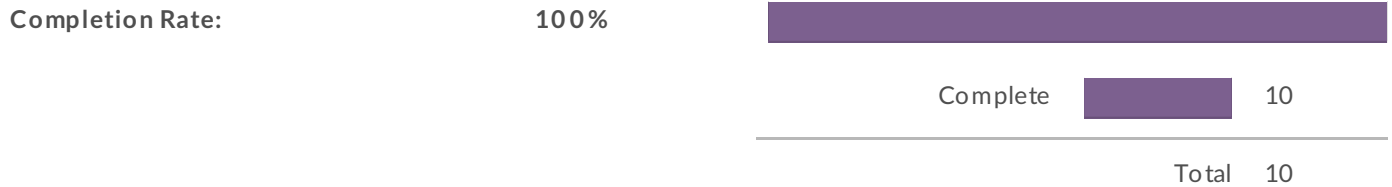
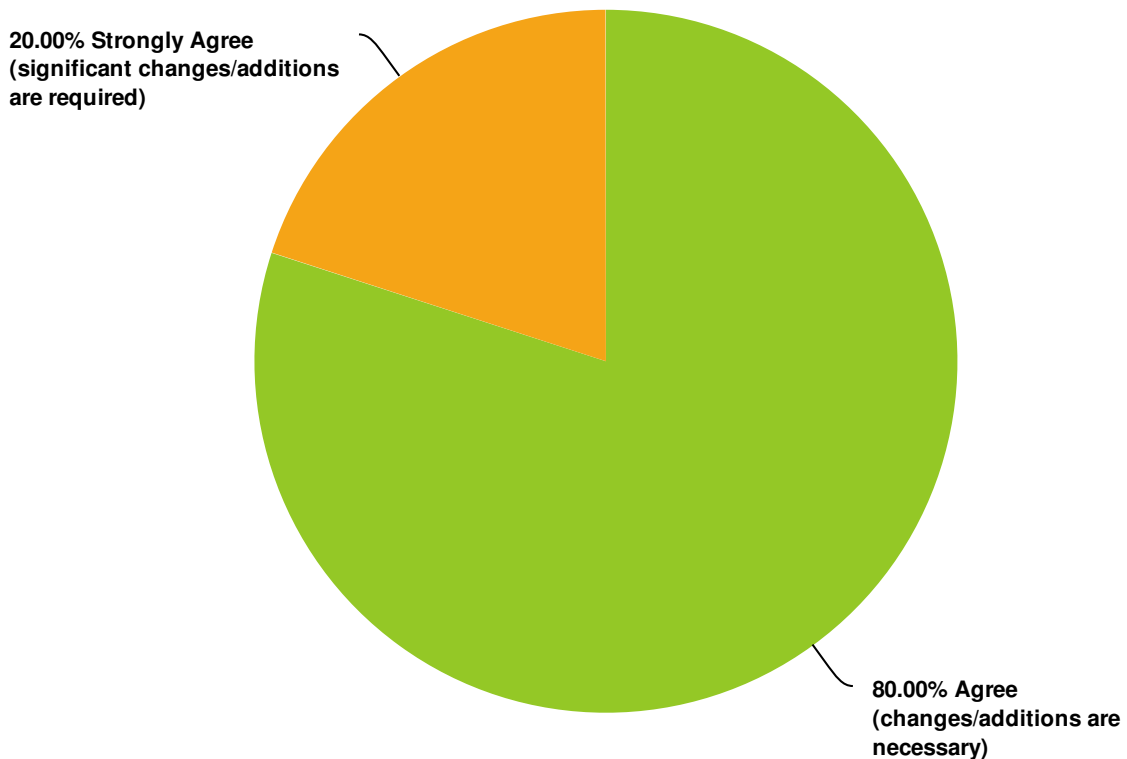


Report for 2016 Discipline Definitions Survey

1. Response Counts



2. Corrective Action is a broad phrase used in the current rules to refer to all types of student discipline (i.e. suspension, emergency removal, expulsion, detention, etc.). In statute the term “disciplinary action” is often used interchangeably with “corrective action” and does not explicitly include best practices, research-based interventions, or other behavioral strategies. – WAC 392-400-200.



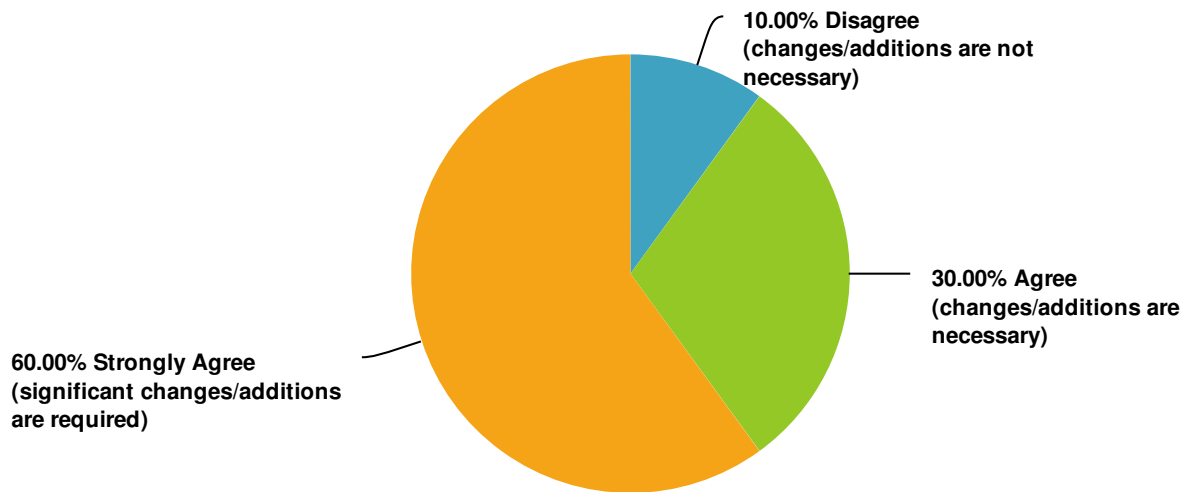
Value	Percent	Count
Agree (changes/additions are necessary)	80.0%	8
Strongly Agree (significant changes/additions are required)	20.0%	2
Total		10

3. Comments:

Count	Response
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1	All terms and definitions should explicitly include best practices. There should be no room for misunderstanding.
1	Also used interchangeably with "intervention." The CEDARS guidance is inclusive saying Correction or Disciplinary action making it a mouthful and difficult to read.
1	Corrective action and disciplinary action are not the same thing. Clarification needed
1	Corrective action should be defined as something like actions taken to address violations of school and improve behavior, including but not limited to ... (see below notes about definition of "discipline" for more on the overlap/relation between "corrective action" "discipline" and "suspension/expulsion" Note – if we believe there should be some form of *notice and *opportunity to be heard for students and/or parents in cases where a student's behavior is determined to be in violation of school rules and some consequence is given (e.g. privileges taken away in the classroom, extra work given, other consequences or denials of rewards), corrective action should be defined more broadly. [see notes in later sections re provisions that highlight the value of early engagement of parents in behavior violations, weighing toward some form of notice and opportunity for being heard even for "minor" infractions and consequences/corrective actions. If *notice and *opportunity to be heard come
1	Corrective assumes that it will correct the behavior if discipline action is taken.
1	I think there needs to be a distinction between actions aimed at correcting behavior after several redirections and disciplinary actions that are in response to failure to respond to corrective attempts. A detention seems different in nature from an exclusionary disciplinary response. I also think that both corrective and disciplinary actions need to be framed as responses to violations of items explicitly noted in the student code of conduct at the school or district level. If the standard for behavior isn't explicit then that warrant for corrective/disciplinary action isn't explicit.
1	Since so many of the occurrences involve behavioral issues, corrective actions , which are often interchangeable with disciplinary action, does not include the use of best practices, etc, which is often to the detriment of under served and marginalized students.

4. Discipline is defined in the current rules as not including suspensions and other exclusionary practices. In statute as well as in practical usage, “student discipline” or “disciplinary action” specifically refers to suspensions and expulsions. – WAC 392-400-205 (1).

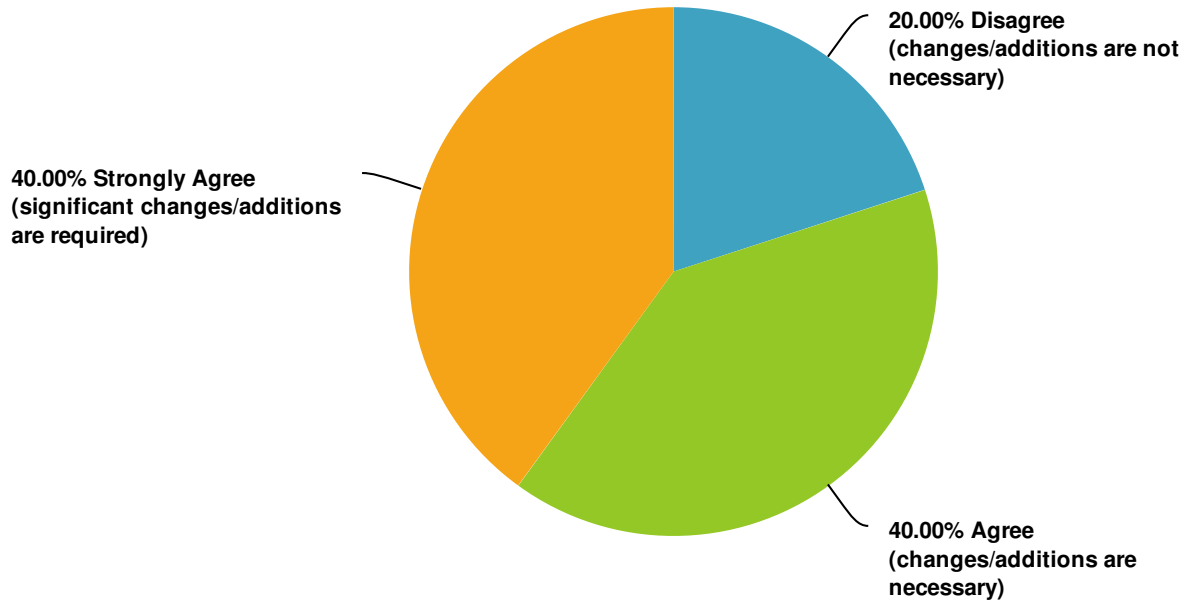


Value	Percent	Count
Disagree (changes/additions are not necessary)	10.0%	1
Agree (changes/additions are necessary)	30.0%	3
Strongly Agree (significant changes/additions are required)	60.0%	6
Total		10

5. Comments:

Count	Response
1	Expulsions and Suspensions should be kept separate than discipline. When a student is expelled there is no corrective training taking place.
1	I believe "discipline" is commonly understood not as ONLY suspension or expulsion – but rather could any kind of punishment or consequence imposed in response to a student's violation or perceived violation of school rules. The definition in the rules should reflect this common understanding to avoid confusion. Note also that RCW 28A.600.460 which requires districts to "adopt policies that restore discipline to the classroom" and states that the policies must provide for at least 'allowing each teacher to take disciplinary action to correct a student who disrupts normal classroom activities, abuses or insults a teacher.... The disciplinary action "may include but is not limited to: Oral or written reprimands; written notification to parents of disruptive behavior, a copy of which must be provided to the principal." And those examples could be included in an illustrative list Question: What is the best way to understand the distinction or overlap of "discipline" versus "correctiv
1	I believe most consider susp and exp as part of discipline.
1	The definition in WAC 392-400-205 does not match practice. Adjustment should be made

6. Suspension is currently defined in the rules to include any denial of attendance exceeding the balance of the immediate class period. Practices that categorically constitute a suspension according to the current rules may not be formally imposed, reported, or even pragmatically understood as such— (i.e. office referrals that result in a student being with an administrator, counselor, or student supports staff for longer than the balance of the immediate class period). – WAC 392-400-205 (2).

