

3.7.a Model Policy on School-Wide Positive Behavior Interventions and Supports (SWPBIS)

Definitions

1. **School-wide Positive Behavior Intervention Supports (SWPBIS)** – SWPBIS is a research-based framework that can help schools design, implement and evaluate their approach to school discipline. Since every school is unique, SWPBIS does not prescribe a specific program or curriculum, rather sets out a process and key criteria for schools to follow. Under the SWPBIS framework, schools must:
 - a. Use data to make decisions and solve problems;
 - b. Focus on both prevention of problem behavior and positive interventions, such as counseling, mediation, Restorative Justice Practices and other interventions (listed under 3.1 Key Elements of School Climate and Positive Discipline, sub-section C.1);
 - c. Model and teach behavior expectations and positive skills among students; and
 - d. Continuously monitor implementation and adjust approaches as necessary.

SWPBIS uses a three-tiered approach to preventing and intervening in problem behavior. Tier 1 focuses on supports for all students in the classroom and school-wide to prevent problem behavior. Tier 2 focuses on “specialized” supports tailored to target groups of students who engage in misbehavior. Tier 3 provides highly individualized responses for those students who continue to face disciplinary problems despite the presence of Tier 1 and 2 supports. SWPBIS is meant to work collaboratively with specific practices, such as Restorative Justice Practices, to promote positive behavior in classrooms and on school campuses.²⁰⁵

2. **Wraparound Services** – Individualized community-based services that focus on the strengths and needs of the individual child. Wraparound services are developed through a team-planning process, where a team of individuals who are relevant to the well-being of the child (such as family members, service providers, teachers, and representatives from any other public health agency or community-based organization) collaboratively develop and implement an individualized “wraparound plan” that is culturally relevant.²⁰⁶

Recommended Language

A. School Climate and Culture Committees and Teams

1. States and districts shall establish School Climate and Culture Committees that include representation from all stakeholders to develop guidelines for implementing SWPBIS policies and procedures at the state, district and individual school level.²⁰⁷
2. Schools shall establish School Climate and Culture Leadership Teams (or utilize an existing school-level team or decision-making body) to implement SWPBIS, using a process that considers available data and solicits input from the entire school community.
 - a. School administrators shall use a democratic approach to solicit stakeholder involvement in the Team, which shall include representatives of all stakeholder groups, including an administrator, a general education and a special education teacher, support staff, students, parents or guardians and other relevant community members.
 - b. The Team shall have regular meetings, a clear purpose, efficient internal processes and build caring relationships with each other and with other members of the school community.
 - c. The school district and school administrators shall actively support the Team by providing adequate resources for fulfilling its responsibilities, implementation materials and ongoing trainings. The Team shall undergo a training of at least two to three days provided by skilled trainers on SWPBIS.
 - d. The Team is responsible for securing school-wide agreements and support from the entire school community for the implementation of SWPBIS²⁰⁸ on the:

²⁰⁵ What Is School-Wide PBS?, <http://www.pbismaryland.org/LeadershipForum2008/WhatisPBIS.pdf>.

²⁰⁶ Bazelon Center for Mental Health Law, Wraparound Services available at <http://www.bazelon.org/Where-We-Stand/Success-for-All-Children/Mental-Health-Services-for-Children/Wraparound-Services-asp>

²⁰⁷ Supra note 208.

²⁰⁸ See Positive Behavior Intervention and Supports Tutorial: Securing School Wide Agreements And Supports, http://cte.jhu.edu/courses/pbis/ses2_act3_pag1.shtml.

- i. Nature and priority of staff development efforts and needs;
- ii. Long term (3–4 year) commitment and investment in the effort; and
- iii. Importance of taking a preventative and instructional approach to behavior management and school-wide discipline.

