

## Offering Behavioral Assistance to Latino Students Demonstrating Challenging Behaviors

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Challenging behaviors can significantly alter the learning environment of any classroom. Traditionally, schools have implemented practices that remove the offending student from the classroom, deliver punitive disciplinary actions, or refer the student to special education evaluation. Unfortunately, such practices have demonstrated little longitudinal effectiveness, with detrimental outcomes for the referred student, particularly students from Latino backgrounds. With enrollment projections indicating Latinos will become the majority in U.S. schools, educators are presented with the opportunity to shift away from past practices and implement evidence-based practices that concurrently assist students while addressing challenging behaviors. In this paper, the authors discuss past disciplinary practices, the adverse effects on Latino students, and offer recommendations on implementing functional behavioral assessment as a means to better meet the needs of Latino students demonstrating challenging behaviors.

**Keywords:** Latinos, emotional and behavior difficulties, challenging behavior, diversity, behavioral assistance, functional behavioral assessment

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### Introduction

Latinos are the largest ethnic minority group in the U.S. comprising more than 16% of the general population with census projections to become the majority in 2060 (U.S. Census Bureau, 2013). The growth of the Latino population is clearly evident in U.S. schools as Latinos now represent 23.9%, nearly one quarter, of overall student enrollment in grades K-12 (Pew Hispanic Center, 2012). In 2014, California, for example, became the first state to have a Latino majority consisting of 39% of the total state population (California

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Office of the Governor, 2013). Unfortunately, while scores of Latinos have experienced educational success and societal advancement, the overall picture for Latino students remains bleak. Challenges such as English language acquisition for native Spanish speakers, the development of quality school-home relationships, high dropout rates, and societal issues (e.g. poverty, citizenship, health care) stand as significant barriers to educational success for a vast number of Latino students (Harry & Klingner, 2014; Moreno & Gaytán, 2013; Rodríguez, 2008).

Conversely, as student populations become more diverse, the overall faculty ranks in schools remain starkly homogenous. Data analyses from the U.S. Department of Education (2010) concluded that over 86% of teaching faculty are White, female and under 40 years of age. The cultural mismatch between educators and students has yielded a ‘diversity rift’, where many educators may unknowingly demonstrate cultural misperceptions, exacerbate student alienation, and hold low academic/behavioral expectations, all of which contribute to a lower quality educational experience for Latinos as well as other students from diverse backgrounds (Harry & Klingner, 2014; Moreno & Gaytán, 2013; Moreno & Segura-Herrera, 2014).

Among many educational practices, the diversity rift is particularly evident in special education referrals. Educators with little professional experience in working in diverse settings often have few measures and skills to assist Latino students struggling with academics or demonstrating challenging behaviors. With limited resources, many educators have historically utilized the special education referral as a last resort for evaluation and likely placement (Harry & Klingner, 2014; Moreno, 2010; Salend, Garrick Duhaney, & Montgomery, 2002; Skiba et al., 2011). Over time, this practice has contributed to the significant number of students misidentified with a disability when none genuinely exist, thus yielding the phenomenon, ‘disproportionality’ (Collier, 2011; Figueroa 1999; Guiberson 2009; Harris-Murri, King, & Rostenberg 2006; Peguero & Shekarkhar 2011; Turnbull, Turnbull, Wehmeyer, & Shogren, 2010). Moreno and Gaytán (2013) defined the term as, “the disproportionate number of students from diverse backgrounds as being over- or underrepresented in a specific disability category in comparison to their White peers on the basis of disability prevalence and population ratio” (p. 8). While a number of ethnic minority groups are disproportionately represented across various disability categories, the most recent report by the U.S. Department of Education (2009) indicated Latinos are overrepresented in the categories of learning disabilities and speech/language impairment. Furthermore, researchers (e.g. Ford, 2012; Knotek, 2003; Moreno & Segura-Herrera, 2014; Skiba, 2014; Skiba & Rausch, 2006) concluded Latinos are increasingly at risk of being misidentified and overrepresented in the category of emotional/behavioral disorders (EBD) due to unfair school disciplinary policies, culturally biased referrals by educators, and the lack of quality behavioral interventions.

