

Best Practice Recommendations for Conducting Functional Behavioral Assessments (FBAs), Developing and Implementing Behavior Intervention Plans (BIPs)

When a Functional Behavioral Assessment (FBA) and resulting Behavior Intervention Plan (BIP) is Required

There are three specific situations where an FBA/BIP is explicitly required for students experiencing disability in Oregon: (1) when a student exhibits behavior that is determined to be a manifestation of their disability following a decision to change their placement because of a violation of a code of student conduct ([34 CFR § 300.530](#)); (2) when a student has placed themselves, other students, or staff at imminent risk of serious bodily injury as a result of the student's behavior ([OAR 581-015- 2181\(2\)\(a\)](#)); and (3) following an appropriate incident of seclusion ([OAR 581-021-0553](#)). Outside of those conditions, an FBA/BIP is required when the Individual Education Program (IEP) team determines it is necessary to enable the provision of a Free Appropriate Public Education (FAPE) for a student. IEP teams should be particularly deliberate in considering the need for a FBA/BIP whenever a student exhibits behavior that impedes their learning or that of others.

An IEP team is required to conduct an FBA and implement a BIP when the appropriate team determines that the student's conduct that resulted in a change of placement was a manifestation of the student's disability. If the Local Education Agency (LEA) had already conducted an FBA before the behavior that resulted in a change of placement, the IEP team should consider whether updated information is needed to ensure an appropriate BIP can be developed and implemented. In the event that there is already an established BIP for the student, the IEP team must review the BIP and modify it, as necessary, to address the student's behavior.

Disciplinary actions and programmatic changes constitute a change of placement if: (1) the removal is for more than 10 consecutive school days; or (2) the student has been subjected to a series of removals that constitute a pattern. Under the Individuals with Disabilities Education Act (IDEA), within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the LEA, the parent, and relevant members of the child's IEP team (as determined by the parent and the LEA) must review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to conduct a manifestation review meeting to determine if the conduct in question: (1) was caused by, or had a direct and substantial relationship to, the child's disability; or (2) if the conduct in question was the direct result of the LEA's failure to implement the IEP. If either of those conditions are met, the conduct must be determined to be a manifestation of the student's disability.

In the context of discipline, an FBA/BIP may still be warranted even when the IEP team determines that the student's conduct is not a manifestation of the student's disability, or if the student's placement is changed to an interim alternative educational setting (IAES) based on "special circumstances" of weapons, illegal drugs, or serious bodily injury. The IDEA requires the LEA to provide the student, as appropriate, an FBA and behavioral intervention services and modifications that are designed to address the behavior so that it does not recur.

Provision of FAPE

As it relates to a student whose behavior impedes his learning or that of others, the IDEA requires that IEP teams consider the use of positive behavioral interventions and supports as well as other strategies to address the behavior when developing a student's IEP. This may, or may not, include an FBA. In these cases, the IEP team should carefully consider whether an FBA would inform the development of a BIP that enables the provision of FAPE for the student and, where it would, seek consent to conduct an FBA.

Teams should consider using information obtained through an FBA to proactively develop and implement a BIP and incorporate the BIP into the student's IEP to support the student's behavioral needs. Both FBAs and BIPs should use asset-based language that focuses on positive outcomes and personal strengths, rather than problems and barriers. BIPs that are meaningfully informed by FBAs can help eliminate or reduce disability-based behavior that could lead to possible exclusion. Through an FBA, the IEP team can learn about the nature of the behavior, the function the behavior serves for the student, factors indicating when the behavior might occur, and the consequences of the behavior. A BIP identifies target behavior(s) (i.e., those behaviors that interfere with the student's or other students' ability to learn) and establishes a plan tailored to the individual student's specific behavioral needs to reduce or eliminate the target behavior, often through teaching and reinforcing an appropriate replacement behavior (i.e., a planned behavior that serves the same function as the target behavior but is less disruptive to the student's or other students' learning). If an IEP team chooses to use an FBA to develop a BIP, and that assessment identifies specific behavioral supports needed to ensure FAPE, the team would need to develop the BIP with such supports, and the school would need to implement it as part of the student's IEP.

