

THRIVING TOGETHER

BUILDING CONNECTIONS FOR TEACHER
WELL-BEING AND STUDENT SUCCESS

Aligning Mental Health, Special Education, and Other Individualized Supports to Create Tier 3 Systems

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Presenters



Madison Imler-Brandt



Dr. Tim Lewis



John Augustine

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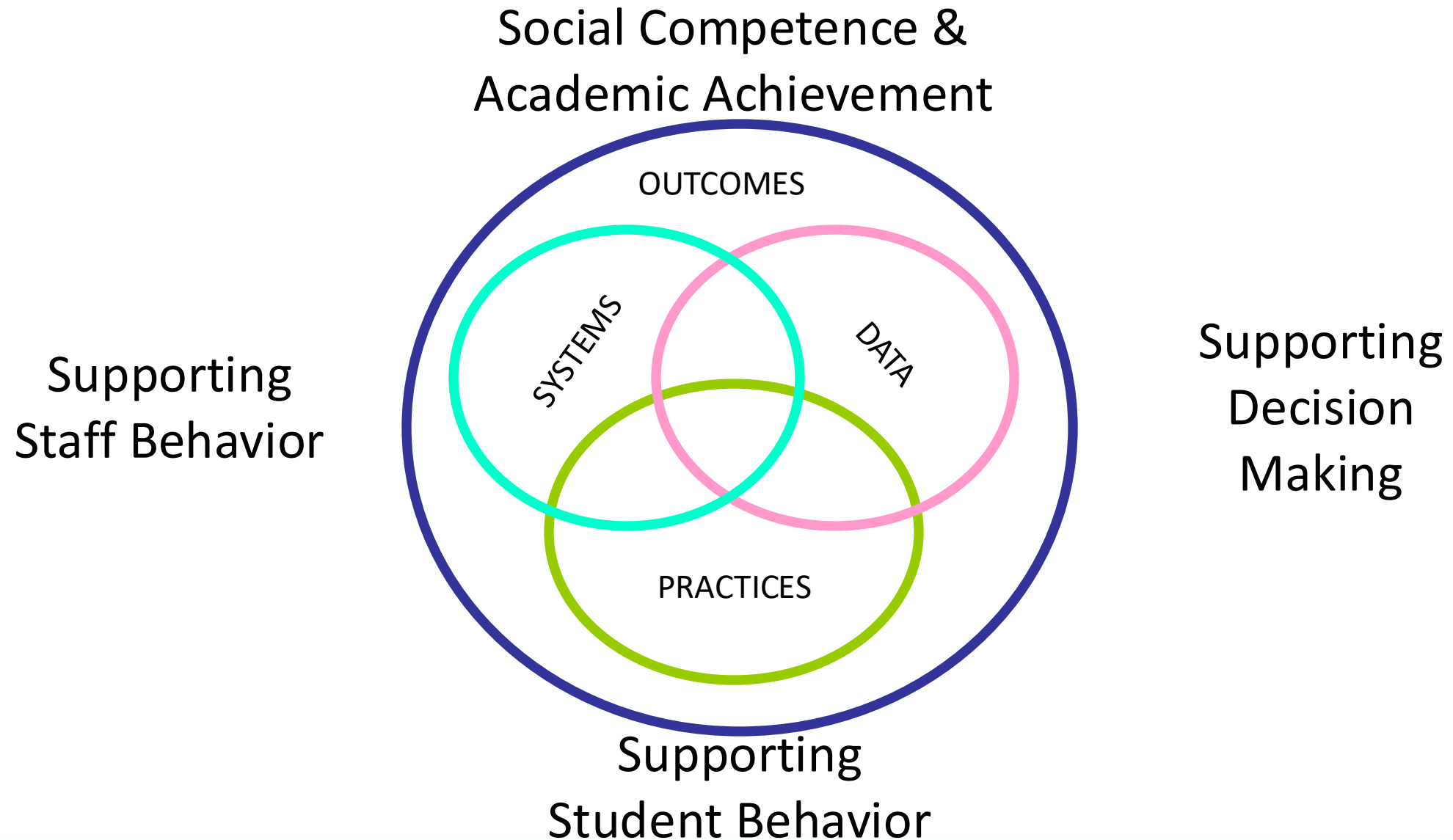
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Objectives

- Understand features in effective Tier 3 systems
 - Identify how mental health supports are embedded within PBIS
- Learn about Tier 3 practices, including the OSEP FBA Guidance
- Discuss special education's role in Tier 3 systems

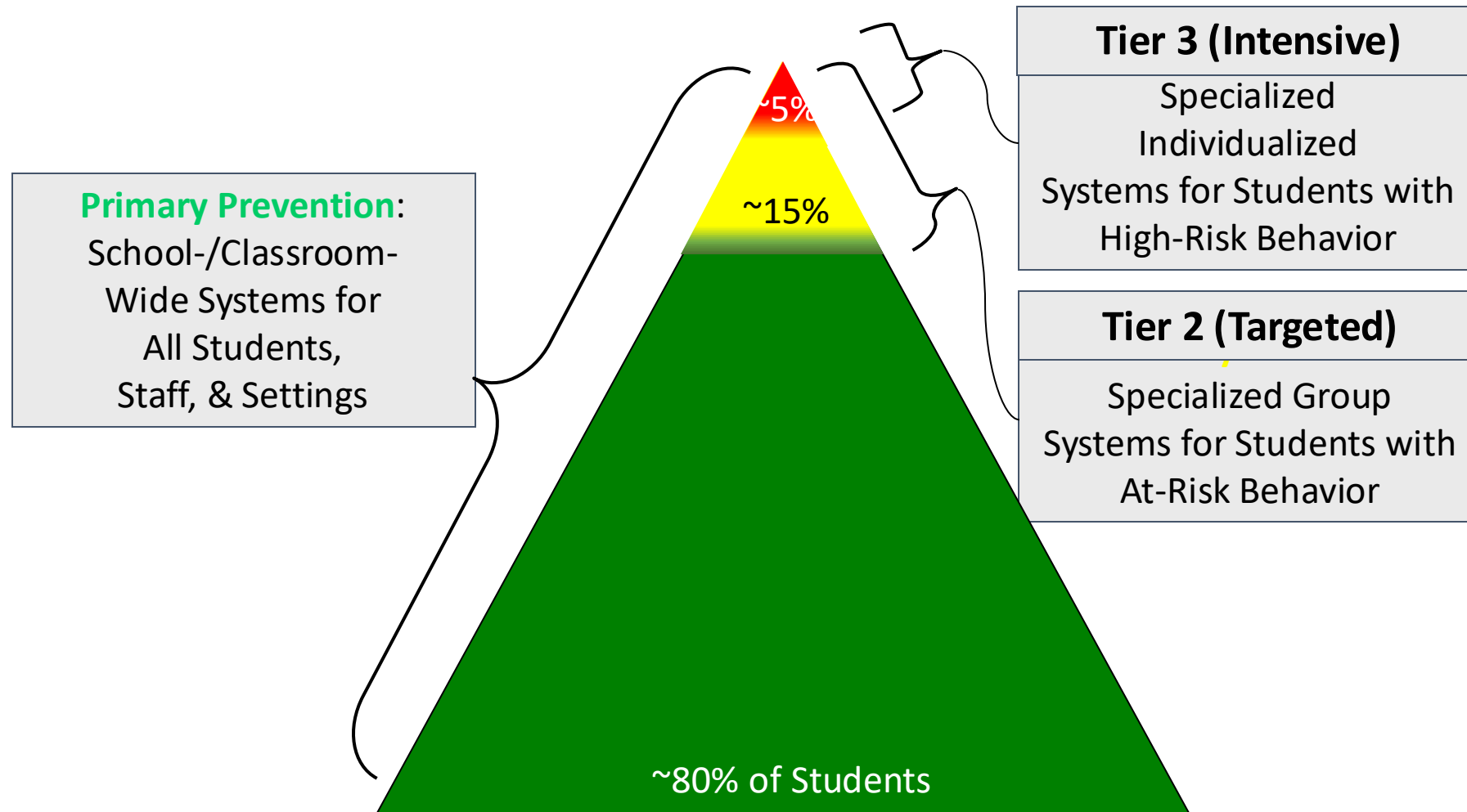
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Discipline Concerns

- Removing students with disabilities through in and/or out of school suspensions may violate that student's right to a free and appropriate public education (FAPE)
- The over representation of students with disabilities, especially minority students, in exclusionary discipline practices
- Misunderstanding of the “up to ten days” of removal prior to FBA-BIP requirement
- Misunderstanding of the FBA-BIP process relative to IDEA regulations linked to “discipline” issues v. evaluation for eligibility

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Free and Appropriate Education (FAPE)

- Repeated short term exclusionary discipline does not allow access to a FAPE
- Frequent removal and/or placement in exclusionary settings denying access to a least restrictive environment
- IEP must continue to be delivered and the decision to remove child must follow district policy and 'approved' by IEP team
 - Not a 'free 10 days'



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

August 1, 2016

Dear Colleague:

The U.S. Department of Education (Department) is committed to ensuring that all children with disabilities have meaningful access to a State's challenging academic content standards that prepare them for college and careers. Consistent with these goals, the Individuals with Disabilities Education Act (IDEA) entitles each eligible child with a disability to a free appropriate public education (FAPE) that emphasizes special education and related services designed to meet the child's unique needs.¹ 20 U.S.C. §§1412(a)(1) and 1400(d)(1)(A). Under the IDEA, the primary vehicle for providing FAPE is through an appropriately developed individualized education program (IEP) that is based on the individual needs of the child. 34 CFR §§300.17 and 300.320-300.324. In the case of a child whose behavior impedes the child's learning or that of others, the IEP Team must consider – and, when necessary to provide FAPE, include in the IEP – the use of positive behavioral interventions and supports, and other strategies, to address that behavior. 34 CFR §§300.324(a)(2)(i) and (b)(2); and 300.320(a)(4).

