2 students
- Classroom observations – 15 classrooms
- District administrator interviews – 7 participants
- School administrator interviews – 27 participants
- Teacher interviews – 14 participants
- Completion of restraint and seclusion scenarios – 11 participants

### ***Review of Records***

The district was asked to provide the following documents for each student selected for review:

- Current and previous individual educational plans (IEPs)
- Functional behavioral assessment (FBA)
- Behavioral intervention plan (BIP)
- Discipline record
- Attendance record
- Report cards
- Student schedule
- Parent notices and other documentation related to restraint and seclusion
- Verification of training for staff members involved in incidents of restraint or seclusion

## **Results**

### **FBA and BIP Review for Technical Adequacy**

Nine FBAs and BIPs from four case study students and five other students were submitted to the Florida PBS Project for the purpose of evaluating their inclusion of FBA or BIP components for technical adequacy. The FBAs and BIPs were evaluated using

the *FBA/BIP Technical Adequacy Evaluation*\*. This is based on the essential components identified in the research literature that comprise a technically adequate FBA and BIP. This evaluation instrument has been reviewed by three national experts who provided input that led to this version.

The technical adequacy of the FBAs was slightly higher than the BIPs. The average FBA subscale was 52 percent (standard deviation of the mean [*SD*] = 0.13) while the average BIP percentage score of the group was 47 percent (*SD* = 0.14). The *Polk County Schools FBA/BIP Technical Adequacy Report* is included in the Appendix.

The following results reflect the data collected through the activities of the on-site monitoring as well as strengths, concerns, required actions, findings of noncompliance and corrective action.

## **Strengths**

Specific strengths noted in the various schools include the following:

- Wendell Watson Elementary School
  - Implementation of a schoolwide PBS program with colorful and clever posters throughout the school that remind students of behavioral expectations.
  - Teachers have demonstrated great commitment to the PBS program in that they voted to forfeit their personal lunch time so that they could eat with students in the cafeteria.
- Garner Elementary School
  - Bureau staff members observed school-specific data and positive statements with illustrations posted throughout the school related to respect, safety, acceptance of responsibility and resolution of problems.
  - The MTSS was evident at the school with tier 1 and tier 2 interventions and strategies as part of the foundation and fabric of the school.
- ESE Countywide
  - It was noted during classroom observations that teachers encourage their students.
  - Students' transitions back to their home schools are carefully planned and include sharing data with the home school staff.
- Oscar Pope Elementary School
  - The PBS system includes all students and appeared to be implemented with consistency and fidelity; the school has been nominated for the "Gold Level" PBS award.
  - The capacity for teachers to intervene with students both academically and behaviorally was observed to be extensive.

\*Iovannone, R., Christiansen, K., and Kincaid, D. (2013). *FBA/BIP Technical Adequacy Evaluation*. Manuscript in preparation.

- Carlton Palmore Elementary School
  - PBS is prevalent throughout the school environment and includes all students in the tiers of intervention within the school.
  - Family nights are held at convenient locations other than school, to encourage participation.
- Roosevelt Academy
  - Students have opportunities to practice life skills outside of the school environment.
  - School-based enterprises, such as GardensEtcetera, provide students the opportunity to develop entrepreneurial skills.

## Concerns

Districtwide concerns include the following:

- Concerns related to the technical adequacy of the FBAs and BIPs reviewed are noted earlier in this report in “FBA and BIP Review for Technical Adequacy,” with more specific information included in the Appendix.
- The district does not appear to have a consistent process by which they communicate policies and procedures related to restraint and seclusion with school administrators.
- Use of the most current same-day written notification form is not consistent among schools.
- Throughout the six schools visited, there is no consistent method to document required practices related to restraint and seclusion.

Concerns were noted in the various schools as follows:

- Wendell Watson Elementary School
  - Several restraints lasted for two or more hours but were apparently not questioned by district personnel.
  - Although all the reports were signed, there is no evidence that the ones signed outside of the three-day period were sent to the parents within that period.
  - The school administrators at this school did not know the requirements of documenting and reporting that are outlined in the district’s SP&P.
  - For one of the case study students, the IEP indicated that behavior supports were provided on a monthly basis; however, all other supports were provided on a daily basis.
- Garner Elementary School
  - An explanation provided in one of the web-based reports indicated that the imminent risk or danger required for the use of restraint was not applicable.
  - Not all staff who work with the ESE population have been trained in CPI.
  - Staff reported that the online system providing scheduling for professional development was not user friendly.

- ESE Countywide
  - Restraint incidents were reported on a district-developed form; however, several incidents were not reported on the state web-based form.
  - Inappropriate restraints appear to have been used, including prone restraint, which is not included in CPI training.
  - There doesn't appear to be a unified process by which people call for assistance. The team restraint is not used when it might be most appropriate. Some staff reported having restrained students without assistance.
  - Review of IEPs indicated that staff may not understand the responsibility to reconvene the IEP team when there is a lack of progress.
  - One of the case study students had been restrained for the same behaviors during the past school year, yet the FBA and BIP did not appear to have been reviewed or revised.
  - One of the case study students transferred from another district with a BIP that aligned with services there; however, the BIP had not been revised to align with the student's current placement. In addition, the previous BIP recommended a reevaluation that had not been completed at the time of the on-site visit.
  - There appears to be no system in place to address the application of trauma-informed care principles.
  - The sign that can be viewed from the street identifies the school as an ESE school, which appears to overtly identify the student population and may violate confidentiality requirements.
- Oscar Pope Elementary School
  - It is unclear why training had not been provided to staff dealing with students who had very aggressive behaviors that resulted in staff injuries.
- Carlton Palmore Elementary School
  - One of the incident reports for restraint reportedly had been signed and returned by the parent; however, the signed form was missing at the time of the review of records.
  - The vice principal assisted in a restraint on May 13, 2013; however, her CPI certification appears to have expired September 29, 2012.
- Roosevelt Academy
  - Staff has not had training in CPI.
  - Some students' IEPs contained references to CPI as a disciplinary strategy.

