

# Reducing Out-of-School Suspensions and Expulsions in District of Columbia Public and Public Charter Schools



Office of the State Superintendent of Education

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The Office of the State Superintendent of Education (OSSE) submits this document to the Mayor and the Secretary of the Council in accordance with D.C. Law 20-17, the Attendance Accountability Amendment Act of 2013

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# Executive Summary

The Attendance Accountability Amendment Act of 2013 requires the Office of the State Superintendent of Education (OSSE) to issue a report including findings and recommendations to aid each educational institution in eliminating out-of-school suspension and expulsions, except for those students who pose a reasonable threat of death or serious bodily harm to themselves or others or violate the Expulsion of Students Who Bring Weapons Into Public Schools Act of 1996, effective April 9, 1997 (D.C. Law 11-174; D.C. Official Code § 38-231 et seq.).

## Recommendations to Eliminate Out-of-School Suspensions and Expulsion

1. OSSE will work with stakeholders to finalize discipline-related regulations that establish basic standards for discipline.
2. To combat the loss of instructional time in exclusionary discipline practices and disparate systems, LEA discipline policies should incorporate the following recommendations:
  - LEAs should evaluate their current discipline policies' ability to reduce the likelihood of disparate systems and the overuse of out-of-school suspensions and expulsions.
  - LEAs should require a higher standard of recordkeeping and intervention before a student in elementary school is suspended or expelled.
  - Schools should exclude pre-K students from out-of-school suspension and expulsion disciplinary actions.
  - Schools should develop and implement discipline policies and practices that take into account students' developmental and individual needs (i.e. student conduct expectations should be developmentally appropriate and age-appropriate and include the consideration of special education needs).
3. The District of Columbia should support the expansion and centralization of the Positive Behavior Intervention and Supports (PBIS) framework.
4. LEAs should improve discipline-related data collections to ensure that the District of Columbia benefits from increased transparency and data consistency.
5. LEAs should develop and provide professional development for school personnel and utilize publicly available trainings, including those provided by OSSE.
6. LEAs should involve families in the development and implementation of discipline policies.

This report includes analysis of data from three different sources:

- Local education agency (LEA) reporting (5,042 students received in- and out-of-school suspensions and expulsions for violence, drugs, alcohol, and weapons during SY 2012-2013)
- 2012-2013 DC Equity Report (approximately 10,000 students received out-of-school suspensions and expulsions for any reason in aggregate during SY 2012-2013)
- Civil Rights Data Collection (nationally comparable reporting of in- and out-of-school suspensions and expulsions during SY 2011-2012)<sup>1</sup>

It also uses local and national research on best practices related to discipline in schools to provide recommendations on reducing the number of out-of-school suspensions and expulsions.

One of the most basic elements of ensuring student academic success is ensuring that students are attending school consistently. Since 2012, the District of Columbia has made great strides in improving student attendance. We have implemented robust attendance laws, improved data consistency across the various agencies in the District of Columbia that have touch points with our students and their families, and expanded District-wide support systems and interventions aimed at increasing student attendance. Yet students continue to be deprived of classroom instruction due to the continued use of out-of-school suspensions and expulsions. OSSE recognizes that school leaders should create safe and structured environments in their schools that support instruction by implementing various strategies, including the thoughtful use of disciplinary policies. However, this review of data suggests that schools should establish discipline standards focused on allowing students to remain in the educational setting as much as possible.

This report provides an analysis of various data sources and makes specific recommendations for the public schools in the District of Columbia. Data shows that out-of-school suspension and expulsion occur too often and at disproportionately higher rates among certain subgroups. Further, there is growing evidence on the longstanding negative effects that such practices have on children in particular and society as a whole. While OSSE recognizes that certain instances of student misconduct may require serious consequences, OSSE recommends that schools adopt and implement discipline policies that do not disrupt student educational progress by depriving them of the opportunity of remaining in the educational setting. These policies should reduce the use of out-of-school suspensions and expulsions.

Further, OSSE recommends an increased focus on data collection and analysis, an increase in the provision of training and professional development for our educators, closer collaboration with families in the development and implementation of new discipline policies, and a continued focus on the implementation of positive behavioral interventions.

As the state education agency for the District of Columbia, OSSE looks forward to engaging with our education stakeholders in developing discipline-related policies and regulations that enhance the educational opportunities for our students.

# Summary of Findings

## National Trends

- Eleven (11) states (including DC) reported higher gaps than the nation between the suspension rates of African American students and White students for both boys and girls: Arkansas, District of Columbia, Illinois, Indiana, Michigan, Missouri, Nebraska, Ohio, Pennsylvania, Tennessee, and Wisconsin.<sup>2</sup>
- Five (5) states (including DC) reported a ten percentage point or higher gap in out-of-school suspension rates between students with disabilities and students without: Florida (15%), Nevada (14%), District of Columbia (13%), Wisconsin (11%), and Louisiana (10%).<sup>3</sup>
- Research suggests that suspensions and expulsions actually increase the likelihood that students will misbehave in the future, become truant, fail to graduate, develop substance abuse issues, or encounter the juvenile justice system.<sup>4</sup>
- High rates of suspensions in schools have been related to lower school-wide academic achievement and standardized test scores.<sup>5</sup> In Baltimore, for example, studies show that students who were suspended did far worse on tests than those who were chronically absent.<sup>6</sup>
- Recent U.S. Department of Education (ED) Office of Civil Rights (OCR) data show that the disparity in discipline practices begins in early grades and plays into larger problems, like the growth of the school-to-prison pipeline, where harsh penalties for disciplinary infractions push youth of color out of school and into the juvenile justice center.<sup>7</sup>

## Local Trends from Suspensions for Violence, Drugs, Alcohol, and Weapons<sup>8</sup>

- In District of Columbia Public Schools (DCPS) and DC public charter schools, students in grades 6, 7, 8, and 9 had the highest number of discipline events (in-school suspensions, out-of-school suspensions, expulsions) as compared to other grades.
- In DC schools (DCPS and charter schools), male students were approximately 1.68 times more likely to be disciplined than female students.
- In DC, DCPS students were 1.58 times more likely to be disciplined than charter school students.
- African American students in DC schools (DCPS and charter schools) were almost six times more likely to be disciplined as were White students. Latino students were just more than two times more likely to be disciplined than White students.
- Students from low-income families in DC schools (DCPS and charter schools), as measured by eligibility for free and reduced-price lunch (FRL), were 1.3 times more likely to be disciplined than students whose families were not low income. Students from families eligible for Temporary Assistance for Needy Families (TANF) or the Supplemental Nutrition Assistance Program (SNAP) were 1.5 times more likely to be disciplined than students not participating in these assistance programs.
- Students who were homeless at some point during School Year (SY) 2012-2013 and attending DC schools (DCPS and charter schools), were nearly 1.2 times more likely to be disciplined than those who were not homeless.
- Students under the care of DC's child welfare system, the Child and Family Services Administration (CFS), were more than two times more likely to be disciplined as non-CFS students.
- Depending on their level of disability, most students who received special education services experienced higher rates of discipline than students not receiving special education services, ranging from 1.4 to 1.7 times more likely for students in levels 1-3.





# Introduction

The Office of the State Superintendent of Education (OSSE) believes in equal educational opportunities for all District of Columbia students. As those opportunities primarily occur in the classroom, the reduction of out-of-school suspensions and expulsions is critical to the success of our students. Thus, OSSE sets forth below its recommendations and guidance to local education agencies (LEAs) on practices and strategies that may be used to reduce disciplinary practices that remove children from the classroom setting.

## **Students are Out of School Too Often.**

The 2012-2013 DC Equity Report revealed that nearly 10,000 DC students were suspended at least once during SY 2012-2013. To that end, LEA reporting shows that there were four times as many occurrences of out-of-school suspension and expulsion than in-school suspension.

## **Some Students are Excluded Disproportionately.**

Locally and nationally, African American students and students in special education are more likely to be suspended or expelled than other students. A recent report by the Office for Civil Rights (OCR) found that nationally, students with disabilities are more than two times more likely to receive one or more out-of-school suspensions than students without disabilities.<sup>9</sup> Additionally, African American students are suspended and expelled at a rate that is three times greater than the rate for White students, with this disproportionality of suspensions and expulsions for African American students becoming evident as early as preschool.

Such disparity in disciplinary actions among subgroups raises significant questions regarding the impact that such practices will have on children. Out-of-school suspensions and expulsions can affect a student's future emotional and educational well-being, as research suggests that school exclusion actually increases the likelihood that students will misbehave in the future, become truant, fail to graduate, develop substance abuse issues, or encounter the juvenile justice system.<sup>10</sup> Many researchers have begun a closer examination of the relationship between school discipline and involvement in the adult justice system, suggesting that early involvement in school discipline is a clear predictor of future problems. This has been referred to as the "school-to-prison pipeline theory".\*

While relying on suspensions or expulsions to maintain order may seem like the best way to immediately diffuse a disruption, research shows that such interventions are largely ineffective over the long term, undermining a school's ability to help students improve behavior, failing to improve the safety or productivity of the school's learning environment, and seriously and negatively impacting individual and school-wide academic outcomes.<sup>11</sup> Through this report, it is OSSE's intent to provide educators, parents, and other key decision makers with information and resources that support our ability to serve all learners well.

\* The School to Prison Pipeline theory suggests that there is a pattern of pushing disadvantage students out of school and into the criminal justice system. It suggests that the pipeline is the result of systems that do not properly identify and support students who might need additional educational or social assistance.

# Findings

Using data collected directly from DC's LEAs, the DC Equity Report, and the Civil Rights Data Collection (CRDC), this report analyzes current data trends nationally and DC's reporting of discipline actions.