The Department has determined that this letter is significant guidance under the Office of Management and Budget's Final Bulletin for Agency Good Guidance Practices, 72 Fed. Reg. 3432 (Jan. 25, 2007). See www.whitehouse.gov/sites/default/files/omb/memoranda/fy2007/m07-07.pdf. Significant guidance is non-binding and does not create or impose new legal requirements. The Department is issuing this letter to provide LEAs and other responsible public agencies with information to assist them in meeting their obligations under the IDEA and its implementing regulations.

If you are interested in commenting on this letter, please email us your comment at iepgoads@ed.gov or contact Lisa Pagano at 202-245-7413 or Lisa.Pagano@ed.gov. For further information about the Department's guidance processes, please visit www2.ed.gov/policy/gen/guid/significant_guidance.html.

Recent data on short-term disciplinary removals from the current placement strongly suggest that many children with disabilities may not be receiving appropriate behavioral interventions and

¹While this letter focuses on requirements under the IDEA relating to FAPE in the least restrictive environment, students with disabilities also have rights under two civil rights laws that prohibit discrimination on the basis of disability—Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act (Title II). The Office for Civil Rights (OCR) in the U.S. Department of Education enforces Section 504 in public elementary and secondary schools. Also, in this context, OCR shares in the enforcement of Title II with the U.S. Department of Justice. More information about these laws is available at: www.ed.gov/ocr and www.doj.gov.

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Function Based Logic

- Behavior is learned
- Behavior is linked to predictable antecedents and maintained by consequences
 - To get → positive reinforcement
 - To avoid → negative reinforcement

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What is a Functional Behavior Assessment?

- “A process for gathering information used to maximize the effectiveness and efficiency of behavioral support” (O’Neil et al.)
 - Operational definition of behavior
 - Identification of events that are functionally related to behavior
 - Identification of consequences that maintain behavior
 - Hypothesis about function of behavior
 - Direct observation to confirm/support hypothesis

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When to Conduct an FBA

- When students exhibit patterns of challenging/problem behavior
- When a change in placement is made as a result of a school “discipline” procedure
- When a current Behavior Intervention Plan (BIP) is not changing the pattern and/or outcome of behavior

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IDEA Section 200.530

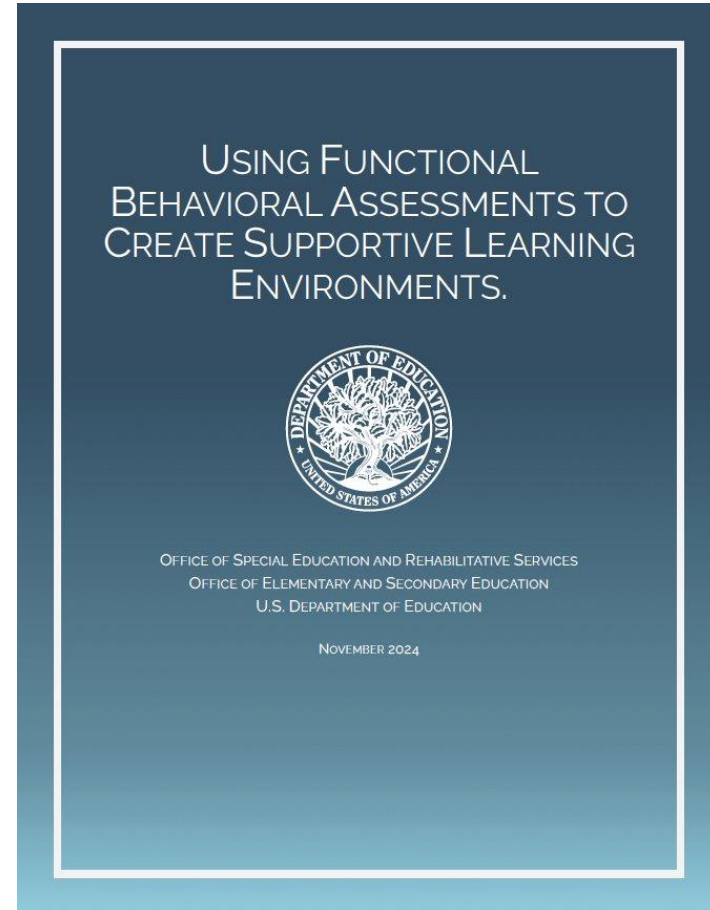
- (f) Determination that behavior was a manifestation. If the LEA, the parent, and relevant members of the IEP Team make the determination that the conduct was a manifestation of the child's disability, the IEP Team must--
 - (1) Either--
 - (i) Conduct a functional behavioral assessment, unless the LEA had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan for the child; or
 - (ii) If a behavioral intervention plan already has been developed, review the behavioral intervention plan, and modify it, as necessary, to address the behavior; and
 - (2) Except as provided in paragraph (g) of this section, return the child to the placement from which the child was removed, unless the parent and the LEA agree to a change of placement as part of the modification of the behavioral intervention plan.

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OSEP Guidance on FBA/BIP

- Characteristics of FBAs and BSPs
- Inform instructional practices
- Guiding principles
- Support for students with disabilities
- Federal funding
- Technical assistance



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FBA and Parent Consent?

Q: Is parent consent required to conduct a Functional Behavioral Assessment (FBA) as part of the ongoing instructional and support strategy development conducted by special educators for students with disabilities who are displaying problem behavior?

A: *No, if the intent is for instructional purposes only.* If an FBA is part of the evaluation process to determine a) if problem behavior is a manifestation of the disability or b) an initial or re-evaluation to determine if the child has a disability then parent consent is required.

Note: *The FBA logic and technology were not developed or intended to be part of an evaluative process* to determine a manifestation of disability or the presence/absence of a disability. FBAs are intended to determine functional relationships between student behavior and the learning environment to guide intervention development. *Non-response to FBA-based interventions could be one component of a comprehensive evaluation* process for manifestation determination and/or IDEA eligibility.

Tim Lewis, August 2018

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FBA & Parent Consent

“In cases where the IEP Team seeks to **conduct an FBA to determine if a child’s conduct was a manifestation** of his or her disability, the LEA **must obtain parental consent** because –

“[a]n 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. The FBA process is frequently used to determine the nature and extent of the special education and related services that the child needs, including the need for a BIP. As with other individualized evaluation procedures, and consistent with 34 CFR §300.300(a) and (c), parental consent is required for an FBA to be conducted as part of the initial evaluation or a reevaluation.” (p. 2)

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FBA & Parent Consent

“if the FBA is intended to assess the effectiveness of behavioral interventions in the school as a whole, the parental consent requirements in 34 CFR §300.300(a) and (c) generally would not be applicable to such an FBA because it would not be focused on the educational and behavioral needs of an individual child. **If an FBA is used, for example, in the context of positive behavior supports as a process for understanding problem behaviors within the entire school and to improve overall student behavior in the school,** it generally would not be considered an evaluation that would require parental consent, unless such consent is required from the parents of all children in the school prior to conducting such an evaluation. 34 CFR §300.300(d)(1)(ii).” (p. 2)

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FBA & Parent Consent

Question 4 : Would a formative “three term contingency” assessment (e.g., noting a particular stimulus, a student’s response to that stimulus, and the consequences of the student’s response) **used by a teacher with all students on a daily basis be considered an evaluation requiring parental consent?**

OSEP’s Response: **No**, unless such consent is required from the parents of all children in the school prior to conducting such an evaluation. 34 CFR §300.300(d)(1)(ii). You provide an example above of an assessment given to all students as part of a daily classroom management routine. Parental consent is not required for such an FBA in that context because the FBA would not be focused on the educational and behavioral needs of an individual child.