## Required Actions

The following actions apply districtwide and are required to be completed **no later than March 31, 2014**, with verifying documentation to be provided to the bureau no later than **April 10, 2014**:

- Provide training for developers of FBAs and BIPs that addresses the district's specific areas of deficit (noted in *Polk County Schools FBA/BIP Technical Adequacy Report*, located in the Appendix). Establish a peer-review process for FBAs and

BIPs for students who are restrained or secluded to make certain that FBAs and BIPs are of high quality, were implemented with fidelity and produced the necessary results.

- Ensure that all school administrators and staff receive the most current information related to restraint and seclusion.
- Monitor for consistency in the use of the most current same-day written notification form at all schools.
- Create a district tracking form for documenting required practices related to restraint and seclusion.

## **Recommendations**

Recommendations for the district to consider related to FBAs and BIPs:

1. If the district contracts with a private behavior analyst or agency to do the FBAs or BIPs, consider how that information would be integrated into the district's forms. Some of the cases reviewed had several FBAs and BIPs for the student. In addition, the district form did not integrate the results of the report from a visit with a private provider that had occurred about a week after the district revision. It may be confusing for a teacher or team to know which plan or interventions should be implemented.
2. Adding a section identifying the responses that immediately follow problem behavior would provide more data to hypothesize a function.
3. Provide more detail on when and how interventions should be implemented rather than identifying a stock list of strategies. Having a task analysis and steps on how the teacher or other adult will do the intervention can enhance the likelihood that the intervention will be implemented as intended and give the team more data to determine effectiveness. A large number of interventions are not necessary. A multi-component plan that links to each hypothesis component (modifying the context—both the antecedents and the responses, teaching a replacement behavior, reinforcing the replacement behavior with the function and other reinforcements as necessary), should be sufficient.
4. Include the context (antecedents) in the hypotheses as well as doing separate FBAs for each problem behavior.
5. Several of the FBAs that were reviewed mentioned they were engaging in a problem-solving process. Align this with the 4- or 8-step process that includes reviewing data for making decisions.
6. Provide a plan for ensuring fidelity of intervention implementation.
7. Inform school-based and district staff of the content in the Legal Requirements section of the district's SP&P, which provides district- and school-based standards for documenting, reporting and monitoring the use of manual, physical or mechanical restraint and seclusion as required by the FDOE.
8. Require training for school administrators regarding the requirements of documenting and reporting restraints.

Recommendations for the various schools include the following:

- Wendell Watson Elementary School
  - The district should review incident reports to gain more information regarding restraints that last longer periods of time.
  - Use a tracking sheet to document the reporting requirements when physical restraint is used to provide evidence of procedural compliance.
  - For the case study student with monthly behavior support specified on the IEP, reconvene the student's IEP team and reconsider the frequency of behavior supports for this student.
  
- Garner Elementary School
  - The district should review incident reports for evidence of imminent danger and follow-up with relevant staff when imminent danger is not identified clearly.
  - Review staff training records to ensure that CPI training is provided to all applicable staff.
  - Consider changes to the professional development scheduler to make it more user friendly
  
- ESE Countywide
  - Monitor the accuracy of reporting by comparing reports entered into the web-based system with school data regarding restraints.
  - Follow up immediately with staff who report the use of prone restraint. If prone restraint is necessary for certain students, provide training for applicable staff.
  - Provide monthly refreshers to staff who implement the use of restraint. Schedule practice sessions focused on implementing team restraint.
  - Provide professional development regarding the need to reconvene a student's IEP team when there is a lack of progress.
  - Provide professional development regarding the use of FBAs and BIPs. Monitor the implementation of behavioral interventions and supports for students restrained multiple times.
  - Monitor IEPs of students who have transferred into the district to ensure accuracy of information and services.
  - Contact SEDNET to schedule training regarding trauma-informed care.
  - Identify the school name in an alternate manner on signage so that confidentiality is not compromised.
  
- Oscar Pope Elementary School
  - Review incident reports to determine which staff members need CPI training.
  
- Carlton Palmore Elementary School
  - Ensure a system is in place for maintaining documentation of restraint requirement procedures and keeping current certification for applicable staff members.



- Roosevelt Academy
  - Ensure that every school has at least one team trained in CPI.
  - Monitor IEPs to ensure that CPI is not listed as a disciplinary strategy. Provide additional training to staff regarding writing quality IEPs.

### Findings of Noncompliance

Bureau staff members identified 67 incidents of noncompliance on a total of 7 standards in 10 of the record reviews. Identifying information regarding the 10 students reflecting the findings of noncompliance was provided to the Polk County School District prior to the dissemination of this report.

Standard/Identified Noncompliance	Supporting Data
<p>1. The IEP includes measurable annual goals, including academic and functional goals, designed to meet the student's needs that result from the disability to enable the child to be involved in and make progress in the general education curriculum and meet the student's other needs that result from the disability. Benchmarks or short-term objectives should be included for students with disabilities who take alternate assessments aligned to alternate achievement standards, or any other student with a disability as determined by the IEP team. (34 CFR §300.320(a)(2))</p>	<p>For one of the case study students (Wendell Watson Elementary School), benchmarks or short-term objectives were not included for this student who takes the alternative assessment. <b>This was corrected on May 20, 2013, through convening an IEP team meeting.</b></p>
<p>2. The parent or guardian was provided with a notification in writing of any incident of restraint or seclusion. The notification included the type of restraint used and any injuries occurring during or resulting from the incident. (s. 1003.573(1)(c), F.S.)</p>	<p>For eight of the case study students (three at Wendell Watson Elementary School, three at ESE Countywide and one at Carlton Palmore Elementary School) and one student at Garner Elementary School whose record was reviewed, 12 of the written same-day notification forms that were reviewed did not specify whether there were injuries. In addition, for three of the case study students (all at Carlton Palmore Elementary School), there were no same-day notification forms in the records for one incident for each student.</p>
<p>3. Notification in writing of any incident of restraint or seclusion was provided to the parent or guardian before the</p>	<p>In addition to the three case study students (all at Carlton Palmore Elementary School) for whom one of each student's incident</p>

