



Advocacy &
Communication
SOLUTIONS

BETTER THAN ZERO

HOW ALTERNATIVE DISCIPLINE IS
REPLACING ZERO TOLERANCE TO BREAK
THE SCHOOL-TO-PRISON PIPELINE.

THE ISSUE

According to [data from the U.S. Department of Education](#),¹ more than 3 million students in grades K-12 were suspended in 2009-10, more than double the rate in the 1970s. African-American students are suspended or expelled at least 3.5 times more often than their white peers. Suspended or expelled students are more likely to fall behind in their studies, drop out of school, interact with the juvenile justice system, and ultimately, may end up committing crimes in their communities that result in some type of incarceration.² This phenomenon has been dubbed the “school-to-prison pipeline.”

There has been an intentional shift by the federal government to a more holistic approach to help students maintain academic progress while addressing the genesis of behavioral issues.

School zero-tolerance policies and their role in increasing the number of students suspended or expelled have become a high-profile point of discussion within the school-to-prison pipeline, because some zero-tolerance policies mandate extended periods of time out of the classroom, and students facing zero-tolerance discipline often fall behind and/or drop out of school entirely.

President Barack Obama, the U.S. Department of Education, and the U.S. Department of Justice have taken steps to break the school-to-prison pipeline by defining the issue and increasing awareness of strategies that address the root of student behavioral issues in the classroom and providing alternatives to legal discipline that may remove these students from positive school-based supports. Specifically, the federal initiative “My Brothers Keeper,” launched in 2014, and subsequent federal guidance, place greater emphasis on services and systems that support the whole child (social work, psychology, counseling) versus or secondary to administrative and legal discipline (detention, suspension, expulsion). In other words, there has been an intentional shift by the federal government to a more holistic approach to help students maintain academic progress while addressing the genesis of behavioral issues. Although not as widely covered in the media, some school districts and communities across the country already practice this approach within or alongside existing zero-tolerance policies.

This paper takes a high-level look at the current national conversation and policy changes surrounding the school-to-prison pipeline, and a closer look at how zero-tolerance policies in particular are changing nationally and in several states, including some alternatives that have delivered promising results.

NATIONAL MOVEMENT ON THE SCHOOL-TO-PRISON PIPELINE

Conversation about the school-to-prison pipeline is still relatively new. In July 2011 the U.S. Department of Education and U.S. Department of Justice announced a joint effort called the [“Supportive School Discipline Initiative.”](#)³ which works with community groups and local school districts to address how to end the school-to-prison pipeline and the zero-tolerance discipline policies that have led to high drop out and absenteeism rates. In 2012, [The National Council of Juvenile and Family Court Judges \(NCFCJ\)](#) passed a [resolution](#)⁴ opposing zero-tolerance policies and supporting “school administration discretion in handling student misbehavior.” In January 2014, the U.S. Department of Education and the U.S. Department of Justice released federal school discipline guidance to help school districts end discriminatory school discipline policies. The guidance clarifies schools’ obligations under civil rights laws and provides examples of best practices so they can implement positive alternative practices. In short, this has been the federal government’s effort to seek a more holistic alternative to existing student discipline strategies to address the root of the behavior

problem instead of symptoms that result from that behavior. The guidance package is available [here](#).⁵

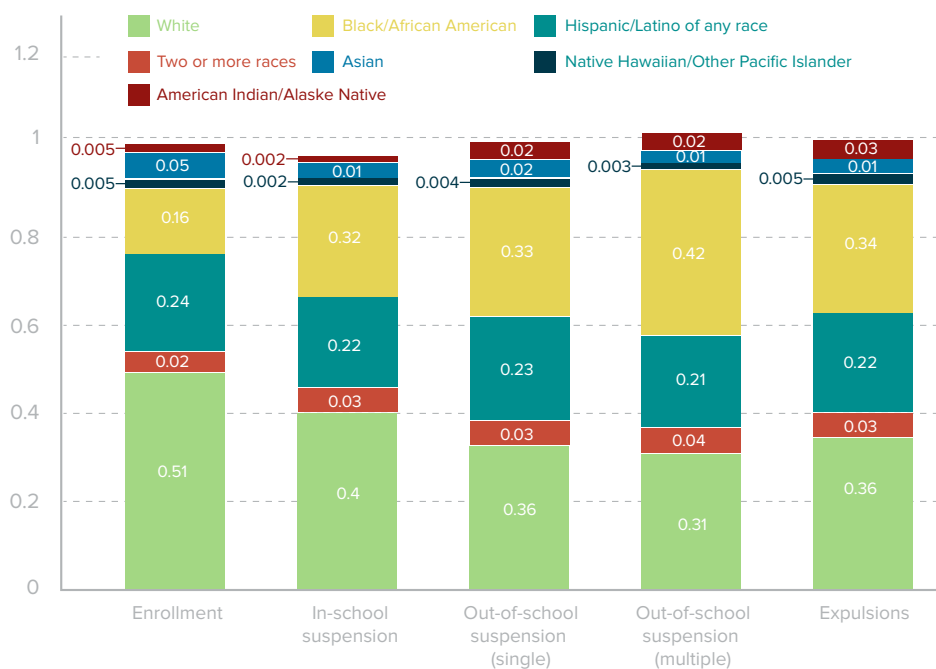
In some communities, school discipline measures have sparked legal action. For example, in 2012 the U.S. Department of Justice [investigated](#)⁶ and then [sued](#)⁷ Mississippi state officials for incarcerating students who committed minor disciplinary infractions such as talking back to teachers and violating dress codes. The students were sent to a youth court, where they were denied basic constitutional rights.

