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ABSTRACT

This collection of position statements issued by the Council for Exceptional Children (CEC) addresses three issues: (1) inclusive schools and community settings; (2) physical intervention; and (3) discipline. CEC's policy on inclusive schools is to support the concept of inclusion as a meaningful goal but also urge that a continuum of services be available for all students. CEC's position on physical interventions aims to assure the child's physical freedom, social interaction, and individual choice and to not include procedures which cause pain or trauma. A list of criteria to be met before physical intervention is used is presented. CEC's policy on the discipline of children with disabilities supports the placement of dangerously violent or destructive students, with or without disabilities, in educational programs designed to meet their learning, safety, and behavioral management needs. The steps that a local education agency should take in determining the discipline of a child with a disability are outlined. (CR)

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# THE COUNCIL FOR EXCEPTIONAL CHILDREN



ED 400 634

## CEC POLICY ON INCLUSIVE SCHOOLS AND COMMUNITY SETTINGS

The Council for Exceptional Children (CEC) believes all children, youth, and young adults with disabilities are entitled to a free and appropriate education and/or services that lead to an adult life characterized by satisfying relations with others, independent living, productive engagement in the community, and participation in society at large. To achieve such outcomes, there must exist for all children, youth, and young adults a rich variety of early intervention, educational, and vocational program options and experiences. Access to these programs and experiences should be based on individual educational need and desired outcomes. Further more, students and their families or guardians, as members of the planning team, may recommend the placement, curriculum option, and the exit document to be pursued.

CEC believes that a continuum of services must be available for all children, youth, and young adults. CEC also believes that the concept of inclusion is a meaningful goal to be pursued in our schools and communities. In addition, CEC believes children, youth, and young adults with disabilities should be served whenever possible in general education classrooms in inclusive neighborhood schools and community settings. Such settings should be strengthened and supported by an infusion of specially trained personnel and other appropriate supportive practices according to the individual needs of the child.

### POLICY IMPLICATIONS

**Schools.** In inclusive schools, the building administrator and staff with assistance from the special education administration should be primarily responsible for the education of children, youth, and young adults with disabilities. The administrator(s) and other school personnel must have available to them appropriate support and technical assistance to enable them to fulfill their responsibilities. Leaders in state/provincial and local governments must redefine rules and regulations as necessary, and grant school personnel greater authority to make decisions regarding curriculum, materials, instructional practice, and staffing patterns. In return for greater autonomy, the school administrator and staff should establish high standards for each child and youth and should be held accountable for his or her progress toward outcomes.

**Communities.** Inclusive schools must be located in inclusive communities; therefore, CEC invites all educators, other professionals, and family members to work together to create early intervention, education, and vocational programs and experiences that are collegial, inclusive, and responsive to the diversity of children, youth, and young adults. Policy makers at the highest levels of state/provincial and local government, as well as school administration, also must support inclusion in the educational reforms they espouse. Further, the policy makers should fund programs in nutrition, early intervention, health care, parent education, and other social support programs that prepare all children, youth, and young adults to do well in school. There can be no meaningful school reform, nor inclusive schools, without funding of these key prerequisites. As important, there must be interagency agreements and collaboration with local governments and business to help prepare students to assume a constructive role in an inclusive community.

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**Professional Development.** Finally, state/provincial departments of education, local educational districts, and colleges and universities must provide high-quality preservice and continuing professional development experiences that prepare all general educators to work effectively with children, youth, and young adults representing a wide range of abilities and disabilities, experiences, cultural and linguistic backgrounds, attitudes, and expectations. Moreover, special educators should be trained with an emphasis on their roles in inclusive schools and community settings. They also must learn the importance of establishing ambitious goals for their students and of using appropriate means of monitoring the progress of children, youth, and young adults.

**ADOPTED BY THE DELEGATE ASSEMBLY, 1993,  
San Antonio, Texas**



## CEC POLICY ON PHYSICAL INTERVENTION (*CEC Policy Manual*, Section Three, Part 1, Chapter 3, Paragraph 16)

The Council recognizes the right to the most effective educational strategies to be the basic educational right of each special education child. Furthermore, The Council believes that the least restrictive positive educational strategies should be used, as it relates to physical intervention, to respect the child's dignity and personal privacy. Additionally, The Council believes that such interventions shall assure the child's physical freedom, social interaction and individual choice. The intervention must not include procedures which cause pain or trauma. Intervention techniques must focus not only on eliminating a certain undesirable behavior, but also upon a determination of the purpose of that behavior, and the provision/instruction of a more appropriate behavior. Lastly, behavior intervention plans must be specifically described in the child's written educational plan with agreement from the education staff, the parents and, when appropriate, the child.

