



SELPA Superintendents' Council

SPECIAL MEETING AGENDA

July 31st, 2025

11:00 a.m.

Virtual Meeting Via Zoom – Web link:

<https://edcoe.zoom.us/j/87318250446?pwd=RY9AORrU1xvUMsvsCnoG2X6167L0FZ.1>

SELPA Superintendents' Council Members' locations of virtual attendance:

Placerville Union: 1032 Thompson Way, Placerville, CA 95667; Indian Diggings: 6020 Omo Ranch Rd, Somerset, CA 95684; Black Oak Mine: 6540 Wentworth Springs Road, Georgetown, CA 95634; Gold Oak: 3171 Pleasant Valley Rd, Placerville, CA 95667; Rescue: 2390 Bass Lake Road Rescue, CA 95672; Gold Trail: 1575 Old Ranch Rd, Placerville, CA 95667; Mother Lode: 3783 Forni Rd, Placerville, CA 95667; Pioneer: 6862 Mt. Aukum Rd, Somerset, CA 95684; El Dorado County Office of Education: 6767 Green Valley Road, Placerville, CA 95667

General Items

1. Approval of Agenda

2. Public Comment

- a. (Individuals may address Board items not on the agenda - limited to 2 minutes)

3. Public Hearing –AR 23 Revisions

- a. (Individuals may address the proposed revisions to AR 23 - limited to 2 minutes)

Action Items

4. Consideration of Proposed Revisions to Administrative Regulation 23

5. Adjournment

***Handouts**

Notices:

In compliance with the Americans with Disabilities Act, for those requiring special assistance to access public meeting rooms or to otherwise participate at a public meeting conducted by the El Dorado County Office of Education, please contact Phillip Jones at 530-295-2205, pjones@edcoe.org at least 48 hours in advance of the meeting you wish to attend so that every reasonable effort to accommodate you, including requests for auxiliary aids or services, can be made. Meeting documents are provided online at <http://edcoe.org/educational-services/selpa-special-education-local-plan-area/selpa-superintendents-council>. If you require documents being discussed at a public meeting to be made accessible, please contact Elizabeth DeBenedetto, 530-295-2236, edebenedetto@edcoe.org at least 48 hours in advance of the meeting. EDCOE strives to provide a fragrance-free work environment. For the comfort of all participants, attendees are requested to refrain from using perfume, cologne, and other fragrances.

BEHAVIORAL INTERVENTIONS FOR INDIVIDUALS WITH EXCEPTIONAL NEEDS

Behavior of an individual with exceptional needs shall be subject to the disciplinary measures applicable to all students for such infractions unless the behavior is determined to be a manifestation of the student's disability.

Behavioral problems shall be addressed through the systematic use of behavioral and emergency interventions as provided below.

When a child's behavior impedes the child's learning or that of others, the IEP team must consider strategies and supports, including positive behavioral interventions, to address that behavior. (20 U.S.C. § 1414(d)(3)(B)(i); 34 C.F.R. § 300.346(a)(2)(i), (b); Ed. Code § 56341.1, subd. (b)(1).)

Member districts *may* employ a Board-Certified Behavior Analyst ("BCBA") to conduct behavior assessments and provide behavioral intervention services, but the law does not require that these services be provided by a BCBA. (Ed. Code, § 56525.)

Note: With the Repeal of the Hughes Bill, (Assembly Bill 86, effective July 1, 2013 ("AB 86")) the law does not contain a specific definition of "behavioral intervention" and does not impose any specific requirements for how to conduct or implement a behavior assessment or behavior intervention plan. LEAs are no longer required to conduct a Functional Analysis Assessment ("FAA") for students with serious behavioral problems. (Ed. Code, § 56523.)

Behavioral Intervention Plan

A functional behavioral assessment and behavioral intervention plan shall be developed no later than 10 business days after a student is suspended for more than 10 school days in a school year or after a change of placement occurs. (34 CFR § 300.530; see SELPA Policy 16, and AR 16.)

Within 10 business days after removing a student for more than 10 school days in a school year or commencing a removal that constitutes a change in placement, the member district shall implement a behavioral intervention plan in accordance with 34 CFR 300.520, SELPA policy, and administrative regulations. (BP/AR 16)

Note re: Terminology: BIP and BSP

The IDEA uses the term Behavior Intervention Plan ("BIP") to refer to a less intensive behavior plan developed by the IEP team. Previously, the Hughes Bill (repealed by AB 86) used the term "BIP" to refer to a more intensive behavior plan required whenever an FAA was performed. California also had previously used the term Behavior Support Plan ("BSP") to distinguish between the less intensive plan required by the IDEA and the more-intensive "BIP" required by the Hughes Bill. Now, with the repeal of the Hughes Bill by AB 86, it is recommended that member districts use only the term BIP for all types of behavior plans. (Ed. Code, § 56523.)

