

consent must be obtained prior to commencement of an FBA. The IEP team must document the reasons for not conducting an FBA and/or developing an interim BIP.

- a. Parent is provided a Notice of Action (Prior Written Notice). This form must have a statement of the district's intent to provide or not provide an assessment, in order to understand the function of the student's behavior and provide a recommendation to the IEP team regarding the possible need for a Behavior Intervention Plan (BIP).
5. If the "Behavioral Emergency Report" was written regarding a student who *has* a behavioral intervention plan, any incident involving a previously *unseen* serious behavior problem or where a previously designed intervention is *not effective* should be referred to the IEP team to review and determine if the incident constitutes a need to modify the plan.
 - a. An "unseen behavior" is a behavior not previously seen by school staff that requires an emergency intervention. An example of this may be a student, who has a BIP to address self-injurious behavior only, elopes from the school campus and a restraint is utilized in order to maintain the student's safety.
 - b. After four to six weeks of BIP implementation, if a student fails to make progress towards utilizing the Functionally-Equivalent Replacement Behavior (FERB) instead of the targeted high-risk behavior, the team should meet to review and determine the need for a modified BIP. Failure to make progress towards the FERB goal indicates that the current plan is not effective in supporting the student to change the behavior.
 - c. Designated responsible administrators will monitor reports and follow-up with school personnel to ensure IEP meetings are scheduled, appropriate resources are provided for the implementation of the BIP, discuss a possible need to modify the BIP or call for an IEP meeting, as appropriate.
6. The designated responsible administrator will forward a copy of the completed BER to the district office for review by an identified responsible district designee.
7. The district designee or designated responsible administrator will submit a copy to the AVSELPA office **within 20 school days**.
8. The District-level designated responsible administrator will regularly report district BER data to the school superintendent and school board.