Why Does the US use so much Exclusionary Discipline?

Office referral - student sent to principal
Suspension - student sent home for a few days
Expulsion - student removed at least 1 year from school, may attend special program

Rationale:
• Student must be “punished” so they will learn!
• Parents need to see how serious this behavior is!
• Other students and school staff members must be protected!
REASONS WE APPLY OUT-OF-SCHOOL SUSPENSIONS

• Gun Free Schools Act (1994)
  • In 1997, of the 3.1 million students suspended from school, most were involved in nonviolent and non-criminal acts.
  • Only approximately 10% of the expulsions or suspensions are for possession of weapons.
  • In the small towns of states such as Oregon and South Carolina, students are expelled at 5 to 6 times the rates of students in cities such as Chicago and San Francisco, yet it is unlikely that crime rates in small towns are 5 times the rates in these large metropolitan areas.

Legal & Moral Imperative

AB-1729 Amendments

❖ Legislative Findings
  ➢ Overuse of school suspension and expulsion
  ➢ Disproportionate impact of exclusionary discipline practices on:
    ■ Students of color
    ■ Students with disabilities
    ■ LGBTQ students
    ■ Other vulnerable populations

Unintended Consequences

• Referrals, suspensions and expulsions may exacerbate academic deterioration
• When students are provided with no educational alternative, student alienation, delinquency, crime, and substance abuse may ensue
Zero Tolerance

Most U.S. schools have policies known as "zero tolerance"—the term given to a school or district policy that mandates predetermined consequences for various student offenses, and almost 90% of Americans support these policies.

- The American Bar Association argues that it is wrong to mandate automatic expulsion or referral to juvenile court without taking into consideration the specifics of each case (aka due process).

"Zero tolerance has not been shown to improve school climate or school safety."

—APA Task Force Report on Zero Tolerance

Jason has a heated argument with his parents before leaving for school. He is running late. Let's see the difference.

Restorative practices can make teachers and staff welcome him and his classmates as they enter. He is greeted by metal detectors and police search. His teacher waits until after class to speak to him, learn more, and sets up meeting with counselor after school. His teacher scolds him in front of class. Jason talks back and is given a detention after school.

School staff intervene, have the students sit down together and de-escalate situation. A School Resource Officer detains and arrests both students. School administrators suspend them from school.

Jason is held in a juvenile facility all afternoon, missing school. He now has an arrest record and is suspended for several days.

Jason and other student agree to help clean the cafeteria during a free period. Jason meets with his counselor and parents after school to help resolve conflict at home.

Jason arrives at school.

Zero Tolerance System

Let's see the difference.
"The implementation of restorative practices forces alignment of the system and processes in order to be congruent with what we say we do and what actually happens in practice."

-Blood & Thorsborne 2005
"Overcoming Resistance to Whole-School Uptake of Restorative Practices"

Conferencing is Not Enough

Conferencing is a highly effective process for responding to inappropriate behavior of a serious nature in a school but also that ‘the use of conferencing itself is not enough’ (Blood & Thorsborne, 2005, p. 2). While the implementation of a carefully thought out strategy is vital, one of the critical issues for successful implementation and sustainability of a restorative philosophy is the realization that this means organization and cultural change.

Jeffrey Sprague, Ph.D.
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“There are more of them than there are of us: the only real change comes from the entire school environment and cannot be one child at a time.”

-Robert Horner
10% youth have conduct problems need mental health services 17% 8% of children account for more than half of discipline referrals

Over the past 10 years...
-75% Decline in Incidents leading to suspension
-73% Decline in Number of Days Suspended
-99% Decline in Expulsions
Savings of $250,000 per year in ADA on suspensions alone

PBIS is a Multi-Tiered System of Behavioral Support

**Tier 1: Universal**
- Teach behavior expectations
- Reinforce Positive Behaviors with rewards & praise
- Consistent & Restorative Consequences

**Tier 2: Strategic**
- Social-Academic Instructional Groups
- Check-In/Check-Out
- Adaptations and Modifications

**Tier 3: Intensive**
- Wrap-Around Services
- FBA/BIP
- 1-on-1 services
What is PBIS?

**Tier 1: Universal**
1. Positive behavior expectations:  
   *be safe, be respectful, be responsible*
2. Teach behavior expectations
3. Reinforce Positive Behaviors with rewards & praise
4. Consistent Consequences for behavioral errors, including Restorative Practices

