



ISSUE REPORT

SPECIAL EDUCATION: SCHOOL DISCIPLINE

Last Update

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Summary of Issue

Students with developmental disabilities, developmental delays or learning disorders are suspended or expelled from public K-12 schools substantially more often than their peers. Research demonstrates that students who are suspended or expelled from school are more likely to become embroiled in the criminal justice system later in life. The overuse of suspension and expulsion has created a “school to prison” pipeline for these students.

Furthermore, many students have disabilities or disorders, which affect their ability to learn and socialize, that are not properly diagnosed. Consequently, behavior that may be beyond a student’s full control could trigger discipline procedures, including suspension or expulsion, that might have been addressed through an Individual Education Plan (IEP) or 504 Plan.

As of 2016, Spokane Public Schools (SPS), the second largest district in the state of Washington, reported a suspension and expulsion rate in excess of eight percent. This rate is significantly higher than state and local averages, which are nearer three percent, and reflect a need for systemic change in the way SPS addresses student discipline.

Public schools should adopt discipline policies that 1) account for students’ capacity to learn and/or socialize because of a disability or disorder, and 2) encourage behavior modification through positive support and/or restorative justice rather than suspension or expulsion.

History of the Issue

In the wake of mass school shootings such as Columbine, public schools across the country adopted “Zero Tolerance” policies to ensure safety. These policies rely heavily on suspension and expulsion as remedies for disruptive behavior. Campus Resource Officers (CRO) may also charge students with crimes which require resolution through the juvenile justice system. This resolution may include time spent in juvenile detention, the assignment of a probation officer, etc. Research demonstrates that suspension and expulsion is not only ineffective in changing noncompliant behavior in students, it initiates an association with the criminal justice system that may last a lifetime.

The American Federation of Teachers is currently calling for schools to abandon discipline policies that rely heavily on suspension and expulsion and adopt positive behavioral support and restorative justice policies in their place. Research indicates that, when applied properly, these strategies are more effective in correcting student behavior than suspension and expulsion, even in schools where racial, economic and ethnic disparities create considerable social tension.

In 2015 the Washington state legislature passed House Bill 1541 which requires public schools across the state to adopt discipline policies that prefer positive behavior support and restorative justice

over suspension and expulsion. Spokane Public Schools is currently working to fully align its discipline policy with this law.

The principal concern of many parents with children in SPS is the degree to which this effort will be embraced and implemented across the district.

Concurrent efforts to address the issue

In 2015 the Washington State Legislature passed HB 1541 which required school districts to adopt new discipline policies favoring restorative justice over suspension and expulsion. Since then, districts across the state worked to implement them. Although it is possible that groups in other parts of the state are working with local districts to influence the implementation of these changes, to our knowledge, similar efforts are not currently taking place in Spokane.

Local organizations who have shown an interest in helping guide the implementation of HB 1541 at Spokane Public Schools include the ACLU, The Arc of Spokane, the Center for Justice, Disability Rights Washington, Eastern Washington University, Juvenile Public Defense, NAACP, Northwest Autism Center, the Spokane County Parent Coalition, Passages Family Support, Team Child, and numerous individual advocates.

Scope – Does the issue affect many people with I/DD?)

This issue has the potential to affect many students with developmental disabilities in the K-12 public school system. Statistically, students with developmental disabilities are suspended or expelled more often than typically developing students. Uniquely at risk are students with less obvious disabilities or disorders, which often manifest themselves in atypical social behavior. While students who have been diagnosed with a disability or disorder generally have Individual Education Plans (IEP) or 504 Plans, students who are not properly diagnosed may unjustly become the target of harsh discipline. For example, students with high functioning autism, which often prevents a person from interpreting social nuances, often speak or act in ways that are seen as disruptive. Subjecting these students, who often have little control over their social skills, to harsh disciplines like suspension and expulsion can be profoundly injurious.

Impact – How profoundly does the issue affect people with I/DD?

