Welcome to the Learning Disabilities Association of Iowa Webinar. It will start at 4:00.

Interventions, Accommodations and Modifications: Promoting Access and Opportunity for All

Part 2: "Behavioral Intervention Plans (BIPs): An Analysis of Current Issues and Recommendations for Improving Practice"

1

BEHAVIORAL INTERVENTION PLANS [BIPS]

An Analysis of Current Issues and Recommendations for Improving Practice

Susan Larson Etscheidt, Ph.D.

2

AGENDA

This session will feature themes from a recent analysis (Etscheidt, 2026) of behavioral intervention plans [BIPs]. Several questions will be addressed:

Must a Behavioral Intervention Plan [BIP] be developed when behavior interferes with a child's learning?

What assessment data should guide the development of BIPs?

Is parental consent required prior to conducting an FBA to guide development of the BIP?

Should behaviors and interventions of a BIP be prioritized?

What are the most common and egregious BIP implementation errors?

Learning Disabilities Association of Iowa

3

Etscheidt, S. (2006). Behavioral intervention plans: A pedagogical and legal analysis of issues. *Behavioral Disorders, 31*(20) 221-241.

Etscheidt, S. (online 2025-**print 2026**). Behavioral intervention plans: A legal analysis of procedural and substantive issues. *Behavioral Disorders, 51(2), 108-124.*

4

Five Themes from the 2006 Legal Analysis

Which served as the conceptual and methodological framework for the current research

- A BIP must be developed if behavior is interfering with student learning
- The BIP must be based on assessment data
- The BIP must be individualized to meet the child's unique needs
- The BIP must include positive behavior strategies and supports
- The BIP must be implemented as planned and its effects monitored.

5

Must a Behavioral Intervention Plan [BIP] be developed when behavior interferes with a child's learning?

Learning Disabilities Association of Iowa

6

Sub Theme 1:

Maybe not "MAY" but rather "MUST"

A BIP **may** be created for any student who has behaviors that are interfering with their learning or the learning of others. This could be for any student, with or without an IEP or 504 Plan.

A BIP **must** be completed, or reviewed, for any child with an IEP who is removed from their regular setting because of behavior for: • more than 10 days in a row; or • more than 10 school days in a school year for separate, similar incidents that show a pattern • AND a manifestation determination meeting has been held, and the team decided that the behavior was caused by or related to the child's disability

7

"Blackletter Law" and OSEP (2022)

Enterprise City Bd. Of Educ. v. S.S. (MD AL 2020)	MS S w/ Autism & Dangerous Behaviors
P: S unable to meet any annual goals for 2 yrs. Regressed academically & behaviorally SD: **IDEA only required FBA/BIP when seeking to discipline S**. In response to > behavior, provided 1:1 aide.	
For P: SD **misconstrues IDEA**: "**blackletter law** that, when a child's behavior impacts his ability to meet educational goals, a proper IEP should include a plan to address those behaviors… even though a BIP is not always required, an IEP for [this Student] that did not include a BIP or its functional equivalent could not be substantively adequate".	
SD ordered to conduct FBA, develop BIP, hired BCBA & provide S counseling.	

8

8

81 IDELR 138
Questions and Answers: Addressing the Needs of Children with Disabilities and IDEA's Discipline Provisions
Office of Special Education and Rehabilitative Services OSEP 22-02
July 19, 2022

- Behavioral intervention plan (BIP), although not defined in IDEA and its implementing regulations, is generally understood to mean **a component of a child's educational program designed to address behaviors that interfere with the child's learning or that of others** and behaviors that are inconsistent with school expectations
- A BIP generally describes the behavior that inhibits the child from accessing learning and the positive behavioral interventions and other strategies that are to be implemented to reinforce positive behaviors and prevent behavior that interferes with the child's learning and that of others. **In the discipline context, such plans are especially important to prevent the child's behavior that resulted in disciplinary action from recurring**. 34 C.F.R. § 300.530(d).
- For a child with a disability whose behavior impedes their learning or that of others, **and for whom the IEP Team has determined that a BIP is appropriate**, or for a child with a disability whose violation of the code of student conduct is a manifestation of the child's disability, **the IEP Team MUST include a BIP in the child's IEP** (or, if a BIP already has been developed, review and modify it as necessary) to address the behavioral needs of the child.

9

Sub Theme 2:

When does the MAY become a MUST?

Recognizing the Behavioral Interference Threshold

10

BIP Case Law: "fusion that results in confusion" (Collins & Zirkel, 2017, p. 188)

Robles v. District of Columbia (DC DC 2022) HS w ADHD	Mountain Grove R-III SD (SEA MO 2020) HS w ADHD/ODD
P: SD placement not LRE; no FBA/BIP SD: S "significantly dysregulated" **so non-gen ed placement needed**. **For SD**: S had "troubling behavior" in the classroom, but **IEP showed progress.** DC: behavior **did not rise to the level of need for FBA/BIP** **Dr. E. NOTE: S "did not master any of the IEP socio-emotional and behavior goals," and engaged in significant off-task, disruptive & negative behaviors**	P: S failing grades & truancy due to no BIP SD: No BIP "discipline referrals **did not follow a pattern**" & IEP team "did not know how a BIP could have been written for when S engaged in **unpredictable behavior**". **Homebound** "allowing more flexibility in providing IEP services" & < behavior
	For SD: Ts had strategies for "teen's anxiety, frustration, and behavioral triggers". ALJ: if IEP provides necessary PBS, no FBA or BIP required **Dr. E. NOTE: > in behavior ⇨ ISS & OSS; failing 5/6 classes, progress "lacking".**

