

Discipline

Prepared for the BOE Work Session
November 5, 2018



Legislation

HB 740

- Passed in the [2018 Legislative Session](#)
- Amends Part 2 of Article 16 of Chapter 2 of Title 20 of O.C.G.A ([Code Section 20-2-742](#))

HB 740

- No student in public preschool through third grade shall be expelled or suspended from school for more than five consecutive or cumulative days during a school year without first receiving a multi-tiered system of supports, such as response to intervention, unless such student possessed a weapon, illegal drugs, or other dangerous instrument or such student's behavior endangers the physical safety of other students or school personnel.
- Multi-tiered system of supports or MTSS, a systemic, continuous-improvement framework in which data based problem-solving and decision making is practiced across all levels of the educational system for supporting students at multiple levels of intervention.

HB 740

- GaDOE Rule Making Process for HB 740:
 - Timeline:
 - September 2018 – Rule initiation
 - November 2018 – Public Hearing
 - November 2018 – Rule Adoption
- GaDOE Rule 160-4-8-.15 Student Discipline [documents](http://bit.ly/HB740) (<http://bit.ly/HB740>)

How Data is Reported

Student Safety Data Elements

Reported in Student Record in June

- Incidents
 - Type
 - Context
 - Location
- Actions
 - Action (Resolution)
 - Level of Severity
 - Number of days
 - Discipline Process

Incidents for Student Safety Reports

Harm to Person	Attendance Dress Code	Harm to Property	Cheating	Drugs Alcohol	Weapons	Sexual Offences	Other									
Battery	Attendance Related	Arson	Academic Dishonesty	Alcohol	Weapons – knife	Sexual Harassment	Continuation of incident									
Bullying	Dress Code Violations	Burglary		Drugs, except alcohol and tobacco	Weapons – other	Sexual Battery	Gang Related									
Fighting		Computer Trespass		Tobacco	Weapons – handgun	Sexual Offences	Possession of Unapproved Items									
Homicide		Larceny		Weapons – rifle	Other Firearms			Disorderly Conduct								
Kidnapping		Robbery								Other						
Threat/ intimidation		Theft vehicle											Repeated Offences			
Serious Bodily Injury		Theft														Student Incivility
		Vandalism														Trespassing

