



Focus on programming when student accumulates removals during remote instruction

If a student with a disability starts accumulating suspensions during a period of remote learning, your team may be tempted to plan what consequences will look like at home after subsequent removals occur.

But planning ahead, particularly when the student has reached 10 removal days, may give the impression you are predetermining that the student's behavior is not a manifestation of his disability. You may be at risk of denying the student FAPE and denying the parents the right to participation if you don't discuss with the student's parents how to address his challenging behaviors. [20 USC 1415 \(f\)\(3\)\(E\)\(ii\)](#). Best practice is to take a closer look at the remote learning situation.

"I would caution against planning for the disciplinary removal of a student," said Peter Maher, a school attorney at Shipman & Goodwin LLP in Hartford, Conn. "If a student is engaging in behavior to try to avoid or escape certain nonpreferred tasks, whether they're academic or social, you may be inadvertently reinforcing the behavior by removing the student. You always want to be looking at the function of the behavior and whether school staff are inadvertently reinforcing that by providing certain consequences."

Instead, you may need to teach the student skills to behave more appropriately, Maher said.

Follow these tips after a student learning remotely has begun accumulating removals:

- **Review what is and isn't working.** Look at the data that has been collected regarding the student's behavior and how the student has responded to interventions and discipline, Maher said. "Look at what you're doing right now that's working," he said. "Always look at it from that lens. If the data suggest you're not seeing the type of behavioral progress you were expecting, consider what you can do instructionally to try to teach skills and reinforce appropriate skills. Discipline may be appropriate in certain instances, but you would want to look at the behavior as a programmatic issue first."
- **Conduct functional behavioral assessment.** Explore what may be triggering the student's challenging behavior while learning at home that you may not have seen or addressed before, Maher said. Use the information to identify replacement behaviors the student can use and you can reinforce the use of to reduce her challenging behaviors. Don't plan future consequences or what they will look like.



"Planning for a disciplinary removal and almost predetermining what that would look like is problematic," he said. "You may inadvertently reinforce [inappropriate] behavior if you are always removing the student from the classroom. Consequences should be matched to the behavior to decrease the likelihood of it occurring again."

- **Recognize adjustments you may need to make because of remote instruction.** Teachers who are offering synchronous instruction can remotely deliver live behavioral interventions and verbally reinforce the student when he is demonstrating appropriate replacement behaviors, Maher said. Teachers can also offer students feedback using a chat or private messaging feature. But the student's behavioral intervention plan may require more adjustment if the student is acting up when he is engaging in asynchronous learning, he said. The student and his parents may need to consult separately with a special education teacher or behavioral specialist in the district on strategies to use at home. For example, the student may benefit from using a visual schedule or other visual supports while he works independently to stay on task, Maher said. Or the student and parents may need to learn how to use the same positive reinforcers his teacher uses.

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