## National Findings

### **The Civil Rights Data Collection<sup>12</sup>**

The U.S. Department of Education conducts CRDC, formerly the Elementary and Secondary School Survey (E&S Survey), to collect data on key education and civil rights issues in our nation's public schools. CRDC collects a variety of information, including student enrollment and educational programs and services, disaggregated by race/ethnicity, sex, limited English proficiency, and disability. CRDC for SY 2011-2012 was collected from every public school and school district in the country. The most recent school- and district-level data, posted on the CRDC website on March 21, 2014, reported:

- Disproportionate suspension of preschool children by race/ethnicity and gender: African American children represent 18% of preschool enrollment but 48% of preschool children receiving more than one out-of-school suspension. In comparison, White students represent 43% of preschool enrollment but only 26% of the preschool children receiving more than one out-of-school suspension. Boys represent 79% of preschool children suspended once and 82% of preschool children suspended multiple times, although boys represent just 54% of preschool enrollment.
- Disproportionately high suspension/expulsion rates for students of color: African American students are suspended and expelled at a rate that is three times greater than for White students. On average, 5% of White students are suspended, compared to 16% of African American students. Native American and Alaska Native students are also disproportionately suspended and expelled, representing less than 1% of the student population but 2% of out-of-school suspensions and 3% of expulsions.
- Disproportionate suspensions of girls of color: African American girls are suspended at higher rates (12%) than girls of any other race or ethnicity. Native American and Alaska Native girls (7%) are suspended at higher rates than White boys (6%) or girls (2%).
- Suspension of students with disabilities and English language learners: Students with disabilities are more than two times more likely to receive an out-of-school suspension (13%) than students without disabilities (6%). In contrast, English language learners do not receive out-of-school suspensions at disproportionately high rates (7% suspension rate, compared to 10% of student enrollment).

- Eleven (11) states (including DC) reported higher gaps than the nation between the suspension rates of African American students and White students for both boys and girls: Arkansas, District of Columbia, Illinois, Indiana, Michigan, Missouri, Nebraska, Ohio, Pennsylvania, Tennessee, and Wisconsin.
- Five (5) states (including DC) reported a ten percentage-point or higher gap in out-of-school suspension rates between students with disabilities served by the Individuals with Disabilities Act (IDEA) and students without disabilities: Florida (15%), Nevada (14%), District of Columbia (13%), Wisconsin (11%), and Louisiana (10%).

## Local Findings

### Submissions to OSSE Directly from LEAs

- DC LEAs submit student-level discipline data—including data on both in-school and out-of-school suspensions and expulsions for particular categories of behavior—to OSSE. In turn, OSSE reports these data to the Federal government by school and by student subgroup (such as race and gender). For Federal accountability, OSSE is required to report to the Department of Education suspensions and expulsions due to violence, weapons use or possession, drug use or possession, and alcohol use or possession.
- Additionally, data on out-of-school suspensions for any reason are reported through “equity reports” created through a partnership of the Office of the Deputy Mayor for Education (DME), OSSE, DC Public Schools (DCPS), the District of Columbia Public Charter School Board (PCSB), and the NewSchools Venture Fund to complement DC’s state report card and other local accountability initiatives.

### Total Disciplinary Events

- According to data reported by LEAs to OSSE for SY 2012-2013, DCPS and PCSB schools took 7,441 discipline actions for violence, weapons brought to schools, alcohol use, and drug use. These discipline actions included 1,134 in-school suspensions, 6,231 out-of-school suspensions, and 76 expulsions. They involved 5,042 students (6.1% of all enrolled students).<sup>13</sup>

Table 1 shows these incidents by type of discipline and reason for discipline.\*

**Table 1: Frequency of Disciplinary Actions by Offense**

Discipline Reason	In-School Suspension	Out-of-School Suspension	Expulsion
Violence with Injury	29	279	14
Violence without Injury	1,085	5,060	21
Weapon (Knife)	0	64	0
Weapon (Multi)	0	2	0
Weapon (Other Sharp)	0	7	0
Weapon (Other)	9	92	11
Alcohol	1	24	1
Drugs	7	287	12
Other Drugs or Violence	3	416	17

\* All of the data and graphs in this report describe and illustrate discipline actions related to the federally required reporting categories only, unless otherwise noted.

## Factors Associated With Discipline Actions

The following charts (Figures 1-9) depict data trends resulting from logistic regression analysis. Logistic regression is the most commonly used method of regression analysis that is used when the outcome variable is binary rather than numeric (i.e., student was suspended or expelled versus student was not suspended or expelled). Logistic regression measures how likely the outcome (i.e., suspension or expulsion) is to occur based on a variety of other factors (e.g., gender, grade, race). Because all data is analyzed together in one model, the graphs represent the independent effect of each factor. This means, for example, that boys are 1.68 times more likely to be disciplined than girls, irrespective of their grade level, race, socioeconomic status, or any identified special education needs. All likelihoods noted in text are statistically significant at the 99% confidence level, unless otherwise noted.

The following graphs detail the independent relationships between students' gender, grade, race, learning disability status, FRL status, and neighborhood income level and their likelihood of being disciplined. However, the combined effect can be very large.

NOTE: For these models, "Suspension and Expulsion" refer only to any in-school suspension, out-of-school suspension, or expulsion that was enforced in response to violence, weapons use or possession, drug use, or possession or alcohol use or possession, as these categories were the only ones reported to OSSE by both DCPS and PCSB. It does not include analysis of discipline incidents for other reasons (e.g., uniform violations, tardiness).

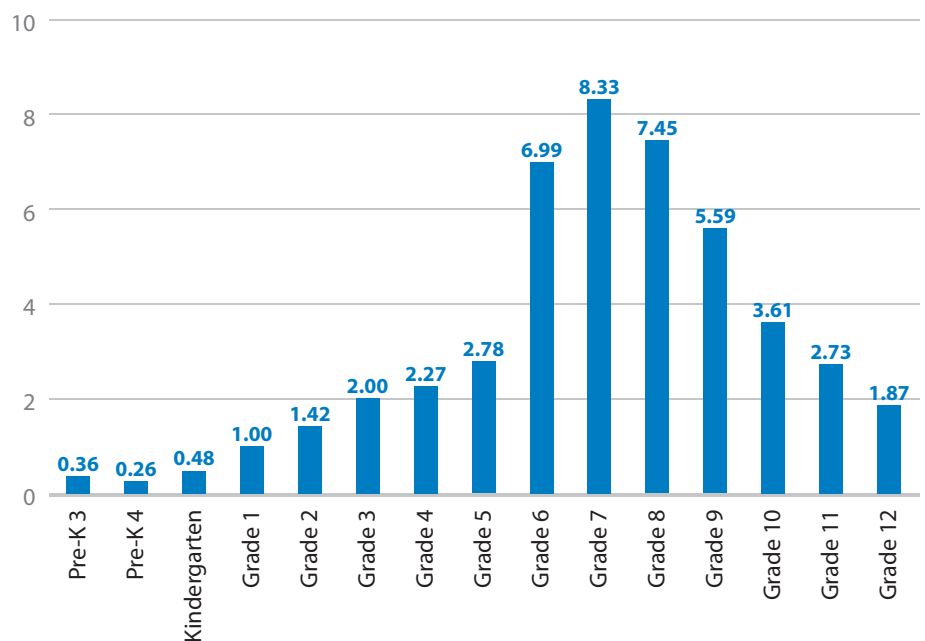
## Example

Two eighth grade students (Student A and Student B) are enrolled in a charter school. Neither student is homeless or in DC's foster care system. Student A is a White female, not eligible for FRL, without an identified disability, and lives in a neighborhood with a median household income of \$60,000. Student B is an African-American male, eligible for FRL and direct certification, has an Individualized Education Plan (IEP) (SPED level 2), and lives in a neighborhood with a median household income of \$30,000. Student A had a 1.4% chance of being disciplined for weapons, violence, drugs, or alcohol in SY 2012-2013, while student B had a 41.3% chance of the same outcome.

### Grade Level and Discipline

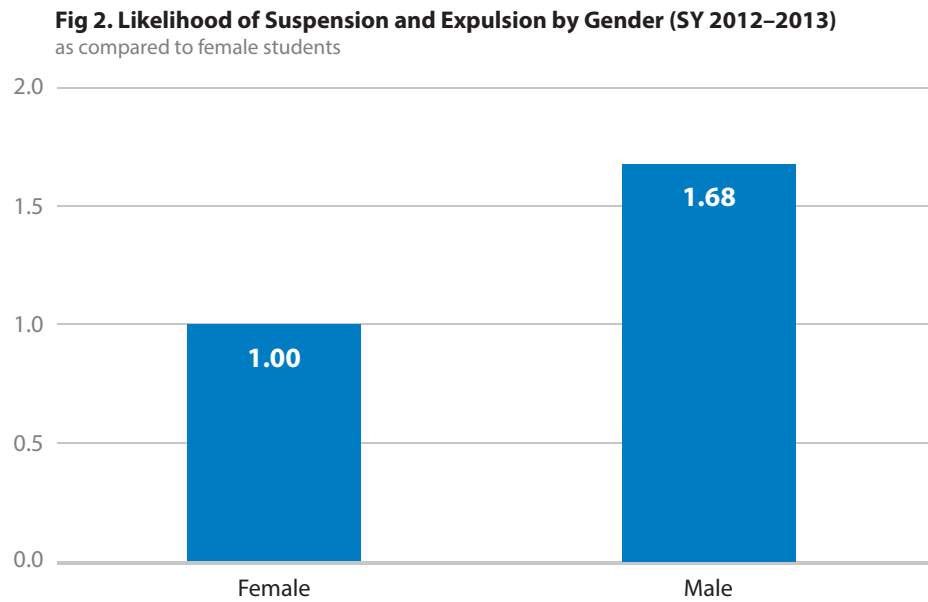
In SY 2012-2013, students in grades 6, 7, 8, and 9 experienced the greatest number of discipline events. As Figure 1 shows, students in the seventh grade were eight times more likely to be disciplined as students in the first grade.

**Fig 1. Likelihood of Suspension and Expulsion by Grade (SY 2012–2013)**  
as compared to first grade



## Gender and Discipline

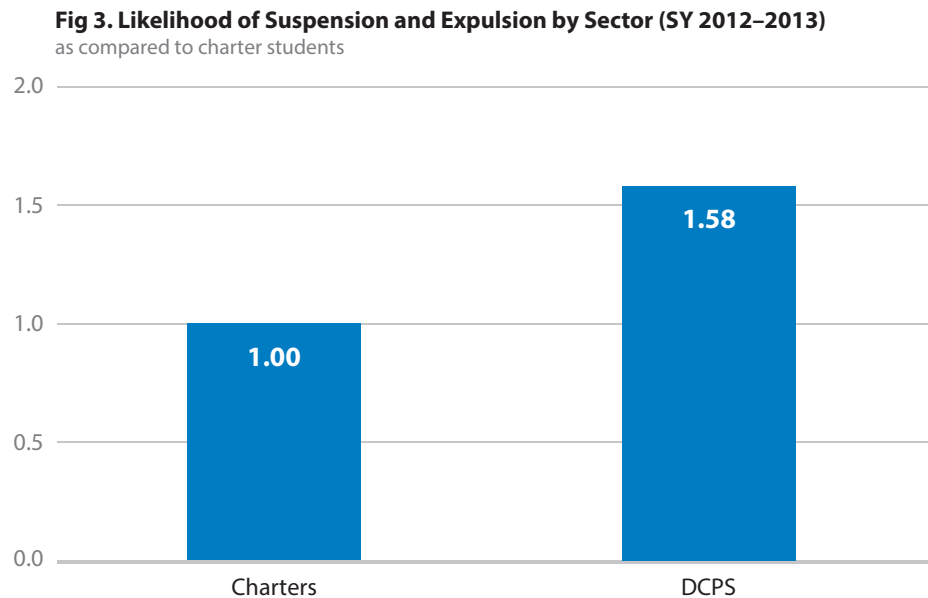
As Figure 2 illustrates, male students were approximately 1.68 times more likely to be disciplined than female students.



