

FLOYD I. MARCHUS SCHOOL QUARTERLY PROGRESS REPORT

2024 – 2025 QUARTER 2 REPORT

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*Data for this report gathered from and in
conjunction with Contra Costa County Office of
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Introduction

This report has been generated per the final settlement agreement in the matter of Kerri K., et al. v. State of California, et al., Case No. MSC19-00972 (Super. Ct. Contra Costa 2019). Per this agreement, WestEd worked in conjunction with Contra Costa County Office of Education (CCCOE) administrators and staff, along with Floyd I. Marchus School personnel to generate this quarterly summary of required information per Appendix D of the settlement agreement. Below is an introduction to the authors of this report and their respective qualifications and roles informing their work on this project.

WestEd Staff

As noted above, WestEd is contracted to provide oversight, support, and evaluation summaries of the work related to supporting behavior and addressing incidences of physical intervention and seclusion at Floyd I. Marchus School (henceforth “Marchus School”). Beginning October 2024, WestEd support is provided by Dr. Ashley MacSuga-Gage, who brings deep expertise in the areas of Positive Behavior Intervention and Support (PBIS), behavior management, and in-service/pre-service educator professional development in these areas. A copy of Dr. MacSuga-Gage’s curriculum vita expanding on her experience can be found in Appendix A of this report.

Dr. MacSuga-Gage has met with CCCOE staff and worked to review prior reports, case notes, and current school data. Further, in November 2024 (November 18 – 19, 2024), Dr. MacSuga-Gage engaged in a 2-day site visit on the Marchus School campus. During this visit she was able to visit classrooms and school areas. She met with students, staff, therapists, counselors, administrators, and support faculty. Recommendations in this Quarter 2 report are a result of Dr. MacSuga-Gage’s observations during that site visit, coupled with her prior experience and expertise in PBIS as well as follow up conversations with Marchus staff and analysis of data.

CCCOE Staff Supporting Marchus School

Ms. Neila Hansel, a Board-Certified Behavior Analyst (BCBA) was hired by CCCOE after the settlement agreement was reached. A copy of Ms. Hansel's resume can be found in Appendix A of this report and highlights her unique qualifications for spearheading significant change within CCCOE and at Marchus School. Ms. Hansel's primary responsibilities in CCCOE involve supporting Marchus School to implement the requirements of the settlement. She spends most of her time physically present in Marchus School supporting the behavior of students and staff. The following is a list of her responsibilities:

- Design and implement processes for tracking, reporting, and following up on behavior emergencies.
- Conduct functional behavior assessments (FBAs) to determine the underlying functions of challenging student behaviors and develop data-driven behavior intervention plans (BIPs).
- Collaborate with teachers, special education staff, and administrators to implement evidence-based interventions tailored to individual student needs.
- Regularly meet with school psychologists to identify and address emerging behavior needs.
- Provide ongoing support and training to school staff on behavior management strategies, including positive reinforcement, shaping, and prompting techniques.
- Regularly analyze School-wide Information System (SWIS) data on student behavior to assess the effectiveness of interventions and identify areas of need.
- Lead professional development training for teachers and paraprofessionals on behavior management, data collection methods, and trauma-informed ABA principles.
- Observe classrooms to ensure fidelity of implementation for individual student BIPS and schoolwide PBIS supports.
- Provide ongoing behavior support during and after behavior emergencies
- Provide Nonviolent Crisis Intervention training to CCCOE staff (CPI certified trainer)
- Provide Restorative Practices training for staff and model community and restorative circles with staff and students

Ms. Hansel's duties utilize evidence-based practices to address student and staff needs. Further, since joining CCCOE, Ms. Hansel, CCCOE staff and administration, plus Marchus School staff and administration have implemented many specific changes directly addressing settlement requirements. In the following section, a table outlining how settlement requirements have been addressed is included.

How CCCOE and Marchus School Address Settlement Requirements

The following table outlines the ways in which CCCOE and Marchus School personnel have addressed the requests within the settlement agreement to-date. This table will be updated in all future reports as necessary and/or when changes/additions to supports are made.

Table 1. Meeting and Exceeding Settlement Requirements

Request	Explanation of Addressing Request
<p>II.C.2.a</p> <p>Provide training and professional development to Floyd I Marchus School staff on its PBIS system...including real-time implementation support through registered behaviorists.</p>	<p>-PBIS staff training was held during 22-23 and 23-24 school years.</p> <p>-BCBA trained staff and oversaw implementation of reward system in one elementary classroom requesting extra support.</p> <p>- BCBA trained staff and other administrative faculty consulted with classrooms as needed to ensure fidelity of reward system.</p> <p>-BCBA staff continually train Marchus School staff on proper implementation of student BIPs</p>
<p>II.C.2.b</p> <p>Implement concern reporting system</p>	<p>-A Link was added to the school web site’s home page allowing individuals to report concerns as desired. The CCCOE Special Education director receives messages from this link.</p>
<p>II.C.2.c</p> <p>Document in writing and analyzing each incident involving Physical Intervention, Seclusion, Support Room Use, or call to law enforcement for a student through its post-incident review process, which is as follows:</p>	<p>-BCBA trained staff created detailed Behavior Emergency Report (BER) checklist document to ensure each of the following areas are addressed as outlined in the agreement and per CDE requirements.</p>
<p>II.C.2.c.i</p> <p>A post-incident review meeting shall occur no later than the end of the same</p>	<p>-A post-Incident Review meeting outline was created to aide attendees in discussing each of the necessary elements, including root cause analysis.</p>

Request	Explanation of Addressing Request
<p>school day... The school psychologist or social worker assigned to the student... shall be present at this first meeting.</p>	<p>-Notably, in addition to school Psychologist, the case manager, BCBA, and principal have been present for these meetings.</p>
<p>II.C.2.c.ii</p> <p>Upon completion of the first meeting, Marchus School will follow up in writing on the incident, including, if necessary, with training, counseling, registered behaviorist consultation, or discipline of involved staff, if and as appropriate.</p>	<p>-All incident review meetings are documented and include both specific reports of the behavior as well as meeting notes. For each individual student case, follow-up actions taken are documented in the review meeting notes. While these actions vary by student/case, they do include, as necessary, training, counseling, registered behaviorist consultation, or discipline of involved staff, if and as appropriate.</p>
<p>II.C.2.c.iii</p> <p>The case manager of the student involved and a registered behaviorist [and school psychologist] shall be notified in writing within 24 hours of the incident.</p>	<p>-All required individuals are notified in all cases.</p> <p>Notably, the case manager, psychologist, and BCBA are notified within the same school day. To ensure behavioral expertise and accurate root cause analysis completed via the review of behavioral data, the BCBA leads the post incident review meeting.</p>
<p>II.C.2.c.iv</p> <p>Staff from Marchus School will inform the parent/guardian in writing that it has reviewed the Physical Intervention.... For a student within 3 days after such review (if the post-incident review happens on the same day, staff from Marchus may inform the parent/guardian of the review at the same time that it reports the incident).</p> <p>Information provided in writing will also include information regarding who the parent/guardian may contact if they have</p>	<p>-Marchus School staff (e.g., the principal or case manager) calls the parent on the day of the incident to inform them of the incident and offers to schedule an IEP meeting. In the event that the parent does not answer, the staff member leaves a contact number.</p> <p>-To-date, since the implementation of settlement requirements, in every case, the staff member and parent spoke directly about the incident. This direct contact has increased the responsiveness and involvement of parents/caregivers.</p>

Request	Explanation of Addressing Request
<p>questions or concerns regarding the incident and will include who to contact if the parent/guardian would like to request an IEP meeting.</p>	
<p>II.C.2.c.v Any incident shall be discussed at the next scheduled IEP meeting for the involved student in an effort to review and determine if the incident constitutes a need to modify the IEP or BIP.</p>	<p>-All incidents are discussed at the next scheduled IEP meeting and all incidents are reviewed to determine if there is a need to modify the IEP or BIP.</p> <p>-Notably, additional IEP meetings are scheduled in most cases prior to the next scheduled meeting. When applicable, staff proactively arrives with recommended BIP updates and requests parent input before finalizing. Further, all parents are offered the opportunity to schedule a follow-up IEP meeting after an incident.</p>
<p>II.C.2.d Developing and utilizing the new data collection and tracking system at Marchus School in regard to Physical Interventions for students.</p>	<p>-Behavior data is collected with other behavior incidents and tracked through the PBIS data collection system: School-wide Information Systems (SWIS) data collection system. This system directly aligns with best practice in PBIS implementation and informs review of the PBIS systems and practices at the school and individual student level.</p> <p>-BCBA trained staff personally tracks the progress of BER incident reporting and IEP follow-up requirements for each incident.</p>
<p>II.C.2.d Conducting a root cause analysis of disproportionate Physical Interventions.</p>	<p>-Function of behavior and functional behavioral assessments are utilized in ALL student cases. The FBA serves as the root cause analysis for the behavior(s) of concern and informs future responses to behavior (e.g., the behavior intervention plan – BIP – implemented and crisis management plans).</p> <p>-Notably, staff conducts a root cause analysis in response to all uses of physical intervention, not just those deemed disproportionate. This includes determining</p>

Request	Explanation of Addressing Request
	<p>patterns and functions of behavior, along with a review of the student’s BIP to determine if the BIP adequately addresses the behaviors leading to PI. In many cases, additional strategies are added to the BIP even if it does appropriately address the root cause or function of the student’s behavior.</p>

Root Cause Analysis & Functional Behavioral Assessment (FBA)

To assist in understanding CCCOE/Marchus School’s approach to determining the cause of a student’s behavior, it is helpful to provide context of the similarities and differences between root cause analysis and FBA. Based on the description provided below, it is clear that CCCOE/Marchus School educators are focusing on identifying and interpreting data in order to determine the cause of a student’s behavior in order to inform their practice. Thus, the FBA is fulfilling the role of a root cause analysis in this setting.