B. Defining Expectations

1. School shall define behavioral expectations for all members of the school community to serve as the foundation of school-wide prevention and intervention.²⁰⁹
2. Every three years, the School Climate and Culture Leadership Team shall use a participatory process to solicit input from the school community, including students, to:
 - a. Develop three to five behavioral expectations that are positively stated and easy to remember;
 - b. Create a matrix of how the behavioral expectations look, sound and feel in all the classroom and non-classroom areas;
 - c. Develop lesson plans and strategies on how the behavioral expectations will be taught in and around school; and
 - d. Ensure that all teachers and staff have training in culturally relevant instruction so that behavioral expectations are taught in ways that fully engage the student.

C. School-Wide Teaching and Classroom Management Practices

1. States, districts and schools must implement culturally affirming social and emotional learning practices that are found to be effective in reducing behavioral problems and increasing academic achievement²¹⁰ (see Section 3.1 Key Elements of School Climate and Positive Discipline, sub-section on Culturally Affirming Social and Emotional Learning). Students shall be taught at a school-wide level how to resolve conflicts, manage their emotions and learn empathy skills. This must include classroom instruction that explicitly teaches these skills multiple times each school year as well as curricula that embed culturally affirming social and emotional learning (SEL) in content instruction.²¹¹
2. The classroom management practices of teachers must engage students as partners and leaders in the classroom, stressing prevention and the teaching of desirable behaviors rather than focusing on consequences.²¹² Schools must:
 - a. Provide staff with classroom management training that includes strategies for adapting to the specific contexts of each classroom and each individual student beginning at the pre-service level;
 - b. Use a problem-solving and a lesson-study approach that supports ongoing classroom management;²¹³ and
 - c. Regularly review data to determine the amount of classroom management training that should be provided to teachers.
3. Teachers shall engage in culturally responsive classroom management (see Section 4.2 Disproportionate Use of Discipline, sub-sections C and D) to help analyze their understanding of the role of culture in student behavior, reflect on their judgments about appropriate behavior and cultural differences, and support the use of culture in classroom contexts. It is also especially important for teachers to be knowledgeable about the different cultures of their students.²¹⁴
4. Schools shall engage in continuous reflection and evaluation so that teaching teams can give and receive feedback on ways to achieve high levels of academic engagement and low levels of classroom misconduct. Data must be shared at faculty and grade level meetings in regard to achievement and disciplinary responses (see Chapter 5 on Data, Monitoring and Accountability).

²⁰⁹ “SWPBIS for Beginners,” OSEP: Technical Assistance Center of Positive Behavior Interventions & Supports, available at http://www.pbis.org/school/swpbs_for_beginners.aspx.

²¹⁰ Evidence based programs such as Positive Action and Second Step: A Violence Prevention Curriculum have been found to positively support the social- emotional development of students.

²¹¹ See generally Jeffrey R. Sprague & Annemieke Golly, *Best Behavior: Building Positive Behavior Support in Schools 4* (2005); Hill M. Walker Et Al., *Antisocial Behavior In School 32* (2004); Ctr. For Effective Collaboration and Practice, *Second Step: A Violence Prevention Curriculum*, http://cecp.air.org/resources/success/second_step.asp.

²¹² See generally C. Roy Mayer, *Constructive Discipline for School Personnel*, 22 *Educ. and Treatment of Children* 36–54 (1999).

²¹³ The use of a problem-solving team and a lesson-study approach supports such reflection. Infusing classroom management discussions into discussion about instruction supports both instruction and behavior. Teachers are able to do this by using key access methodologies including building cooperative and communal learning environments, holding instructional conversations so that students arrive at a deeper understanding of academic content, focusing on academic language development in teaching specialized language, building on conceptual knowledge brought from home and community, and utilizing advanced graphic organizers for active learning. See generally L.A. Unified Sch. Dist., *Multi-Tiered Framework for Instruction, Intervention, And Support* (2009), available at http://www.lausd.net/math/Memos&Bulletins/BUL-4827_RTI_Policy.pdf.

²¹⁴ See generally Elizabeth Bondy et al., *Creating Environments of Success and Resilience: Culturally Responsive Classroom Management and More*, 42 *URBAN EDUC.* 326–348 (2007).