Local school districts in other states are beginning to receive negative attention as well. In April 2014, the [Texas Education Agency severely reprimanded Waco Independent School District \(ISD\)](#),⁸ alleging black students are three times more likely to be placed in the Disciplinary Alternative Education Program

(DAEP) for offenses that do not automatically require that placement (gang involvement or threatening behavior). Sixty percent of discretionary DAEP placements were black students, even though they make up only about 30% of the Waco ISD student body.

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U.S. Department of Education Office for Civil Rights





LOCAL POLICY CHANGES FOCUS ON APPROPRIATE ROLES

In an effort to maintain the balance between school safety and addressing non-academic needs of students, local governments and school systems have begun adopting protocols and policies to end or limit the school-to-prison pipeline, particularly as they relate to the role of police and the judiciary in school discipline issues. For example, an Intergovernmental Agreement (IGA) was signed in February 2013 between the Denver Police Department and Denver Public Schools. Youth leaders from Denver-based [Padres y Jovenes Unidos](#) assisted in negotiations. The IGA limits the role of police in schools, mandates community stakeholder involvement, requires comprehensive training for teachers and administrators, and contains student due process rights. A brief summary of the policies and language are included [here](#).⁹

In 2011, the state of Connecticut's judicial branch implemented a [new Juvenile Services Intake Policy](#)¹⁰ to reduce inappropriate school referrals to court. It requires the Juvenile Services Division of the Court Support Services Division to screen all police summons for youth arrested for minor offenses in schools, to determine whether the allegations are serious enough to warrant court involvement and to reject insufficient summons. Various factors are specified for making this determination, such as fights in school between two juveniles of similar age where both are arrested and no injuries are involved; school incidents that reflect normal adolescent behavior such as running in the hallways, wearing a hat to school, talking back to staff, swearing, or being disruptive without violent behavior, destruction of property, or injuries; and possession of tobacco products under the age of 15.

HELPFUL RESOURCES FOR STATES AND LOCAL GOVERNMENT

Several resources are available to help states, cities, and school districts create effective policies to end the school-to-prison pipeline in their communities. The list below includes just a few examples.

- ▶ [National Council of Juvenile and Family Court Judges](#) collected [examples of forms, policies, and protocols](#)¹¹ from Clayton County, GA; Denver, CO; Arizona; Boston, MA; and Broward County, FL.
- ▶ [The Advancement Project](#) developed a [“Proposed Memorandum of Understanding between the School District and Police Department.”](#)¹² that include guidelines to ensure that the police department and the school district have a shared understanding of the role and responsibilities of each in maintaining safe schools, improving school climate, and supporting educational opportunities for all students. The Advancement Project is a well respected multi-racial organization, established in 1999 to lead community-driven civil rights campaigns across the country, including several designed to break the school-to-prison pipeline.
- ▶ The Advancement Project published a [Model School Discipline Policy](#),¹³ based on the actual policies from several city public school systems, which can be used by localities to modify their school policies, to help eliminate the school-to-prison pipeline.
- ▶ [The National Juvenile Justice Network](#) developed a [“Policy Platform: Safe and Effective School Disciplinary Policies and Practices”](#)¹⁴ in August 2011.
- ▶ [The Supportive School Discipline Communities of Practice](#) coordinates education and justice leaders working to advance positive approaches to school discipline. The group offers research, data, policy guidance, and support on its website.
- ▶ The U.S. Department of Justice Office of Juvenile Justice and Delinquency Prevention (OJJDP) has additional information on truancy programs in the following reports: [“Model Programs Guide: Truancy Prevention”](#)¹⁵ and [“Truancy Prevention Literature Review.”](#)¹⁶