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FBA & Parent Consent

However, if, as part of an FBA for an individual student, a teacher were to conduct a “three term contingency” assessment to **determine whether the student has a disability** and to determine the nature and extent of the special education and related services that the student needs, the FBA would be considered an initial evaluation or reevaluation, in accordance with 34 CFR §300.15. Parental consent is required for an FBA to be conducted as an initial evaluation or a reevaluation of a child, consistent with 34 CFR §300.300(a) and (c). (p. 2-3)

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So...

1. MTSS such as school-wide positive behavior supports are recommended to enhance impact of individualized supports for all students, especially those on IEPs
2. Schools do not have “ten free days” to suspend students on IEPs and should conduct FBAs to create individual behavior support plans at the first indication of disciplinary issues
3. You do not need parent consent to conduct an FBA for a child on an IEP if it is part of the daily instructional process

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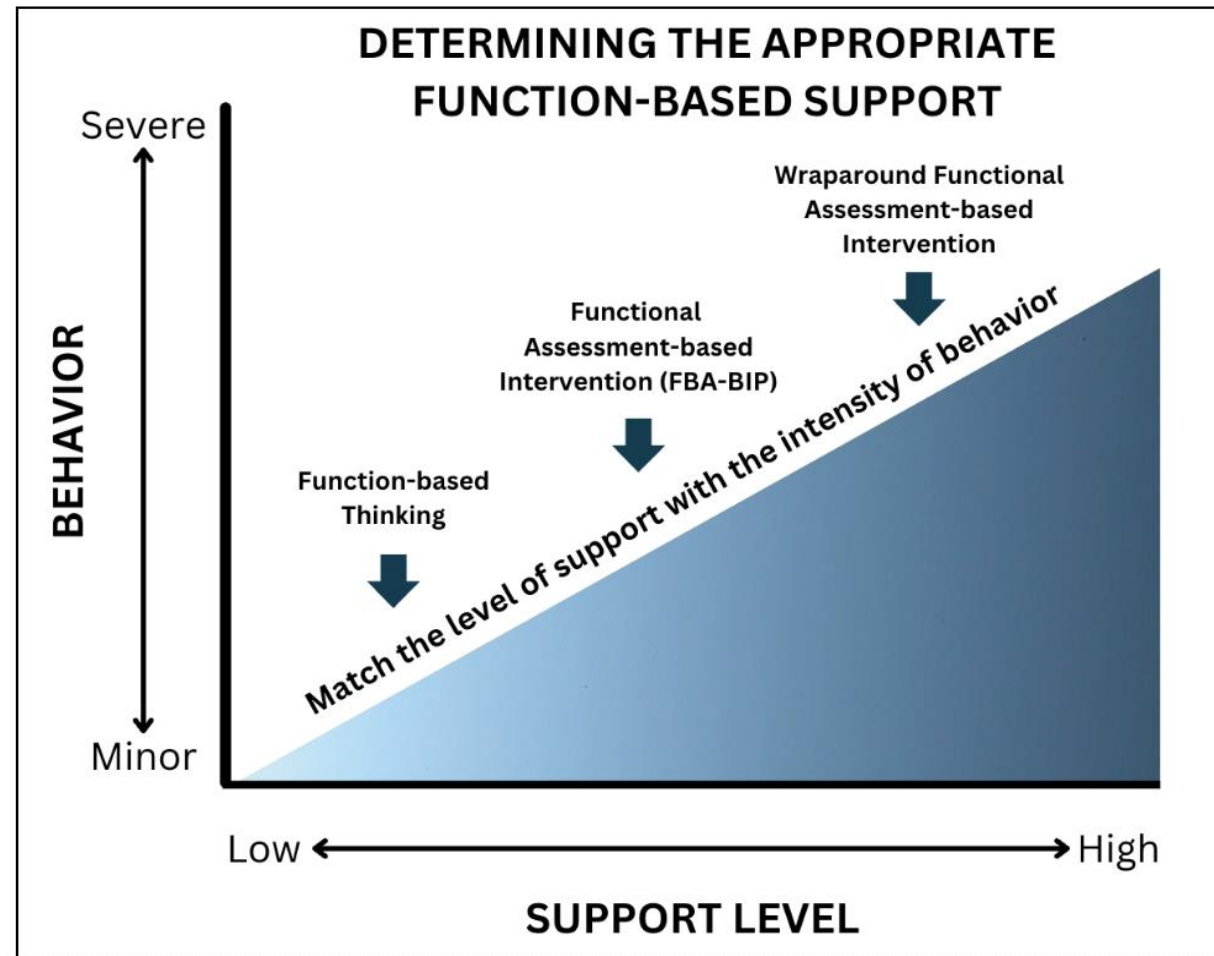
But...

You should inform all parent/guardians if you are placing their child on a Tier 2 or 3 support plan

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FBA-BIPs within an MTSS/PBIS Framework



Hirsh et al., 2023

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Essential Steps to Function Based BIPs

- Patterns of problem behavior noted / disciplinary change in placement
- Operationally define problem/replacement behavior
- Background/archival data/ data collection/Environmental Assessment
- Functional Behavioral Assessment
 - Indirect measures
 - Direct measures
- Develop hypothesis regarding function of problem behavior
- Develop a Behavior Intervention Plan to address function of behavior
 - Social skill instruction
 - Self management
 - Environmental modifications
- Implement, Monitor and Evaluate progress

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Antecedents

- Events that occur in the student's environment before the target behavior
- The student can predict the outcome of the behavior when the cue is present
- What is happening before the behavior occurs?
 - Being given a task or direction
 - Everyone is distracted
 - Told to put away preferred item or denied access
 - Environmental changes (transition, loud sound)

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Consequence

- Events that occur immediately after the behavior
 - Adds something to the student and the student maintains or increases the behavior over time
 - What is being added is reinforcing to the student
 - Removes the student or stimuli and the behavior maintains or increases the behavior over time
 - The event is aversive to the student

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Antecedent Examples	Consequence Examples
Provided a verbal directive	Adult attention provided to student
Directed to transition from a preferred activity to a non-preferred activity	Student instructed and/or escorted out of the location
Provided a directive outside of the normal routine	Obtained access to desired activity, location, or person
Adult attention for another student	No longer engaging with non-preferred task, location, or person

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A-B-C Data

Environment around
target student.

Antecedent

What happened right
before behavior



What the target student does
(the target problem behavior)

Behavior

What the behavior
looked and sounded
like



Environment around
target student.

Consequence

What happened
right after the
behavior

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Antecedent	Behavior	Consequence
Teacher hands student book for reading assignment	Student rips pages out of the book	Teacher says, "That's not how we treat our books!" and removes that student from the room.
Peer asks student a question	Student curses	Peer walks away
Teacher and paraeducators are busy helping peers	Student climbs onto their desk and performs a WWE move	Teacher and paraeducators stop what they are doing, reprimand the student, and sit by them for the rest of class

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Components

Pre-Assessment/Indirect Methods	Direct Assessment/Observation
<ul style="list-style-type: none">• File review• Interviews<ul style="list-style-type: none">• Staff• Parents• Student• Rating scales• Review of disciplinary records, attendance, assessments	<ul style="list-style-type: none">• Develop operational definition• A-B-C<ul style="list-style-type: none">• Frequency• Duration• Interval• Functional analysis<ul style="list-style-type: none">• Manipulate stimuli within the environment to evoke behavior

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Hypothesize the Function

- Analyze ABC data to determine **common antecedents** and **common consequences**
 - Look for **patterns**
 - **Antecedents** and **consequences** may be **different** for different behaviors
- Functions...
 - **Why** the behavior occurs
 - Behavior has one or more functions

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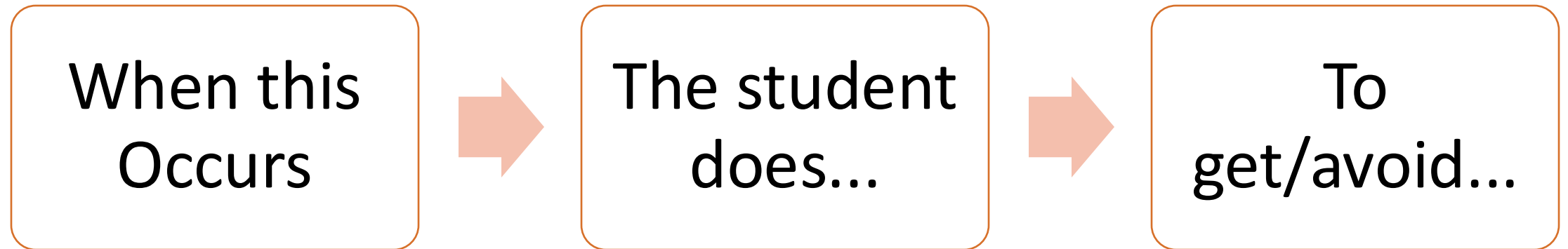
Common Functions

- Attention
 - Given by adults or peers
 - Could be “good” or “bad” attention
- Escape/avoid
 - Demands, tasks, or other non-preferred activity
 - Interactions, attention, or environment/situation
- Gain access/tangible
 - Access to tangible items, activities, or locations
- Automatic/sensory
 - Reinforcing in itself
 - Gain or escape

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Behavior Hypothesis



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Examples

Antecedent, Student, Behavior, Function

- When told to begin math work, Eric walks away from his desk, talks to peers about unrelated topics and makes loud noises to avoid the task and receive attention from peers
- When staff and peers are busy, Julie runs out of the classroom and around the hallways to receive attention from adults.

