

## Emotional/Behavioral Disabilities - Rule 6A-6.03016

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EBD Informational Meeting  
July 13, 2007

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*"Change is the law of life and those who  
only look to the past or present are  
certain to miss the future"*

John F. Kennedy

## Changing Educational Landscape

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- Commission on Excellence in Special Education
- NCLB
- IDEA 2004
- Performance Plans

## Six Explicit Outcomes of NCLB & IDEA

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- Improved student outcomes
- Data-driven accountability
- Reduced identification of students with disabilities
- Early intervention and prevention
- Use of evidence-based interventions
- Highly qualified teachers for every student

## Purpose of IDEA 2004 - 20 U.S.C. § 1400(d)

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- *Prepare children with disabilities for further education, employment, and independent living*
- *Ensure that educators and parents have necessary tools to improve educational results for children with disabilities*
- *Assess and ensure the effectiveness of efforts to educate children with disabilities*

## IDEA 2004 - Congressional Findings 20 U.S.C. § 1400(c)(5)

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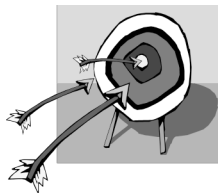
*30 years of research has demonstrated that the education of children with disabilities can be made more effective by -*

- *Having high expectations & ensuring access to general education curriculum in the regular classroom, to the maximum extent possible*
- *Providing special education services and supports in the regular classroom whenever appropriate*

## IDEA 2004 - Congressional Findings 20 U.S.C. § 1400(c)(5)

- Providing incentives for whole-school approaches, scientifically based early reading programs, positive behavioral interventions and supports, and early intervening services to reduce the need to label children as disabled in order to address the learning and behavioral needs of such children

## Paradigm Shift



- Eligibility
  - Diagnostic/Test & Place Model
- Improving student outcomes
  - Problem Solving/Response to Intervention Model

## State Board of Education - Rule 6A-6.0331

- District's responsibility to address through appropriate interventions and, to the extent possible, resolve a student's learning or behavioral areas of concern in the *general education environment*
- General education interventions must include a *progress monitoring plan* and *pre/post measures of intervention effects*

*"Every student needs something special in education BUT not every student needs special education"*

Jim Tucker

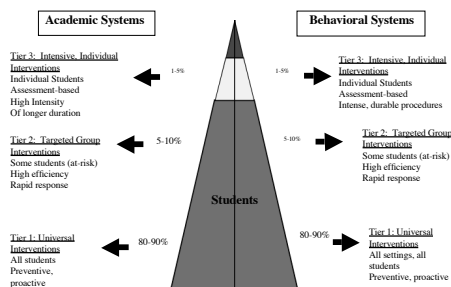


## Reducing the need to label children in order to get "help"

- Multiple tiers of intervention service delivery
- Problem-solving approach
- An integrated data collection & assessment system that informs decisions at each tier



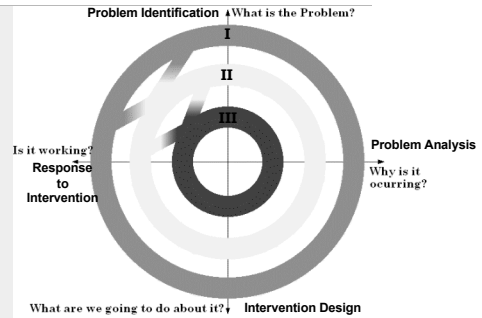
### Tiered Model of School Supports



## Problem-solving Process

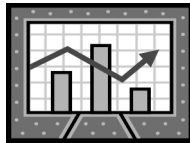
- *Problem identification - What is the problem?*
- *Problem analysis - Why is it occurring?*
- *Intervention development & implementation - What are we going to do?*
- *Response to Intervention (evaluation of effectiveness through progress monitoring) - How effective is the intervention?*