Essential Elements of Quality FBAs

An FBA focuses on identifying the function or purpose behind a student's behavior. FBAs typically examine a wide range of factors specific to the individual student. Assessments must provide specific information on the target behavior(s) of concern and often address academic, social, emotional, behavioral, medical, and vocational (employment) needs. Where a student's evaluation shows that challenging behavior in the school setting is caused by, or directly and substantially related to, the student's disability or disabilities, or where a student's behavior impedes their learning or that of others even if not commonly associated with their disability, the IEP team must identify individualized services, such as behavioral supports, to meet the student's educational needs. When a student presents behavior that could impede their learning or that of others, the IEP team should consider whether a FBA is warranted.

The outcome of an FBA is to identify the function of a student's behavior, student strengths, and student needs in order to build effective, individualized plans. Typically, the FBA process involves both direct and indirect assessments of the student's behavior. Functional assessment procedures typically include these four activities:

1. Review of records, including prior interventions and results.
2. Formal and informal measurement procedures.
3. Observations of the student's behavior in more than one setting and at various times.
4. Interviews with individuals familiar with the student, including school staff, family members, and the student.

Those that are involved in conducting FBAs might need to:

- Develop individualized interviews and assessments to determine well-being, quality of life, and person-centered planning.
- Use a collaborative problem-solving framework that considers data.
- Collaborate with a support team.
- Assess interventions for fidelity and student outcomes.
- Plan for coordinated implementation across multiple settings and staff.
- Monitor supports to assure implementation of the plan as designed.

Assessments provide teams with the information needed to design a program that will meet the student's individual educational needs, therefore enabling the student to make progress and receive FAPE. Therefore, it is necessary to assess a student's behaviors of concern in the school setting, including disability-related behaviors that interfere with the student's learning or the learning of others. The FBA allows the IEP team to identify student needs and provides the team with the information needed to determine what services and supports will most effectively meet the student's unique needs and environmental context.

Conducting FBAs

An FBA is considered an evaluation (or reevaluation) under the IDEA when it is being used to determine if the student experiences a disability or to determine the educational needs of the student. As such, the IEP team must ensure that appropriate consent is received prior to conducting an FBA. School districts must also ensure that:

- FBAs use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child, including information provided by the parent, that may assist in determining whether the child is a child with a disability; and the content of the child's IEP and BIP.
- FBAs cannot use any single measure as the sole criterion for determining an appropriate educational program, including a BIP, for the student.
- FBAs must use technically sound instruments.
- FBA assessment tools must be used for the purposes for which the assessments or measures are valid and reliable.

- FBAs must be conducted by a qualified person, defined in Oregon rule as “an individual with training and/or experience in conducting functional behavioral assessments”.
- FBAs must be administered in accordance with any instructions provided by the producer of the assessments.
- FBAs must be conducted to provide relevant information that directly assists the IEP team to determine the educational needs of the child.

Although statute requires a team, including a parent or guardian of the student, to form for the purpose of reviewing and revising the student’s behavior plan after five incidents in a school year, teams may convene prior to the maximum count of five, to assure the provisions of appropriate behavioral strategies, including positive behavior supports as necessary. If teams are aware of crisis response strategies that are effective for an individual student, these specific supports should be written into the student’s plan to ensure best practices for individualized student support, responding with efficacy, regardless of the level of escalation.

Essential Elements of Quality BIPs

IEP teams can consider using information obtained through an FBA to proactively develop and implement a BIP. All BIPs should be incorporated into the student’s IEP and must be when it is required to provide FAPE. There is not one standard format for a BIP. However, an effective BIP typically contains these critical elements:

- A clear and operational definition of the target behavior(s);
- A clear link to the function of the behavior as identified by the FBA;
- Strategies for addressing variables that will prevent the target behavior(s) from occurring or promote more appropriate behavior(s);
- Strategies for de-escalation;
- Strategies for teaching alternative or replacement behavior(s), including generalization and maintenance;
- Strategies to reinforce alternative or replacement behavior(s) and reduce reinforcement of target behavior(s);
- Strategies for matching the BIP to unique contexts of the classroom, family, and community to enhance the success of the plan (contextual fit);
- A method for the collection of BIP progress monitoring data for evaluation of the effectiveness and implementation fidelity of the BIP, and;
- A safety plan for use only in crisis situations.

