

## **Behavior Emergency Report Procedure**

According to California Code of Regulations: 5 CCR 3052(i)(5)

**Emergency Interventions:** Emergency interventions may only be used to control unpredictable, spontaneous behavior which poses a clear and present danger of serious physical harm to the individual or others or can cause serious property damage and which cannot be immediately prevented by a response less restrictive than the temporary application of a technique used to contain the behavior.

- (1) Emergency interventions shall not be used as a substitute for systematic behavioral intervention plans that are designed to change, replace, modify, or eliminate a targeted behavior.
- (2) Whenever a behavior emergency occurs, only behavioral interventions approved by the special education local planning area (SELPA) may be used.
- (3) No emergency intervention shall be employed for longer than is necessary to contain the behavior. Any situation that requires prolonged use of an emergency intervention shall require staff to seek the assistance of the school site administrator or law enforcement agency, as applicable in the situation.

Emergency intervention includes physical escort, restraint or seclusion. These emergency interventions may not be used as a substitute for systematic positive behavior intervention plans or as routine systematic behavior interventions.

**In these rare instances of emergency intervention, the following procedure must be followed:**

The parent, and residential care provider, if appropriate, must be notified within one (1) school day. A “Behavior Emergency Report” must immediately be completed by staff and distributed in the following manner:

- 2 copies to the parent or care provider: one for them to review, sign and return and one for the parent or care provider’s personal file. Keep the parent signed BER with the student’s Special Education Container (file)
- 1 copy to Site Administrator
- 1 copy to School Psychologist
- 1 copy to Behavior Support Resources via **Fax at (858) 274-3137**

Anytime a restraint is used, an IEP meeting must be scheduled within 48 hours and is to be held within a reasonable amount of time in order to complete the following:

- Student does not have a current Behavior Intervention Plan (BIP): The designated responsible administrator/case manager shall schedule an IEP meeting to review the emergency report, to determine the necessity for a functional behavioral assessment and to determine the need for an interim behavior intervention plan. The IEP team must document the reasons for not conducting a FBA and/or developing an interim BIP.
- Student has an existing Behavior Intervention Plan: When an incident involving a previously unseen serious behavior problem occurs or where a previously designated intervention is not effective or implemented, student’s IEP team should review and determine if the incident constitutes a need to modify the BIP.



<b>Name of Student:</b>		<b>ID #:</b>	<b>School:</b>
<b>Grade:</b>	<b>Primary Disability:</b>	<b>Date of Incident:</b>	<b>Time of Incident:</b>
<b>Person Completing Form:</b>		<b>Date Form Completed:</b>	
<b>Setting/Location of Incident:</b>			
<b>Names &amp; Titles of Staff Involved:</b>			
1.			
2.			
3.			
4.			
<b>Description of the Incident: (Add pages as needed)</b>			
<b>Description of Proactive Positive Behavior Interventions that were Implemented (i.e. Proactive strategies as listed on BSP or BIP): (Add pages as needed)</b>			
<b>Check all Physical Interventions Used:</b>		<b>Length of Time Physical Intervention Lasted:</b>	
<input type="checkbox"/> Escort <input type="checkbox"/> Standing Restraint <input type="checkbox"/> Seated Restraint <input type="checkbox"/> Wall Assisted Restraint <input type="checkbox"/> Floor Assisted Restraint <input type="checkbox"/> Environmental Seclusion		_____ Minutes	
<b>Details of any Injuries Sustained by the Student as a Result of the Incident:</b>			
<b>Details of any Injuries Sustained by Others (including other students and staff) as a Result of the Incident:</b>			
<b>Is the student engaged in any systemic behavioral intervention plan (BIP)?</b> <input type="checkbox"/> YES <input type="checkbox"/> NO Refer to "Next Steps" below (If the student has a Behavior Support Plan or Behavior Intervention Plan, please attach a copy.)			
<b>MANDATORY Signatures &amp; Notifications:</b> (Parent/Guardian MUST be notified within one school day when an emergency intervention is used)			
_____	_____	_____	
Staff Signature and Date	Principal Signature and Date	Parent/Guardian Signature and Date	
Parent Notified on _____ Date via _____ Phone/Email/Fax by _____ School Staff.			
<b>Distribute BER in the following manner:</b>			<i>Signed BER goes in the Special Education Container</i>
<ul style="list-style-type: none"> <li>• 2 copies to the parent/guardian; one to review, sign and return and one for their personal file.</li> <li>• 1 copy to Site Administrator</li> <li>• 1 copy to School Psychologist/Behavior Intervention Case Manager</li> <li>• <b>1 copy to Behavior Support Resources via Fax at (858) 274-3137</b></li> </ul>			
<b>Next Steps: Refer to Behavior Emergency Report Procedure</b>			