## Tiers of Problem Solving

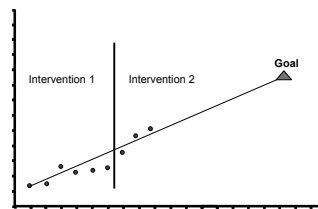


## Response to Intervention

*Response to intervention is a multi-tiered, problem-solving approach to providing instruction and intervention to students, at increasing levels of intensity, based on progress monitoring and data analysis.*



**Progress Monitoring** - making instructional decisions based on student performance data (always includes graphing)

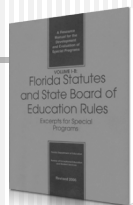


## ESE Rules Changes Webcast April 2007

Bureau of Exceptional Education  
and Student Services

Florida Department of Education

<http://www.fl DOE.org/ese/>



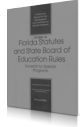
## Group A Rules

- Deaf or Hard-of-Hearing (DHH)
- Physically Impaired (PI)
  - Orthopedic Impairment (OI)
  - Other Health Impairment (OHI)
  - Traumatic Brain Injury (TBI)
- Emotional/Behavioral Disabilities (EBD)
- Autism Spectrum Disorder (ASD)



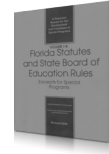
## Technical Changes

- Rule titles were changed to state the purpose of the rule.
- Specific evaluation procedures and content related to instructional programs were deleted from all rules. They will be included in districts' SP&P.
- Sequence, organization, and common terminology were made consistent across all rules.



## Changes to Rule Organization

- Definition
- Activities prior to referral
- Evaluation
- Criteria for Eligibility



## Students with Emotional/Behavioral Disabilities

Rule 6A-6.03016

## Assumptions

- Students with emotional/behavioral disabilities demonstrate behaviors that are both intense and severe
  - Intensity - deviation of the behavior (frequency, duration) from general expectations and peer/cultural/setting norms
  - Severity - the behaviors continued non-response to evidence-based interventions delivered with increasing intensity and consistency
- Some students with behavior problems have an emotional/behavioral disability
- Some students with behavior problems display behaviors that are intrusive and disruptive without having an emotional/ behavioral disability

## Categories of school-based behavior problems

- Problems that **respond** to interventions
  - Not eligible for special education
- Problems that **do not respond** to intensive interventions AND **constitute** a recognized emotional/behavioral disability
  - Eligible for special education
- Problems that **do not respond** to intensive interventions AND **do not constitute** a recognized emotional/behavioral disability
  - Not eligible for special education but require intervention

## Rule 6A-6.03016, FAC

(1) Definition. Students with an emotional/behavioral disability (EBD). A student with an emotional/behavioral disability has persistent (is not sufficiently responsive to implemented evidence-based interventions) and consistent emotional or behavioral responses that adversely affect performance in the educational environment that cannot be attributed to age, culture, gender, or ethnicity.

### Definition of an Emotional/ Behavioral Disability

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- Persistent
- Consistent
- Adversely affect educational performance
- Not attributable to age, culture, gender, or ethnicity

### *Persistent emotional/behavioral responses*

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- Not sufficiently responsive to evidence-based interventions - condition persists with modifications of the educational environment and with individualized interventions
- Exhibited for an extended period of time - more than a temporary response to stressors in the environment

### *Consistent emotional/behavioral responses*

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- Must be exhibited in multiple settings - minimum of two
- One setting must be school-related

### *Adversely affects performance in the educational environment*

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- Educational performance - academic progress, classroom/school behavior, personal adjustment, social relationships, and self-control
- Educational environment - where ever academic, vocational, social "instruction" occurs (e.g. classroom, school campus, community setting, vocational setting, home instruction on IEP)

### *Not attributed to age, culture, gender, or ethnicity*

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- Normative developmental expectations
- Cultural factors impacting responses
- Gender factors impacting responses
- Ethnic factors impacting responses

