

ASSESSMENT OF STUDENT BEHAVIORS

Functional Behavioral Assessments

Functional Behavioral Assessments (FBA) may be conducted in connection with the referral, evaluation, Individualized Education Program (IEP) development, placement and review, and relating to discipline procedures, for students with disabilities.

A Functional Behavioral Assessment means the process of determining why the student engages in behaviors that impede learning and how the student’s behavior relates to the environment. The FBA shall be based on multiple sources including, but not limited to information obtained from direct observation of the student, information from the student, the student's teacher(s) and/or related service provider(s), a review of available data and information from the student's record and any relevant information provided by the student's parent. The FBA shall not be based solely on the student's history of presenting problem behaviors.

The FBA shall include, but is not limited to:

1. identification of the problem behavior;
2. definition of the behavior in concrete terms;
3. identification of the contextual factors that contribute to the behavior (including cognitive and affective factors); and
4. formulation of a hypothesis regarding the general conditions under which a behavior usually occurs and probable consequences that serve to maintain it.

Behavioral Intervention Plans

A Behavioral Intervention Plan (BIP) means a plan that is based on the results of an FBA and, at a minimum, includes a description of the problem behavior, global and specific hypotheses as to why the problem behavior occurs and intervention strategies that include positive behavioral supports and services to address the behavior.

The Committee on Special Education (CSE) or Committee on Preschool Special Education (CPSE) must consider the development of a BIP for a student with a disability when:

1. the student exhibits persistent behaviors that impede his/her learning or that of others, despite consistently implemented general interventions;
2. the student’s behavior places the student or others at risk of harm or injury;
3. the CSE or CPSE is considering more restrictive programs or placements as a result of the student’s behavior; and/or
4. in connection with the discipline of a student with a disability.

In the case of a student whose behavior impedes his or her learning or that of others, the CSE or CPSE must consider strategies, including positive behavioral interventions and supports and other strategies to address that behavior.

If a particular device or service, including an intervention, accommodation or other program modification is needed to address the student's behavior that impedes his or her learning or that of others, such information shall be contained on the student's IEP.

A student's need for a BIP must be documented in the IEP, and the BIP must be reviewed at least annually by the CSE or CPSE.

The implementation of a student's BIP must include regular progress monitoring of the frequency, duration and intensity of the behavioral interventions at scheduled intervals, as specified in the BIP and on the student's IEP. The results of the progress monitoring must be documented and reported to the student's parents and to the CSE or CPSE and must be considered in any determination to revise a student's BIP or IEP.

Cross-Reference: 5300, Code of Conduct, Discipline of Students with Disabilities
5313.3-R, Student Suspension Regulation

Reference: 8 N.Y.C.R.R. §§ 200.1(r), 200.1(mmm), 200.22, 200.4, 201.2(a), and 201.3

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