D. Positive Approaches to Behavior²¹⁵

1. All members of the school community are responsible for teaching and reinforcing appropriate school behavior.
 - a. Administrators, teachers and other staff shall model appropriate and respectful behavior in their interactions with students and each other, and must commit to teaching students how to behave respectfully and appropriately toward each other and toward adults.
 - b. Students and staff must be given the tools to prevent behavior problems and, if they occur, to keep them from escalating.
2. School Climate and Culture Leadership Teams shall develop a procedure for responding to problem behavior that provides clear consequences that are both instructional and constructive. Schools shall provide staff with the professional development, guidance and support needed to implement this procedure, and coordinate the necessary services and any additional instruction for students. This procedure shall include:
 - a. A continuum of behavior supports (see Section 3.7.b Model Policy on Restorative Justice Practices) to identify what should be in place to prevent behavior and includes a range of responses that could be utilized when misconduct occurs;
 - b. A clear delineation of responsibilities for all members of the school community, including a distinction between behaviors that are managed by staff/classroom teachers and by office/administrative staff; and
 - c. A referral procedure for individualized intervention.
3. All consequences for inappropriate behavior must be consistent with the requirements in Section 3.1 Key Elements of School Climate and Positive Discipline, in particular:
 - a. Consequences must be individualized, consistent, reasonable, fair, age appropriate and should match the severity of the student's behavior.²¹⁶ The consequence must be a natural and logical match to the inappropriate behavior.²¹⁷
 - b. Consequences must be paired with meaningful instruction and guidance, including corrective feedback and re-teaching, and offer students an opportunity to connect their misconduct with new learning and participate in contributing back to the school community.
 - c. The use of consequences must be carefully planned with well-defined outcomes in order to provide the greatest benefit to students.
4. Consequences must be administered by an Intervention Support Team that includes people who know the student best and have a vested interest in a positive outcome. The student must be part of the team and have a role in determining the consequence. For in-classroom consequences, the team can include the teacher and the student. The Intervention Support Team must:
 - a. Consider the range of appropriate responses;²¹⁸ and
 - b. Provide continuous monitoring of student behavior and responses to the consequences.

E. Students Requiring Individualized Interventions

1. Students who exhibit a pattern of problem behavior or exhibit behaviors that are dangerous, highly disruptive, and/or impede learning and result in social or educational exclusion²¹⁹ require a more intensive level of intervention that is individualized and includes a team approach. In order to provide effective interventions:
 - a. School-site staff must have training, information and resources available;
 - b. All interventions must be tailored to the students' specific needs and circumstances;
 - c. Schools and classrooms must have screening methods to identify and collect data on students with social and academic difficulties who require differentiated support and provide them with necessary interventions;
 - d. The School Climate and Culture Leadership Team must develop the process for teachers and other staff to make a referral for intervention to address behavior patterns which may include office discipline referrals, low academic achievement, poor attendance or other challenges; and
 - e. There must be progress monitoring, a scientifically based practice that is used to assess students' academic performance and evaluate the effectiveness of instruction. Progress monitoring can be implemented with

²¹⁵ See generally L.A. Unified Sch. Dist., Discipline Foundation Policy: School Wide Positive Behavior Support (2007), available at http://notebook.lausd.net/pls/ptl/docs/PAGE/CA_LAUSD/FLDR_ORGANIZATIONS/STUDENT_HEALTH_HUMAN_SERVICES/SHHS/DISCIPLINE_POLICY/BUI-3638.O.PDF.

²¹⁶ See generally L.A. Unified Sch. Dist., supra note 109.

²¹⁷ See generally BEVERLY H. JOHNS ET AL., REDUCTION OF SCHOOL VIOLENCE: ALTERNATIVES TO SUSPENSION (4th ed. 2007); Sprague, supra note 214; George Sugai & Robert H. Horner, Introduction to the Special Series on Positive Behavior Support in Schools, 10 Journal Of Emotional And Behavioral Disorders 130-135 (2002).

²¹⁸ These can include: loss of privileges, restitution, Saturday school, mentoring programs, and behavioral contracts that include earning privileges.