Description of the Connection Between Root Cause Analysis & FBA

A Functional Behavior Assessment (FBA) is not strictly synonymous with a root cause analysis, but the two processes share similar goals. Both aim to identify underlying factors contributing to a specific problem or behavior. In the case of an FBA, it focuses on understanding the environmental triggers, consequences, and functions of a student’s challenging behavior within educational or therapeutic settings (Steege & Watson, 2009). The goal of an FBA is to identify what is reinforcing the behavior and what purpose it serves for the individual (e.g., gaining attention, avoiding tasks), which can be viewed as addressing the root cause of the behavior in terms of its immediate environment and context (O’Neill et al., 2015).

While root cause analysis typically applies to systemic issues, seeking to uncover the fundamental reasons for a problem across organizational or operational levels, an FBA zeroes in on behavioral functions and conditions. In both cases, understanding the underlying reasons for the problem is key to crafting effective interventions.

In California, while there isn’t a specific law requiring schools to perform a root cause analysis for all situations, there are legal obligations that align with the goals of root cause analysis, especially regarding addressing student behavior and academic performance.

Legal Requirements Related to Student Behavior and Interventions:

1. Special Education (IDEA & FAPE): Under the Individuals with Disabilities Education Act

(IDEA), schools must conduct Functional Behavioral Assessments (FBA) when a student with a disability exhibits behaviors that interfere with their learning or the learning of others. If behavior results in suspension or changes in placement, schools must address the root causes of the behavior to develop a Behavior Intervention Plan (BIP) (IDEA, 2004). The FBA can serve as a type of root cause analysis, as it identifies why the behavior occurs (Wright & Wright, 2021).

2. **California Education Code and Suspension/Expulsion:** California schools are required to intervene and support students with behavioral issues before resorting to suspensions or expulsions. Under California Education Code Section 48900, schools must explore alternatives to suspension, including behavior interventions, which could necessitate identifying the underlying causes of behavioral problems. Schools are encouraged to address systemic or root causes of behavior rather than just the symptoms (California Education Code, Section 48900.5).
3. **Continuous Improvement and Accountability (LCAP):** Under California's Local Control Accountability Plan (LCAP), schools are required to conduct needs assessments and root cause analyses to improve student performance, particularly for vulnerable student populations. The Every Student Succeeds Act (ESSA) also encourages districts to engage in continuous improvement, which often involves identifying root causes of poor student outcomes (California Department of Education, 2021).

While root cause analysis is not legally mandated by name, various state and federal laws require schools to investigate the underlying factors behind student behavior, learning difficulties, and school performance. This makes root cause analysis a critical part of meeting legal obligations related to special education, behavior management, and academic improvement in California.

A Root Cause Analysis (RCA) is a systematic process used to identify the underlying reasons—or "root causes"—of a problem or failure. The primary goal of RCA is to determine the fundamental factors that contributed to the occurrence of the issue, rather than just addressing the immediate symptoms. This involves gathering data, analyzing contributing factors, and distinguishing between direct causes and underlying conditions that allowed the issue to manifest (Rooney & Vanden Heuvel, 2004).

In educational settings, RCA is commonly used to address systemic problems affecting student performance, behavior, or school operations. The process typically includes the following steps:

1. **Define the problem:** Clearly describe the issue that needs to be resolved.
2. **Collect data:** Gather relevant information and evidence related to the problem.
3. **Identify potential causes:** Use techniques like the "5 Whys" or cause-and-effect

diagrams to identify contributing factors.

4. **Determine the root cause(s):** Analyze the data to find the most fundamental cause(s) of the problem.
5. **Develop corrective actions:** Create a plan to address the root cause(s) and prevent recurrence (American Society for Quality, n.d.).

A **Functional Behavior Assessment (FBA)** is a systematic process used to identify the reasons behind specific behaviors, particularly challenging or disruptive behaviors, in order to develop effective interventions. The primary goal of an FBA is to understand the function or purpose the behavior serves for the individual (e.g., gaining attention, avoiding tasks, or seeking sensory input) by examining the environmental factors that trigger and maintain the behavior (Steege & Watson, 2009). The assessment process typically involves gathering data through direct observation, interviews, and record reviews to identify patterns and contributing factors.

An FBA consists of several key components:

1. **Defining the behavior:** Clearly and objectively describing the behavior of concern.
2. **Identifying antecedents:** Examining what happens before the behavior to identify triggers.
3. **Identifying consequences:** Understanding what happens after the behavior that may reinforce or maintain it.
4. **Hypothesis development:** Formulating a hypothesis about the function of the behavior.
5. **Intervention planning:** Using the results to create a behavior intervention plan (BIP) aimed at teaching alternative behaviors or modifying the environment (O'Neill et al., 2015).

Required Quarterly Reporting

Publicly Available Demographic Data 2024-2025 Q2
(10/5/2024-12/20/2024):

Demographic Information of Students

Table 2. Student Enrollment by Grade

Student enrollment by grade	
Kindergarten	0
Grade 1	1
Grade 2	2
Grade 3	4
Grade 4	5
Grade 5	2
Grade 6	1
Grade 7	4
Grade 8	2
Grade 9	5
Grade 10	8
Grade 11	7
Grade 12	9
Total	50

Table 3. Student Enrollment by Group

Student enrollment by group	
Race/ethnicity	Percent of total enrollment
Hispanic	22%
Asian	2%
Filipino	2%
Black/African American	36%
White	32%
Multi-ethnic (non-Hispanic)	6%
Disability category	
Autism	20%
Emotional Disorder	35%
Other Health Impairment	27%
Specific Learning Disability	18%
ELL	
ELL	4%
English only	92%
RFEP	4%
Free and reduced-price meals	60%
Foster youth	10%

Demographic Information of Staff

Table 4. Staff Demographics by Position/Title

Position/title	Number
Teacher	7
School Psychologist	3
Social Worker	2
Board Certified Behavior Analyst	1
Speech Therapist	1
Occupational Therapist	1
Literacy Specialist	2
Paraprofessionals	10

Certification of Current Contracts and Working Status of Behaviorists and Behaviorist Technicians

The CCCOE certifies that they currently employ a full-time board-certified behavior analyst BCBA, Ms. Neila Hansel. A description of Ms. Hansel’s duties appears at the start of this report in the introduction section. Additionally, as stated in the introduction, a copy of her resume appears in appendix A. The CCCOE employes one registered behavior technician currently. This technician works directly with a student at Marchus School and is supervised by her agency and works closely with Ms. Hansel.

Data and Analysis: Physical Interventions, Seclusion, Support Room Use, and Calls to Law Enforcement

Table 5. Interventions and Number of Incidents

Type of intervention	Number of incidents
Physical intervention	2
Seclusion	0
Support room use	0 In conjunction with physical intervention
	0 In conjunction with seclusion
	6 In conjunction with behavior incidents (not requiring physical intervention)
	0 De facto suspensions
Calls to law enforcement	1

Summary Analysis of the Use of Physical Intervention, Seclusion, Support Room Use, and Calls to Law Enforcement

During the second quarter of the 2024-2025 academic year, two physical interventions occurred. No instances of seclusion occurred nor did any use of the support room in conjunction with physical interventions. There were six instances of the use of the support room absent of the use of physical intervention and one call to law enforcement that coincided with one of the instances of physical intervention. Descriptions of the instances of physical intervention are addressed below. Additionally, the report details the procedures followed by CCCOE/Marchus School staff and administrators when an incident of physical restraint or seclusion occurs. Finally, a description of the purpose and use of the Support Room is included below.

Analysis of the Use of Physical Interventions

Two instances of physical intervention occurred during Q2 of the 2024-2025 academic year. For each instance the protocol developed by CCCOE Board-certified Behavior Analyst, Ms. Neila Hansel, was followed. A copy of that protocol is available in Appendix C of this report and has been utilized with fidelity since its development. Implementation of this protocol follows ALL instances of physical intervention and/or seclusion. Of note is the use of functional analysis and functional behavioral assessment (FBA) in all cases. The analysis of the function of behavior constitutes an evidence-based method for identifying the cause(s) of behavior(s) of concern. This use of this approach provides school-based personnel with specific information about “why” a student is engaging in certain behavior(s) and that informs the creation of strategies to help the student access or meet their needs in a safe and appropriate way. Behavior Intervention Plans are developed, continued, and modified based on FBA findings and monitored for fidelity.