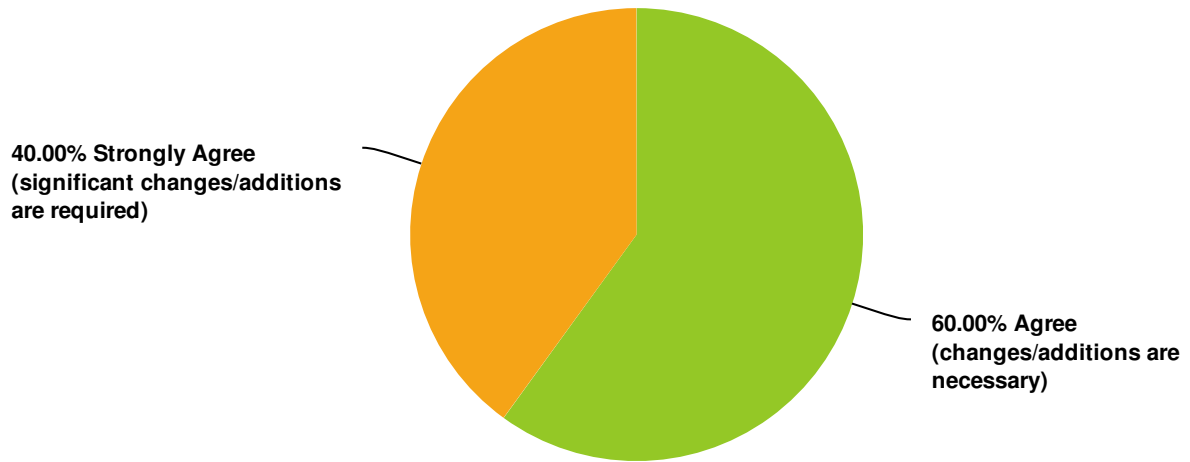


Value	Percent	Count
Disagree (changes/additions are not necessary)	20.0%	2
Agree (changes/additions are necessary)	40.0%	4
Strongly Agree (significant changes/additions are required)	40.0%	4
Total		10

7. Comments:

Count	Response
1	Can In-School and Out-of-School be differentiated?
1	Consider acknowledging that a removal from class may not be negative. Provide a definition that addresses when a suspension is not formally imposed.
1	I think this definition needs to take difference in school levels into account. A "class period" at the elementary level is different than the middle and high school levels.
1	Suspension may be helpful to maintain as a general category that continues with the definition that focuses on the removal from the class or subject and adding a definition for in school suspensions could help clarify that removals from instruction as a consequence of a rule violation should be accounted for and should trigger the steps to provide some kind of notice and opportunity to be heard There may still be discussions about whether a particular removal is a kind of 'positive intervention' or a 'disciplinary consequence' – and whether or how they should be tracked, whether they should trigger any process or reporting. I think the guidance from the US Department of Ed and experiences relating to "constructive removals" of students with disabilities demonstrate that whether removals are intended to be punitive or beneficial for the student, they should be monitored because whatever the motive, they remove a student from the general instructional setting...
1	The definition in WAC 392-400-205 does not match practice. Adjustment should be made
1	This is especially true in the elementary school environment where students are often relegated to sitting at desk in the hall way and not being included in the learning process. These are not formally reported, but can be contributors to the achievement/opportunity gap, as well as the disproportionate discipline gap
1	This should stay the same. Education staff need to be educated about how to report lost instruction time including buddy rooms and time in Family Support Workers Office.

8. Alternative Actions and Alternatives to Suspension are terms that are used in statute in the context of student discipline but are not defined in the rules. The discipline rules refer only to “alternative forms of corrective action” or “lesser forms of corrective actions” a few times, without elaborating on the meaning or providing any formal definition. Except for the section of the rules concerning reengagement meetings, which uses the phrase “supportive interventions,” the rules do not reference best practices, research-based interventions, or any other specific types of student supports. – WAC 392-400-230 (4); 392-400-245 (2); 392-400-260 (4); 392-400-420 (2).



Value	Percent	Count
Agree (changes/additions are necessary)	60.0%	6
Strongly Agree (significant changes/additions are required)	40.0%	4
Total		10

9. Comments:

Count Response

1 Any updates to current language needs to include best practices, research based interventions and be specific with the types of student supports.

1 I think these definitions should also be firmed up and related specific violations of the student code of conduct. I think a determination needs to be made that a suspension is warranted, and that an alternative should be offered and accepted by a student and the family. I don't think an "alternative" construct is appropriated if it is unilaterally decided upon by the person issuing the corrective action. In that case it is just the disciplinary action he or she has chosen.

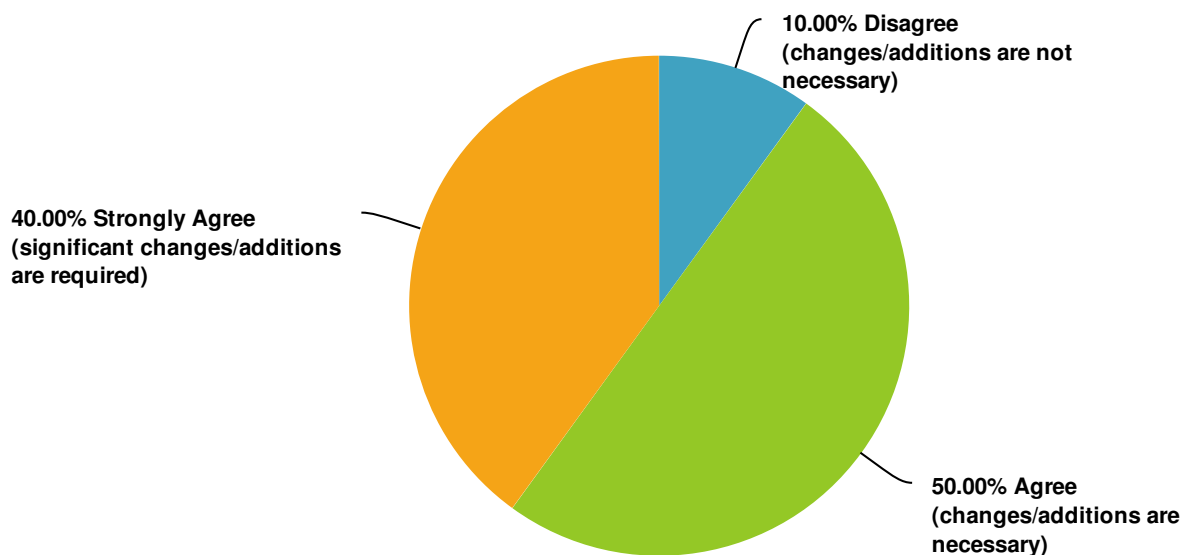
1 If we understand the state level rules as setting a bar for the minimal protections that must be afforded to students and the limits on schools' authority to exclude students from instructional settings, then references to alternative actions or alternatives to suspension would be the places where the rules would indicate the scope of schools' discretion in finding effective means to correct student behavior. The rules might give examples, but not mandates – except to set parameters to ensure that any policy or practice for corrective actions must be equitable in design and implementation. NOTE re the State statute that encourages districts to "find alternatives to suspension including reducing the length of a student's suspension conditioned by the commencement of counseling or other treatment services." RCW 28A.600.410 – to the extent the rules incorporate this provision, it should be clarified that if "counseling" is needed to address a mental impairment that is substantial

1 The terms should be defined, but not limiting or prescriptive. Schools and districts should have the flexibility to determine what the alternatives are and when they are appropriate.

1 Were these interventions defined at all for data collection purposes by the previous discipline data task force?

1 Without a definition, people infer. Alternatives will be limited as people are conservative in interpreting the law and rules.

10. In-School Suspension is a commonly used term and practice that is not defined or mentioned in WA state law. However, because in-school suspensions are reported at the federal level, CEDARS includes a definition similar to the Civil Rights Data Collection (CRDC) definition for reporting purposes: “In-school suspension is an instance in which a child is temporarily removed from his or her regular classroom(s) for at least half a day for disciplinary purposes, but remains under the direct supervision of school personnel. Direct supervision means school personnel are physically in the same location as students under their supervision.” The CRDC definition is broad enough that it would include classroom removals in addition to formally imposed in-school suspensions. OSPI rules include a broad definition for “suspension,” but the rules do not explicitly outline due process procedures to follow for in-school suspension, set limitations on the duration of in-school suspension, or establish criteria for what in-school suspension should look like. – 2016– 17 CEDARS Reporting Guidance, pg. 49; 2015– 16 CRDC School Form, pg. 51.

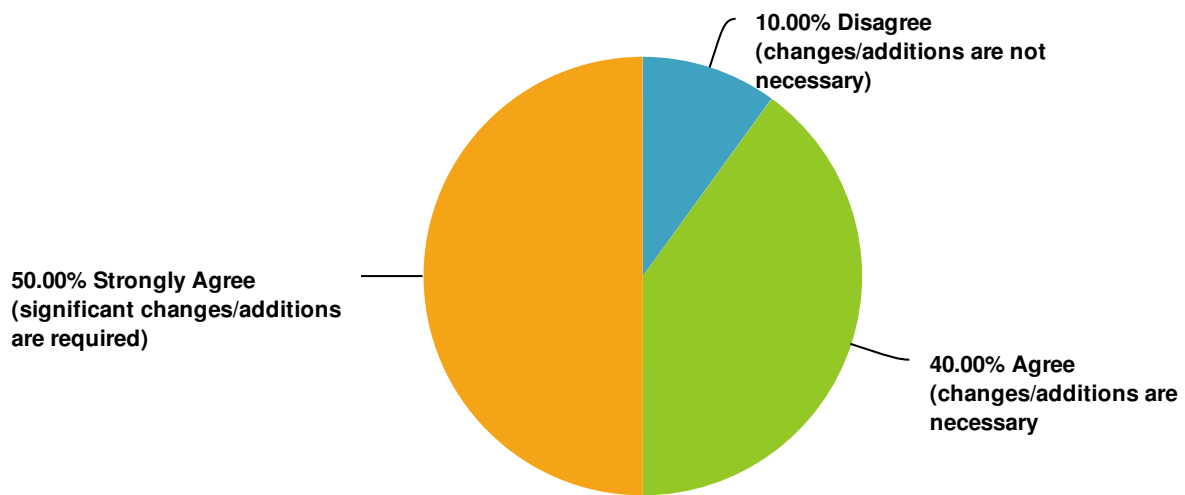


Value	Percent	Count
Disagree (changes/additions are not necessary)	10.0%	1
Agree (changes/additions are necessary)	50.0%	5
Strongly Agree (significant changes/additions are required)	40.0%	4
Total		10

11. Comments:

Count	Response
1	Alignment with WAC rules are necessary. Due process procedures should be clarified. Specific definitions such as limitations to duration and criteria for what in-school suspensions should look like should be left to the district. Is this not an "alternative to suspension?"
1	Due process and set limits need to be clear and defined.
1	ISS will become an increasing practice with ed services being required. Need rules to ensure due process, comparable education, and proper reporting....including attendance procedures.
1	In school suspension should be defined - the CRDC definition makes sense; Due process procedures could mirror those for short and long term suspensions depending on how long the removal lasts. It could be helpful to have clarification regarding a series of removals that might add up to a long term suspension.
1	Instructional accountability should be mentioned here.
1	Parameters of in-school suspensions are loosely interpreted at different school sites and districts and too often do not establish processes that include the continuation of learning under the guidance of a certificated teacher.

12. Removal from Classroom: Statute allows teachers the authority to remove a student who creates disruption of the educational process in violation of building policies from their classroom for any part or the remainder of a school day or up to the following two days—so long as the teacher has attempted one or more alternative forms of corrective action first. The rules do not mention the provision regarding “the following two days,” where the student is to be removed to, or any due process to follow for students in the event that a teacher does not consent to having the student return before the following two days. – WAC 392-400-230; RCW 28A.600.020 (2).