With the increasing overrepresentation of Latinos with EBD, there are a number of practices educators can employ to assist students with challenging behaviors and stem unnecessary referrals to special education. Among these practices, the functional behavioral assessment (FBA) offers the most promise to assist Latino students with challenging behaviors. In this paper, we examine factors contributing to EBD misidentification and discuss the implementation of the FBA into pre-referral practices. While there are a number of ethnic minority groups affected by disproportionality, it is the intention of the authors to provide educators with new perspectives on practices that are applicable to all students, regardless of background.

## **Defining, identifying and addressing EBD**

### *Contributing Factors to EBD Misidentification*

The referral to special education evaluation is a necessary practice to identify students with disabilities. The referral ensures identified students experiencing behavioral difficulties in school are offered quality services that typically exceed the scope of the general education classroom. However, according to several researchers (e.g., Ford, 2012; Knotek, 2003; Moreno & Segura-Herrera, 2014; Olympia et al., 2004; Skiba, 2014; Skiba & Rausch, 2006), there are variables that can interfere with the fidelity of the referral process and increase the likelihood of EBD misidentification, particularly for students from Latino backgrounds. Factors including the open federal definition of EBD, zero tolerance policies, and the lack of pre-referral behavioral investigations have historically contributed to unnecessary special education referrals thus, increased the likelihood of EBD misidentification (Harry & Klinger, 2014). With an increased awareness of the aforementioned factors, educators can reduce the number of unnecessary special education referrals and offer pragmatic behavioral assistance.

### *Open Definition of EBD in IDEA*

In the reauthorization of the Individuals with Disabilities Education Act (IDEA; U.S. Department of Education, 2004), the term *emotional disturbance* is presented as a general definition to capture concurrent criteria used to identify EBD by educators and possibly qualify students for special education services. The characteristics include (a) an inability to learn that cannot be explained by intellectual, sensory, or health factors, (b) inability to maintain satisfactory interpersonal relationships, (c) inappropriate types of behavior or feelings under normal conditions, (d) pervasive mood of unhappiness or depression, (e) and tendency to develop physical symptoms or fears associated with personal or school problems.

Notably, the definition includes schizophrenia but excludes students who may be socially maladjusted unless there is evidence of EBD, which is referred to as the 'exclusionary clause'.

The open and contradicting nature of the federal definition has produced considerable debate among educators. The lack of universal agreement has yielded inconsistent EBD identification practices across the country where social maladjustment is often equated with externalizing mental disorders (e.g. conduct disorders, oppositional defiance disorder) citing the exclusionary clause (Olympia et al., 2004). Under this premise, schools with limited resources to work with students demonstrating challenging behaviors may resort to special education referrals as a well-intentioned pathway to offer assistance based more on immediate need as opposed to genuine disability indicators in order to secure special education services. Conversely, some schools may rule any history of externalizing behavior as grounds for excluding students from special education referral for EBD evaluation.

Although all states operate under some version of the federal definition, the EBD identification process can be prone to subjectivity based on foci of different criteria (e.g. disciplinary history, assessment results), thus resulting in the variation of EBD case levels across states (Wery & Cullinan, 2011). Unfortunately, serious outcomes can arise from misidentifying a student with a disability that does not exist,

including increased risk of juvenile delinquency, higher rates of school dropout, and stronger likelihood of adult incarceration (Harry & Klingner, 2014; Olympia et al., 2004). While the aforementioned outcomes are detrimental to any student, Latino students experience the significantly higher risk of EBD misidentification and as well as its associated outcomes (Moreno & Segurra-Herrera, 2014; Noguera, 2003).

### *Subjective EBD Identification Process*

The demonstration of challenging behaviors by any student can negatively impact the educational experience for the entire class. However, the classroom climate can be significantly altered if challenging behaviors become chronic and resistant to typical classroom management, which often sets the stage for emotionally charged discussions. Depending on the severity and history of the challenging behaviors, educators may resort to special education referral as a means to remove the student from the general education classroom (Harry & Klingner, 2014; Knotek, 2003). Under the current definition in IDEA, EBD is constructed as a 'soft' disability category, where the identification process employed by assessment personnel (e.g. school psychologist) often relies on qualitative data collection and prone to subjectivity. As opposed to 'hard' disabilities (e.g., deafness, orthopedic impairment), where medical personnel (e.g. pediatrician, neurologist) typically diagnose conditions that are physiologically manifested and more easily quantified.