## Sector and Discipline

The District, composed of 61 LEAs, has diverse educational choices. DCPS is DC's largest LEA, enrolling 46,393 students (56%) during SY 2013-2014. Additionally, 36,565 students (44%) are enrolled in independently run public charter school programs. Both DCPS and PCSB offer a plethora of services, ranging from pre-kindergarten to adult education, and include numerous alternative education and special education centered programs.

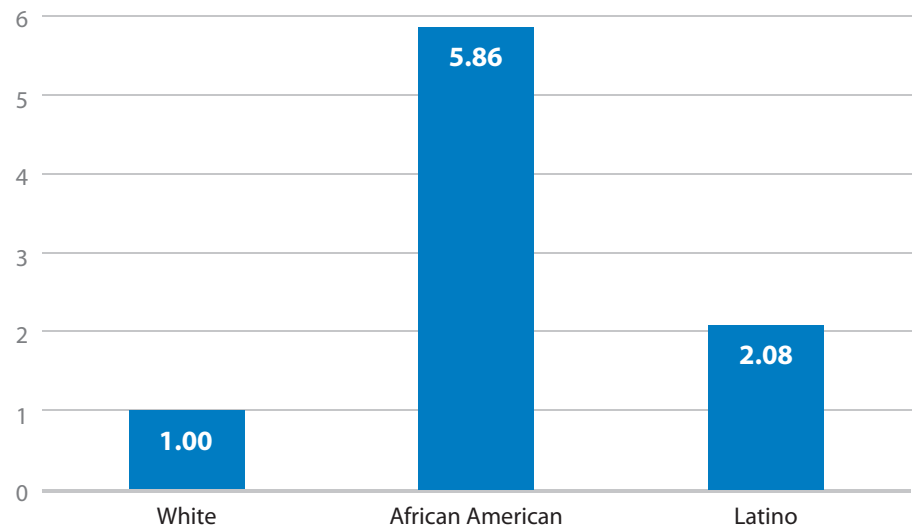
DCPS students were 1.58 times more likely to be disciplined than public charter school students.



## Race and Discipline

African American students were almost six times more likely to be disciplined than White students. Latino students were more than two times more likely to be disciplined than White students.

**Fig 4. Likelihood of Suspension and Expulsion by Race (SY 2012–2013)**  
as compared to White students



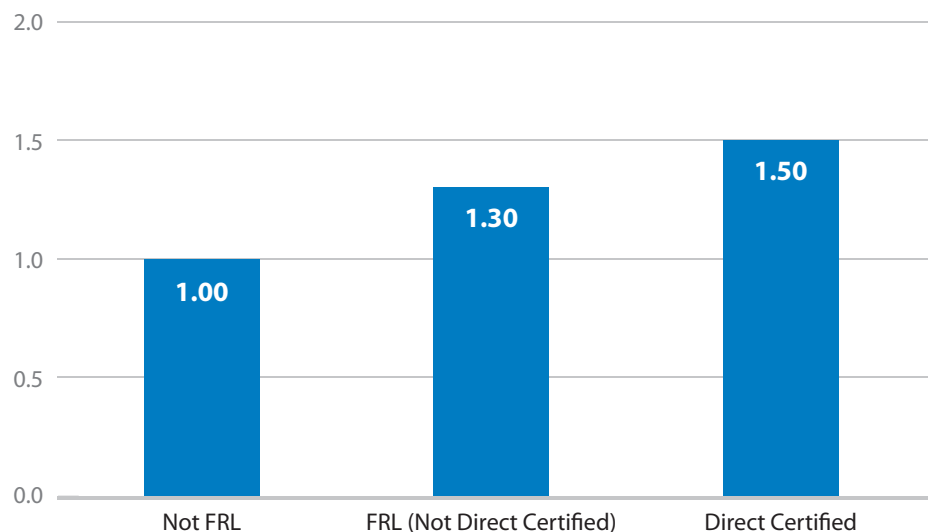
## Socioeconomic Status and Discipline

To understand the potential relationship between family income and discipline, OSSE examined several measures of student socioeconomic status, including whether a student is: a) a recipient of free and reduced lunch (FRL); b) in a family receiving Temporary Assistance for Needy Families (TANF) or Supplemental Nutrition Assistance Program (SNAP) benefits (student is “directly certified”); c) homeless; and/or d) under the care of CFSA.

This analysis also takes into account the median income of students’ census tract of residency in examining the association between students’ socioeconomic status and discipline. This metric provides a measure of neighborhood socioeconomic status and serves as a proxy for individual socioeconomic status. A \$10,000 increase in median census tract income<sup>14</sup> was found to reduce the likelihood of a discipline action being taken on a child by 4.5%. The relationship between the other measures of students’ socioeconomic status and discipline are as follows:

- Students who were eligible for FRL, but who were not “directly certified,” were 1.3 times more likely to be disciplined than non-FRL students.
- “Directly certified” students were 1.5 times more likely to be disciplined than non-FRL students.<sup>15</sup>

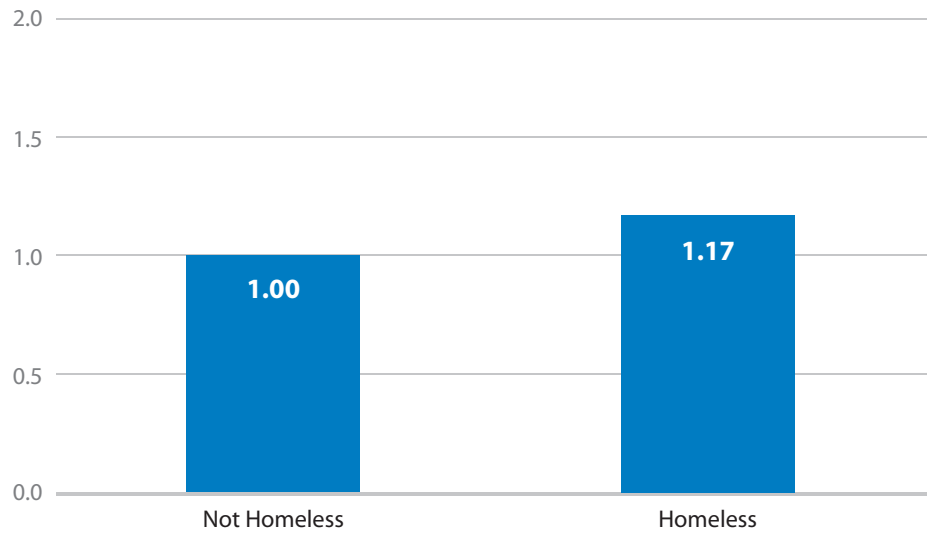
**Fig 5. Likelihood of Suspension and Expulsion by Free and Reduced Price Lunch (FRL) Status (SY 2012–2013)**  
as compared to non-FRL students



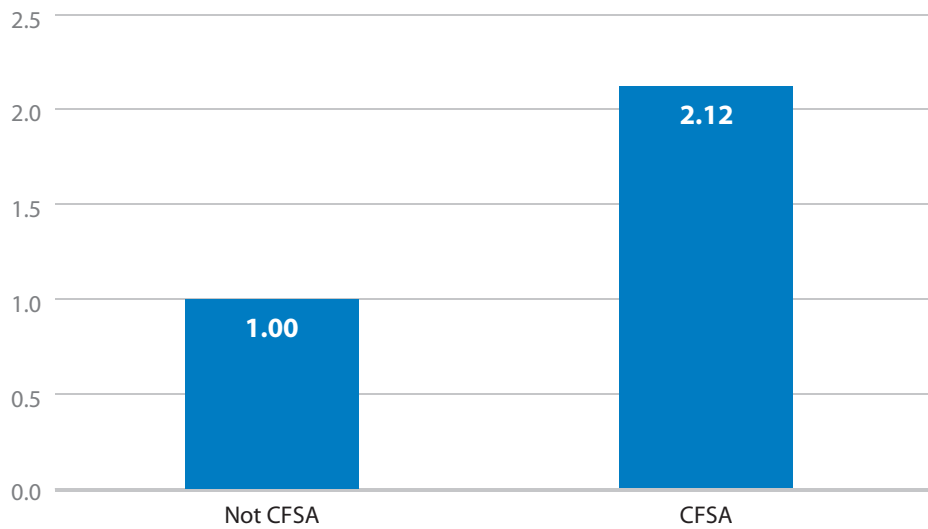
## Homelessness and Foster Care Status and Discipline

Students who were homeless at some point during SY 2012-2013 were 1.17 times more likely to be disciplined than students who were not homeless.\* Students under the care of CFSA were more than two times more likely to be disciplined compared to students not in its care.

**Fig 6. Likelihood of Suspension and Expulsion by Homeless Status (SY 2012–2013)**  
as compared to non-homeless students



**Fig 7. Likelihood of Suspension and Expulsion by Foster Status (SY 2012–2013)**  
as compared to students not served by CFSA



\* Homelessness was statistically significant at the 95% confidence level, but not the 99% confidence level that the other coefficients met.