A CLOSER LOOK: ZERO-TOLERANCE POLICIES

While disproportionate punishment of youth offenders can take many forms, one of the most troubling is in the use of zero-tolerance policies without regard for or attention paid to the more critical issue of the origin of destructive student behavior. According to the American Academy of Pediatrics, between 74% and 94% of schools in the U.S. have implemented zero-tolerance policies.¹⁷ Largely instituted in the late 1990s and as a result of the Columbine high school shootings, zero-tolerance policies remove students from the classroom based on mandated predetermined minimum penalties (such as suspension and expulsion) for a wide degree of rule violations, and place them in the hands of the justice system. The School Superintendent Association (AASA) found¹⁸ that while federal law mandates automatic expulsion for students who possess a firearm on school grounds, most states also have automatic suspension for a student violating other rules, such as assault (in 16 states) or drug use/possession, sexual assault, or possessing a weapon. Since implementation, zero-tolerance policies have been controversial, with some high profile cases of elementary and middle school students being expelled for [sharing an inhaler during gym class](#),¹⁹ bringing [small amounts of alcohol](#)²⁰ or a [small clear plastic gun to kindergarten](#),²¹ or [for playing cops and robbers at recess](#).²²

[The National Education Association \(NEA\)](#) has published several articles arguing against the use of zero-tolerance policies and promoting [alternatives to the policies](#),²³ and the [American Psychological Association Zero-Tolerance Task Force](#)²⁴ found in 2008 that zero-tolerance policies, as implemented, have “failed to achieve the goals of an effective system of school discipline,” and offers several policy, practice, and research recommendations

to change zero-tolerance policies and to implement alternatives. A [2013 Education Week survey](#)²⁵ revealed that only 48% of educators (teachers and administrators) think zero-tolerance policies are successful, while 76% believe in-school suspension is effective in reducing student misbehavior; 60% believe law-enforcement referrals work; 46% think out-of-school suspensions are effective and 41% think expulsions work.

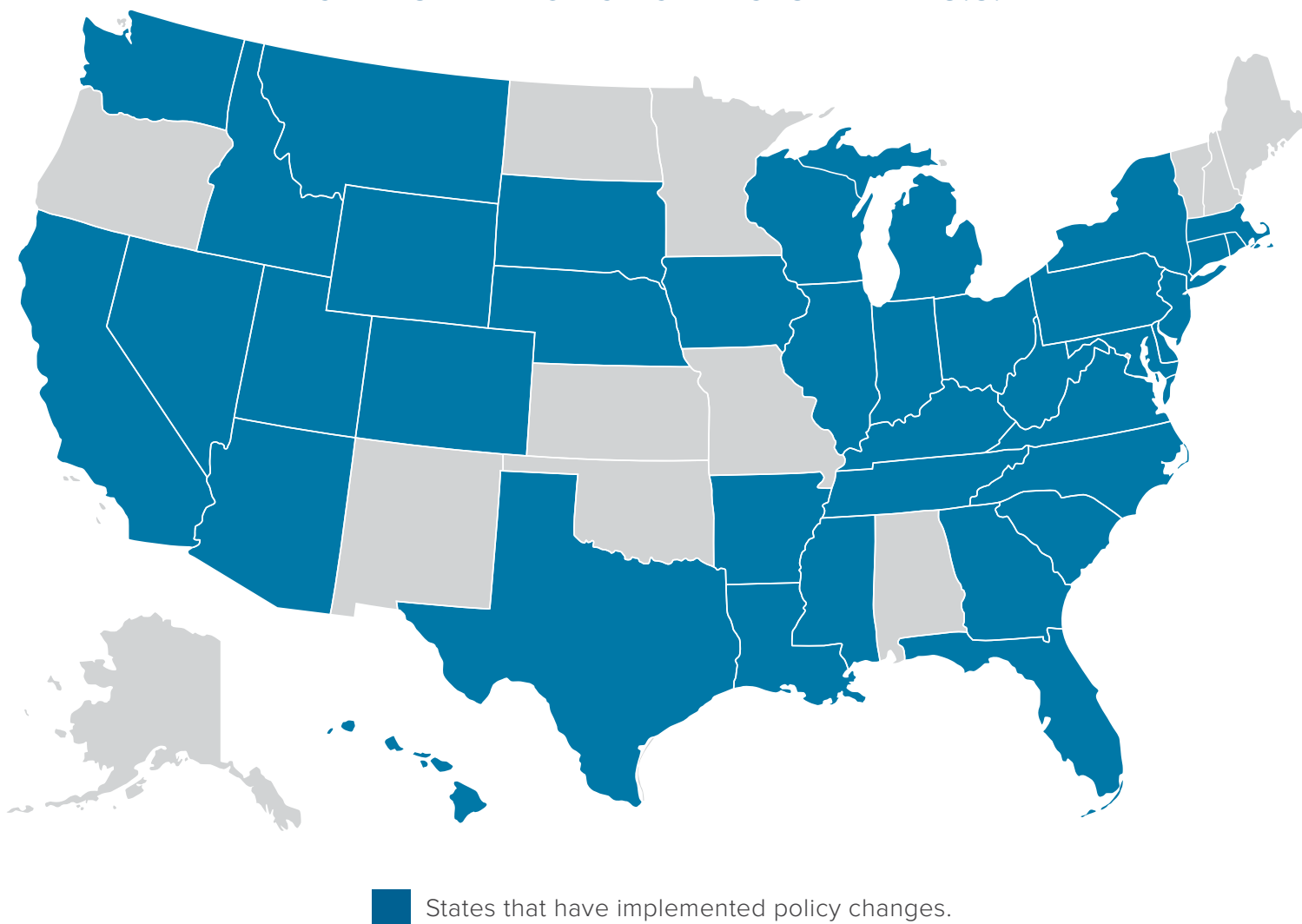
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The much-publicized examples above, where zero-tolerance policies are applied to minor offenses, show the pendulum may have swung too far. There is value to maintaining multiple policy options to address behavioral and disciplinary incidents appropriately and to ensure disciplinary actions are commensurate with student behavior. Several states and school districts have already begun to define their discipline policies more clearly, implement new approaches for dealing with the root cause of student behavioral issues, and provide teachers and administrators with the tools and training to maintain student safety and academic success.