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FBA Template



THE SCHOOL DISTRICT OF PALM BEACH COUNTY
THE DEPARTMENT OF EXCEPTIONAL STUDENT EDUCATION

Functional Behavior Assessment

Submit this completed form to the ESE Contact or School Based Team Leader. A copy of this form, if applicable, will be attached to the student's Individual Education Plan (PBSD 0650).

Current Date
Date Reviewed
Date Reviewed

Student First Name	Student Last Name	Grade	Birth Date	Assessment Start Date	Implementation Date
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School	Select One	Exceptionality (if applicable)	Select One
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I. Functional Behavior Assessment (FBA) Team Members

Name _____	Title _____
Name _____	Title _____
Name _____	Title _____
Name _____	Title _____
Name _____	Title _____
Name _____	Title _____

II. Student Profile

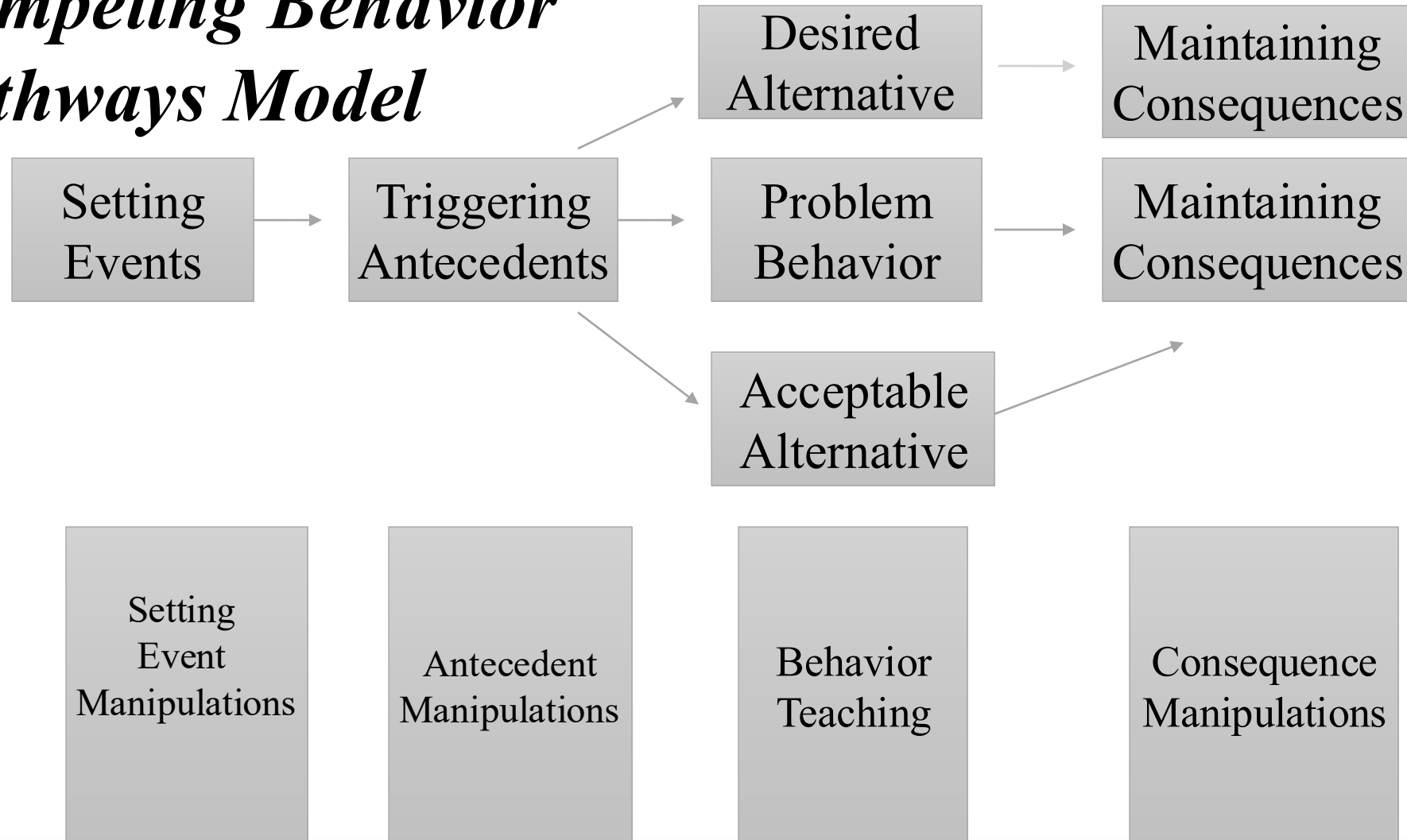
a. List/describe the student's strengths, interests, and preferences:

b. Describe the student's needs which may be related to the target behavior.

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Competing Behavior Pathways Model

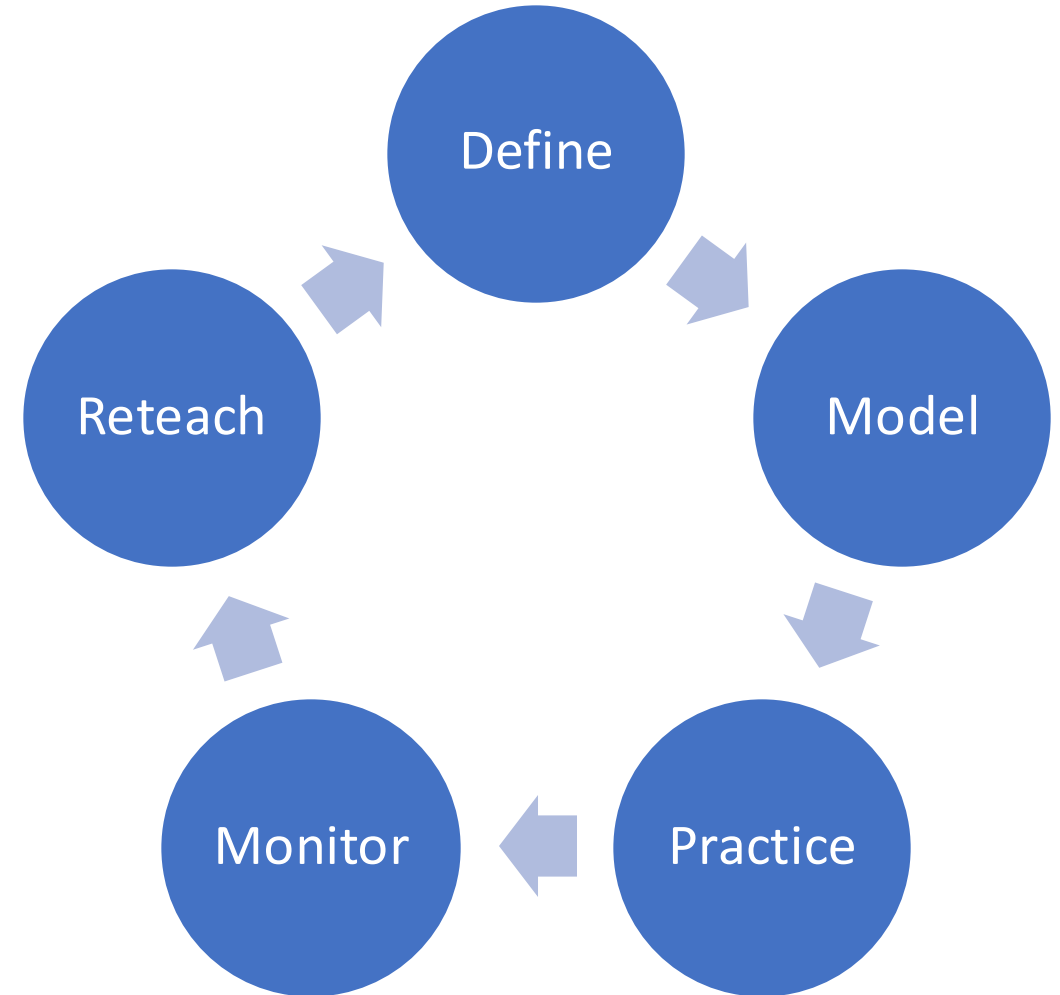


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Behavior Support Plan

- Develop **proactive**, preventative behavior strategies
- Identify new, prosocial, **appropriate** behaviors to **increase** based on **function**
- Describe **how** new, prosocial, and **appropriate** behaviors will be **reinforced**
- Develop **reactive** strategies to **prevent** reinforcement of the **problem behavior**



