

ADDRESSING THE OUT-OF-SCHOOL SUSPENSION CRISIS:

A Policy Guide for School Board Members

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A Policy Guide for School Board Members

Foreword

According to the U.S. Census Bureau in 2011, for the first time in history, the majority of babies born in the U.S. were babies of color. It is projected that by 2050, about 50 percent of the U.S. population will be African American, Latino or Asian.¹ Thus the future viability of the nation's communities, labor force and democracy will largely be shaped and predicated on the opportunities provided for those children.

Education has been called the great equalizer or the passport to the future. It has been seen as the key to unlocking the door to the American Dream. Yet too many children — particularly students of color and those with disabilities — have not been able to access the key or the passport to obtain the Dream.

While local school districts across the country have made considerable progress in improving student achievement, there remain several barriers that require immediate attention. Perhaps the most important barriers relate to out-of-school suspension.

School disciplinary measures should not be used to exclude students from school or otherwise deprive them of an education, and should be used as a last resort in schools in order to preserve the safety of students and staff. While overly harsh school discipline policies can affect all students, they have disproportionately impacted students of color. In the past few years, numerous reports and studies have highlighted the racial disparities in school suspension and expulsion as well as their negative impact on student achievement.

A review of the evidence also suggests that these groups experiencing disproportionate suspension miss important instructional time and are at greater risk of disengagement and diminished educational opportunities. In the 2009-2010 school year, over three million children, K-12, were estimated to have lost instructional "seat time" due to out-of-school suspension.²

Suspensions are also a predictor of students' risk for dropping out. Every drop-out costs society hundreds of thousands of dollars over the student's lifetime in lost income. Studies show that the typical high school graduates will obtain higher employment and earnings. It is estimated that if the current drop-out rate can be reduced by just half, it would yield almost 700,000 new graduates a year, and it would be a net benefit to the public of nearly \$90 billion for each year of success, or something close to \$1 trillion after 11 years.

As advocates for equity and excellence in public education, school boards play an important role in addressing the academic issues impacting all students through effective board leadership and governance. School boards must take the lead in ensuring that outof-school suspension is used as a last resort in addressing violation of school code of conduct. This can be done through designing, developing and implementing comprehensive alternatives to the removal of students from school for disciplinary reasons. The comprehensive approach must be a district-wide vision, focused on student learning and behavioral needs, training and professional development for teachers and school administrators as well as parental and community engagement that provides the structure for academic success and excellence.

Board members from across the nation have already started tackling these issues. This local policy guide offers a snapshot of ideas, models, and processes that school boards are using to promote student growth through positive school discipline reform models.

Improving the academic outcomes of all students requires strong and effective leadership and governance at the school district level. These issues must be examined and addressed from a district and system approach.

Our public schools are essential to preparing our children to participate fully in our economic and democratic future. With these interests at stake, we must find more effective ways to educate all of the nation's children, including those who may be challenging to engage.

Thomas J. Gentzel
Executive Director
National School Boards Association

^{1.} U.S. Census Bureau, "U.S. Interim Projections by Age, Sex, Race, and Hispanic Origin: 2000–2050," http://www.census.gov/ipc/www/usinterimproj/(accessed October 9, 2012).

I. Background

As a country, we shoulder a critical responsibility to ensure that all of our children graduate from high school ready to succeed in college, career and life. The need not just for some, but all children to thrive is more critical now than ever. A shift toward a globally connected economy, a changing workforce and the increasing diversity of the students we serve in schools all require a national commitment to two inextricably linked goals: educational equity and excellence. School board members play a critical role in shaping policies locally that support the delivery of high-quality education systems.

At the core of a national commitment to equitable and excellent learning environments for students should be a clear link between safe and supportive learning communities and student achievement. However, the student success we need to see in our schools will remain unattainable if millions of students continue to miss classroom time because of suspensions. Exclusionary disciplinary strategies should not exclude students from school. They should be used as a last resort to preserve the safety of students and staff. Outof-school suspensions cannot by themselves make schools safer. In fact, the American Psychological Association has found that these practices harm academic achievement for all students while increasing the chances that those excluded will be held back, drop out and become involved with the juvenile and criminal justice systems. These findings are especially consequential for students of color and students with special needs, who suffer discipline disparities that are at all-time highs — double those of the 1970s.