A BIP should include strategies that incorporate a student’s culture, strengths, and preferences. In identifying acceptable replacement behaviors that are achievable for the student, schools may not rely on stereotypes, generalizations, or assumptions about a student’s identity (e.g., assuming that girls are more capable of sitting still than boys).

A BIP that is meaningfully informed by an FBA can help eliminate or reduce disability-related behavior that may lead to violations of a student code of conduct through the implementation of appropriate teaching and support strategies. Goals for student outcomes or for the efficacy of the intervention(s) should be based on present levels of the student and be reasonably calculated to achieve progress. Effective goals are strengths-based and SMART: specific,

measurable, attainable, results-oriented, and time-bound. In addition to developing effective goals for the student, it is also essential that IEP teams regularly monitor the implementation of a student's BIP and its impact on the student's behavior through progress monitoring data.

If a student continues to have disability-related behavioral concerns that impede their learning or the learning of others, despite the student's IEP and BIP being properly implemented (i.e., with fidelity), the student's placement may not be adequately addressing the student's disability-related behavioral needs. Depending on the individual circumstances, the IEP team can determine whether and what additional or different services and supports are necessary. If an adjustment in services and supports does not adequately address the behavior—including because the disability results in new behaviors or the existing behaviors escalate in severity—additional evaluation(s) may be necessary to identify the student's current needs and to develop additional or different supports to meet those needs. Additional evaluations may also be necessary if the school has reason to believe the student may have an additional disability affecting their behavior. In these cases, districts may need to reconvene IEP teams to determine if additional evaluations are needed or if any adjustments to the IEP, including any behavioral supports, or placement are needed to enable the provision of FAPE.

Recommendations Related to Progress Monitoring, Review, and Revision of BIPs

Progress monitoring of BIPs is used to assess a student's progress and response to instruction and intervention and allows the IEP team to evaluate the overall effectiveness of the BIP. Progress monitoring addresses two types of data: plan effectiveness and implementation fidelity. Plan effectiveness data allows the IEP team to determine whether the BIP works as intended through measuring improvements in student outcomes (e.g., frequency, intensity, and/or duration of behavior). Implementation fidelity data indicates whether the BIP was implemented as designed to assure intended outcomes of effective behavioral support for the student.

Plan Effectiveness Data

IEP teams can determine whether a BIP is working as intended by comparing post-intervention plan effectiveness data to the baseline data to determine whether the desired change in behavior is, in fact, occurring. There are a number of reasons that could explain when there is little or no change in a student's behavior after implementation of their BIP for a sufficient duration. The primary reasons that could result in no or limited improvement include: (1) the intervention is not being implemented as designed, (2) the intervention is not sufficiently intensive; or (3) the planned intervention does not match the function of the student's behavior. Alongside carefully reviewing the results of the FBA, evaluating the implementation fidelity data can support IEP team determinations as to which of those reasons caused the lack of progress.

Implementation Fidelity Data

Implementation fidelity data allows IEP teams to have confidence that interventions required by an IEP are being implemented as intended. In regard to a BIP, implementation fidelity data

provides evidence as to whether educators are implementing the BIP as designed or whether additional training, coaching, or follow-up is warranted. Teams will want to assure there are:

- Procedures and schedules for collecting progress monitoring data related to the BIP;
- Procedures and schedule for summarizing data in an understandable way;
- Procedures and schedule for communicating data to all involved; and
- Decision rules to guide team-based decision-making about plan fidelity, effectiveness, and next steps.

Data Collection Best Practice Considerations

IEP teams should carefully document data collection procedures related to both plan effectiveness and implementation fidelity. The following considerations for data collection can inform the IEP team in this work:

- Follows a schedule that is guided by the type and severity of the problem or target behavior and the intervention design.
- Does not occur all day, nor even for an entire period. Instead, data should be collected during the times when the problem behavior can most likely be observed, and then only for a representative period of time.
- Should occur frequently enough (e.g., daily, every other day) to allow the team members to determine whether a behavioral change is occurring.
- May be reduced (e.g., once per week) when the data indicate that the behavior has reached the desired level for at least three observations.