

New York State Education Department Office of Special Education Educational Partnership



(CED)



Alternatives to Suspension

Positive and Proactive Supports for Schools

Technical Assistance Partnership (TAP) for Behavior, University at Albany - SUNY



Disclaimer

The resources shown are designed to provide helpful information. Resources are provided for instructional use purposes only and do not constitute NYSED endorsement of any vendor, author, or other sources. To the best of our knowledge, the resources provided are true and complete.

Today's Facilitators

Name







- The Office of Special Education (OSE) Educational Partnership is a coordinated and cohesive network focused on enhancing services and improving outcomes for students with disabilities and providing effective support for educational organizations (EOs) and families
- Regional Partnership Centers (RPCs) and Family and Community Engagement (FACE) Centers are in each of the 12 regions of NYS and their own teams of specialists provide coordinated, direct supports and services to the EOs within their region

Participant Introductions

- Name
- Role
- District
- School
- Population Served

Training Expectations

EXPECTATION	BEHAVIOR
BE RESPONSIBLE	 ♦ Take care of your personal needs ♦ Return on time and quietly ♦ Sign attendance sheets / complete eval. form ♦ Use electronic devices when necessary
BE RESPECTFUL	 ◇ Put cell phones to "off" or "vibrate" ◇ Listen to others attentively ◇ Honor confidentiality when applicable ◇ Stay on topic
BE ENGAGED	 ♦ Be an active participant ♦ Participate with an open mind ♦ Take notes ♦ Make plans to stay until training dismissal

Virtual Training Expectations

EXPECTATION	BEHAVIOR
BE RESPONSIBLE	 ◆ Take care of your personal needs ◆ Return on time and quietly ◆ Complete evaluation form ◆ Find a quiet place to participate
BE RESPECTFUL	 ♦ Use "mute" to prevent background noise ♦ Listen to others attentively ♦ Honor confidentiality when applicable ♦ Stay on topic
BE ENGAGED	 ♦ Be an active participant ♦ Participate with an open mind ♦ Take notes ♦ Make plans to stay until training dismissal

Materials

- Handouts
 - Resources shared physically with participants to support the learning throughout this training

• Strategy Resources

 Resources shared digitally to support the content and strategies explored throughout this training

New York State Education Department Office of Special Education

Blueprint for Improved Results for Students with Disabilities



Self-Advocacy

Students engage in self-advocacy and are involved in determining their own educational goals and plan.



Family Partnership

Parents, and other family members, are engaged as meaningful partners in the special education process and the education of their child.



Specially-Designed Instruction

Teacher's design, provide, and assess the effectiveness of specially-designed instruction to provide students with disabilities with access to participate and progress in the general education curriculum.



Research-Based Instruction

Teachers provide research-based instructional teaching and learning strategies and supports for students with disabilities.



Multi-tiered Support

Schools provide multi-tiered systems of behavioral and academic support.



Inclusive Activities

Schools provide high-quality inclusive programs and activities.



Transition Support

Schools provide appropriate instruction for students with disabilities in career development and opportunities to participate in work-based learning.

Why is this a Priority?

"SENSE OF URGENCY"

Rates of Suspension & Expulsion in school-age students



Purpose

- To understand that exclusionary practices have significant short and long-term negative effects on academic, social-emotional, health and wellness, and family outcomes of students
- To learn and use strategies for managing student behavior and appropriate alternatives to suspension which have significantly fewer negative impacts on student or family outcomes
- To improve outcomes for all students

Training Objectives

- 1. Understand the purpose (why, when and how) of using alternatives to suspension
- 2. Gain knowledge of the recent research on school suspensions
- 3. Examine scenarios when alternatives to suspension may be used to change behavior
- 4. Learn how a systemic change to the approach to discipline and problem behavior can affect school climate and learning
- 5. Leave this session with practical, replicable ideas to use as effective and proactive alternatives to suspension

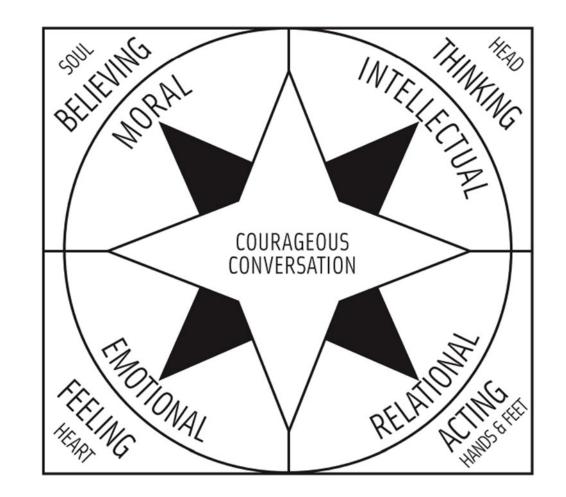
Agenda

- Welcome and Inclusion
- Laying the Foundation:
 - Definitions
 - Suspension Data
 - Influences and Impacts
 - Policies and Procedures
- Preventative Strategies
- Closure