²¹⁹ See generally Frequently Asked Questions: What Is Tertiary Prevention? Available at: http://www.pbis.org/school/tertiary_level/faqs.aspx.

individual students or an entire class. This process should enable teachers or other school staff to identify which students need referrals for intervention.

2. All decisions related to intensive interventions must be made by the Intervention Support Team that includes the student and people who know them best, including the student's family. The Support Team may also include the classroom teacher, administrator, school psychologist, counselor, social workers and mental health experts.
 - a. The Intervention Support Team shall use a problem-solving approach in an effort to help the student to be more successful in school, at home or in the community.²²⁰ This approach includes:
 - i. Receiving referrals;
 - ii. Identifying and assessing problems;
 - iii. Collecting data for use in decision-making;
 - iv. Communicating with family members and provide opportunities for training on behavior support and positive parenting strategies;
 - v. Identifying action steps and develop strategies for coordination and implementation of programs and resources (e.g., conflict-resolution, opportunities to develop social and emotional skills, mentoring);
 - vi. Making a referral for special education if appropriate;²²¹ and
 - vii. Monitoring behavior and modifying the action steps appropriately.
 - b. For some students who require a more intensive level of intervention, the Support Team shall:
 - i. Include one person qualified to conduct a Functional Behavior Assessment (FBA),²²² and conduct the FBA if the student is not responding to Tier I and Tier II interventions;
 - ii. Integrate community-based resources in action planning and service delivery when necessary; and
 - iii. Develop a support plan comprised of individualized goals, data collection and analysis, assessment-based intervention strategies and monitoring systems to address the needs of the student.²²³

F. Wraparound Services

1. Districts and schools shall provide wraparound services for students with complex and multiple needs. Schools shall collaborate with public agencies, community-based organizations and families to develop individualized plans to provide a variety of services, such as healthcare, counseling, social work and mentoring, that are driven by the needs of students, not the services provided.²²⁴
2. Wraparound plans for individual students shall be developed by the Intervention Support Team of people who know the students best and must include the following best practices:
 - a. Wraparound efforts must be based in the community;
 - b. The plan must be individualized to meet the needs of students and families;
 - c. The process must be culturally competent and build on the strengths of the students and families;
 - d. Parents or guardians must be included at every level;
 - e. Agencies must have access to flexible, non-categorized funding;
 - f. The process must be implemented on an inter-agency basis and be owned by the larger community;
 - g. Services must be unconditional. If the needs of the student and family change, the student and family are not to be rejected from the service. Instead, the service must be changed; and
 - h. Outcomes must be measured.

G. Evaluation

1. Every state, district, and school must have an evaluation process carried out by the School Climate and Culture Leadership Team that occurs on a regular and consistent basis to:
 - a. Monitor implementation of SWPBIS and disciplinary data showing trends in disciplinary actions (office disciplinary referrals, suspensions, expulsions, referrals to law enforcement and referrals to alternative schools—disaggregated by race, gender and special educational status);
 - b. Report back to the school and community;

²²⁰ See generally Positive Behavior Intervention and Supports Tutorial: Individual Systems. Available at: http://cte.jhu.edu/courses/pbis/ses5_act2_pag1.shtml.

²²¹ See generally Stephanie Martinez, A System Gone Berserk: How Are Zero Tolerance Policies Really Affecting Schools?, 53 Preventing Sch. Failure 153-157 (2009); Joseph B. Ryan et al., IDEA 2004 and Disciplining Students with Disabilities, 91 NASSP Bulletin 130-140 (2007).

²²² PBIS.org When to Use a Functional Behavior Assessment. Available at: https://www.pbis.org/Common/Cms/files/pbisresources/EvalBrief_Oct2015.pdf

²²³ See generally Tertiary Prevention, supra note 222.

²²⁴ See generally What Is The Wraparound Process? Available at: <http://cecp.air.org/wraparound/intro.html>.

- c. Review all referrals for Individualized Interventions and Wraparound Services; and
- d. Make recommendations for on-going training, implementation and modification of the SWPBIS plan and the allocation of resources.