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**NVUSD Positive School Climate Board Policy**
- Implement BEST / PBIS at all 29 Schools
- Implement social emotional skills program
- Positively reinforce appropriate behavior
- Effective classroom management
- Logical & meaningful consequences including Restorative Practices

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**PBIS/RP Team meets once a month:**
1. Rules and expectations –
2. Lesson plans
3. Teaching schedule throughout year
4. Reinforcement system
5. Consistent Consequences
6. Collect and analyze data
Began Implementing Restorative Practices

BP 5137: PBIS Mandatory

Began Restorative Practices Training for Sites (Wellness Grant funding)

Began Implementing Restorative Practices

Hazing Incident
Purposes of Sanctions

- Interrupt problem behavior
- Prevent escalation
- Teach acceptable vs. unacceptable behavior
  - “This is not being respectful”
- Allow education to continue for others
  - (Safety, access to instruction)
- Minimize likelihood that problem behavior will be rewarded
Role of Behavior Function

How do you Minimize likelihood that problem behavior will be rewarded?

Know WHY child engaged in behavior. What was the “pay-off”?

Case Study: Student disrupts class in order to get out of Math test. Which sanction is better?

- Send student home for remainder of day.
- Send student to another room to take the test.

Do Sanctions Work Without A Balance of Positive Acknowledgement?

- Detrimental effects on adult-youth relations
- Reduced motivation
- Does not teach replacement behaviors
- May result in more problems (Mayer, 1991)
  - Truancy, dropout, vandalism, aggression
- Limited long term effect on behavior or other forms of adjustment

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Restorative Consequences

Assist students in considering ways to make amends for misbehavior:

- replacing
- repairing – lost teacher time so will help making copies, collating, stapling
- cleaning – “Classroom Beautification”
- sincere apology
What is NOT Restorative

• Shaming or embarrassing
• Scolding or Lecturing
• Consequences not linked to behavior
• Yelling

Restorative Questions I
To respond to challenging behavior

• What happened?
• What were you thinking of at the time?
• What have you thought about since?
• Who has been affected by what you have done? In what way?
• What do you think you need to do to make things right?

* Laura Mooiman, LCSW

Restorative Questions II
To help those harmed by other’s actions

• What did you think when you realized what had happened?
• What impact had this incident had on you and others?
• What has been the hardest thing for you?
• What do you think needs to happen to make things right?

* Laura Mooiman, LCSW
# Office Referral Process

<table>
<thead>
<tr>
<th>Staff Managed</th>
<th>Office Managed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minors</td>
<td>Majors</td>
</tr>
<tr>
<td>Inappropriate Language</td>
<td>Three minor events</td>
</tr>
<tr>
<td>Physical Contact</td>
<td>Abusive / Inappropriate language</td>
</tr>
<tr>
<td>Defiance / Disrespect</td>
<td>Fighting / Physical aggression</td>
</tr>
<tr>
<td>Technology Misuse</td>
<td>Extreme Defiance / Insubordination</td>
</tr>
<tr>
<td>Property Misuse</td>
<td>Harassment / Intimidation</td>
</tr>
<tr>
<td>Lying / Cheating</td>
<td>Vandalism / Property destruction</td>
</tr>
</tbody>
</table>

*Consequences are determined by staff

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**Napa Valley Unified School District**

**Secondary Behavior Referral**

<table>
<thead>
<tr>
<th>Student Name: ____________________________________</th>
<th>Grade: ________   Date: _________   Time: _____________</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff referring: __________________________________</td>
<td>Location: __________________________________</td>
</tr>
</tbody>
</table>

**Student had difficulty being:**

SAFE               RESPONSIBLE            RESPECTFUL

**Behavioral Error:**

Inappropriate Language
Physical Contact / Physical Aggression
Defiance/Disrespect/Non Compliance
Disruption
Damaging or misuse of property/equipment
Unsafe Play
Technology Violation
Bullying/Harassment