Inclusion Strategy



(Singleton, 2015)



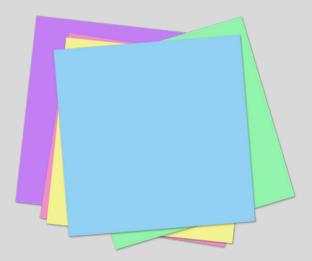
Important Definitions

Alternatives to Suspension: *Positive and Proactive Supports for Schools*

- Think on your response to "what is suspension"?
- Jot down how you would define/describe suspension
- Share your responses







Definition: Suspension

- A suspension is the removal of a student from school for a behavioral infraction
- In accordance with Education Law Section 3214, a suspension may be imposed for "a pupil who is insubordinate or disorderly or violent or disruptive, or whose conduct otherwise endangers the safety, moral health or welfare of others"

Types of Suspensions

Short-Term

Long-Term

Suspension of <u>five</u> consecutive school days or less Suspension of <u>more</u> <u>than five</u> consecutive school days

Types of Suspensions Continued

In-School (ISS)

Out of School (OSS)

- A suspension that takes place in school
- The student remains in the school building he/she regularly attends but receives instruction in another room for disciplinary reasons
- May occur in different school buildings, other buildings, or at home
- The student receives alternative instruction and must be allowed to complete requirements for all academic subjects

Removal

New York State (NYS) Regulations of the Commissioner of Education, Part 201 *Procedural Safeguards for Students with Disabilities Subject to Discipline;* Section 201.2(I) Removal Means;

1. a removal of a student with a disability for disciplinary reasons from that student's current educational placement, other than a suspension;

and...

2. the change in placement of a student with a disability to an interim alternative educational setting (IAES) by an impartial hearing officer (IHO) in a dangerous situation or by a superintendent for dangerous behavior involving serious bodily injury, illegal drugs, controlled substances or weapons

YOUR TURN



What Defining "discipline."



Why

How

8

To explore how we define the term "discipline." To discover others' views and how they view the term.



In your notes, please define what the term "discipline" means to you.

Then, share your thoughts with the group.

Origin of the Word "Discipline"

When: First known use = before 12th century

Where: England/France = Anglo-French, from the Latin word *discipling*

What:

- Teaching
- Learning
- Training that corrects, molds, or perfects the mental faculties or moral character

Current "Definition" of Discipline

- Control that is gained by requiring that rules or orders be obeyed and punishing bad behavior
- A way of behaving that shows a willingness to obey rules or orders
- Behavior that is judged by how well it follows a set of rules or orders

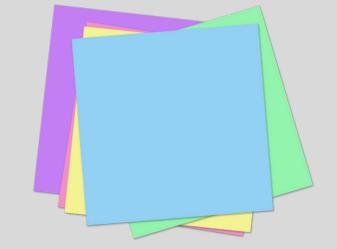
Where did the <u>teaching</u> and <u>learning</u> go?

Suspension Data

Alternatives to Suspension: *Positive and Proactive Supports for Schools*

Think about it...

What are the most frequent behavior problems that lead to suspension in your district / school?





YOUR TURN

Instructions: (Insert instructions here that are appropriate for the way you have chosen to complete this activity)

Instructions: (Insert instructions here

YOUR TURN



YOUR TURN

Abusive/Inappropriate Language/Profanity
Arson
Bomb Threat/False Alarm
Bullying/Cyber Bullying
Defiance/Insubordination/Non-Compliance
Disrespect
Disruption
Dress Code Violation
Forgery/Plagiarism/Theft
Gang Affiliation Display
Harassment
Inappropriate Display of Affection
Inappropriate Location/Out of Bounds Area
Lying/Cheating
Other Behavior
Physical Aggression/Contact/Fighting
Property Damage/Misuse/Vandalism
Skipping Class
Tardy
Technology Violation/Cell Phone Use
Truancy/Chronic Absenteeism
Use/Possession of Alcohol/Drugs
Use/Possession of Tobacco
Use/Possession of Weapons/Combustibles

For What Types of Infractions are Students Getting Suspended?