The Council recommends that physical intervention be used only if all the following requirements are met:

- a. The child's behavior is dangerous to herself/himself or others, or the behavior is extremely detrimental to or interferes with the education or development of the child.
- b. Various positive reinforcement techniques have been implemented appropriately and the child has repeatedly failed to respond as documented in the child's records.
- c. It is evident that withholding physical intervention would significantly impede the child's educational progress as explicitly defined in his/her written educational plan.
- d. The physical intervention plan specifically will describe the intervention to be implemented, the staff to be responsible for the implementation, the process for documentation, the required training of staff and supervision of staff as it relates to the intervention and when the intervention will be replaced.
- e. The physical intervention plan will become a part of the written educational plan.
- f. The physical intervention plan shall encompass the following provisions:
  1. A comprehensive analysis of the child's environment including variables contributing to the inappropriate behavior.
  2. The plan to be developed by a team including professionals and parents/guardians, as designated by state/provisional and federal law.
  3. The personnel implementing the plan shall receive specific training congruent with the contents of the plan and receive ongoing supervision from individuals who were trained and skilled in the techniques identified in the plan.
  4. The health and medical records of the child must be reviewed to ensure that there are no physical conditions present that would contraindicate the use of the physical intervention proposed.
  5. The impact of the plan on the child's behavior must be consistently evaluated, the results documented, and the plan modified when indicated.

The Council supports the following prohibitions:

- a. Any intervention that is designed to, or likely to, cause physical pain.
- b. Releasing noxious, toxic or otherwise unpleasant sprays, mists, or substances in proximity to the child's face.
- c. Any intervention which denies adequate sleep, food, water, shelter, bedding, physical comfort, or access to bathroom facilities.
- d. Any intervention which is designed to subject, used to subject, or likely to subject the individual to verbal abuse, ridicule or humiliation, or which can be expected to cause excessive emotional trauma.
- e. Restrictive interventions which employ a device or material or objects that simultaneously immobilize all four extremities, including the procedure known as prone containment, except that prone containment may be used by trained personnel as a limited emergency intervention.
- f. Locked seclusion, unless under constant surveillance and observation.
- g. Any intervention that precludes adequate supervision of the child.
- h. Any intervention which deprives the individual of one or more of his or her senses.

The Council recognizes that emergency physical intervention may be implemented if the child's behavior poses an imminent and significant threat to his/her physical well-being or to the safety of others. The intervention must be documented and parents/guardians must be notified of the incident.

However, emergency physical intervention shall not be used as a substitute for systematic behavioral intervention plans that are designed to change, replace, modify, or eliminate a targeted behavior.

Furthermore, The Council expects school districts and other educational agencies to establish policies and comply with state/provincial and federal law and regulations to ensure the protection of the rights of the child, the parent/guardian, the education staff, and the school and local educational agency when physical intervention is applied.

## POSITION STATEMENT ON DISCIPLINE

Schools today face a growing challenge in educating students who are dangerously violent or destructive. Schools have the responsibility to immediately change an educational setting for any student who behaves in this manner. Such students must be placed in educational programs designed to meet their learning, safety, and behavioral management needs.

Students receiving appropriate special education services will rarely become a danger to self and/or others. Students with disabilities are more likely to be victimized than their nondisabled peers and would benefit directly from safer schools.

CEC declares that violent and destructive behavior is unacceptable in our schools. However, in acknowledging such behavior occurs, CEC believes that schools have the responsibility to quickly and unilaterally move students who exhibit dangerously violent or destructive behavior to an alternative educational setting in which ongoing safety/behavioral goals and educational goals are addressed by fully qualified personnel. This setting must meet the school's dual responsibilities of providing a free, appropriate, public education and a safe learning/working environment in an age- and culturally-appropriate manner. If the student has a disability, this setting must be selected by the student's individualized education program committee. If the alternative setting is contested, the current alternative setting will continue until the resolution of due process.

During the time a student with a disability is in an alternative educational setting, the local education agency must conduct an individualized education program committee meeting as soon as possible to determine (a) whether the student's violent behavior was an isolated incident and is not likely to happen again; (b) whether the environment in which the violent behavior occurred was appropriate given the student's age, cultural background, disability, related needs, and characteristics; (c) whether or not there are new characteristics within the student or environment necessitating further evaluation or a revision of the individualized education program; (d) whether the student's return to the previous educational setting with appropriate supports and related services would provide safety for self and others; and (e) the least restrictive environment for the student.

In determining an appropriate temporary placement for a student and when developing a new program if one is necessary, the individualized education program committee should consider a variety of possibilities, such as (a) maintaining the current placement with additional support services; (b) providing in-school alternatives to suspension; (c) utilizing effective behavioral interventions, curricular modifications, and accommodation strategies, each designed to assist the student in controlling behavior; and (d) providing systematic education about appropriate behavior to all students in the educational environment. Schools should ensure that all general and special educators involved in implementing the student's individualized education program have opportunities for staff development to acquire the knowledge and skills necessary for effective implementation of the student's program. CEC also stresses the importance of the involvement and commitment of families and communities.

*CEC Delegate Assembly  
April 3, 1996*



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