STATE CHANGES TO ZERO-TOLERANCE POLICIES

Several states have passed legislation that maintains school safety and mitigates the negative effects of zero-tolerance policies on students, either through changing out-of-school suspension and expulsion policies related to truancy, directly changing zero-tolerance policies, or placing greater emphasis on early intervention or support services to help students stay in school. The [Juvenile Justice Information Exchange](#)²⁶ and the [National Conference of State Legislatures' Juvenile Justice Guide Book for Legislators](#)²⁷ are resources to help states address policy changes. [The School Superintendent Association](#) (AASA)²⁸ used the 2014 school discipline compendium released by the U.S. Department of Education and the U.S. Department of Justice to analyze²⁹ and summarize recent changes in several states, and to predict larger movements in school discipline laws throughout the states. Some examples of state policy changes are included on the following page.

RECENT STATE POLICY CHANGES IN THE U.S.*



There is growing pressure from advocates to change policies dealing with truant students and discourage the use of out-of-school suspension for these infractions. Nineteen laws have been enacted in 17 states since 2011 to limit the use of suspension for truancy. Examples of state policy changes to deal with truancy include the following:

- ▶ Arkansas and Rhode Island prohibit out-of-school suspensions for truancy.
- ▶ Florida, Illinois, New Mexico, Virginia, and D.C. significantly limit the ability for districts to suspend students for excessive absence.
- ▶ Colorado amended its law in 2011 to allow school districts to initiate court proceedings as a last resort and only if the student continues to be truant after the school implements a plan to improve attendance.
- ▶ Since 2011, several states have amended laws to limit penalties on parents or guardians of truant students. Maryland removed criminal charges, and Montana shifted from a monetary penalty to requiring parents/guardians to create a truancy reduction plan.
- ▶ 14 statesⁱ provide district leaders with the autonomy to discipline truant students. AASA recommends superintendents from these states review the National Center on School Engagement identified components of effective truancy reduction programs [here](#).³⁰

Federal guidance strongly encourages school districts to eliminate racial bias in discipline referrals. Many state statutes provide teachers with authority to discipline students. Nineteen statesⁱⁱ allow teachers to remove students from the classroom without caveats. AASA warns administrators must be more vigilant to ensure that conscious or unconscious bias will influence disciplinary or referral decisions. AASA anticipates that the guidance will spur additional scrutiny of teacher removal policies by state legislatures and district leaders. Some examples of state policies include:

- ▶ Only Alabama explicitly bans teachers from removing a student from the classroom unless in an emergency.
- ▶ In 2012 Tennessee passed a law prohibiting a principal from challenging the teacher's decision to remove a student because of threatening or persistently disruptive behavior.
- ▶ In 18 statesⁱⁱⁱ and D.C. only principals have the authority to suspend and/or expel a student. Eight other states^{iv} give that authority to teachers and principals.

ⁱ AK, AZ, CO, CT, GA, IA, KY, NE, NV, NC, OH, SC, WA, WV

ⁱⁱ CA, CO, DE, IL, IN, LA, MD, MI, MS, MT, NV, NY, OH, PA, TX, VA, WA, WV, WI

ⁱⁱⁱ FL, HI, ID, IN, MA, MI, MT, NE, NJ, NY, NC, PA, RI, SC, SD, TN, UT, VA

^{iv} AR, FL, MT, NY, SC, TX, VA, WY

Since 2011, five states (California, Colorado, Maryland, North Carolina, and Oregon) have passed laws to end or greatly reduce out-of-school suspension or expulsion.