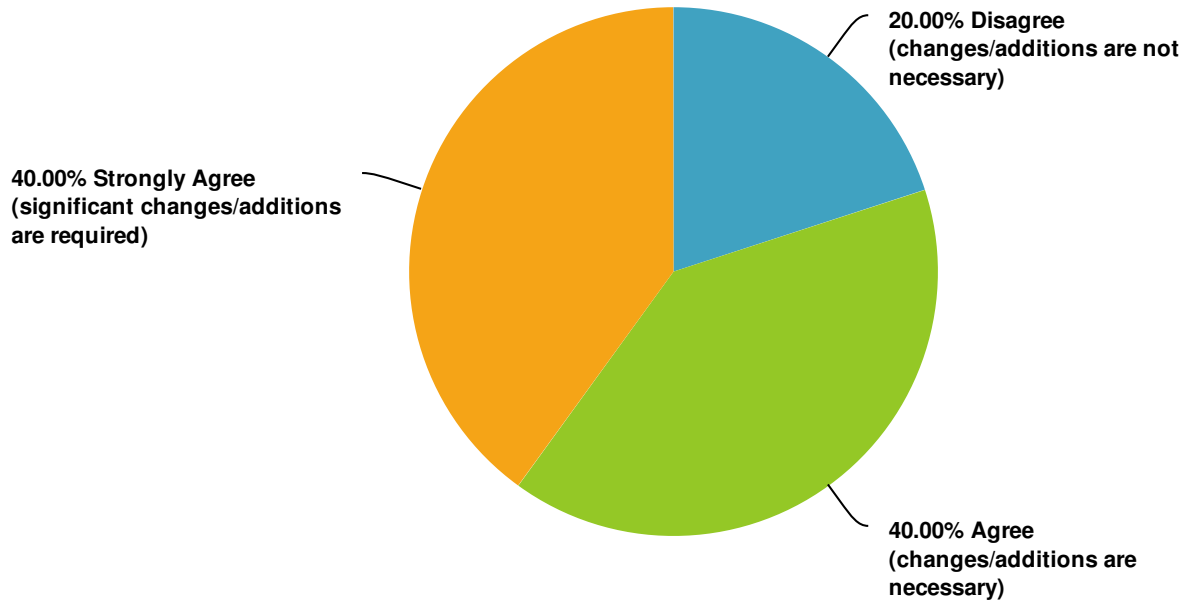


Value	Percent	Count
Disagree (changes/additions are not necessary)	10.0%	1
Agree (changes/additions are necessary)	40.0%	4
Strongly Agree (significant changes/additions are required)	50.0%	5
Total		10

13. Comments:

Count	Response
1	Details regarding where the student is to be removed to should be determined at the site. Due process goes through building principal. WAC 392-400-230 states: "or until the principal or designee and teacher have conferred, whichever occurs first."
1	I think there needs to be clarity around the fact that the removal needs to be to a place where the student is supervised. I think the definition should be aligned with the in-school suspension definition and differ with regard to the length of time. The ISS definition requires a half day this definition is less.
1	Need safeguards for bias. Provide due process, ed services, and reporting for this action to monitor equity.
1	Teachers management is a major factor here.
1	The lack of definitive rules governing the two day often creates undue burdens on families, especially low income, single parent, and even foster kids/homeless kids, without truly establishing published upfront policies and procedures that are understood by both students and families/guardians.
1	The rules will need to respect the teacher's authority and discretion to manage the classroom In the statute it says that the student may be removed from the teacher's class for the balance of the day or up to 2 days "or until the principal or designee and teacher have conferred, whichever occurs first." If we understand that it is typically the building principal, not a teacher, who has the authority to impose a suspension, then this statute puts it on the principal to either allow an up to 2 day suspension (and give the student and parent appropriate notice and opportunity to be heard) or schedule a time to confer with the teacher in order to have the student return to class. Either way, whether it is per a teacher's authority or per a principal's authority, a student and the student's parent should still receive notice of the rule that was broken and opportunity to grieve the sanction imposed. The same statute that gives teachers authority specifies that district policies ma
1	This language is not easy to understand and leave too much for interpretation.
1	needs clarification of if removed for two days that should count as suspension, subject to due process, role of teacher consent, how ensure alternative corrective action was used.

14. Emergency Removal from Classroom: Statute allows teachers the authority to remove a student immediately, without first attempting alternative forms of corrective action, in “emergency circumstances” – for any part or the remainder of a school day or up to the following two days. The rules define what constitutes emergency circumstances and requires a student meeting before the following school day, but the rules do not mention the provision regarding “the following two days” or any due process to follow for students in the event that a teacher does not consent to having the student return before the following two days. – WAC 392-400-290; RCW 28A.600.020 (2).

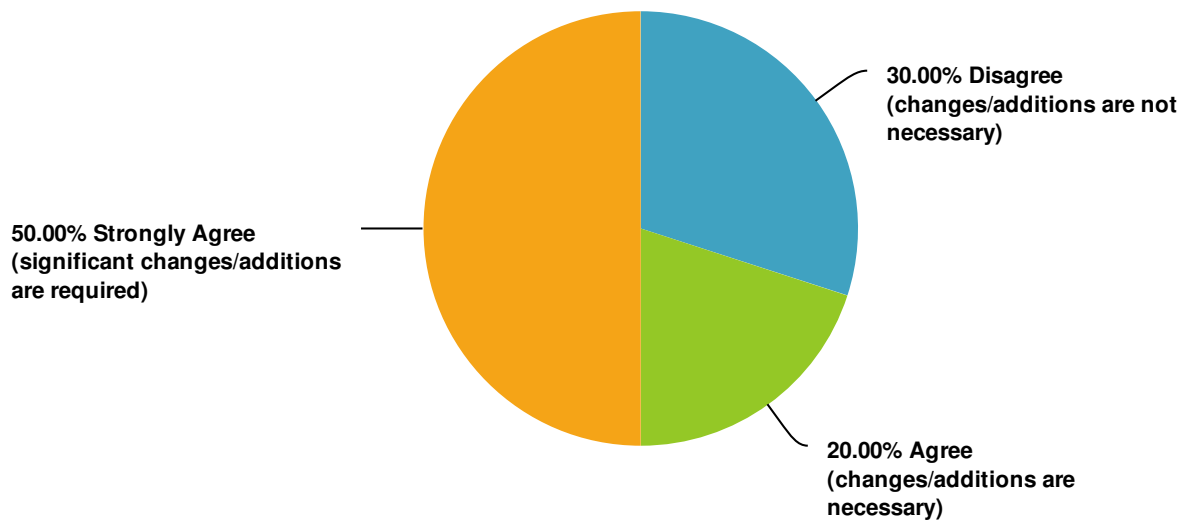


Value	Percent	Count
Disagree (changes/additions are not necessary)	20.0%	2
Agree (changes/additions are necessary)	40.0%	4
Strongly Agree (significant changes/additions are required)	40.0%	4
Total		10

15. Comments:

Count	Response
1	Again - due process goes through the building principal. The same language "or until the principal or his or her designee and the teacher have conferred" is included. Teacher might not consent - but the requirement is that principal and teacher "conferred"
1	Clarification about the following two days should be clear and defined.
1	Same comments as question #13
1	Similar to removal from classroom. At least circumstances are defined. But do need safeguards for bias. Provide due process, ed services, and reporting for this action to monitor equity.
1	There needs to be some mention of a teachers responsibility to notify administration immediately after the removal. There shouldn't be time in the day where the student doesn't know where they should be.
1	see note above

16. Exceptional Misconduct is not mentioned in statute but is defined in the rules as misconduct that occurs frequently enough or is disruptive enough to warrant imposing short-term or long-term suspension even for a first-time offense and without first attempting alternative forms of corrective action. The rules allow a district to classify certain types of behavior as “exceptional misconduct” with input from an ad hoc citizen’s committee. The types of behaviors that may be classified as “exceptional misconduct” vary significantly between districts and may include violations for which long-term suspension can no longer be imposed. Statutory provisions for classroom removal and emergency expulsion already allow resort to immediate removal in response to disruptive or dangerous behaviors. Moreover, statute now requires districts to consult students, families, and the community when reviewing and updating discipline policies. – WAC 392-400-245 (2); 392-400-260 (4).



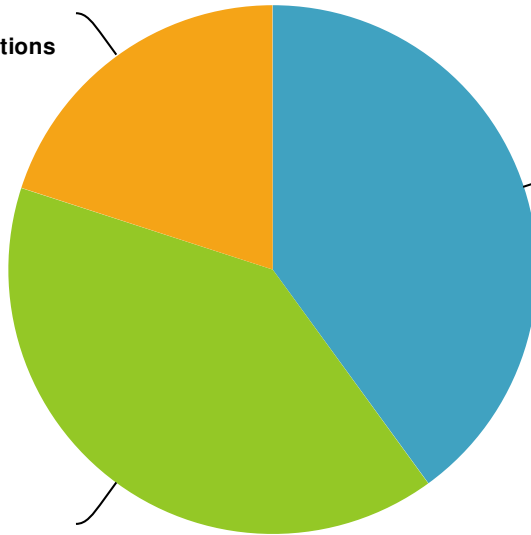
Value	Percent	Count
Disagree (changes/additions are not necessary)	30.0%	3
Agree (changes/additions are necessary)	20.0%	2
Strongly Agree (significant changes/additions are required)	50.0%	5
Total		10

17. Comments:

Count	Response
1	Any behavior that requires emergency removal should be consistent from one district to another. This is important because this can happen the first time and alternative forms of correction do not need to be used to impose this action.
1	I think this term should go away. I think the provisions related to disruptive or dangerous behavior are sufficient, if the terms stays I think it is important to clarify whether exceptional is in relation to the degree of the conduct or its impact on others.
1	Recommend removing exceptional misconduct provisions but rules should require districts to ensure that policies and procedures are clear about what types of conduct may lead to short-term out of school suspensions.
1	This language needs to be cleaned up, but local districts/communities should still have input on what constitutes Exceptional Misconduct - so long as part of the clarity includes what can result in long term and what cannot..
1	This seems redundant and discretionary--long term suspension should not be an option...especially without attempting other forms of corrective action.

18. Reengagement Plan is defined in the rules as a written plan that is developed between a district and a student and their parent or guardian. The definition includes the statutory language regarding returning the student to the educational setting as soon as possible and aiding the student in remedying the situation that led to the exclusion. The section of the rules on reengagement meetings and plans now includes, without additional guidance, the language introduced with HB 1541 Part 1 that requires families to have access to, provide meaningful input on, and have the opportunity to participate in a culturally sensitive and culturally responsive reengagement plan. Part 2 of HB 1541 concerns expanding cultural competence training for educators, in alignment with current standards developed under RCW 28A.410.270 by the professional educator standards board. – WAC 392-400-205 (10); 392-400-420.

20.00% Strongly Agree
(significant changes/additions
are required)



40.00% Disagree
(changes/additions are not
necessary)

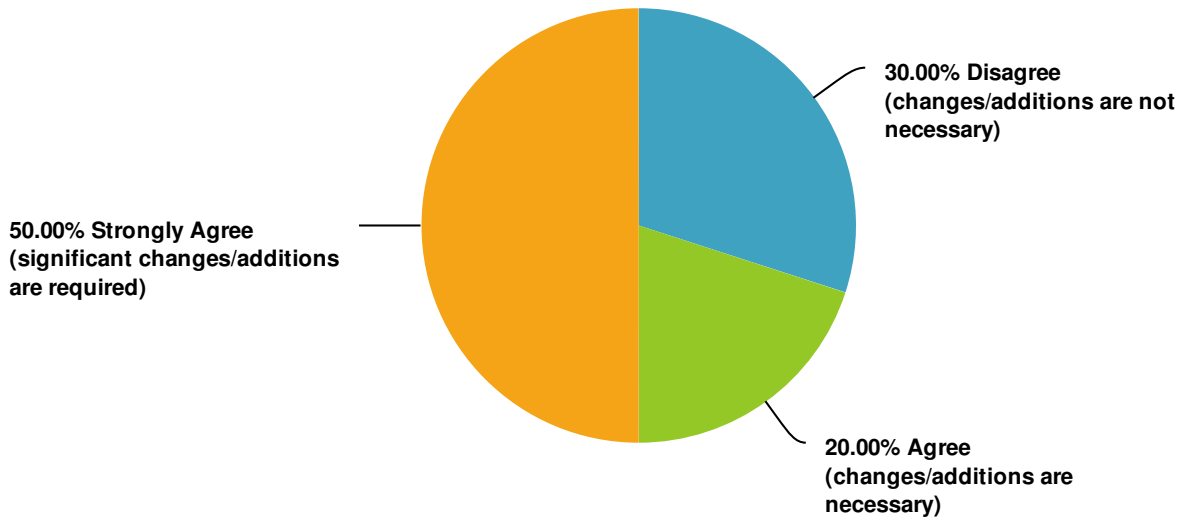
40.00% Agree
(changes/additions are
necessary)

