

Use of Behavioral Emergency Report – Exhibit L

Please be advised on the required use of the SELPA Behavioral Emergency Report throughout the school year.

An emergency intervention may only be used to control unpredictable, spontaneous behavior that poses a 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 control the behavior. Emergency interventions do not include any of the techniques detailed in Education Code section 56521.1(d) except techniques such as prone containment that may be used as an emergency intervention by staff trained in these techniques. Emergency interventions shall not be used as a substitute for the development of a systematic behavioral intervention plan that is designed to change, replace, modify, or eliminate targeted behavior.

The SELPA Behavioral Emergency Report is to be completed the same day of the use of an emergency intervention with a student with exceptional needs or if serious property damage is caused by a student with exceptional needs.

The LEA must be faxed a copy of the Behavioral Emergency Report no later than the end of the day that the emergency intervention was used or if serious property damage occurs. The parents of the student with exceptional needs must be notified within one school day following the completion of a Behavioral Emergency Report. If a Behavioral Emergency Report was written regarding a student with exceptional needs who did not have a behavioral intervention plan then an IEP meeting must be convened for the student within two school days to review the Behavioral Emergency Report, to determine the necessity for a functional behavioral assessment, and to determine the need for an interim behavioral intervention plan. If a Behavioral Emergency Report was written regarding a student with exceptional needs who did have a behavioral intervention plan then an IEP meeting shall be convened within 30 calendar days to review the Behavioral Emergency Report and determine if the student's behavioral intervention plan should be modified.

The attached form provides further clarification.