Some examples of other states that have updated their zero-tolerance policies are as follows:

On August 12, 2014 the **Michigan State Board of Education** unanimously adopted the “[Model Code of Student Conduct 2014](#),”³¹ which had not been updated since 2001. The Code articulates the importance of integrating proactive steps of evidenced-based, pro-social development practices into the school culture and sustaining them as vital elements of the school operations. The Code’s objectives are to keep students in school and engaged in the learning process. The Michigan State Board of Education “strongly urges school districts to review zero-tolerance policies and adopt practices that allow educators to adopt disciplinary matters as opportunities for learning instead of punishment.” The 42-page document provides useful resources, due process procedures, definitions for disciplinary actions, and guidance to school districts when violations of the code of student conduct occur and for school community response. It also includes model policies for student searches, as well as sample forms and notices.

Delaware passed [legislation](#)³² in 2009 amending the zero-tolerance provision of the law to allow school boards the discretion not to expel a child that committed a zero-tolerance offense or to modify the terms of expulsions.

Florida amended its [zero-tolerance law](#)³³ in 2009 to state that, “zero-tolerance policies are not intended to be rigorously applied to petty acts of misconduct and misdemeanors, including but not limited to minor fights or disturbances.”

Several states emphasize prevention to avoid discipline and behavioral issues. Three states (**Arkansas, West Virginia, and Wyoming**) and **D.C.** have prevention and intervention provisions; **Colorado** implemented restorative justice programs; and **Oklahoma** provides mental health counseling and social services. Recent changes in state law to support students and prevent disruptions in schools include the following:

Illinois passed legislation in 2014 that requires all publicly-funded schools to report data on the issuance of out-of-school suspensions, expulsions, and removals to alternative settings in lieu of another disciplinary action. Illinois school districts that are identified in the top 20% in the use of suspensions, expulsions or racial disproportionality would have to submit an improvement plan.

Indiana passed [HB 1107](#)³⁴ in 2011 allowing the juvenile court to appoint an early intervention advocate for at-risk children who can develop an individualized plan that can include services such as counseling, tutoring, and mentoring for a child.

Louisiana passed [legislation](#)³⁵ in 2010 requiring that the school master plans in various localities prepare and include provisions for staff and administrator training on positive school behavioral supports and practices.

Nebraska passed legislation in 2010 providing for early intervention with at-risk children and families, focusing on parental involvement, school attendance, and alternatives to detention.

Rhode Island passed legislation in 2011 for the establishment of recovery high schools for students with drug addictions, to combine treatment with educational opportunities. More than 76% of enrolled students completed the year, and increased attendance rate by 263%.³⁶

COMMON ARGUMENTS FOR ZERO TOLERANCE IN SCHOOLS

- ▶ Zero-tolerance policies hold kids and families accountable for their actions. More discipline is a good way to get kids to pay attention.
- ▶ Zero-tolerance policies eliminate distractions in the classroom, allowing all children to learn.
- ▶ Zero-tolerance policies increase safety in schools, and give teachers more control in classrooms.
- ▶ Zero-tolerance policies provide a last resort for the most extreme and dangerous behavioral cases.
- ▶ In the case of extreme negative student behavior, zero-tolerance policy is one of many tools that can be leveraged to address incidents of student behavior, and can be complemented by policy and holistic services to address the origin of student behavior.

COMMON ARGUMENTS AGAINST ZERO TOLERANCE IN SCHOOLS

- ▶ Zero-tolerance is a major contributor to the “school-to-prison pipeline.” These policies push students out of constructive school environments into the legal system and the weight of a potentially permanent criminal record. They have a devastating effect on graduation rates for students involved.
- ▶ Since students are referred to the justice system, often increase distrust of police.
- ▶ Everyone deserves an education. Students who are suspended or expelled are more likely to fall out of the education system.
- ▶ Zero-tolerance policies are not being applied equally to all children. Several studies have found significant racial disparities in student suspension and expulsion.
- ▶ Zero-tolerance policies contribute to an increasing rate of suspensions and expulsions throughout the country, even though school violence rates have been stable or declining.
- ▶ Zero-tolerance policies have an overall negative effect on students:
 - ▶ The most likely consequence of suspension is additional suspension; high rates of repeat suspensions indicate suspension is ineffective in changing behavior for challenging students.
 - ▶ Zero-tolerance policies result in a greater negative impact on educational outcomes for students with disabilities.
 - ▶ The repeated use of suspension and expulsion increases dropout rates.