## Special Education and Discipline

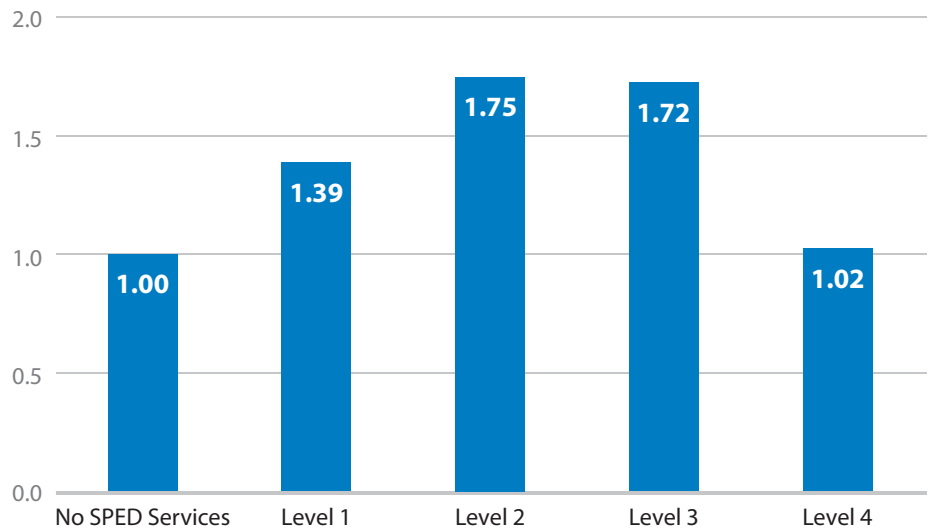
Most categories of students receiving special education services experienced higher rates of disciplinary actions as compared to students not receiving these services.\* In the District of Columbia, schools serving students identified as being in need of specialized education services through an Individualized Education Program (IEP) receive one of four funding weights based on the number of hours of specialized services the student needs on a weekly basis. These categories may be used as a proxy of the severity of disability. Students at the lowest level of weekly services (level 1) were 1.4 times more likely to receive discipline actions than students not receiving special education services. Students at special education levels 2 and 3 were approximately 1.7 times more likely to experience discipline actions than students not receiving special education services. However, students receiving “level 4” services did not experience higher rates of discipline, as compared to their peers not receiving special education services.

Analysis of discipline actions taken based on primary disability reveals that certain disability categories—other health impairment, multiple disabilities, emotional disturbance, and developmental delay—were associated with statistically significant increases in the likelihood of discipline. In contrast, autism was correlated with a much lower rate of disciplinary action (one-third the likelihood) compared to students in general education.

Students with the following disabilities were not found to be more likely to be disciplined as compared to students without a disability: speech or language impairment, intellectual disability, visual impairment, hearing impairment, deafness, orthopedic impairment, and traumatic brain injury.

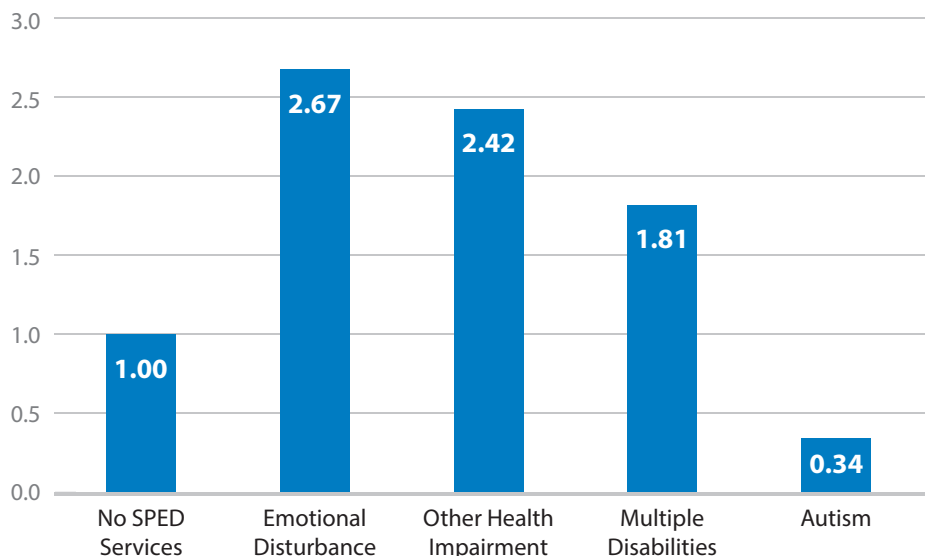
**Fig 8. Likelihood of Suspension and Expulsion by Special Education (SPED) Level (SY 2012–2013)**

as compared to students not receiving special education services



**Fig 9. Likelihood of Suspension and Expulsion by Primary Disability (SY 2012–2013)**

as compared to students not receiving special education services



\* It is important to note that students attending non-public schools under the Non-Public Tuition program are not included in this analysis.



# The DC Equity Report

The Equity Report summarizes citywide data for students in all grades in certain categories of performance. It serves as a complement to OSSE’s LearnDC School Profiles, DCPS School Profiles, and PCSB’s Performance Management Framework to provide information on attendance, discipline, student achievement, student growth, and student movement. It is the result of a partnership with the Deputy Mayor for Education, OSSE, DCPS, PCSB, and NewSchools Venture Fund.

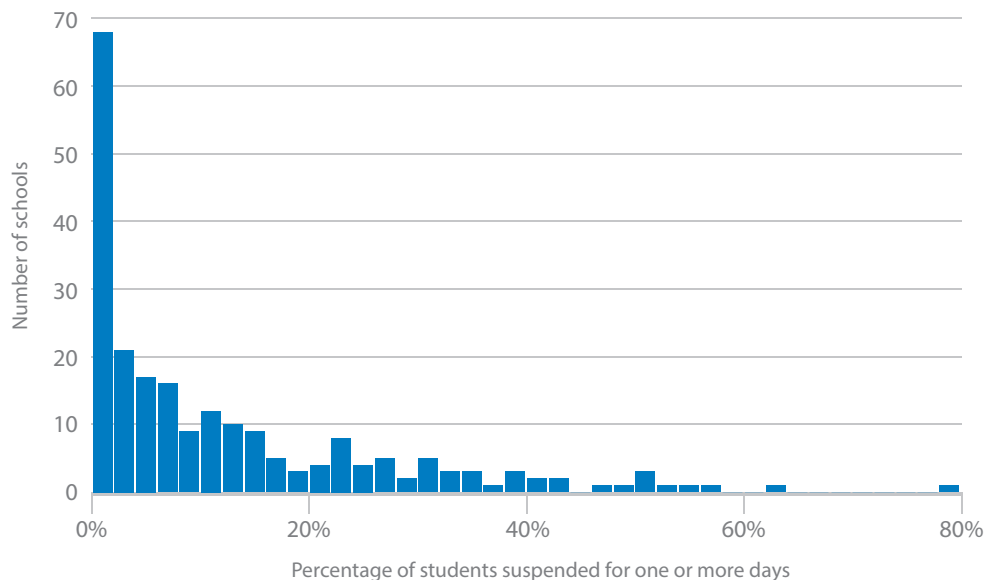
This is an important data source in examining suspensions and expulsions as it is the only source that contains all out-of-school suspensions or expulsions for any reason. The data within the Equity Report indicates:

- 12% of all students received an out-of-school suspension for at least one day;
- Less than 1% of all students were suspended for more than 11 days;
- Twice the percentage of students receiving special education services were suspended than students not receiving special education services;
- African Americans (16%) were suspended in substantially higher proportions than Latino students (4%), Asian students (2%) and White students (1%); and
- 187 total students were expelled, resulting in an expulsion rate of 0.22%.
- 3,192 charter school students were disciplined a total of 6,170 times for reasons that did not fall into federally mandated reporting categories. These discipline incidents included 1,285 in-school suspensions, 4,859 out-of-school suspensions, and 26 expulsions.\*

The report also documents wide variation between schools in terms of discipline rates†, including:

- 43 schools reported that they did not suspend or expel any student;
- 37 schools reported that they had suspended at least 25% of students; and
- 8 schools reported that they had suspended at least 50% of all students for at least one day.

**Fig 10. Suspension Rates Across DC Schools (SY 2012-2013)**



\* OSSE only has this information for charter schools, as DCPS only submitted discipline data that it was federally mandated to report to OSSE.

† Note that several of the schools with the highest suspension rate serve an alternative population and many of the lowest suspension rate schools include only the youngest grades of students.



# Recommendations and Next Steps

To combat the loss of instructional time and create uniform discipline regulations throughout the District of Columbia:

## 1. OSSE will work with stakeholders to finalize discipline-related regulations that establish basic standards for discipline.

As illustrated above, Federal and local data highlight some concerning trends in the disproportionality of discipline practices across subgroup and sector lines. Uniform regulations are necessary to ensure consistent application of discipline policies to ensure students are treated fairly.

DC's current discipline standards were implemented pursuant to the former Board of Education's authority to directly supervise DCPS, and thus they only apply to DCPS. Each charter LEA has its own discipline practice and appeal rights, which vary from LEA to LEA, creating potential disparities between schools. As a result, OSSE will work with stakeholders to create statewide discipline standards. OSSE intends to publish the draft regulations for public comment by Fall 2014. The proposed regulations, at a basic level, establish minimum standards for discipline and require due process parameters before school exclusion or the imposition of discipline.

OSSE believes that state-level discipline rules should balance school autonomy and innovation with uniformity of District of Columbia procedures. Accordingly, proposed rules will focus on the process, not the reason for disciplinary action, and will require LEA policies and procedures that give students and parents notice of the kinds of behaviors that will result in disciplinary action in the LEA.

OSSE believes that comprehensive regulations and policies should:

- Provide procedural safeguards for students and notification to parents;
- Create parameters for the use of physical restraint and separation in emergency situations;
- Require LEAs to report discipline data on all disciplinary actions; and
- Incorporate national best practices as published by the U.S. Department of Education in January 2014 including, but not limited to, ensuring that policies:
  - Are based first upon meeting educational goals,
  - Employ the disciplinary intervention with the least adverse impact on students' educational goals, while also effectively addressing the behavior,
  - Clearly prohibit administering discipline on the basis of race, color, national origin, sex, or any of the protected classes under the DC Human Rights law,
  - Provide age-appropriate explanations of discipline for students to understand the expectations and consequences for their conduct, and
  - Include an evidence-based approach to prevention, early intervention, and crisis response.

## 2. LEA discipline policies should incorporate the following recommendations:

LEAs should evaluate their current discipline policies' ability to reduce the likelihood of disparate systems and the overuse of out-of-school suspensions and expulsions.

To ensure that consequences are consistent and that students are removed from school only as a last resort, LEAs should review their current discipline policies to evaluate if misconduct and subsequent disciplinary actions are proportional and clearly defined.

Policies should clearly lead to practices that keep students in school whenever possible. Additionally, policies should outline goals for supporting all students, particularly students with disabilities; students of color; lesbian, gay, bisexual, and transgender (LGBT) students; homeless students; students in foster care; English language learners; and students from the lowest socioeconomic backgrounds. If not, the policy should be revised.