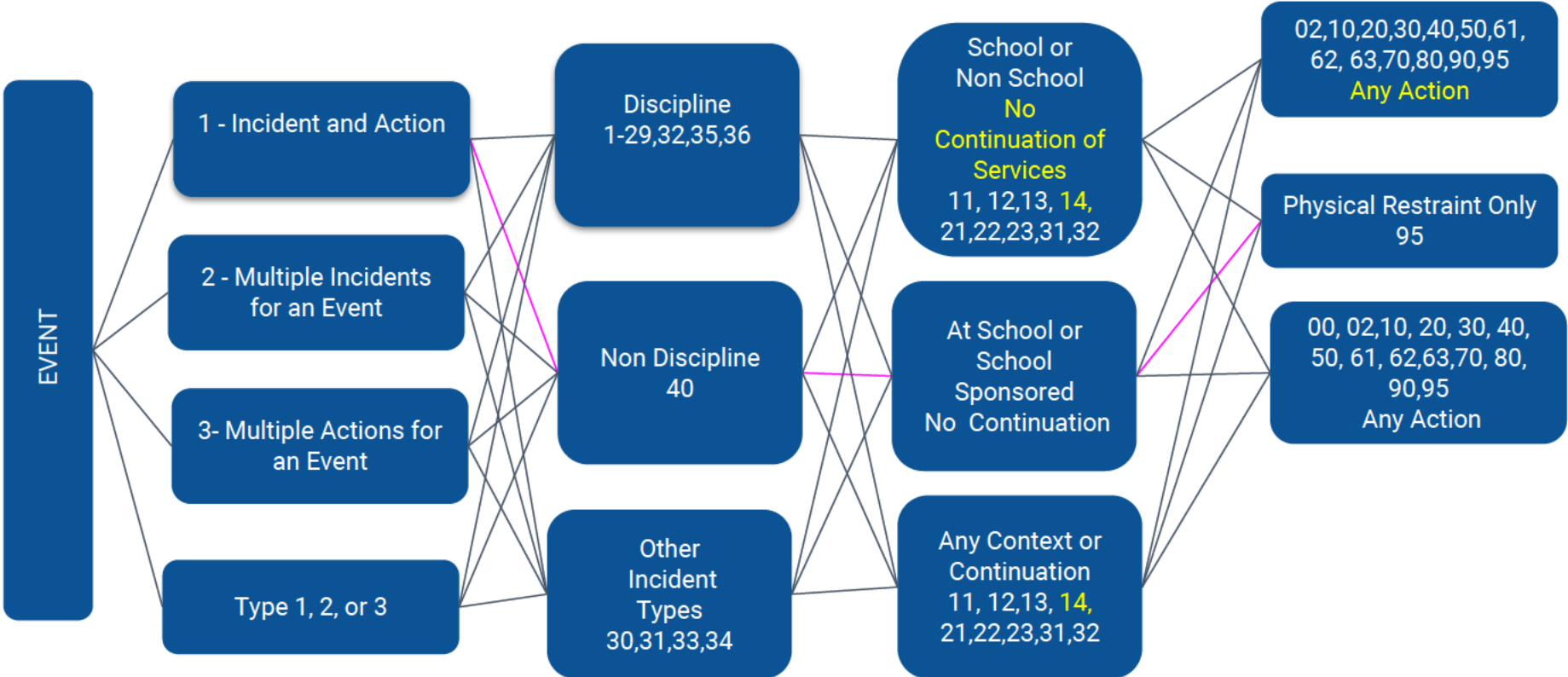
Actions for Student Safety Reports

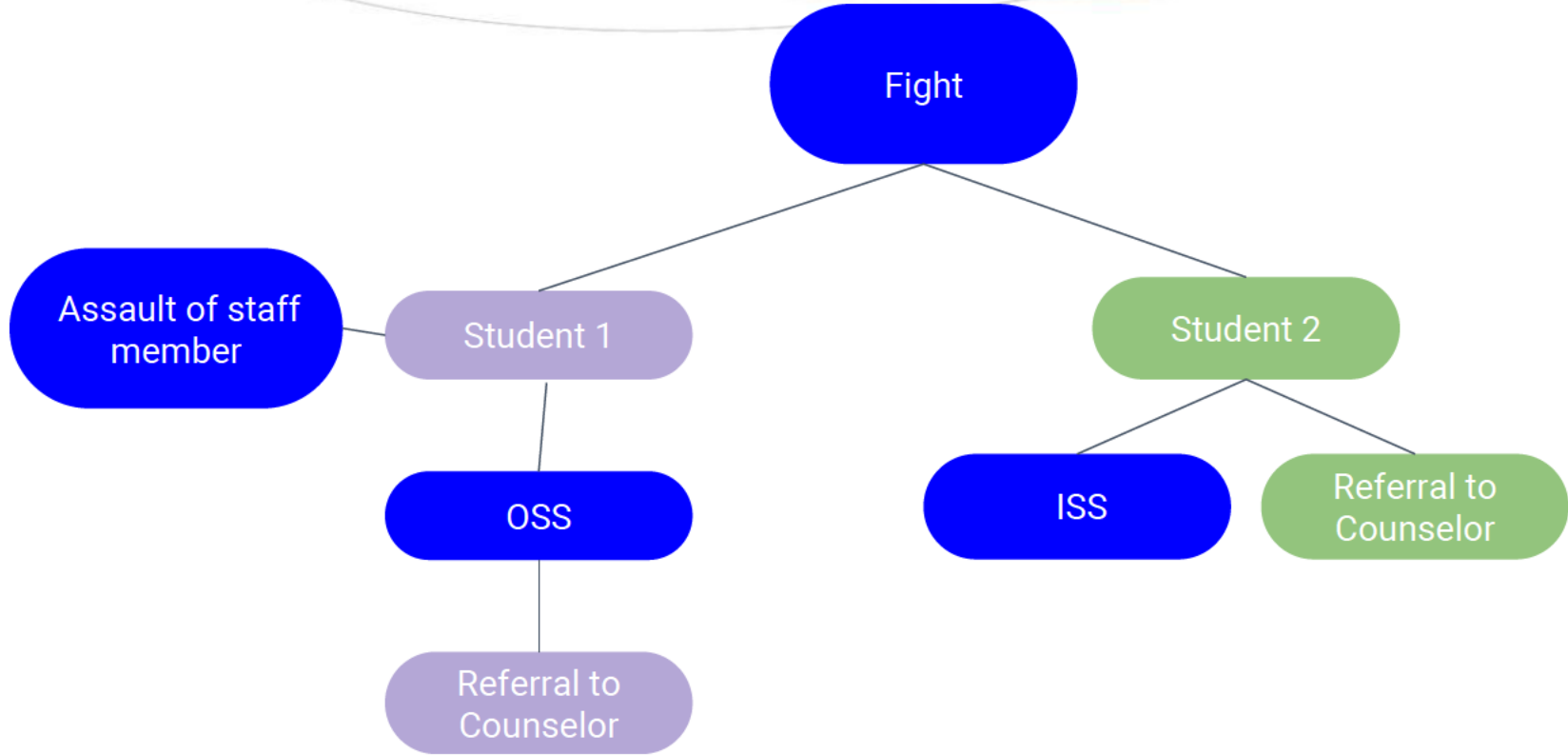
- Continuation of action
- Detention
- Corporal Punishment
- In School Suspension
- Out of School Suspension
- Expulsion
- Suspending from riding the bus
- Alternative School
- Juvenile or Court System Referral
- Other Action for Serious Incident
- Removed from Teachers Class at Teacher Request
- Physical Restraint