Schools must focus on building professional learning environments. At the heart of this shared vision are meaningful relationships among parents, community members, school leadership, teachers, mental health professionals and school counselors. These partnerships must be complemented by a culture of caring for the safety and well-being of students who are being suspended — and shared by all in the school and learning community, where ownership of a school

vision is built on support for students and believing that all students have the potential to succeed.

School boards, school administrators, principals, teachers and counselors must weigh all the ramifications of school discipline policies, including the unintended consequences. When students are forced to leave the school environment, they are denied an opportunity to learn. While overly harsh school discipline policies can affect all students, they have a disproportionate impact on students of color. Research shows that African American, Latino and Native American students, in particular, are far more likely to be suspended, expelled, and arrested than their white peers, even when accused of similar behavior.

Likewise, students with disabilities too often have their education interrupted by out-of-school suspensions, sometimes at twice the rate of their peers, according to the UCLA Civil Rights Project. This raises important educational and legal questions about whether a student's behavior resulting in the punitive response is a result of his or her disability or whether the school can appropriately support the student's needs.

It is equally important to examine discipline data with a gender lens. While young men are perceived to have the most disciplinary problems in school, young women are the fastest-growing segment of the juvenile justice system, most often for nonviolent offenses. This suggests a need to not view the discipline crisis as being only relevant to young men.

Suspensions are also a predictor of a student's risk for dropping out. As such, beyond the moral consequences of these policies, we must also consider the economic consequences. Studies show that high school graduates will obtain higher employment and earnings than those students who drop out. It is estimated by economists that if the current drop-out rate can be reduced by just half, it would yield almost 700,000 new graduates each year, a net benefit to the public of nearly \$90 billion per year of success, and close to \$1 trillion after 11 years.

National Numbers

- According to the UCLA Civil Rights Project, 3.3 million students were issued out-of-school suspensions in the 2009-2010 school year.
- Of those 3.3 million students, African American students were found to be three times as likely as their peers to be issued an out-of-school suspension, along with almost 1 in 13 Latinos.
- National suspension rates show that 17 percent, or 1 out of every 6 African American schoolchildren enrolled in K-12 were suspended at least once. That is much higher than the 1 in 13 (8 percent) risk for Native Americans; 1 in 13 (7 percent) for Latinos; 1 in 20 (5 percent) for Whites; or the 1 in 50 (2 percent) for Asian Americans.
- For all racial groups combined, more than 13 percent of students with disabilities were suspended. This is approximately twice the national rate of their non-disabled peers.
- 25% 1 in 4 (25 percent) African American children with disabilities enrolled in grades K-12 was suspended at least once in 2009-2010. In the largest districts, suspension rates for male students of color with disabilities sometimes exceeded 33 percent.
- Students with disabilities and African American students also were more likely to be suspended repeatedly in a given year than to be suspended just once. The reverse was true for students without disabilities and for most other racial and ethnic groups.

School District Numbers

- >10% Approximately 839 districts out of 6,779 districts surveyed suspended over 10 percent of the enrolled student body at least once.
- When suspension rates were compared for African Americans and Whites, Illinois had the largest racial gap in the nation (21.3 percent). Illinois also suspended nearly 42 percent of all African American students with disabilities.
- Several of the nation's largest districts suspended 18 percent or more of their total enrollment, including Memphis, Tennessee; Columbus, Ohio; Henrico, Virginia; and Chicago, Illinois. Almost 200 districts suspended more than 20 percent of all enrolled students.
- Schools with high suspension rates score lower on state accountability tests than other schools even when adjusting for demographic differences.

The number of students missing instructional time highlights an urgent need to significantly decrease, if not eliminate, the use of out-of-school suspensions. The practice has been shown through research to adversely impact student learning and undermine students' growth in the classroom. Out-of-school suspensions as a disciplinary practice are indicative of gaps in policy strategies that must be remedied to ensure students have access to the necessary student-centered services to succeed. These resources include not only positive and safe school learning communities, in which students can benefit from individualized instruction, but also the academic,

health, social and emotional programs that affect student motivation, engagement and their ability to retain and create new knowledge.

School board members should lead the charge to reduce, if not eliminate, the practice of out-of-school suspensions and instead push comprehensive strategies for preventing the removal of students from school for disciplinary reasons. This guide provides local leaders with a systemic framework for reducing out-of-school suspensions, including guiding questions, action steps and promising examples of school district solutions.