### Criteria for EBD Eligibility

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- Inability to maintain adequate educational performance in the educational environment - Not explained by physical, sensory, socio-cultural, developmental, medical, or health factors
- Demonstrate one or more internal or external emotional/behavioral factors
- Presence of internal/external factors for
  - minimum of 6 months
  - in two or more settings (one must be school)
- Need special education and related services

## Eligibility Criteria - Internal Factors

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- Feelings of sadness, OR frequent crying, OR restlessness, OR loss of interest in friends and/or school work, Or mood swings, OR erratic behavior
- Symptoms such as fears, phobias, or excessive worrying and anxiety regarding personal and school problems
- Behaviors that result from thoughts & feelings that are inconsistent with actual events, OR difficulty maintaining normal thought processes, OR excessive levels of withdrawal from persons or events

## Eligibility Criteria - External Factors

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- Inability to build, or maintain, satisfactory interpersonal relationships with peers, teachers, and other adults in the school setting
- Behaviors that are chronic and disruptive such as noncompliance, verbal and physical aggression, and/or poorly developed social skills that are manifestations of feelings, symptoms, or behaviors (internalizing factors)

## Exclusionary Factors

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- Normal/temporary reactions to life events or crisis (less than 6 months)
- Emotional/behavioral difficulties that respond to evidence-based interventions
- Social Maladjustment unless found to have an emotional/behavioral disability
- Inability to maintain adequate performance explained by physical, sensory, socio-cultural, developmental, medical, or health (does not include mental health) issues
- Emotional/behavioral difficulties attributed to age, gender, culture, or ethnicity

## Extraordinary Circumstances

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Required Activities may be waived when the following conditions are met:

- 1) Immediate intervention is required to address acute onset of mental illness
- 2) Exception is approved by ESE Director \*
- 3) IEP Team reviews placement within one year \*

\* Recommended as best practice

## Evaluation

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- Must Follow the Procedures in Rule 6A-6.0331(4)
- **and** follow Policies and Procedures for the Provision of Specially Designed Instruction and Related Services for Exceptional Students as required by Rule 6A-6.03411 (SP&P)

## Procedures in Rule 6A-6.0331(4)

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- School Board is responsible for medical, physical, psychological, social, and educational evaluations by competent specialists
- Evaluation completed within 60 days of which the child is in attendance
- Evaluation procedures must not be racially or culturally discriminatory
- Assessment must provide information relevant to addressing educational needs of the student

## Components of Evaluation (SP&P)

- Functional behavioral assessment - initiated as part of general ed interventions
- Psychological evaluation
- Social-developmental history
- Educational evaluation
- Medical evaluation - when determined necessary by ESE Director or designee

## Functional Behavioral Assessment

- Description of target behavior in measurable terms
- Identification of environmental factors that may contribute to the behavior
- Determination of function of behavior
- Development of hypotheses regarding the function or purpose of the behavior
- Development of positive interventions in a written plan (BIP)

## Psychological Evaluation

- Assessment procedures identifying the internal or external factors that constitute the emotional/behavioral disability
  - Behavioral observations
  - Clinical interview
  - Assessment of emotional/behavioral functioning
- Information on developmental functioning and skills as needed - an intellectual evaluation is not required
- Identify the evidence-based interventions implemented and the criteria used to evaluate the student's response to intervention

## Social-developmental History

- Structured interview with parent
- Appraisal of interpersonal, familial, and environmental factors impacting learning & behavior
  - Family composition and dynamics
  - Educational history
  - Health and developmental history
  - Emotional and behavioral status
  - Environment and cultural influence
- Address factors that extend beyond the school setting

## Educational Evaluation

- Review educational history and current academic performance (e.g., state & district assessments, progress monitoring data, classroom performance, previous educational assessments)
- Address relationship between academic performance and emotional/behavioral disability
- Complete a formal academic evaluation if there is insufficient information or if academic performance data is not current