CCCOE and Marchus School-based educators supplied the following descriptions of the two instances that occurred this quarter. Please note that general information is provided, as the addition of more specific information could compromise the privacy of the individuals involved in each of the instances if personally identifiable information was shared. In both cases the above referenced protocol was followed, and additional district level staff were consulted as necessary/appropriate. The two instances of physical intervention were brief (both lasting under a minute) and exercised the least amount of force necessary to intervene. Additionally, the physical intervention was only utilized for the purpose of maintaining the physical safety of the student and/or others. As soon as a safe alternative to physical intervention was available all physical intervention ceased. Further, as in prior instances of the use of physical intervention cataloged in prior reports, staff noted that both students who encountered physical intervention experienced significantly higher levels of the need for physical intervention in prior placements (i.e., not at Marchus School) and that the frequency, duration, and intensity of the physical intervention at Marchus School represents a significant reduction from the use of such interventions at all prior placements. The significant reduction of the use of physical intervention demonstrates the effectiveness of the interventions in place at Marchus School.

Student 9 (Elementary School): Use of Physical Intervention Summary

Date of Incident: *REDACTED*

Description of the Incident and Patterns/Root Cause:

Student 9 was engaged in a conflict with a peer over which student was first in line outside the classroom door. Student 9 grabbed and pulled the peer's hair. Staff removed Student 9's hands from the peer's hair and the peer ran away. Student 9 attempted to chase after the peer, so a staff member held Student 9 in a standing hold by wrapping their arms around Student 9 to prevent them from reaching the peer. The hold lasted for less than one minute and Student 9 was released the moment the peer was safe inside a classroom. Student 9 has a pattern of provoking and responding to peer conflicts, particularly during transitions from the playground or PE to academic classroom time.

What was done:

An FBA for this student was already in progress at the time of the incident, and an IEP meeting was held to review the incident and the FBA the following week. The IEP team chose to adopt the recommended behavior plan, which included antecedent strategies, replacement behaviors, and longer term social emotional skills to address behaviors associated with peer conflicts and task avoidance. According to classroom behavior data, Student 9 engaged in three major (administration managed) behavior incidents per week during the current school year prior to the completion of his FBA and implementation of his new behavior plan. After implementing the new behavior plan, Student 9 has engaged in one major incident over a period of six weeks.

Additional background:

None

Student 3 (Elementary School): Use of Physical Intervention Summary

Date of Incident: *REDACTED*

The incident and patterns/root cause:

A student threw a basketball during PE, which accidentally hit Student 3 in the head. Student 3 reacted immediately, running after the peer and attempting to hit and kick them. Support staff intervened, attempting to block Student 3's access to the peer. Student 3's behavior increased in intensity, and staff could no longer block access without using a hold while an additional staff member escorted the peer to safety. Student 3 was held for less than one minute and released the moment the peer was out of the area. Student 3 has a pattern of hypervigilance and misreading social situations, which leads to immediate reactions to any perceived injustice. Student 3 has a behavior

plan and receives social emotional lessons that have been effective in decreasing the rate of incidents over time.

What was done:

The IEP team, including Student 3's parent, met four days after the incident to update the behavior intervention plan with a revised replacement behavior addressing the student's physical responses to peer conflict. Additionally, the team implemented a check in check out system in which Student 3 meets with the school psychologist twice daily to provide daily goals and reinforcement for using coping strategies and communication tools in the absence of physical retaliation.

Additional background information:

None

WestEd Consultant Conclusions Regarding Use of Physical Interventions

Given the information provided by CCCOE's BCBA assigned to Marchus School (which included sharing detailed incident notes, prior FBA/BIP, IEP's etc.) it appears that both instances of physical intervention occurred as a "last resort" after multiple other acute (in the moment) interventions were utilized and despite the foundation of school-wide, targeted, and individualized interventions already in place. In both cases, care was taken to minimize the duration and intensity of physical intervention. Also, documentation indicates that the appropriate procedures were followed post-incident to develop a plan to meet the students' needs in the future and to reduce the likelihood of the need for physical intervention. As in prior incidents cited in older reports, given the history of physical interventions previously utilized with both students in prior placements, the use of only one low intensity physical intervention for each student represents a positive decrease in the need for this strategy and indicates the effectiveness of other interventions.

Analysis of the Use of Seclusion

No instances of seclusion occurred during quarter 2 of the 2024-2025 academic year. It is noteworthy that the CCCOE and Marchus School staff, faculty, and administrators do not have a physical space within the Marchus School campus where a student could be secluded per the definition of seclusion within the settlement agreement and by California state standards. WestEd staff directly observed all areas of the school during the November 2024 site visit and confirmed that the facilities to create a seclusion environment are not in place. Thus, as stated in the Q1 report for 2024-2025, the use of seclusion as an intervention is not possible at Marchus School due to the removal of all facilities that would support its use on school premises.

WestEd Consultant Conclusions Regarding Use of Seclusion

CCCOE and Marchus School have physically modified their setting, policies, and practices to eliminate the use of seclusion on the Marchus School campus. This has resulted in the elimination of the use of seclusion as a response to problematic behavior. Further, WestEd staff visited Marchus School in November of 2024 and did not see evidence of any facilities to support the use of seclusion on the school premises.

Analysis of the Use of the Support Room

The support room was utilized on six occasions during the second quarter of the 2024-2025 academic year. All these instances of use were independent of physical interventions. It is important to note that the Support Room is an open room staffed by at least one staff, faculty, or administrator always. ALL students attending Marchus School have the option to access the Support room at any time and no students are left unattended or retained alone in the room at any time. Thus, accessing the support room does not constitute an instance of seclusion as the support room facility itself and its use do not meet the definition of Seclusion as stated in the settlement agreement or by the state of California. The following is the description of seclusion stated in the settlement agreement:

Seclusion means the involuntary confinement of a pupil alone in a room or area from which the pupil is physically prevented from leaving. Like physical intervention, seclusion is a last resort emergency measure and may only be used as necessary to prevent serious bodily harm. The applicable law may be found at California Education Code §§ 56520-56525 and California Education Code §§ 49005-49006.4.

The following description provided by CCCOE staff states the purpose and use of the Support Room:

In some cases, at the discretion of the classroom teacher, the Support Room is used as a strategy in response to a behavioral incident wherein a student is in an escalated state. Meaning, the Support Room is one option available after a behavior incident when a student cannot safely remain inside the classroom with peers as they de-escalate. The strategy was designed in accordance with de-escalation best practices recommended by the California PENT (Positive Environments, Network of Trainers) cadre (<https://www.pent.ca.gov/pbis/tier3/escalationcycle.aspx>) and the CPI Non-violent Crisis Intervention therapeutic rapport process.

The Support Room functions as a space where the student may “cool down” following an escalation while receiving the emotional and physiological support needed to safely return to their classroom. Students are not psychologically or physically forced to go to the Support Room before they are ready, and they may leave the Support Room at any time. Often students self-select to leave the Support Room while de-escalating and re-enter on their own when they are ready to go back to class. The amount of time a student spends in the Support Room depends on their own, individual de-escalation process. There is no set time requirement.

Marchus School has the staff resources necessary to stay with students who do not choose to access the Support Room and thus accessing/visiting the Support Room is not mandatory. Instead, the Support Room functions as one of multiple options for a safe de-escalation space, based on student choice.

When a student does enter the Support Room, they are offered water and a snack (or lunch if appropriate). The student is encouraged to communicate with a staff member in the room to share their side of the story. Some students ask for space, and some prefer adult proximity and support. Either choice is honored. When the student decides they are ready to return to class, they are provided with a simple classroom assignment as appropriate and a “think it through” exercise wherein they reflect on the facts of the incident. They can choose to fill in the answers to the “think it through” on their own or talk it through with a staff member. This exercise typically requires 10 minutes to complete, however, some students may take longer if they choose to talk through the details of the incident. If a student is clearly calm and de-escalated but chooses to talk through the incident later, this request is typically honored, and staff checks in with them later when they are emotionally ready to participate in a restorative process.

WestEd Consultant Conclusions Regarding Use of the Support Room

The Support Room was utilized as described above on six occasions during this quarter. The use of this setting did not constitute seclusion, and student time in the setting varied by case. In both instances of use, student behavior was de-escalated resulting in returning to the classroom setting. Use of this setting was successful in preventing behavioral escalation from reaching the need for physical intervention in both cases. Further, practices utilized within the Support Room setting (i.e., restorative conversations, focusing on meeting basic needs, etc.) demonstrate alignment and integration with staff’s recent professional development surrounding restorative practices and an alignment with Social Emotional Learning (SEL) curriculum concepts such as emotional self-regulation.

During the 2024 November site visit, WestEd staff was able to visit the support room. This room is staffed by two to three teachers/support staff at a given time. Further, the room is unlocked, bright, open, contains desks, academic materials, craft supply/art materials, calm down centers with comfortable seating, technology (i.e., computers), and a snack and drink station for students. While visiting the room, WestEd staff observed three students who self-selected to spend time in the support room. One student was working on a sketch in a bean bag to cool down. Two other students were working on classwork together and a staff member was assisting as needed. Students independently expressed how much they enjoy utilizing the support room and how it has helped them to have a safe space to deal with emotions, complete academic work, etc. Observations and interactions during this visit confirm the description of the purpose and use of the support room are accurate as provided by Marchus School staff.

