# Unit 2

Hi Everyone!

As you may recall from Unit 1, the purpose of a functional behavioral assessment is to identify a problem behavior, determine the antecedent that prompts the behavior, and identify the consequence that maintains the behavior. This leads to the behavior intervention plan, which takes the information obtained through a functional behavioral assessment and implement strategies that will reduce or eliminate the inappropriate behavior.

The Unit 2 topic focuses on historical and legal aspects of FBA. We will review the three most important pieces of legislation affecting behavior are the Individuals with Disabilities Education Improvement Act (2004), the Americans with Disabilities Act (1990), and Section 504 of the Rehabilitation Act (1973).

The Individuals with Disabilities Education Improvement Act was specifically created to guarantee the provision of educational services for children with disabilities in public schools.

Inclusion is not mentioned in IDEA, but the law’s definition of least restrictive environment provides the impetus for the inclusion movement. One of the key considerations in the behavior and classroom management of students with disabilities is whether the consequence of a behavior results in the student’s change of placement. A school must convene a manifestation determination review to decide whether the student’s inappropriate behavior was related to the student’s disability or if the behavior was a direct result of the school’s failure to implement the student’s IEP appropriately.

Some things to keep in mind…

Students with disabilities who bring drugs or weapons to school or inflict serious bodily injury on others can be removed from the school setting without a manifestation of disability determination.

There are certain circumstances in which students who are not yet eligible for special education services may be protected from disciplinary action for some kinds of behaviors if the school has knowledge of the child’s disability.

The next type of legislation is Section 504 and the Americans with Disabilities Act. Section 504 of the Rehabilitation Act basically prevents discrimination toward individuals with disabilities by **any program** receiving federal financial assistance. The Americans with Disabilities Act protects individuals with disabilities from discrimination in the workplace or at any public program or activity and guarantees accessibility at public places for those with disabilities.

The Americans with Disabilities Act Amendments expanded the criteria for the definition of a person with a disability and expanded the list of major life activities.

Determination of whether a person has a disability has to be made without regard to any accommodations that were put into place.

Under the Americans with Disabilities Act Amendments, a person only has to show that he or she is perceived as having a disability.

A person who has an impairment that is episodic or in remission may be considered as having a disability if the impairment would substantially limit a major life activity when it is active.

Thank you for viewing this lecture!