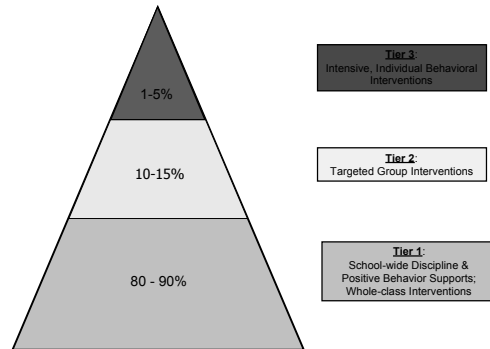
## Activities required prior to referral

- Prior to referral for an evaluation the requirements in subsections Rule 6A-6.0331(1) - (3), FAC must be met
  - Parent conferences
  - Review of records
  - Sensory screenings
  - General education interventions

## Three Tier Model of Intervention

- *Tier 1: School-wide (Whole Class) Discipline & Positive Behavior Support*
- *Tier 2: Targeted group intervention*
- *Tier 3: Intensive Individual Interventions*

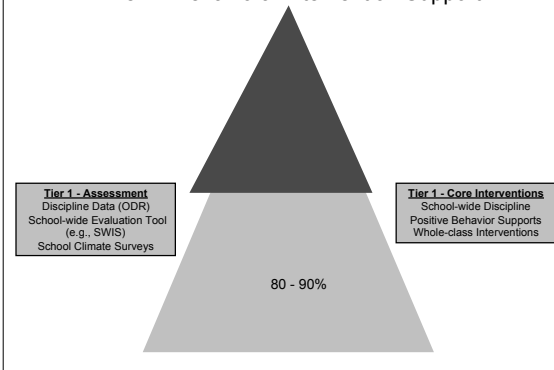
## Three-Tier Model of Behavioral Intervention/Support



## Tier 1

- *Question: How effective is school-wide discipline program?*
- **Assessment:**
  - *Office discipline referrals (ODR)*
  - *disproportionality data*
  - *school climate surveys*
- **Hypotheses:**
  - *Lack of positive behavior supports*
  - *Inconsistent discipline policy*
- **Interventions**
  - *Identify common behavioral issues & develop school-wide (or whole class) interventions*
  - *Introduce positive behavior supports*

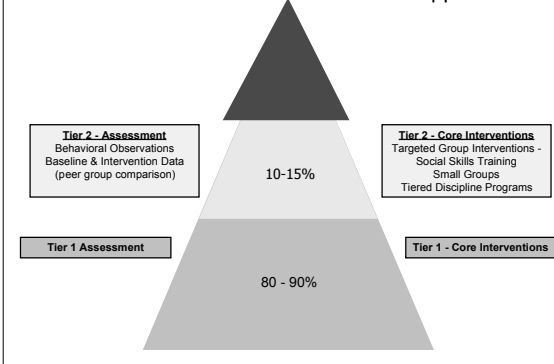
## Tier 1: Behavioral Intervention/Support



## Tier 2

- *Question: How is student functioning compared to expectations? peers?*
- **Assessment:**
  - *Baseline data (intensity of behavior - frequency, duration)*
  - *Peer group comparison*
- **Hypotheses:**
  - *Student has not been taught the skill*
  - *The expected behavior is not reinforced in the learning environment*
- **Interventions**
  - *Classroom-based behavioral interventions*
  - *Small-group, targeted interventions*