Incident and Action Codes

Incident Codes	Incident Codes	Action Codes
<p>'00' Continuation of Incident '01' - Alcohol '02' - Arson ' 03' - Battery '04' - Burglary '05' - Computer trespass '06' - Disorderly conduct ' "07' - Drugs, except alcohol and tobacco '08' - Fighting '09' - Homicide '10' - Kidnapping '11' - Larceny / theft '12' - Motor vehicle theft '13' - Robbery '14' - Sexual battery '15' - Sexual harassment '16' - Sex offenses '17' - Threat / intimidation '18' - Tobacco '19' - Trespassing '20' - Vandalism</p>	<p>'22' - Weapons – knife '23' - Weapons – other '24' - Other discipline incident '25' - Weapons – handgun '26' - Weapons – rifle '27' - Serious Bodily Injury '28' - Other Firearms '29' - Bullying 30' - OTHER - Attendance Related '31' - OTHER - Dress Code Violations '32' - Academic Dishonesty '33' - OTHER - Student Incivility '34' - OTHER - Possession of Unapproved Items '35' - Gang Related '36' - Repeated Offences '40' - Other Non-Disciplinary Incident</p>	<p>'10' - Corporal Punishment '20' - In School Suspension '30' - Out of School Suspension '40' - Expulsion ' 50' - Suspended from Riding the Bus. '61' - Assigned to Alternative School for Disruptive Students. ' 62' - Assigned to Other Alternative School for Non-disruptive Students. '63' - Assigned to Other Alternative School by Administrative Law Judge. '70' - Juvenile or Court System Referral. '80' - Other Action for a Serious Incident. '90'- Removed from class at Teachers Request pursuant to O.C.G.A 20-2-738. '95' - Physical Restraint</p>

