

# Federal Landscape on School Discipline



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**New York State Leadership Summit on  
School-Justice Partnerships**  
April 12, 2013

Doing this together!



**Dignity in Schools Campaign  
members in Washington, DC**

Priorities



- **School discipline data**
  - Disaggregated and collected from all schools
- **Accountability**
  - For high rates and disparities
  - Support, not punishment, for schools to change practices
- **Support for best practices in school discipline**
  - Restorative Justice
  - Schoolwide Positive Behavior Supports
- **Community partnerships to reduce students' contact with the juvenile and criminal justice system**

ED & DOJ

School discipline reform and the Obama administration's Departments of Justice and Education

- **Collection of disciplinary data**
  - Suspension, multiple suspensions, expulsions, corporal punishment, school-based arrests, referrals to law enforcement
- **Disciplinary requirement in Race to the Top-District**
  - Grantees with high or disparate disciplinary rates for students of color or students with disabilities must identify root cause and plan to address disparities.
- **Creation of Supportive School Discipline Initiative**
  - Joint effort of the US Departments of Education and Justice
  - Provide guidance, technical assistance, and consensus on discipline
- **Enforcement**
  - Lawsuit & consent decree in Meridian, MS
  - Settlements in Los Angeles and Oakland

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Congress



**Ending the School-to-Prison Pipeline Hearing  
Dec. 12, 2012**

**Positive Behavior for Safe and Effective Schools Act (H.R. 3165) (Davis, D-IL)**

- **The bill amends the Elementary and Secondary Education Act (ESEA) to:**
  - Highlight School-wide Positive Behavior Support (SWPBS) and other early intervening services as appropriate uses of federal funds under different titles in the ESEA;
  - Require school districts to provide technical assistance in “Positive Behavior Support and other approaches with evidence of effectiveness in improving the learning environment...” to schools in need of improvement under No Child Left Behind.
  - Require states’ school support teams to review disciplinary data, school climate information, and familial participation information to assist “schools in need of improvement” in implementing PBS and/or other early intervening services

### Restorative Justice in Schools Act (H.R. 415)(Cohen, D-TN)

- Restorative Justice and conflict resolution would be included as an appropriate use of funds in Title II: professional development

### Youth PROMISE Act (Scott, D-VA)

- Funds local PROMISE Councils – multi-stakeholder councils that must include parents and youth – to develop and implement plans for local juvenile delinquency prevention
- Plans must be based on evidence-based and promising approaches and must “ensure that the number of youth involved in the juvenile delinquency and criminal justice systems does not increase as a result of the activities undertaken with the funds provided...”

## Successful, Safe, and Healthy Students Act (S. 919)(Harkin, D-IA)

The bill would replace the current Safe and Drug-Free Schools provisions of ESEA with, among other things:

- Funding and technical assistance for restorative practices and Schoolwide Positive Behavior Supports (SWPBS);
- Disciplinary data collection for participating states;
- Parent and community involvement grant requirements; and,
- Efforts to counter identity-based harassment.

## SSHSA

How would S. 919 amend federal law?

- States receiving Title IV grants would have to:
  - Collect and report “Conditions for Learning Data,” which would include disaggregated disciplinary data.
  - Use the data to drive improvements in school climate in four key areas:
    - ✦ Physical health, nutrition, and fitness
    - ✦ Student mental health and well-being
    - ✦ Prevention of violence, bullying, and substance abuse
    - ✦ Promotion of safe and supportive schools



**Ending the School-to-Prison Pipeline Hearing**  
**Dec. 12, 2012**



**Sandy Hook Elementary**  
**Dec. 14, 2012**

## President's Proposal on School Safety

- Asks the Departments to:
  - DOJ: develop model for using SROs in school (including age appropriate training)
  - ED, DOJ, Homeland Security: develop model emergency management plans and security assessments
  - ED: share best practices on school discipline and school climate
- Asks Congress for:
  - \$150 million for Comprehensive School Safety Program to provide up to 1,000 SROs or counselors in schools (at school's choice)
  - \$50 million for best practices in school climate
  - \$25 million for student mental health services & conflict resolution

## Mental Health Awareness and Improvement Act (S. 689)

- Encourage the use and further expansion of positive behavioral interventions and supports and early intervening services in schools;
- Improve mental health in schools by creating partnerships between local educational agencies and community-based mental health centers in order to meet the more clinical mental health needs of students.

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