ZERO-TOLERANCE POLICIES IN OHIO

Ohio's zero-tolerance policies were instituted in 1998 adopting "a policy of zero-tolerance for violent, disruptive, or inappropriate behavior." Ohio legislators are riding a national wave of efforts to remove zero-tolerance policies and to implement alternative strategies. The House and the Senate took up the issue in 2014, and proposed different bills, both of which died at the end of 2014.

Changes in [HB 334](#) would have given Ohio schools authority to expel, for up to 180 days, students who pose an "imminent and severe endangerment to the health and safety" of other students or employees. There were several critics of the House Bill including Legal Aid of Western Ohio, members of the American Academy of Pediatrics, Ohio Children's Law Center, and the Ohio Federation of Teachers. They argued that the legislation would not improve schools safety, there should be greater definition on "imminent and severe endangerment," and it would take already troubled students out of schools that serve as a supportive safety net. The Buckeye Association of School Administrators, Ohio School Boards Association, and the Ohio Association of School Business Officials supported House Bill 334.

Proposed changes in [SB 167](#) would have eliminated zero-tolerance school policies for violent, disruptive, or inappropriate student behavior, including excessive truancy, and prohibits the adoption of such policies in the future. The Senate bill would have placed additional responsibility on the local district by requiring each school district to create its own policy to deal with incidents based on many factors prior to suspension or expulsion. It also required school boards to create alternative

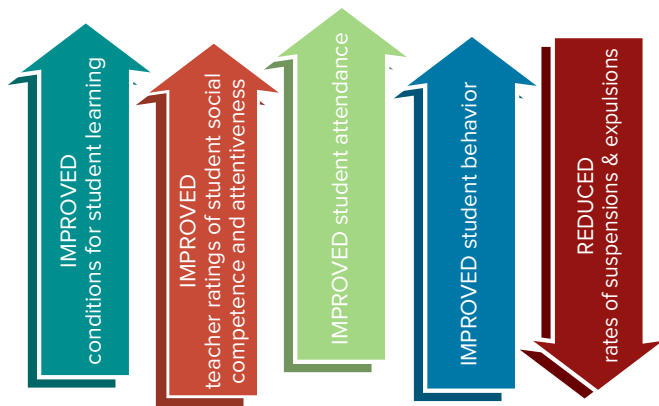
strategies (prevention, intervention, restorative justice, peer mediation, and counseling) to address student behavioral problems and to handle bullying and harassment. Yet the bill did little to assist school districts in making those changes.

There were fewer critics of the Senate legislation, who argued that the legislation should have provided greater definition of "restorative justice" and take a closer look at how it would affect other disciplinary measures. Some were concerned that without additional guidance, proper training, and financial support for administrators and teachers in the schools, the implementation of the new legislation would adversely affect many students.

There are many organizations in Ohio that support changes to zero-tolerance policies. For example, the [ACLU Ohio](#) recently commented on the introduction of SB 167, stating that, "Currently, school districts are required by law to implement zero-tolerance policies; SB 167 gives discretion back to teachers and school administrators in determining appropriate disciplinary action toward students. The ACLU of Ohio opposes zero-tolerance policies because they promote harsh and often uncalled-for punishment, treating all infractions equally regardless of the underlying misbehavior. Such policies criminalize minor incidents of misconduct, pushing students out of their schools and into the juvenile or criminal justice systems. These students then face the lasting effects of having severe punishments on their permanent records and falling behind in their education. These policies have also been shown to disproportionately affect children with disabilities as well as children of color."

A recent [issue brief](#)³⁷ published by the [Ohio Poverty Law Center](#) and [Children's Defense Fund Ohio](#) states that, "Since the advent of zero-tolerance school discipline in the late 1990s, disability, economic, and race disparities in discipline rates in Ohio have skyrocketed. Moreover, these negative outcomes have come without a boost in school safety or improvement in students' overall academic performance." In an [interview with the National Rifle Association](#)³⁸ in March 2014, the Buckeye Firearms Association called for "common sense" discipline, and bipartisan support on the proposed changes to zero-tolerance policies.