<b>Standard/Identified Noncompliance</b>	<b>Supporting Data</b>
<p>end of the school day on which the restraint or seclusion occurred. (s. 1003.573(1)(c), F.S.)</p>	<p>records did not include the written same-day notification form, eight of the incidents reviewed for four case study students (one at Carlton Palmore Elementary and three at ESE Countywide) did not have documentation that written notification had been provided to the parent on the day of the incident.</p>
<p>4. Reasonable efforts were made to contact the parent or guardian via telephone or email on the day of the incident of restraint or seclusion. (s. 1003.573(1)(c), F.S.)</p>	<p>For five of the case study students (one at Carlton Palms Elementary School, three at ESE Countywide and one at Wendell Watson Elementary School), eight of the incidents reviewed did not include documentation of parent contacts via telephone or email on the day of the incident.</p>
<p>5. The school has documentation of the parent's or guardian's acknowledgement of the same-day notice or a minimum of two attempts to obtain written acknowledgement when the parent or guardian failed to respond to the initial notification. (s. 1003.573(1)(c), F.S.)</p>	<p>For six of the case study students (three at Carlton Palms Elementary School and three at ESE Countywide), 11 of the incidents reviewed did not have documentation of the parent's or guardian's acknowledgement of the same-day notice or the required attempts to obtain this acknowledgement.</p>
<p>6. The parent or guardian was provided with a completed written report by mail within three school days of any incident of restraint or seclusion. (s. 1003.573(1)(d), F.S.)</p>	<p>For three of the case study students (ESE Countywide), seven of the incident reports reviewed were school-developed reports. There was no evidence that these reports had been entered into the FLDOE Web-based Reporting System, and no evidence that they had been mailed to parents within three school days of the incidents of restraint. For two of the case study students (Carlton Palmore Elementary School) and for one student at Garner Elementary School whose record was reviewed, there was no evidence that the reports had been sent within three school days for five of the restraint incidents.</p>
<p>7. The school has documentation of the parent's or guardian's signed acknowledgement of receipt of the incident report or a minimum of two attempts to obtain written acknowledgement when the parent or</p>	<p>For five of the case study students (two at Carlton Palmore Elementary School and three at ESE Countywide), and for one student at Garner Elementary School whose record was reviewed, the school did not have documentation of the parent's or</p>

Standard/Identified Noncompliance	Supporting Data
guardian failed to respond to the incident report. (s. 1003.573(1)(d), F.S.)	guardian’s acknowledgement of receipt of the incident report or the required attempts to obtain this acknowledgement for 11 total incidents.

### Corrective Action

In a June 14, 2013, letter to the Polk County School District providing student-specific information, the bureau required that, **no later than August 12, 2013**, the district must identify the policy, procedure or practice that caused the noncompliance and provide evidence of the action taken to ensure future compliance. (During a telephone conversation on July 30, 2013, Ms. Callaway-Taylor stated that training related to reporting restraint and seclusion was provided online for school administrators last year, but it appears that not all administrators accessed the training. Administrators will again be required to access the training during the 2013–14 school year, and the district will follow up with those who do not. In addition, during the current school year, the district will send regularly scheduled emails to principals to remind them of the process of reporting restraint and seclusion.)

A PowerPoint presentation entitled “Required Notifications for Use of Restraint or Seclusion with Students with Disabilities (IEP or 504)” was developed by the district and approved by the bureau. This presentation was used to train staff regarding practices and procedures related to restraint and seclusion on April 11, 2013, and again used for online training of school administrators during the current school year.

In addition, no later than one year from the date of the letter (June 14, 2014), the district must demonstrate correct implementation of the standards identified as noncompliant during the on-site visit. A sampling process is described in the *Exceptional Student Education Compliance Manual* (pp. 9 and 10) accessible at <http://www.fldoe.org/ese/pdf/m-compli.pdf>.

### Technical Assistance

1. *Implementing a Multi-Tiered System of Support for Behavior: Recommended Practices for School and District Leaders* (Florida’s PBS Project) may be accessed at [http://flpbs.fmhi.usf.edu/pdfs/RTIB%20Guide%20101811\\_final.pdf](http://flpbs.fmhi.usf.edu/pdfs/RTIB%20Guide%20101811_final.pdf) and provides an overview of the critical components of an MTSS for behavior. These critical components describe systems changes that are necessary for a results-driven ESE system.
2. The *FBA/BIP Technical Adequacy Evaluation* (Iovannone, Christiansen, & Kincaid, 2013) was provided to Florida school districts via email on April 11, 2013, and may be used in the development of FBAs and BIPs to ensure the inclusion of the essential components for technical adequacy.
3. Information regarding the establishment of school-based mental health services and training related to trauma-informed care may be accessed by contacting the Region 14 SEDNET program at 863-534-0930.

4. The district's SP&P provides district- and school-based standards for documenting, reporting and monitoring the use of manual, physical or mechanical restraint and seclusion developed by the FDOE.
5. In addition, the technical assistance paper entitled *Guidelines for the Use, Documentation, Reporting, and Monitoring of Restraint and Seclusion with Students with Disabilities*, dated October 14, 2011, offers specific information and guidance regarding restraint and seclusion.

## **Bureau and SEDNET Contacts**

The following is a partial list of staff available for technical assistance:

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**Glossary of Acronyms and Abbreviations**

Bureau	Bureau of Exceptional Education and Student Services
BIP	Behavioral intervention plan
BRIC	Bureau of Exceptional Education and Student Services Resource and Information Center
CFR	Code of Federal Regulations
CPI	Crisis Prevention Intervention
ESE	Exceptional student education
FDOE	Florida Department of Education
F.S.	Florida Statutes
FBA	Functional behavioral assessment
IDEA	Individuals with Disabilities Education Act
IEP	Individual educational plan
MTSS	Multi-tiered system of supports
PBS	Positive Behavior Support
<i>SD</i>	Standard deviation
SEDNET	Multiagency Network for Students with Emotional/Behavioral Disabilities
SP&P	<i>Exceptional Student Education Policies and Procedures</i>

## **Appendix**

### **Polk County Schools FBA/BIP Technical Adequacy Report**

## Polk County Schools FBA/BIP Technical Adequacy Report

Ten functional behavior assessments (FBAs) and behavior intervention plans (BIPs) from Polk County Schools were submitted by the Florida Department of Education to the Interdisciplinary Center for Evaluation and Intervention, a FDLRS multi-disciplinary specialized clinic, for the purpose of evaluating their inclusion of FBA/BIP components for technical adequacy. The products were evaluated using the *FBA/BIP Technical Adequacy Tool for Evaluation\** (TATE: Iovannone, Christiansen, & Kincaid, 2013). The evaluation tool includes the essential components identified in the research literature that comprise a technically adequate FBA/BIP and has been vetted by a panel of national experts.