"The use of exclusionary discipline, particularly for out-of-school suspension, is not restricted to serious or dangerous behavior, but rather appears to be most commonly used for more interactive day-today disruptions, especially defiance and non-compliance."

Data Indicates...

Suspension occurs in response to a wide range of behaviors

- Tardiness & Truancy
- Disruptive behavior
- Non-compliance & Insubordination

However,

A <u>very small percentage</u> is in response to behaviors that threaten school safety or security

Racial/Ethnic Disparities in School Discipline

"Racial/ethnic disparities in school discipline tend to be most commonly found, not in more serious or safety threatening behaviors, but rather in more subjective infractions, such as defiance or disrespect, where interpretation rather than objective criteria are at play"

(Gregory & Weinstein, 2008; Skiba, Michael, Nardo, & Peterson, 2002)

"Black students are disciplined more irrespective of behaviors, and the vast majority of disciplinary infractions for which students receive a disciplinary consequence are subjective. This suggests that student-teacher matches and interactions, teacher discretion, as well as cultural mismatches play a key role in explaining the discipline disparities"

(Welsh & Little, 2018)

National Suspension Data

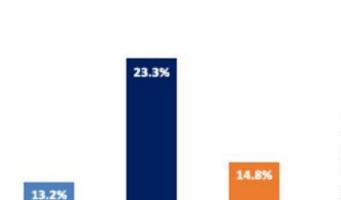


School Suspensions among Students with Disabilities served under IDEA in 2017-2018

School Suspension Data

- Students with disabilities served under IDEA represented 13.2% of total student enrollment but received 20.5% of one or more in-school suspensions and 24.5% of one or more out-ofschool suspensions
- Disparities worsen when the data are disaggregated by race. Black students served under IDEA accounted for 2.3% of total student enrollment, but received 6.2% of one or more in-school suspensions and 8.8% of one or more out-of-school suspensions

School Expulsions among Students with Disabilities served under IDEA in 2017-2018



Expulsions with

Educational

Services

Enrollment

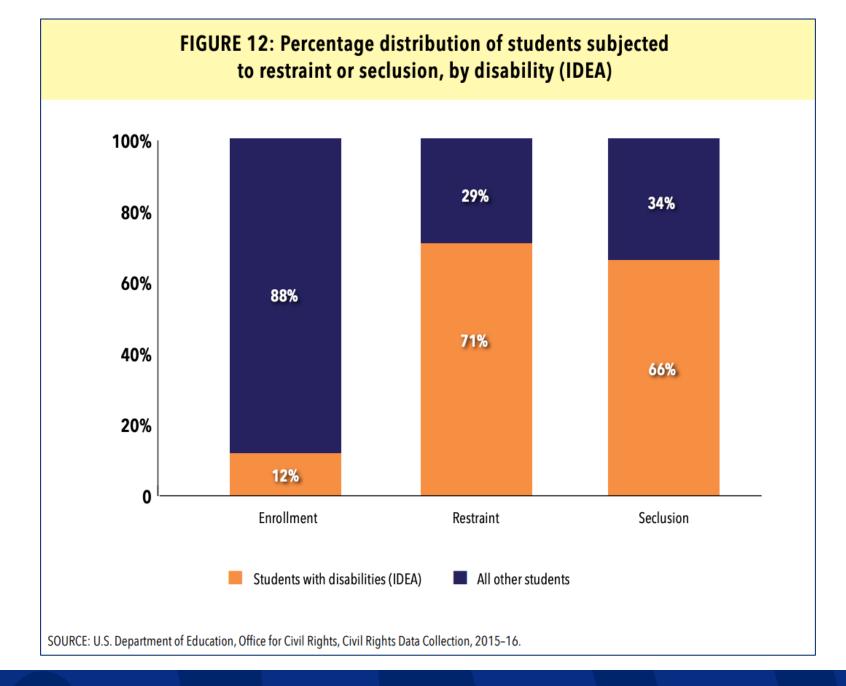
In 2017-18, students with disabilities served under IDEA represented 13.2% of the total student enrollment and received 23.3% of all expulsions with educational services and 14.8% of expulsions without education services.