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Interventions

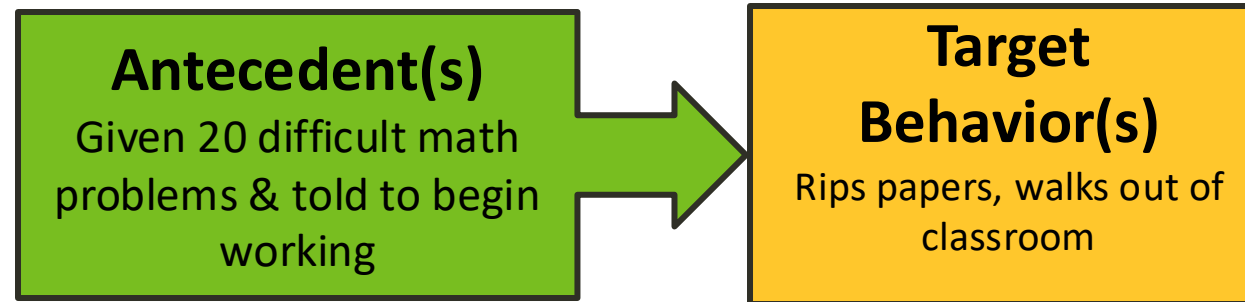


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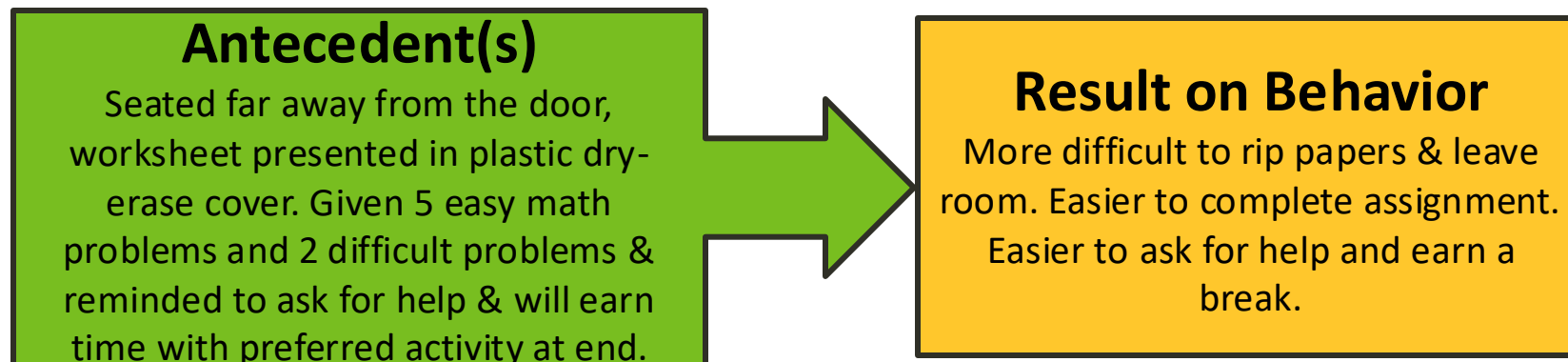
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Antecedent Strategies

FBA Common Antecedent(s) and Problem Behavior



BIP Antecedent Strategies



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Teach Replacement Behaviors

- Function = Attention
 - Social skills that access attention appropriately
 - Social skills that delay access to desired objects or events
- Function = Escape
 - Social skills that access assistance with difficult tasks
 - Social skills to avoid negative adult and peer interactions

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Responses to Appropriate “Replacement Behavior”

Same or similar outcome as problem behavior

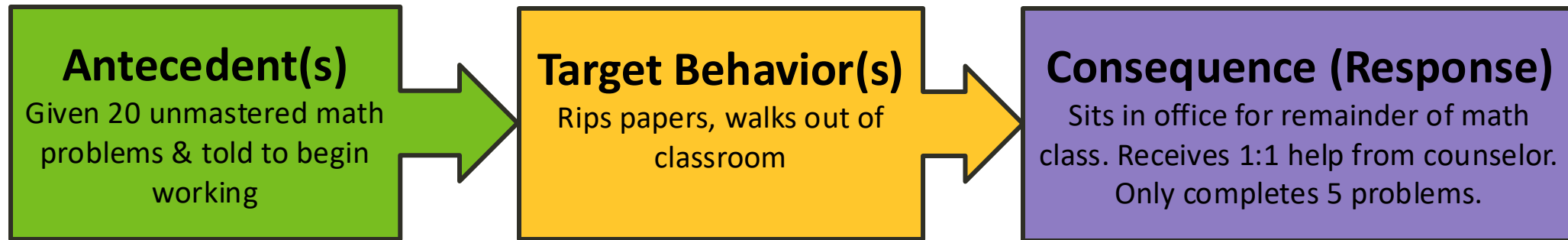
- Peer attention
- Teacher attention
- “Skip and assignment” pass
- Break card

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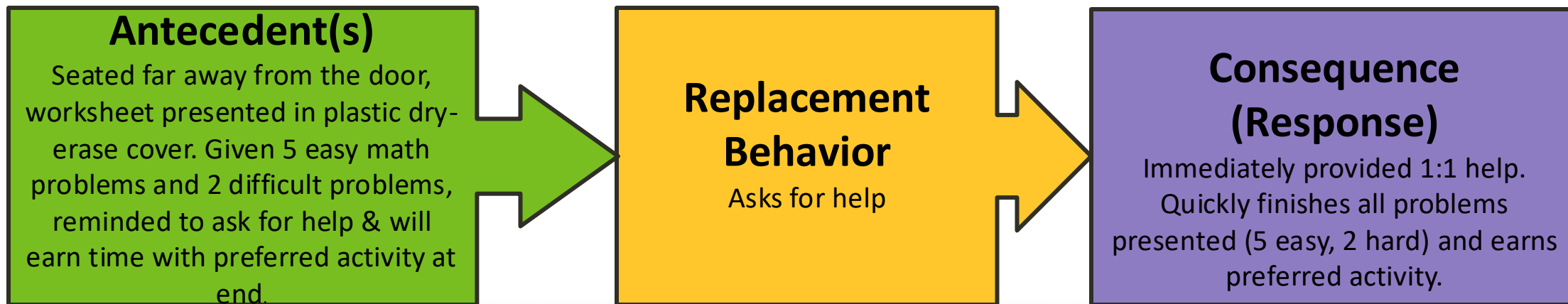
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Replacement Behaviors

FBA Problem Behavior & Maintaining Consequence (Function)



BIP Replacement Behavior



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Responses to Problem Behavior

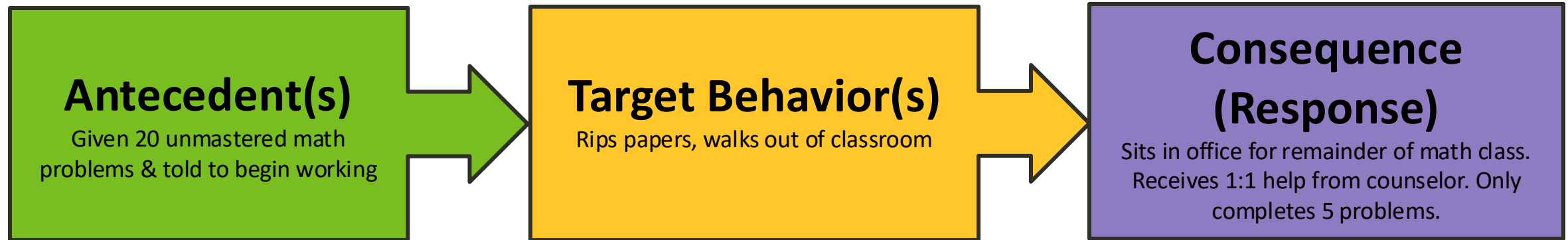
- Avoid “feeding the function”
- Do not allow problem behavior to result in previous outcome

