



THE WASHINGTON STATE BOARD OF EDUCATION

Governance | Accountability | Achievement | Oversight | Career & College Readiness

Title:	Discipline Indicator of System Health	
As Related To:	<input type="checkbox"/> Goal One: Effective and accountable P-13 governance. <input checked="" type="checkbox"/> Goal Two: Comprehensive statewide K-12 accountability. <input checked="" type="checkbox"/> Goal Three: Closing achievement gap.	<input checked="" type="checkbox"/> Goal Four: Strategic oversight of the K-12 system. <input checked="" type="checkbox"/> Goal Five: Career and college readiness for all students. <input type="checkbox"/> Other
Relevant To Board Roles:	<input checked="" type="checkbox"/> Policy Leadership <input checked="" type="checkbox"/> System Oversight <input type="checkbox"/> Advocacy	<input type="checkbox"/> Communication <input type="checkbox"/> Convening and Facilitating
Policy Considerations / Key Questions:	<ul style="list-style-type: none"> • Does the State Board of Education wish to recommend the inclusion of a discipline indicator as an indicator of educational system health? • What would be the Board's goal for including a discipline indicator as an educational system health indicator? • What does the Board believe is most important to track if an indicator were to be included? • What reforms and policy changes would the Board hope to encourage? 	
Possible Board Action:	<input checked="" type="checkbox"/> Review <input type="checkbox"/> Adopt <input type="checkbox"/> Approve <input type="checkbox"/> Other	
Materials Included in Packet:	<input checked="" type="checkbox"/> Memo <input checked="" type="checkbox"/> Graphs / Graphics <input checked="" type="checkbox"/> Third-Party Materials <input checked="" type="checkbox"/> PowerPoint	
Synopsis:	<p>This section includes a memo exploring the areas of the issue of student discipline that might be addressed through a discipline indicator, as well as information about the availability of data. Potential indicators may address negative impact on student achievement, disproportionality in discipline practice, creating positive school climates, and due process afforded to students. The Board will discuss whether an indicator should be recommended in the upcoming report to the Legislature on educational system health.</p> <p>Also provided is a review of OSPI's discipline rule revisions, a report on Board members' recent visits to schools implementing the PBIS framework, a powerpoint on the progress of the Student Discipline Data Task Force, and a document illustrating the Task Force's current work.</p>	



DISCIPLINE INDICATOR OF EDUCATIONAL SYSTEM HEALTH

Policy Considerations

1. What would be the State Board of Education's goal for including a discipline indicator as an educational system health indicator?
2. What does the Board believe is most important to track, if an indicator were to be included? What type of indicator is best suited to a statewide accountability system?
3. What reforms and policy changes would the Board hope to encourage through tracking a discipline indicator? Can these things be achieved through a statewide indicator of system health?
4. What type of data are currently available or will be available in the future to develop a discipline indicator?

Background

ESSB 5491

In 2013, the Legislature established a system of statewide indicators of educational system health through ESSB 5491. The indicators include kindergarten readiness, fourth grade reading proficiency, eighth grade math proficiency, four-year graduation rate, and percentage of students enrolled in precollege or remedial courses. All indicators must be disaggregated by race and ethnicity and categorical program. The State Board of Education is responsible for collaborating with other state education agencies to submit a report on the indicators and suggest revisions to the measurements. The report must also include progress towards the indicator goals, and suggested reforms to improve system performance.

ESSB 5946 and the Student Discipline Task Force

Also in 2013, ESSB 5946 established a Student Discipline Data Task Force. The Task Force is charged with developing standards to increase accuracy in behavior and intervention reporting and to collect new information, such as the provision of educational services during a student's exclusion from school. The new data collection standards must be in place for the 2015-2016 school year. Beginning in 2014-2015, two new behavior categories will be collected, 'failure to cooperate' and 'disruptive conduct.'

ESSB 5946 also made changes to the due process requirements for students subject to exclusionary discipline and allowed length of suspensions and expulsions. OSPI is currently revising its rules regarding student discipline to reflect these changes.

State Board of Education Resolution

In March of 2014, the State Board of Education adopted a resolution to raise awareness of discipline related concerns and encourage districts to examine their discipline data and discipline practices. The resolution highlighted concerns about loss of educational access due to discipline, disproportionality in the discipline rates of student groups, and the creation of

positive, inclusive school climates. The resolution also indicated the Board's interest in exploring a discipline-related indicator as an indicator of educational system health.

Summary

The issue of student discipline comprises multiple areas of concern: negative impact on student achievement, disproportionality in the use of discipline practices, the need for positive school climates to prevent adverse behavior, and the need for due process for students subject to exclusionary discipline. In considering whether to develop a discipline indicator for incorporation into the state system of educational health indicators, the Board will need to establish its desired outcome and aspect of the discipline issue to be measured.

Preventing Negative Impact on Student Achievement and Student Disengagement

Exclusionary discipline practices have been shown to negatively impact student achievement and potentially lead to dropout (Fabelo T. et al, 2011, American Psychological Association, 2008). Suspensions and expulsions contribute to student disengagement from the learning environment (Fabelo T. et al, 2011, Mosehauer, K. et al, 2012, APA, 2008, U.S. DOJ and U.S. DOE, 2014) and prevent students from accessing academic services (U.S. DOJ and U.S. DOE, 2014, Mosehauer, K. et al, 2012). In Washington state, few students are provided with educational services during their suspension or expulsion, leading to academic setbacks (Mosehauer, K. et al, 2011). If the Board chooses to focus on this goal, indicators could include the overall number of exclusions, the amount of time missed by students, and educational services provided during exclusion.

Potential Indicator:

- Overall number of exclusions (*data currently available*)
- Number of days missed by students (*data currently available*)
- Educational services provided during exclusion (*data standards being developed*)

Reducing Disproportionality

Suspension and expulsion rates are disproportionate to enrollment rates for special education students, low income students, and according to a student's race and ethnicity in Washington state (see Attachment A). This has the potential to contribute to the opportunity gap by reducing the access to educational services of these student groups compared to their peers. If the Board chooses to focus on this goal, indicators could include measures of disproportionality, such as a risk ratio to measure a student of a particular group's likelihood to be suspended or expelled compared to a student of another group. This methodology is used for federal reporting on the discipline of students with disabilities and has been used in other states, such as West Virginia, to examine the discipline rates of the entire student population.

Potential Indicator:

- Risk ratio (*data currently available*)

Encouraging Positive Climates

Research has shown that by establishing practices and policies that foster positive climates in schools, discipline rates and negative behaviors decline (Barnoski, R. 2001, Nishioka, V. 2013) and student engagement increases (U.S. DOJ and U.S. DOE, 2014). If the Board chooses to

focus on this goal, indicators could include the use of alternative interventions to suspension or expulsion, such as participation in a mentoring program.

Potential Indicator:

- Alternative interventions to exclusions (*data standards will be developed in future*)

Ensuring Due Process

The rules currently being revised by OSPI regarding student discipline primarily concern the due process afforded to students that are subject to exclusionary discipline. Whether a student and her parent or guardian are able to request and participate in a hearing and appeal process, participate in developing a reengagement plan, or petition for readmission to school before the end of the intervention potentially impacts the type of intervention and length of time of the intervention.

Potential Indicator:

- Number of students requesting hearings (*data standards being developed*)
- Number of petitions for readmission being submitted and granted (*data standards being developed*)

Other Considerations

While some of the data for potential indicators are currently being collected, others will be collected for the first time in the 2014-2015 or 2015-2016 school years. This presents some data quality concerns as schools will be unfamiliar with the new reporting requirements and categories.

The Board will also want to consider what indicator is appropriate at a summative state level. Because of the variation of discipline policies and practices across districts and schools, some indicators may be more useful for district to district comparisons or school level monitoring than state level examination. The Board will want to consider which data points might provide more robust information about the educational system as a whole than others.

Action

The Board will discuss whether it will recommend in the upcoming annual report to the Legislature the inclusion of a discipline indicator as an educational system health indicator. If the Board chooses to recommend including such an indicator, the Board will also need to identify which area of the discipline issue the indicator may address. If an indicator is pursued, Board staff would work with the Achievement and Accountability Workgroup and staff from the Student Discipline Task Force to address the data and technical development of a discipline indicator.

References

American Psychological Association. Are Zero Tolerance Policies Effective in Schools?: An Evidentiary Review and Recommendations. *American Psychologist*. (December 2008) 63(9), pp. 852-862.