Analysis of Calls to Law Enforcement

One call to law enforcement occurred during Q2 of the 2024-2025 academic year on 11/7/24. This contact was for a middle school student and was not connected to the two instances of physical intervention (with elementary students) described above.

The incident and patterns/root cause:

The student involved in this incident was watching videos in their cell phone in the classroom, unwilling to engage in academic lessons. When the phone's battery died, the student attempted to plug it in. The teacher told the student they were not allowed to plug in their phone unless they participated in class. The student became upset and pushed the teacher to get by. The teacher radioed for help from behavior support. When support staff arrived, they picked up the student's backpack and asked the student to come outside. The student pushed the support staff member and swung at them on the way out. Once outside, the student shoved and attempted to hit support staff again, and another teacher in the area stepped in to block the student's access. The student started making phone calls to their family members and threatened specific serious harm to the coach and the support staff.

The school placed a call to law enforcement out of concern for the safety of staff and the student when the student continued to follow and target staff after staff attempted to walk away. Additionally, the student's mother had previously advised staff to call law enforcement in situations when the student becomes escalated and threatens staff.

This student has a pattern of pushing and threatening school staff when prevented from charging their phone during the school day. The student has a behavior plan addressing this behavior, and staff has successfully de-escalated all incidents prior to this incident.

What was done:

The student's mother met with the principal and school psychologist to discuss the incident and changes to the behavior plan prior to the student returning to school. The school is currently working with the parent and district to schedule an IEP meeting to officially update the behavior intervention plan with agreed-upon changes.

WestEd Consultant Conclusions Regarding Calls to Law Enforcement

It appears that the involvement of law enforcement was necessary due to the escalation of the behavior described by CCCOE/Marchus School educators. Additionally, the student's mother had previously advised staff to call law enforcement in situation when her child (i.e., the student) becomes escalated and threatens staff. Given the potential danger to other students and school staff coupled with the wishes of the student's parent, this intervention appears to have been appropriately utilized.

Implementation of PBIS Program and SEL Curriculum Review & Analysis

As mutually agreed, upon by WestEd and CCCOE/Marchus School, Dr. MacSuga-Gage visited Marchus School during November 2024 (Appendix D contains the site visit agenda and follow-up Memo post-visit). The purpose of this visit was to conduct an evaluation of the PBIS program including the interventions, policies, and practices across all three tiers of support (i.e., universal/tier 1, targeted/tier 2, and individualized/tier 3).

During her visit, Dr. MacSuga-Gage administered the walkthrough portion of the TFI (see the attached TFI score sheet in Appendix E) and learned that the Marchus School PBIS team had previously completed the Tiered Fidelity Inventory (TFI) in June of 2024. Given that the team already completed the TFI, Dr. MacSuga-Gage requested that Marchus School Administration provide a copy of the prior assessment. Marchus School staff requested copies of this assessment from CCCOE district staff in November 2024, December 2024, and January 2025. Prior to the submission of this report Marchus School staff did not receive a response from the district and therefore is submitting the recently completed (as of December 2024) Tier 1 TFI scores. A review of the TFI data coupled with the observations in November confirmed that Marchus School is currently implementing Tier 1 PBIS with full fidelity (i.e., 93% score on the TFI for Tier 1). With respect to Tier 2 and Tier 3, the administration in conjunction with the PBIS team is currently focused on continuing to build and enhance those areas.

During the November 2024 site visit, WestEd staff worked with Marchus School staff to create a table of programs, practices, and curriculum for social, emotional, and behavior support by target audience (i.e., who the consumers of each listed program/practice/or curriculum are) and tier of support. This information is provided below in Table 6 and provides evidence of a wide variety of research supported and evidence-based practices in place at the school across all tiers and grade levels.

Table 6. List of Programs, Practices, and Curriculum for Social, Emotional, and Behavioral Support by Target Audience and Tier

Target Audience	Tier 1	Tier 2	Tier 3
K-3	Kimochies		
K-12	Mind-up		
K-5	Zones of Regulation – curriculum -Students may have these in the classroom where they check-in with the zones, carry around		

	cards, and link reinforcers to the zones/performance		
MS & HS & New Students at Marchus when added to the school		Zones of Regulation	Zones of Regulation
K-8	Social Thinking -Superflex	Superflex – targeted issues/skills (e.g., families)	Superflex
K-5	Say Something (elementary version of signs of suicide) – sandy hook training		
MS & HS	Signs of Suicide		
MS & HS	Sexuality for All Abilities		
K-5	Open Conversations Curriculum – Teaching kids of all abilities about bodies, boundaries consent, safety, and healthy relationships		
K-12 Positive Behavior Interventions & Supports (PBIS)	<p>Token Economy – Pride Buck’s & High 5</p> <p>Monthly Assembly – Focusing on a skill/theme of the month (word of the month corresponding to the explanation) – E.g., Positive – focusing on positive language use – link back to pride matrix and earn school-wide reward – (e.g., in-control = breakfast celebration) & each month each teacher from every class is chosen and those students are given another additional event with the principal and a certificate.</p> <p>Focus of the month is taught in each classroom as well</p>		

	(corresponding to the matrix and word of the month).		
K-5 MS	Co-teaching/push-in social skills instruction based on issue data – counselor provides books, social stories, etc. to help teacher to have resources to teach this. There are often activities and/or meetings with the teacher and the counselor together (approximately 1x per month or every other month) at the elementary level.		Individual counseling/social skills instruction as needed with students (e.g., targeting hate speech) – this was addressed at whole class level in MS and then a few students received individual support
K-12		Check-in/Check-Out (CICO)	
K-12	Classroom community circles (Tier 1 restorative practices – preventative/proactive)	Restorative circles with groups of students struggling with similar issues and/or a group of students involved in the same issue	Restorative conversations with individual student, families, and others involved
K-12		Small group counseling based on issue – Group reflection on actions and impact on others	1:1 counseling as needed regardless of FBA/BIP or IEP status – On-demand and meetings are frequent
K-12			Behavior Intervention Plans per IEPs Crisis Intervention/safety plans
K-12	Morning Meetings/Advisory or 1 st period meetings Direct social skills instruction using social stories – e.g., not teasing and asked students to say what they are focusing on today		

K-12	Community building activities & Community Check-ins		
K-12	<p>Classroom management strategies</p> <ul style="list-style-type: none"> - Greeting students at the door & counselors try to make a touchpoint with students & staff greets students as they get off the bus and come into school - 4:1 and 5:1 ratio of BSP - Group contingencies – Inter and intra dependent – uses “caught in the moment” positive behaviors to earn field trips, etc. (modified by grade level & student ability) - Good behavior game 		
K-12	<p>Leadership clubs and student activities run frequent events that students have access too (e.g., thanksgiving feast, holiday fair selling crafts, talent show, pride day, student vs. staff kickball, field day, spirit week 3x per year, read across America) – non-contingent – community building available to all-school community. PE also has frequent field trips to park and around the neighborhood, etc. (typically older students can access this more frequently)</p>		
K-12	Literacy coach available to consult and support teachers with curriculum design and instruction	Literacy Coach offers/pulls students for small group supports	Literacy coach works with individual kids.
MS & HS At times 3-5 th grade	Various student interest clubs		

<p>students by invitation & teacher approval (i.e., upper elementary)</p>	<p>Leadership club – this is the group that works to lead school. Student Activities – teacher lead activities that work with the leadership team</p> <p>LGBTQIA+ Club – meets 1x per month to connect</p> <p>Gardening Club</p>		
<p>HS</p>		<p>Counselor run DBT Intervention for High School students who would benefit from this based-on issues with attendance, etc. Will target specific students. Using DBT for schools for intervention group – run on a 12-week cycle or an 8–10-week cycle and then restart based on folx in need and new students to the school and then have a part 2</p>	
<p>K-12</p>	<p>Support Room – staffed by 3 folx and always available</p>		
<p>K-12</p>	<p>Wellness Center – starting 2025-2026 will be staffed by social work and potentially psych interns.</p>		
<p>K-12</p>	<p>Support Staff for Teachers</p> <p>Weekly consults with teachers and psych team that include the teachers, counselors, and aides</p>		

	<p>– this is approximately 30 minutes to trouble shoot behaviors. School psych’s do this proactively and regularly.</p> <p>Neila (BCBA) available to provide classroom management (assistance overall with the classroom) consult as needed and for students who need additional/more specific supports then the school psych and/or the teacher will reach out to Neila to look at student need and potentially FBA/BIP or other evaluation.</p>		
k-12			Wrap-around community supports that include outside of school and in-school counselors.
k-12			Connection with and access to community-based mentors – they can be involved in wrap-around services.
All Staff	<p>PD Training for Staff and Teachers (2 years)</p> <ul style="list-style-type: none"> - Restorative Practices - Restorative Circle Training 2x - CPI - Reframing Behavior - Equity Training - PBIS booster training - PBIS rollout for the school explaining how to utilize the school-wide systems 		