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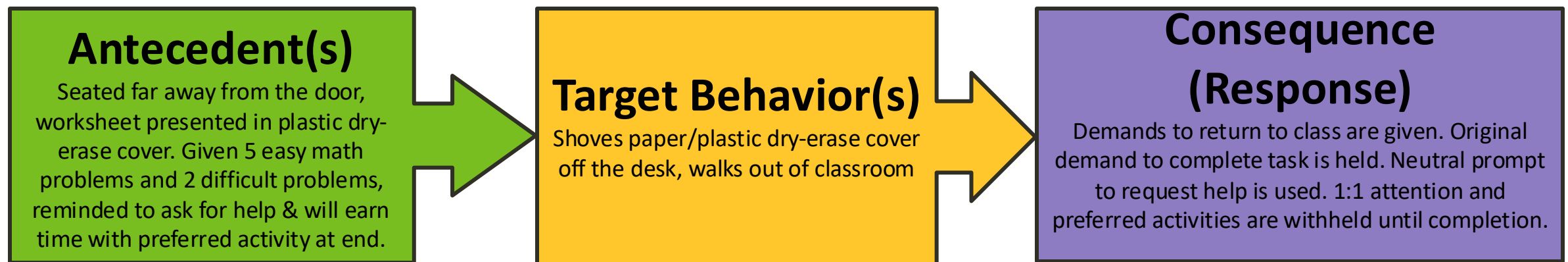
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Reactive Strategies

FBA Problem Behavior & Maintaining Consequence (Function)

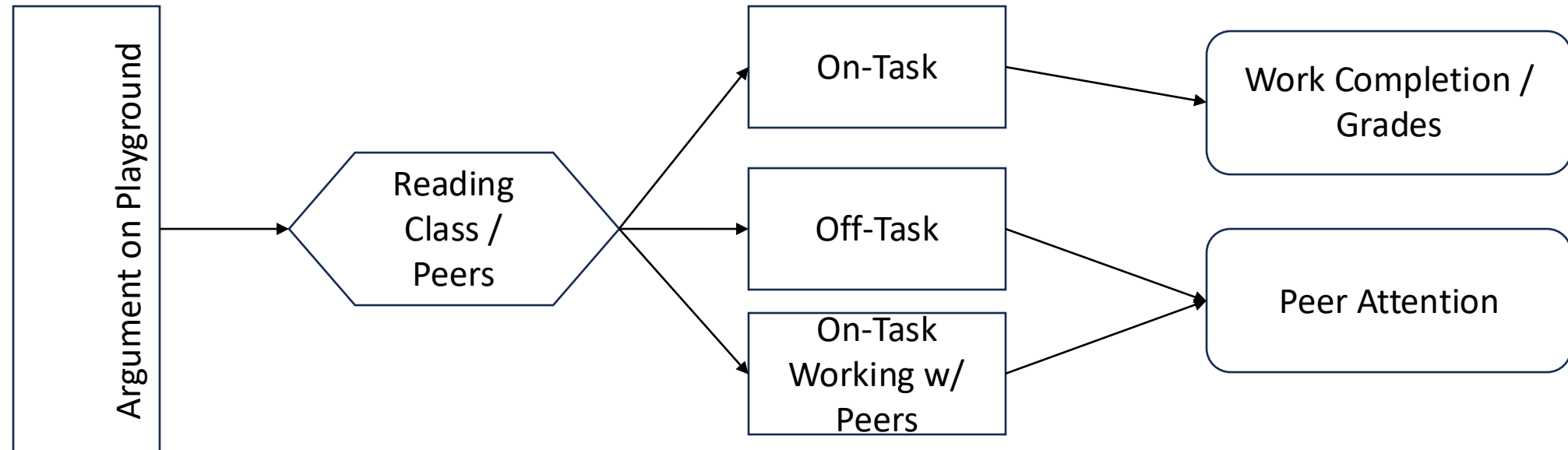


BIP Reactive Strategy to Problem Behavior



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Setting Events	Predictors	Behavior	Consequences
<ul style="list-style-type: none"> • Playground monitor debriefs student prior to coming into building. 	<ul style="list-style-type: none"> • Change seating arrangement during reading class. • Pre-correct class RE rules of cooperative groups. 	<ul style="list-style-type: none"> • Set up cooperative peer groups. • Identify appropriate peers and teach cooperative strategies. • Teach rules and skills of cooperative groups to target student. • Role play cooperative learning with peers and target student. • Monitor progress (momentary time sampling) 	<ul style="list-style-type: none"> • Verbal praise when on-task. • Error correction for off-task. • Free time with peers for meeting established daily criteria.

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BIP Template



THE SCHOOL DISTRICT OF PALM BEACH COUNTY
THE DEPARTMENT OF EXCEPTIONAL STUDENT EDUCATION

Behavior Intervention Plan (BIP)

Submit this completed form to the ESE Contact or School Based Team Leader. A copy of this form, if applicable, will be attached to the student's Individual Education Plan (PBSD 0659).

Current Date:
Date Reviewed:
Date Reviewed:

Student ID#:	Student First Name:	Student Last Name:	Grade:	Birth Date:	Assessment Start Date:	Implementation Date:
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School	Select One	Exceptionality (if applicable)	Select One
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I. Behavior Intervention Plan Team Members

Name:	Title:

II. Behavior Intervention Plan

This plan should be based on and driven by the hypotheses statements created during the Functional Behavior Assessment process.

A. Goals of Intervention: Describe the expected outcomes/objectives of the intervention.

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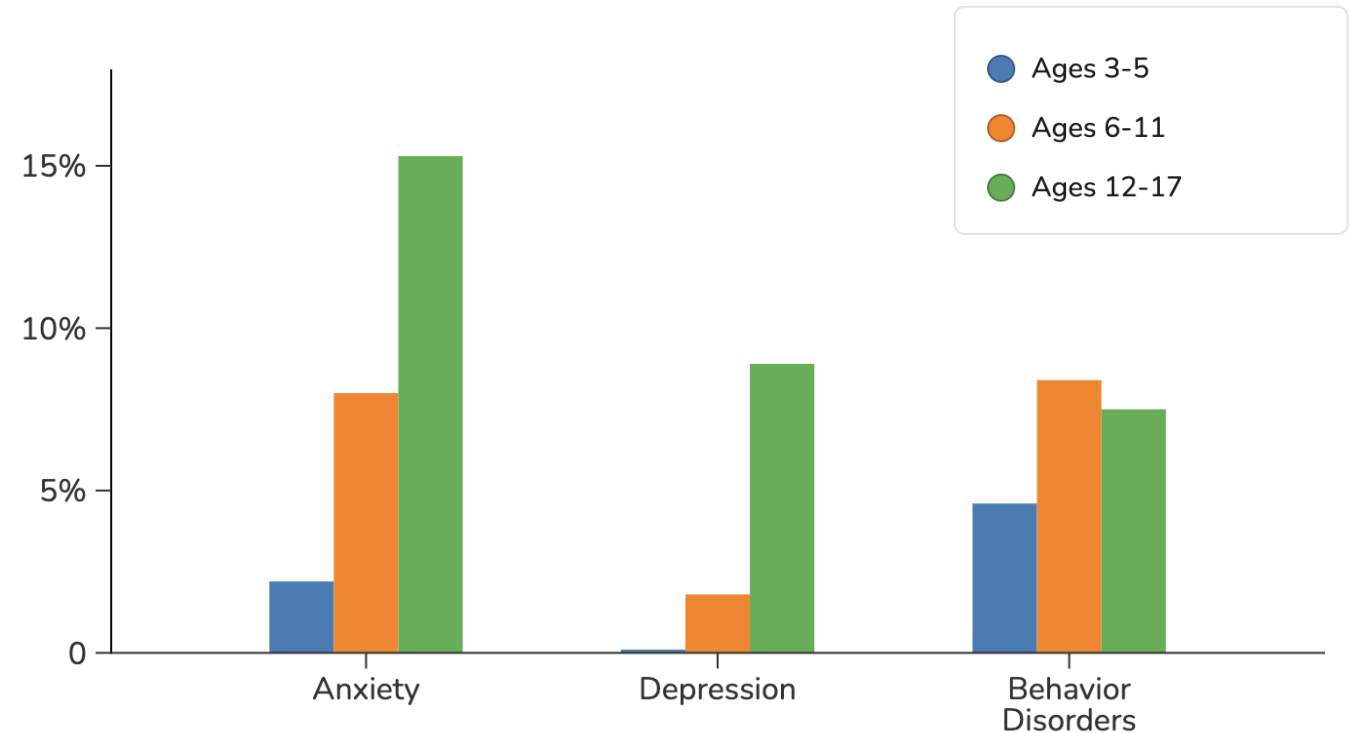
Integrating Mental Health

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Mental and Behavioral Health

- 10% of children ages 3–17 had a current diagnosis of anxiety
- 4% of children ages 3–17 had a diagnosis of depression
- 7% of children ages 3–17 has a current diagnosis of behavior disorders



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Treating Mental Disorders in Youth

- In 2018-2019 - 53% received treatment or counseling from a mental health professional
- Among children with depression just 79% received treatment or counseling compared to 59% with anxiety and 52% with behavior disorders
- As children aged the rate at which they received counseling increased
 - 3–5 years of age increased 36%
 - 12–17 years of age increased 70%
- How can schools play a pivotal role in supporting our youth?