The TATE consists of a total of 18 items, nine related to the required FBA components and nine related to the required BIP components. Individual item scores range from 0–2 with a 0 indicating that the component is absent, a 1 indicating that the component is partially present, and a 2 indicating that the component is present and complete. The maximum raw score for each subscale section is 18 with a maximum total scale raw score of 36. Subscale scores for the two sections (FBA and BIP) represent the percentage of the total achieved by the product. Finally, the total score indicates the total percentage of both the FBA and BIP scales.

Two scorers evaluated the nine FBAs/BIPs submitted. One is a doctoral level board certified behavior analyst who has a faculty position; the other is a graduate student in the applied behavioral analysis (ABA) program who is a former elementary school teacher. Both individuals are supervised by University of South Florida faculty members who are board certified behavior analysts. Each individual scorer evaluated the products individually and then compared scores for inter-rater agreement. Disagreements were discussed and consensus was reached for each component score. Inter-rater agreement scores ranged between 83% and 100% with a mean of 92%.

Of the ten products submitted to be scored, one (#1a) was unable to be scored. The product consisted of the behavior intervention plan without an accompanying functional behavior assessment. Scoring the behavior intervention plan requires a completed functional behavior assessment; therefore, this specific product was not included in the report.

The graphs on pages 23–25 illustrate the scores of each product. Each FBA/BIP was given a numerical code by the Florida Department of Education and these were used as the identifiers. Table 1 on page 26 summarizes the mean scores of the nine FBA/BIP products by showing the mean raw score achieved for each of the 18 items and the mean FBA and BIP subscale percentage scores as well as the mean total percentage score. An examination of the graphs indicates that the technical adequacy of the FBAs was slightly higher than the BIPs. The average FBA subscale was 52% ( $SD = .13$ ) while the average BIP percentage score of the group was 47% ( $SD = .14$ ).

In evaluating the FBA/BIP technical adequacy outcomes, it does need to be noted that the nine FBA/BIPs chosen by the Florida Department of Education for this evaluation were selected specifically due to their association with students who had been restrained or secluded. Thus, these ten FBA/BIPs are not reflective of all the FBA/BIPs conducted by Polk County. Further, several of the FBA/BIPs submitted

*\*Iovannone, R., Christiansen, K., and Kincaid, D. (2013). FBA/BIP Technical Adequacy Evaluation. Manuscript in preparation.*

included both district forms summarizing FBA/BIP information and private agency reports. At times, this created scoring conflicts. The reports often had different dates, some with considerable latency and did not always have complete agreement on hypotheses and strategies. The scores represent all of the information provided, including the private agency reports.

A summary of the nine FBAs/BIPs performance on each item is described below.

### *Functional Behavior Assessment Domain*

- FBA Item 1—Multiple sources used for FBA. The literature states that high quality FBAs include information from all relevant persons who know the student well. For example, literature suggests that a minimum of three data sources should be used or triangulated in developing a hypothesis for the target behaviors. An example would be to review the FBA data from a teacher interview (source 1), a direct observation (source 2), and an interview with the student (source 3). By having multiple sources of data, the accuracy of the hypothesis is increased.

Eight of the FBAs included multiple sources of information. The sources included interviews with teachers, students, and family members along with observations. In addition, record reviews were conducted as well as rating scales (e.g., MAS).

- Item 2—Identifying and operationalizing the target behavior(s). Identifying the behavior(s) that will be the focus of the FBA as well as clearly defining the behaviors so that they are measurable and observable allows for more accurate information on the conditions under which the behavior occurs and the consequences maintaining the behavior. In addition, a complete description allows for more accurate recording of progress monitoring data, both baseline and post-intervention.

Seven of the FBAs identified and defined targeted problem behaviors that were the focus of the evaluation. There were a couple of FBAs that identified more than one problem behavior. Although they did not differentiate the contexts that were related to the behaviors, they did provide separate hypotheses.

- FBA Item 3—Baseline data collected on the problem behavior. Knowing the performance of problem behavior prior to intervening is necessary to determine the effectiveness of the BIP and monitor the student's response to intervention. In addition, baseline data provide information to the team on the intensity, durability, and frequency of the behavior problem.

Five of the FBAs provided information related to the baseline performance of the target behavior was summarized. Three of the five were missing essential elements, instead providing global summaries (e.g., behavior occurs on an average of 4 times a week) and did not specify how the frequency or duration of behavior was obtained nor the specific dates over which baseline data were gathered.



- FBA Item 4—Setting events. Setting events (distal conditions and/or environmental conditions that, when in existence result in a higher likelihood of problem behavior occurring after presentation of an immediate antecedent), when present, are important to understand the student’s problem behavior and to develop effective interventions. Establishing a pattern of behavior that occurs when setting events are present allow the team to develop interventions that can modify the immediate antecedents so that problem behavior is effectively prevented.

Seven of the FBAs did not provide any documentation that setting events were discussed or considered as triggers for occurrences of problem behaviors. The two FBAs that identified setting events did not provide further information on how the event increased the likelihood of the problem behavior and the setting event identified was not included in the hypotheses.

- FBA Item 5—Antecedents predicting problem behavior. Events present in the environment prior to performance of problem behavior are vital for developing a comprehensive behavioral intervention plan. Through identification of a pattern of events that predict occurrences of target behavior(s), interventions can be developed to modify the antecedent events so that problem behavior will be prevented.