11

More Confusion in Reaching the Behavioral Interference Threshold

- The "**extremely disruptive behavioral profile**" necessitated BIP (*In re: Student w/ Disability*, 2018b)
- Yet, **absent "referrals or removals due to behavior**" FBA or BIP was not needed (*South-Western City Schools*, 2021).
- SD eventually responded to parent requests for an FBA or BIP (*Garvey School District*, 2019) **Dr. E. NOTE**: Yet **P request is not and cannot be the trigger** to begin behavioral assessment and planning.
- **When does student behavior "rise to the level" warranting the development of a BIP? What is the "behavior interference threshold" after which school districts should initiate behavioral assessment and planning?**

12

12

KEYS

STUDENT BEHAVIOR & STUDENT PROGRESS

When Ss interfering behaviors are **sustaining or increasing**, and when those behaviors **are impacting progress towards goals**, that behavior interference threshold signals to the IEP team that a BIP must be developed

The threshold may be established through **RIOT**: Record Review, Interview, Observation, Test/Data May include work sample analysis and review of progress monitoring data (Cook & McDuffie-Landrum, 2020).

13

Sub Theme 3:

SAS and School-wide PBSI ≠ BIP

School Districts Must Not Equivocate Supplementary Aids & Services (SAS) in IEP and/or School-wide PBIS with an Individualized BIP

14

Colonial Sch. Dist. v. N. S. (ED PA 2020) 6th w/ ADHD	*In re: S w/ D* (SEA NM 2021) MS S w/ OHI
P: No BIP provided - S regressing SD: Offered a motivational behavioral plan (token system, lunch bunch, social skills group)	P: SD response to Ss extreme behaviors & failing grades = suspensions, conferences, and a behavior contract SD: Behavior contract "equated to BIP"
For P: SD **motivational plan did not substitute for BIP** to address S behaviors. Denial FAPE.	For P: Behaviors impeded learning & warranted FBA & BIP. **Behavior contract does not equate to BIP**. Denial of FAPE.
SD ordered to provide 296 hrs comp. ed	District ordered to hire BCBA for FBA & BIP.

15

15

Palestine-Wheatley SD (SEA KS 2021) Elem w/ autism	Upper Darby SD v. K. W. (ED PA 2023) Elem w/ autism
P: Ss extreme behaviors < progress. SD restrictive placement due to no BIP. SD: S **didn't reach TIER III behavior** until 2nd semester so no referral for BIP	P: S behaviors escalating and SD interventions ineffective SD: S receiving reward-based supports through school-wide PBIS.
For P: Failure to conduct FBA & develop BIP despite Ss escalating behaviors denied FAPE. **IDEA doesn't require TIER III** behavior before the implementation of a BIP	For P: **School-wide PBIS ineffective** & denied S FAPE. FBA/BIP necessary when S continues to have behavior problems & needed for S to make adequate progress.
Tuition reimbursement ordered.	1,800 hrs of comp ed ordered.

16

16

- BIP & discipline plan "**not interchangeable terms**" (*In re: Student w/ Disability*, 2021)
- Behavior contract "**was not equivalent**" (*In re: Student with a Disability*, 2020c)
- "**Generic**" interventions insufficient to address S behavior (*District of Columbia Public Schools*, 2019a)
- **Classroom behavior supports** [Good Behavior Game] insufficient & S placed in home instruction (*In re: Student with Disability*, 2022b).
- "**Safety plan**" not effective and BIP required (*District of Columbia Public Schools* (2020)

Keys: S Lack of Progress & Behavioral Deterioration

17

17

Question:
Must a Behavioral Intervention Plan [BIP] be developed when behavior interferes with a child's learning?

Yes.

- **Subtheme 1**: BIP planning not restricted to MDT meetings or disciplinary contexts w/ long-term suspensions or expulsions
- **Subtheme 2**: When Ss interfering behaviors are sustaining or increasing, and when those behaviors are impacting progress towards goals, that behavior interference threshold signals to the IEP team that a BIP must be developed

  The threshold may be established through observational data, work sample analysis, and progress monitoring data for S goals (Cook & McDuffie-Landrum, 2020). **RIOT data**
- **Subtheme 3**: PBS as supplementary aids and services **(SAS)** within IEPs or relying on school-wide **PBIS** may not be sufficient or equivalent to a BIP.

18

18

What assessment data should guide the development of BIPs?

And is parental consent required prior to conducting an FBA?