	<ul style="list-style-type: none"> - SPED Legal Training from district on how to address IEP issues - Risk/Threat assessment protocols for the district & suicide assessment protocol - Additional suicide prevention training 		
Teachers	<p>Curriculum Training DBR data collection training Sexuality for All Training (MS & HS)</p>		
School Psych, social workers, BCBA, & Admin	<ul style="list-style-type: none"> -Restorative practices facilitator training – will provide PD to staff - Re-framing behavior facilitator training – will provide PD to staff -PREPARE – steven brock emergency preparedness training based on ICS with a mental health lens and school-based response- how do you escalate crisis response across tiers and how do you mitigate trauma to students and staff. 3 staff are trained to be trainers/facilitators. -Community discussions of threat assessment protocols 		

General description and grade-level analysis of PBIS supports

The Marchus School PBIS team has implemented a comprehensive, three-tier PBIS program, providing evidence-based supports to all students across each grade level (k-12). Marchus School's PBIS team consists of instructors, administrators, Neila (the BCBA/Behavior expert), and support staff/others as needed. The team meets regularly for ongoing planning and data-based decision making, and consists of the BCBA, school principal, teachers, clinical staff, and paraprofessionals representing each grade level. The current priority for the PBIS team is ensuring implementation fidelity at the tier 1 level.

Tier 1: Supports at this level are accessed by all students at Marchus School. Key features of the tier 1 interventions and supports include:

- PRIDE Matrices outlining the behavior expectations for each area of the school, such as the classrooms, culinary arts, gym, hallways, etc.
- Visual aids depicting the relevant PRIDE matrix are posted in each of the classrooms and common areas of the school.
- A token economy system in which students earn "Pride bucks" for engaging in the expected behaviors.
 - Each classroom has its own self-contained "store" where students can spend their Pride bucks on tangible items or preferred activities.
 - Pride bucks are also used to enter students into raffles, which take place during monthly, schoolwide assemblies (below).
- Word of the Month (WOM) assemblies.
 - Each month, staff and leadership students explicitly teach the expectations associated with one word from the PRIDE matrix: Positive, Responsible, In-control, Dependable, Engaged.
 - Reinforcement for students following expected behaviors leading up to each assembly is delivered through raffles, student of the month.

Variations by grade level: The Tier 1 supports are standardized across all grades, however, there is some variation in the way students earn and spend Pride bucks within the classrooms to accommodate the wide range of developmental levels. For example, elementary students earn pride bucks in-the-moment during class time for engaging in expected behaviors. Middle school students utilize a Self and Match system, an evidence-based classroom management system, to earn Pride bucks based on their self-scoring combined with the teacher's impression. High school students follow a similar protocol, called "Personal Reflection," at the end of each academic period.

Currently, according to the TFI, Marchus School is implementing Tier 1 of PBIS with 93% fidelity. The minimum score indicating implementation with fidelity on the TFI for Tier 1 is 70%. Thus, Marchus School is a highly achieving implementation site.

Tier 2: This tier is represented by a robust group counseling program. While tier 2 supports are typically meant for “some” students in a school, group counseling is provided for every student at Marchus School due to the nature of the school’s focus on counseling as part of the education curriculum. Counseling staff confirmed that group counseling is provided to all students by grade-level. Selection of assigned groupings is developed by area of need across grade levels. In addition to group counseling, School Psychologists in each grade level push into classrooms as needed to address social conflicts and provide restorative practices. Table 6 above details the programs, interventions, and curricula utilized at Marchus School to address needs at this level and across all tiers. Currently, according to the TFI, Marchus School is implementing Tier 2 PBIS with 62% fidelity (Note: A score of 70% or higher indicates full fidelity of implementation). Based on the data, Tier 2 is the only area that is not being implemented with full fidelity. To address this issue, the school shared their action plan for the PBIS team and has the following areas of focus regarding Tier 2 to increase the fidelity of implementation at this tier:

- Formalize the process for identifying students to target for Tier 2
- Formalize a process for staff to request assistance for implementation of a Tier 2 strategy or to obtain support making data-based decisions to fade interventions
- Develop a job aid or other asynchronous training resource to be accessed by all staff as needed
- Explore PBIS Apps "CICO SWIS" data collection tool
- Pilot additional social skills groups in addition to current counseling groups provided to all students

Tier 3: Every student at Marchus School has an IEP and receives the individual accommodations identified in their document. In addition, approximately 48% of students have individualized behavior intervention plans (BIPs) attached to their current IEPs, which are followed by their classroom teachers and support staff. In addition, approximately 70% of students receive individual counseling services as provided per their IEPs. Currently, according to the TFI, Marchus School is implementing Tier 3 PBIS with 71% fidelity (Note: A score of 70% and above equates to implementing with fidelity on this measure). Additionally, a review of their process for conducting Functional Behavioral Assessments (FBAs) and writing and implementing Behavior Intervention Plans (BIPs) demonstrates alignment with best practices. Once again, Table 6 above details the programs, interventions, and curricula utilized at Marchus School to address needs at this level and across all tiers.

General description of the SEL curriculum and implementation by grade level

The social emotional learning (SEL) curriculum is implemented by School Psychologists and Social Workers during group and individual counseling sessions for all students across each grade level. MindUP is the primary schoolwide SEL curriculum, however, the clinical team also overlays modules from additional models such as Kimochis (elementary) and Social Thinking (middle school). A complete list of SEL programs/curriculum can be found in Table 6 above.

Use of SEL curriculum as it relates to physical interventions, seclusion, support room use, and calls to law enforcement

The SEL curriculum is used as a prevention strategy to reduce reliance on reactive plans, including physical intervention, seclusion, support room use and calls to law enforcement. The curriculum teaches students the social skills and coping strategies necessary to appropriately self-advocate for their needs, thereby diminishing students' reliance on "acting out" behaviors to communicate their needs. Students learn developmentally appropriate tools for reading and responding to social interactions, which leads to increased prosocial behaviors to contact natural reinforcement with peers and adults. They also learn to identify and understand their own emotions, along with coping strategies for managing upsetting situations, disappointment, etc. Most importantly, students learn to appropriately communicate their needs to school staff to access breaks, additional support, or other tools to help them stay safe at school.

Description of how registered behaviorists are engaged in PBIS program and SEL curriculum

The BCBA is a member of the PBIS team, with a focus on assisting the team in interpreting and applying behavior data, used to evaluate and drive future implantation strategies. The BCBA is not directly involved in the implementation of the SEL curriculum program due to the nature of the Marchus School counseling and education programming, which includes a robust team of School Psychologists and social workers.

WestEd Overarching Recommendations

WestEd consultant, Dr. MacSuga-Gage, has had the opportunity to virtually meet with CCCOE and Marchus School educators via zoom, phone, and face-to-face during a November 2024 site visit. Additionally, she has had the opportunity to review records including prior reports, case information, and student related materials. Based on the review of data and her subsequent site visit Dr. MacSuga-Gage has seen evidence that many best practices are currently in place at Marchus School. Based on a review of the records, assessments, and direct observations, the following recommendations are offered currently:

- A.** During her visit to Marchus School, Dr. MacSuga-Gage learned that the TFI assessment was previously completed at the end of the 2023-2024 academic year by Marchus School Staff. Marchus School staff worked to obtain a copy of their completed TFI from the district. Additionally, Dr. MacSuga-Gage and Ms. Hansel conducted a walkthrough assessment that is part of the TFI. Assessment scores indicate that Marchus School staff is currently implementing Tier 1 PBIS with fidelity (i.e., 70% or greater; McIntosh et al., 2017). Their overall Tier 1 score is 28 out of 30, equating to 93.3% fidelity of implementation. During the subsequent quarter(s) of the 2024-2025 academic year, it is recommended that the PBIS team use the TFI instrument to create an action plan with specific areas they will improve. Action Plan focus should include lower scored areas of the TFI. The PBIS team currently has goals in place related to improving Tier 2 implementation that were shared previously in the description of the SEL curriculum in the prior section of this report.
- B.** During the site visit, Dr. MacSuga-Gage worked with CCCOE/Marchus School educators and interventionists to develop a comprehensive list of practices and interventions available to students across the three tiers of support. Since Marchus School is an alternative school setting, there are practices that constitute universal supports at Marchus School which may be utilized as targeted or individualized supports in a general education setting/context. Thus, it is important to create a specific profile of Marchus School's PBIS and SEL practices that reflects the function and purpose of the school. Table 6 within the body of this report catalogues those programs, practices, and curriculum used to address SEL. A review of this table demonstrates that many varied practices and interventions are available and utilized. Thus, the recommendation moving forward centers on CCCOE providing funding and/or coverage for support staff and classroom teachers to attend trainings conducted by school and district administration. These trainings would focus on implementation of interventions and provide support staff and classroom teachers with important professional development of knowledge and skills regarding behavior support.
- C.** Per the prior report for Q1, Marchus School staff utilized the TATE to guide their FBA & BIP design. Ms. Hansel modified the team's current BIP protocol to include the only missing element from the TATE. It is recommended that the Marchus School staff continue to utilize this format and process moving forward.
- D.** Examination of the lower scoring areas across Tiers on the TFI indicates the need to utilize a database to collect data across all three tiers. To date, Marchus School has been able to use School Wide Information Systems (SWIS) data collection to look at Tier 1 data. However, it is recommended that the district provide Marchus School with funding for or access to the complete PBIS App assessment suit <https://www.pbisapps.org/> which collects data across all three tiers and allows for data to be synthesized and interpreted in various formats including by program, tier of intervention, type of intervention, and individual student outcomes. Access to this

assessment platform would allow Marchus School staff to meet their goals for improvement surrounding Tier 2 PBIS implementation and would support continued implementation with fidelity at Tiers 1 and 3.