Reportable Student Safety Data Element Diagram





The Data

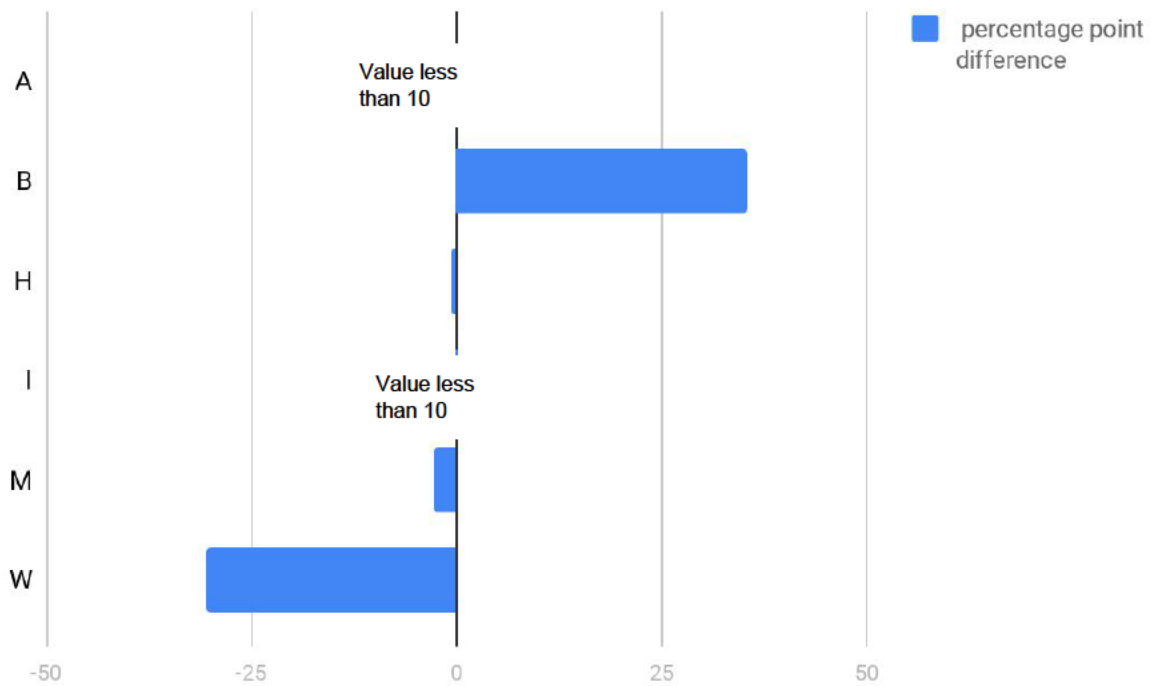


Disproportionality in Discipline 2015 -16

This graph shows unduplicated students.

Race	% of Enrolled Students	% of Unduplicated Students Disciplined
A	2.5%	Value less than 10
B	22.5%	58.0%
H	4.8%	4.1%
I	0.2%	Value less than 10
M	6.1%	3.4%
W	63.8	33.2%