Learning Disabilities Association of Iowa

19

Sub Theme 4:

MAY – SHOULD - MUST

i3 Iowa IDEA INFORMATION

An FBA **may** be conducted for any child/youth with a behavior concern in order to best understand the purpose/function of behavior and develop an effective support plan. This includes children/youth that are: receiving intervention through a general education intervention process and/or are being considered for special education.
An FBA **should** be conducted for any eligible child/youth with a behavioral concern in order to develop an effective behavioral goal and/or behavior intervention plan (BIP)
An FBA **must** be conducted, or an existing FBA reviewed, for any child with an IEP who faces specific disciplinary actions that would result in removal for [disciplinary].

20

Volusia Count S Bd (SEA FL 2023) S w/ autism	L.M. v. Henry County Bd. Ed. (ED KY 2019) Elem w/ EBD
P: FBA inappropriate; sought publicly-funded IEE	P: SD failed to provide FAPE. No PBS. Sought tuition reimbursement. SD: No duty to do FBA; PBS "shielded"
SD: **Trained BCBA used variety of assessment tools** (daily behavior charts, behavior observations, input from P and Ts; included all areas of behavioral concern; identified antecedents and consequences).	For P: Data collection methods & failure to ID function of behavior = **FBA "useless"** & **unable to inform the BIP**. FBA did not identify specific behaviors of concern. Definitions ("not taking responsibility for her actions" or "not having appropriate voice or tone.") too broad to collect data. Purpose and antecedents not identified
For SD: FBA met the IDEA requirements for evaluations.	SD ordered to conduct FBA

21

21

FBAs are typical assessments, other non-function-based assessment tools may helpful **[RIOT/ICEL]** (Truong, et al., 2022).

Reliance on an FBA-only approach to assessment is insufficient to develop comprehensive, appropriate educational programs for students with **mental health needs** … and current assessment approaches must be expanded to address both behavioral and cognitive factors contributing to problem behavior

Skaar, N. R., Etscheidt, S. L., & Kraayenbrink, A. (2021). School-based mental health services for students with disabilities: Urgent need, systemic barriers, and a proposal. *Exceptionality, 29*(4), 265-279].

22

OSERS 2013): an FBA is generally understood to be an individualized evaluation of a child in accordance with 34 CFR §§300.301 through 300.311 to assist in determining whether the child is, or continues to be, a child with a disability**. Parental consent is required prior to conducting such an FBA**. In contrast, reviews of a student's record conducted in accordance with 34 CFR §300.305 are reviews of *existing* evaluation data.

(OSERS 2024): the IDEA requires IEP Teams to conduct an FBA in certain circumstances related to **discipline procedures**…In such circumstances, under the IDEA, **parental consent is required prior to conducting an FBA**.
[Dr. E : WHY IN A DISCIPLINARY CONTEXT BUT NOT OTHER CONTEXTS?].

An FBA may also be used in situations when an LEA is **not** evaluating or reevaluating a child for eligibility or continued eligibility for special education and related services, and identifying academic and functional needs, under the IDEA. In such circumstances, the IDEA does not require parental consent.
[Dr. E: IF THE PURPOSE OF THE EVALUATION/REEVALUATION IS TO CONFIRM THE CHILD'S DISABILITY AND TO DETERMINE THE EDUCATIONAL NEEDS OF THE CHILD, DOESN'T THE FBA SERVE THAT PURPOSE?] SEE: Iowa Administrative Code §281–41.301(3) I.A.C.

A Bit More Confusion: Parental Consent for FBA

23

If teams need to collect information to inform program planning (Example: A team may wish to conduct a Functional Behavior Assessment to inform an effective Behavior Intervention Plan) consent is *not* needed, but teams should notify parents of these efforts. This communication could be via phone, email or other written notification (e.g., the *Collection of Additional Information by Area Education Agency Staff* communication tool*)*.

i3 Iowa IDEA INFORMATION

24

P Consent Should Be Secured:

- **WHEN** the data collection is **individualized**
- **WHEN** the data are used **to inform** a student's educational program and supports
- **THEN**:
- The conduct of the **FB/A** informing the BIP **must align with evaluation requirements of the IDEA** [securing parental consent, conducting the assessment within the established timeframe, using a variety of assessment tools, assessing all areas of suspected disability, and **providing relevant data to address the child's educational needs]** [20 U.S.C. § 1414(a) & (b)].

If you're not in the 2nd Circuit, P has right to IEE if disagreeing with SD's FBA

25

25

Question: What assessment data should guide the development of BIPs?

And is Parental Consent Required?

- **Subtheme 4**: FB/A data must inform the BIP. Other non-function-based FB/As may inform BIPs. FBA-only approach = insufficient for students with **specific skill deficits or mental health needs** (Skaar et al, 2021)…standardized instruments (Martinez-Yarza et al., 2023) or formative and summative assessment (Elliott et al., 2022) assessing **social and emotional skills** may be appropriate
  The FB/A should include student interview data to promote behavioral improvement (Johnson & Carpenter, 2022).
- The conduct of the FB/A must meet the IDEA requirements – including securing parental consent **IF data collection individualized & informs behavioral supports**
- **P has** right to IEE **when disagreeing with SD FBA**

26

26

Should Behaviors & Interventions of the BIP be Individualized & Prioritized?