All of the FBAs identified immediate triggers/antecedents that preceded problem behavior. Some of the antecedents, however, lacked details that would allow a team to develop effective interventions. For example, many of the antecedents listed as triggering problem behaviors were “demands to do non-preferred tasks.” The FBAs failed to provide further detail on the kind of tasks that were “non-preferred” nor did they provide data on what might make the tasks non-preferred (e.g., difficult, lengthy, independent seat work that involved using paper/pencil, etc.). Providing a general antecedent such as “non-preferred” necessitates the team to get further clarification on the nature of the non-preferred tasks in order to develop an effective preventative intervention that would modify or change that antecedent so that it was no longer relevant in triggering problem behavior.

- FBA Item 6—Antecedents present in the absence of problem behavior. Knowing the antecedents that predict problem behavior occurrence is essential. However, it is equally important to know what contextual circumstances predict and trigger appropriate behavior or the absence of the problem behavior. By reviewing and comparing the environmental events that are present when problem behaviors as well as appropriate behaviors are occurring, the team can be more confident in their development of a hypothesis that will be more accurate and lead to more effective interventions.

Six of the FBAs identified contexts/conditions in which problem behavior was less likely to be triggered. Some of the conditions, however, did lack the necessary detail that would allow the team to differentiate the variables that precede appropriate

behavior from problem behavior. For example, several FBAs identified the antecedents for absence of problem behavior as “preferred tasks” or “doing what he chooses” without providing detail on the nature of the preferred tasks.

- FBA Item 7—Consequences immediately following problem behavior. Consequences, or the responses others perform immediately after the occurrence of problem behavior, allow the team to determine the possible functions that are maintaining behaviors as well as the efficiency and effectiveness of the behavior obtaining the “payoff.”

Two of the FBAs identified the immediate responses that followed problem behavior incidents. Common consequences that may follow problem behaviors include verbal redirects, verbal reprimands, peer comments/remarks, physical assistance, sent out of the classroom to the office/behavior specialist, time out, etc. The absence of the immediate consequences that occurred subsequent to the problem behavior episodes on the other seven FBAs makes it difficult to confirm the function of problem behaviors. It does need to be noted that the FBA form used by Polk does not have a section for immediate consequences. Instead, it has a section titled “strategies/intervention attempted.” Although the developers of the forms may have intended for this section to list the immediate responses made by others after problem behavior occurs, most of the FBAs used it to list all of the strategies they have used (e.g., tokens, charts, positive praise, school wide PBS rewards). While this can be valuable information, it does not provide the immediate contextual events surrounding the problem behavior that aids the team in determining the purpose or payoff that the student obtains from performing the specific behavior.

- FBA Item 8—Hypotheses components. An FBA-derived hypothesis drives behavior interventions and should include a summary statement that describes three components. Component 1 includes the antecedents or contextual events (i.e., setting events and immediate triggers) predicting the problem behavior, component 2 includes the behavior that was the focus of the FBA, and component 3 suggests the function or purpose of the behavior that was determined by the consequences typically following the targeted problem behavior.

Eight of the FBAs included some of the components of a hypothesis (e.g., function). Most did not include the antecedent conditions. In addition, due to the omission of the immediate consequences/responses of others to problem behaviors on most of the FBAs, it was not possible to link the function listed in the hypothesis to the FBA data. The FBA would be more adequate, however, if the team listed the consequences observed or reported so that the function could be further confirmed.

- FBA Item 9—Function is supported by the research literature and linked to FBA data. Functional behaviors are those that operate (i.e., get to or away from) on the environment and result in a desired outcome or payoff. Functions of behavior, in keeping with ABA principles, are observable and measurable and provide information on how the student’s behavior is related to the context in which it occurs.

The function then drives intervention development that will increase appropriate replacement behaviors and decrease problem behaviors by altering environmental events (e.g., providing the same outcome that the problem behavior achieved to the appropriate replacement behavior).

Eight of the FBAs identified valid functions. The omission of consequences in the FBA to confirm the accuracy of the function did not allow full credit for this item.

### *Behavior Intervention Plan Domain*

- BIP item 10—Dates of FBA and BIP are within 30 days. When behavior is interfering with academic performance, it is imperative that there is minimal delay in developing the BIP after the FBA is completed.

Five of the initial BIPs were developed on the same day of the initial FBA report date. The other FBA/BIPs listed several updates after the initial FBA; however, it was not clear in some of them whether the changes made (e.g., new hypotheses) were a result of a new FBA being conducted. This resulted in lower scores for this item.

- BIP Item 11—The FBA hypothesis is referenced. The primary purpose of conducting the FBA is to build the BIP from the hypothesis. It should be clear that the intervention strategies described on the BIP are linked to the hypothesis.

All of the BIPs included the hypothesis from the FBA. However, two BIPs included different hypotheses than the one listed on the FBA and did not make it clear how the hypothesis changed.

- BIP Item 12—Prevention strategies are present, described completely and linked to FBA. The primary reason for developing multi-component hypotheses and behavior intervention plans is to make the problem behavior irrelevant, ineffective, and inefficient. This can occur when interventions are described that modify the contextual events or antecedents so that these events are no longer “triggers” for problem behavior occurrence. By preventing problem behaviors from being performed, more opportunities are available to instruct students on use of replacement behaviors and to provide reinforcement for engaging in replacement skills.

All of the BIPs included a section on prevention or proactive interventions. Six of the BIPs’ proactive strategies consisted of a stock list of several recommendations that were described in minimal detail making it very difficult to ensure that anyone would implement the interventions consistently. For example, many BIPs had “visual supports” listed as a prevention intervention with no further detail on exactly how that would work in relation to the antecedent that was identified (e.g., “demand to do non-preferred tasks”). The details that would be helpful for implementers would be at what point in the demand to do the non-preferred activity would the visual support be

implemented, the description of the visual support, and how the visual support would be presented to the student by the adult. In addition, many of the prevention interventions listed did not appear to be linked with the antecedents listed. That is, if a demand to do a non-preferred task was the trigger, the interventions listed failed to modify the non-preferred task or the context that was the predictor for the behavior. It is possible that some of the interventions were modifiers of the antecedents but without the descriptions of the interventions as well as more detail on the nature of the antecedents, it was impossible to determine how the intervention would render the problem behavior irrelevant and thus prevent it from occurring.