II. Questions Local Policymakers Should Ask

School board members need to understand both the educational and racial implications of school discipline policies and their impact on school operations. This information can be used to identify evidence-based policies and practices that will support educators, schools and districts in promoting positive forms of student discipline. The following questions can assist local policymakers in developing a clear advocacy agenda on this issue. By using examples of model school district strategies included in Section IV of this guide, school board members can help formulate similar game-changing policies for their community.

Improving data collection and reporting

- How does our district collect and report on disaggregated data on suspensions, including the number and demographics of students suspended, number of instructional days lost, number of incidents and the reason for out-of-school suspensions? How is this similar or dissimilar to how the state collects and reports this data? How do we use this data to drive policy? What conclusions can we draw from the data we have? Are there gaps in our data?
- What are the statistics on out-of-school suspensions vis-à-vis graduation rates for my school district and for the state overall? What is the connection between suspension rates and dropout rates?

Reducing suspensions and promoting alternatives

- Does a community or district-wide task force or research group exist that has already assessed how our district can improve school discipline practices and policies? What obstacles exist to implementing task force recommendations?
- Are district performance measures on school climate inclusive of information on student suspensions?

Building the capacity of students, teachers and principals

- Do our teachers, principals and administrators have the preparation and capacity to promote evidencebased methods of positive school discipline? Do they understand the underlying causes of the current disciplinary issues in their schools?
- Do individual schools within our district have the support staff to prevent and address out-of-school suspensions?
- Does the states curriculum emphasize social and emotional learning as a tool for students and staff to promote safe and positive school learning communities?
- Are research-based approaches being supported in our schools, district and community to prevent the use of out-of-school suspensions? How are we reaching out to parents and families on this issue? Is there a need for parental training on how to teach and reinforce positive behavior? Is there a communication plan in place to address the ways in which parents and the community receive information about our school policies?

Advocating for comprehensive approaches

- What is the perspective of stakeholders most affected by suspension disparities? Have we established a structure to hear from these communities?
- Who are potential allies for changing school discipline policies locally and statewide?
- What type of funding might be available to find solutions for this challenge?
- Do we have the capacity to create educational settings equivalent to our regular classrooms for students who must be removed for legal, safety or other reasons?
- What is the state's responsibility on this issue?

III. 10 Action Steps to Prevent the Use of Out-Of-School Suspensions

- Review existing discipline codes to ensure that they are appropriate and effective. Monitor implementation to ensure fair and equitable administration of the codes.
- **2.** Develop policies that support alternative school discipline models district-wide.
- **3.** Engage teachers, parents, students, community members and other stakeholders in developing comprehensive positive school discipline strategies.
- **4.** Allocate resources to support and implement positive alternative discipline programs.
- **5.** Host ongoing public discussions on school discipline to encourage community engagement, specifically reaching out to communities that are impacted by overrepresentation in the data.
- **6.** Continually monitor the district's progress on eliminating or reducing out-of-school suspensions by examining disaggregated data based by student subgroups. Also monitor progress by school, grade level, type of infraction and the number of days of missed instruction that resulted from such removals.
- 7. Establish a district-wide task force involving key stakeholders and recognized experts to examine the issue in greater detail and provide recommendations for improvement based on the district's needs and circumstances.
- **8.** Provide ongoing professional development for teachers, administrators and other school staff that emphasizes the importance of evidenced-based positive school discipline, behavior management, cultural relevancy and responsiveness, and social justice and equity to meet district goals.
- **9.** Use or develop a constituent newsletter to educate parents, community members and opinion leaders about the negative impact of out-of-school suspensions.
- 10. Develop comprehensive student behavioral handbooks that outline the responsibilities for every student, parent, caregiver, teacher, school administrator, district staff member, visitor and community member and that provide clear guidelines regarding the types of supports or interventions that must be used prior to suspension.

IV. Game-Changing Community Strategies (Urban, Suburban and Rural Examples)

Below is a summary of school board strategies that promote student growth through positive school discipline reform models. These strategies have been organized into four categories to identify thematic trends aimed at addressing the out-of-school suspension crisis. The categories are aligned with the National School Boards Association's Key Work of School Boards framework for leadership and governance. This framework can be used to promote systems thinking around eight key actions that focus and guide boards' efforts to improve student achievement.

The strategies identified here do not represent a complete listing of every effort school boards are utilizing to create and support a new vision for school discipline. Instead, they offer a snapshot of ideas, models and processes for school boards to consider for use within their districts.