Learning Disabilities Association of Iowa

27

Sub Theme 5:

BIP Target Behaviors & Interventions Must be Prioritized

- The behaviors targeted for a BIP should be prioritized.
- The positive behavioral strategies, supports and interventions must be based on PRR/EBP to the extent practicable & also be prioritized.
- This prioritization must be determined by the entire IEP team.
  - IEP teams should consider supports "beyond the laundry list" for the BIP

28

Clinton-Massie Local Schools (SEA OH 2022) 2nd grade S/ MD
P: P: SD failed to provide behavioral assessment and supports **for a variety of behaviors** interfering with the S's learning SD: IEPs contained behavior goals with aligned objectives that addressed compliance with directives and tasks, cursing and threatening peers. SDI= social and coping skills. The S made progress towards his behavior goals
For SD: Although evaluation showed additional areas of behavioral concern, it is reasonable the IEP **would prioritize specific behaviors for students with multiple needs**. Therefore, the District is not in violation

29

29

Beyond the "Laundry List": Consider Social/Emotional/Behavioral Supports

Dimension	Accommodation Options
Student-based Support	S self-monitors on-task w/ report card
	S asks for work break [e.g., 5 minutes]
Teacher-based Support	Individualize and intensify specific positive feedback to S
	Individualize and intensify student check-ins
	Prompt for calming strategies [e.g., noise cancelling headphones, work breaks]
	Use silent or visual cues to prompt S engagement
Classroom-based Support	Assign peer support for activities
	Provide individualized work area within classroom

Simonsen, B., Robbie, K., Meyer, K. ., Freeman, J., Everett, S., & Feinberg, A. (2021). Multi-tiered system of supports (MTSS) in the classroom. *Center on Positive Behavioral Interventions and Supports*.

30

30

Beyond the "Laundry List": Consider Executive Functioning Supports

EF Deficit Area [Dawson & Guare, 2018]	Accommodation Options
Response Inhibition	Impulsivity reduction techniques such aa calming prior to tasks/tests (Khng, 2024), mind mapping pauses between intake and output (Kajka & Kulik, 2021)
Working Memory	Provide memory aids such as mnemonics (RAPS), verbal and visual cues, **integrate movement into task steps** (Baniasadi, 2024)
Self-Regulation of Affect	Self-monitoring with goal setting (McKenna et al., 2022; Lee, 2021) (e.g., MotivAider)
Sustained Attention	Adding **color, sound, movement & novelty** to work enhances attentional capacities (Marlin-Moratino et al., 2023); peer-mediated or buddy assignments
Planning & Organizing	Teaching chunking and scaffolding strategies provoding providing notes and outlines, checklists, daily planners (Glickman, 2022).
Time Management	Use tools like TimeTimers, iPhone reminders, and calendars to help students track the time it takes to complete a task (Huberty & Bechard, 2025).
Cognitive Flexibility	Modeling tasks and game-based materials (Benzing et al., 2019). alternative options for S responding (writing, keyboarding, dictating, assistive technology/AAC such as iPad apps (Dumitru, 2025)
Metacognition	Introduce know-yourself Venn diagrams & reflection. (Meltzer, 2018).

Children & adolescents w/ ADHD have significant deficits in EF (Kofler et al., 2024).
Empirical review of EF supports "promising" (D'Intino, 2023).

31

Question: Should Behaviors & Interventions of the BIP be Individualized & Prioritized?

Yes. And the BIP strategies, interventions and supports must be based on PRR/EBP to the extent practicable

- **Subtheme 5**:Individualizing the BIP might involve **behavioral or intervention prioritization. Reducing the number of target behaviors** (Foreman et al., 2021) or the **number and type of intervention components** (i.e., intervention complexity) (Collier-Meek et al., 2018) may enhance the BIP effectiveness and fidelity.
  Such prioritization should be discussed and determined by **the IEP team**.
- PBS must be **EBP** based on "**peer-reviewed research** to the extent practicable" [20 U.S.C. § 1414(d)(1)(A)(IV)] to enhance effectiveness (Hirsch et al., 2023).
- IEP teams should explore BIP supports "beyond the laundry list"

32

32

What are the Most Common & Egregious BIP Implementation Errors?

Learning Disabilities Association of Iowa

33

Sub Theme 6:

Failure to Revise BIP

BIPs must be revised when lack of student progress and behavioral deterioration are evident

34

Central Bucks SD (SEA PA 2021) S w/ autism	In re: S w/ D (SEA KS 2021) MS S w/ autism
P: Despite behavioral increases, BIP was not revised. Private placement needed SD: Proposed IEP appropriate. BIP = (structured routine, sensory activities, cancelling headphones, chewing tube)	P: SD failed to implement BIP [providing reinforcers & breaks or alternative lunch/passing periods] SD: S BIP followed in all areas. S has opted not to accept reinforcers
For P: IEP **should have revised BIP due to lack of progress** ["losing essential skills"] **& behavioral deterioration**. FBA showed "overwhelming needs". **SD lowered goal criteria rather than revising denied FAPE.**	For P: Infrequent, not daily, provision of reinforcers failed to motivate or encourage Ss positive behavior. Work breaks & alternative locations not provided. **Revision required**.
IEE to inform BIP and 2 yrs. comp ed ordered	IEE & staff training ordered