In the typical EBD identification process, educators and assessment personnel utilize qualitative data (e.g. educator interviews, disciplinary history) to substantiate behavioral and social deficiencies of the referred student. Although the process may incorporate emotional/behavioral instruments (e.g. Behavior Assessment System for Children, Second Edition, BASC-2; Behavior Dimensions Rating Scales; BDRS) as a counterbalancing effort, there remains critical levels of professional judgment used in determining the presence of EBD in the referred student, all of which must stand against compelling educator narratives (Knotek, 2003). Several authors (e.g. Arnold & Lassmann, 2003; Barnes, 2006; Harry & Klingner, 2014; Moreno & Gaytán, 2012) cited various factors that may influence the EBD identification process that are not reflective of the referred student but rather indicative of outside conditions, including educator quality, educator shortages, class size, and lack of culturally competent educators. Under some of the aforementioned conditions, a Latino student demonstrating chronic challenging behaviors is more likely to receive suppressive disciplinary actions (e.g., overcorrection, suspension) instead of behavioral assistance, which increases the likelihood of establishing a disciplinary history, thus placing the student on a pathway toward school failure (Moreno & Segurra-Herrera, 2014; Noguera, 2003).

### *Zero Tolerance and the Lack of Behavioral Investigations*

The majority of U.S. schools lack infrastructure and prepared educators to meet the need of students demonstrating challenging behaviors (Gay, 2000; Noguera, 2003; Rodríguez, 2008). This is particularly true for Latino students. For example, the Pew Hispanic Center (2007) found Latino students, in comparison to all other students, are more likely to attend overcrowded urban schools with limited resources and staffed by underprepared educators. With the aforementioned critical shortcomings, such schools often resort to suppressive disciplinary practices to address and deter challenging behaviors, many under the guise of zero

tolerance (Skiba & Rausch, 2006; Wheeler & Richey, 2010). ‘Zero tolerance’ is a policy employed by scores of schools to prevent violence and establish safe climates through non-negotiable student removal from campus (e.g. suspension, placement into alternative campus).

Originating in the 1990s, the policy was drafted to allow school administrators an expedited process to remove students from campus for carrying weapons or contraband on school campuses and simultaneously communicate a ‘get tough’ attitude to the general school population. However, the policy has progressively expanded to include any behaviors school administrators deem overtly disruptive, dangerous, or pose threats to other students, faculty, and staff. Unfortunately, there is no conclusive data indicating zero tolerance reduces disruptive behaviors or improves school climate (Hoffman, 2012; Skiba, 2014; Teske, 2011).

Aside from the lack of effectiveness, zero tolerance holds detrimental outcomes for students being punished, particularly those from Latino backgrounds. Although the stipulated removal of students demonstrating challenging behaviors from the classroom is often rationalized as necessary practice to ensure orderly learning environments, the removal also releases school administrators from performing behavioral investigations, thus setting the stage for a vicious cycle of misbehavior and punishment for students (Moreno & Segurra-Herrera, 2014; Noguera, 2003). The lack of investigation offers little hope for students to receive interventions and develop positive behavioral change to stay in school.

As well, several researchers (e.g. Booker & Mitchell, 2011; Browne-Dianis, 2011; Teske, 2011) concluded zero tolerance is highly prone to school administrator subjectivity in its application, which has resulted in high variance of implementation across the country. Unfortunately, the inconsistent implementation has resulted in Latino students receiving disciplinary actions at significantly higher rates than White students for many of the same infractions (Monahan, VanDerhei, Bechtold, & Cauffman, 2014; Peguero & Shekarkhar, 2011). With the increased likelihood of receiving disciplinary actions, Latino students are prone to quickly accrue disciplinary histories, thus possibly substantiating a special education referral and EBD identification.

