

## SB100 / P.A. 99-0456 STUDENT DISCIPLINE UPDATE

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Resilience Beats ACEs:  
Building Trauma-Sensitive Schools. June 2016



- ▶ Effective 9-15-2016
- ▶ Restrict suspensions and expulsions of students
- ▶ Expand non-exclusionary discipline
  - ▶ Positive interventions before discipline and interventions when there is an exclusion
- ▶ Expand professional development on adverse consequences of exclusion

PUBLIC ACT 99-0456 (SENATE BILL 100)

### ▶ Are we closing the school discipline gap?

- ▶ 2015 report

CENTER FOR CIVIL RIGHTS, UCLA

- ▶ A. 135,000
- ▶ B. 1.9 million
- ▶ C. 3.5 million

HOW MANY STUDENTS SUSPENDED IN 2011-12?

- ▶ A. 135,000 students expelled
- ▶ B. 1.9 million students suspended just once
- ▶ C. 3.5 million total students suspended

- ▶ Total = 18 million days of instruction lost

HOW MANY STUDENTS SUSPENDED IN 2011-12?

- ▶ 2,400 expulsions
- ▶ 272,000 out of school suspensions (OSS)
- ▶ 10,000 arrests

- ▶ 1 million instructional days lost

ILLINOIS [WWW.VOYCEPROJECT.ORG](http://WWW.VOYCEPROJECT.ORG)

*But Wait...*  
**THERE'S MORE!**

**It gets worse**

Demographic	Elementary (%)	Secondary (%)
All	2.6%	10.1%
American Indian	2.9%	11.9%
Hawaiian/Pac. Isl.	1.2%	7.3%
Asian	0.5%	2.5%
Black	7.6%	23.2%
Latino	2.1%	10.8%
White	1.6%	6.7%
English Learner	1.5%	11%
With Disabilities	5.4%	18.1%

NEARLY 1 IN 4 AFRICAN-AMERICAN SECONDARY STUDENTS  
NEARLY 1 IN 5 STUDENTS WITH DISABILITIES  
LOST EDUCATION DAYS DUE TO SUSPENSIONS

Center for Civil Rights: Are we closing the gap?

Year	Black (%)	Latino (%)	White (%)
1972-73	6%	3%	3%
1988-89	10%	5%	5%
2000-01	13%	6%	5%
2003-04	15%	7%	5%
2005-6	15%	7%	5%
2009-10	16%	7%	4%
2011-12	16%	7%	5%

Center for Civil Rights: Are we closing the gap?

Demographic	Female Elementary (%)	Male Elementary (%)	Female Secondary (%)	Male Secondary (%)
Latino	1.9%	6.0%	12.1%	23.2%
White	1.1%	4.8%	7.3%	16.2%
Black	5.6%	13.7%	22.5%	33.8%
All	2.2%	6.8%	11.7%	21.4%

Center for Civil Rights: Are we closing the gap?

**Expulsions**

- Traditional
- LGBT low
- LGBT high

**In juvenile justice system**

Category	LGBT (%)	Total (%)
% student pop	~10%	~100%
% juv. Justice	~10%	~100%

HIMMELSTEIN & BRÜCKNER, AMER ASSN PEDIATRICS JOURNAL, JAN 2011  
LGBT 1.25X TO 3X GREATER CHANCE OF EXPULSION

HUNT & MOODIE-MILLS, CENTER FOR AMERICAN PROGRESS, 2012:  
5-7% OF STUDENTS IN JUVENILE JUSTICE SYSTEM; 13-15% OF LGBT YOUTH

Center for Civil Rights: Are we closing the gap?

“ MORE DISTRICTS ARE ON THE LOW END OF THE SUSPENSION SPECTRUM THAN AT THE HIGH END. . .

BECAUSE THE DISTRIBUTION IS SO WIDE, WE FELT IT IS IMPERATIVE THAT EDUCATORS, PARENTS, POLICYMAKERS AND CIVIL RIGHTS ADVOCATES KNOW WHICH DISTRICTS ARE HIGH SUSPENDING AND WHICH ONES ARE MAKING IMPROVEMENTS

”

Center for Civil Rights: Are we closing the gap?

Table 4. Highest Suspending Districts at the Secondary Level (with change from 2009 to 2010)

District	State	OSS ALL	Trend for OSS Rates
CHLOKIA CUSD 187	IL	61.7%	+9.0
GREENVILLE PUBLIC SCHOOLS	MS	58.5%	+6.3
SOUTHFIELD PUBLIC SCHOOL DISTRICT	MI	57.2%	+22.5

Center for Civil Rights: Are we closing the gap?