35

35

- SD failed to address S's changing behavior at beginning of the year, SD opted to **wait for the 3-year review to revise**. S's behaviors significantly escalated and severely impacted progress (*Colorado Spring SD 11*, 2022).
- SD conducted an FBA in early fall but **failed to use the data to revise** the BIP until late spring. The data should have been used to develop additional PBS for S's off-task and aggressive behaviors, which often resulted in removal from class (District of *Columbia Public Schools*, 2019),
- SD BIP had PBS [alternative locations, breathing & self-regulation, replacement behaviors, student choice, reinforcement, crisis plan), the BIP was **never finalized or implemented** (*Elkhart Community Schools* (2022)
- Waiting 3 months after an FBA to revise BIP denied FAPE (*R.B. v. Downing Area School District*, 2020). The **teachers knew the BIP was not effective and the student failed to make progress toward goals.**
- "When a school district knows or should reasonably know that a student's behaviors, ineffectively addressed by the IEP in place, impedes that student's opportunity to receive a meaningful educational benefit, it **ought to rectify the IEP's inadequacies in a timely fashion**." (*Columbia School District v. N.S.*, 2020).

36

Sub Theme 7:

Failure to Implement

Failure to Implement the BIP May Result in More Restrictive Practices or Placements

37

Lanesboro Public SD (SEA MN 2022	Talawanda City Sch (SEA OH 2021) S w/ autism
P: SD decided S must "earn" time in gen ed but did not reflect change on BIP. **S behaviors deteriorated & suspended S** SD: multiple interventions to address S behaviors [visuals, communication skills, private space, modified schedule]	P: S placement not LRE; no PBS in IEP SD: Ss extreme & aggressive behaviors required segregated placement (6 incidents of extreme behavior required **seclusion & restraint**)
For P: **Change to "earning" time in gen ed** violated LRE; failure to explore BIP supports & trying variety of supports without including in BIP denied FAPE.	For P: SD **failed to update and "amend" 5-year-old** FBA & BIP did not address extreme behaviors and resulted in **restrictive interventions**. S denied FAPE.
Staff training & comp ed ordered	SD ordered to reconvene IEP team & revise BIP

38

38

Gallia County Local SD (SEA OH 2022) Elem w/ autism	In re: S w/ D (SEA NM 2022) Ss w/ SDL & OHI
P: No PBS = numerous **(26) suspensions & restraint in 1st semester**. SD: Provided tiers of behavioral support [choices & timers; ½ day & counselor sessions; social stories & restraint.]	P: Failure to address multiple behavioral incidents = **disciplinary exclusion**. SD: State complaint w/out SD response
For P: FBA identified many supports [visual timer & schedule, sensory diet, check in-out, first-then schedule] BUT **not effective w/ S's unique behavioral needs - needed to be reviewed or revised =not working w/ S!!! [all that glitters…]**	For P: FBA not completed in timely manner and BIP ineffective [**no progress toward goals**- but no revisions. **Inadequate T training** for BIP supports led to **resistance** in implementing.
IEP reconvene & revise; staff training	Comp services & 1:1 tutoring ordered.

39

39

Restrictive Practices due to Implementation Failures

The failure to implement PBS such as R & calming **break resulted in multiple non-emergency uses of seclusion** (*Calvert County Public Schools*, 2019).

BIP did not include evidence-based practices, which were used for 2 yrs. without success. The response to the student's increasing aggressive behaviors was **restraint and corporal punishment** (*Greenbrier School District, AK*, 2021).

40

Sub Theme 8:

Lack of BIP Specificity

Lack of Specificity and Clarity of BIP Impacting Fidelity of BIP Implementation

Failure to Implement in all Educational Settings

41

In re: S w/ D (SEA KS 2021) Elem S w/ autism	Salem-Keizer SD 24j (SEA OR 2019) Elem S w/ ADHD
P: SD identified S w/ autism but removed from gen ed SD: BIP created for non-compliance & property disruption [modeling, visuals, token reinforcement].	P: SD failed to follow BIP re: S recess options of alternative or indoor SD: New **PBIS** Reset Protocol used
For P: BIP founded upon FBA w/ inaccurate & missing data. **Vague terms resulted in confusion & removal from gen ed.** **S did not progress in goals** re: work completion and non-compliance.	For P: **Lack of clarity** in the BIP caused implementation failure re: recess. **School-wide PBIS confusion** re: which plan to follow.
SD ordered to hire BCBA to revise BIP.	SD to inform all staff of implementation areas

42

42

Carmel Clay Sch. Corp. (SEA IN 2020)	Tippecanoe Sch. Corp (SEA IN 2021)
P: SD failure to implement BIP resulted in **unauthorized holds on bus.** SD: discussed S aggression and bus behavior	P: Ss BIP w/ de-escalation and accommodations not shared or implemented w/ **substitute teacher**. S removed from classroom to school admin office. SD: Complaint investigation
For P: Failure to utilize and implement BIP in all environments.	For P: Failure to implement BIP with substitute T violated IDEA.
SD ordered to revise BIP to include bus plans.	SD ordered to create tracking sheet that detailed when BIP strategies were used
FERPA: "legitimate educational interest"	