- BIP Item 13—Inclusion of a replacement behavior strategy, described completely and linked to the FBA. Behavior is a skill to be taught, similar to academics. By identifying a replacement behavior that the team would prefer to see the student perform rather than the problem behavior, a plan can be developed to carefully describe how to teach the skill by modeling, providing guided practice and feedback, and providing ample opportunities for the student to perform the skill and get reinforced. The replacement behavior can be either a communicative functional behavior (i.e., a behavior that directly communicates the function included in the hypothesis such as asking for escape/break or asking for attention) or a physically incompatible behavior (i.e., a behavior that is pro-social or desired such as raising hand, being academically engaged with assignments, making positive comments, etc.). When selecting a replacement behavior, the team will give consideration to whether the behavior is one that can be performed as easily as the problem behavior and result in the same outcome.

Six of the BIPs identified replacement behaviors but failed to provide the additional detail on how the intervention would be implemented. Three did not provide a valid replacement behavior or a strategy for how the teacher would provide instruction. Some of the BIPs included several replacement behaviors (e.g., complete assignment, use words appropriately, recognize when he/she needs help and appropriately ask for help, wait) under the section titled Educational/Instructional Strategies but failed to provide any additional detail on how all of these replacement behaviors would be taught. Most of the BIPs listed the replacement behaviors identified earlier in the FBA in this section (e.g., Teach X to (a) complete his assignment, (b) use words appropriately, etc.) with no additional details.

- BIP Item 14—Inclusion of a reinforcement of replacement behavior strategy, described completely and linked to the FBA. The notion of functional equivalence (i.e., the replacement behavior being taught must be reinforced with the same outcome that was achieved by the problem behavior) is important in making sure that the student will use the new, appropriate skill as a replacement for the old problem behavior.

Four of the BIPs identified strategies for reinforcement that provided a link to the function listed in the hypothesis. The others included “artificial” or tangible reinforcements (e.g., PBS reward system, treasure box, art activities) that were not

linked with the function (e.g. “avoid school work”). Most of the BIPs did not provide enough detail that would ensure the intervention would be delivered consistently by anyone reading the plan.

- BIP Item 15—Discontinue reinforcement of the problem behavior strategy. An effective behavior intervention plan addresses how others will respond to problem behavior in way that will no longer allow problem behavior to get the hypothesized function. Instead, the replacement behavior will be the primary way to effectively and efficiently get the outcome.

Only two BIPs provided detail on the responses of others after problem behavior occurred. The Polk BIP form did not provide a section in which the team could identify and describe the intervention. The BIPs developed by private companies and included with the BIPs from Polk provided descriptions titled “Reactive Strategies” or “Responding to Inappropriate Behavior” on how to respond if the problem behavior occurred. Some of the descriptions, however, appeared to be similar to “crisis” plans in that they involved calling “CPI” teams and “escorting” to designated areas. In addition, one of the BIPs (#1c) identified responses to problem behaviors that continued to provide the function identified in the hypothesis. For example, escape was identified as the function of screaming behavior, and the plan for responding to screaming included escorting the student out of the classroom which provides “escape.”

- BIP Item 16—Crisis plan (if applicable). If a problem behavior is intense, it is important for a crisis plan to be considered and included, if applicable. The information from the FBA should help the team develop an individualized crisis plan that considers the student’s hypothesized function as well as determine how best to prevent the behavior from reaching crisis plan levels and how to deescalate the behavior so that stability is achieved more quickly and effectively. The crisis plan should include operational definitions of behavior(s) that would be considered at a crisis level and would initiate the crisis plan implementation. Finally, the crisis plan should carefully consider how to avoid becoming the primary mechanism for the student to achieve the payoff for behavior. For example, if the hypothesized behavior is escape from academic demands, and the crisis plan includes extensive time-out procedures, the student will have obtained the functional reinforcement by engaging in intensive levels of problem behaviors.

Seven of the BIPs provided information on a crisis plan with two providing specific details.