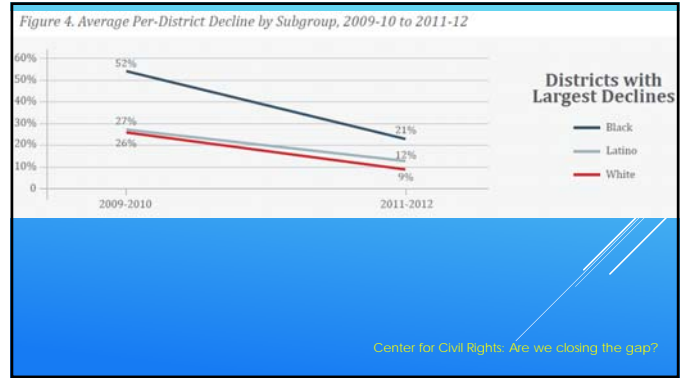


Table 10. Sample of the Most-Improved Large Districts, ALL Secondary Students

District	State	Suspension rate ALL 2009-2010	Suspension rate ALL 2011-12	Increase or decrease in suspension rate ALL since 2009-2010	Disaggregated Trend
SAGINAW CITY SCHOOL DISTRICT	MI	43.0%	28.5%	-14.5	Black -18 White -9 Latino -14
FORT WAYNE COMMUNITY SCHOOLS	IN	37.1%	22.3%	-14.8	Black -27 White -12 Latino -9
LANCASTER 01	SC	30.2%	14.4%	-15.8	Black -24 White -12 Latino -19
WICHITA	KS	24.4%	8.5%	-15.9	Black -27 White -11 Latino -14
PASQUOTANK COUNTY SCHOOLS	NC	21.1%	4.2%	-16.9	Black -24 White -12 Latino -11
HENRICO CO PBLIC SCHS	VA	31.0%	13.8%	-17.2	Black -29 White -8 Latino -15
BLOOM TWP HSD 206	IL	47.4%	24.9%	-22.5	Black -25 White -12 Latino -21

Center for Civil Rights: Are we closing the gap?

U.S. Departments of Education and Justice Release School Discipline Guidance Package to Enhance School Climate and Improve School Discipline Policies/Practices

JANUARY 8, 2014

Contact: U.S. Department of Education, Press Office, (202) 401-1576, [press@ed.gov](mailto:press@ed.gov)  
 U.S. Department of Justice, Press Office, (202) 514-2007, [press@ed.gov](mailto:press@ed.gov)

[www.ed.gov/school-discipline](http://www.ed.gov/school-discipline)

- ▶ Higher likelihood to repeat grade
- ▶ Increase chance of drop out
- ▶ Greater risk of "school-to-prison" pipeline

WHAT HAPPENS TO THE EXCLUDED STUDENT?

Council of State Governments: School Discipline Project 2014

- ▶ Act amends:
  - ▶ 10-20.14 – Discipline policies; parent-teacher advisory committee
  - ▶ 10-22.6 – Suspension or expulsion
  - ▶ And charter school and Chicago PS regulations

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- ▶ 1-3 day suspension
    - ▶ Determine continuing presence would pose a threat, or disruption &
    - ▶ Make all reasonable efforts to resolve threats, address disruptions, and minimize length of suspension
  - ▶ 4 day
    - ▶ Determine continuing presence would pose a threat, or substantial disruption & efforts to minimize suspension, AND
    - ▶ interventions have been exhausted
  - ▶ 5 – 10 day suspension
    - ▶ Above +
    - ▶ Provide appropriate and available support services
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- ▶ All suspensions must provide:
    - ▶ Make-up work,
    - ▶ Return-to-school plan;
    - ▶ Written decision why and rationale for length of suspension
    - ▶ Review rights
- P.A. 99-0456 -- SB 100

- ▶ All expulsions must meet requirements for long suspension:
  - ▶ Continuing threat or substantial disruption
  - ▶ Reasonable steps to minimize discipline
  - ▶ Exhaust interventions; AND
  - ▶ Provide support services.

EXPULSIONS (AND ALTERNATE PLACEMENT)

- ▶ Administrators can suspend up to 10 days
- ▶ Parental notice and review
- ▶ Expelled for up to 2 years for gross misconduct
- ▶ Can exclude from all school activities
- ▶ Suspend bus privileges (but if bus suspension only, provide opportunity to make up work)

NO CHANGE

- ▶ Student discipline policy revised and reissue by 9-15-16
- ▶ Eliminate Zero-Tolerance
- ▶ No disciplinary fines or fees
- ▶ Allow opportunity to make-up work missed during suspension
- ▶ Provide "appropriate & available" services for students with OSS >4 days
- ▶ Don't advise or encourage students to drop out due to behavioral or academic difficulties

WHAT NOW? WHAT NEXT?

- ▶ Teachers
- ▶ Staff
- ▶ Administrators
- ▶ School Board members
- ▶ School Resource Officers (SROs)

PROFESSIONAL DEVELOPMENT – WHO?

- ▶ Adverse consequences of school exclusion & law enforcement intervention
- ▶ Effective classroom management
- ▶ Restorative justice
- ▶ Discipline that promotes positive and healthy school climates
- ▶ Culturally responsive discipline

#### PROFESSIONAL DEVELOPMENT – WHAT?

- ▶ Local Association involvement in
  - ▶ Selecting topics
  - ▶ Presenting

#### PROFESSIONAL DEVELOPMENT – HOW?

- ▶ Law states reasonable efforts to provide on-going PD
- ▶ Local Association involvement in
  - ▶ Which groups get what training?
  - ▶ How often?

#### PROFESSIONAL DEVELOPMENT – WHEN?

- ▶ What is the role of the Association in drafting/reviewing/updating?
- ▶ How is “threat to school safety” defined? How will threats to staff be considered?
- ▶ Who is responsible for providing support services during OSS?
- ▶ What is staff responsibility to ensure students make up work missed during suspensions?

#### SCHOOL POLICIES – ASSOCIATION ROLE

- ▶ Parent-Teacher advisory committee MUST annually review discipline policy with Board
- ▶ Who appoints teachers?
- ▶ Other staff involved?
- ▶ What is the role/goal of staff? Organize

#### SCHOOL POLICIES – ADVISORY COMMITTEE

- ▶ Act encourages districts to create an MOU with local law enforcement
- ▶ How will officers be involved in schools?
- ▶ What records will be shared?
- ▶ How will interviews be conducted?
- ▶ Will local Association be involved in creating and reviewing the MOU?

#### LAW ENFORCEMENT MOU