

Policy for Behavioral Concerns and Student Safety Planning

Regulatory Basis: 8 NYCRR 19.5(b)(4) and 8 NYCRR 200.22(c)

1. Purpose

The purpose of this Corrective Action Policy is to ensure that all responses to student behavioral concerns are developed, implemented, and reviewed in a manner consistent with applicable law and regulation. This policy is intended to correct the use of informal, noncompliant behavioral or safety planning practices and to require the use of formal, documented procedures when a student presents behavioral concerns that may affect learning, safety, or program access.

2. Scope

This policy applies to all administrators, instructional staff, related service providers, support staff, crisis response personnel, and any other employees or agents responsible for supporting students with behavioral concerns. It applies whenever a student exhibits behavior that may impede learning, create a risk of harm, or prompt consideration of additional behavioral supports, crisis procedures, or safety planning.

3. Statement of Policy

The organization prohibits the creation or use of informal behavioral plans, activity-chair plans, school-based safety plans, or similar undocumented or non-approved interventions as substitutes for required formal behavioral assessments, behavioral intervention planning, or authorized crisis response procedures. Student behavioral concerns shall be addressed through structured, documented, and legally compliant processes that emphasize positive behavioral supports, student dignity, staff consistency, and safety.

4. Definitions

- Behavioral concerns: Student behaviors that impede the student's learning or that of others, place the student or others at risk of harm or injury, or require targeted intervention, support, or review.
- Functional Behavioral Assessment (FBA): A process of collecting and analyzing data from multiple sources to identify the purpose or function of a student's behavior and the factors that contribute to it.

- Behavioral Intervention Plan (BIP): A formal written plan based on an FBA that identifies target behaviors, antecedents, replacement behaviors, supports, intervention strategies, consequences and responses, staff responsibilities, and progress-monitoring procedures.
- Safety response procedures: Documented actions used during an emergent situation to protect students and staff, consistent with applicable law, regulation, and approved organizational procedures.
- Informal plan: Any unwritten, ad hoc, improvised, or non-approved behavioral or safety response developed outside the required formal process.

5. Required Procedures for Students with Behavioral Concerns

1. When a student demonstrates persistent behaviors that impede learning, poses a risk of harm, or requires intensified intervention, the appropriate team shall initiate a formal review of the student's needs.
2. No staff member shall create or implement an informal plan in place of the required review, assessment, or intervention planning process.
3. When indicated, a Functional Behavioral Assessment shall be completed using multiple data sources, including direct observation, staff input, available records, relevant family input, and data concerning frequency, duration, intensity, and setting events associated with the behavior.
4. Where required by regulation or student need, a Behavioral Intervention Plan shall be developed and formally approved through the appropriate process.
5. All behavioral supports and interventions shall prioritize positive behavioral supports, teaching of replacement skills, prevention strategies, de-escalation, and reinforcement of appropriate behaviors.
6. Any safety response procedures used during a behavioral crisis must be consistent with approved protocols and shall not function as a substitute for a required FBA or BIP.
7. Each formal plan shall identify responsible staff, implementation steps, documentation expectations, and timelines for review.
8. Plans shall be communicated to staff with responsibility for implementation, with training or coaching provided as needed to ensure fidelity and consistency.

6. Prohibited Practices

- Creating or using an informal activity-chair plan, school-based safety plan, or similar undocumented strategy for a student with behavioral concerns without required formal review and approval. This would consist of psychologist, BCBA, administrative staff and requested to the Committee on Preschool Special Education Administrator (CPSE) and a

re-convene requested to determine if a formal plan, strategy, or activity chair would be approved for the child.

- Using ad hoc restrictions, punitive practices such as restrictive holds, time-outs etc. or undocumented behavior management strategies that are inconsistent with approved policy or regulation.
- Implementing behavioral responses without appropriate documentation, staff training, oversight, or review.
- Using safety procedures as a standing behavior plan rather than as part of an approved and legally compliant framework.

7. Roles and Responsibilities

- Administrators shall ensure implementation of this policy, monitor compliance, and respond promptly to any identified deviations.
- Teachers and service providers shall document concerns, implement approved supports, participate in assessment and planning processes, and avoid the creation or use of informal plans.
- Behavioral or student support personnel shall assist in assessment, plan development, training, and progress monitoring, as applicable.
- Program leadership shall ensure that required reviews occur, that plans are maintained in accordance with organizational procedures, and that staff receive appropriate guidance.

8. Documentation and Review

All assessments, plans, crisis responses, staff notifications, and implementation reviews shall be documented in accordance with applicable recordkeeping procedures. Formal behavioral plans shall be reviewed on a regular basis and revised when data, student needs, or implementation concerns indicate that changes are necessary. Any identified use of informal or noncompliant planning practices shall be corrected immediately and documented as part of supervisory oversight.

9. Training and Corrective Oversight

The organization shall provide training to relevant staff on behavioral intervention requirements, documentation standards, positive behavioral supports, de-escalation, and approved safety procedures. Supervisors shall monitor implementation through record review, staff guidance, and periodic compliance checks. Where noncompliance is identified, the organization shall implement corrective measures, which may include retraining, closer supervision, revision of procedures, and follow-up monitoring.

10. Effective Implementation

This policy shall take effect immediately upon approval. Program leadership is responsible for disseminating this policy to relevant staff, discontinuing any informal behavioral planning practices, and ensuring that all student behavioral concerns are addressed through compliant, documented, and appropriately supervised processes.