Types of Policies and Resolutions for Addressing the Out-Of-School Suspension Crisis

- A. Building the capacity of students, teachers and principals
- B. Improving data collection and reporting
- C. Advocating for comprehensive approaches
- D. Reducing suspension and promoting alternatives



A. Building the capacity of students, teachers and principals

School boards must develop policies and allocate resources that ensure school leaders, educators and other stakeholders have the knowledge, skills and expertise to create positive, culturally relevant and culturally responsive school climates and encourage a district-wide effort to lower suspension rates. Building the capacity of schools to promote positive alternatives to out-of-school suspensions requires ongoing professional development, support and targeted resources aimed at strengthening the capacity of professionals and schools.

EXAMPLES:

1. St. Paul Public School District, Minnesota

The district provides district wide professional development around the issue of racial equity. It is expected that all staff and school board members will have gone through the training over the course of the next five years. In addition, all schools will have an Equity Team to lead their staff.

LEARN MORE: http://www.spps.org

2. Bridgeport School District, Connecticut

The school district provides ongoing professional development to teachers and training programs for school resource officers to help schools deal with crisis prevention and develop strategies for de-escalating disciplinary challenges.

LEARN MORE: http://www.bridgeportedu.com

3. Baltimore City Public Schools, Maryland

The district introduced Positive Behavior Interventions and Supports (PBIS), a broad-based approach to improving student behavior, initially in 30 schools and has since expanded the program to more than 90 schools, with plans to expand to all 200 schools in the district. School personnel are provided with on-going professional development pertaining to PBIS.

LEARN MORE: http://www.baltimorecityschools.org

4. Flour Bluff Independent School District, Texas

The district provides professional development to teachers and school personnel in behavior management and supplies additional resources when required.

LEARN MORE: http://www.flourbluffschools.net

5. Oakland Unified School District, California

The district launched a system-wide Restorative Justice Initiative to institute restorative justice as a proactive approach to student behavior. This Initiative includes professional development of administrators and school site staff, a redesign of district discipline structures and practices, and the promotion of alternatives to suspension at every school.

LEARN MORE: http://www.ousd.k12.ca.us

6. Jefferson County Public Schools, Kentucky

The district provides professional development in the areas of school climate and culture, diversity and cultural competence for all staff. In addition, the district created an institute of cultural competence for school administrators and teachers that focuses on school social justice and equity.

LEARN MORE: http://www.jefferson.k12.ky.us

B. Improving data collection and reporting

A school board must continually monitor its district's progress in addressing the out-of-school suspension crisis and ensure that discipline policies are not adversely impacting certain groups of students. The discipline data needs to be disaggregated by student subgroups, as well as by school, grade level, type of infraction and the number of days of missed instruction that resulted from such removal. Boards must review this data regularly to ensure that the policies and procedures are producing the desired outcomes. The data should be shared with all stakeholders in a meaningful way that supports community conversation around alternative discipline models. Care must be taken to ensure data sharing complies with federal and state laws on student and family privacy.

EXAMPLES:

1. San Francisco Unified School District, California

The district requires all schools to analyze data related to school referrals on a quarterly basis and identify students and teachers that need additional assistance. In addition, schools are required to create Site-Based Disciplinary Committees comprised of various stakeholders to analyze student behavior indicators (attendance, referrals, suspensions, etc.) and identify possible interventions.

LEARN MORE: http://www.sfusd.edu

2. Jefferson County Public Schools, Kentucky

The district monitors suspension data on a monthly basis. Suspension data is disaggregated by grade level, school, race and discipline offense. The data is shared with the superintendent and other stakeholders.

LEARN MORE: http://www.jefferson.k12.ky.us

3. Minneapolis Public Schools, Minnesota

The district requires that schools use data to identify problems and successes and inform staff of problems. In addition, school staff is to record and review data on main office referrals, suspensions, and results from students and staff climate surveys.

LEARN MORE: http://www.mpls.k12.mn.us

C. Advocating for comprehensive approaches

Boards should develop comprehensive discipline policies that comply with federal and state laws. Policies should promote positive behavioral interventions and support the collection and analysis of disaggregated discipline data. This can support schools and allow staff to work with students in creating a positive, culturally relevant and culturally responsive school climate.

EXAMPLES:

1. Minneapolis Public Schools, Minnesota

Schools are required to develop a school-wide behavior plan with input from students, families, teachers, administrators and other staff. In addition, schools are required to use a wide repertoire of responses to address misbehavior and assist students in learning appropriate behavior. To increase positive behavior, all staff use strategies for students that are known to be effective with students of color.