Value	Percent		Count
Disagree (changes/additions are not necessary)	40.0%		4
Agree (changes/additions are necessary)	40.0%		4
Strongly Agree (significant changes/additions are required)	20.0%		2
		Total	10

19. Comments:

Count	Response
1	Define in the other statutes and rules without redefining here.
1	Guidance is clearly needed regarding: "requires families to have access to, provide meaningful input on, and have the opportunity to participate in a culturally sensitive and culturally responsive reengagement plan." However, definitions of terms should not be restrictive.
1	Is the plan indeed between the student and the district as stated above or between the student and school. If the school is imparting the disciplinary action it seems like the plan should be between the student and the school but that there should be some accountability for the plans occurring and with a certain level of quality at the district level. the plan language should specific at a minimum that the specific conduct violation be addressed and that some acknowledgement about the context in which the behavior occurred and steps to ensure that both the environment changes and that the student is coached on different responses if future similar situations.
1	The rules should include minimal steps necessary to afford families access to the re-engagement planning process, including scheduling for mutually agreeable time/place, language access, and a clear process if agreement is not reached at the building level re appropriate elements of a re-engagement plan. The rules should also include a definition of culturally sensitive and culturally responsive engagement/planning. It should make it clear that educators should not assume that any individual student's or family's cultural perspectives can be understood without inquiry of the student and family themselves. It should also highlight that the ability to understand another person's 'cultural perspective' can depend upon our ability to first recognize that we are entering the conversation with a 'cultural perspective' of our own - i.e. that what we might consider the "norm" from which others' cultures differ, is typically a reflection of the dominant group's culture.

20. Discretionary Discipline was added as a formal definition in the rules through expedited rulemaking by inserting into the rules, word-for-word, the language from HB 1541 regarding districts no longer being able to impose long-term suspension or expulsion as a form of “discretionary discipline”. The definition provided by statute defines “discretionary discipline” by listing categories of violations for which long-term suspension or expulsion may still be used as a disciplinary action and stating that actions NOT taken in response to the listed violations would constitute “discretionary discipline.” The listed violations reference specific statutes except for the provision that reads: “behavior that adversely impacts the health or safety of other students or educational staff” – how districts interpret this language may vary. – WAC 392-400-205 (11); RCW 28A.600.015 (6).

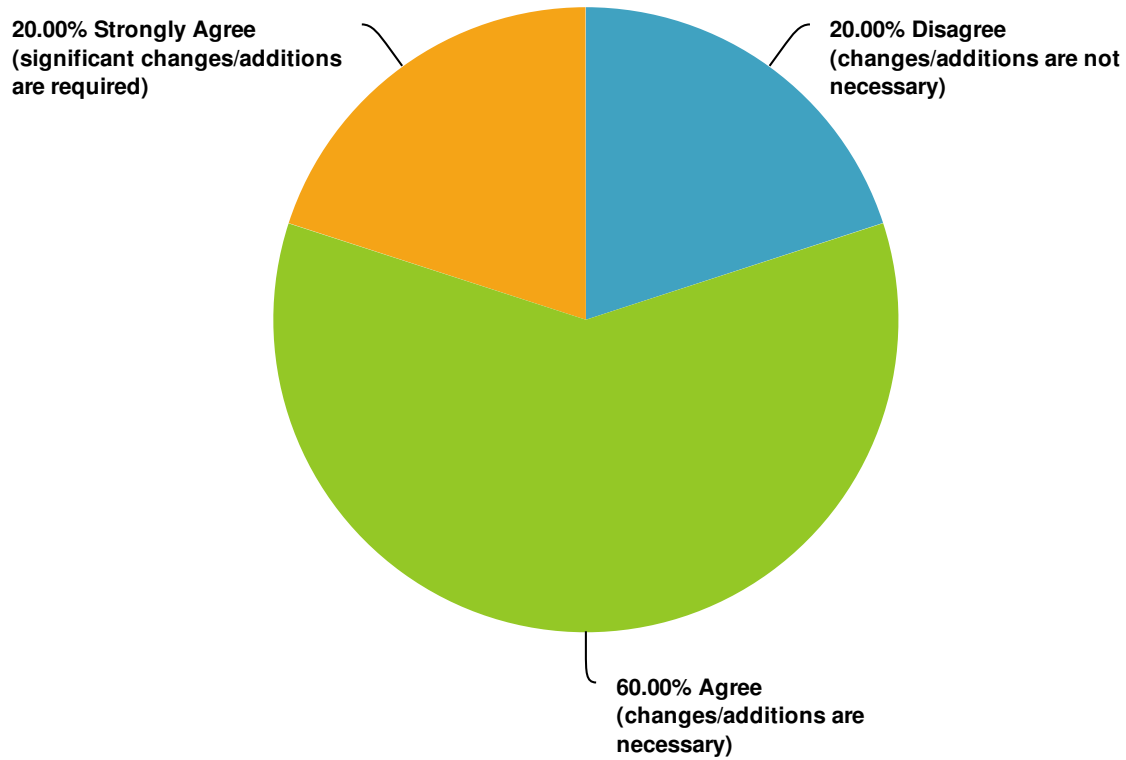


Value	Percent	Count
Disagree (changes/additions are not necessary)	30.0%	3
Agree (changes/additions are necessary)	20.0%	2
Strongly Agree (significant changes/additions are required)	50.0%	5
Total		10

21. Comments:

Count	Response
1	Discretionary discipline needs further definition. If the definition includes a list of what is not discretionary discipline, then the list needs to be vetted by a broad representation across the state
1	Districts need some leeway to act for the safety of all. Leave some room for the professional judgment.
1	Leaving important rules up for interpretation by districts is highly subjective and leads to imbalance in practice.
1	Need to define "behavior that adversely impacts health and safety..."
1	The key problem here is that district interpretation may vary is part of the problem with the disciplinary process in totality. Too often, the interpretation of discipline policies, and definitions not only vary in different district but even in different school sites within the districts.
1	The rules should be as clear and specific as possible in outlining what should be included and not included in behavior that adversely impacts the health or safety of other students or staff. There is risk that this phrase, like "exceptional misconduct" could become the 'exception' that swallows the rule. It should also be clear who has authority and through what process to review the determination that particular conduct meets the threshold for a LTS or expulsion under this clause.

22. Length of an Academic Term: the statutory language allows this provision to be defined by the school board. School districts often have schools that use different academic terms (semester or trimester) that vary in total number of school days, particularly between elementary and secondary schools. Through rulemaking, OSPI could encourage districts to consider certain factors when defining this provision of the law through board policy. – RCW 28A.600.020 (6).

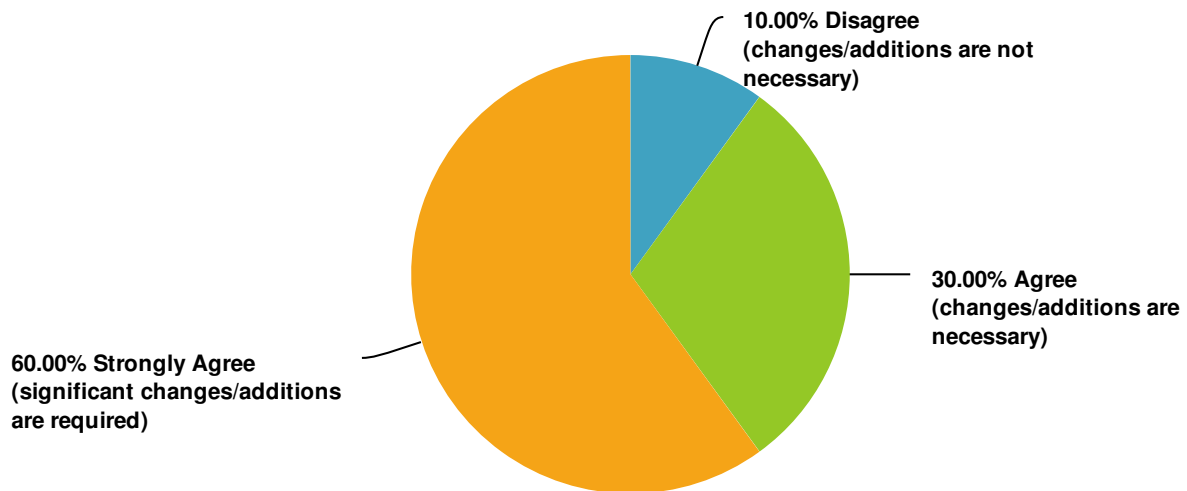


Value	Percent	Count
Disagree (changes/additions are not necessary)	20.0%	2
Agree (changes/additions are necessary)	60.0%	6
Strongly Agree (significant changes/additions are required)	20.0%	2
Total		10

23. Comments:

Count	Response
1	Perhaps this should be a WSSDA model policy opportunity without building it into rule.
1	Stronger language should be used instead of "could encourage" that does not mean OSPI would actually do anything at all.
1	The language is confusing. Simply: "long term suspensions may not be longer than 90 days."
1	This may assist some district who struggle with defining the length of terms as it relates to their district.
1	Yes considerations should be outlined. Ultimately districts should be required to be clear and transparent about how the term is defined.

24. Educational Services is not defined in the rules but, following expedited rulemaking, the statutory provision that districts may not suspend the provision of educational services as a disciplinary action and that districts must provide an opportunity for students to receive educational services during suspension or expulsion are included in the rules. Additional statutory language stating that the provision of educational services in an alternative setting should be comparable, equitable, and appropriate to the regular education services a student would have received without the exclusionary discipline (alternative high schools, one-on-one tutoring, and online learning being offered as examples) is not represented in the rules. – RCW 28A.600.015 (8); 28A.600.020 (7).



Value	Percent	Count
Disagree (changes/additions are not necessary)	10.0%	1
Agree (changes/additions are necessary)	30.0%	3
Strongly Agree (significant changes/additions are required)	60.0%	6
Total		10

25. Comments:

Count	Response
1	I think that the rules should emphasize that the services have to be comparable, equitable and appropriate to the regular instruction the student would received and therefore even though alternative schools an online programs are options they may not be appropriate for every student given their individual education needs and family circumstances. I would like the rules to make it clear that one alternative program where you send all the students who have been suspended or expelled does not necessarily meet the standard.
1	Much clarity is needed. This language is not possible to achieve: "the provision of educational services in an alternative setting should be comparable, equitable, and appropriate to the regular education services a student would have received"
1	Since a rule would likely not have an exhaustive list, this seems like it could be provided in guidance and doesn't necessarily need a rule. Leaves it open to creative problem solving.
1	The language is there however education staff needs guidance on how to ensure student get the materials needed during suspensions.
1	The rules should include explanation of what it means for an alternative setting to be comparable, equitable and appropriate. There may be helpful language and examples from decisions around compensatory education. The specific examples listed in the statute should be reflected in the rules – it also seems significant that the statute does not list sending homework home as an example of an 'alternative setting'
1	This is very important in overcoming push back on providing such services because of budgetary constraints or lack of funding.

CULTURAL COMPETENCE CONTENT OUTLINE

Maria Flores - Director, Title II, Part A & Special Programs

The Office of Superintendent of Public Instruction

ESSB 6002 Section 501(x)

CULTURAL COMPETENCE CONTENT OUTLINE:

- Included as a budget proviso in the 2014 Supplemental Budget
- \$49,000 of the 2015 General Fund allotted
- To develop a content outline for professional development and training in cultural competence for school staff, which educational service districts and school districts are *encouraged* to use.

ESSB 6002 Section 501(x)

CULTURAL COMPETENCE CONTENT OUTLINE:

- The Office of Superintendent of Public Instruction (Special Programs) will work in collaboration with:
 - The Educational Opportunity Gap Oversight and Accountability Committee (EOGOAC)
 - The Professional Educator Standards Board (PESB)
 - Colleges of Education
 - Representatives from Diverse Communities
 - Community-Based Organizations

ESSB 6002 Section 511 (16)

TEACHER/PRINCIPAL EVALUATION PROGRAM:

- TPEP received \$10,000,000 (2014-15 General Fund) for training.
- Additional \$27,000 of 2015 General Fund for:
 - OSPI to include foundational elements of cultural competence that are aligned with the standards developed by PESB within the content of the training.