Federal guidance provides that school leaders can create policies that produce more equitable and efficient disciplinary methods by:

1. Conducting comprehensive needs assessments to ensure they are effective in measuring the perceptions of students and other members of the community in connection with the administration of school discipline, and using the results of these assessments to make responsive changes to policies and practices;
2. Involving families, students, and school personnel in the development of discipline policies;
3. Developing approaches to address identified needs and achieve progress towards its goals;
4. Defining offense categories and base disciplinary penalties on specific and objective criteria whenever possible;
5. Ensuring that clear, developmentally appropriate, and proportional consequences apply for misbehavior;
6. Including appropriate procedures for students with disabilities and due process for all students;
7. Creating alternative settings that provide academic instruction, and return students to class as soon as possible;
8. Providing access to all written policies to all staff, students, and families in a user-friendly format that specifies, in a language the reader can understand, the sanctions imposed for specific offenses, and opportunities to provide feedback to ensure common understanding;
9. Training school personnel on revised discipline policies and classroom management techniques; and
10. Outlining options for prevention, intervention, and remediation.<sup>16</sup>

Schools that have discipline policies or codes of conduct with clear, appropriate, and consistently applied expectations and consequences will help students improve behavior, increase engagement, and boost achievement.

U.S. Department of Education, *Guiding Principles*

## LEAs should require a higher standard of recordkeeping and intervention before a student is suspended or expelled.

Given that behavioral misconduct is often evidence of undiagnosed disability or family instability, LEAs should require schools to report a higher standard of intervention before a student is suspended or expelled. Federal best practice suggests that recordkeeping systems include the following:

- Demographic information for all students involved (disaggregated by race, sex, disability, age, and English learner status);
- A description of the misconduct;
- Grade level of each student referred for discipline;
- Attempts made to address the behavior prior to the referral for discipline;
- Witnesses to the incident;
- Prior history of the student;
- Referring staff member;
- Discipline imposed; and
- Law enforcement involvement, if any.<sup>17</sup>

Additionally, while some school discipline reporting forms identify prior strategies and interventions utilized, this practice is not uniform across all LEAs. Discipline referral forms and reporting should include the options for prevention, intervention and remediation as outlined in the school's discipline policy. For example, the DCPS discipline referral form aligns with best practice and provides the following:

**Table 2: Classroom Strategies and Disciplinary Actions**

If persistent behavior, prior strategies should have been tried and documented before referral. Indicate which strategies you have tried below:

Classroom Strategies	Disciplinary Actions / Other Strategies
Asked student to explain situation	Behavior contract
Changed seating	Exclusion from extracurricular activities
Coaching/met with student	Loss of privileges (including recess)
De-escalation strategy	Temporary removal from classroom
Differentiated instruction/task	Verbal reprimand
Increased positive interactions with student	Parental contact (___/___/___)
Non-verbal attention/visual cue	Teacher/parent conference (___/___/___)
Positive reinforcement for appropriate behavior	Teacher/student conference (___/___/___)
Presented both written and verbal directions	After-school detention (___/___/___)
Proximity to student	Referral for targeted support (___/___/___)
Reduced distractions	Conflict resolution/mediation (___/___/___)
Verbal redirection (restate expectations)	Other strategy
Other strategy	

Other intervention methods to consider for discipline referral forms include: anger management, attendance intervention plans, behavior intervention plan, behavior progress report, behavior redirection, community conference, community conference, community service, conflict resolution, crime awareness/prevention programs, diverse instructional strategies, in-school program restructuring (schedule change), individual or group counseling, intervention by guidance counselor or mental health professional, mediation, mentoring, parent conference, parent observation of student, positive behavior supports, referral to community based organizations, referral to substance abuse counseling service, rehabilitative programs, restorative justice strategies, and social skills instruction.<sup>18</sup>

Further, the intervention methods should be detailed and reported to parents and appropriate administration 1) when the school official notifies the student and parent of pending suspension or expulsion and 2) during the student's conference with the school official responsible for proposing the disciplinary action. Recordkeeping and reporting by the LEA provides the opportunity to analyze the tactics used to prevent school exclusion and assess if school exclusion has been used as a last resort.

### Schools should exclude pre-K students from out-of-school suspension and expulsion disciplinary actions.

The expansion of pre-K classrooms in the District of Columbia forces additional thought about policies specific to our youngest students. 2013 data shows that 0.71% of all 3 year olds and 0.55% of all 4 year olds received out of school suspensions during SY 2012-2013. OSSE believes that schools should not suspend or expel pre-K students. Young children are not able to connect fully their misconduct to their suspension or expulsion related consequence. Research indicates that removing a young child from school does not teach them appropriate conduct but rather puts them behind by removing them from the academic setting.<sup>19</sup> Moreover, the high majority of reported incidents are non-violent offenses.<sup>20</sup> In DC, pre-K students have been punished for temper tantrums, classroom disruption, repeated vulgarity, and bathroom mishaps.<sup>21</sup> The National Library of Medicine indicates that the following behaviors may exist in typically developing three and four year olds:

**Table 3: Typical Behavior of Three and Four Year Olds**

3 Year Olds <sup>22</sup>	4 Year Olds <sup>23</sup>
<ul style="list-style-type: none"> <li>■ Temper tantrums Note: Children who have tantrums that regularly last for more than 15 minutes or that occur more than three times a day should be seen by a health care provider</li> <li>■ May or may not have daytime control over bowel and bladder functions.</li> </ul>	<ul style="list-style-type: none"> <li>■ May begin using vulgar words</li> <li>■ May show increased aggressive behavior</li> <li>■ Lacks moral concepts of right and wrong</li> <li>■ Rebels if too much is expected of him or her</li> <li>■ Will ask the most questions of any age</li> <li>■ May use words that aren't fully understood</li> </ul>

It is concerning that pre-K students may be excluded from school for age-appropriate misconduct. The gravity of school exclusion mirrors that of poor school attendance. Excluding students from school has serious negative consequences on future behavior and academic success. Recognizing that suspensions and expulsions actually increase the likelihood that students will misbehave in the future, become truant, fail to graduate, develop substance abuse issues, or encounter the juvenile justice system,<sup>24</sup> LEAs should take particular care in the behavioral interventions being used to discipline our youngest students.



## Schools should develop and implement discipline policies and practices that take into account students' developmental and individual needs.

School policies and procedures addressing student conduct should take into consideration age-appropriate, research-based strategies, and evidence-based alternatives that are developmentally appropriate and reflect a variety of preventive practices, interventions, and supports suited to the particular needs of the student. As a first step, LEAs should be extremely thoughtful when developing school discipline policies and procedures. As discussed in the section on evaluating discipline policies, LEAs should outline a progressive, or scaled, discipline system for addressing ongoing and escalating student misconduct. The scaled system should take into account various levels of misconduct for alignment to appropriate, proportional consequences.\* As a best practice, to maintain the flexibility necessary to appropriately choose proportional consequences, LEAs should refrain from engaging in zero-tolerance systems.<sup>25</sup> The scale must include degrees in the severity of consequences and should reserve school exclusion as a last resort, ensuring that its utilization is infrequent and only utilized to address the most severe behaviors that place the student or others at risk of imminent harm. For example, as misconduct like tardiness, use of profanity, or dress code violations do not pose a threat or compromise school safety; these behaviors should carry less severe consequences on the school's discipline scale.

Schools should also account for the developmental and individual needs of students with disabilities and those who have not yet been determined to be eligible for special education services. Federal provisions under IDEA and Section 504 of the Rehabilitation Act of 1973 address procedures that must be followed when schools take any disciplinary actions involving students with qualifying disabilities or make decisions about whether or not to remove a child with a disability from his or her current school placement and, in the event of such removal, what continuing education services must be provided to the student and where such services can be provided.<sup>26</sup> While each charter school has autonomy over its discipline procedure, due process procedures and additional safeguards under IDEA and Section 504 still apply.

Developmentally appropriate consequences take into account the developmental differences of students at various stages of childhood and adolescence, as well as the cognitive and emotional maturity of the students served.

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\* For more information on best practices for tiered support, please see the section on the Positive Behavior Intervention and Supports Framework.

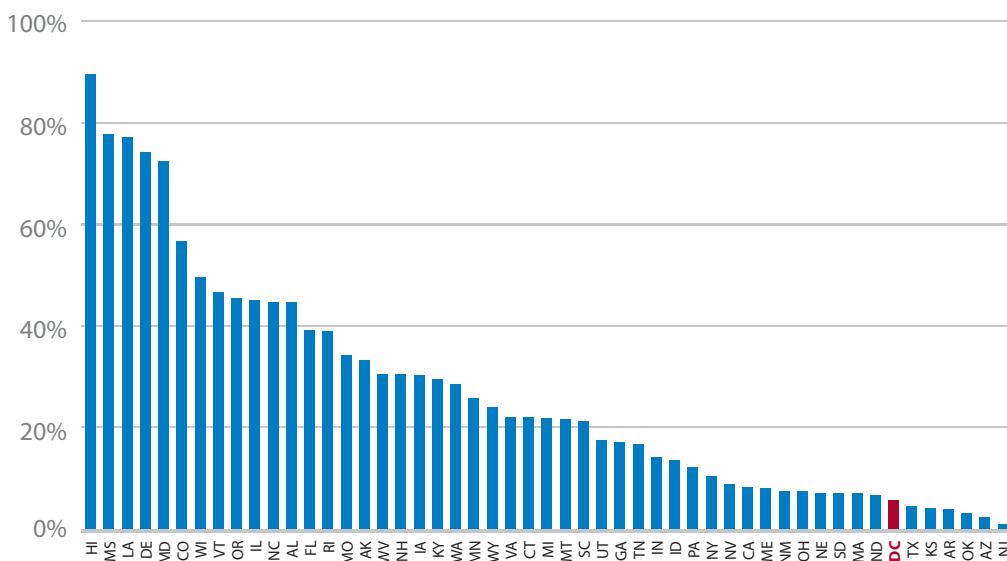
### 3. The District should expand the use of the Positive Behavior Intervention and Supports (PBIS) framework and other evidence-based models.

The use of preventive discipline methods is integral to the reduction of out-of-school suspensions and expulsions. Best practice provides that schools must prioritize the creation of positive school climates that use evidence-based prevention strategies, such as tiered supports. Given the evidence of effectiveness in previous pilot schools when implemented with fidelity, OSSE believes that the District of Columbia should support the expansion of the PBIS framework. PBIS is a nationally recognized program supported by the Federal government because it has been shown to be effective in reducing the need for disciplinary actions and improving academic, social, emotional, and behavioral outcomes for students.<sup>27</sup> When implemented properly, PBIS can decrease discipline referrals, suspensions and detentions, and disruptive classroom behavior, while increasing academic performance, on-task behavior, parent, student and staff satisfaction, and staff retention.