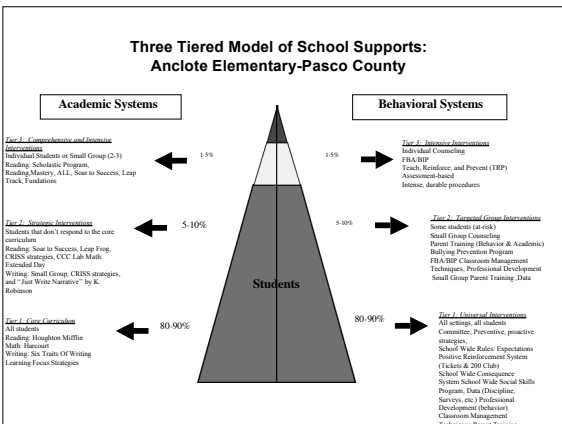
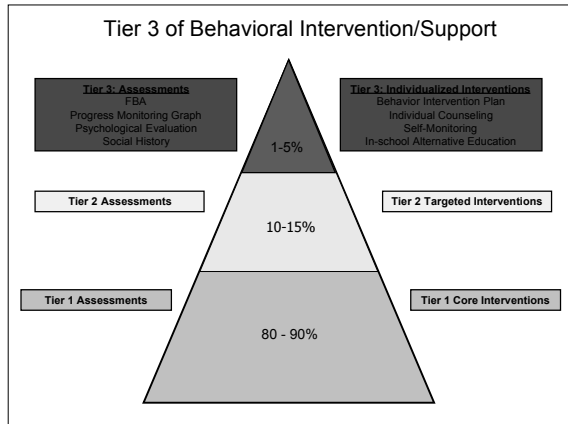
## Tier 2: Behavioral Intervention/Support





## Tier 3

- **Question:** What is the student's response to evidence-based interventions?
- **Assessment:**
  - Functional Behavior Assessment - prior to interventions
  - Response to Intervention data with graph
  - Psychological & Social-Developmental History - if eligibility evaluation is requested
- **Hypotheses:**
  - Focus on child-specific issues
- **Interventions**
  - Behavior intervention plan - based on FBA



## Problem-Solving Process Applied to EBD

## Problem-solving protocol

- Identify target & replacement behavior
- Identify Comparison Peer Group
  - Collect baseline data (frequency, duration)
  - Compare student & peer group level of functioning relative to expectation
- Determine function of the behavior (FBA)
- Develop/Implement interventions based on FBA
- Monitor/Evaluate/Modify interventions based on data

## Steps in problem-solving process

- Step 1: Problem identification
  - Behavior problem & replacement behavior is clearly defined.
  - Intensity of problem & replacement behavior is documented through behavioral observation and/or behavior counts.
  - Behavioral intensity is significantly different from peer group (demographically similar students).

## Steps in problem-solving process

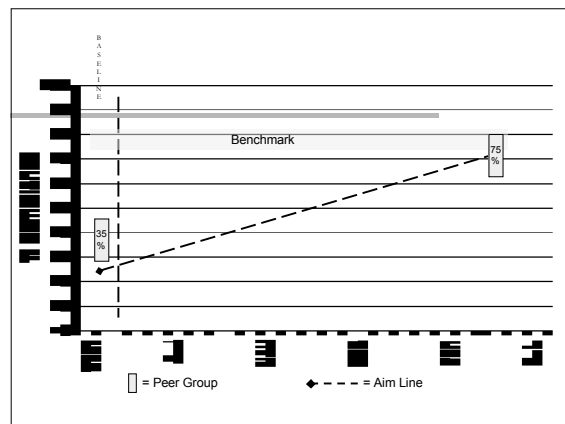
- Step 2: Problem analysis
  - Reasons for inappropriate behavior are identified through appropriate assessment methodology (e.g., FBA).
- Step 3: Intervention implementation
  - Based on problem analysis, research-based interventions are selected and implemented with increasing intensity.

## Steps in problem-solving process

- Step 4: Response to Intervention
  - The student's response to intervention is documented using the same procedures in Step 1.
  - Problem solving continues based on response to intervention.
  - If behaviors are not sufficiently responsive, conduct a formal evaluation to assess the characteristics of the behavioral profile.