- E. As stated in the prior report (Q1 for 2024-2025) Marchus School should continue to move forward with their initiatives related to training staff and faculty on alternatives to the use of physical intervention. Specifically, CCCOE and Marchus School educators should continue to integrate restorative practices, verbal de-escalation, and other evidence-based/research-supported practices. Support from CCCOE (referenced in recommendation “B” above) should be provided to support these initiatives.

Appendix A

Author Qualifications

Ashley MacSuga-Gage

WestEd, 730 Harrison Street, San Francisco, CA 94107

SUMMARY OF RELATED EXPERIENCE

Ashley MacSuga-Gage is a Senior Research Associate in the Special Education Policy and Practice division at WestEd. She is also a Clinical Associate Professor of Special Education at the University of Florida in the college's department of Special Education, School Psychology, and Early Childhood Studies. Dr. MacSuga-Gage has also worked in partnership with the Florida Positive Behavior Intervention and Support (FLPBIS) Project serving as the technical assistance specialist in North Central Florida supporting both rural and urban school districts. Her areas of expertise include identifying and supporting teachers in the implementation of Class-Wide Positive Behavior Support practices, the application of Multi-Tiered Systems of Support, and the implementation, sustainability, and scale-up of SWPBIS efforts. MacSuga-Gage received a BS, MA and PhD in Special Education from the University of Connecticut.

EDUCATION

2013 PhD, Special Education, University of Connecticut

2006 MA, Special Education, University of Connecticut

2005 BS, Special Education, University of Connecticut

PROFESSIONAL EXPERIENCE

2023–Present

**Senior Research Associate, Special Education Policy and Practice
WestEd, San Francisco, CA**

Conducts research design and data collection activities for various projects involving Positive Behavior Intervention and Supports (PBIS) and Multi-Tiered Systems of Support (MTSS).

2021–Present

Clinical Associate Professor of Special Education, School of Special Education, School Psychology, and Early Childhood Studies, University of Florida, Gainesville, FL

Serves as the Principal Investigator (PI) for Project Integrate: Integrating School-wide Positive Behavior Interventions and Supports and School Mental Health Services using the Interconnected Systems Framework funded by Office of Special Education Services (#H325D190027), Program Coordinator for Disability and Society Undergraduate Minor and

Graduate Certificate Programs, and Coordinator of the Unified Elementary Undergraduate and Master's Programs.

2015–Present

Technical Assistant Specialist University of Florida's Positive Behavior Interventions and Supports (FLPBIS) Project, School of Special Education, School Psychology, and Early Childhood Studies, University of Florida, Gainesville, FL

Coordinate and assist rural and urban school districts with PBIS implementation across the state of Florida.

2015–2021

Clinical Assistant Professor of Special Education, School of Special Education, School Psychology, and Early Childhood Studies, University of Florida, Gainesville, FL

Coordinated staffing and all program components of the Unified Proteach Elementary Undergraduate and Graduate Programs, served as Program Area Leader of Special Education, and taught undergraduate and graduate courses across both in-person and online formats.

SELECTED PUBLICATIONS AND PRESENTATIONS

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SELECTED PROFESSIONAL ACTIVITIES

- University of Florida College of Education Faculty Policy Council Chair (2023–2024)
- Associate Editor *Preventing School Failure* (2022–present)
- Member Florida Center for Students with Unique Abilities Committee (2018–present)
- Consultant, P.K. Yonge Research and Development School; training and developing behavior supports (2014–present)
- Consultant, Association for Positive Behavior Support (APBS); investigating network functioning and promoting network sustainability and development (2013–present)
- Member Association for Positive Behavior Support Training and Education Committee (2012–present)

PROFESSIONAL AFFILIATIONS

- Council for Children with Behavior Disorders
- Council for Exceptional Children (CEC)
- Teacher Education Division (TED) Council for Exceptional Children
- The Association for Positive Behavior Support

NEILAHANSEL

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WORK EXPERIENCE

Board Certified Behavior Analyst Contra Costa County Office of Education | Pleasant Hill, CA | July 2023 - Current

- Provide consultation to teachers, school psychologists, and service providers for implementation of school-wide PBIS supports, evidence-based classroom management strategies, individual student interventions, and data collection methods
- Provide professional development for staff in trauma-informed crisis management, evidence-based preventative strategies, and restorative practices
- Assess for behavior plan implementation fidelity
- Conduct FBAs and develop student-centered behavior plans

BCBA CLINICAL SUPERVISOR SPG Therapy and Education | Walnut Creek, CA | March 2022 - July 2023

- Conduct FBAs and student-centered Positive Behavior Support Plans
- Provide classroom training and consultation for implementing PBIS reward systems
- Collect and analyze data to measure student progress and make data-based decisions
- Collaborate with interdisciplinary teams to develop individualized education plans (IEPs)
- Provide direct behavior intervention services to students in crisis with compassionate reactive strategies
- Train and supervise RBTs supporting individual students in district public schools, nonpublic schools, and county programs

BCBA CLINICAL SUPERVISOR Positive Pathways, LLC | Antioch, CA | April 2021 - March 2022

- Supervise clinic-based ABA services
- Produce comprehensive, detailed FBAs and progress reports
- Prepare health insurance rationals as needed to ensure appropriate services
- Deliver empathetic and supportive parent education
- Train and supervise RBTs to ensure treatment fidelity and ethical delivery of services
- Provide quality, ethical supervision for BCBA candidates

BCBA CLINICAL SUPERVISOR Behavior Treatment and Analysis | Walnut Creek, CA | Jan 2021 - April 2021

- Conduct home-based FBAs

- Design and implement individualized treatment programs
- Supervise behavior technicians

PROGRAM SUPERVISOR Behavior Treatment and Analysis | Walnut Creek, CA | March 2019

– Jan 2021

- Train and supervise behavior technicians
- Provide ongoing parent training
- Manage client treatment plans

CERTIFICATION

BOARD CERTIFIED BEHAVIOR ANALYST Certification# 1-20-46726

EDUCATION

MASTER'S DEGREE, APPLIED BEHAVIOR ANALYSIS National University | San Diego, CA

MASTER'S DEGREE, COUNSELING PSYCHOLOGY California State University, East Bay | Hayward, CA

BACHELOR'S DEGREE, PSYCHOLOGY University of California, Santa Barbara | Santa Barbara, CA

Appendix B

References

References:

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- Wright, P. W. D., & Wright, P. D. (2021). *Wrights law: Special Education Law, 3rd Edition*. Harbor House Law Press.

Appendix C

Behavior Emergency Report Toolkit

Student _____ Case Manager _____ Date of incident _____

BEHAVIOR EMERGENCY REPORT (BER) CHECKLIST
Case manager checklist for each BER report filed in the 24-25 school year