2009 Cultural Competency Workgroup

RCW 28A.410.260

- 1) PESB in consultation and collaboration with the EOGOAC shall **identify a list of model standards for cultural competency and make recommendations** to the education committees of the legislature on the strengths and weaknesses of those standards.
- 2) For the purposes of this section, "cultural competency" includes knowledge of:
 - student cultural histories and contexts
 - family norms and values in different cultures
 - knowledge and skills in accessing community resources and community and parent outreach
 - skills in adapting instruction to students' experiences and identifying cultural contexts for individual students

PESB Performance Standards

RCW 28A.410.270

- 1) By January 1, 2010, the professional educator standards board shall adopt a set of articulated teacher knowledge, skill, and performance standards for effective teaching that are evidence-based, measurable, meaningful, and documented in high quality research as being associated with improved student learning. The standards shall be calibrated for each level of certification and along the entire career continuum. **In developing the standards, the board shall, to the extent possible, incorporate standards for cultural competency along the entire continuum.**



Standard V

<http://program.pesb.wa.gov/program-review/standards/standard-5>

- The components were integrated in Standard V as part of the preparation for all Residency Certification candidates.
- Teacher candidates in Washington teacher preparation programs are now required to take coursework related to the cultural competence components as part of Standard V.

Cultural Competency Components

Component 1.0 Professional Ethics within a Global and Multicultural Society

Description of Practice: Ethical and moral concepts and practices that undergird Equity, Civil Rights and Cultural Competence for education professionals and systems.

Component 2.0 Civil Rights and Nondiscrimination Law

Description of Practice: An understanding of State and Federal Civil Rights and Non-discrimination laws.

Component 3.0 Reflective Practice, Self Awareness & Anti-Bias

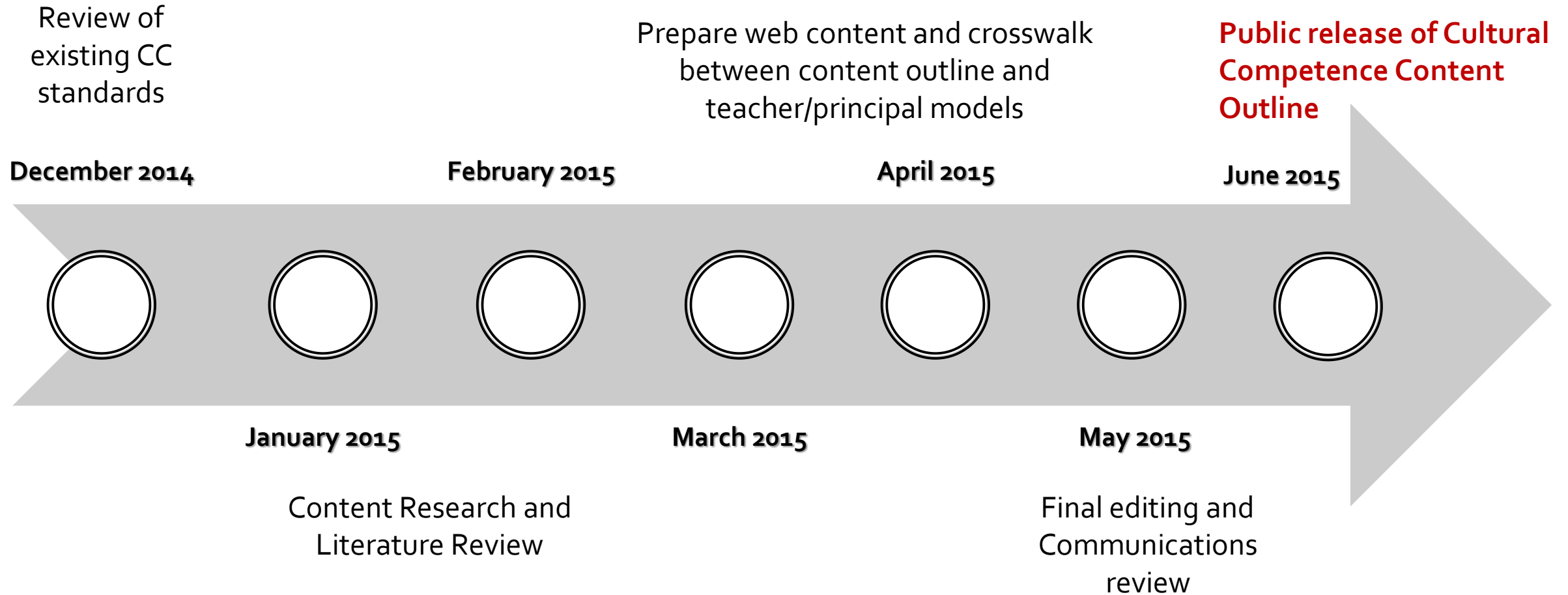
Description of Practice: Awareness of one's own cultural background and how it influences perception, values and practices. Understanding of structural benefits and privileges and how they mold educational practices and organizations. Ability to find and use tools, processes and programs that promote professional & organizational self examination and assessment in order to mitigate behaviors and practices (e.g.: racism, sexism, homophobia, unearned-privilege, euro-centrism, etc) that undermine inclusion, equity and Cultural Competence in education.

Component 4.0 Repertoires of Practice for Teaching Effectiveness for Culturally Diverse Populations

Description of Practice: An understanding of the broad range of experiences and groups that students bring to the classroom and how those experiences impact learning. The ability of individuals and systems to work *effectively* with students and the communities they are from.

DATES	TASKS
July 2014 - December 2014	Review the work of the Cultural Competence work group convened by PESB, Standard V of the PESB standards and the TPEP models to draft content strands for outline.
January 2015 – February 2015	Research relevant content for each strand identified; complete literature review.
March 2015 – April 2015	Write annotated content outline, w/attached websites/articles for each content area strand. Write crosswalk between content outline and the teacher models (Danielson, Marzano, CEL 3D) and AWSP principal model for TPEP.
May 2015	Final editing and organization of the outline for website. Meet with communications team.
June 2015	Public release of the Cultural Competence Outline.

2014-15 Work Plan



Resources

- Professional Educator Standards Board. (2009). *Preparing teachers for schools as they are: Recommendations for cultural competence for all teachers in Washington State*. Retrieved from: <http://www.pesb.wa.gov/publications/reports>
- Professional Educator Standards Board. (2011). *Standard 5 – knowledge and skills*. Retrieved from: <http://program.pesb.wa.gov/program-review/standards/standard-5>
- Washington State Legislature. (2009). RCW 28A.410.260. *Washington professional educator standards board — Model standards for cultural competency — Recommendations*. Retrieved from: <http://apps.leg.wa.gov/RCW/default.aspx?cite=28A.410.260>
- Washington State Legislature. (2009). RCW 28A.410.270. *Washington professional educator standards board — Performance standards — Certification levels — Teacher effectiveness evaluations — Update — Proposal — Recommendation — Requirements for professional certificate and residency teaching certificate*. Retrieved from: <http://apps.leg.wa.gov/RCW/default.aspx?cite=28A.410.270>
- Washington State Legislature. (2014). ESSB 6002 – 2013-14. *Making 2014 supplemental operating appropriations*. Retrieved from: <http://apps.leg.wa.gov/documents/billdocs/2013-14/Pdf/Bills/Session%20Laws/Senate/6002-S.SL.pdf>

OSPI Special Programs Contacts:

Maria Flores, Maria.Flores@k12.wa.us (360) 725-6359

Megan Eliasson, Megan.Eliasson@k12.wa.us (360) 725-6374

Jenny Plaja, Jenny.Plaja@k12.wa.us (360) 725-6504

Student Discipline Task Force

OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION

DECEMBER 6, 2016



OSPI Work Plan



Student Discipline Task Force
Oct. 2016–Dec. 2016

CEDARS Data Manual Changes
Current–Feb. 2017

Chapter 392-400 WAC Rulemaking
Tentative: Nov. 2016– Apr. 2017

Proposed Rules Public Hearing
Tentative: Feb. 2017

Final Rules Published
Tentative: Apr. 2017

Discipline Training Modules
Tentative: Mar. 2017–Jun. 2017



Purpose and Scope

- Gather input from Task Force members regarding the revision of student discipline rules in Chapter 392-400 WAC
- Review and recommend data definition and collection standards related to Part I of 4SHB 1541 (Disproportionality in Student Discipline)



Group Norms

- Share openly at meetings
- Speak your truth
- Be courageous
- Assume positive intent
- Leave your presumptions
- Share air time
- No side talking
- Avoid using acronyms
- Clear purpose
- Clear decision making
- Do homework and tasks



Voting Protocol

- Make significant effort toward consensus
- If unanimous consensus cannot be reached, members will vote



Discipline Definitions:

Discipline Task Force

Survey Results

Joshua Lynch, Program Supervisor, Discipline & Behavior



OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION

Discipline Task Force
December 6, 2016

- Corrective Action
- Discipline
- Suspension
- Alternative Actions/Alternatives to Suspension
- In-School Suspension
- Removal from Classroom
- Emergency Removal from Classroom
- Exceptional Misconduct
- Reengagement Plan
- Discretionary Discipline
- Length of an Academic Term
- Educational Services

Discipline Definitions Survey



Rating on a scale of 1—4

1 = Strongly Disagree (nothing should be changed/added)

2 = Disagree (changes/additions are not necessary)

3 = Agree (changes/additions are necessary)

4 = Strongly Agree (significant changes/additions are required)

Comment Box

New language, suggested modifications, legal or practical considerations, and reasoning for proposed changes.

Discipline Definitions Survey



- Established RCWs.
- Provisions of 4SHB 1541.
- Every Student Succeeds Act (ESSA).
- Federal Guidance

Alignment Concerns



WAC 392-400-200 – Purpose and application. “The procedures and standards set forth in this chapter, and those adopted by a school district in conformance with this chapter, shall govern the imposition of **corrective action (i.e., discipline, suspension, and expulsion)** upon any student by a school district and its agents.”

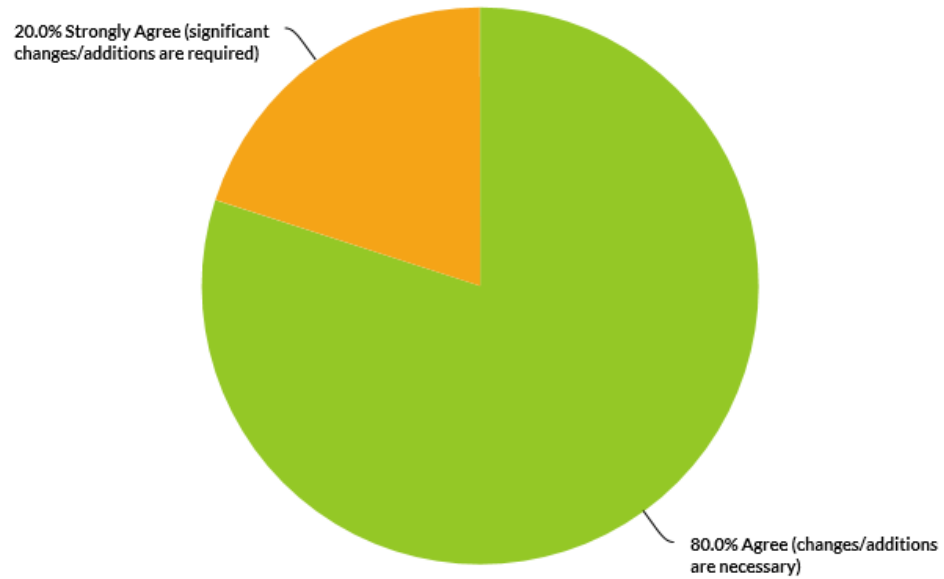
RCW 28A.600.020 “A principal shall consider imposing **long-term suspension or expulsion** as a sanction when deciding the appropriate **disciplinary action...**”

“Any **corrective action involving a suspension or expulsion** from school for more than ten days must have an end date of not more than the length of an academic term, as defined by the school board, from the time of **corrective action.**”

RCW 28A.600.460 “**Disciplinary action** may include but is not limited to: Oral or written reprimands; written notification to parents of disruptive behavior, a copy of which must be provided to the principal.”