To support appropriate student behavior, schools should implement prevention-based strategies that identify at-risk students and match tiered supports and interventions—universal, targeted, and intensive—to meet students’ varied behavioral and developmental needs.

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**Fig 11. Percentage of Schools Implementing the Positive Behavior Intervention and Supports (PBIS) Framework by State**  
as of January 2014



Source: Building the Capacity of Schools, Districts and States to Implement School-wide PBIS by Rob Horner, University of Oregon



Since its inception, OSSE has provided professional development on effective behavior support, and in 2013, OSSE released a state-level PBIS Toolkit. Training sessions provide information on how stress and trauma affect behavior and how practitioners can utilize trauma-informed practices, as well as information on positive behavior models, Functional Behavioral Assessments, and Behavior Intervention Plans. To varying degrees, PBIS is used in select classrooms across DC. From 2008-2012, the PBIS program was piloted in 16 DCPS schools, and School Improvement Grant (SIG) schools continue to implement the program. Since PBIS is not a DC-wide initiative, we do not have the benefit of tracking progress, measuring fidelity, or sharing best practices.

Research by PBIS program experts and state case studies lead to the following immediate next steps for consideration in District-wide implementation:

- 1.** Conduct a needs assessment that identifies the PBIS initiative's effectiveness and aligns current discipline data to all related resources and efforts/initiatives. For the purpose of aligning initiatives and resources, we should understand the full extent to which PBIS is being implemented within schools.
- 2.** Develop a statewide blueprint for full District implementation that:
  - a.** Identifies a leadership team at the state and district level that includes relevant stakeholders and agencies. The goal of the leadership team will be to improve the District of Columbia's capacity for implementation, guide adoption of practices, provide the data systems needed for capacity development, and identify training, coaching, evaluation, and technical expertise;
  - b.** Identifies funding and considers existing resources. The leadership team will identify existing resources among all DC agencies that weave initiatives and funding to promote efficiency and outcomes; and
  - c.** Identifies potential policy changes. The leadership team must select effective practices. The policy changes must guide and define program expectations for schools.
- 3.** Develop a method to ensure fidelity of program implementation. The district may evaluate if the Statewide Longitudinal Education Data System (SLED) can track school fidelity and progress.
- 4.** Build capacity through a professional development system that includes training, coaching, and evaluation. Best practices suggest that the training must be built from the top down. DC should first build the training, coaching, and evaluation capacity at the state level to ensure that schools have technical expertise for implementation and procedures for improvement.

For more background on the objectives and approach of the PBIS framework, please refer to the supplement found on page 31 of this report.



## 4. LEAs should improve discipline related data collections to ensure that the District of Columbia benefits from increased transparency and data consistency.

In crafting and implementing their discipline policies, LEAs should look to their data to ensure that the practices and policies that they are using do not lead to disparate treatment among students. For example, Table 4 highlights the frequency that school exclusion is used in comparison to in-school suspension.

Without this data, LEAs may be unaware of the disparities occurring within their schools and, thus, are unable to remedy the situation.

Schools should ensure effective implementation of school climate and discipline policies and practices by using data and analysis to drive continuous improvement.

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**Table 4: Number of In-School Suspensions, Out-of-School Suspensions, and Expulsions for Federally Reported Disciplinary Actions in SY 2012-2013**

Grade	Total In School Suspension	Total Out of School Suspension	Total Expulsion
Pre-K	24	181	0
K	12	201	1
1st	25	464	1
2nd	37	523	1
3rd	76	600	3
4th	61	671	2
5th	61	748	4
6th	420	1423	7
7th	635	1544	18
8th	535	1332	17
9th	395	1643	21
10th	47	770	3
11th	29	505	11
12th	12	264	5

Additionally, LEAs can use their data to identify which students may be most at-risk for academic difficulty and school disengagement. Accordingly, for proactive and fair approaches to school discipline, LEAs should have strong data collection and evaluation procedures in place. Federal guidance offers that schools can do so in the following ways:

1. Publicly report the disaggregated discipline data that has been collected, in an easily understandable and accessible manner;
2. Regularly complete information about all discipline incidents, consistent with applicable privacy laws;
3. Establish a detailed recordkeeping system, as described in recommendation two;
4. Develop procedures for regular and frequent review and analysis of the data to detect patterns that lead to further investigation, and evaluate whether the goals of the discipline policy are being achieved. LEAs should consider:
  - a. Examination of discipline referrals and sanctions imposed at the school compared to those at other schools; and
  - b. Random review of the disciplinary actions taken at each school on an ongoing basis to ensure that actions taken were non-discriminatory and consistent with the school's discipline practices.
5. Analyze the data to assess the impact that discipline policies and practices are having on students of color, students with disabilities, and students at risk for dropping out of school;
6. Assess whether certain types of misconduct are more commonly disciplined; and
7. Identify if specific teachers or administrators are more likely to recommend school exclusion or a specific group of students for disciplinary action.<sup>28</sup>

## 5. LEAs should develop and provide professional development for school personnel and utilize publicly available trainings, including those provided by OSSE.

Effective, ongoing professional development for school-based staff is imperative to reducing out-of-school suspensions and expulsions. Recognizing that building and maintaining positive school environments is complex work, OSSE believes that the training and development of school personnel in discipline matters is a shared responsibility between the SEA, LEAs, community partners, and other government agencies. Moreover, a clear need exists for improving coordination and access to training on discipline-related matters and causes. For example, the Healthy Schools Survey<sup>29</sup> highlighted that 80% of DCPS teachers and 93% of PCSB teachers would like to receive additional professional development around such topics as violence prevention and substance abuse. Table 5 provides rates in which professional development was offered in substance use/abuse, mental health and violence prevention (as reported by PCSB and DCPS).

LEAs should provide all school-based personnel who interact with students with effective professional development and ongoing support and match professional learning opportunities with the needs of various school personnel--be they teachers, principals, or specialized support personnel such as social workers.

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**Table 5: Reported Rates of Professional Development in Substance Use/Abuse, Mental Health, and Violence Prevention**

Professional Development Topic	Charters	DCPS
Mental and Emotional Health	35.3%	54.1%
Alcohol and Other Drug Use	8.9%	66%
In Tobacco-Use Prevention	12%	49.5%
Violence Prevention (bullying, fighting, or dating violence prevention)	33.1%	---

Given that the percentage of students receiving discipline is high and teachers reported the need for more professional development, the District of Columbia should equip school personnel with the necessary training to build positive school climates, support preventative disciplinary approaches, and handle student misconduct appropriately and fairly. Professional development that emphasizes those key strategies should utilize partnerships with local mental health, child welfare, law enforcement, and juvenile justice agencies to maximize resources and share best practices. Training is particularly critical for schools that are not staffed with mental health professionals. Additionally, professional development efforts that incorporate other agencies and community partners give school personnel the best chance for connecting the root cause of misbehavior to tiered interventions and outside services.

Federal guidance provides that training should lead to the ability for staff to 1) prevent and address conflicts, meet the behavioral needs of diverse students, and fairly and equitably apply discipline policies and practices and 2) apply discipline using individualized approaches as necessary, taking into account factors such as student developmental delays, mental health challenges, and other medical or physical issues. Table 6 uses best practices and results from the Healthy Schools Survey to compile the following list of professional development topics for consideration:

**Table 6: Professional Development Topics Resulting from Healthy Schools Survey**

Topic
Instructional practice
Using proactive, data-driven, and continuous efforts, including gathering feedback from families, students, teachers, and school personnel to prevent, identify, reduce, and eliminate discriminatory discipline and unintended consequences
How to apply school discipline policies and practices in a fair and equitable manner
The use of appropriate supports and interventions, which encourage and reinforce positive student behaviors and utilize exclusionary discipline as a last resort
Understanding the student code of conduct
Cultural competency
Cultural responsiveness and institutional bias
Tiered supports
De-escalation techniques
Conflict resolution
Crisis management
Child and adolescent development
Disability and special education issues
Student and family engagement
Identifying students coping with trauma

## 6. LEAs should involve families in the development and implementation of discipline policies.

OSSE believes that schools should work closely with parents to meet high academic and behavioral goals. Research shows that parent engagement leads to a number of positive educational outcomes that include improvements in grades, attendance, and behavior.<sup>30</sup> Federal guidance recommends that schools engage families on discipline matters by:

1. Affirmatively establishing regular means of communication with parents about all aspects of the school's activities and each child's learning and development. Regular communication allows parents and teachers to address potential problems as they arise and before problems become crises.
2. Seeking informal and formal means of student and parent input.  
For example, schools may meaningfully engage the school community in the school's discipline process by creating an advisory committee on student discipline policies and practices, and inviting an array of community members and staff to participate.
3. Providing information about the school's behavior expectations for students, including prohibited conduct and due process rights for students.
4. Making all current discipline-related materials, including the student handbook, code of conduct, and all related documents (available in the major languages spoken at the school) on the school's website and at the office.
  - a. To comply with applicable civil rights obligations,\* schools should:
    - i. Provide translation or interpretation services for discipline-related documents and meetings to students, parents, or guardians who are limited English proficient.
    - ii. Consider the communication needs of students and parents or guardians with disabilities when providing documents or holding meetings about discipline.
5. Establishing protocols and due process requirements that specify when the school will notify parents and guardians to ensure their prompt notification and involvement in the disciplinary process.
6. Creating methods for regularly soliciting student and family input regarding the school's disciplinary practices.
7. Including the community (students, families, and community members) in a process of determining the root cause or causes of any identified disparities or unattended consequences.<sup>31</sup>

School discipline policies and practices should engage parents and guardians as partners in the discipline process as much as possible by establishing comprehensive communications between school staff and family members, and by promoting supportive roles for family members in identifying and addressing student behavior challenges.

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\* Title IV of the Civil rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color or national origin, requires schools to provide language assistance to national origin-minority parents who have limited English proficiency in order to allow the parent meaningful access to information in a language the parent can understand. Title II of the Americans with Disabilities Act of 1990 prohibits discrimination on the basis of disability by state and local government entities, including school districts.

# Conclusion

OSSE recognizes that creating school climates and cultures that enhance student engagement, reduce disruption, and allow for students to remain in the education setting is challenging work. In an effort to support schools, this report provides six recommendations on how educators, families, and other key decision makers can work together to combat the loss of instructional time and create uniform discipline regulations throughout the District of Columbia:

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**OSSE can** work in concert with stakeholders to create statewide discipline standards and build capacity among school personnel around discipline matters.