Health Resources and Services Administration. (October, 2020). National Survey of Children's Health Mental and Behavioral Health, 2018-2019. [Issue Brief]. <https://mchb.hrsa.gov/sites/default/files/mchb/data-research/nsch-data-brief-mental-bh-2019.pdf>

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Need for Mental Health and Education Partnerships

- Schools serve as unofficial mental health providers
 - Without formal support, teachers are stepping in to fill the gaps
- Ongoing mental health impact
 - Student well-being continuously affects their learning and behavior throughout the day
- Limited reach beyond campus
 - Staff can address immediate issues, but lack connections to outside resources
- Challenges for community mental health providers
 - Limited school integration leads to fragmented support services

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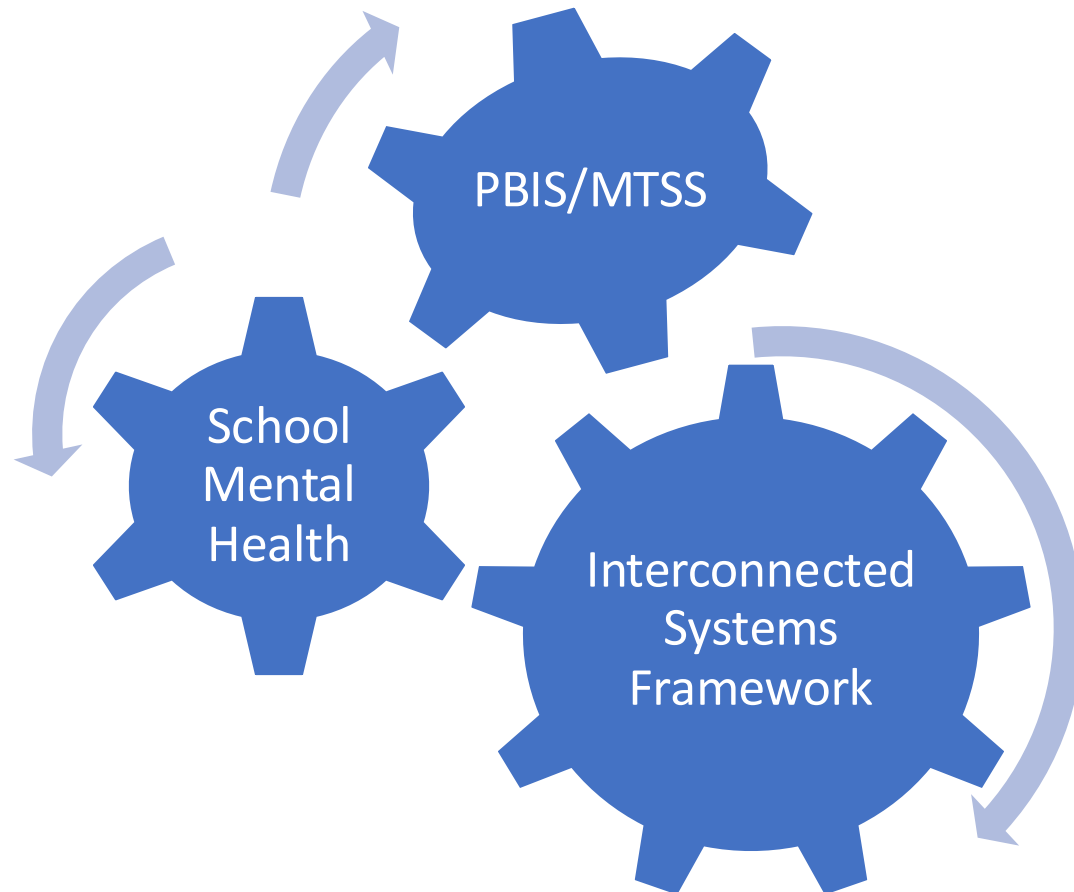
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External Behaviors	Internal Behaviors
Ask for a break when needed	I tell an adult when I am stressed
Share items with peers	Make sure everyone gets a turn.
Appropriately gain attention from peer/adult	Check in with my feelings during the day
Keep hands, feet, and other objects to yourself	I tell an adult when I am worried about a friend

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Interconnected Systems Framework (ISF)



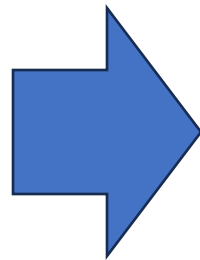
- Structured process that incorporates education and mental health systems to provide the most effective supports to students
- Aligning mental health to address
- Active participation of family and youth as central feature
- Guide action planning for integration of mental health

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Traditional Approach

- Limited collaboration between educational staff and mental health teams negatively impacting generalization of skills
- Limited access to mental Health counselors within the school
 - Often limited to 1 day/week to “see” students
- Mental health interventions primarily provided by clinicians with minimal integration into the classroom



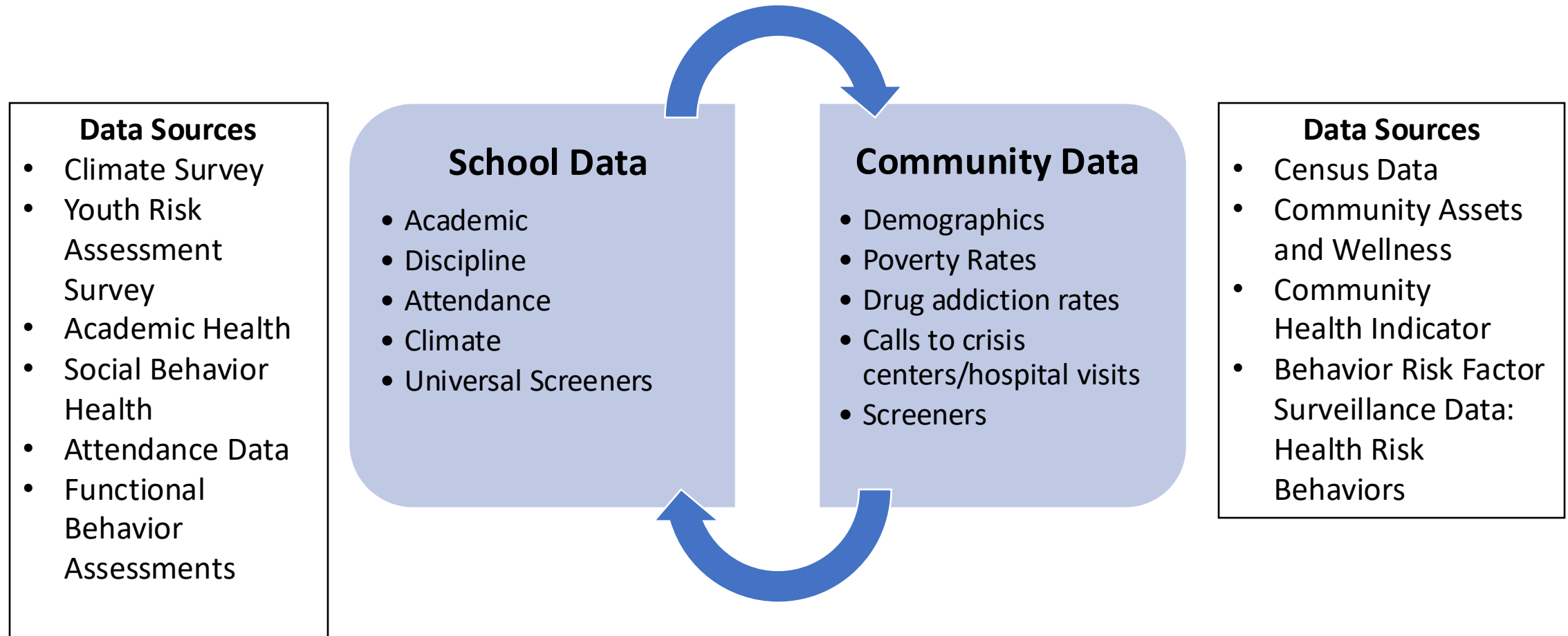
ISF Approach

- Establish interdisciplinary teams and hold regular, structured check-ins to align academic and mental-health supports—helping students generalize new skills across settings.
- Embed dedicated mental-health professionals on each campus rather than relying on itinerant providers, so they become trusted members of your school community.
- Offer consistent office hours where any staff member can drop in for consultation, collaboration, or support around student behavior and well-being.
- Adopt a team-driven, data-informed approach: select evidence-based interventions together, track student response, and adjust supports based on real-time data.