School Expulsion Data

Expulsions without

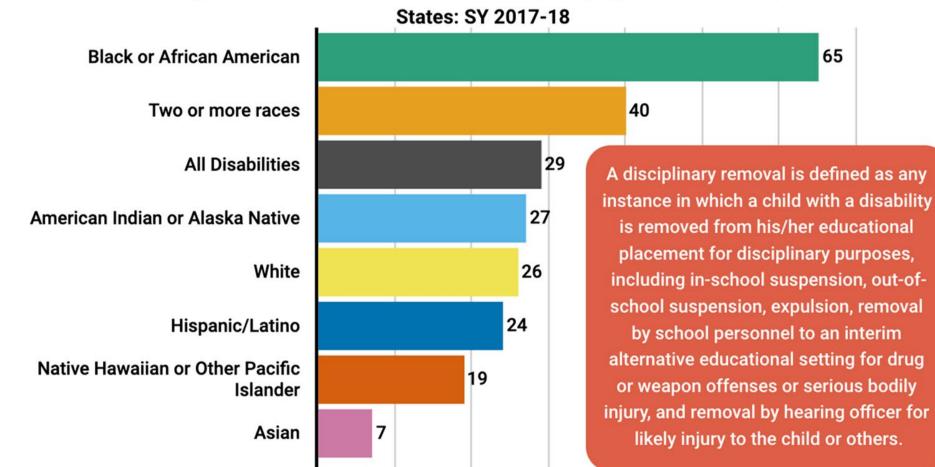
Educational

Services



Disproportionality in School Discipline

Total Disciplinary Removals Per 100 Children or Students with Disabilities, Ages 3 to 21, By Race/Ethnicity, Served Under IDEA, Part B, in the US, Outlying Areas, and Freely Associated

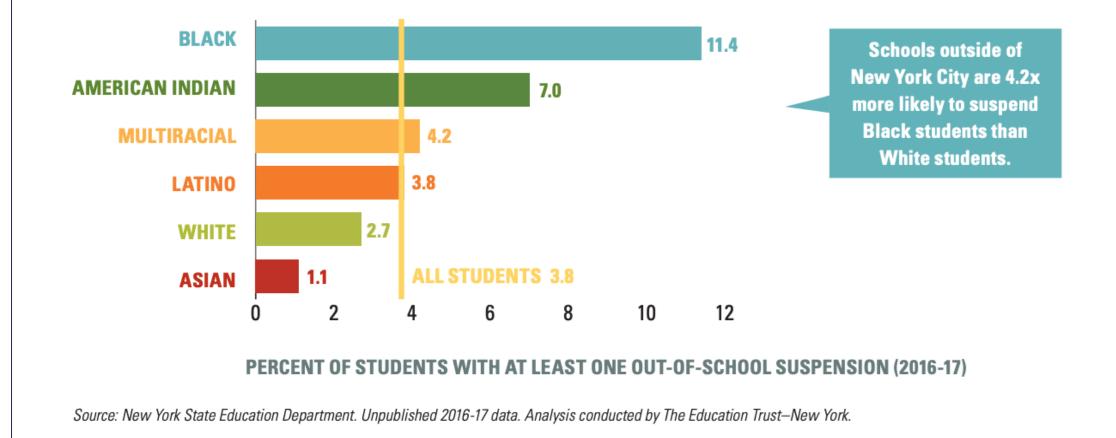


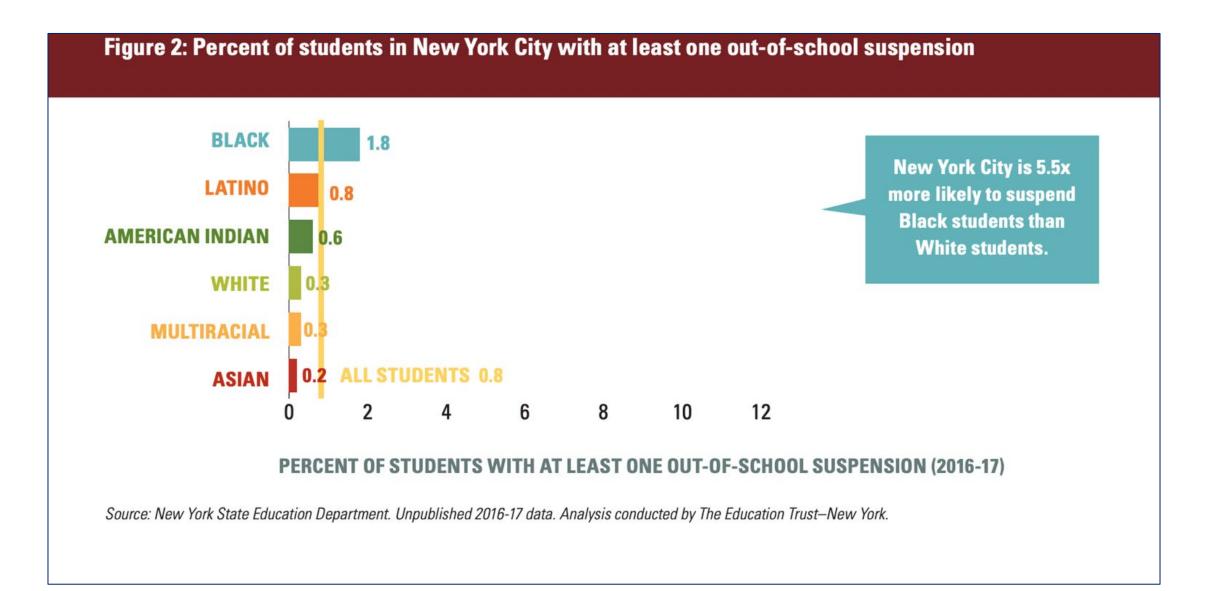
Office of Special Education Programming (OSEP) Fast Facts page of Black & African American students using 2017-18 data.