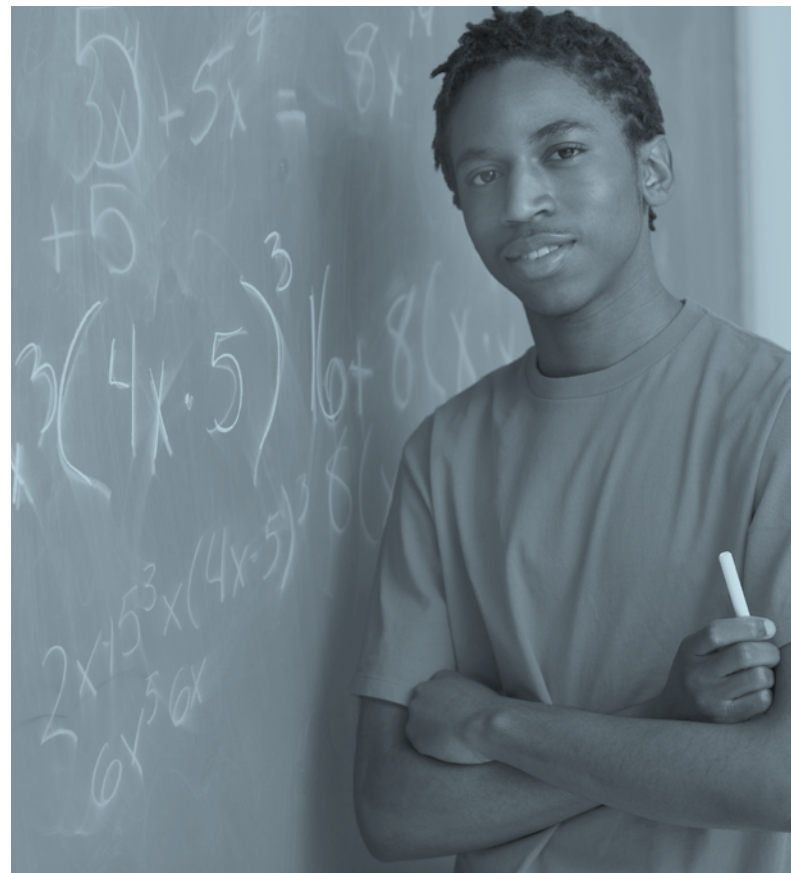
5 KEY FINDINGS:



In 2008, The Cleveland Metropolitan School District (CMSD) recognized the need for changes to their discipline policies and brought together a diverse set of stakeholders, including the Cleveland School Board, CEO of Cleveland Schools, Cleveland's Mayor, Cleveland Teachers Union (CTU), multiple principals from various schools, The Cleveland Foundation, American Institutes for Research (AIR), local newspapers, [CASEL \(Collaborative for Academic, Social, and Emotional Learning\)](#), and Humanware Advisory Team (school psychologists, intervention experts, safety and security officials, CEO of Cleveland Schools). This group identified a common goal to change student behavior to reduce school violence. Since then, CMSD has adopted and implemented the following three strategies:

- 1) [Social and Emotional Learning \(SEL\)](#), through a universal, evidence-based program, [Promoting Alternative Thinking Strategies \(PATH\)](#) in K-5 settings that help students to understand, regulate, and express emotions;
- 2) Student support teams to respond to early warning signs of disruptive behavior; and
- 3) Planning centers, which replace punitive in-school suspension and provide learner-centered supports and interventions for students, teachers, and families. An evaluation of this work was published in 2015.³⁹

Even with these positive changes, however, the evaluation found disparities still remain, with Black and Latino students more often experiencing suspension or expulsion than their White peers. These persistent disparities suggest to researchers that while the base rates of disciplinary incidents and the harm caused by suspension and expulsion has decreased, disciplinary action may be affected by bias and lack of understanding of behaviors grounded in a student's cultural background.



ALTERNATIVES TO ZERO-TOLERANCE

School districts and communities across the country have sought alternatives or revised policies that work in conjunction with zero-tolerance suspension and expulsion practices, including restorative justice, behavioral programs, and ways to engage parents and students in positive behaviors. Though these alternatives are gaining traction in districts across the country, widespread implementation has been challenging, as success requires community partnership and extensive training of teachers and administrators. Much of the dialogue surrounding this issue revolves around eliminating the policy, rather than understanding how the policy can be used in conjunction with or to complement other tools and approaches.

Some communities have opted to take a community partnership approach, bringing together diverse stakeholders, from court officials to parents, to determine appropriate discipline policies, and increase supports for students.⁴⁰ For example, stakeholders in Clayton County, GA, aim to limit the number of court referrals and have succeeded in revising the student code of conduct and implementing Effective Behavioral and Instructional Support (EBIS) and student support teams throughout the school district. Denver, CO, is shifting away from zero-tolerance policy in schools by phasing in alternatives, such as school-based restorative justice, behavior intervention plans, and changes to in-school suspension. In both of these communities the work is ongoing to address research-based supports and interventions in school; training and professional development for school staff, school resource officers, and staff of community agencies; the relationship between law enforcement and schools; changes to discipline policy and code of student conduct; and how partners work together.



Below are some examples of additional approaches and tools that may be used in conjunction with zero-tolerance policies.