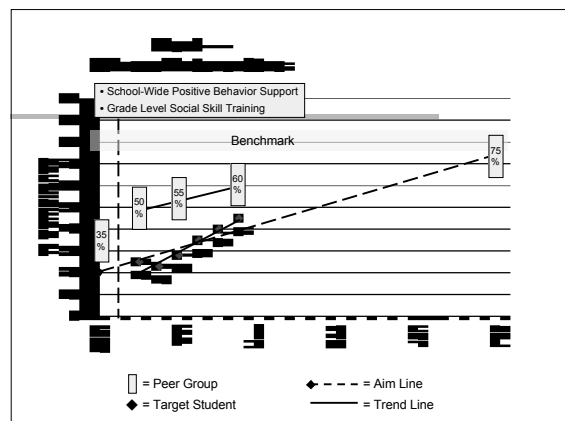
## Evaluating the response to intervention (GAP Analysis)

- What is the deficit in initial level?
- What is deficit in slope or rate of progress?
- How does the student compare to peers (students of similar age, gender, culture, & ethnicity)?



## Problem Identification

- Benchmark Level 75%
- Current Level 20%
- Peer Level 35%
- Benchmark Gap  $75/20=3.7X$
- Peer Gap  $35/20=1.7X$
- Peer/Benchmark Gap  $75/35=2+X$
- TIER?



## Problem Identification

- Benchmark Level 75%
- Current Level 20%
- Peer Level 75%
- Benchmark Gap  $75/20=3.7X$
- Peer Gap  $75/20=3.7X$
- Peer/Benchmark Gap  $75/75=1X$
- TIER?

## Evaluating the effectiveness of the intervention

- *Is the intervention evidence-based?*
- *What is the fit with the student's culture, gender, and ethnicity?*
- *What can we "expect" the intervention to do?*
- *Was the intervention implemented as planned?*

## Sample Case . . .

Student who does not follow class rules or teacher directives (noncompliant)

## Assess effectiveness of school/class behavior supports (Tier 1)

- What school-wide positive behavior supports are in place?
- How effective is the school-wide plan? Do 80-90% of students respond positively?
- What are the targeted interventions for noncompliance in the school/classroom?
- How effective are the targeted interventions? Do 80-90% of students respond positively?

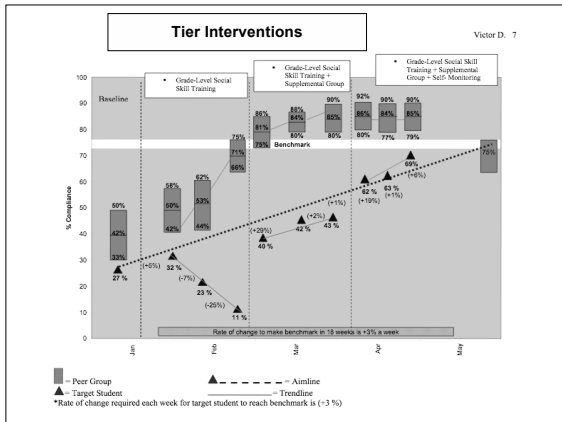
\* Tier 1 interventions/supports should be in place and implemented with documented effectiveness before proceeding to Tier 2

## Implement & assess response to targeted interventions (Tier 2)

- Implement classroom-based or small group behavioral interventions
  - Targeted behaviors with supports & replacement behaviors
  - Ensure fidelity of implementation
- Assess response to intervention
  - Student's level of performance
  - Expectation
  - Peer performance
  - Gap analysis
- If targeted group interventions are successful with demographically similar peers, implement individual interventions (Tier 3)

## Implement & assess response to individual interventions (Tier 3)

- Complete a functional behavioral assessment (FBA)
- Implement intensive, individual interventions based on FBA (Behavior Intervention Plan)
- Assess response to intervention
  - Student's level of performance
  - Expectation
  - Peer performance
  - Gap analysis
- How is student doing compared to expectations? Compared to peers?
- Monitor and intensify interventions as needed



