

**OREGON DEPARTMENT OF EDUCATION
EARLY INTERVENTION
EARLY CHILDHOOD SPECIAL EDUCATION**

Program Operation Guideline

AREA: Discipline

DATE: February 21, 2002 (Contractor Meeting)

CITATION: 34 CFR 300.519 through .529; OAR 581-015-0550 through 0558 and
OAR 581-021-0060 through 0070

GUIDELINE: Suspension and Change of Placement

All children with disabilities have the right to be educated in the least restrictive environment, in the company of children their same age. While some preschool aged children have behaviors that make this difficult, suspension or expulsion of the child are not viewed as an appropriate method of discipline. The removal of a child from a classroom or child care setting is considered only when the health or safety of the identified child, other children, or staff is compromised by the child's continued placement, and only after documented intervention efforts are unsuccessful in altering either the child's behavior or the environment to the point where the safety of children and staff can be assured.

While federal and state regulations allow suspension or expulsion, these generally are not appropriate forms of discipline for preschool aged children. However, there may be situations that require consideration of a change of a child's placement in order to insure the health and safety of all involved, as well as to provide the most appropriate educational program for the child. Under these circumstances a program may suspend a child pending the IFSP meeting. When a placement change is considered, due to concerns about a child's behavior, the following procedures are followed:

- a) Immediately notify the Supervisor when concerns arise.
- b) Request a classroom observation from another observer (e.g. the supervisor, the evaluation staff, a behavior consultant, the Head Start Mental Health Consultant, etc.) to document the problem behaviors and evaluate whether environmental changes or different teaching strategies might address the problem.
- c) Call a meeting of the child's IFSP team (including the EI/ECSE Supervisor, the observer, child's teacher, and the child's parent(s)) to discuss the problem and brainstorm possible solutions. The focus of the meeting should be solution oriented and not punitive. The following factors should be considered in the discussion:
 1. Are there changes, which could be made in the current environment (e.g., rearranging the room into more defined spaces), which might address the problem behaviors? (The IFSP team must document changes attempted and assure that the changes were given sufficient time to be effective.)

2. Are there changes, which could be made in current teaching practices or classroom curriculum (e.g. use of picture or object schedules, adjustments in schedule, additional staff), which might address the problem? (The IFSP team must document changes attempted and determine if there was sufficient time for implementation.)
3. Has the problem behavior been adequately analyzed so that staff know what events are likely to trigger the problem? Are all staff consistently applying behavior management strategies? Has a Functional Behavioral Assessment (FBA) been completed? Is a health assessment and/or a mental health assessment needed? Has a behavior Intervention Plan (BIP) been implemented? Is there a clear understanding of what the child's behavior is about? Would additional training or consultation resolve the situation?
4. Are there additional resources and/or agencies that might be brought in to help in addressing the problem? (e.g. behavior consultant, Mental Health Department for a mental health assessment, physician or health department for health assessment, parent education, counseling or family support, etc.).

[A useful resource for addressing these questions is the "ECSE Behavior Cadre Technical Assistance Manual. Appendix 5 of Section 3 contains three very useful Functional Behavioral Assessment approaches: The CHEERS Model; Behavior Mapping; and CABIN.]

- d) After consideration of these questions, if the IFSP team determines a change in the child's placement is warranted including placement in the home, then the decision is documented on the "Placement Decision" form and on the "Prior Notice of EI/ECSE Action" form. A change is made on the IFSP cover page if appropriate, and copies given to the parent(s). Again, all decisions should be solution oriented and not punitive. The change in placement may begin as soon as appropriate arrangements can be made with the agreement of the parent(s).

When the health and safety of the child and/or other children in the classroom is threatened, then it may be necessary for the identified child to remain at home a few days or attend an alternative classroom, until the necessary arrangements are made for the new placement. These decisions are made by the child's IFSP Team, including the parent(s) and are noted on the IFSP and on the "Prior Notice of EI/ECSE Action" form.

EI/ECSE community partners, including Head Start programs, private preschools, and Relief Nurseries, vary in available personnel and resources. Contracts or interagency agreements should include language-specifying procedures to follow, including notifying the EI/ECSE program, when staff are concerned about a child's behavior.