Barnoski, R. (2001) *Foundations for Learning: Safe and Civil Schools Project*. Washington Institute of Public Policy.

Fabelo T. et al (2011) *Breaking Schools' Rules: A Statewide Study of How School Discipline Relates to Students' Success and Juvenile Justice Involvement*. Council of State Governments Justice Center, Public Policy Research Institute.

Mosehauer, K. et al (2012) *Reclaiming Students: The Educational and Economic Costs of Exclusionary Discipline in Washington State*. Washington Appleseed and TeamChild.

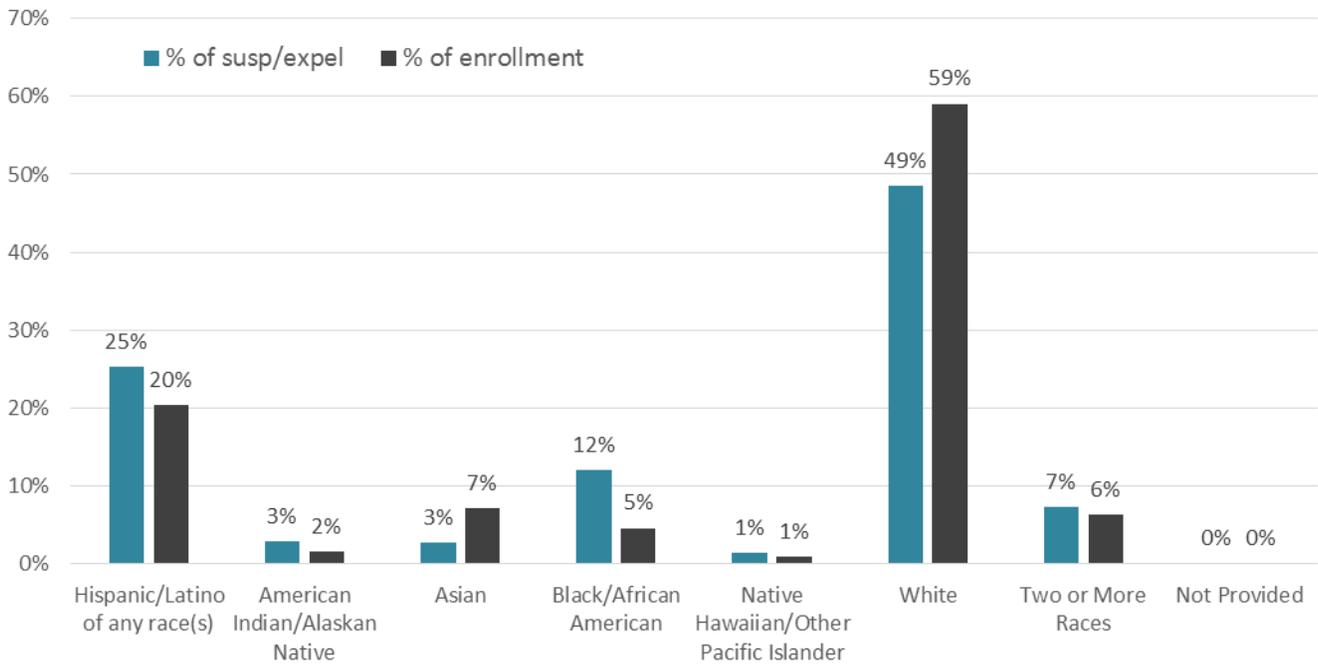
Nishioka, V. Eliminating Disparities in School Discipline. *Principal Leadership*. (April, 2013) pp. 46-52, National Association of Secondary School Principals.

U.S. DOJ Civil Rights Division and U.S. DOE Office of Civil Rights. (2014) *Dear Colleague Letter on Nondiscriminatory Administration of School Discipline*.

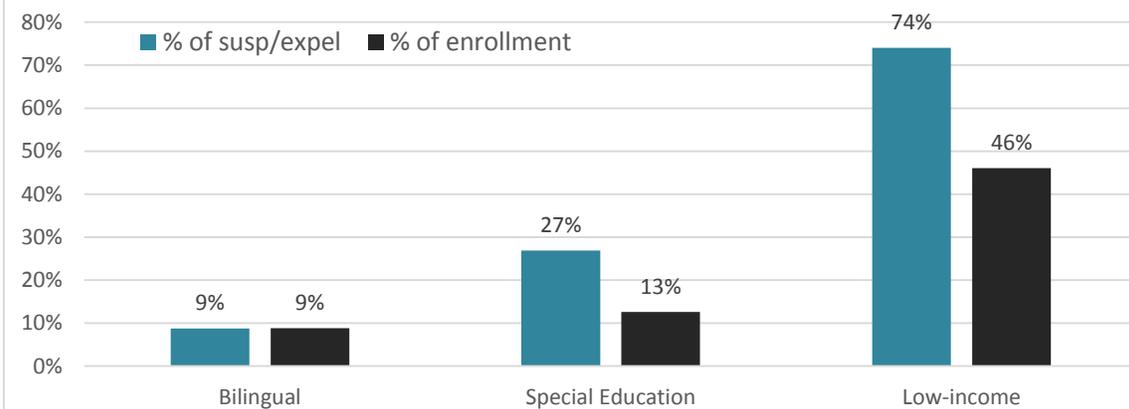


ATTACHMENT A

% of Total Students Suspended or Expelled Compared to % of Total Enrollment



% of Total Students Suspended or Expelled Compared to % of Total Enrollment



Source: OSPI, 2012-2013



SUMMARY OF 6/4/14 VISIT TO PBIS SCHOOLS

What we did (Connie, Peter, Ben, Julia)

- Visited Timberline HS and Komachin MS (N. Thurston SD) and Peter Schmidt Elem. (Tumwater SD).
- All suggested by NW PBIS Network
- All three have used PBIS for several years
- At each school met with school staff leaders and with members of NW PBIS Network (nonprofit advocacy org.). We did not visit classrooms or talk with teachers. Limited observation of hallways and school common areas.

What we learned

- School leaders report very positive experience with PBIS (no pun)
- Significant decrease in number of students referred to office for discipline (e.g. Timberline HS, 3758 referrals/year in 2011-12 to 2455 referrals/year in 2013-14.
- Schools report much improved school environment. E.g. no more hassles at HS about student cellphones
- Reduced learning time lost. Less time in principal's office = more time in class room.
- Teachers like it, after some resistance
- Requires broad-based buy-in by school staff (recommend not starting if less than 80%)
- Careful implementation needed
- Intensive use of data, which requires staff to record data and produce reports
- Each school had a slightly different model. PBIS is a philosophy and model, not a prescribed system.
- Requires commitment of time and staffing, though not necessarily need outside funding. N. Thurston SD uses state funding to provide 0.6 parapro for each school for data entry and reporting.
- Professional development for teachers and staff is essential

Main elements of PBIS

- Clear rules/expectations
- School-wide consistency (essential)
- Emphasis on encouraging positive behavior rather than punishing negatives. E.g. seek to have many more positive interactions than negatives. Extensive use of tickets, prizes, etc.

- Tiered responses, similar to RTI. E.g. low level infraction results in low level response.
- Emphasis on data collection and analysis, including by time of day/year, class room location, ethnic group, etc. One school held weekly meetings to analyze data and assess needs of individual students.

Key takeaways

- PBIS is useful and promising as a way to decrease out-of-class discipline. Helps break the cycle of often-ineffective repeated punishment of students who behave inappropriately.
- It is unknown to us whether other discipline models may exist that are equally or more effective as PBIS.
- The impact of PBIS is as much a result of change in adult behavior as student behavior.
- Implementation of PBIS requires commitment, time, and resources (but not overwhelmingly so).
- At the three schools, the PBIS system appeared to be largely directed toward reducing low level discipline issues. There was not as much emphasis on higher tier discipline issues such as those that would warrant suspension. Also, reducing discipline disparities among ethnic groups was recognized as an issue but was not the main focus.
- A more effective discipline system such as PBIS may reduce the total number of discipline events and thus both help reduce discipline disparities and allow more individualized attention to specific students with higher level discipline issues.
- NW PBIS Network cites data showing that PBIS leads to a significant reduction in suspensions (though it is unclear if the data are representative of all schools using PBIS).
- Data collection and analysis are important to a successful PBIS system, which in turn requires resources and a well-functioning school.