## **Functional Assessment of Behavior**

### *Incorporating the Functional Behavioral Assessment as Pre-Referral Practice*

Challenging behaviors can significantly change the climate of a classroom and present barriers to learning, particularly for the student demonstrating the behavior. Rather than resorting to punitive practices (e.g. suspension, expulsion) or likely special education referrals to address challenging behaviors, educators can choose to implement the functional behavioral assessment (FBA) as a first step toward assistance and positive behavioral change. With a strong clinical history of effectiveness, the FBA is an evidence-based investigative process that systematically evaluates qualitative and quantitative data to determine the ‘function’ (i.e. reason) for the challenging behavior (Moreno, 2010; Wheeler & Richey, 2010). Functions of behavior fall into one of three categories, escape from aversive stimuli, obtaining desired objects or experiences, and satisfying sensory needs (Ryan, Halsey, & Matthews, 2003). Once the function of the challenging behavior has been concluded, educators are better equipped to offer targeted behavioral assistance (Ingram, Lewis-Palmer, & Sugai, 2005). While a theoretical explanation of the FBA exceeds the scope of this article, the

description offered in the form of a student case which follows should provide educators with a foundational understanding of the high utility of the process as an option to assist Latino students demonstrating chronic challenging behaviors before resorting to a special education referral.

### *Mauricio*

Mauricio is a ten-year-old male student recently emigrated from Mexico to the U.S. He is the oldest of three siblings in a single-family household, where mother holds two part-time jobs working over forty hours weekly. Additional family members live with Mauricio, his two brothers, and grandmother, bringing the total number of people living in the three-bedroom home to five. During mother's time at work, Mauricio's maternal grandmother is the head of the household and offers significant amount of time and energy in raising all three children. Spanish is the primary language spoken at home; however, mother and grandmother speak and read English with varying degrees of limited proficiency.

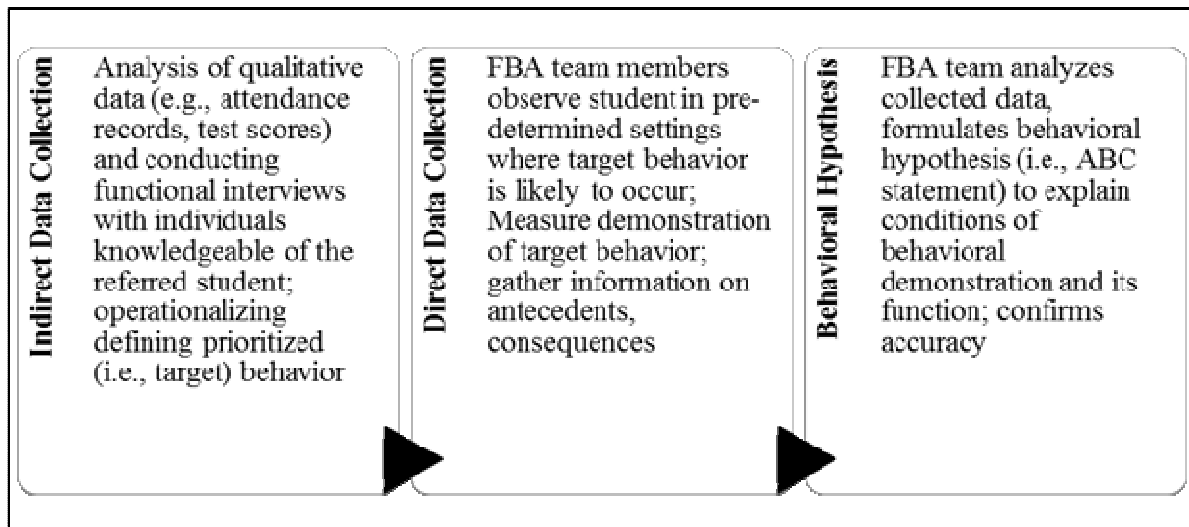
Prior to the move, Mauricio had missed one year of schooling in Mexico due to family difficulties. Currently, Mauricio has been enrolled at the same elementary school for the last two years and demonstrated gradual academic growth. At the start of this school year, Mauricio was transferred from a language-sheltered classroom, where Spanish is the language of instruction, to an English as a second language (ESL) transition classroom. Ideally, the ESL transition classroom is designed for an instructional ratio of one educator to ten students. However, with the recent influx of student enrollment, the class is filled past capacity to 19 students. To help offset the swell in class size, a part-time paraeducator has been assigned to assist the educator with classroom management and some instruction delivery.