Corrective Action





Value	Percent	Count
Agree (changes/additions are necessary)	80.0%	8
Strongly Agree (significant changes/additions are required)	20.0%	2
	Total	10

Corrective Action



- Differentiate between exclusionary practices and other actions?
 - Include the use of best practices within the definition?
 - Distinguish between actions that are taken to “correct” behavior, interim measures that are taken in response to failed “corrective” attempts, and actions that are “non-corrective” in application?
-

Corrective Action



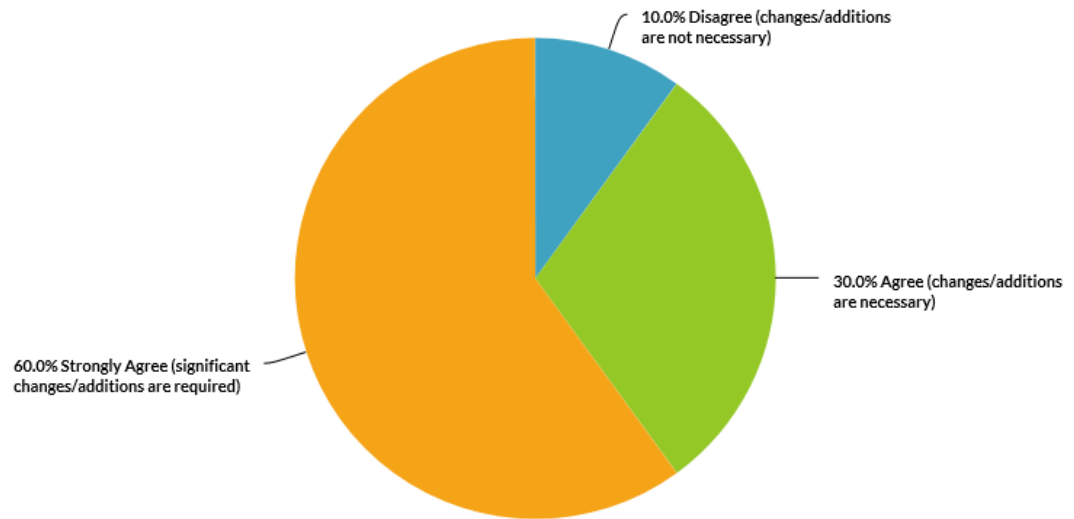
WAC 392-400-205 – Definitions ““Discipline” shall mean all forms of corrective action other than emergency removal from a class, subject, or activity, suspension, or expulsion and shall include the exclusion of a student from a class by a teacher or administrator for a period of time not exceeding the balance of the immediate class period: Provided that the student is in the custody of a school district employee for the balance of such period. Discipline shall also mean the exclusion of a student from any other type of activity conducted by or on behalf of a school district.”

ESSB 5946 Part III – Student Discipline

4SHB 1541 Part I – Disproportionality in Student Discipline

Discipline





Value	Percent	Count
Disagree (changes/additions are not necessary)	10.0%	1
Agree (changes/additions are necessary)	30.0%	3
Strongly Agree (significant changes/additions are required)	60.0%	6
Total		10

Discipline



- Define “discipline” as the overarching category that includes all classroom and building responses to rule violations?
- Address the use of “progressive” discipline?
- Align rules definition with common usage of the term?

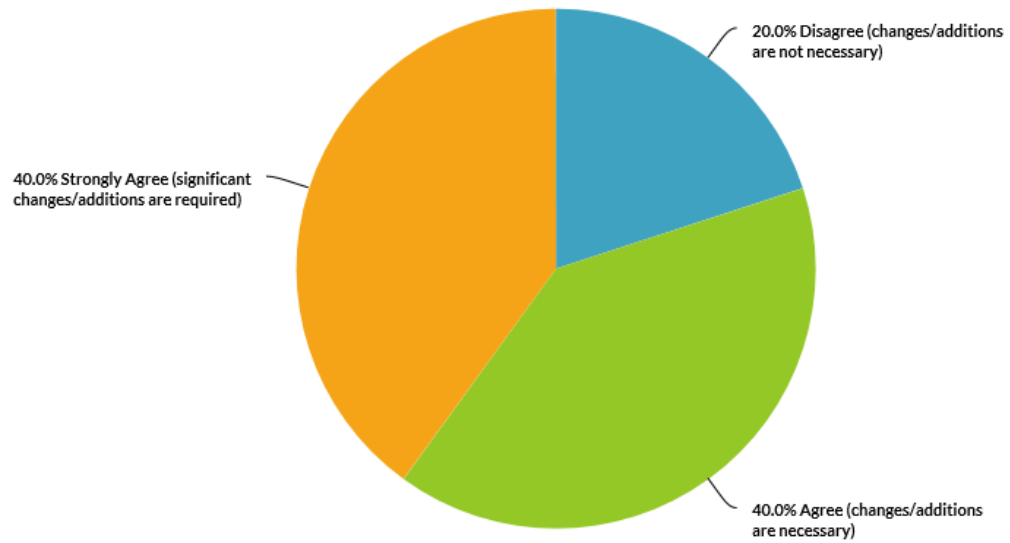
Discipline



WAC 392-400-205 – Definitions ““Suspension” shall mean a denial of attendance (other than for the balance of the immediate class period for “discipline” purposes) for any single subject or class, or for any full schedule of subjects or classes for a stated period of time. A suspension also may include a denial of admission to, or entry upon, real and personal property that is owned, leased, rented, or controlled by the school district.”

Suspension





Value	Percent	Count
Disagree (changes/additions are not necessary)	20.0%	2
Agree (changes/additions are necessary)	40.0%	4
Strongly Agree (significant changes/additions are required)	40.0%	4
Total		10

Suspension



- Distinguish between in-school and out-of-school suspensions?
 - Take differing length of “class period” – especially between elementary and secondary – into account?
 - Address removals that are not formally imposed?
 - Address removals that are for positive student supports?
 - Distinguish between teacher removal and administrative denial of attendance?
-

Suspension



WAC 392-400-230 – Persons authorized to impose discipline, suspension, expulsion, or emergency removal upon students. “...the teacher shall have first attempted one or more **alternative forms of corrective action...**”

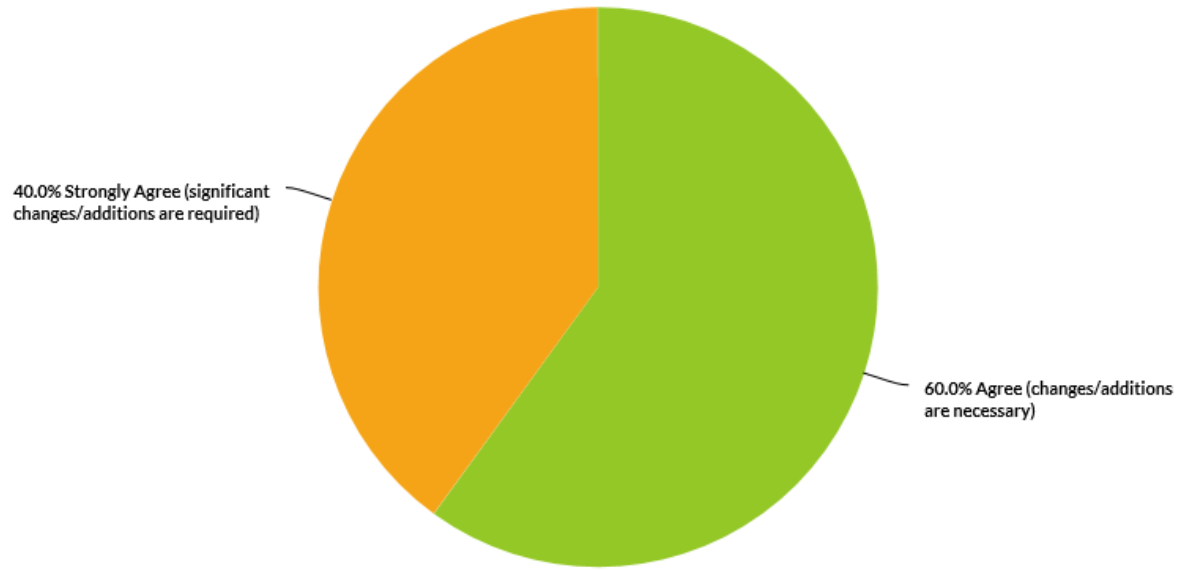
WAC 392-400-420 – Reengagement meetings and plans. “In developing a reengagement plan, school districts should consider shortening the length of time that the student is suspended or expelled, **other forms of corrective action**, and **supportive interventions** that aid in the student's academic success and keep the student engaged and on track to graduate.”

RCW 28A.600.410 “School districts are encouraged to find **alternatives to suspension** including reducing the length of a student's suspension conditioned by the commencement of counseling or other treatment services.”

RCW 28A.600.015 “Except as provided in RCW 28A.600.420, school districts are not required to impose long-term suspension or expulsion for behavior that constitutes a violation or offense listed under subsection (6)(a) through (d) of this section and should first consider **alternative actions.**”

Alternative Actions





Value	Percent	Count
Agree (changes/additions are necessary)	60.0%	6
Strongly Agree (significant changes/additions are required)	40.0%	4
Total		10

Alternative Actions



- Include language regarding best practices and research-based interventions?
- Mention specific types of student supports?
- How to define without being overly prescriptive?

Alternative Actions

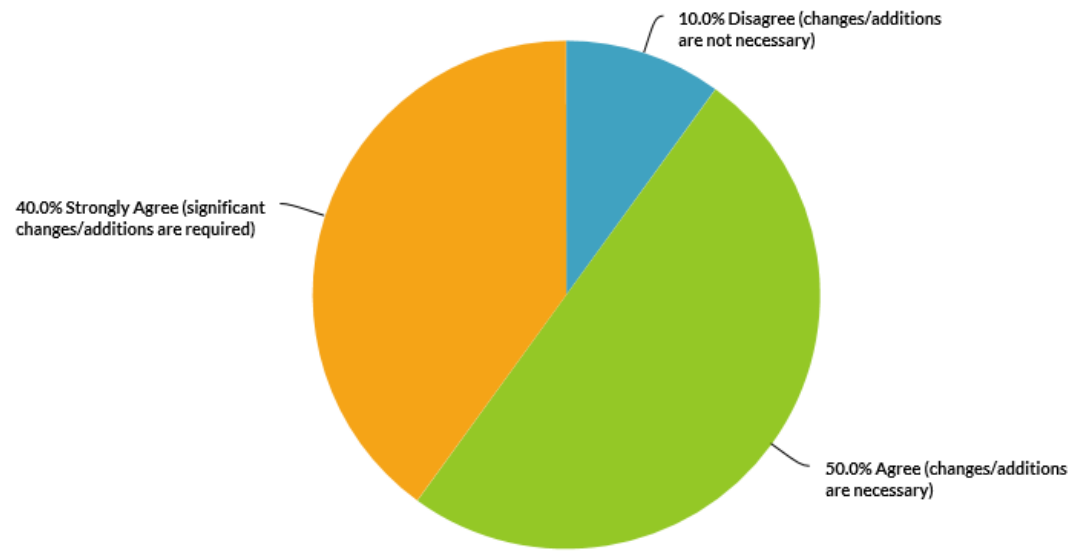


2016-17 CEDARS Reporting Guidance “In School Suspension. Instances in which a student is temporarily removed from his/her regular classroom(s) for disciplinary purposes but remains under the direct supervision of school personnel. This includes but is not limited to students who are receiving the services in their IEP, appropriately participate in the general curriculum, and participate with students without disabilities to the extent they would have in their regular placement. “Direct supervision” means school personnel are physically in the same location as students under their supervision.”

2015-16 Civil Rights Data Collection School Form “In-school suspension is an instance in which a child is temporarily removed from his or her regular classroom(s) for at least half a day for disciplinary purposes, but remains under the direct supervision of school personnel. Direct supervision means school personnel are physically in the same location as students under their supervision.”