STUDENT DISCIPLINE TASK FORCE- ESSB 5946, SECTION 3

Maria Flores

OSPI

Objectives

- Review membership and duties assigned to the taskforce
- Understand initial student discipline data
- Review progress to date and work plan



Members: “shall include representatives from the K-12 data governance group, the educational opportunity gap oversight and accountability committee, the state ethnic commissions, the governor's office of Indian affairs, the office of the education ombudsman, school districts, and other education and advocacy organizations.”

Contact Name	Contact Title	Organization/Committee
Trevor Greene	Professional Development Specialist	Association of Washington School Principals
Mia Williams	Principal, Aki Kurose MS	Association of Washington School Principals
Edward Prince	Executive Director	Commission on African American Affairs
Matt Vaeena (Pacific Islander American) Za Vang (Asian American)	Community members	Commission on Asian Pacific American Affairs
Lillian Ortiz-Self	Commissioner Chair	Commission on Hispanic American Affairs
Dr. James Smith	Committee member	Educational Opportunity Gap Oversight and Accountability Committee
(no appointee)	(no appointee)	Governor's Office of Indian Affairs
Tracy Sherman	Policy Analyst	League of Education Voters
Jennifer Harris	Ombudsman & Legal Analyst	Office of the Education Ombudsman
Paul Alig	Staff Attorney (Pierce County)	Team Child
Rosemarie Search	Superintendent Royal School District	Washington Association of School Administrators
Greg Williamson	Director of Student Support	Office of Superintendent of Public Instruction
Dr. Alan Burke	Deputy Superintendent	Office of Superintendent of Public Instruction
Myra Johnson	WEA Board Member	Washington Education Association
Edri Geiger	Vancouver School Director	Washington State School Directors' Association

Duties

- Develop standard definitions for causes of student disciplinary actions taken at the discretion of the school district.
- Develop data collection standards for disciplinary actions
 - education services provided while a student is subject to a disciplinary action,
 - the status of petitions for readmission to the school district when a student has been excluded from school,
 - credit retrieval during a period of exclusion, and
 - school dropout as a result of disciplinary action.

What will happen with revised data?

- The office of the superintendent of public instruction and the K-12 data governance group shall revise the statewide student data system to incorporate the student discipline data collection standards recommended by the discipline task force,
- and begin collecting data based on the revised standards in the 2015-16 school year.

Mandatory v. Discretionary

Mandatory

- OSPI is required by the Department of Education to collect data about certain “mandatory” student discipline incidents
- School districts and schools must insure accurate data is collected within the “mandatory” discipline codes

Discretionary

- Student misconduct that does not fall within the mandatory codes and is determined to disrupt the learning environment (in accordance with state and federal law) is defined at “discretion” of the local school board
 - 09 – Other behavior resulting in a short term suspension (SS), long term suspension (LS) or expulsion (EX)

Mandatory

Mandatory Discipline Offenses

Weapons (handgun, shotgun/rifle, multiple firearms, other firearms, knife/dagger or other weapon)

Harassment, intimidation and bullying (HIB)

Manufacture, sale, purchase, transportation, possession or consumption of intoxicating alcoholic beverages or substances represented as alcohol. Suspicion of being under the influence of alcohol may be included if it results in disciplinary action.

Unlawful use, cultivation, manufacture, distribution, sale, solicitation, purchase, possession, transportation or importation of any controlled drug or narcotic substance or violation of the district drug policy. Includes the use, possession, or distribution of any prescription or over-the-counter medication (e.g. aspirin, cough syrups, caffeine pills, nasal sprays) in violation of district policy.

Major injury-when one or more students, school personnel, or other persons on school grounds require professional medical attention. *Examples of major injuries include stab or bullet wounds, concussions, fractured or broken bones, or cuts requiring stitches.*

Violent incidents w/ major injury:

- Severe fighting that results in a major injury . Assault, Homicide, Malicious Harassment, Kidnapping, Rape, Robbery

Violent Incidents without major injury

- Fighting without major injury. violent incidents without major injury. assault. malicious harassment. kidnapping.

Discipline Data Reporting

Behavior infraction code, including:

Bullying;
 Tobacco;
 Alcohol;
 Illicit drug;
 Fighting without major injury;
 Violence without major injury;
 Violence with major injury;
 Possession of a weapon; and
 Other behavior resulting from a short-term or long-term suspension, expulsion, or interim alternative education setting intervention;
New discretionary behavior codes added

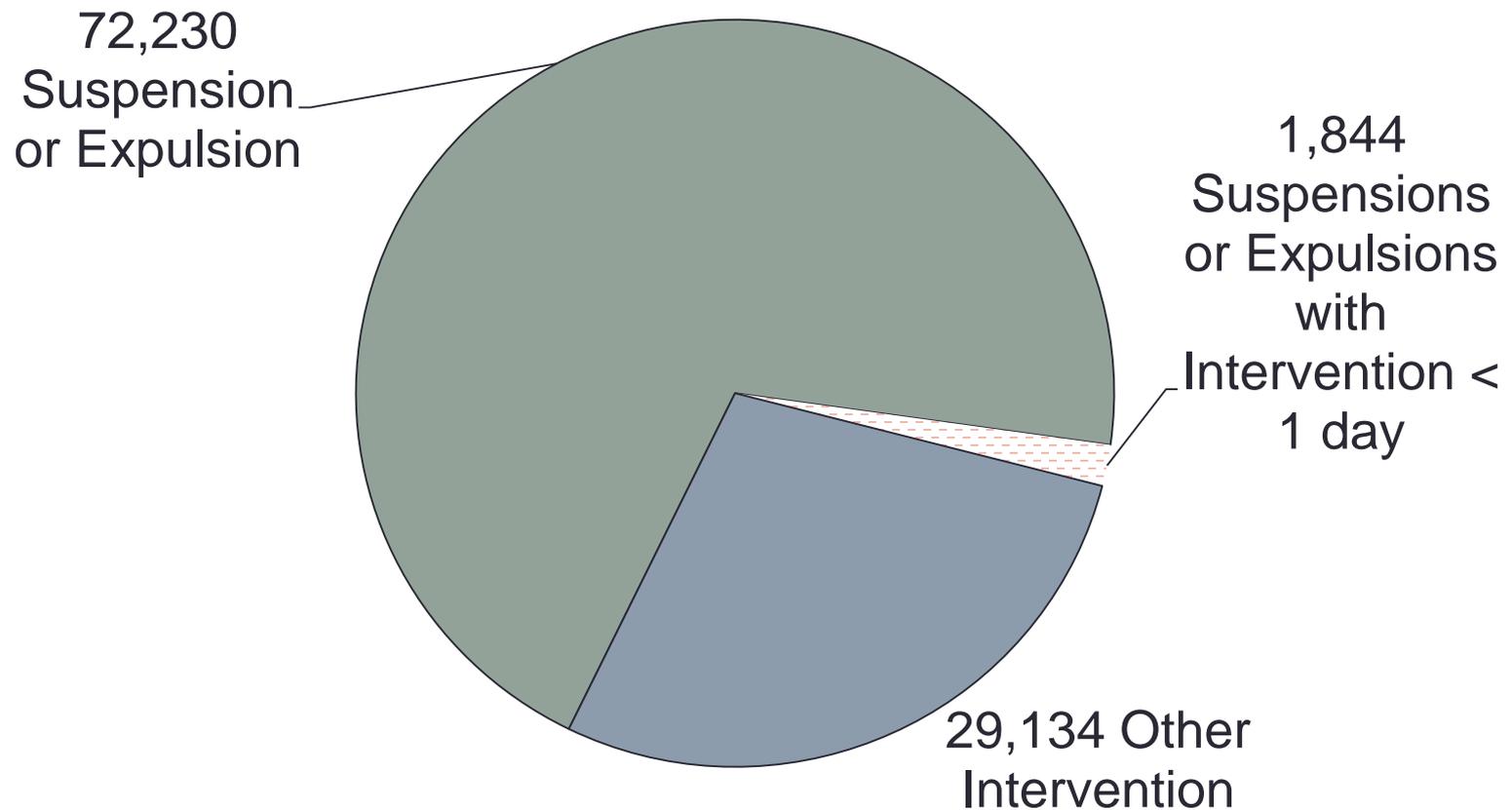
Intervention applied, including:

Short-term suspension;
 Long-term suspension;
 Emergency expulsion;
 Expulsion;
 Interim alternative education settings;
 No intervention applied; and
 Other intervention applied that is not described in this section