## When to evaluate for special education

- IF
  - There is evidence that classroom and targeted interventions are effective for 90 - 95% of students, and
  - The severity and intensity of behaviors persist given evidence-based interventions implemented with fidelity,
- Refer for an evaluation
- Purpose of evaluation is to assist in determining
  - Whether behaviors constitute an emotional/behavioral disability
  - The educational needs of the student (information related to enabling the student to be involved in and progress in the general education curriculum)

## EBD Evaluation

- Assess presence or absence of an emotional and/or behavior disability:
  - Clinical interviews
  - Valid behavior rating scales.
  - Other assessment procedures that are empirically validated (reliable and valid) to determine the presence or absence of an emotional/behavioral disability.
- Social/Developmental History
- Evaluation data are used to determine whether the behaviors constitute an emotional/behavioral disability.

## In determining eligibility for special education the team must document:

- Intensity of the behavior problem
- Severity of the behavior problem - behaviors response to evidence-based interventions implemented with integrity
- Behaviors constitute an emotional/behavioral disability with an internalizing etiology
- Exclusionary factors do not explain emotions/behavior

## EBD Eligibility Determination

- Does not respond to well-delivered, evidence-based interventions
- AND
- Meets criteria for characteristics of a recognized emotional and/or behavior disability
- AND
- Needs special education & related services

## Intervention Implementation with IEP

- Continue progress monitoring (Rtl) and problem solving
- Intervention implementation on IEP should identify:
  - The most effective interventions (not simply those that are "available" or tied to a particular setting (e.g., EBD "room"))
  - Personnel qualified to deliver the interventions
  - Least Restrictive Environment (LRE) in which those interventions will be successful
  - Setting(s) which offers the greatest potential for integration with typical peers.

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*"Change is hard because people overestimate the value of what they have and underestimate the value of what they may gain by giving that up."*

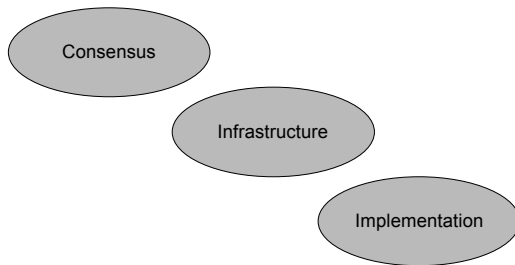
James Belasco & Ralph Sayer, *Flight of the Buffalo*

## District Implementation

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### Florida Change Model

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### Rtl Implementation Prerequisites

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- Organized professional development
- A well-developed infrastructure for data-based decision making and intervention delivery for at-risk students
- Integrated participation among system stakeholders

Edward Daly & Todd Glover  
University of Nebraska-Lincoln

### Infrastructure Necessary for Implementation

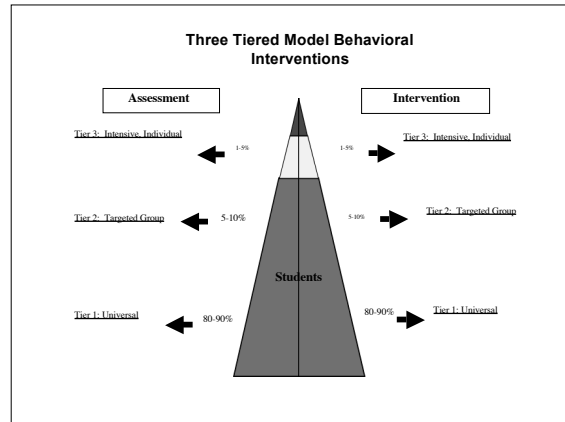
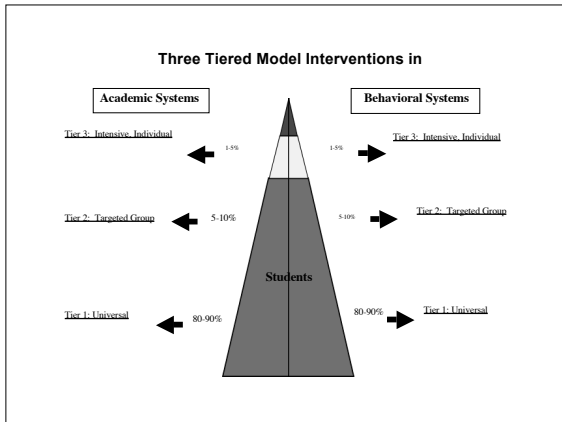
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- Problem-solving process (State Projects)
- School-wide positive behavior support & tiered intervention system
  - PBIS
  - Model Program
  - Safe & Civil Schools
  - Safe & Responsive Schools
- Data management that supports data-based decision-making
  - SWIS
  - Chart Dog