Recent research demonstrates that being arrested, having a criminal record, and spending time in juvenile detention profoundly affect students' likelihood of success in school and as adults. Students who are suspended or expelled are more likely to become embroiled in the criminal justice system as adults, profoundly and permanently affecting their quality of life.

Duration – How long has the issue existed?

The "School to Prison" pipeline is largely consequent to "Zero Tolerance" policies which many school districts across the country adopted in the wake of the Columbine High School shooting in 1999. However, harmful profiling of students of color and students with undiagnosed disabilities certainly predates this period.

Resolution – What action can be taken to address the issue?

Washington's House Bill 1541 requires school districts across the state to reduce the use of suspension and expulsion as disciplinary tools in favor of other, more effective methods of discipline. SPS is now

actively engaged in that process. However, effective implementation of new policies, procedures and, more importantly, a new culture among teachers, administrators, students and parents is likely to be very challenging. The Every Student Counts Alliance can help SPS implement the change by

- 1) Providing input from the perspective of students and parents
- 2) Pressuring the district and campus resource officers to adopt permanent and profound change
- 3) Representing students with developmental disabilities, delays or learning disorders and their parents throughout the change process

What action has been taken to address the issue?

In the summer of 2016, a coalition of advocacy organizations approached Spokane Public Schools about reducing its suspension and expulsion rate. Concerned about the “school to prison” pipeline, parents of students with developmental disabilities as well as parents of students of color have asked the district to change its approach to student discipline permanently and profoundly. Participants in that effort, who call themselves the *Every Student Counts Alliance*, include the Spokane chapters of the ACLU and NAACP, Passages Family Support, Team Child, the Northwest Autism Center, The Arc of Spokane, the Spokane County Parent Coalition, Juvenile Public Defense, Eastern Washington University, and individual advocates. Spokane Public Schools has been responsive to this request and is actively working with the Every Student Counts Alliance.

On June 9, 2016, SPS Superintendent Shelley Redinger signed a resolution to implement sweeping changes in district policy relative to student discipline. The Every Student Counts Alliance played a key role in the development of that resolution, working closely with Dr. Redinger and other district officials to ensure appropriate focus and commitment to change.

Consequent to this resolution, a work group has been created to generate recommendations for the implementation of new discipline procedures throughout SPS. The work group includes representatives of Spokane Public Schools (teachers, administrators and CRO personnel) and members of the Every Student Counts Alliance. This work group has met regularly since June, 2016.

To date, the work group has provided input for SPS Policy and Procedure No. 3240, *Student Behavior, Rules of Conduct, Restorative Practices and Corrective Action* as well as the district’s *Rules of Conduct* statement. These documents are designed to meet the requirements of HB 1541 for the coming year and will likely see further revision in the future as the district’s discipline policy and procedures evolve.

The work group has also established four sub-groups tasked with exploring the following issues relative to the district’s adoption of these procedures:

- Data Collection, Analysis and Reporting
- Training and Implementation of Restorative Practices
- Campus Resource Officers
- Parent and Student Engagement
- Cultural Competency

Volunteer participants are currently being recruited for these sub-groups. Their work will influence the evolution of these policies and procedures in the coming months and years.

By what date will this action be complete?

Implementing permanent and profound change in an organization's culture requires thorough and consistent effort over a long period of time. Teachers, administrators, students and parents will have to adopt new patterns of thinking before positive behavior support and restorative practices will have their intended effect. Nevertheless, school districts in other parts of the country report positive results almost immediately after adopting such practices. It is likely that full implementation will be incremental and take several years.

If this effort is successful, other school districts in Spokane County may find the model which SPS has adopted helpful in revising their own discipline policies.

Who will lead the task force?

Participants in the work group as of this date include:

- Brian Holloway, Director of Advocacy and Family Support and co-coordinator for the Spokane County Parent Coalition, is currently leading this effort for the agency.
- Cami Nelson, parent advocate
- Megan Williams, Partnership 4 Safety COTE coordinator
- John Lemus, People First of Washington