FY16 Percent Difference Between Students Disciplined and Enrollment

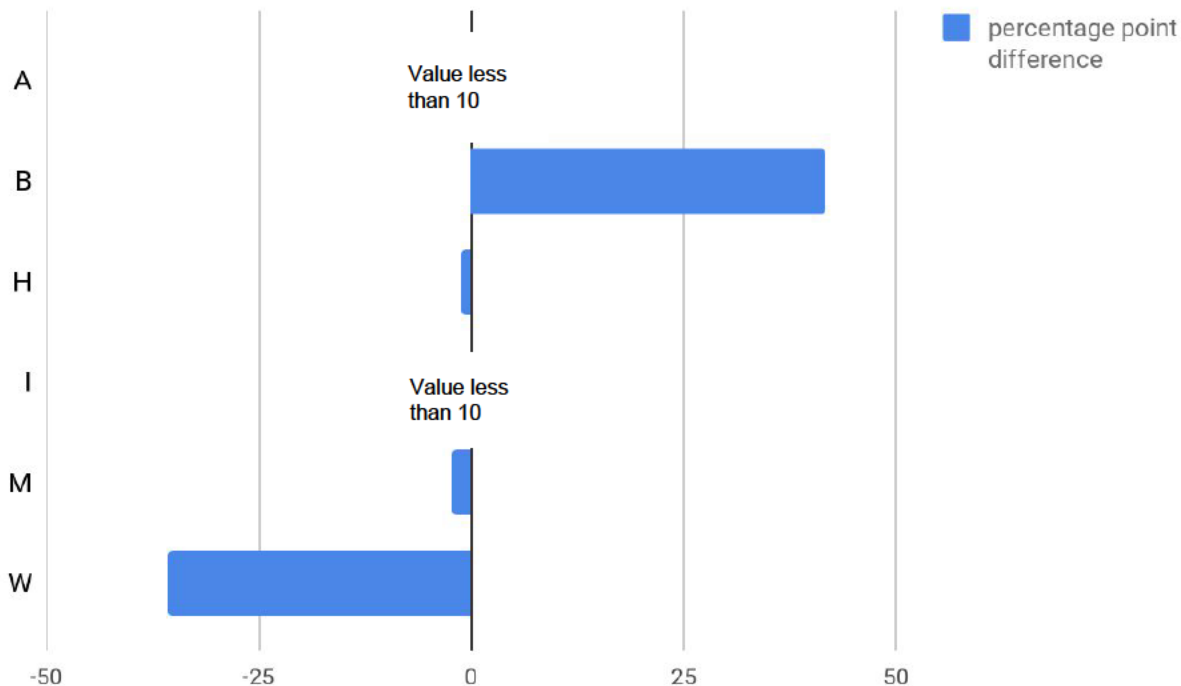


Disproportionality in Discipline 2016 -17

This graph shows unduplicated students.

Race	% Enrolled Students	% of Unduplicated Students Disciplined
A	3%	Value less than 10
B	21.5%	63.2%
H	4.5%	3.5%
I	0.2%	Value less than 10
M	6.7%	4.3%
W	61.1	28.4%

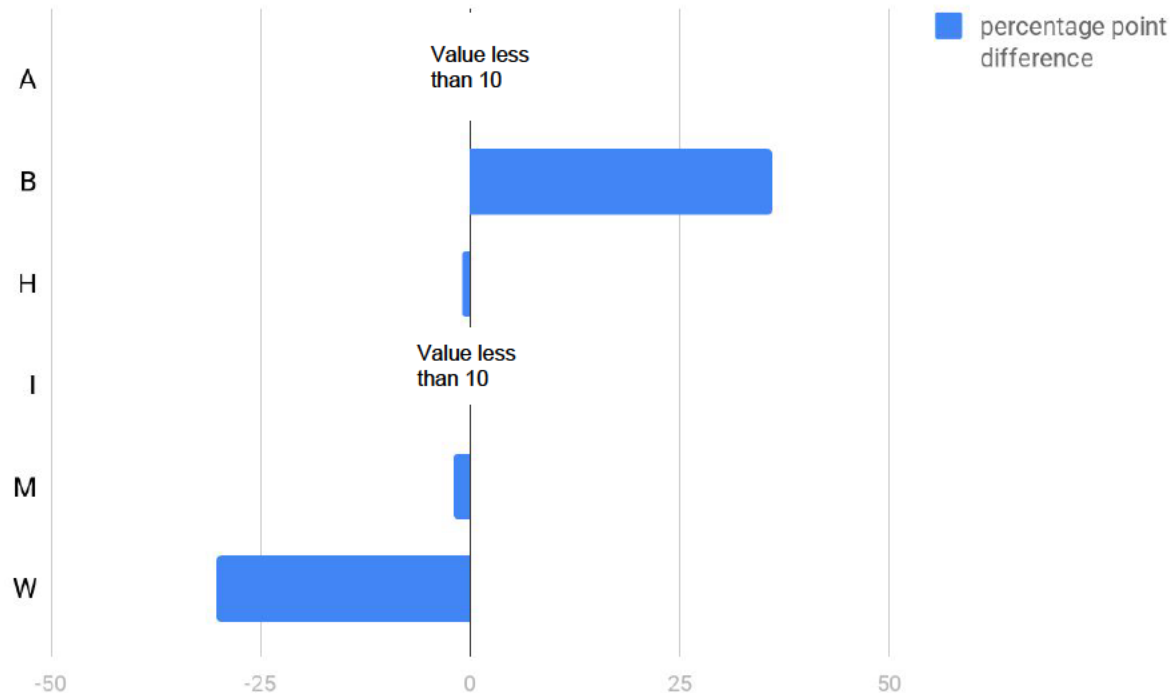
FY17 Percent Difference Between Students Disciplined and Enrollment



Disproportionality in Discipline 2017 -18

This graph shows unduplicated students.