RESTORATIVE JUSTICE

Restorative justice and other intensive interventions identify underlying reasons for disruptive behavior, assess the seriousness of threats of violence, and focus on the school-student relationship. Restorative justice techniques involve informal face-to-face meetings between victims and offenders. A structured dialogue emphasizes the students' obligation to repair the harm caused, and students are given opportunities to re-engage their classmates, teachers, and the wider school community. A number of [evidence-based strategies](#)⁴¹ have been developed to accomplish these goals.

TARGETED BEHAVIORAL SUPPORTS FOR AT-RISK STUDENTS

Targeted programs typically involve weekly activities to build social skills (listening skills, anger management, conflict resolution, etc.), with individualized behavioral support. They sometimes involve trusted family members. [The Reconnecting Youth Program](#)⁴² is designed for high school students and has been implemented in all 50 states. Other programs that fall into this category include Positive Adolescent Choices Training (PACT) and First Steps to Success.

CHARACTER EDUCATION AND SOCIAL-EMOTIONAL LEARNING PROGRAMS

Character education and social-emotional learning programs teach core values or help students learn skills to recognize and manage emotions, demonstrate care for others, and establish positive relationships. Many programs implemented in schools are small, but several evaluated programs can be found at the [U.S. Department of Education's Institute of Education Sciences What Works Clearinghouse](#).⁴³



POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS (PBIS)

[PBIS](#)⁴⁴ is used in more than 20,000 schools nationwide, using school-wide proactive strategies to encourage positive social behaviors, rather than focusing only on punishing negative behaviors. Behavioral expectations, and the ability to recognize and manage emotions and to problem solve, are taught to students just as other core curriculum subjects are taught. Emphasis is placed on a school climate that fosters social and academic growth and sense of community.

Results from PBIS programs are impressive. For example, a [2011 Virginia report](#)⁴⁵ by the Legal Aid Justice Center found that the state's PBIS program (Effective Schoolwide Discipline or ESD) saw significant reductions in disciplinary actions for general education and special education students (up to a 75% reduction in out-of-school suspensions for general education and 85.6% for special education students).

Results from PBIS programs are impressive. A 2011 Virginia report by the Legal Aid Justice Center found up to a 75% reduction in out-of-school suspensions for general education and 85.6% for special education students.

The report also suggests that the state should use incentives to reward schools that reduce disciplinary referrals, suspension, and expulsion.

PBIS is being incorporated into many state-level efforts to eliminate zero-tolerance policies. In

2007, the Georgia Department of Education Division for Special Education Services established the PBIS Unit. In 2014 the PBIS unit, along with stakeholders, the legislature, and foundations, developed a [2014-2020 strategic plan](#)⁴⁶ that takes on school climate, and school safety and discipline issues, and includes goals and the expectation that school districts will implement PBIS frameworks statewide. In 2011, Georgia was the first state to include school climate as an indicator in its academic accountability system. Student survey data now includes a mental health index that is used in conjunction with attendance and discipline data to create School Climate Star Ratings. The Georgia Department of Education recommends and incents schools with low School Climate Star Ratings to implement PBIS. Included in the plan is training for school personnel, including School Resource Officers (SRO), so that PBIS can augment safety in the schools. In addition to the strategic plan, DOE revised the code of conduct to encourage school districts to match PBIS principles.

Schools can support state- or district-level PBIS policies with complementary training components such as the following:

- [Cognitive Behavioral Intervention for Trauma in Schools \(CBITS\)](#) trains school staff to manage students' behavior and use practical intervention techniques instead of calling the police. It is designed to reduce symptoms of post-traumatic stress disorder (PTSD), depression, and behavioral problems, and to improve functioning, grades, attendance, peer and parent support, and coping skills. School staff in Jefferson Parish, LA, were trained in this approach in 2008, and were able to reduce school arrests by 16 percent in a year.
- [Project Achieve](#)⁴⁷ offers evidence-based resources to help schools develop and implement PBIS.

POSITIVE APPROACHES BREED POSITIVE OUTCOMES

States, school districts, and advocates across the country seek community support to pursue holistic strategies that address non-academic needs of students. While the conversation continues around reducing the negative impact of zero-tolerance policies and closing the school-to-prison pipeline, examples like those shared in this paper present evidence that replacing purely punitive

By successfully limiting zero-tolerance policies to extreme cases and using alternative discipline policies, schools have seen out-of-school suspensions drop, graduation rates increase, and increased positive relationships within the school.

discipline programs with those that set positive expectations and provide needed supports may result in much more satisfactory outcomes – especially for those students currently facing disproportionate levels of punishment. By successfully limiting zero-tolerance policies to extreme cases and using alternative discipline policies, schools have seen out-of-school suspensions drop, graduation rates increase, and increased positive relationships within the school. By focusing on improved engagement in school and more positive perceptions of and interactions with the justice system, schools can help the most at-risk students prepare to lead positive, productive lives, while simultaneously ensuring safety and improved experiences for all students.



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