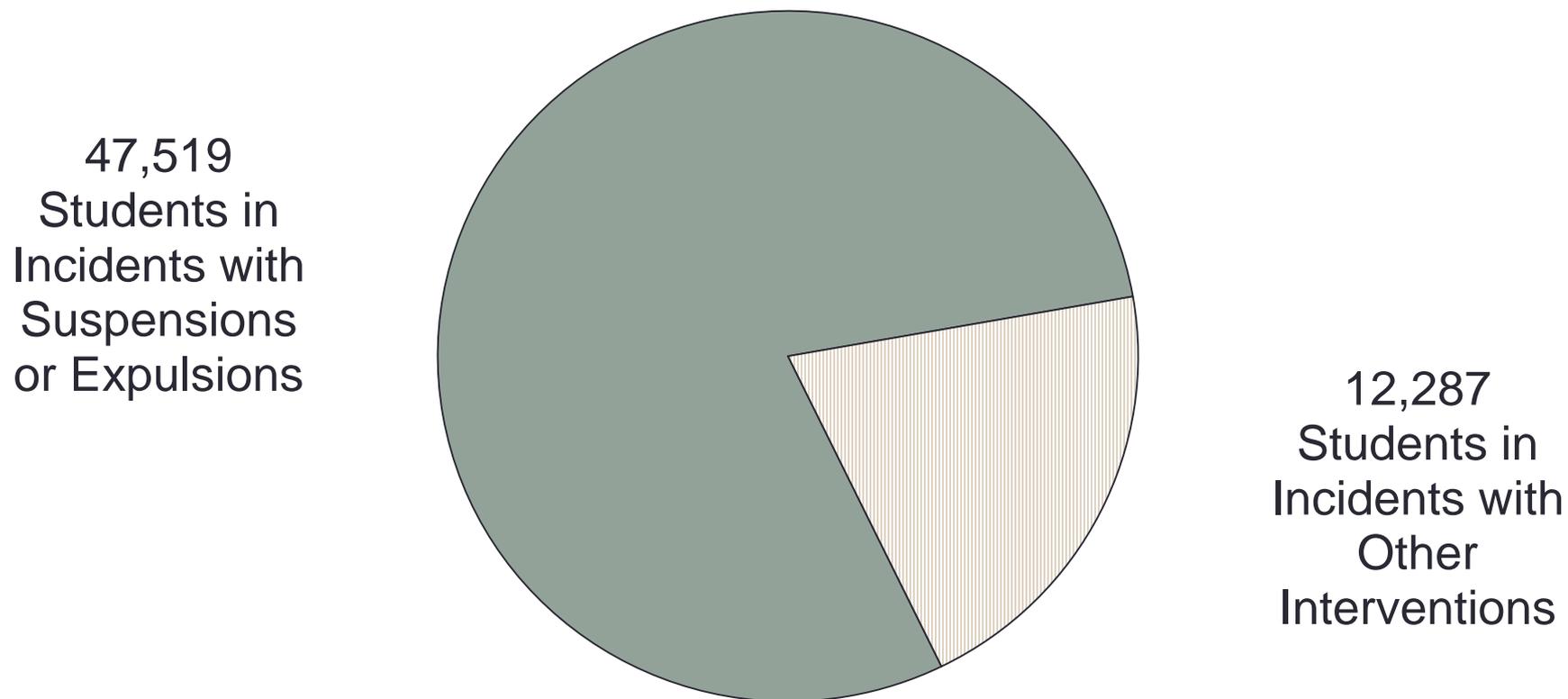
Cross tabulated by:

school and district;
 race
 gender
 grade level
 low income
 special education
 transitional bilingual
 migrant
 foster care
 Homeless students covered by section 504 of the federal rehabilitation act of 1973, as amended (29 U.S.C. Sec. 794),
 and categories to be added in the future;
 Behavior infraction code;
 Intervention applied.

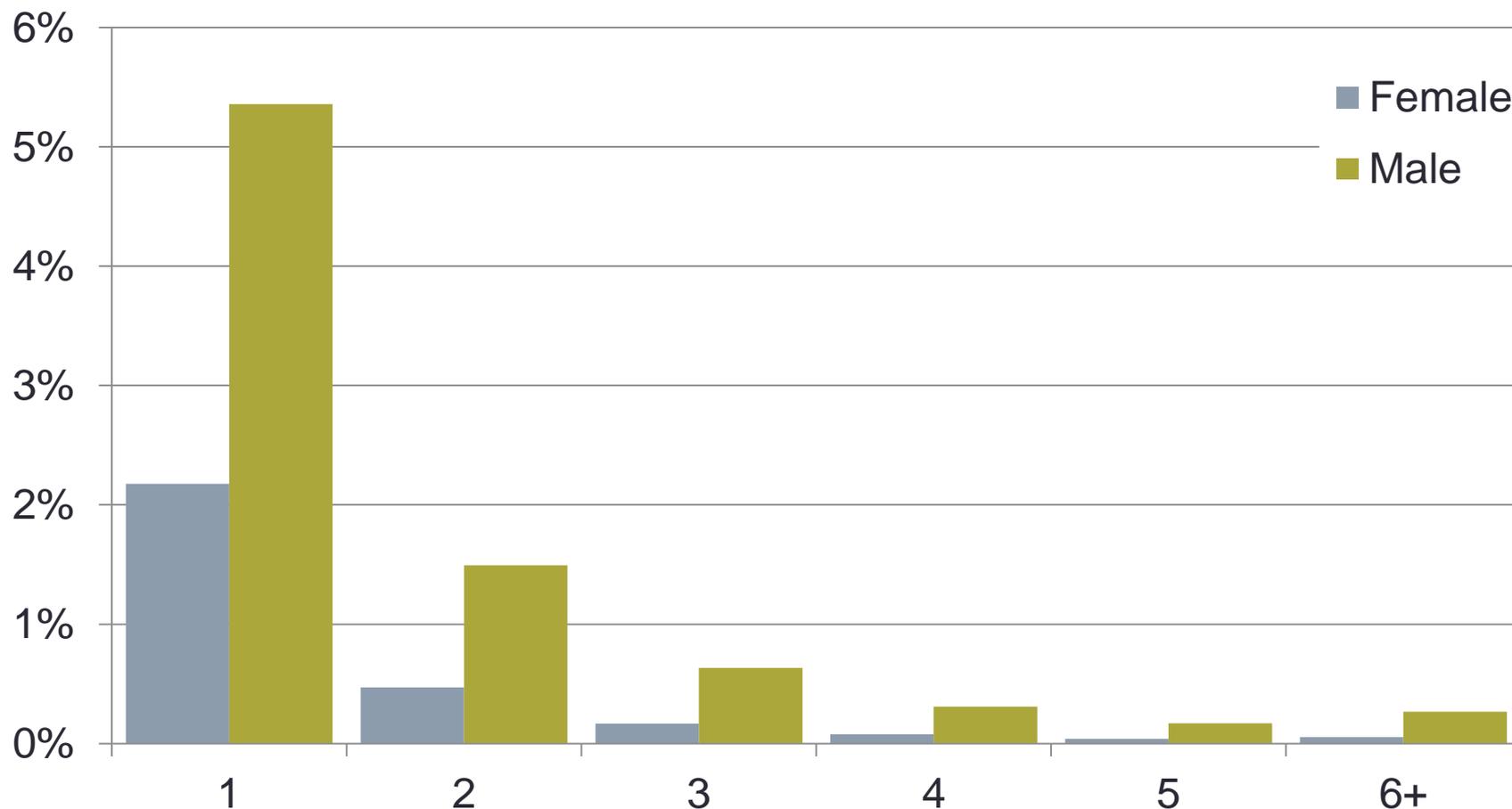
101,364 total incidents reported in 2012-13