LEARN MORE: http://www.mpls.k12.mn.us

2. Denver Public Schools, Colorado

Schools are authorized to adopt their own discipline policies and code of conduct as long as they are consistent with district policy. School staff is charged with monitoring the impact of their policies on students from racial and ethnic groups.

LEARN MORE: http://www.dpsk12.org

3. Boston Public Schools, Massachusetts

School administrators are required to develop and implement overall disciplinary policies in cooperation with students, parents and teachers — and that are in conformance with school committee policy and the district code of discipline. School administrators also are given discretion over suspensions when addressing student misbehavior. In addition, all school staff are encouraged to utilize alternative solutions to disciplinary problems.

LEARN MORE: http://www.bostonpublicschools.org

4. Baltimore City Public Schools, Maryland

The district has established graduated discipline systems so that the punishments assigned to students match the level of their offenses. School principals and staff are provided with a wide range of strategies to address student misbehavior. School staff is supported with professional development opportunities around positive discipline strategies.

LEARN MORE: http://www.baltimorecityschools.org

5. Le Grand Union High School District, California

The district passed a Restorative Justice Initiative resolution. The resolution is to be implemented at all school sites and requires professional development for administrators, school staff and parents. In addition, the resolution calls for a redesign of schools' discipline structure and practices.

LEARN MORE: http://www.lghs.k12.ca.us

D. Reducing suspension and promoting alternatives

To address the out-of-school suspension crisis, school boards should establish alternative school discipline policies that promote safe and supportive learning environments that:

- (1) eliminate out-of-school time to the extent possible without compromising the need to keep all students safe;
- (2) provide better supports to teachers and administrators to address disciplinary challenges; and
- (3) engage parents, students and community-based organizations in the development and implementation of more educationally sound and equitable policies and practices.

EXAMPLES:

1. Los Angeles Unified School District, California

The district has standardized its discipline policy by introducing alternatives to expulsion and suspension. The alternative discipline policy requires tiered intervention focused on implementing positive behavior support and providing more counseling for students who violate the student code of conduct.

LEARN MORE: http://www.lausd.net

2. Minneapolis Public Schools, Minnesota

The district has created a policy that focuses on the relationship between academic success and school discipline. The policy states that interventions and consequences due to misbehavior should minimize the interruption of a student's educational program. The policy also emphasizes the importance of quality instruction as the foundation of effective discipline.

LEARN MORE: http://www.mpls.k12.mn.us

3. Denver Public Schools, Colorado

The district's discipline policy states that students can only be expelled for the most serious offenses and out-of-school suspension can only be used for serious misconduct or when misbehavior is repeated. The policy also limits the amount of time students can be suspended out of school. The maximum out of school suspension period is three days. In addition to the policy, the district has created a laddered strategy toward intervention.

LEARN MORE: http://www.dpsk12.org

4. Baltimore City Public Schools, Maryland

The district's code of conduct has divided student misconduct into four levels, ranging from minor to serious offenses. Out-of-school suspensions are not an option for the first two levels, and expulsion is only an option for level four offenses.

LEARN MORE: http://www.baltimorecityschools.org

5. Charleston County Public Schools, South Carolina

The board discipline policy created a ladder of intervention based on misconduct. Students' misbehaviors have been divided into three levels, ranging from minor offenses to more serious ones. Out-of-school suspension is an option for level two offenses, and expulsion is limited to level three offenses.

LEARN MORE: http://www.ccsdschools.com

6. Austin Independent School District, Texas

The school board created a policy that requires each school site to develop a three-tiered discipline model program endorsed by the U.S. Department of Education. Each school campus is required to select a school-wide system or strategy and then decide whether to implement the strategy with all students, a targeted group of students, or in a one-on-one scenario.

LEARN MORE: http://www.ccsdschools.com

7. Milwaukee Public Schools, Wisconsin

The school board has created policies for reducing out-of-school suspension that limit suspension in elementary school to serious breaches of discipline. The policies also require all schools to develop creative alternatives to suspensions, as well as authorize principals to develop plans for suspension reduction.

LEARN MORE: http://mpsportal.milwaukee.k12.wi.us

8. Palm Beach County School District, Florida

The district requires that each school utilize a wide variety of corrective strategies. In addition, prior to a student receiving a suspension, two forms of interventions that address the student misbehavior must occur. These interventions must be documented. Exceptions to this are offenses that are most serious in nature.