In-School Suspension





Value	Percent	Count
Disagree (changes/additions are not necessary)	10.0%	1
Agree (changes/additions are necessary)	50.0%	5
Strongly Agree (significant changes/additions are required)	40.0%	4
Total		10

In-School Suspension



- Clearly distinct from out-of-school suspension and alternatives to suspension?
- Clarify due process procedures?
- Set parameters on type of instructional activities?

In-School Suspension

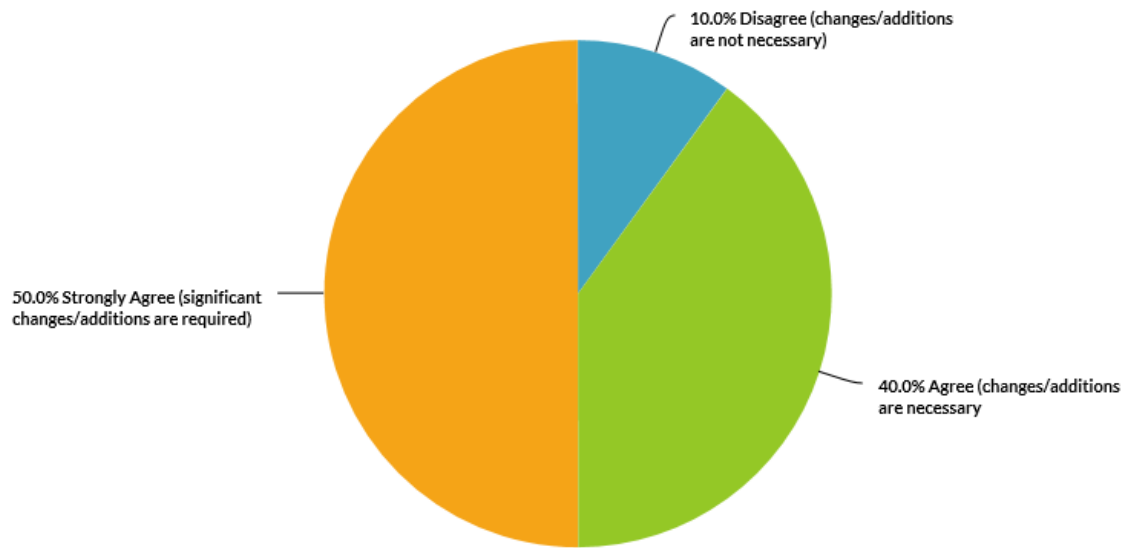


WAC 392-400-230 – Persons authorized to impose discipline, suspension, expulsion, or emergency removal upon students. “Notwithstanding any provision of this section to the contrary, each teacher is empowered to exclude any student who creates a disruption of the educational process in violation of the building disciplinary standards while under the teacher's immediate supervision from his or her individual classroom and instructional or activity area for all or any portion of the balance of the school day or until the principal or designee and teacher have conferred, whichever occurs first...”

RCW 28A.600.020 “Any student who creates a disruption of the educational process in violation of the building disciplinary standards while under a teacher's immediate supervision may be excluded by the teacher from his or her individual classroom and instructional or activity area for all or any portion of the balance of the school day, **or up to the following two days**, or until the principal or designee and teacher have conferred, whichever occurs first.”

Removal from Classroom





Value	Percent	Count
Disagree (changes/additions are not necessary)	10.0%	1
Agree (changes/additions are necessary)	40.0%	4
Strongly Agree (significant changes/additions are required)	50.0%	5
Total		10

Removal from Classroom



- Describe what supervision the student is to be given?
- Distinguish from in-school suspension?
- Clarify notice and due process procedures, specifically regarding “the following two days” provision in statute?
- Family notice and involvement?

Removal from Classroom



WAC 392-400-290 – Emergency removal from a class, subject, or activity.

“(1) Notwithstanding any other provision of this chapter, a student may be removed immediately from a class, subject, or activity by a certificated teacher or an administrator and sent to the building principal or a designated school authority: Provided that the teacher or administrator has good and sufficient reason to believe that the student's presence poses an immediate and continuing danger to the student, other students, or school staff or an immediate and continuing threat of substantial disruption of the class, subject, activity, or educational process of the student's school. The removal from classes, subjects, or activities shall continue only until:

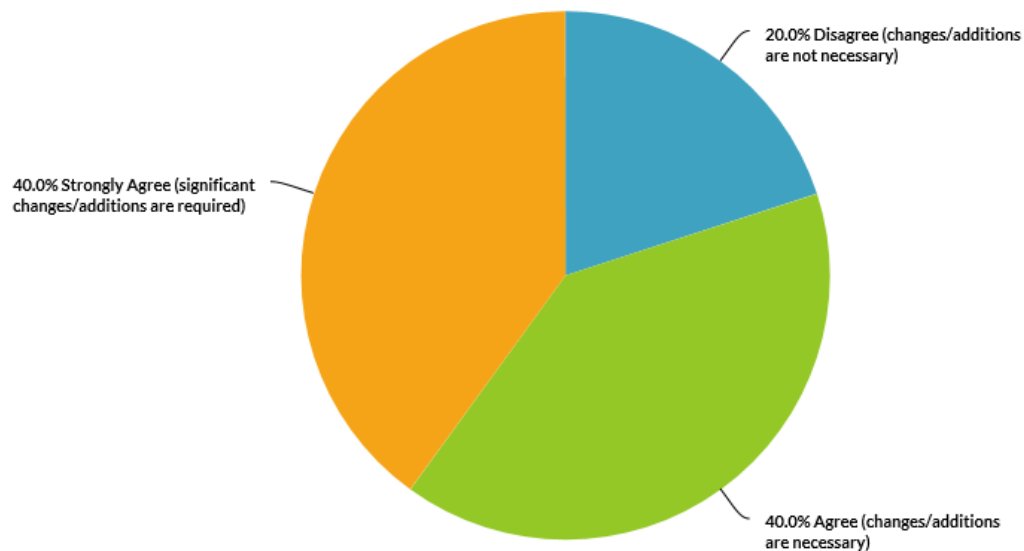
(a) The danger or threat ceases; or

(b) The principal or designated school authority acts to impose corrective action.

(2) The principal or school authority shall meet with the student as soon as reasonably possible following the student's removal and take or initiate appropriate corrective action. In no case shall the student's opportunity for such meeting be delayed beyond the commencement of the school day following the student's emergency removal from a class, subject, or activity. Prior to or at the time any such student is returned to the class(es), subject(s), or activity(ies), the principal or school authority shall notify the teacher or administrator who removed the student therefrom of the action which has been taken or initiated.”

Emergency Removal





Value	Percent	Count
Disagree (changes/additions are not necessary)	20.0%	2
Agree (changes/additions are necessary)	40.0%	4
Strongly Agree (significant changes/additions are required)	40.0%	4
Total		10

Emergency Removal



- Further define teach and principal responsibilities?
- Clarify notice and due process procedures, specifically regarding “the following two days” provision in statute?
- Family notice and involvement?

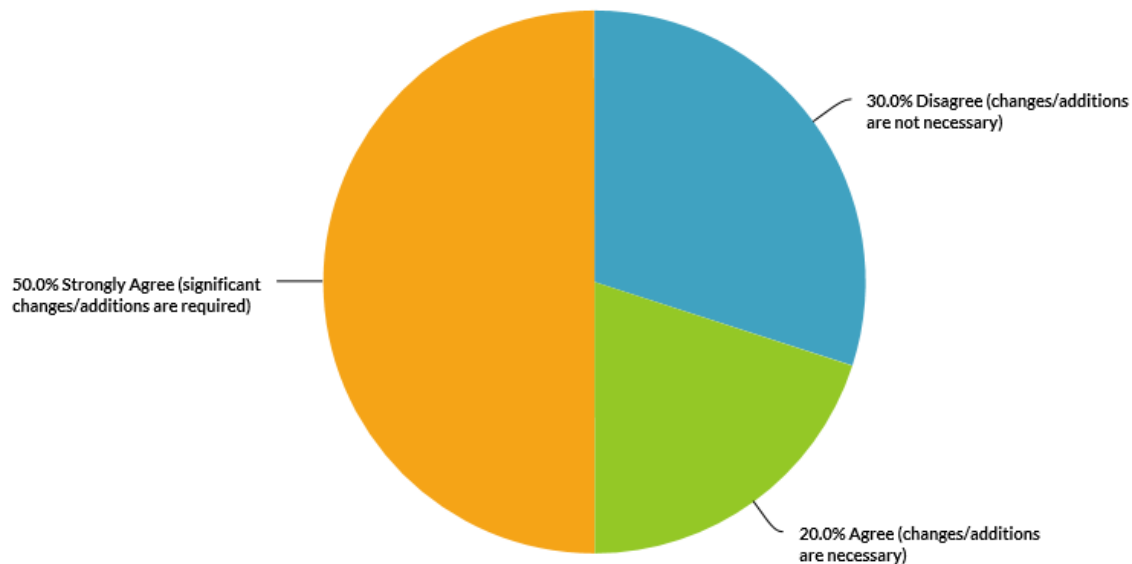
Emergency Removal



WAC 392-400-245; 392-400-260 – Short-term [Long-term] suspension—Conditions and limitations. “A school district may, however, elect to adopt rules providing for the immediate resort to short-term [long-term] suspension in cases involving **exceptional misconduct** as long as disciplinarians and hearing officers may grant exceptions in cases involving extenuating or exceptional circumstances, notwithstanding the fact prior alternative corrective action has not been imposed upon the student(s) involved. **For the purpose of this rule, "exceptional misconduct" means misconduct other than absenteeism which a school district has judged, following consultation with an ad hoc citizens committee, to (a) be of such frequent occurrence, notwithstanding past attempts of district staff to control such misconduct through the use of other forms of corrective action, as to warrant an immediate resort to short-term suspension, or (b) be so serious in nature or so serious in terms of the disruptive effect upon the operation of the school(s) as to warrant an immediate resort to short-term [long-term] suspension.** The ad hoc citizens committee required by this section shall be composed of three or more persons chosen by the school district or the administrative designee(s) of the district, and shall be constituted with the intent and purpose of representing various socioeconomic, minority and majority populations of the school district to the extent deemed practical.

Exceptional Misconduct





Value	Percent	Count
Disagree (changes/additions are not necessary)	30.0%	3
Agree (changes/additions are necessary)	20.0%	2
Strongly Agree (significant changes/additions are required)	50.0%	5
	Total	10

Exceptional Misconduct



- Delete?
- Require districts to provide further clarification regarding types of conduct that may correspond with short-term suspension?
- Further encourage family, community, staff, and student involvement in defining how districts align certain behaviors with violations of codes of conduct?

Exceptional Misconduct



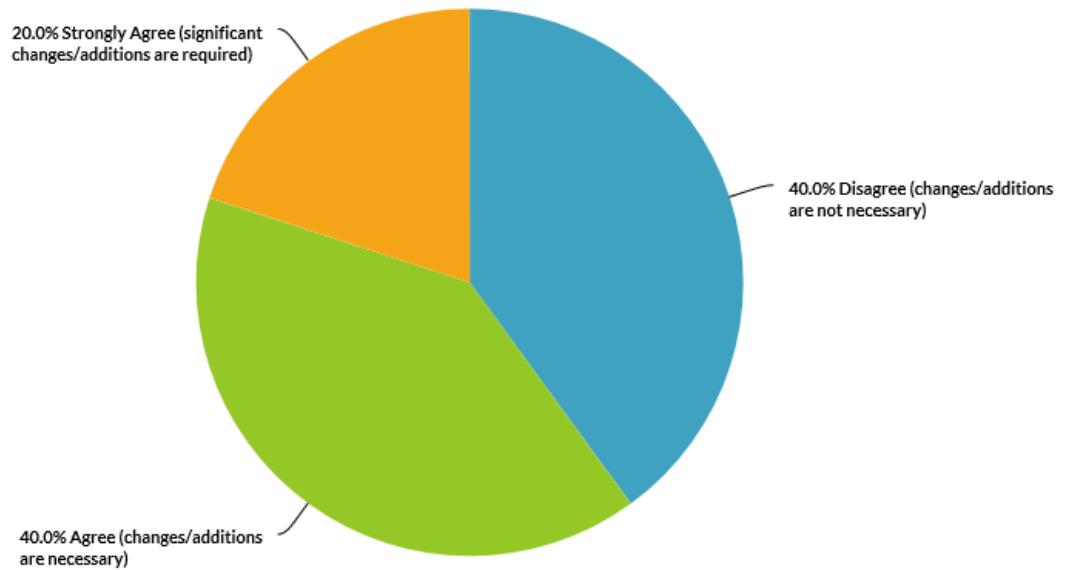
WAC 392-400-205 – Definitions ““Reengagement meeting” shall mean a meeting held between the school district and the student and parent and/or guardian to discuss how to return a long-term suspended or expelled student to an education setting as soon as possible.