New York State Suspension Data



Figure 1: Percent of students outside of New York City with at least one out-of-school suspension





What Analyzing and Interpreting Data

To explore and interpret suspension data. To explore reasons for the outcome of the data.

After reviewing the national and NYS data slides, what conclusions can you draw regarding suspensions and expulsions of students with disabilities?

Let's share our responses with the group.

YOUR TURN

Why

How





NEW YORK STATE SCHOOL DISTRICTS SUSPENDED A **STUDENT AT LEAST ONCE EVERY MINUTE** IN THE 2016-2017 SCHOOL YEAR.

(The NYS Equity Coalition, (2018)

Building-Level Suspension Data



What Analyzing and Interpreting Data

Why

How

To explore and interpret suspension data. To explore reasons for the outcome of the data.

After reviewing your own district or building data think about:

- What was the top reason for office discipline referral?
- Are there any trends in data over the past few years (increase or decrease over time)?
- What students were suspended most (race/ethnicity, gender, age/grade level, socioeconomic status, etc.)?
- Do you think this is an accurate representation of what is behaviors in your schools why or why not?
- How would you use this data to action plan/select strategies for intervention?

YOUR TURN





Influences and Impacts

Alternatives to Suspension: *Positive and Proactive Supports for Schools*

EVERY 26 SECONDS A STUDENT DROPS OUT OF SCHOOL

٥r

7,000 students a day

Oľ

1.2 million students per year

The Costs of Suspension

Social Costs

- Results show that suspensions in 10th grade alone produced more than 67,000 dropouts in the U.S. and generated social costs to the nation of more than \$35 billion
- To society: \$527,695 per suspended non-graduating high school student

Fiscal Costs

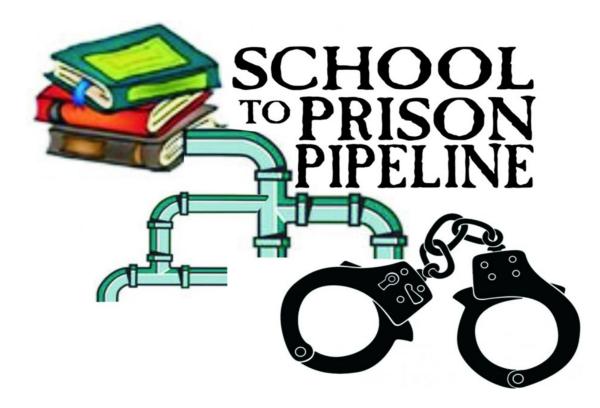
- Results show that all suspended nongraduates have an overall national fiscal cost of \$11 billion
- To taxpayers: \$163,340 per nongraduating high school student

Zero Tolerance

Definition: a harsh punishment for *any amount* of behavior *regardless* of the circumstances

- "...there is little to no evidence that strict zero tolerance policies have contributed to reducing student misbehavior or improving school safety"
- "...at risk students do not change their behavior as a result of suspension, ...suspension is associated with school dropout and incarceration, and...schools with higher rates of suspension and expulsion tend to have lower test scores and less satisfactory school climates"
- Racial disproportionality: Black students receive more harsh punitive measures (suspension, expulsion, corporal punishment) and fewer mild disciplinary measures than their non-minority peers, even when controlling for socio-economic status
- Lead to a greater negative impact on educational outcomes for students with disabilities

Have you Heard of This?