LEARN MORE: http://www.palmbeachschools.org

9. Wake County Public School System, North Carolina

The district requires that long-term, out-of-school suspensions be used only for serious misconduct, such as behavior that threatens the safety of students, staff or visitors or threatens to substantially disrupt the educational environment.

LEARN MORE: http://www.wcpss.net

10. Anne Arundel County Public Schools, Maryland

The district's discipline policy encourages the use of reasonable intervention strategies before out-of-school suspension is utilized. The intervention strategies are based on Positive Behavior Intervention and Support (PBIS) that include six levels. Out-of-school suspension is not an option for the first two levels.

LEARN MORE: http://www.aacps.org

V. Research

In recent years, state and district policy trends have started to become more aligned with what research has been telling lawmakers for decades: punitive and reactive disciplinary measures heighten the incidence and severity of the behaviors they are designed to reduce. Out-of-school suspensions are also clearly connected to increased student push-out.

Some school districts recently have adopted positive behavioral supports to replace out-of-school suspensions and other severe disciplinary practices. Positive Behavior Interventions and Supports (PBIS) recognize the broad set of variables that can affect students' behavior, their interaction with peers and teachers, and their ability to learn. This way of viewing school discipline is built on a more positive, collaborative and holistic framework for understanding how students connect with their school community. It is designed to be student-centered and proactive to prevent problemcausing behavior. It can also help to stop a potential school conflict before it escalates by teaching students behavior management skills. This disciplinary method doesn't place complete responsibility on students, instead acknowledging the skills that educators need to deal effectively with school conflict.

Restorative Justice is a philosophy and an approach to discipline that moves away from punishment toward restoring a sense of harmony and well-being for all those affected by a hurtful act. It provides families, schools and communities a way to ensure accountability, while at the same time it breaks the cycle of retribution and violence. It is based on a view of resilience in children and youth and their capability to solve problems, as opposed to the youth themselves being considered the problems that adults must fix.

This approach also focuses not on retribution but on reconnecting severed relationships and re-empowering individuals by holding them responsible. Restorative practices involve students and the entire school community in a process to repair the harm resulting from conflicts through such means as circles that create a respectful group space in which students participate in establishing the values for the class based on human

dignity and the democratic principles of rights and responsibilities; restorative conferencing; and peer juries. When incorporated into a school, Restorative Justice can create and maintain a positive school culture and climate that increases a sense of belonging for all students and adults.

Research continues to emerge on how to build successful local systems around positive behavioral supports. These findings can provide a helpful foundation for thinking about creating integrated state systems that focus on whole-school prevention when it comes to discipline issues. A report from the National Association of School Psychologists concludes that schools that effectively prevent discipline problems and promote positive relationship building provide evidence-based supports around four primary goals:

- Developing self-discipline within the school community
- 2) Preventing misbehavior
- 3) Correcting misbehavior
- 4) Remediating and responding to chronic misbehaviors

In support of these four goals, research on effective strategies for a supportive school climate focuses on a number of key areas, such as community engagement, school partnerships, strengthening human capital (teachers, staff and administrators) and carefully integrating student supports services. The Dignity in Schools Campaign Model Code also provides a helpful research-based framework for developing learning environments that foster meaningful student relationships and promote self-worth, emotional well-being and responsible citizens. It also acknowledges the need for schools to be culturally responsive places for students of color.

The challenge for policymakers moving forward is to translate evidence on the aspects of cultivating effective local positive behavioral supports into a local vision that is coordinated, strategic and designed to meet the needs of young people.

VI. Resources & Model Resolutions

Academy of American Pediatrics (2013). Out-of-School Suspension and Expulsion. Retrieved at http://bit.ly/10BGCq7

Advancement Project. Model School Discipline Policy. Retrieved at http://bit.ly/11rOv5B

Bear, G. (2012). Discipline: Effective School Practices. National Association of School Psychologists. Retrieved at http://bit.ly/YyfLPk

Carr, E. G., Horner, R. H., Turnbull, A. P., Marquis, J. G., McLaughlin, D. M., McAtee, M. L., Smith, C. E., Ryan, K. A., Ruef, M. B., Doolabh, A., & Braddock, D. (1999). Positive behavior support for people with developmental disabilities: A research synthesis. Washington, DC: American Association on Mental Retardation.