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**LEAs can** evaluate discipline policies and procedures to ensure best practice in application, recordkeeping, training, and data analysis.

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**Parents can** work closely with schools to be involved in the academic and behavioral goals of their children and the larger school community.

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**Other key decision makers can** create policies and support systems that aid schools in implementation of efficient and equitable disciplinary practices.

OSSE appreciates the commitment that stakeholders make every day to improve the educational pursuits of DC students. Together, we can reduce out-of-school suspensions and expulsions and eliminate disparate systems. OSSE looks forward to engaging stakeholders on next steps and developing the guidance initiated in this report.



# Definitions

**“Behavior Intervention Plan” or “BIP”** is a plan based on functional behavior analysis that includes positive strategies, program modifications, and supplementary aids designed to target a student’s disruptive behaviors so that they do not reoccur and to develop positive replacement behaviors.

**“Community Eligibility Provision” or “CEP”** is a federally funded program that allows some high poverty schools to provide free lunch to all students. Created under the Healthy, Hunger-Free Kids Act of 2010, CEP began reimbursing schools in Washington D.C. in school year 2012-2013.

**“Developmentally-appropriate”** is a research-based practice that promotes students’ optimal learning and development by supporting individual patterns of development and learning; providing for development of cognitive skills; and integrating all educational aspects of a student’s physical, mental, and social development.

**“Emergency”** is a temporary and non-recurring circumstance in which intervention is reasonably believed to be necessary to protect a student or other person from imminent, serious physical injury. Minor property destruction, disruption of classroom order, or failure of a student to follow the directive of a school official shall not alone constitute imminent, serious physical injury.

**“Expulsion”** is the permanent removal of a student from a school for persistent violations of that institution’s rules.

**“Functional Behavior Analysis” or “FBA”** is a process of analyzing the “function” of a particular problematic behavior to inform intervention strategies that will assist students in developing appropriate replacement behaviors. The analysis includes data collection based on observations of the student across settings and interviews with teachers, parents, and others who work with the student, to document the antecedent (what comes before the behavior), the behavior, and the consequence (what happens after the behavior).

**“Free and Reduced Lunch” or “FRL”** indicates that a student is eligible to receive free or reduced price school meals under the National School Lunch Program. Students can qualify for FRL by being directly certified through enrollment in TANF or SNAP, by attending a school that participates in the Community Eligibility Provision, or by meeting a certain income requirement (under 130% of the federal poverty level for free lunch or under 185% of the federal poverty level for reduced price lunch).

**“Imminent, Serious Physical Injury”** is an injury upon the body of a person that is: (1) likely to arise directly from identified and prohibited conduct; and (2) likely to result in long-term or permanent impairment of the functioning of a bodily organ or limb, disfigurement, or death.

**“In-school Suspension”** is the temporary removal of a student from his or her regular classroom(s) for disciplinary purposes, requiring the student to continue academic work under the direct supervision of school personnel, who are physically present in the same location as the student.

**“Individuals with Disabilities Education Act” or “IDEA”** is a Federal Act approved by the U.S. Congress on April 13, 1970 (84 Stat. 191; Pub. L. 91-230; 20 U.S.C. § 1400 et seq.), as amended by Pub. L. 108-446, approved December 3, 2004 (118 Stat. 2647).

**“Local Educational Agency”** or **“LEA”** is the District of Columbia Public Schools (DCPS) district or any individual or group of public charter schools operated under a single charter in the District of Columbia.

**“Parent”** is a parent, guardian, or other person with legal authority or responsibility for a student.

**“Research-based”** is the use of systematic, empirical methods that draw on observation or experiment, involve rigorous data analyses that are adequate to test the stated hypothesis and justify the general conclusions, rely on measurement or observational methods that provide valid data across multiple measurements and observations, and/or have been accepted by a peer-reviewed journal or approved by a panel of independent experts through a rigorous, objective, and scientific review.

**“Seclusion”** is the temporary removal of a student from the general student population by a school official in an emergency situation solely for the purpose of a protecting the student or other person from imminent, serious physical injury. Seclusion does not include removals of a student from the classroom or school environment for disciplinary purposes.

**“Out-Of-School Suspension”** is the restriction of a student’s access to school grounds by a school official when such restriction is intended as a disciplinary measure for addressing or correcting student conduct. Suspension does not include a temporary removal of the student from the classroom or learning environment.

**“Supplemental Nutrition Assistance Program”** or **“SNAP”** is a Federally funded programs that offer nutrition assistance to eligible, low-income individuals and families and provides economic benefits to communities.

**“Temporary Assistance for Needy Families”** or **“TANF”** is a Federally funded program that provides cash assistance to low-income American families with dependent children through the U.S. Department of Health and Human Services.

**“Violent Crime”** is any of the following offenses, documented by an official police report, that is designated a “crime of violence” under DC Official Code § 23-1331(4) (2001 & 2012 Supp.): aggravated assault; act of terrorism; arson; assault on a police officer (felony); assault with a dangerous weapon; assault with intent to kill, commit first degree sexual abuse, commit second degree sexual abuse, or commit child sexual abuse; assault with intent to commit any other offense; burglary; carjacking; armed carjacking; child sexual abuse; cruelty to children in the first degree; extortion or blackmail accompanied by threats of violence; gang recruitment, participation, or retention by the use or threatened use of force, coercion, or intimidation; kidnapping; malicious disfigurement; manslaughter; manufacture or possession of a weapon of mass destruction; mayhem; murder; robbery; sexual abuse in the first, second, or third degrees; use, dissemination, or detonation of a weapon of mass destruction; or an attempt or conspiracy to commit any of the foregoing offenses.

**“Weapon”** is as enumerated in D.C. Official Code § 22-4514 (2001); firearms as enumerated in § 921(a) (3) of Title 18 of the U.S. Code; and knives, martial arts devices and other objects or instruments designed to be or commonly used as weapons.



# The PBIS Framework

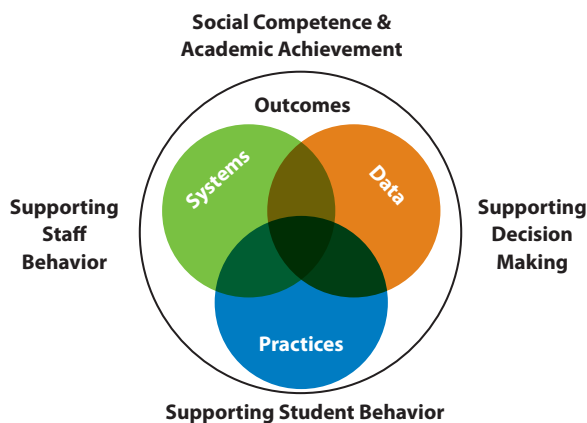
OSSE recommends expanding the implementation of the Positive Behavior Intervention and Supports (PBIS) framework in the District of Columbia. PBIS is a school-wide, evidence based system of disciplinary practices and strategies. The fundamental purpose of PBIS is to make schools more effective and equitable learning environments. The PBIS framework moves beyond punitive discipline methods by taking a more proactive approach that seeks to understand the root cause and provide intervention before the misbehavior occurs.

Additionally, PBIS sets up data system practices that guide selection, integration, and implementation of the best evidence-based practices that establish the social culture and behavioral support needed for a school by:

1. Developing a continuum of scientifically based behavior and academic interventions and supports;
2. Using data to make decisions and solve problems;
3. Arranging the environment to prevent the development and occurrence of problem behavior;
4. Teaching and encouraging prosocial skills and behaviors;
5. Implementing evidence-based behavioral practices with fidelity and accountability; and
6. Universal screening and monitoring student performance and progress continuously.<sup>32</sup>

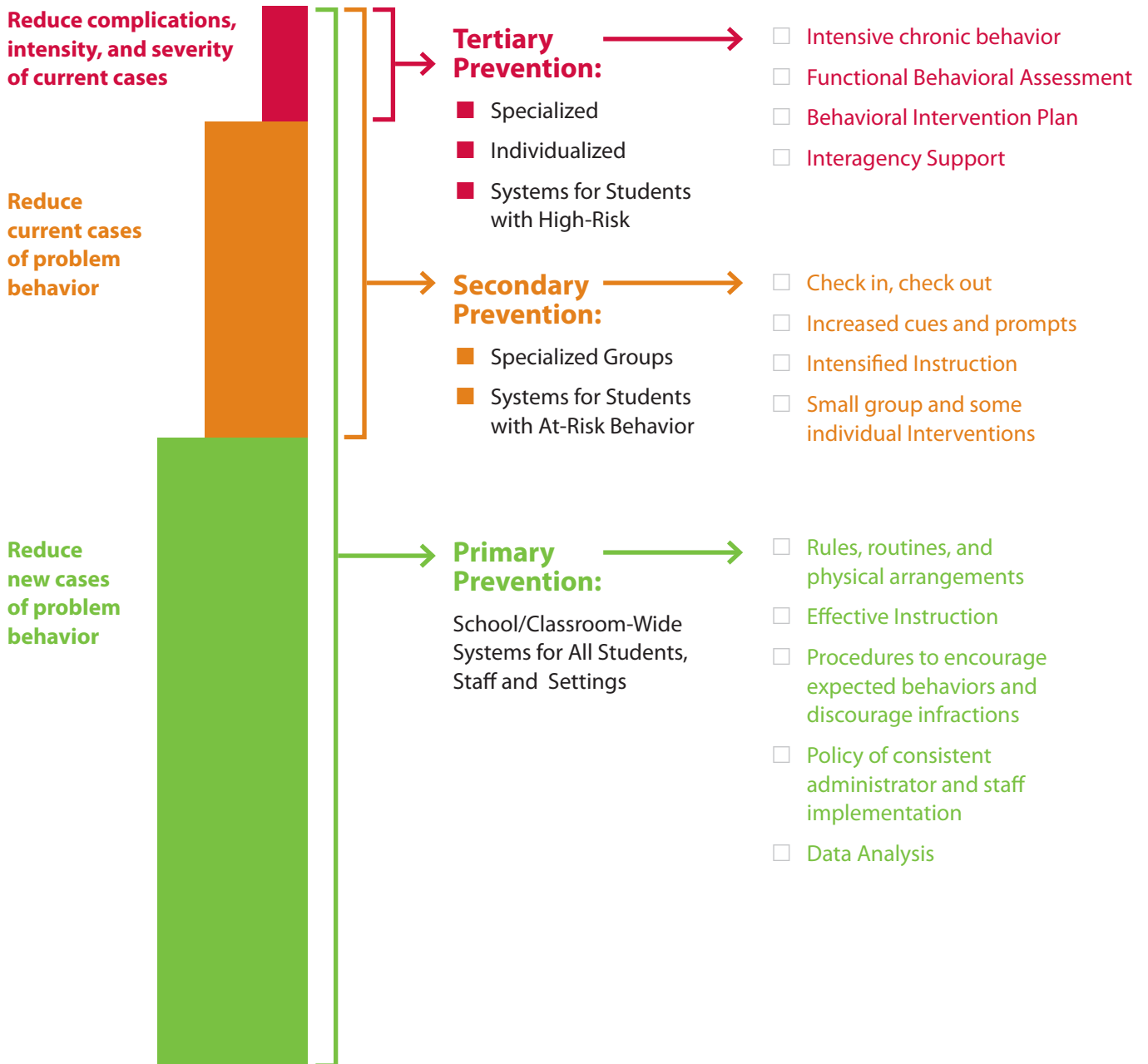
Accordingly, the framework outlines a continuum of support based on individual student response to intervention. At the primary tier, all students receive universal supports through defined expectations; teaching, modeling and acknowledgement of behavior; and corrections of misbehavior. If the student's behavior is not responsive to the primary tier, more intensive behavioral supports are provided in the secondary and tertiary tiers. For more information about PBIS and to access research supporting its evidence-based practices and approach, visit [www.pbis.org](http://www.pbis.org).