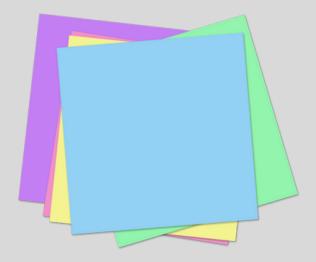
Studies have shown that a history of disciplinary referrals at school is a predictor of future involvement and incarceration in the prison system.

(Graham, 2015)

- As you watch the video clip, write down 1 "aha" on a post-it note that sticks out for you
- When we finish the video, we will have a group discussion







YOUR TURN





Policies and Procedures

Alternatives to Suspension: *Positive and Proactive Supports for Schools*



When Schools Should use Suspension

- Risk of harm to self or others
- Alcohol use
- Drug use
- Weapons use

However, the goal should always be to try to keep the student in school. Therefore in-school suspension is preferred over out-of-school suspension as supervision and classwork can continue, but in a private setting.

Principal's Right to Suspend Students NYS Education Law states:



- not to exceed five (5) school days
- notify student of the charged misconduct
- The school must provide written notice of the suspension to the parents
- give opportunity to the parents and student for an informal conference, prior to suspension, unless the student's presence poses a danger to person or property, or ongoing disruption to the academic process, then an informal conference will take place as soon as is practicable

Superintendent's Right to Suspend Students NYS Education Law states:

If the suspension occurs:

- the school must provide written notice of the suspension to the parents
- the District will often offer the opportunity to informally resolve the matter during an informal conference

If a suspension occurs and is longer than 5 days, then:

• A superintendent's hearing is required

If the District adjourns the superintendent's hearing, the student may return to school

• The school must provide the opportunity for a fair hearing, upon reasonable notice where student may be represented by counsel, with the right to question witnesses and to present witnesses and other evidence on his or her behalf (i.e., superintendent's hearing)

Code of Conduct

Questions to consider:

- Is the Code of Conduct aligned with the Board of Education policy on discipline? What does your BOE policy state?
- Is your district's systemic structure punitive?
- Not including danger to self, others and property, does your Code of Conduct focus primarily on reactive and punitive responses to inappropriate behavior?
- Are there any references to positive, proactive & preventive strategies?
- Do staff apply the Code of Conduct to all cases of behavior or are some decisions made on a case-by-case basis?
- Have teacher unions been a part of developing or advocating the use of the Code of Conduct?

Re-Entry Plans/Conferences



- When suspensions or removals are warranted due to the serious behaviors mentioned on the previous slides, then staff need to have a *formalized plan* to reintegrate students successfully back to school
- Re-Entry Plans/Conferences work to:
 - address the misbehavior and set the student up for future success
 - maintain and strengthen relationships between adults and students
 - provide a safe method for a student to return to school

Re-Entry Plans/Conferences Scenario

Put yourself in the shoes of a teenager and consider this scenario:

You have made a mistake – a really big one. You have missed several days of school – and therefore have missed out on both the academic instruction and the social interactions that has taken place in your absence. It is likely that your peers have some awareness of the situation and why you haven't been at school. Your teachers or administrators have been in touch with your parents, who are pretty upset with you. Additionally, you probably feel, rationally or irrationally, that you have been mistreated. You are embarrassed, angry, and anxious, and now you must return to school and face your peers, teachers, and administrators once more.

Re-Entry Plans/Conferences Components

- The Goal
- Student Strengths
- School Concerns
- Parent Concerns
- Student Concerns
- Action Plan/Closure





• Review a high school example of student behavior in the classroom





YOUR TURN

- Read Sean's Story
- On your handout, write:
 - the problem behavior
 - the teacher's response to the problem behavior, whether you agree or disagree with the response and why
 - how you would respond to the problem behavior and why
- Share out with the group





YOUR TURN

A Thought to Consider...

Classroom Management Issues

Suspensions / Removals

Existing *Discipline* **Procedures** are **Ineffective**

Punishment

- Reactive
- The consequence does not equal the function of behavior
- Does not prevent the behavior from occurring – it may reinforce the behavior
- Does not teach a replacement behavior

Suspension / Exclusion

- Reactive
- Does not teach a replacement behavior or how to cope
- Communicates to the student that they are not welcome – opposite of building positive relationships

REthnking Discipline

Getty

Getty images

Alternatives to Suspension Defined

Definition:

The use of other courses of action that would take the place of the removal of a student from school for a disciplinary infraction.