59,806 students reported in incidents in 2012-13

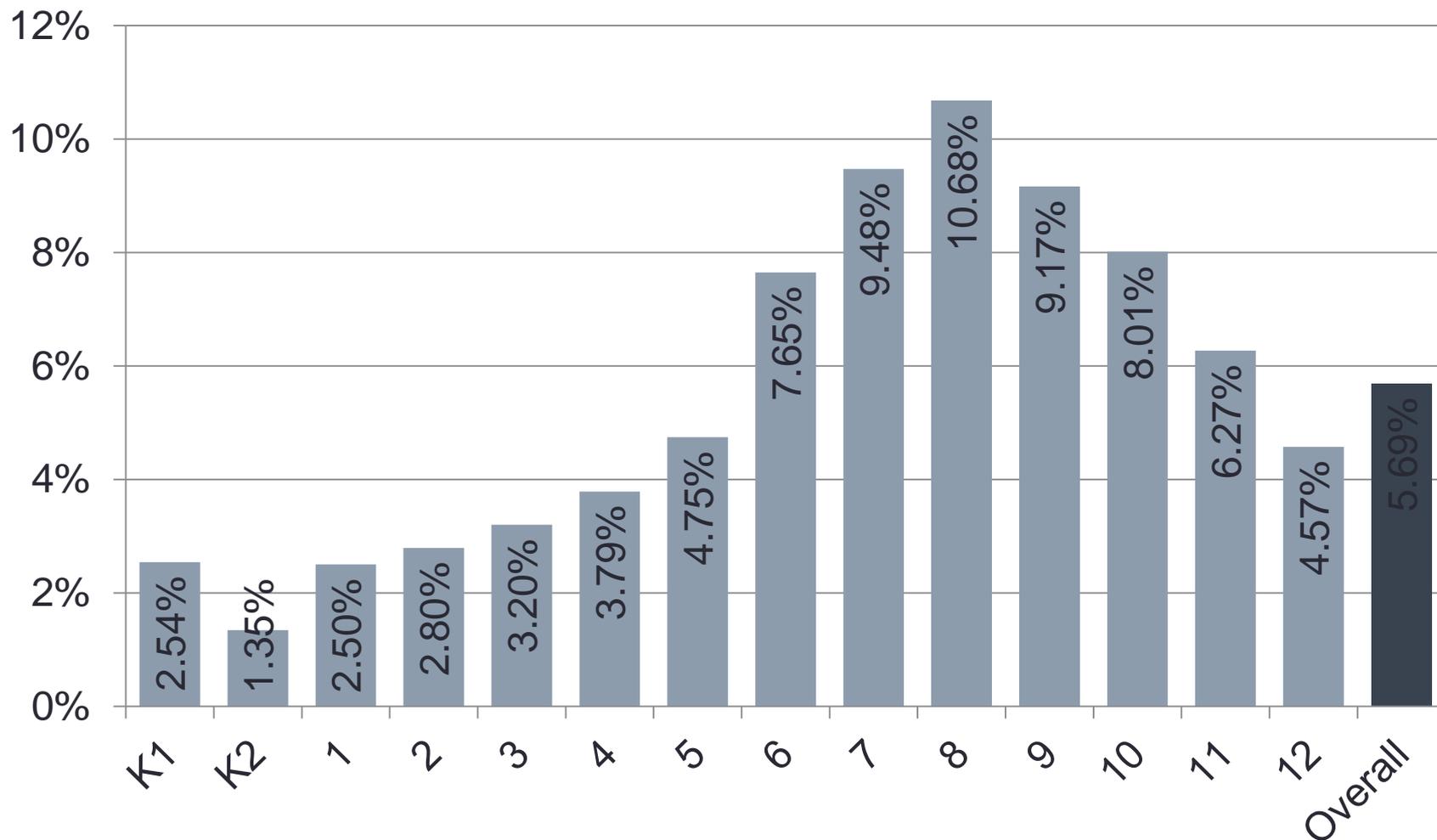


Percent of students by number of discipline incidents

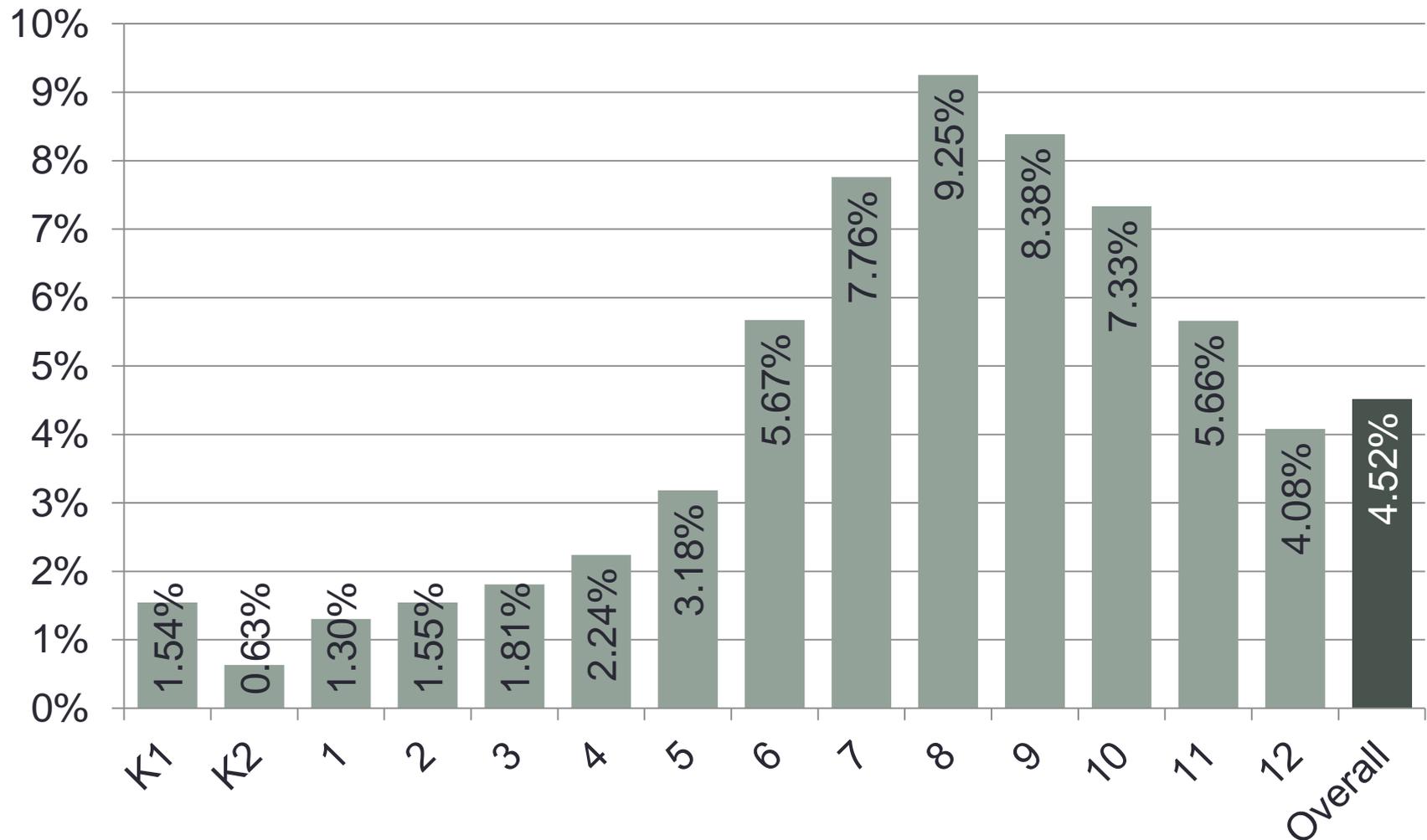


*5.7% of All Students were reported in one or more incidents
(8.2% of Males and 3% of Females)*