43

43

SD Defense Against BIP Implementation Claims

If school district documented meetings and good faith efforts to revise BIPs were evident, FAPE violations were not found

- SD **revised the BIP throughout a 5 month period** prior to proposing a placement change (*Adams-Arapahoe School District 28-j*, 2020
- **Multiple meetings "evincing collaboration"** and evident S progress convinced the IHO that the BIP was appropriate & provided FAPE (*Alief Independent School District*, 2020).
- Over **200 pages of BIP data** informed BIP revisions (Bouabid v. Mecklenburg Sch Bd, 2022).
- SD **consistently revised the BIP** to address student behavior (H.L. v. Tri-Valley SD, 2023).
- Evidence that the BIP was provided to relevant staff and documentation that the BIP was implemented as planned showed no violation. The **school psychologist** was assigned to train administrators, teachers and paraprofessionals on BIP strategies, to distribute BIP, and to oversee its implementation. She observed the student frequently & met with the IEP team every two weeks to discuss BIP.

44

44

- SD met its responsibilities regarding BIP implementation by **summarizing the FBA data and planning effective interventions** (*Duval County School Board*, 2022).
- **Multiple interviews with SD staff** convinced the SCI that the planned intervention and supports were provided, with no implementation failures (*In re: Student with Disability*, 2020a).
- The **"timely and appropriate action"** taken by the district as student behavior increased revealed implementation fidelity (In re Student with Disability, 2021c).
- The SD **first tried "tiered" interventions but then developed a BIP** when the student's behavior escalated (*Maggie J. v. Donegal School District*, 2021. The Ss behavior improved and progress toward goals evident.
- **The argument that the selection of interventions within the BIP is the district's discretion was convincing to counter a parent's claim of implementation failure** (*Rosemont-Apple Valley-Eagan ISD*, 2020).

45

45

Question: What are the Most Common & Egregious BIP Implementation Errors?

Failure to Revise & Failure to Implement

- Subtheme 6: BIPs must be revised when lack of student progress and behavioral deterioration are evident
- Subtheme 7: Failure to Implement the BIP May Result in More Restrictive Practices or Placements
  - BIP must be implemented in all educational settings

46

46

Question: What are the Most Common & Egregious BIP Implementation Errors?

Lack of Specificity and Clarity Impacting Fidelity

- Subtheme 8: Lack of Specificity and Clarity of BIP Impacting Fidelity of BIP Implementation

Implementation fidelity is improved by behavior & intervention prioritization & **periodically monitoring [fidelity checks]** [via classroom observation and T performance feedback] (Walker & Barry, 2017).

Fidelity enhanced when the BIP has **clearly described target behaviors and clearly described supports** (Maggin & Johnson, 2015).

The **effects** of the BIP must be monitored via data collection & analysis. If data indicate a) interfering behaviors are **sustaining or escalating** and/or b) the Ss **progress towards goals is unsatisfactory**, the IEP team must reconvene & revise the BIP **[before annual review if indicated.]** [34 CFR § 300.324(a)(4)].

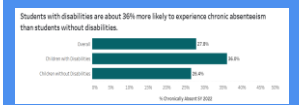
47

47

Behavior Focus:

Chronic Absenteeism & Students with Disabilities

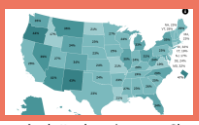
In 2024-2025, roughly half of urban school districts reported more than **30 percent** of students were chronically absent [students missing 10% or more of school] – a far higher share of students than in rural or suburban school districts.(Rand, 2025)



U.S DOE, 2025)

48

Iowa



Iowa school attendance improves: Chronic absenteeism drops 5%

just under 16 percent.

In Iowa, students with disabilities are disproportionately affected by chronic absenteeism - data show they are often absent at rates about **8% higher** than the general student population. **Over 90%** of schools needing targeted support in 2024 were flagged because students with disabilities fell into the lowest performance category, partly due to attendance issues.

Pursuant to SF2435 effective on July 1, 2024, in the event that a compulsory school-age student (6 - 16) has been absent 15% of school days or hours in a grading period, the school will hold a student engagement meeting.

The purpose of the school engagement meeting is to identify the barriers to attendance experienced by the child and the interventions that may be used to improve the child's attendance.

A school engagement meeting must include 1) the child, 2) the child's parent, guardian, or legal or actual custodian, if the child is not an emancipated minor, and 3) a school official.

If the participants in the school engagement meeting fail to enter into an absenteeism prevention plan, or if the participants violate a term of the absenteeism prevention plan or fails to participate in the school engagement meeting, the county attorney may initiate a proceeding.

https://educate.iowa.gov/media/10472/download?inline

49

Absenteeism Prevention Plan

https://educate.iowa.gov/media/10472/download?inline

Engagement Information
Attendance History
Academic History
Barriers to School Attendance
- Basic Needs (e.g. food, clothing, communication)
- Physical Health
- Transportation
- Housing Insecurity
- Mental and/or Behavioral Health
- Challenging Behaviors
- School Connectedness
- Other Specific Short-Term Barrier
- Other Barriers

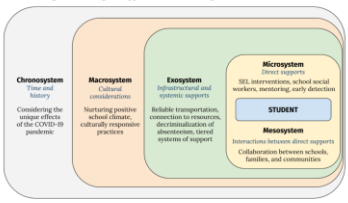
Absence Intervention Plan
- Interventions to Address Barriers
- Plans to Monitor

Implementation Details
Signatures

50

Addressing Chronic Absenteeism

Figure 3. Ecological Approach to Addressing Chronic Absenteeism



EXO: Research = schools should use **tiered systems of support** to help address chronic absenteeism.