“Reengagement plan” shall mean a written plan developed between a school district and a student and his/her parent or guardian designed to aid the student in taking the necessary steps to remedy the situation that led to the student's suspension or expulsion and return the student to the educational setting as soon as possible.

RCW 28A.600.022 “Families must have access to, provide meaningful input on, and have the opportunity to participate in a **culturally sensitive and culturally responsive reengagement plan.**”

Reengagement Plan





Value	Percent	Count
Disagree (changes/additions are not necessary)	40.0%	4
Agree (changes/additions are necessary)	40.0%	4
Strongly Agree (significant changes/additions are required)	20.0%	2
Total		10

Reengagement Plan



- Include explicit reference to language access?
- Distinguish between role of school building and district along with defining respective responsibilities?
- Define “culturally sensitive and culturally responsive”?
- Include language about engaging families to determine what family members should participate and at what location on a mutually agreeable basis?

Reengagement Plan



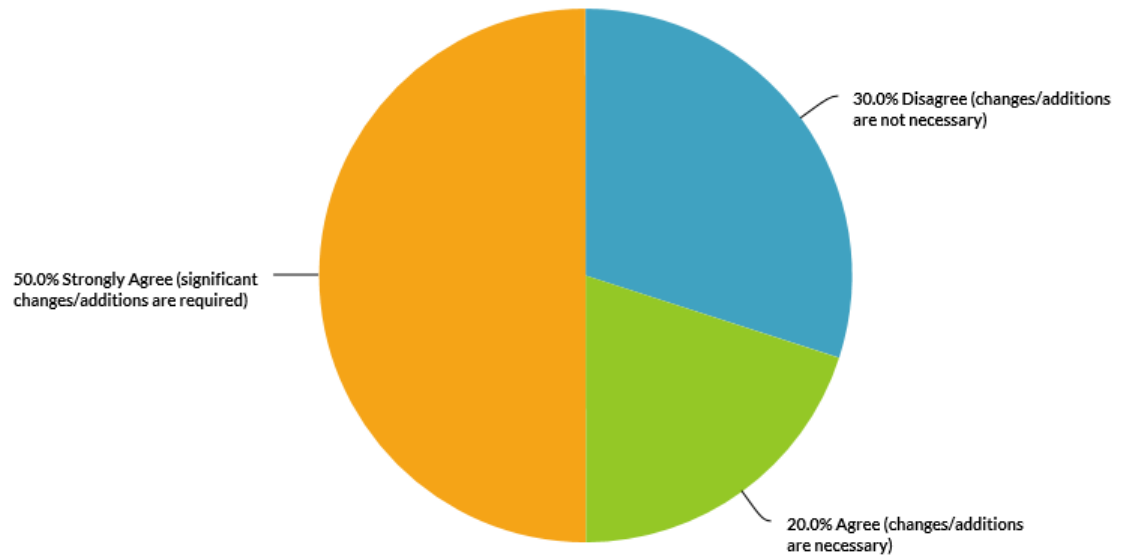
WAC 392-400-205 – Definitions ““Discretionary discipline” shall mean a disciplinary action taken by a school district for student behavior that violates rules of student conduct adopted by a school district board of directors under RCW 28A.600.010 and 28A.600.015, but does not constitute action taken in response to any of the following:

- (a) A violation of RCW 28A.600.420;
- (b) An offense in RCW 13.04.155;
- (c) Two or more violations of RCW 9A.46.120, 9.41.280, 28A.600.455, 28A.635.020, or 28A.635.060 within a three-year period; or
- (d) Behavior that adversely impacts the health or safety of other students or educational staff.”

RCW 28A.600.015 “As used in this chapter, "discretionary discipline" means...”

Discretionary Discipline





Value	Percent	Count
Disagree (changes/additions are not necessary)	30.0%	3
Agree (changes/additions are necessary)	20.0%	2
Strongly Agree (significant changes/additions are required)	50.0%	5
Total		10

Discretionary Discipline



- Further define or not?
- Specifically define “behavior that adversely impacts the health or safety of other students or educational staff,” including distinguishing this provision from other behaviors that may result in emergency removal or immediate suspension?

Discretionary Discipline



WAC 392-400-205 – Definitions ““Long-term suspension” shall mean a suspension that:

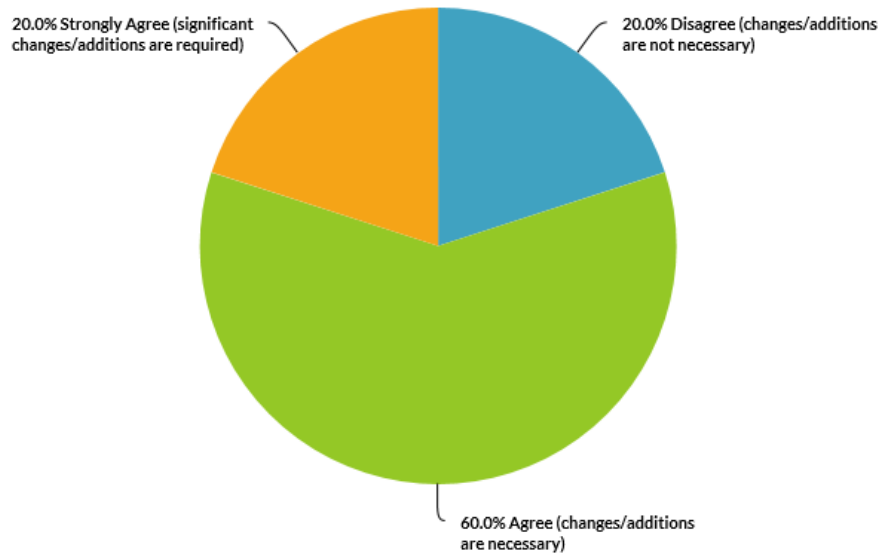
- (a) Exceeds ten school days and has an end date of not more than the length of an academic term, as defined by the school board, from the time of corrective action;”

““Expulsion” shall mean a denial of attendance for a period of time up to, but not longer than, the length of an academic term, as defined by the school board, from the time a student is removed from his or her current school placement by a school district superintendent or a designee of the superintendent.”

RCW 28A.600.020 “Any corrective action involving a suspension or expulsion from school for more than ten days must have an end date of not more than the length of an academic term, as defined by the school board, from the time of corrective action.”

Length of an Academic Term





Value	Percent	Count
Disagree (changes/additions are not necessary)	20.0%	2
Agree (changes/additions are necessary)	60.0%	6
Strongly Agree (significant changes/additions are required)	20.0%	2
Total		10

Length of an Academic Term



- Outline considerations that districts should encourage school board members to factor into their definition?
- Leave any additional language to WSSDA model policy or other types of guidance?
- Include specific language about potential impact on student academic progress by trimester/semester?

Length of an Academic Term



WAC 392-400-235 – Discipline—Conditions and limitations. “School districts may not suspend the provision of educational services to a student as a disciplinary action.”

WAC 392-400-245 – Long-term suspension—Conditions and limitations. “A student may be excluded from a particular classroom or instructional or activity area for the period of suspension, but the school district must provide an opportunity for a student to receive educational services during a period of suspension. Any student subject to a short-term suspension shall be provided the opportunity upon his or her return to make up assignments and tests missed by reason of the short-term suspension if:

- (a) Such assignments or tests have a substantial effect upon the student's semester or trimester grade or grades; or
- (b) Failure to complete such assignments or tests would preclude the student from receiving credit for the course or courses.

WAC 392-400-260 – Long-term suspension—Conditions and limitations. “A student may be excluded from a particular classroom or instructional or activity area for the period of suspension, but the school district must provide an opportunity for a student to receive educational services during a period of suspension.”

Educational Services



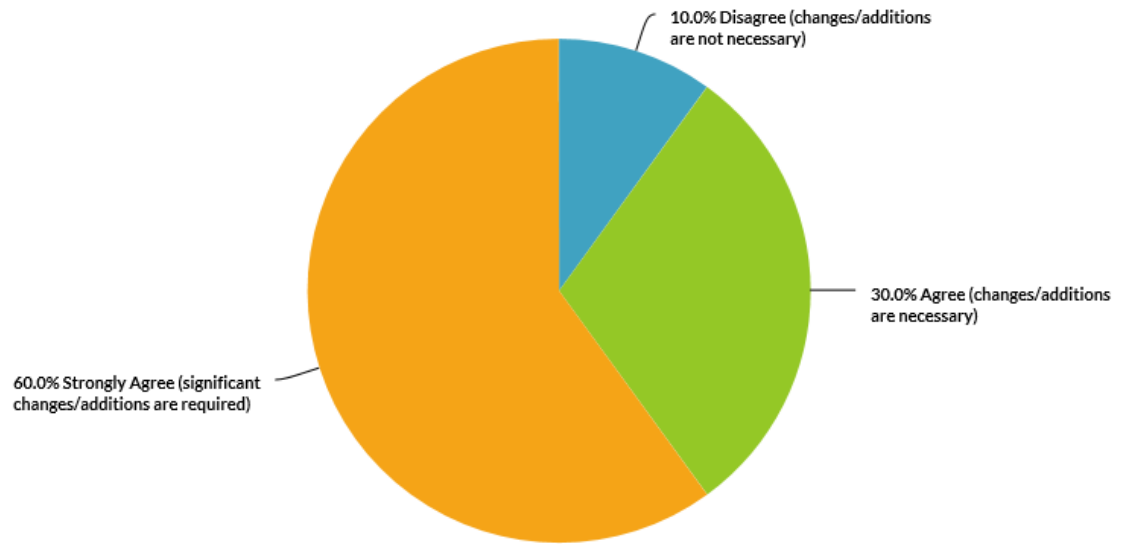
RCW 28A.600.015 “(5) Any imposition of discretionary and nondiscretionary discipline is subject to the bar on suspending the provision of educational services pursuant to subsection (8) of this section.”

“(8) School districts may not suspend the provision of educational services to a student as a disciplinary action. A student may be excluded from a particular classroom or instructional or activity area for the period of suspension or expulsion, but the school district must provide an opportunity for a student to receive educational services during a period of suspension or expulsion.”

RCW 28A.600.020 “Nothing in this section prevents a public school district, educational service district, the Washington state center for childhood deafness and hearing loss, or the state school for the blind if it has suspended or expelled a student from the student's regular school setting from providing educational services to the student in an alternative setting or modifying the suspension or expulsion on a case-by-case basis. **An alternative setting should be comparable, equitable, and appropriate to the regular education services a student would have received without the exclusionary discipline. Example alternative settings include alternative high schools, one-on-one tutoring, and online learning.**”

Educational Services





Value	Percent	Count
Disagree (changes/additions are not necessary)	10.0%	1
Agree (changes/additions are necessary)	30.0%	3
Strongly Agree (significant changes/additions are required)	60.0%	6
Total		10

Educational Services



- Outline tiered requirements for removals by increments of 1-3 days, 3-5 days, 5-10 days, and over 10 days?
 - Require individual needs assessment to determine appropriate services and monitor progress?
 - Define duties and responsibilities of district, school/teachers, student, and parent(s) or guardian(s).
 - Outline minimum educational services requirements, including reference to existing courses of study in law?
 - Include behavior/social-emotional services in content?
-

Educational Services



Joshua Lynch, Program Supervisor, Discipline & Behavior
Email: Joshua.lynch@k12.wa.us Phone: 360-725-4969

Contact Information