Dignity in Schools Campaign (2012). A Model Code on Dignity and Education. Retrieved at http://bit.ly/14H1yTl

Education Commission of the States (2012). ECS State Policy Database on School Safety. Retrieved at http://bit.ly/ZBPpaE

Education Source (2012). Understanding School Discipline In California: Perceptions and Practice. Retrieved at http://bit.ly/10ejXD4

Fabelo, T., Thompson, M., Plotkin, M., Carmichael, D., Marchbanks III, M., and Booth, E. (2011). Breaking Schools' Rules: A Statewide Study of How School Discipline Relates to Students' Success and Juvenile Justice Involvement, Council Of State Governments Justice Center. Retrieved April 8, 2012 from http://bit.ly/17f9KKh

Jackson, L., & Panyan, M. V. (2002). Positive behavioral support in the classroom: Principles and practices. Baltimore: Paul H. Brookes.

Kennedy, C. H., Long, T., Jolivettel, K., Cox, J., Tang, J., & Thompson, T. (2001). Facilitating general education participation for students with behavior problems by linking positive behavior supports and person-centered planning. Journal of Emotional and Behavioral Disorders, 9(3), 161-171.

Lewis, T. J., & Garrison-Harrell, L. (1999). Effective behavior support: Designing setting-specific interventions. Effective School Practices, 17(4), 38-46.

Lewis, T. J., & Sugai, G. (1999). Effective behavior support: A systems approach to proactive schoolwide management. Focus on Exceptional Children, 31(6), 24-47.

Lewis, T. J., Sugai, G., & Colvin, G. (1998). Reducing problem behavior through a school-wide system of effective behavioral support: Investigation of a school-wide social skills training program and contextual interventions. School Psychology Review, 27, 446-459.

Losen, D., & Gillespie, J. (2012). Opportunities Suspended: The Disparate Impact of Disciplinary Exclusion from School. UCLA Civil Rights Project. Retrieved at http://bit.ly/14QtTae

Losen, Daniel J. (2011). Discipline Policies, Successful Schools, and Racial Justice. National Education Policy Center. Retrieved at http://bit.ly/16z4gJb

McKevitt, Brian C. &, Braaksma, A. Best Practices in Developing a Positive Behavior Support System at the School Level. National Association of School Psychologists. Best Practices in School Psychology, Chapter 44, Volume 3. Retrieved at http://bit.ly/10zkmP6

Safran, S., Oswald. K. (2003). Positive Behavior Supports: Can Schools Reshape Disciplinary Practices? Council for Exceptional Children: Vol. 69, No. 3, pp. 361-373. Retrieved at http://bit.ly/12lJnPe

Skiba, Russel (2006). Are Zero Tolerance Policies Effective in the Schools? A Report by the American Psychological Association Task Force 23-25. Retrieved at available at http://bit.ly/10zks9c

School District Model Resolutions and Other Discipline Documents

Anne Arundel County Public Schools Student Handbook

http://bit.ly/11rPPp1

Baltimore City Public Schools Code of Conduct

http://bit.ly/YVclW8

Boston Public Schools Code of Conduct

http://bit.ly/Z4f8cO

Denver Public Schools Student Conduct and Discipline Procedures

http://bit.ly/XfSAYW

Los Angeles Unified School District Discipline Foundation Policy

http://bit.ly/16z4uzX

Minneapolis Public Schools Citywide Discipline Policy

http://bit.ly/Y09FU9

Oakland Unified School District Restorative Justice Initiative Resolution

http://bit.ly/10ekTXS

Portland Public Schools Racial Educational Equity Policy

http://bit.ly/10ekXH6

San Francisco Unified School District Resolution No. 96-23A1 In Support of a Comprehensive School Climate,

 $Restorative\ Justice,\ and\ Alternatives\ to\ Suspensions/Expulsions$

http://bit.ly/17fa7Vg

St. Paul Public Schools Student Behavior Handbook: Rights & Responsibilities for Students,

Parents/Guardians and Staff

http://bit.ly/10vaXJF

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Please be aware that these sample policies have been written to comply with the state laws of the originating district; use extra caution in evaluating samples that do not come from your state. Your state school boards association is your best resource for model policies that comply with state laws. Please contact your state school boards association and/or legal counsel for assistance in customizing policy for your district.

ADDRESSING THE OUT-OF-SCHOOL SUSPENSION CRISIS: A POLICY GUIDE FOR SCHOOL BOARD MEMBERS APRIL 2013