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School & Community Data

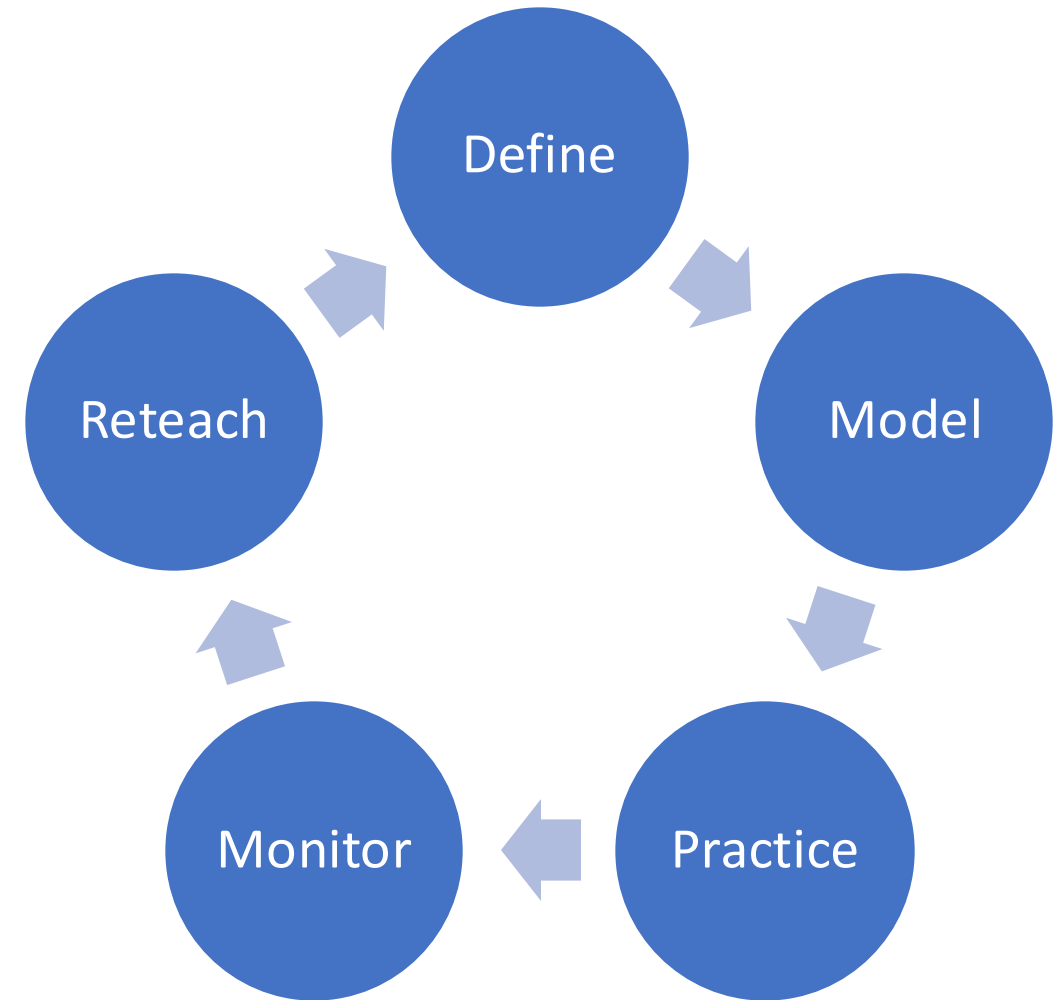


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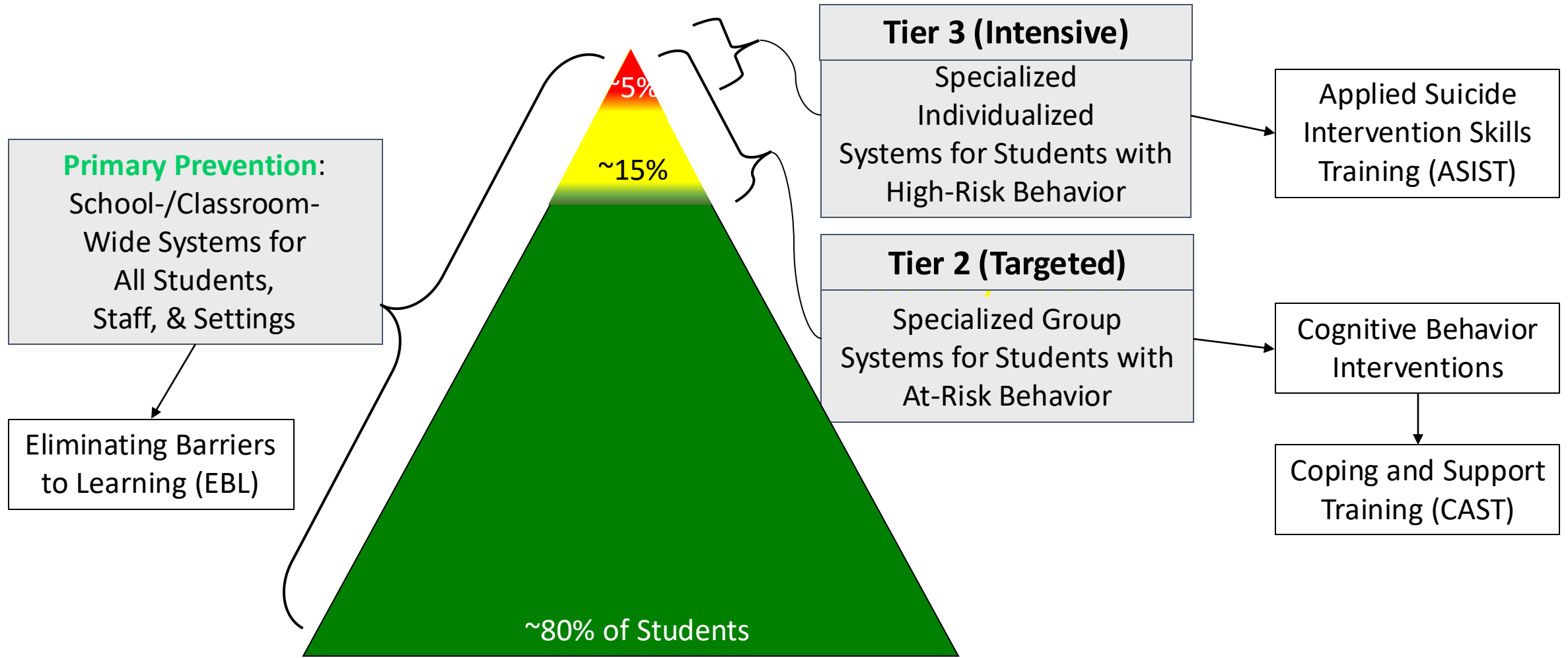
But How?

- **Define:** Identify precise social-emotional targets for each student's Tier 3 plan using school and community data
- **Model:** Have mental-health providers demonstrate key strategies (e.g., emotion coaching) in real classroom contexts
- **Practice:** Guide teachers and mental health providers through brief role-plays or rehearsal of interventions
- **Monitor:** Collect data on targeted behaviors and mental health-strategy use
- **Reteach:** Provide refresher training on any steps or skills that aren't yet consistent
- **Repeat Cycle:** Revisit goals, re-model as needed, and continue the cycle for new skills



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How can we improve current Tier 3 systems?

- Use Community & School Data
 - Integrate academic, behavioral, and community information into a collective student assessment
- Work as an Integrated Team
 - Hold weekly Tier 3 meetings with all stake holders (e.g., educators, mental-health staff, and families)
- Co-Select & Implement Evidence-Based Practices
 - Match functional assessment results to targeted EBPs collaboratively
- Monitor & Refine
 - Review progress data and adjust supports in each weekly review as needed

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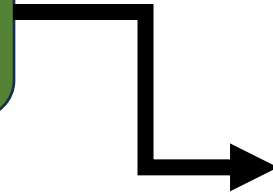
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Questions?

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Resources



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Thank you!

We hope you have a wonderful day!

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