Section A: Reporting requirements and documentation				
Date	Initials			
		Notify caregiver of emergency intervention used on the same day the incident occurred. <input type="checkbox"/> Phone <input type="checkbox"/> E-mail <input type="checkbox"/> In Person <input checked="" type="checkbox"/> Other		
		<table border="0"> <tr> <td style="vertical-align: top;"> Schedule a Post-incident Review / COPING meeting on the same day of the incident unless not possible due to the timing of the incident, in which case the meeting should occur the next day. </td> <td style="vertical-align: top;"> Invite the following personnel: <input type="checkbox"/> School psychologist or social worker assigned to the student (required) <input type="checkbox"/> Case manager and parties present during the incident (required) <input type="checkbox"/> BCBA and <input type="checkbox"/> Principal (BCBA or principal attendance is preferred but not required by regulations) </td> </tr> </table>	Schedule a Post-incident Review / COPING meeting on the same day of the incident unless not possible due to the timing of the incident, in which case the meeting should occur the next day.	Invite the following personnel: <input type="checkbox"/> School psychologist or social worker assigned to the student (required) <input type="checkbox"/> Case manager and parties present during the incident (required) <input type="checkbox"/> BCBA and <input type="checkbox"/> Principal (BCBA or principal attendance is preferred but not required by regulations)
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		Bring the <i>Post Incident Review Meeting</i> outline and COPING process page to the meeting (included in the BER incident packet). Use these pages to document the discussion and outcomes.		
		Use information from the Post Incident Review Meeting to complete the BER report within 24 hours of the incident		
		Submit the BER report to the site administrator for signature within 24 hours of the incident		
		Submit (via email) the signed BER report to the data technician within 24 hours of the incident for distribution to District Program Specialist, BCBA, COE Director of Special Education, and the student's file		
		Submit the Post Incident Review Meeting documentation to BCBA (copies or originals; paper or email)		
		<table border="0"> <tr> <td style="vertical-align: top;">Does the student have a Behavior Intervention Plan (BIP)?</td> <td style="vertical-align: top;"> Yes <input type="checkbox"/> Go to next question No <input type="checkbox"/> Schedule an IEP team meeting within 2 days. Proceed to section B </td> </tr> </table>	Does the student have a Behavior Intervention Plan (BIP)?	Yes <input type="checkbox"/> Go to next question No <input type="checkbox"/> Schedule an IEP team meeting within 2 days. Proceed to section B
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		<table border="0"> <tr> <td style="vertical-align: top;">Does the BIP effectively address the behavior resulting in physical intervention? (Have incidents decreased since implementing the BIP? Have strategies from the BIP reliably prevented the behavior in the past?)</td> <td style="vertical-align: top;"> Yes <input type="checkbox"/> Offer the caregiver an IEP team meeting to be held within 30 calendar days after the use of the emergency intervention. If the caregiver declines, discuss the incident during the next scheduled IEP meeting. Proceed to section B No <input type="checkbox"/> Schedule an IEP team meeting within 2 days. Proceed to section B </td> </tr> </table>	Does the BIP effectively address the behavior resulting in physical intervention? (Have incidents decreased since implementing the BIP? Have strategies from the BIP reliably prevented the behavior in the past?)	Yes <input type="checkbox"/> Offer the caregiver an IEP team meeting to be held within 30 calendar days after the use of the emergency intervention. If the caregiver declines, discuss the incident during the next scheduled IEP meeting. Proceed to section B No <input type="checkbox"/> Schedule an IEP team meeting within 2 days. Proceed to section B
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Section B: Procedure for IEP meeting				
Date	Initials			
		Bring to the meeting: <i>IEP Incident Review Questions</i> (included in BER packet) and a copy of the student's BIP if applicable		
		Review the behavioral incident with the IEP team, ensuring <i>IEP Incident Review Questions</i> are covered		
		<table border="0"> <tr> <td style="vertical-align: top;">Determine as a team: Does the IEP or BIP contain strategies to effectively address the behavior that led to physical intervention?</td> <td style="vertical-align: top;"> Yes <input type="checkbox"/> Continue to implement the IEP or BIP as written. Proceed to section D No <input type="checkbox"/> Proceed to section C </td> </tr> </table>	Determine as a team: Does the IEP or BIP contain strategies to effectively address the behavior that led to physical intervention?	Yes <input type="checkbox"/> Continue to implement the IEP or BIP as written. Proceed to section D No <input type="checkbox"/> Proceed to section C
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Section C: Create or modify the BIP				
Date	Initials			
		<table border="0"> <tr> <td style="vertical-align: top;">Does a Behavior Intervention Plan exist for the student?</td> <td style="vertical-align: top;"> Yes <input type="checkbox"/> IEP team discusses BIP modifications and approves a revised plan during the meeting. Proceed to section D No <input type="checkbox"/> BIP will need to be created. Proceed to next question </td> </tr> </table>	Does a Behavior Intervention Plan exist for the student?	Yes <input type="checkbox"/> IEP team discusses BIP modifications and approves a revised plan during the meeting. Proceed to section D No <input type="checkbox"/> BIP will need to be created. Proceed to next question
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		<table border="0"> <tr> <td style="vertical-align: top;"> 1. Does the IEP team understand the function/purpose of the student's behavior? 2. Is the IEP team able to determine a functional equivalent replacement behavior (FERB)? </td> <td style="vertical-align: top;"> Yes, to both questions <input type="checkbox"/> IEP team will create a BIP. Proceed to next question No, to either question <input type="checkbox"/> FBA is required <input type="checkbox"/> Send an AP form to the caregiver for signature <input type="checkbox"/> Contact BCBA at the conclusion of the meeting. Proceed to section D </td> </tr> </table>	1. Does the IEP team understand the function/purpose of the student's behavior? 2. Is the IEP team able to determine a functional equivalent replacement behavior (FERB)?	Yes, to both questions <input type="checkbox"/> IEP team will create a BIP. Proceed to next question No, to either question <input type="checkbox"/> FBA is required <input type="checkbox"/> Send an AP form to the caregiver for signature <input type="checkbox"/> Contact BCBA at the conclusion of the meeting. Proceed to section D
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		<table border="0"> <tr> <td style="vertical-align: top;">Identify who will collect what behavior data during what time period to revise the BIP</td> <td style="vertical-align: top;"> Who _____ What _____ When _____ Proceed to next step </td> </tr> </table>	Identify who will collect what behavior data during what time period to revise the BIP	Who _____ What _____ When _____ Proceed to next step
Identify who will collect what behavior data during what time period to revise the BIP	Who _____ What _____ When _____ Proceed to next step			
		<table border="0"> <tr> <td style="vertical-align: top;">Determine when the IEP team will meet to present draft of revised BIP</td> <td style="vertical-align: top;"> When _____ Who will bring draft _____ Proceed to next step </td> </tr> </table>	Determine when the IEP team will meet to present draft of revised BIP	When _____ Who will bring draft _____ Proceed to next step
Determine when the IEP team will meet to present draft of revised BIP	When _____ Who will bring draft _____ Proceed to next step			
		Convene follow-up IEP meeting, present BIP draft, implement revised BIP. Proceed to section D		
Section D: IEP Meeting documentation				

		<p>Prior to signing IEP, review notes to ensure they document IEP team discussed these items:</p>	<ul style="list-style-type: none"><input type="checkbox"/> ABC's of the incident and any interventions attempted prior to physical intervention<input type="checkbox"/> Whether the student has a current BIP that adequately addresses the behavior that led to the use of physical intervention<input type="checkbox"/> Whether a BIP needs to be created or revised<input type="checkbox"/> A plan for creating or revising the BIP, if applicable<input type="checkbox"/> A plan for an FBA, if applicable
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POST INCIDENT REVIEW MEETING

1. COPING as needed
2. Determine reporting obligations according to cal. ed code 56521.1
 - a. If today's incident involved behaviors not adequately addressed in a BIP for this student, an IEP meeting is required and must be scheduled within 2 days of the incident
 - b. If today's incident involved behaviors that *are* adequately addressed in the student's BIP, offer a meeting to the parent, however, it is not mandatory.
 - i. If the parent does *not* wish to have a meeting, the incident must be discussed in the student's next scheduled IEP meeting.
 - ii. If the parent *does* wish to have an IEP meeting to discuss the incident, the meeting must be scheduled within 30 days of the incident.
3. Was the student interviewed about the incident or otherwise offered an opportunity to provide input?
 - a. If yes, what did the student have to say?
 - b. If no, why not?
4. Draft a timeline of the incident and include
 - a. What alternative interventions were attempted?
 - b. Discuss the use of physical intervention
 - i. For what purpose
 - ii. How long
 - iii. Was the hold proportionate with the immediate risk?
 - c. Discuss any call to police (if applicable): for what purpose were the police called?
5. Analyze the A/B/Cs (antecedent, behavior, consequence) related to the incident
6. Is there anything that can be done differently in the future, should the same scenario occur again?
7. Are there any opportunities for training or other support to prevent future incidents?

MODULE 8 | Post-Crisis

The COPING Mode/SM



INDIVIDUAL



STAFF

<p>CONTROL - Ensure that emotional and physical control is regained.</p> <ul style="list-style-type: none"> I'd like to talk about what happened earlier. Do you have a few minutes? 	<p>C</p>	<p>CONTROL - Ensure that emotional and physical control is regained by the staff.</p> <p>Start the conversation by acknowledging staff's feelings and then asking permission to discuss.</p>
<p>ORIENT yourself to the basic facts.</p> <ul style="list-style-type: none"> What happened? When did it happen? Who else has been affected? Why did it happen? Where did it happen? 	<p>O</p>	<p>ORIENT yourself to the basic facts.</p> <ul style="list-style-type: none"> What happened? When did it happen? Who else has been affected? Why did it happen? Where did it happen?
<p>PATTERNS - Look for patterns for the behavior.</p> <ul style="list-style-type: none"> Is this the first time the individual reacted that way, or has it become a recurring event? 	<p>P</p>	<p>Pt TTERNS - Look for patterns in staff responses to the behavior.</p> <p>Review the staff response history. Are there patterns in how the team or specific staff members responded?</p>
<p>INVESTIGATE alternatives to the behavior.</p> <ul style="list-style-type: none"> What could you do differently next time? What should we do to put things right? What were you thinking about at the time of the incident? 		<p>INVESTIGATE ways to strengthen staff responses. With team members, propose and discuss potential solutions.</p> <ul style="list-style-type: none"> What were you thinking about at the time of the incident? What changes should be considered to help prevent future crisis events or to improve a future response?
<p>NEGOTIATE future approaches and expectations of behavior.</p> <ul style="list-style-type: none"> What can we do to help you when you feel distressed? Is there anything you don't want us to do during these moments? 	<p>N</p>	<p>NEGOTIATE changes that will improve future interventions. Reinforce what's working well.</p> <p>Example: "Is there anything you would have done differently?"</p> <p>Discuss and gain commitment from all staff to ensure that any improvements will be made.</p>
<p>GIVE back responsibility; provide support and encouragement.</p> <ul style="list-style-type: none"> I appreciate you talking with me. Do you agree with the plan that we just discussed? 	<p>G</p>	<p>GIVE support and encouragement. Express trust and confidence in their ability to respond during the next crisis.</p>