Two months into the current school year, Mauricio began demonstrating defiant behaviors toward both the educator and paraeducator during different activities throughout the day. While minimal at first, the intensity of the defiant behaviors has gradually escalated to include the use of profanity (in English and Spanish) against both adults, throwing sharpened pencils toward peers, and running out of the classroom during reading activities. In the most recent demonstration, Mauricio projected a set of sharpened pencils with a heavy-duty rubber band aimed at the paraeducator. One of the pencils hit the paraeducator on the back of the neck breaking skin and resulting in a light bleed. Citing school zero tolerance policy, the school administrator suspended Mauricio for five days with no parent consultation or behavioral investigation. Mauricio's mother was informed any future disruptive behavior would result in a removal from school and placement into an alternative education campus for the remainder of the school year.

### *Implementing Stages of the FBA Process with Mauricio*

Rooted in the principles of positive behavioral and intervention supports (PBIS), the FBA is a systematic evaluation of qualitative and quantitative data occurring in three successive stages (i.e. indirect data collection, direct data collection, *and* behavioral hypothesis) that were conducted by the school's FBA team (See Figure 1). The team, trained in the FBA process, was comprised of educators and ancillary personnel (e.g. behavioral specialist, classroom teachers, school counselor, school principal). While there are no standardized personnel on the FBA team, the inclusion of multiple individuals from various disciplines

ensures different perspectives are represented, which is advantageous in analyzing data. Additionally, having a team consisting of several members offers opportunities to designate specific roles and responsibilities increasing the likelihood of a high quality FBA implementation (Wheeler & Richey, 2010).



**Figure 1. Stages of FBA Process**

*Indirect data collection.* In an effort to assist Mauricio before another disciplinary infraction occurs, the school counselor is charged to assemble the FBA team, investigate factors contributing to Mauricio’s challenging behaviors and offer a behavioral support plan. After the FBA team was assembled, each member was assigned a role in the first stage, ‘indirect data collection’, which requires the gathering of readily available background information on Mauricio. Indirect data typically includes copies of disciplinary infractions, attendance records, and academic test scores (e.g., language proficiency survey, placement exam), all of which can be used to develop a foundational understanding of Mauricio and his background or identify possible longitudinal patterns (e.g., school attendance, absences, trancies). After reviewing the language proficiency scores for Mauricio, the team noted his low percentile ranking in Spanish literacy and English verbal comprehension.

After reviewing student records, the FBA team proceeded to conduct functional interviews with key individuals knowledgeable of Mauricio in an effort to establish a behavioral history. Functional interviews often yield unique insight from different individuals (e.g., parent, fine arts educator, paraeducator) on factors affecting student behavior, including perceived triggers and situational circumstances (e.g., inconsistent classroom rules, inappropriate assignments above performance level, home/family conditions). However, aside from standard questions on behavior, the functional interview can also be tailored to capture information unique to students from diverse backgrounds (See Figure 2). As several authors (e.g., Echevarría & Graves, 2011; Hoover, 2009; Moreno, Wong-Lo, & Bullock, 2014) discussed, students from diverse backgrounds may enter school with a limited set of social skills not typically aligned with traditional classroom expectations. However, a functional interview can ensure the FBA team collects critical information on cultural

components (e.g., parental roles, generational status, societal acclimation) that may provide perspective on contributing factors to the challenging behavior (Moreno & Gaytán, 2012).