Emergency Interventions

Emergency interventions not specified in a student's behavioral intervention plan shall be used only when necessary to control unpredictable, spontaneous behavior which poses clear and present danger of serious physical harm to the individual with exceptional needs or others, and that cannot be immediately prevented by a response less restrictive than the temporary application of a technique used to contain the behavior. Emergency interventions shall not be used as a substitute for a systematic behavioral intervention plan that is designed to change, replace, modify, or eliminate a targeted behavior. No emergency intervention shall be employed for longer than is necessary to contain the behavior. A situation that requires prolonged use of an emergency intervention shall require staff to seek assistance of the school site administrator or law enforcement agency, as applicable to the situation. (Ed. Code, § 56521.1(a) through (c))

~~Only emergency interventions approved by the SELPA may be used. (Ed. Code § 56521.1)
The following emergency interventions, included in "Risk Behavior" training, are approved by the El Dorado County SELPA for use by CPI (Crisis Prevention Institute) trained staff only and may only be used as a last resort when a person is an immediate danger to self or others:-~~

~~a) CPI's Disengagement Skills-~~

~~b) Nonviolent Physical Crisis Intervention and Team Intervention:-~~

~~"Standing Position" utilizing one two team members~~

~~"Seated Position" utilizing two team members~~

~~"Team Control Position" utilizing at least two team members~~

~~"Children's Control Position" for students who are considerably smaller than the staff person-~~

~~Only emergency interventions approved by the SELPA may be used and must align with the limitations outlined in Education Code § 56521.1, including the prohibition of prone restraints and interventions that obstruct a student's respiratory or vocal functions.~~

~~The following CPI emergency interventions are approved by the El Dorado County SELPA for use only by currently certified Crisis Prevention Institute-trained staff (CPI) and may only be used as a last resort when an individual presents an immediate danger to self or others:~~

~~a) CPI Safety Intervention Holding Skills:~~

- ~~• "Standing Position" utilizing one to two team members~~
- ~~• "Seated Position" utilizing two team members~~
- ~~• "Children's Seated/Standing Position" for students who are considerably smaller than the staff person, utilizing one team member~~

Parents/guardians/residential care provider, if appropriate, shall be notified within one school day whenever an emergency intervention is used or serious property damage occurs. A behavior emergency report shall immediately be completed, kept in the student's file, and forwarded to the LEA Superintendent or designee for review. This report shall include:

1. The name and age of the student

2. The setting and location of the incident
3. The name of the staff or other persons involved
4. A description of the incident and the emergency intervention used
5. A statement of whether the student is currently engaged in a systematic behavioral intervention plan
6. Details of any injuries sustained by students or others, including staff, as a result of the incident

(Ed. Code § 56521.1 (e).)

If the behavior emergency report is for a student who does not have a behavioral intervention plan, the LEA Superintendent or designee shall, within two days, schedule an IEP team meeting to review the emergency report, determine the necessity for a functional behavioral assessment, and determine the necessity for an interim behavioral plan. When applicable, the IEP team shall document the reasons for not conducting a functional behavioral assessment and/or not developing an interim plan. (Ed. Code § 56521.1 (g).)

If the behavior emergency report is for a student who has a positive behavioral intervention plan, any incident involving a previously unseen serious behavior problem or where a previously designed intervention is not effective shall be referred to the IEP team. The IEP team shall review the incident and determine whether the student's behavioral intervention plan needs to be modified. (Ed. Code § 56521.1 (h).)

All behavioral emergency reports shall immediately be forwarded to, and reviewed by, a designated responsible administrator. (Ed. Code § 56521.1(f).)

Prohibited Interventions

Each member district of the El Dorado County SELPA prohibits any use of the following:

1. Any intervention designed or likely to cause physical pain
2. Releasing noxious, toxic or otherwise unpleasant sprays, mists or substances near the student's face
3. Any intervention that denies adequate sleep, food, water, shelter, bedding, physical comfort or access to the bathroom
4. Any intervention that subjects the student to verbal abuse, ridicule, humiliation or excessive emotional trauma

5. Use of any material or objects which simultaneously immobilizes all hands and feet. ~~except that prone containment or similar techniques may be used by trained staff as a limited emergency intervention~~
6. Locked seclusion, unless in a facility otherwise licensed or permitted by law to use a locked room
7. Any intervention that precludes adequate supervision of the student
8. Any intervention that deprives the student of one or more of his/her senses
9. Force exceeding what is reasonable and necessary under the circumstances

(Ed. Code, § 56521.2.)

Legal Reference:

EDUCATION CODE

49001 Prohibition of corporal punishment
56321 Notice of parental rights; consent of parents
56341.1 Individualized Education Programs
56500-56508 Procedural safeguards, including due process rights
56520-56525 Behavioral Interventions

CODE OF REGULATIONS, TITLE 5

3001 Definitions

UNITED STATES CODE, TITLE 20

1412 State eligibility
1414 Individualized Education Programs
1415 Procedural safeguards

CODE OF FEDERAL REGULATIONS, TITLE 34

300.1-300.818 Assistance to states for the education of students with disabilities

Management Resources:

FEDERAL REGISTER

Rules and Regulations, August 14, 2006, Vol. 71, Number 156, page 46539-46845

SELPA Superintendents' Council Approval 2-7-19

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