**Comments________________________________________
**
**_________________________________________________
**
**_________________________________________________
**
**_________________________________________________
**

**Teacher/Classroom Interventions Tried with Student:**

- Talked to student privately, re taught expectation
- Seat Change
- Time out in classroom with reflection
- Date parent contacted ______________________
- Date in Buddy Classroom
- Behavior Contract with student
- Restorative Practices (repair harm & relationship, apology, restorative project, community service, conflict resolution, etc)
- __________________________________________
- __________________________________________
- What skill needs to be retaught? (e.g. Second Step, We Have Skills, or BEST Lesson)
- __________________________________________
- __________________________________________
- Other _____________________________________
- __________________________________________

**Admin Decision:**

- (for administrator to complete)
- __________________________________________
- __________________________________________
- __________________________________________
- __________________________________________
- __________________________________________
- __________________________________________

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**When things go wrong we ask...**

What Happened?

Who or what was hurt?

How can we fix it?
**Continuum of Corrective Consequences**

- Eye Contact
- Pause in teaching
- The teacher “look”
- Physical proximity
- Praise appropriate behavior observed
- Touch or gesture
- Gentle verbal correction (quiet, quick, calm)
- Ignoring
- Reteach, positive practice
- Reflection Desk in which student completes reflection sheet
- Voluntary Time Out (volcano card)

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**Problem Behavior**

<table>
<thead>
<tr>
<th>Non-Exclusionary Sanctions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fighting</td>
</tr>
<tr>
<td>Reteach. Loss of Privileges, Informal/Formal Conference, No Contact Agreement, Community Service: presentation on anger management, conflict management, give back to school community making it more safe, Restorative Practices: conflict mediation, restorative circle or conference</td>
</tr>
<tr>
<td>Classroom Disruption</td>
</tr>
<tr>
<td>Reteach, verbal correction, reflection, buddy classroom, loss of privileges, conference with student, Academic support, Restorative Practices: restorative chat, classroom circle addressing classroom disruptions</td>
</tr>
<tr>
<td>Drug &amp; Alcohol Offense</td>
</tr>
<tr>
<td>Parent contact, medical care &amp; assessment, diversion, Drug &amp; Alcohol Counseling, Restorative Practices: create &quot;Vaping&quot; presentation for all 6th graders</td>
</tr>
<tr>
<td>Disrespect &amp; Defiance</td>
</tr>
<tr>
<td>Reteach, verbal correction, reflection, buddy classroom, loss of privileges, conference with student, Restorative Practices: restorative conversation with teacher, circle with parents, CAWL, teacher</td>
</tr>
</tbody>
</table>

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**Juvenile Justice Model:**

RESTORATION
What are Restorative Practices?
Restorative Practices are an approach for building community and for responding to challenging behavior through authentic dialogue, coming to understanding, and making things right.

RESTORATIVE PRACTICES
- support academic achievement
- support social-emotional intelligence
- enhance classroom management
- prevent disciplinary actions
- common Core Anchor Standards
- social-emotional learning
- social justice
Tier 1: Community Building Circles

Instructional Circles

- Build Relationships
- Strengthens speaking & listening skills
- Teach concepts, social emotional learning, PBIS Lessons

○ hear what happened
○ learn how everyone’s been affected
○ decide how to repair the harm
○ 60% reduction in suspensions
○ 97% Compliance

Tier 2: Classroom Problem Solving

Meetings

- Lack of collaboration
- Not turning in homework
- Tardies
- Unkind or bullying behavior
- hear what happened
- learn how everyone’s been affected
- decide how to repair the harm
- 60% reduction in suspensions
- 97% Compliance

Tier 2: Conflict Mediation

- What did you think when you realized what had happened?
- What impact had this incident had on you and others?
- What has been the hardest thing for you?
Recognizes the purpose or function of behavior.
Addresses the needs of those harmed.
Works to put right the harm.
Aims to improve the future.
Seeks to heal.
Uses collaborative processes.

Tier 3: Restorative Conferencing

Juvenile Justice Model: Intervention/Treatment

Sanctions

Restoration

Intervention/Treatment