Functional Behavioral Assessment - Functional Interview with Spanish-Speaking Parent					
<b>Student Name</b>	Mauricio	<b>Age</b>	10	<b>Current Grade</b>	4; ESL class
<b>Student Birth Country</b>	Mexico	<b>Preferred Language of Student</b>	Spanish	<b>Number of Years in Country</b>	2
<b>FBA Team Interviewer</b>	Mr. Brown, School Counselor	<b>Parent Name</b>	Carmen Estudiante	<b>Relation to Student</b>	Mother
<b>Parent Birth Country</b>	Mexico	<b>Preferred Language of Parent</b>	Spanish	<b>Type of Interview</b>	In-person
<b>Date of Interview</b>	October 19, 2014	<b>Time Started</b>	10:15 am	<b>Language of Interview</b>	Spanish with some English
<b>Your child has been experiencing behavioral difficulties at school and we would like to help.</b>					
<i>Si su hijo/a ha estado demostrando dificultades de conducta en la escuela, nos gustaría ayudarle.</i>					
<b>I would like to ask you several questions to help us understand your child and better assist him/her in developing positive behavior at school.</b>					
<i>Quisiera hacerle algunas preguntas para poder entender y ayudar a su hijo/hija, y tratar de desarrollar una conducta más positiva en la escuela.</i>					
<b>1. Has your child described any difficulties he/she has been having at school?</b>					
<i>¿Ha descrito su niño alguna dificultad que él/ella ha estado teniendo en la escuela?</i>					
Parent reports similar behavior at home when asked to speak in English by uncle and cousins.					
<b>2. What are your thoughts about these difficulties?</b>					
<i>¿Cuáles son sus pensamientos sobre estas dificultades?</i>					
Mother sees behavior escalating at home; punished M for bad language					
<b>3. What are your thoughts about why your child is having difficulties?</b>					
<i>¿Cuáles son sus pensamientos sobre por qué su niño tiene dificultades?</i>					
Mother reports M has been homesick for Mexico; M thinks English is hard for him while friends are speaking more and more in English					
<b>4. Do you see this behavior at home?</b>					
<i>¿Ve usted este comportamiento en casa?</i>					
Yes. She reports this behavior precedes anything worse she has seen at home.					
<b>5. What do you think causes (or motivates) this behavior?</b>					
<i>¿Cuál cree usted que es la causa (o motivación) de este comportamiento?</i>					
Mother believes M is very self-conscious about his English, especially since friends are speaking more in English with each than he can; mother reports M is feeling left out; reading is the worst for M since he believes his friends can see he can only read in Spanish.					



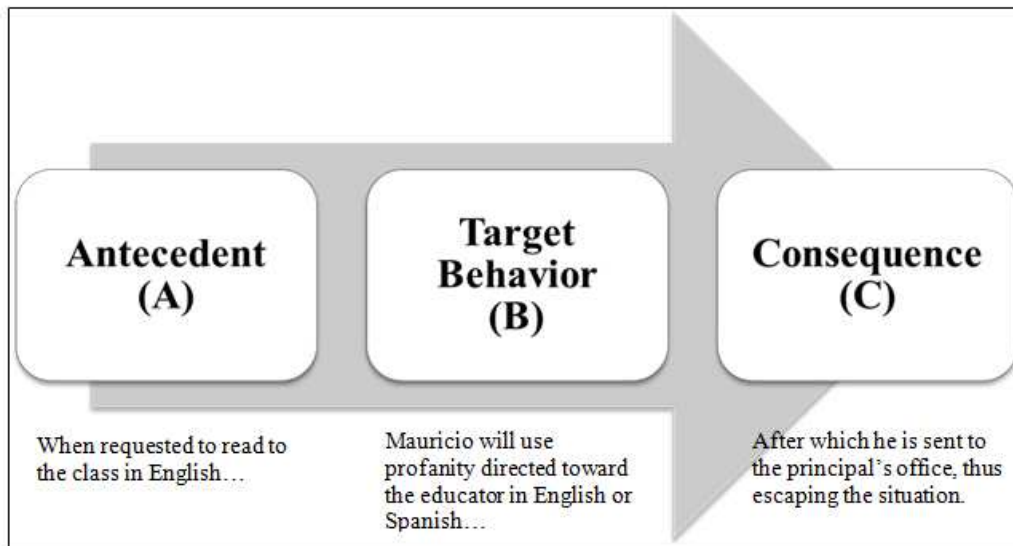
## Figure 2. Sample functional interview with Mauricio's mother

By interviewing Mauricio's mother, the FBA team learned Mauricio had been demonstrating verbal defiance at home when family or friends spoke to him in English. The behavior corresponds with information provided by the paraeducator in which Mauricio was described as defiant to any classroom activity requiring English. Based on the information from the functional interviews and the low scores on the language proficiency test, the FBA team tentatively concluded Mauricio might be experiencing stress due to his lack of English proficiency in school. The team also concluded Mauricio's demonstration of verbal defiance appears to precede most other challenging behaviors. With the aforementioned factors in consideration, the team concluded verbal defiance as the *target behavior* for the next stage in the FBA process, direct data collection.