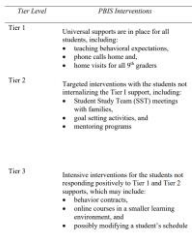
MESO: Research = the importance of collaboration between schools and families… **school social workers** can play a key role in promoting school-community interactions that support student attendance

MICRO: Social and emotional interventions help to build skills that reducing chronic absenteeism, such as **resilience, self-regulation, and coping**… **Mentoring** can be an effective method for reducing chronic absenteeism in students by pairing students with caring adults in school settings (Naff et al., 2023)

51

General Education & the Tiers

- PBIS strategies were repurposed to combat the causes associated with chronic absenteeism at the high school level [school, family, environmental and personal]
- The Tier 3 interventions improved attendance in 50% of participants (Johnson, 2020)
- Tier 3 interventions should include accommodation plans for part-time attendance schedules, family and mental health support, modifications in class schedule and academic work, mentoring and tutoring – policies to <OSS (Kearney & Graczyk, 2022)
- School completion initiatives = **partnerships with community-based learning centers, home-based and virtual programs, year-round schooling, extra-year and credit recovery initiatives, and second-chance options** (Zhang et al., 2020).



Tier Level	PBIS Interventions
Tier 1	Universal supports are in place for all students, including: • teaching behavioral expectations, • phone calls home and, • home visits for all 9th graders
Tier 2	Targeted interventions with the students not internalizing the Tier 1 support, including: • Student Study Team (SST) meetings with families, • goal setting activities, and • mentoring programs
Tier 3	Intensive interventions for the students not responding positively to Tier 1 and Tier 2 supports, which may include: • behavior contracts, • online courses in a smaller learning environment, and • possibly modifying a student's schedule

52

Special Education & Chronic Absenteeism

- Students with disabilities have higher absenteeism rates than students without disabilities (Stromberg et al., 2022): Students receiving special education experience **high and disparate levels of chronic absenteeism** (The Center for Civil Rights Remedies at The Civil Rights Project | Proyecto Derechos Civiles, www.civilrightsproject.ucla.edu.)
- High chronic absenteeism rates are reported for students with **autism** (Nordin et al., 2024) – and school withdrawal and school refusal contributed to the absenteeism rates of students with **ID** (Melvin et al., 2023).
- **Internalizing behaviors** in students with disabilities are significantly associated with chronic absenteeism (Gee et al., 2024).

53

Special Education & Chronic Absenteeism

- Consider **extracurricular and out-of-school time** to increase school engagement and connection (Germain et al., 2024).
- **Transition planning**, post-school/career goal development, and job coaching or college counseling support services (Naff et al., 2025).
- Absences directly related to a student's disability, such as anxiety or depression that lead to school refusal, should trigger a quick response. Students **may need a behavior intervention plan** or attendance incentives to overcome issues that interfere with attendance (Cortiella & Boundy, 2018).

54

BIP for Chronic Absenteeism?

Students with Disabilities may require a BIP to address chronic absenteeism – in addition to the Absenteeism Prevention Plan.

Think about a BIP for chronic absenteeism:

- Assessment Data [RIOT]
- Goals
- PBS and Supports
- Progress Monitoring Plans & Fidelity Checks

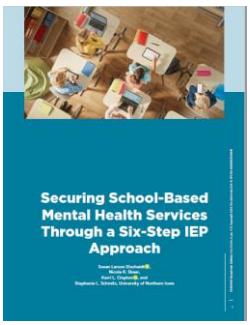
Link to Handout

55

School-based Mental Health Services [SBMHS]

For IEPs and BIPs

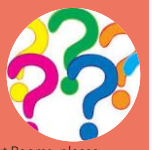
56



This issue of *TEACHING Exceptional Children* provides members of IEP teams with strategies to collaboratively develop and implement IEPs that include mental health supports.
The guidance with case examples assures compliance with the legal requirements of the IDEA regarding IEP development for PK–12 students and presents a compelling professional rationale for adopting the SBMHS approach.

57

Thinking about BIPs



In your Breakout Rooms, please select four (4) questions from the list to discuss. Prepare 4 responses to share with the large group.

Download the the linked document and complete in your BORs.