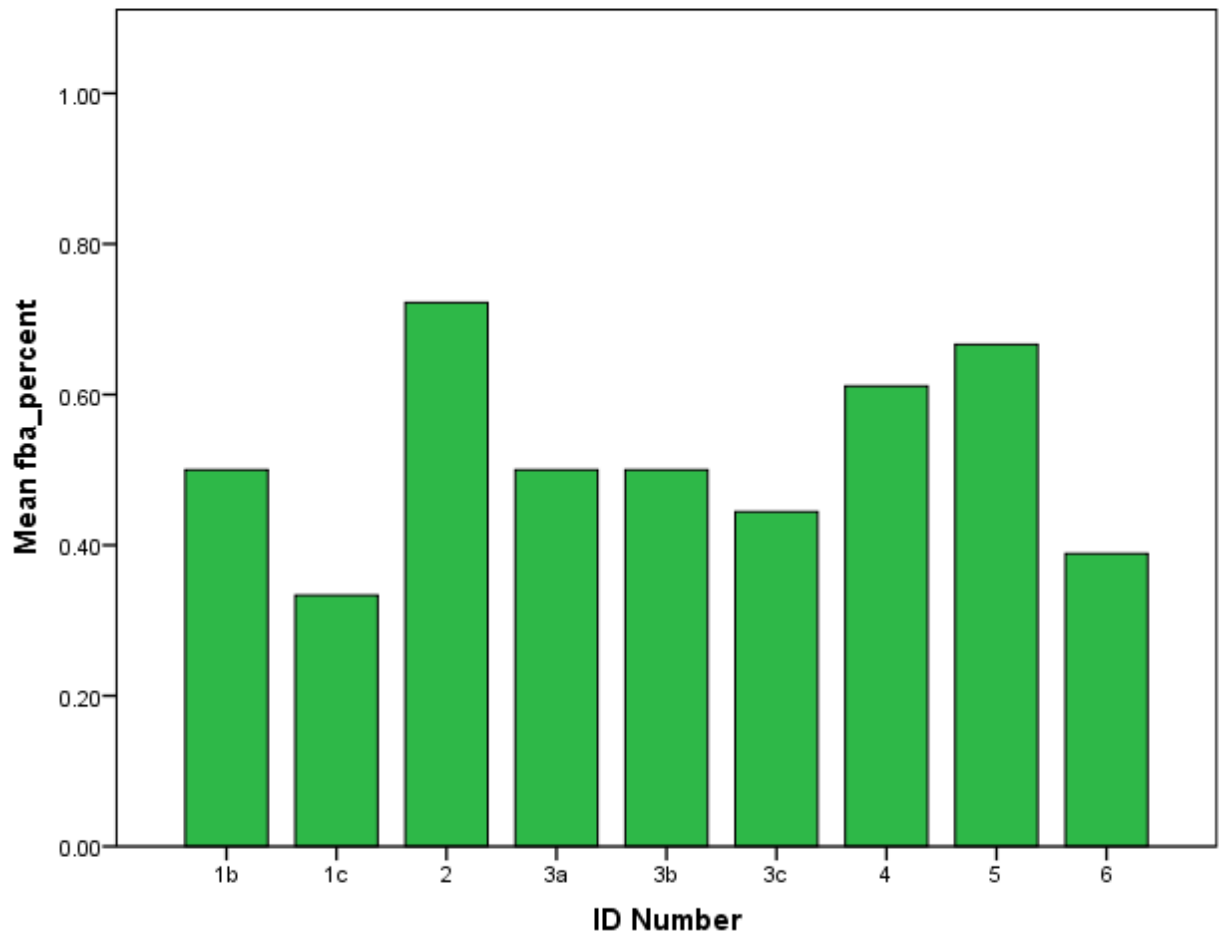
- BIP Item 17—Inclusion of plan for post-intervention data. Once a behavior plan is developed, it needs to be consistently monitored and reviewed. At a minimum, the team should determine the data they will collect to determine the plan’s effectiveness. This includes student outcome data as well as fidelity data. This specific item evaluates whether the FBA/BIP provides a specific, method for determining the data to be collected as well as the date for review.

All of the BIPs provided a plan for following up with data but did lack some of the detail including the date for follow-up. The majority of the plans appeared to have follow-up dates but it was unclear if the follow-up dates were aligned with the progress monitoring review given that the time between the follow-up dates were considerable (e.g., 6 months, 1 year).

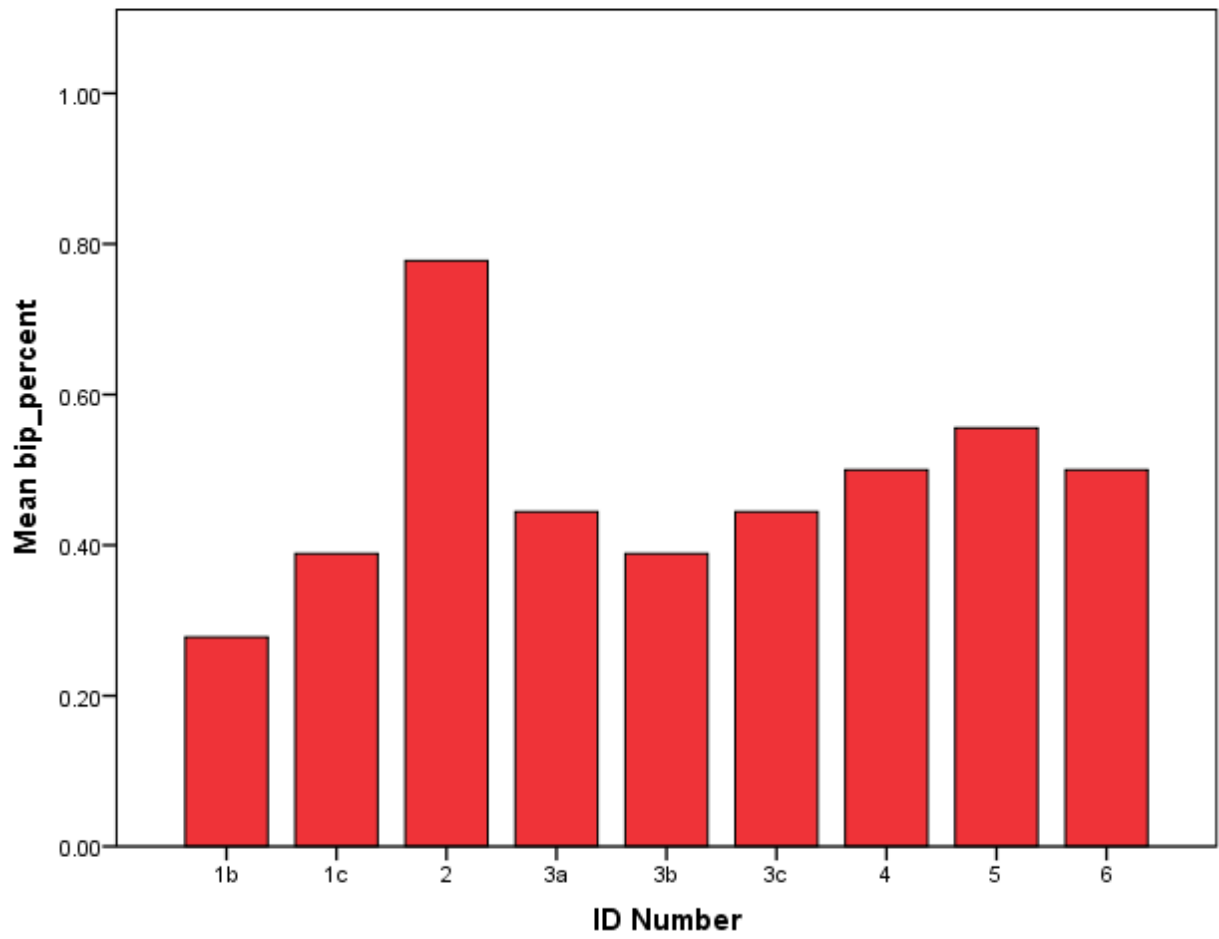
- BIP Item 18—Inclusion of a plan for collecting fidelity of implementation. When making data-based decisions on a student's response to intervention, it is imperative that the team knows whether the plan was implemented as intended.