IEP INCIDENT REVIEW QUESTIONS

- 1) Has the IEP team reviewed the A/B/C analysis (antecedent, behavior, and consequence) related to the incident or concern?
- 2) Was the student interviewed about the incident or otherwise offered an opportunity to provide input on what happened? If so, what did the student say? If not, why not?
- 3) If a student has services with a registered behaviorist in their IEP, has the student been observed in the classroom recently by the registered behaviorist? If so, what were their recommendations? If not, is an observation necessary?
- 4) Has there been an FBA? Does it include behaviors related to the behavior incident?
- 5) Does the student have a current BIP? Does the BIP reflect the student's strengths? Does it evidence positive supports and preventative supports? Does it need to be revised?
- 6) Does the FBA, BIP, and IEP address the behavior and interventions that led to the incident?
- 7) Was the BIP followed? If not, why not?
- 8) What else would help the IEP team understand the student's situation/behavior?
 - a. Are new assessments and/or evaluations needed? Consider needs related to:
 1. Academic needs (unmet reading or other learning needs)
 2. Sensory/motor difficulties
 3. Mental health needs, including trauma
 4. Attention concerns, attention deficit hyperactivity disorder, distractibility, and focus
 5. Speech and language issues; and/or
 6. Other disabilities, including but not limited to autism spectrum. Are there potentially unidentified disabilities?
 - b. Does there need to be a new FBA or a first one?
 - c. Does there need to be a new BIP or a first one

Appendix D

Site Visit Documents:

- Site Visit Agenda
- Post-Site Visit Memo

WEST ED SITE VISIT AGENDA

Location: Marchus School; 2900 Avon Avenue, Concord, CA

Date: November 18 and 19, 2024

Visitor: Ashley MacSuga-Gage

Facilitator: Neila Hansel, BCBA

Agenda Items

Monday, November 18

8:30 – 9:00	Meet and greet <i>Stephanie Richards (principal), Ashley, Neila</i>	Principal's office
9:00 – 10:30	Campus tour and PBIS TFI walkthrough <i>Ashley, Neila</i>	All areas
10:30 – 11:30	SEL program and group counseling discussion <i>Judith Peneyra (School Psychologist), Ashley, Neila</i>	Elementary Counseling Room (Rm 2)
11:30 – 12:00	Support room visit and Q & A <i>Patricia Zuniga and Ben Navarro (behavior support staff), Ashley, Neila</i>	Support Room (Rm 6)
12:00 – 1:00	Lunch	
1:00 – 2:15	FBA fidelity review (TATE) <i>Ashley, Neila</i>	
2:30 – 3:30	PBIS Team Meeting / TFI fidelity <i>PBIS team, Ashley</i>	

Tuesday, November 19

9:00 – 10:30 am	Interventions across tiers discussion <i>Rae Johansen (school psychologist), Stephanie, Ashley, and Neila</i>	
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Memo: WestEd & Marchus School Site Visit – November 18-19, 2024

From: Ashley S. MacSuga-Gage, Ph.D. Senior Research Associate/Research Manager WestEd

To: Neila Hansel, Stephanie Richards, Katherine Albert, Tom Scruggs, Dominic Ripoli, and Nick Berger.

I would like to thank Ms. Hansel, Ms. Richards, and the entire staff at Marchus School for a productive and insightful school visit on November 18 – 19, 2024. I spoke with counselors, school psychologists, teachers, aides, support staff, the school’s Positive Behavioral Interventions & Supports (PBIS) team, administrators, and students. I toured most areas of the school, including classrooms, common areas, elective spaces (i.e., the culinary program), and therapeutic areas (i.e., the health and wellness room, the sensory/Occupational Therapy (OT) room, and the support room). For reference, attached is a copy of the site visit agenda that we followed, and which was co-developed by Ms. Hansel, Marchus School Staff, and WestEd staff. During the visit I gathered data through conversations, observations, and TFI walk-through assessment.

Overall Impressions from My Visit

Based on my information review as well as interactions and observations of administrators, staff, and students, I found clear evidence of successful and exemplary behavior interventions and supports across all tiers of instruction/intervention.

Marchus School has a fully functioning school-wide PBIS system in place. The team meets regularly to review behavioral data and triangulates multiple data sources to determine interventions, programing, Social Emotional Learning (SEL) instruction, and tiered student support across all grade levels (elementary, middle, and high school). Staff and administrators consistently engage in professional learning opportunities to ensure mastery in proactively preventing and effectively responding to behaviors of concern without relying on restraint or seclusion strategies. Explicit instruction related to social skills, zones of regulation, suicide prevention, sexuality and human development, and more, are provided in the classroom, through counseling groups, and 1:1 sessions for any students in need, in addition to or when relevant, in accordance with specific students’ needs specified in alignment with their Individualized Education Plan (IEP)/Behavior Intervention Plan (BIP) mandates.

I did not see any evidence of the use of seclusion, nor did I see any conditions or facilities that would enable the use of seclusion. This finding aligns with the information provided in the report for Quarter 1 (Q1) 2024-2025. Further, as articulated in prior descriptions provided by Marchus and CCCOE staff, a thorough examination of the support room demonstrated that the space could not in practice actually be used for seclusion. This conclusion is drawn from my observation of both the structure of and the contents within the room, which included elements such as computers, desks, academic supplies, plus additional materials, such as coffee machines, refrigerators, art spaces, etc. In a room that would be used for seclusion, these items would not be present as they could pose a self-injurious threat for a student or could be used as weapons by a student. Multiple adults were observed staffing the room and students were observed utilizing the room as a personalized choice.

Considerations for Continued Success

- I recommend that Tiered Fidelity Inventory (TFI) data and evidence from information collected during this site visit be used to inform the contents of the next quarterly report.
- I recommend that the district to provide the necessary support for staff (e.g., paraprofessionals, teachers) to attend trainings facilitated by Marchus’ administration and behavioral support members (i.e., counselors, school psychologists, and BCBA’s)
- I recommend the school receive any necessary resource to collect advanced behavioral data through tracking systems that will provide them with additional capabilities to engage in data-based decision making. A specific suggestion would be to provide access to the full subscription to PBIS Apps).

Action Steps and Requests for WestEd Collaboration

To ensure comprehensive and timely reporting, the following information is requested from CCCOE’s Counsel:

- A timeline of the remaining report due dates.
If specific dates have not been agreed to as part of the settlement, then WestEd recommends the following timeline, and will need agreement from CCCOE and Counsel, or a revised timeline.

Quarter	Dates	Actions
2	X-X	Ms. Hansen and Dr MacSuga-Gage create report and WestEd quality assurance occurs
	X-X	Report sent to Counsel (Katie Alberts) for review
	X-X	WestEd and Marchus/CCCOE address any feedback from Counsel
	X	Final report sent to Counsel to submit to Plaintiff Counsel
3	X-X	Ms. Hansen and Dr MacSuga-Gage create report and WestEd quality assurance occurs
	X-X	Report sent to Counsel (Katie Alberts) for review
	X-X	WestEd and Marchus/CCCOE address any feedback from Counsel
	X	Final report sent to Counsel to submit to Plaintiff Counsel
4	X-X	Ms. Hansen and Dr MacSuga-Gage create report and WestEd quality assurance occurs
	X-X	Report sent to Counsel (Katie Alberts) for review
	X-X	WestEd and Marchus/CCCOE address any feedback from Counsel
	X	Final report sent to Counsel to submit to Plaintiff Counsel

- A mechanism for communicating and organizing feedback from plaintiff’s counsel – if any is sent to CCCOE or Counsel – regarding the quarterly reports. Receiving such feedback would help to ensure that the reports meet the settlement agreement requirements. WestEd can establish a mechanism and provide information about how to share the feedback if desired by CCCOE/Counsel.

Conclusion

It was truly a privilege and honor to visit Marchus School. I have worked with many schools, districts, and states, but I have rarely seen an alternative educational setting that adheres with such fidelity to the evidence-based practices as I observed at Marchus School. I look forward to continuing to work with Marchus and CCCOE on this project and hope to highlight and connect Marchus as a model for other schools/districts implementing PBIS, Multi-tiered Systems of Support (MTSS), and those implementing strategies to reduce behavioral escalations leading to the need for restraint and seclusion.

Respectfully,



Ashley S. MacSuga-Gage, Ph.D.

WestEd Consultant to Marchus School/CCCOE

WestEd Senior Research Associate/Research Manager

amacsug@wested.org

860-597-2402