**Figure 12: Elements of School-wide Positive Behavior Support**



Source: [www.pbis.org](http://www.pbis.org)

**Figure 13: Continuum of Positive Behavioral Support**



# Sources

- American Academy of Pediatrics Committee on School Health. (2013). "Out-of-School Suspension and Expulsion." *Pediatrics*, 131(3), 1000–07.
- Bradshaw, C.P., Mitchell, M.M., & Leaf, P. (2010). "Examining the Effects of Schoolwide Positive Behavioral Interventions and Supports on Student Outcomes Results From a Randomized Controlled Effectiveness Trial in Elementary Schools." *Journal of Positive Behavior Interventions*, 12(3), 133–48.
- Brown, E. (2013). "D.C. charter schools expel students at far higher rates than traditional public schools." *The Washington Post*.
- Boccanfuso, C. and Kuhfeld. M. (2011). *Multiple Responses, Promising Results: Evidence-Based, Nonpunitive Alternatives to Zero Tolerance* Washington, DC: Child Trends.
- Bear, G. (2010). *School Discipline and Self-discipline: A Practical Guide to Promoting Prosocial Student Behavior*. New York: The Guildford Press
- Becker, B., & Luthar, S. (2002). "Social-Emotional Factors Affecting Achievement Outcomes Among Disadvantaged Students: Closing the Achievement Gap." *Educational Psychologist*, 37(4), 197-214.
- Durlak, J., Weissberg, R., Dymnicki, A., Taylor, R., Schellinger, K. (2011). "The Impact of Enhancing Students' Social and Emotional Learning: A Meta-analysis of School-based Universal Interventions." *Child Development*.
- Dynarski, M., Clarke, L., Cobb, B., Finn, J., Rumberger, R., and Smink, J. (2008). *Dropout Prevention: A Practice Guide (NCEE 2008–4025)*. Washington, DC: National Center for Education Evaluation and Regional Assistance, Institute of Education Sciences, U.S. Department of Education.
- Epstein, M., Atkins, M., Cullinan, D., Kutash, K., and Weaver, R. (2008). *Reducing Behavior Problems in the Elementary School Classroom: A Practice Guide (NCEE #2008-012)*. Washington, DC: National Center for Education Evaluation and Regional Assistance, Institute of Education Sciences, U.S. Department of Education.
- Fabelo, T., Thompson, M.D., Plotkin, M., Carmichael, D., Marchbanks, M.P., & Booth, E.A. (2011). *Breaking Schools' Rules: A Statewide Study of How School Discipline Relates to Students' Success and Juvenile Justice Involvement*. New York: Council of State Governments Justice Center.
- Payton, J., Weissberg, R.P., Durlak, J.A., Dymnicki, A.B., Taylor, R.D., Schellinger, K.B., & Pachan, M. (2008). *The Positive Impact of Social and Emotional Learning for Kindergarten to Eighth-Grade Students: Findings From Three Scientific Reviews*. Chicago, IL: Collaborative for Academic, Social, and Emotional Learning.
- Sichter, J. P., Lewis, T.J., Whittaker, T.A., Richter, M., Johnson, N.W., & Trussell, R.P. (2009). "Assessing Teacher Use of Opportunities to Respond and Effective Classroom Management Strategies Comparisons Among High and Low-Risk Elementary Schools." *Journal of Positive Behavior Interventions*.
- Skiba, R.J., Michael, R.S., & Narda, A.C. (2000). *The Color of Discipline: Sources of Racial and Gender Disproportionality in School Punishment*. Lincoln, NE: Indiana Education Policy Center.
- St. George, D. (2012). "Suspended from School in Early Grades." *The Washington Post*.

# Sources

Sundius, J., & Farneth, M. (2008). "Putting Kids Out of School: What's Causing High Suspension Rates and Why They Are Detrimental on Students, Schools, and Communities." Open Society Institute—Baltimore.

U.S. Department of Education. (2004). *Guidance Concerning State and Local Responsibilities Under the Gun-Free Schools Act*.

U.S. Department of Education Office for Civil Rights. (2014). Civil Rights Data Collection: Data Snapshot (School Discipline).

U.S. Department of Education and U.S. Department of Justice. (2014). Dear Colleague Letter: Nondiscriminatory Administration of School Discipline.

U.S. Department of Education. (2014). Guiding Principles: A Resource for Improving School Climate and Discipline.

U.S. Department of Education. Compendium of School Discipline Laws and Regulations available at <http://www.ed.gov/school-discipline/>.

U.S. Department of Education. Office of Special Education Programs Positive Behavioral and Interventions Support website at <http://www.pbis.org>.

U.S. Department of Education. Directory of Federal School Climate and Discipline Resources available at <http://www.ed.gov/school-discipline/>.

Zins, J. E., & Elias, M. J. (2007). "Social and Emotional Learning: Promoting the Development of All Students." *Journal of Educational and Psychological Consultation*.

# Endnotes

1. U.S. Department of Education Office for Civil Rights. Civil Rights Data Collection: Data Snapshot (School Discipline). March 21, 2014.
2. U.S. Department of Education Office for Civil Rights. Civil Rights Data Collection: Data Snapshot (School Discipline). March 21, 2014.
3. U.S. Department of Education Office for Civil Rights. Civil Rights Data Collection: Data Snapshot (School Discipline). March 21, 2014.
4. "Putting Kids Out of School: What's Causing High Suspension Rates and Why They Are Detrimental on Students, Schools, and Communities." Open Society Institute—Baltimore. September 19, 2008.
5. U.S. Department of Education. Guiding Principles: A Resource for Improving School Climate and Discipline. January 8, 2014.
6. "Discipline Practices Fall Hardest on Minorities and Students with Disabilities." Education Week. March 13, 2014.
7. During a Press Conference on the CRDC March 21 J.O. Wilson Elementary School, Secretary Arne Duncan stated, "the fact that the school-to-prison pipeline appears to start as early as four years old—before kindergarten – should horrify us. We must do better—now!" March 21, 2014.
8. These trends are drawn from OSSE's review of LEA submissions for the 2012-2013 School Year.
9. U.S. Department of Education Office for Civil Rights. Civil Rights Data Collection: Data Snapshot (School Discipline). March 21, 2014.
10. "Putting Kids Out of School: What's Causing High Suspension Rates and Why They Are Detrimental on Students, Schools, and Communities." Open Society Institute—Baltimore. September 19, 2008.
11. "Out-of-School Suspension and Expulsion." American Academy of Pediatrics Committee on School Health. (2013).
12. U.S. Department of Education Office for Civil Rights. Civil Rights Data Collection: Data Snapshot (School Discipline). March 21, 2014.
13. "Putting Kids Out of School: What's Causing High Suspension Rates and Why They Are Detrimental on Students, Schools, and Communities." Open Society Institute—Baltimore. September 19, 2008.
14. "Out-of-School Suspension and Expulsion." American Academy of Pediatrics Committee on School Health. (2013).
15. U.S. Department of Education Office for Civil Rights. Civil Rights Data Collection: Data Snapshot (School Discipline). March 21, 2014.
16. U.S. Department of Education. Guiding Principles: A Resource for Improving School Climate and Discipline. January 8, 2014
17. U.S. Department of Education. Guiding Principles: A Resource for Improving School Climate and Discipline. January 8, 2014
18. U.S. Department of Education. Guiding Principles: A Resource for Improving School Climate and Discipline. January 8, 2014
19. "Suspension from School Should Not Be an Option for Young Children." New America. March 26, 2012.
20. Data submitted by LEAs to OSSE for federal accountability.
21. See Suspended from School in Early Grades. February 12, 2012. The Washington Post. See D.C. charter schools expel students at far higher rates than traditional public schools. January 5, 2013. The Washington Post.
22. <http://www.nlm.nih.gov/medlineplus/ency/article/002014.htm>
23. <http://www.nlm.nih.gov/medlineplus/ency/article/002015.htm>
24. "Putting Kids Out of School: What's Causing High Suspension Rates and Why They Are Detrimental on Students, Schools, and Communities." Open Society Institute—Baltimore. September 19, 2008.
25. Dropout Prevention: A Practice Guide. National Center for Education Evaluation and Regional Assistance. 2008
26. U.S. Department of Education. Guiding Principles: A Resource for Improving School Climate and Discipline. January 8, 2014
27. "Examining the Effects of Schoolwide Positive Behavioral Interventions and Supports on Student Outcomes Results from a Randomized Controlled Effectiveness Trial in Elementary Schools." Journal of Positive Behavior Interventions. 2010.
28. U.S. Department of Education. Guiding Principles: A Resource for Improving School Climate and Discipline. January 8, 2014.
29. As a part of the DC Healthy Schools Act, OSSE administers the DC Healthy Schools Act School Health Profile to Public Charter and DC Public Schools.
30. "Reducing Behavior Problems in the Elementary School Classroom: A Practice Guide." National Center for Education Evaluation and Regional assistance. 2008.
31. U.S. Department of Education. Guiding Principles: A Resource for Improving School Climate and Discipline. January 8, 2014
32. [www.pbis.org](http://www.pbis.org)



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