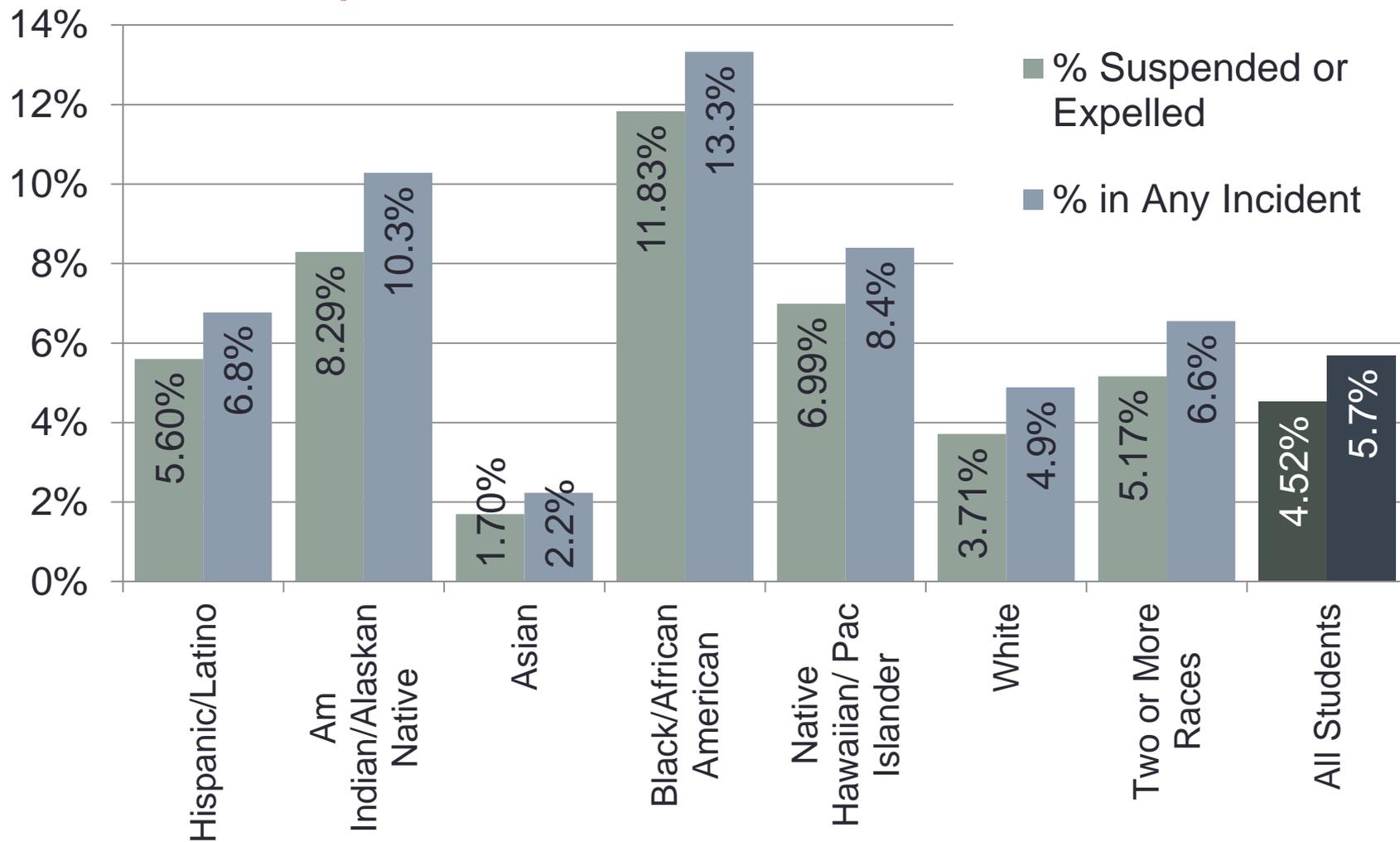
Percent of students in each grade level who were reported in an incident



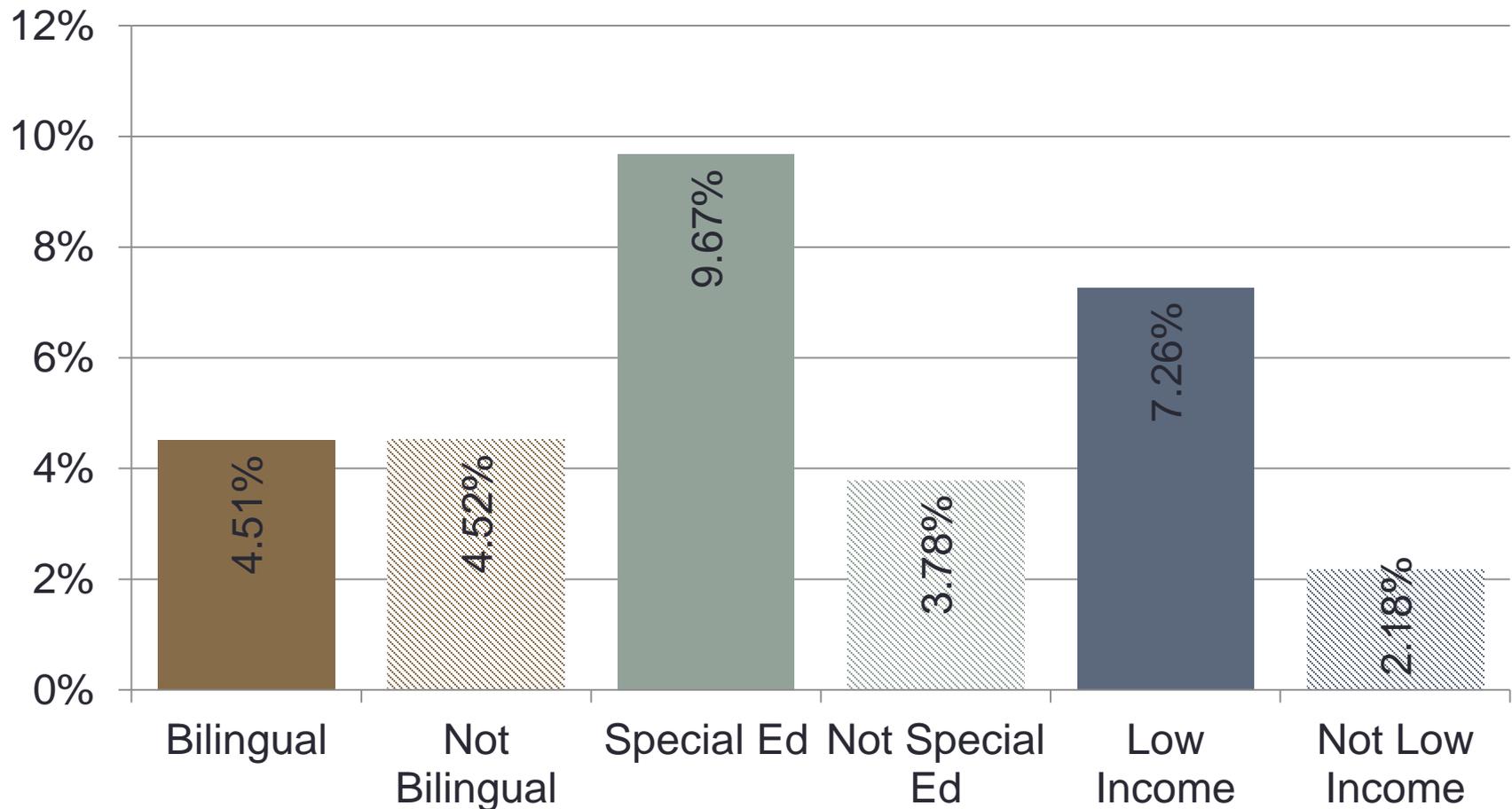
Percent of students in each grade level who were suspended or expelled



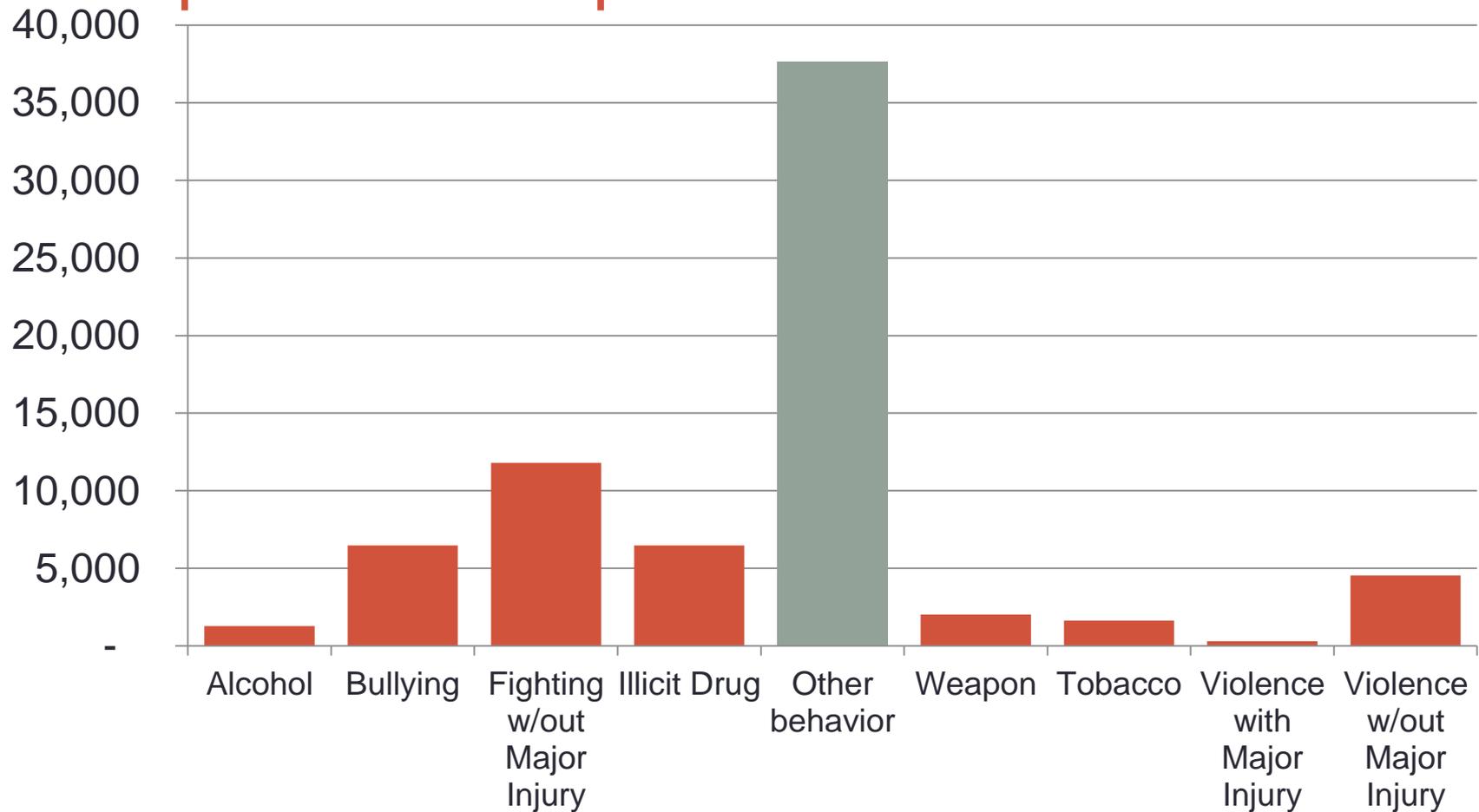
Percent of students in each race / ethnicity category who were reported in incidents