Only one of the BIPs provided a plan for fidelity observation (#2) indicating who would be doing the fidelity measure, the frequency of checking for fidelity, a criterion for adequate fidelity, and a date for reviewing the data.

Functional Behavior Assessment Domain--Technical Adequacy Percentage by Case #

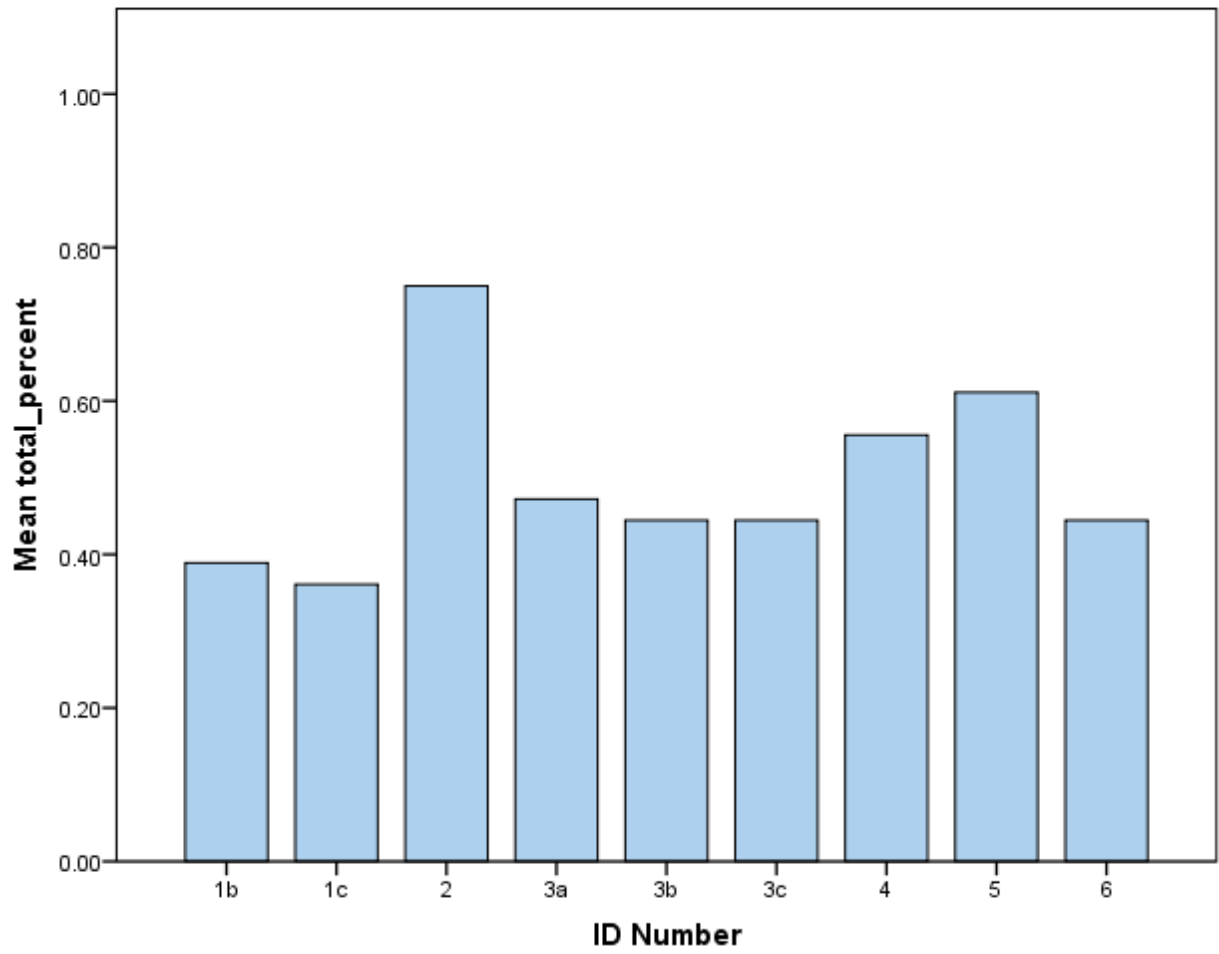


**Behavior Intervention Plan Domain--Technical Adequacy Percentage by Case #**





**Total FBA/BIP Technical Adequacy Percentage Score by Case #**



**Table 1: Polk Mean Scores of Technical Adequacy Items**

Item	Mean Raw Score (max = 2.0)	Standard Deviation
FBA (N = 10)		
Item 1–Sources of FBA	1.80	.67
Item 2–Operational Definition	1.80	.44
Item 3–Baseline Data	0.80	.83
Item 4–Setting Events	0.20	.44
Item 5–Antecedents/problem behavior	1.40	.53
Item 6–Antecedents/appropriate behavior	1.00	.87
Item 7–Consequences	0.20	.44
Item 8–Hypothesis components	0.90	.33
Item 9–Function is observable and measurable	1.20	.44
BIP (N = 10)		
Item 1–Timeline between FBA/BIP	1.20	.97
Item 2–FBA hypothesis referenced	1.80	.44
Item 3–Prevention strategy/link	1.30	.50
Item 4–Replacement behavior strategy/link	0.70	.50
Item 5–Reinforce new behavior strategy/link	0.40	.53
Item 6–Discontinue reinforcing problem behavior	0.30	.71
Item 7–Crisis plan need considered	1.00	.71
Item 8–Monitoring/evaluating data plan	1.60	.88
Item 9–Fidelity/support plan	0.20	.67
Total Scales		
	Mean Percentage	Standard Deviation
FBA domain	52%	.13
BIP domain	47%	.14
Total domain	50%	.12



**Florida Department of Education**  
*Pam Stewart, Commissioner*

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