Purpose – 3 Reasons

- To understand that exclusionary practices have significant short and long-term negative effects on academic, social-emotional, health and wellness, and family outcomes of students
- To learn and use strategies for managing student behavior and appropriate alternatives to suspension which have significantly fewer negative impacts on student or family outcomes
- To improve outcomes for *all* students

Culturally Responsive Behavioral Systems

- 1. Identity
- 2. Voice
- 3. Supportive Environment
- 4. Situational Appropriateness
- 5. Data for Equity



Office of Special Education Programs PBIS Center's Cultural Responsiveness Field Guide

Preventative Strategies

Alternatives to Suspension: *Positive and Proactive Supports for Schools*

In this Section:

- 1. Implicit Bias
- 2. Classroom Management Practices
- 3. Function-Based Thinking

Implicit Bias

Preventative Strategies



Definition



• Implicit bias exists when people unconsciously hold attitudes toward others or associate stereotypes with them.

• It is:

- Automatic
- Generally, not an indication of our beliefs and values
- Something we all have (even those affected by it)

• It is more likely to influence:

- Snap decisions
- Decisions that are ambiguous

Other Terms to Know:

- **Discrimination** Actions based on prejudicial beliefs regarding, among other things, a person's race, religion, gender or sexual orientation
- Explicit v. Implicit Bias Explicit bias is a conscious attitude, such as a belief of which one is conscious, while implicit bias is a subconscious attitude, or a belief of which an individual is unaware
- Racial Anxiety "Racial anxiety" refers to the heightened levels of stress and emotion that individuals confront when interacting with persons of other races
- Stereotype A mental association about a person's attitudes or actions based on the person's membership in a group
- Stereotype Threat Stereotype threat is the concern that an individual's behavior will confirm a negative stereotype about the identity group to which the individual belongs

Rationale I

- Stereotypes and the implicit biases that result can create barriers between teachers and students, shaping their actions and responses to one another and can impact their overall teacher-student relationship
- Understanding implicit bias and using neutralizing strategies can reduce the disproportionality that exists in school discipline and can improve the actions and responses between teachers and students and/or students and teachers

Implementation

The 5-Point Intervention Approach:

- Use engaging academic instruction to reduce the opportunity (achievement) gap
- Implement a behavior framework that is preventive, multi-tiered, and culturally responsive
- Collect, use, and report disaggregated discipline data
- Develop policies with accountability for disciplinary equity
- Teach strategies to neutralize implicit bias

Reducing Implicit Bias in Our Decision Making

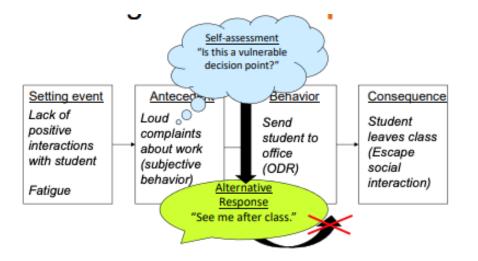
Two-Step Neutralization Routine for Staff:

Example:

Vulnerable Decision Points are decisions that are more vulnerable to effects of implicit bias

When you see unwanted behavior, stop and ask yourself:

- 1. Is this a Vulnerable Decision Point?
 - Situation
 - Decision state
- 2. If so, use an agreed-upon alternative response



Neutralizing Routine Examples

If this is a VDP:

• Delay decision until I can think clearly

- "See me after class/at the next break"
- ask the student to reflect on their feelings/behavior
- am I acting in line with my values?

• Reframe the situation

- "I love you, but that behavior is not ok"
- "How do we do that at school?"
- picture this student as a future doctor/lawyer
- assume student's best effort at getting needs met
- respond as if the student was physically injured

• Take care of yourself

- take two deep breaths
- recognize my upset feelings and let them go
- model class wide cool-down strategy

Sample Neutralizing Routine

- Take a deep breath
- Reflect on your emotions
- Focus on the student's best interest
 - "Let's TRY that again."
 - "Let's TRY it a different way."
 - "Let's TRY it how we do it at school."

Resources I

- Partnership Trainings
- Articles/Briefs
 - Queereshi & Okonofua (2017) Locked Out of The Classroom: How Implicit Bias Contributes to Disparities in School Discipline

https://www.naacpldf.org/files/about-us/Bias_Reportv2017_30_11_FINAL.pdf

- Other Resources:
 - McIntosh (2017) Neutralizing Implicit Bias in School Discipline

https://www.pbis.org/resource/neutralizing-implicit-bias-in-school-discipline

 Hammond (2015) Culturally Responsive Teaching and The Brain: Promoting Authentic Engagement and Rigor Among Culturally and Linguistically Diverse Students – Chapter 4 Classroom Management Practices