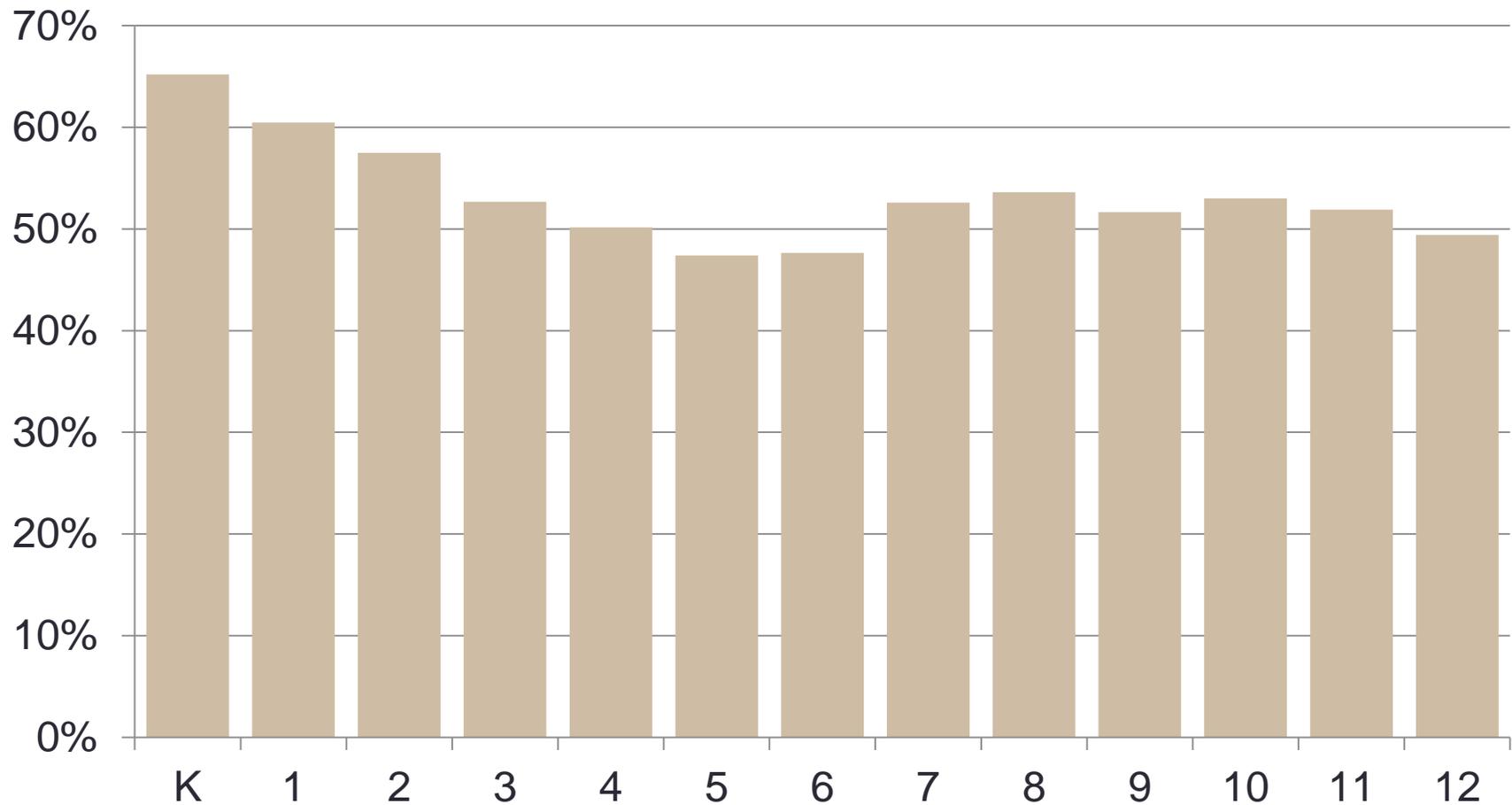
Percent of students who were suspended or expelled



Behaviors associated with a suspension or expulsion



Percent of Suspensions or Expulsions with “Other” Behavior



Progress to Date

At the December meeting, the members finalized two behavior definitions for the 2014-15 CEDARS Manual:

- Failure to Cooperate (including but not limited to non-compliance, defiance, disrespect): repeatedly failing to comply with or follow reasonable, lawful directions or requests of teachers or staff.
- Disruptive Conduct: conduct that materially and substantially interferes with the educational process.

At the January meeting, the members finalized four additional behavior definitions:

- Destruction of Property/Vandalism: intentional damage of school property or the property of others.
- Vulgar or Lewd conduct: obscene acts or expressions, whether verbal or non-verbal
- Theft, possession of stolen property: taking or knowingly being in possession of district property or property of others without permission.
- Academic dishonesty/plagiarism: knowingly submitting the work of others represented as the student's own or assisting another student in doing so, or using unauthorized sources.

Work Plan



- Complete additional definitions
- Data collection standards for:
 - education services provided while a student is subject to a disciplinary action,
 - the status of petitions for readmission to the school district when a student has been excluded from school,
 - credit retrieval during a period of exclusion, and
 - school dropout as a result of disciplinary action.

QUESTIONS?

Additional Discipline Data Elements

1. Education Services During the Suspension or Expulsion

Titles	Definition	Pick List
In School Suspension- instruction/services in a different classroom in the same school	A classroom for students serving in-school suspension (ISS) within the same school building but separate and apart from the classrooms in which they normally attend.	Student received: Academic instruction/services a) Yes b) No Individualized behavior intervention a) Yes b) No
Alternative Building in School District	A building that is separate and apart from the school that the student attended prior to the suspension or expulsion.	Student placed in alternative building in school district: a) Yes b) No
Virtual Academy/Online Learning	District approved online learning opportunities provided to suspended or expelled students to allow them to stay current with grade-level studies.	Student received: Online academic instruction/services c) Yes d) No Individualized behavior intervention w/staff a) Yes b) No # hours online access per week: _____
Tutoring	Tutoring services provided by the district to assist students in maintaining continued academic learning while out of the classroom environment.	Student received: a) Yes b) No Student received: Academic instruction/services a) Yes b) No Individualized behavior intervention a) Yes b) No
Non-traditional school hours	Learning opportunities for students provided outside of standard schools hours (e.g. Friday afternoon, Saturday school, etc.)	Student received: a) Yes b) No
Make-up work packet	Classroom assignments completed at home and returned as agreed to by the student/family and district.	Student received all assignments: a) Yes b) No

Additional Discipline Data Elements

		Student received credit or grade a) Yes b) No Student was allowed to makeup all work and receive all credit a) Yes b) No
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2. Credit Retrieval Options