*Direct data collection.* After prioritizing the target behavior, the FBA team observed demonstrations of verbal defiance in circumstances where the behavior is most likely to occur. According to the functional interviews, Mauricio has a history of verbal defiance in the ESL classroom, particularly when asked to read aloud in English during reading period. To ensure consistent inter-observer agreement, the FBA team operationally defined the target behavior in terms that are both observable and measurable. In Mauricio's case, verbal defiance was defined, *raising voice and using profanity in English or Spanish to refuse educator or paraeducator request*. The operational definition of the target behavior ensures all observers are viewing and measuring the same phenomenon without emotional connotation (Wheeler & Richey, 2010).

The FBA team designated two different members to observe Mauricio's ESL class during reading period for five consecutive school days. During the observation, each team member counted the frequency of each target behavior demonstration and annotated the events that occurred immediately before (i.e., antecedents) and after the verbal defiance (i.e., consequences). As Wheeler and Richey (2010) discussed, knowledge of antecedents and consequences are critical to understanding the function of the target behavior. Antecedents often set the stage for behaviors to occur and may actually facilitate a demonstration of the target behavior. Conversely, consequences typically reinforce the likelihood the student will continue to demonstrate the target behavior. After observing Mauricio's reading period for five days, the FBA team noted the target behavior occurred only during educator requests to read aloud in English to the entire class (i.e., antecedent) and consistently ended in Mauricio being sent to the principal's office (i.e., consequence).

*Behavioral hypothesis.* In the final stage of the FBA, the team uses ascertained data to construct a *behavioral hypothesis* that accurately communicates the antecedents (A), target behavior (B) and consequences (C) in one succinct statement. As Ryan and associates (2003) explained, the behavioral hypothesis effectively captures the three components to explain the function and circumstances of the target behavior, which can offer educators insight on predicting when the behavior is likely to occur (See Figure 3). In Mauricio's case, the FBA team developed the following behavioral hypothesis, *when requested to read to the class in English, Mauricio will use profanity directed toward the educator in English or Spanish, after which he is sent to the principal's office, thus escaping the situation*.



**Figure 3. Behavior hypothesis for Mauricio**

With a better understanding of Mauricio’s target behavior, the FBA team can begin manipulating antecedents and consequences to ensure the accuracy of the behavioral hypothesis as well as reduce the likelihood the behavior will occur (Ryan et al., 2003; Wheeler & Richey, 2010). According to the behavioral hypothesis, Mauricio demonstrated the target behavior as a means to escape an aversive situation (i.e., reading aloud to his class in English). The situation presented immense stress on Mauricio that was evident across similar situations when asked to use English. Rather than risk embarrassment in front of the class, Mauricio preferred to be sent to the principal’s office as a means to maintain dignity in front of his peers. Although the behavior may seem extreme, considering Mauricio’s limited social skill set and lack of acclimation, the behavior accomplished his desire to leave the classroom. With a clear understanding of preceding circumstances and the function of the verbal defiance, the FBA team was better equipped to design a targeted behavioral support plan to assist Mauricio.

### **Conclusion**

As the Latino population continues to increase, educators will be working with more Latino students than in previous decades. The gradual shift in student demographics will require educators to become more culturally competent and re-examine past practices used in addressing misbehavior. While having the best of intentions, policies such as zero tolerance have demonstrated no positive effects on school safety or deterring future misbehavior. Rather, the implementation of such policies has only yielded poor longitudinal outcomes for Latino students as well as other students from diverse backgrounds. Unfortunately, the lack of school resources has left many educators unable to meet the behavioral needs of Latino students, thus inadvertently utilizing the special education referral as a long-term solution to support potentially short-term behavior concerns.

While challenging behaviors can significantly alter the learning environment and heighten emotions, educators must develop a more robust professional skill set to examine positive support options as the first step in addressing the misbehavior. Although requiring considerable commitment of time and personnel, the FBA process offers educators a distinct advantage in understanding and addressing the challenging behaviors. When implemented with fidelity and at the onset of chronic challenging behaviors, educators may become more inclined to examine the student through a holistic lens and effectively change the emphasis from punitive practices to behavioral assistance, thus effectively improving educational outcomes for all students.

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