Issue	Question
Themes	What are some themes or **"lessons learned"** from the presentation?
Data	What **non-FBA data** have you utilized to inform BIPs?
Positive Behavioral Supports	What are some examples **of effective strategies and supports ["beyond the laundry list"]** you have included in the BIP?
Challenges & Difficulties	What are some additional **challenges and barriers** to the development of effective BIPs which were not identified in this analysis?
BIP Fidelity Checks	How is the **fidelity** of BIP implementation checked in your building? How might checks be improved?
BIP Priorities	Could behavior and/or PBS **prioritization be efficacious**? Limit the # of behaviors and interventions on a BIP?
Parent Involvement in BIPs	How are **parents involved** in the BIP planning process? What would you recommend to improve that involvement?

58

THANK YOU!!

Learning Disabilities Association of Iowa

59

References

Clayton Johnson, M. (2020). The Evaluation of Positive Intervention Strategies on Chronic Absenteeism at the High School Level.

Cortiella, C., & Boundy, K. B. (2018, April). Students with disabilities and chronic absenteeism. (NCEO Brief #15). Minneapolis, MN: University of Minnesota, National Center on Educational Outcomes.

Gee, K. A., Gottfried, M. A., Freeman, J. A., & Kim, P. (2024). Explaining disparities in absenteeism between kindergarteners with and without disabilities: A decomposition approach. Early Childhood Research Quarterly, 67, 295-306.

Germain, E., Hernández, L. E., Klevan, S., Levine, R., & Maier, A. (2024). Reducing chronic absenteeism: Lessons from community schools. Learning Policy Institute. https://doi.org/10.54300/510.597

Kearney, C. A., & Graczyk, P. A. (2022, September). Multi-tiered systems of support for school attendance and its problems: An unlearning perspective for areas of high chronic absenteeism. In Frontiers in Education (Vol. 7, p. 1020150). Frontiers Media SA

60

Melvin, G. A., Freeman, M., Ashford, L. J., Hastings, R. P., Heyne, D., Tonge, B. J., ... & Gray, K. M. (2023). Types and correlates of school absenteeism among students with intellectual disability. Journal of intellectual disability research, 67(4), 375-386.

Naff, D., Khawaji, F. A., Meadowes, M., Dupre, K., Sahin Ilkorkor, Z., Flynn, J., ... & Sheriff, M. (2023). Strategies for addressing chronic absenteeism in the post-pandemic era. Richmond, VA: Metropolitan Educational Research Consortium.

Naff, D., Simmons, J.,* Ellison, M.,* Garofalo, S., Thoene, L., Dupre, K., Moon, S., Johansen, K., Harris, P., Darby, M., Parker, Lu., Booker, T., Miley, J., Perry, M., Liu, X., Szydłowski, M., & Abbas, A. (2025) Supporting Students in Transition to and from High School, Richmond, VA: Metropolitan Educational Research

Nordin, V., Palmgren, M., Lindbladh, A., Bölte, S., & Jonsson, U. (2024). School absenteeism in autistic children and adolescents: A scoping review. Autism, 28(7), 1622-1637.

Richards, C., Martin, M., Morgan, A. R., Donofrio, G. L., Kittelman, A., & Lembke, E. (2025). Positive Behavior Supports: Using and Monitoring Tier 3 Research-Based Practices in the Classroom.

Stromberg, M. H., Rubtsova, A., Sales, J., & McGee, R. (2022). Impact of developmental disability on frequent school absenteeism in US children aged 6 to 17 years: National Survey of Children's Health, 2016 to 2017. Journal of School Health, 92(7), 681-691.

Zhang, L., Basham, J.D., & Yang, S. (2020). Understanding the implementation of personalized learning: A research synthesis. Educational Research Review, 31, 100339.

61

Susan Larson Etscheidt, Ph.D.

Susan Larson Etscheidt is a Professor in the Department of Literacy, Early Childhood, and Special Education at UNI. She teaches graduate-level Special Education Law and Policy courses and offers leadership workshops for the Institute of Educational Leadership at UNI. Dr. Etscheidt received her Ph.D. from the University of Minnesota, with an emphasis in Disability Studies. Susan was appointed to serve as an Administrative Law Judge and serves as a state-level mediator for the Iowa Department of Education. Her scholarship interests include disability law and policy development, dispute resolution, and special education praxis. She has published several books, including *An Intersectional Analysis of the Ideological, Discursive, Emotive and Material Realities of Special Education Law Policy and Praxis: A Critical Analysis of the Individuals with Disabilities Education Act and Special Education Law & Practice in Public Schools* and *Successful Inclusion for Educational Leaders* - as well as national and international journal articles. Susan serves on the editorial boards for several journals, including *Research and Practice for Persons with Severe Disabilities* and the *Journal of Disability Policy Studies*. She is a recipient of the Board of Regents State of Iowa Award for Faculty Excellence, and the Winterstein Memorial Award for Meritorious Achievement in the Field of Special Education. She has also received awards for research and teaching at UNI.

62

Learning Disabilities Association of Iowa

Website: https://ldaiowa.org
YouTube: https://www.youtube.com/@learningdisabilitiesassoci7948
Facebook: https://www.facebook.com/LDA.Iowa
Instagram: https://www.Instagram.com/ldaofiowa
Twitter/X: https://twitter.com/ldaofiowa
Email: info@ldaiowa.org

For Membership Information or to Join LDA:
https://ldaamerica.org/membership
$55-yearly membership
$25-student membership

63