Titles	Definition	Pick List
Eligibility	Academic credit is a value assigned to completed academic work.	
	Partial academic credit is a value assigned to partially complete academic work.	
Requirements	Academic credit and/or partial academic credit can be earned or awarded during regular attendance, during a period of exclusion, for suspension, or after their return to school.	
Authorization	The granting of academic credit either partial or complete can only be done by staff authorized by the school district policies/procedures.	
Continuation	A program for credit continuation/grade completion is a program that allows students to continue to accrue academic credit and/or partial academic credit without gaps during suspension or expulsion.	
Number of lost credits	Number of academic credits student should have received during the time period of their suspension or expulsion minus the number of academic credits the student actually received during that time.	
Retrieval	Students are informed, allowed, and expected to make up all missed coursework or tests for modified assignments without penalty.	Students received: a) Yes b) No

3. Reengagement Plans

Titles	Definition	Pick List
Reengagement Meeting Notification	Notification included information of parent's rights to language access (interpreter/translation)	Parents received: c) Yes d) No School sent notification:

Additional Discipline Data Elements

		<p>e) Yes f) No</p> <p>Interpreter/translation notice included in parent notification:</p> <p>g) Yes h) No</p> <p>Date sent: _____</p>
Reengagement meeting		<p>Date held: _____</p> <p>Held within 20 days of suspension/expulsion</p> <p>a) Yes b) No</p> <p>No later than 5 days prior to return to school:</p> <p>a) Yes b) No</p> <p>Language access provided</p> <p>a) Yes b) No</p> <p>Translated materials provided in requested language</p> <p>a) Yes b) No</p> <p>Who participated in meeting:</p> <p><input type="checkbox"/> General Ed. Teacher <input type="checkbox"/> SPED Teacher <input type="checkbox"/> School Psychologist <input type="checkbox"/> District Representative <input type="checkbox"/> Administrator <input type="checkbox"/> Counselor/Behavior Support <input type="checkbox"/> Parent(s) <input type="checkbox"/> Other: _____</p> <p>Dates</p> <p>Expulsion occurred: _____</p> <p>Meeting occurred: _____</p> <p>Student returns to school: _____</p>
Meeting outcomes		<p>Shortened length of exclusionary discipline</p> <p>a) Yes b) No</p> <p>Number of days reduced: _____</p>

Additional Discipline Data Elements

		Reengagement plan completed: a) Yes b) No School completed enrollment/reenrollment paperwork: a) Yes b) No
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4. Interventions

Titles	Definition	Pick List
Interventions used with student:		Challenges/stressors identified: a) Yes b) No Barriers to attendance identified: a) Yes b) No Was the attendance issue due to : a) physical health b) mental health c) drug/alcohol abuse Referral to 504/SPED if relevant: a) Yes b) No Safety plan (if HIB identified): a) Yes b) No Supportive components identified: a) Yes b) No Behavioral success plan identified: a) Yes b) No Relevant counseling discussed with family: a) Yes b) No Communication plan between school and student/family: a) Yes b) No

Additional Discipline Data Elements

<p>Discipline Review Committee</p>	<p>Committee comprised of student's teachers/principal/counselor reviews student's prior conduct and discipline to determine 1) Whether prior discipline has been effective; and 2) Whether another type of corrective action would be more effective or appropriate under the circumstances.</p>	<p>Committee was used: a) Yes b) No Date held: _____ Held within 20 days of suspension/expulsion c) Yes d) No No later than 5 days prior to return to school: c) Yes d) No Language access provided c) Yes d) No Translated materials provided in requested language c) Yes d) No Who participated in meeting: <input type="checkbox"/> General Ed. Teacher <input type="checkbox"/> SPED Teacher <input type="checkbox"/> School Psychologist <input type="checkbox"/> District Representative <input type="checkbox"/> Administrator <input type="checkbox"/> Counselor/Behavior Support <input type="checkbox"/> Parent(s) <input type="checkbox"/> Other: _____ Dates Expulsion occurred: _____ Meeting occurred: _____ Student returns to school: _____</p>
<p>Student Performance Improvement Agreement</p>	<p>Student-district contract in which student complies with certain conditions in exchange for a shortened term of suspension.</p>	<p>Student received: a) Yes b) No</p>
<p>District Liaison for Suspended/Mandatory Expelled Students</p>	<p>A certified staff member (not a compliance officer) assigned by the district to communicate with the student and the student's family during the period of suspension or expulsion. The assigned staff member's duties include: 1) Monitoring he</p>	<p>District Liaison was used throughout the time of suspension/expulsion: a) Yes b) No</p>

Additional Discipline Data Elements

	student's receipt of assignments and return on course work; 2) Serving as a liaison between the student/family and the district to provide updates on improvements in the student's behavior and academic progress; 3) Reviewing the student's progress with the district administrators to determine whether it warrants a shortening of the suspension/expulsion.	
Frequency of same discipline for each type of behavior infraction	Listing the times the same punishment and/or intervention has been used for the same type of inappropriate behaviors for an individual student	Same punishment use: Number of punishments _____ Frequency of same punishment use _____

5. Petition for Readmission

Submitted Petition for readmission	Petition for readmission outlining request to be readmitted to school at any time during the exclusion.	Student submitted petition for readmission a) Yes (if yes- Date _____) b) No
Status of Petition for Readmission	Readmission determined by Principal and Superintendent	Student petition for readmission granted a) Yes b) No Date _____

6. Grievances/Appeals

Short term suspension grievance	Student and family submitted a grievance with the school principal of the short term suspension	Short term suspension grievance submitted a) Yes (if yes-Date _____) b) No
Status of Short term suspension grievance	Decision by principal about the short term suspension grievance	Change in Short term suspension a) Yes b) No Date _____
Long term suspension/expulsion Request for hearing	Student and family request a hearing to appeal long term suspension/expulsion within 3 days after written notice of long term suspension/expulsion	Hearing requested: a) Yes (if yes-Date _____) b) No
School set hearing	School sets hearing date within 3 days of notice from student and family requesting the hearing	School set hearing date: a) yes (if yes-Date _____) b) No
Hearing Decision notice	School sends hearing decision to the student and family	School sends hearing decision: a) Yes (if yes-Date _____) b) No

Additional Discipline Data Elements

Hearing Decision outcome	School determines outcome for appealing long term suspension/expulsion	Hearing Decision Outcome: Long term suspension shortened a) Yes (if yes- how many days shorter) b) No Expulsion shortened a) Yes (if yes- how many days shorter) b) No
Appeal to school board	Student and family appeal hearing decision within 3 days to school board for long term suspension/expulsion	Appeal of hearing decision to school board a) Yes (if yes-Date _____) b) No
Appeal to Superior Court	Student and family appeal school board decision within 30 days to local superior court.	Appeal of school board decision to Superior Court a) Yes (if yes-Date _____) b) No

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OSPI DISCIPLINE RULES

ESSB 5946

Passed in 2013, ESSB 5946 provided for a number of changes in student discipline policies. Among them it abolished indefinite suspensions and expulsions, required the conversion of emergency expulsions to another form of intervention within ten days, required districts to hold reentry meetings and create reengagement plans with students and families, and required OSPI to develop a policy and process for districts to appeal expulsion time limits. As a result of this legislation, OSPI is in the process of revising WAC 392-400, the rules addressing student discipline.

Proposed Rule Changes

The changes to WAC 392-400 deal primarily with the due process a student is entitled to following disciplinary action, as well as reflecting the time limits and requirements of ESSB 5946. Some of the main changes include:

- Removing the word “punishment” from the definition of discipline and instances where the term “corrective action and punishment” were used.
- Limiting emergency expulsion to ten days and requiring it be converted to another corrective action within that time frame.
- Defining the components of and process for a reengagement meeting and plan.
- Limiting expulsions to one calendar year.
- Providing a process for districts to appeal to extend an expulsion past a calendar year.
- Remove “to extent feasible” from sections requiring parent and student notification in primary language other than English

Public Feedback

OSPI has completed its public comment process, during which it received 1800 written responses and 45 oral statements at a public hearing. Comments were received from parents, districts, advocacy groups, law firms, community members, and other stakeholders.

The feedback included concerns about technical changes and broader suggestions, such as abolishing suspensions for attendance infractions. The State Board of Education provided a letter voicing concern that the rules do not require educational services be provided to a student during a suspension or expulsion, nor do they specify whom would be responsible for such services.

Next Steps

OSPI is preparing the concise explanatory statement and revising the amended rules based on the public comment received, and will likely file the final rules by the end of July.