### Professional development

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- Needs assessment
- Professional development
  - Who needs it? - What do they need? - Teams
  - NASP Blueprint for Training & Practice III
- Specific topics
  - Rtl/Problem-solving
  - Data collection & graphing skills
  - Data analysis & data-based decision-making
  - Intervention development/monitoring in tiered system



- Data Challenges:**
- Collection
    - What is collected and who collects it?
    - How frequently is it collected?
  - Organization
    - Disaggregated by grade, gender, race, language, SES?
    - Designed to answer specific questions (Tier 1/2 effectiveness)
  - Display-necessary to evaluate RTI
    - Graph Goals/Benchmark, Aimline, Trendline, & Rate
  - Management - Technology is imperative
    - AIMS-WEB, Wireless Generation
    - Local Programs

- Important Questions**
- Is this just another way to do child study?
  - Do teachers think that we need to do this stuff and “then we can test the student?”
  - Is our first focus on improving Tier 1?
  - Do we use data to make decisions all the time? Do we have regular data meetings to evaluate student performance?
  - Do we have expectations for Tier 2 (e.g., Title 1) intervention effectiveness--do we evaluate it?
  - Do we monitor students receiving special education services more frequently than all other students?
  - Is our continuum of services fully integrated?

- Web Resources**
- Florida Problem-Solving/Response to Intervention Project <http://www.floridarti.usf.edu/>
  - Florida Positive Behavior Support Project <http://flpbs.fmhi.usf.edu/>
  - OSEP Technical Assistance Center on Positive Behavior Supports <http://www.pbis/>
  - Managing On-site Discipline for Effective Learning <http://www.modelprogram.com/>
  - Intervention Central [www.interventioncentral.org](http://www.interventioncentral.org)
  - National Center on Student Progress Monitoring [www.progressmonitoring.org](http://www.progressmonitoring.org)
  - The IRIS Center <http://iris.peabody.vanderbilt.edu/>

- Web Resources**
- The National Association of School Psychologists [www.nasponline.org](http://www.nasponline.org)
  - Student Support Services <http://sss.usf.edu>
  - Center for Effective Collaboration and Practice <http://cecp.air.org/>
  - Center for Social & Emotional Education [www.csee.net/climate/](http://www.csee.net/climate/)
  - California Positive Environments, Network of Trainers [www.pent.ca.gov](http://www.pent.ca.gov)
  - Center for Educational Networking [www.cenmi.org](http://www.cenmi.org)

## Other resources

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- Response to intervention (2005). NASDSE.
- Practitioner's edition on promoting behavioral competence. Psychology in the Schools, Vol. 44 (1) 2007.
- School Psychology Forum: Research in Practice. Vol 1 (2) 2007.
- Mini-Series: Current Perspectives on School-based Behavioral interventions. School Psychology Review, Vol 33 (3) 2004.
- Mini-Series: Direct observation assessment of student Behavior. School Psychology Review, Vol 34 (4) 2005.
- Howell & Nolet (2000). Curriculum-based evaluation. Chap 13 - Social Skills
- Rutherford, Quinn, & Mathur (Eds.) (2004). Handbook of research in emotional and behavioral disorders (2004).