Preventative Strategies



Definition Classroom Management

Classroom management is a broad topic that generally describes a group of strategies that enhance teaching ability by establishing, enforcing, and reinforcing a system of rules and procedures within the classroom

Rationale II

Classroom management strategies are:

- Easily implemented and can positively impact students and teachers
- Associated with decreased inappropriate and off-task behavior and increased student engagement and academic achievement
- Associated with decreased teacher burnout and promote positive school climate

Implementation Practices

Eight Classroom Management Practices

Physical Environment

Expectations and Rules

Procedures and Routines

Active Supervision

Behavior Specific Praise

Continuum of Response Strategies for Inappropriate Behaviors

Class-Wide Group Contingencies – Positive Behavior Game

Multiple Opportunities to Respond

(Simonsen, Fairbanks, Briesch, Myers, & Sugai, 2008)

Resources II

• Partnership Trainings

Classroom Management 2-Day Training

Articles/Briefs

- Evidence-based Classroom Management: Considerations from Research to Practice (Simonsen, Fairbanks, Briesch, Myers, & Sugai, 2008)
- Classroom Management Strategy Brief University of Nebraska-Lincoln <u>https://k12engagement.unl.edu/strategy-briefs/Classroom Management 6-8-16.pdf</u>
- Other Resources

Function-Based Thinking

Preventative Strategies



Definition Function-Based Thinking

- Function-Based Thinking is a quick, systematic way for teachers to be thinking about students' behavior that informs the selection of effective function-based supports for intervention with students engaging in problem behaviors
- Function-Based Thinking adheres to all the basic principles of a Functional Behavioral Assessment including an operationalized definition of the behavior, a hypothesis statement, data collection, and the implementation of function-based interventions. FBT relies on a more informal process and is more appropriate for use with any student engaging in problem behaviors

Rationale

- It is an efficient and effective method to determine interventions for addressing problem behavior
- Interventions that correspond with the function of the behavior increase the likelihood the intervention will be effective
- It allows teachers to address problem behavior at the classroom level and can reduce the likelihood that students will develop more serious behavioral problems that may require more intensive intervention

Steps to Implementation

1. Gather Information

- Describe and operationally define the problem behavior
- Think about the data: When does the behavior happen? Where does the behavior happen? What happens right before and right after the behavior? Are there any patterns?
- Hypothesize why the student may be exhibiting the problem behavior: What is the function of the behavior?

2. Develop a Plan

- Think about a more socially acceptable replacement behavior
- Think about what the long-term desired behavior is and consider what approximations of the behavior would be appropriate while the student is learning
- How will you reward/reinforce the use of the replacement and eventually the desired behavior
- Is there anything that might prevent the student from being successful and how might we address this ahead of time?

3. Measure the Success of the plan

• Think about how you will know if the new replacement behavior is occurring more often/the problem behavior is occurring less often. If not, what should we do?

Resources

• Partnership Trainings

- Function-Based Thinking/Function-Based Thinking in Preschool
- Introduction to the Behavior Pathway
- Using the Competing Behavior Pathway to Identify Interventions

• Articles

 Function-Based Thinking: A Systemic Way of Thinking About Function and Its Role in Challenging Student Behavior Problems (Hershfeldt, Rosenberg, & Bradshaw, 2010)

Other Resources

YOUR TURN



Resource Review

Action Planning

- Do any of these preventative strategies appeal to you?
- Do any of these preventative strategies fit the needs of you/your district?
- If there are any strategies that appeal to you or the needs of your district, what would be your next steps? Do you need to get anyone else on board? Do you have enough information to move forward?

Review of Objectives

- 1. Understand the purpose (why, when and how) of using alternatives to suspension
- 2. Gain knowledge of the recent research on school suspensions
- 3. Examine scenarios when alternatives to suspension may be used to change behavior
- 4. Learn how a systemic change to the approach to discipline and problem behavior can affect school climate and learning
- 5. Leave this session with practical, replicable ideas to use as effective and proactive alternatives to suspension

Questions and Answers







New York State Education Department Office of Special Education Educational Partnership

Technical Assistance Partnership for Behavior

This training was developed by the Technical Assistance Partnership for Behavior @ the University at Albany-SUNY in collaboration with the Technical Assistance Partnership for Equity @ Bank Street College of Education





New York State EDUCATION DEPARTMENT Knowledge > Skill > Opportunity



New York State Education Department Office of Special Education Educational Partnership

Technical Assistance Partnership for Behavior



State University of New York

Break

Please return at



Exit Ticket