FY18 Percent Difference Between Students Disciplined and Enrollment



Race	% Enrolled Students	% of Unduplicated Students Disciplined
A	3.4%	Value less than 10
B	21.0%	57.1%
H	4.3%	3.3%
I	0.2%	Value less than 10
M	7.0%	5.1%
W	64.1	33.8%

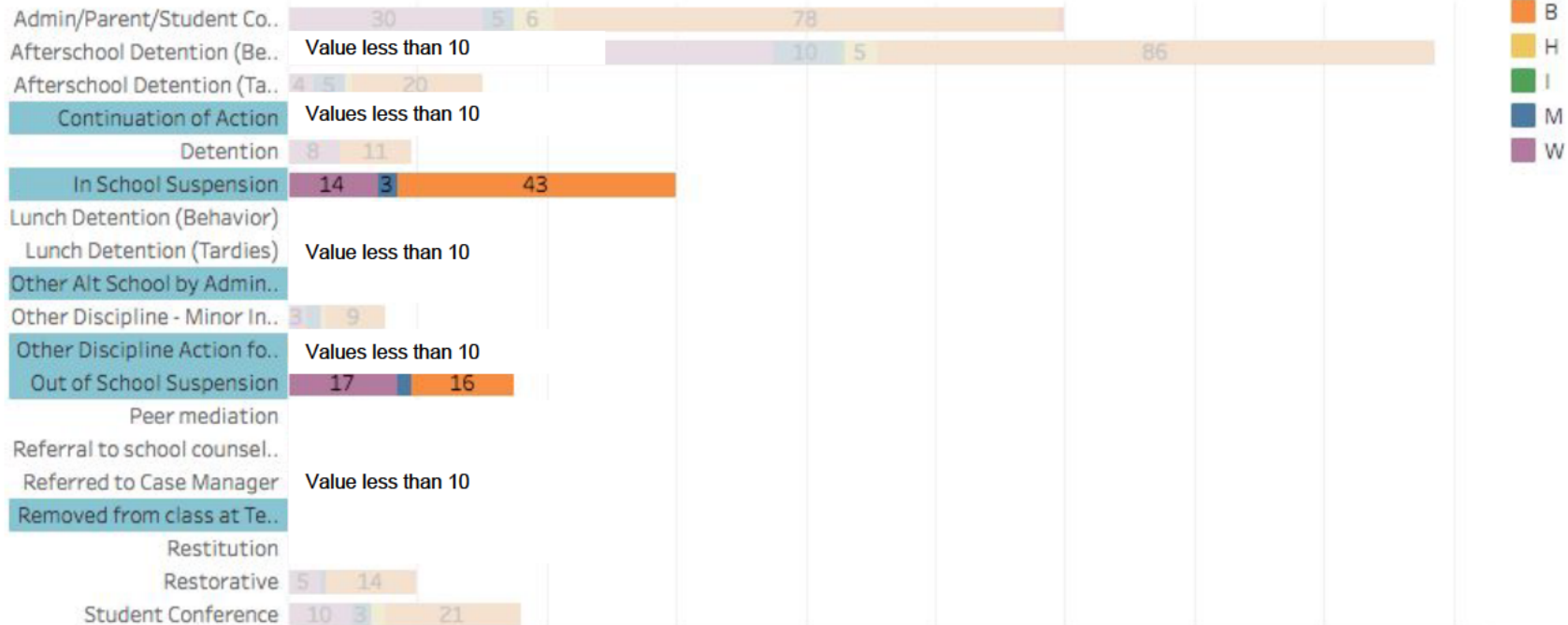
This table shows unduplicated students.

Is Disproportionality Improving?

Percent Point difference between Unduplicated Students Disciplined and Enrollment				
Race	FY15	FY16	FY 17	FY18
A	Values less than 10			
B	33.7%	35.5%	41.7%	36.1%
H	-1.4%	-0.7%	-1.1%	-1.0%
I	Values less than 10			
M	-0.5%	-2.8%	-2.3%	-1.9%
W	-31.8%	-30.6%	-35.7%	-30.2%

Count of Resolutions:
one student with
multiple resolutions will
show more than once

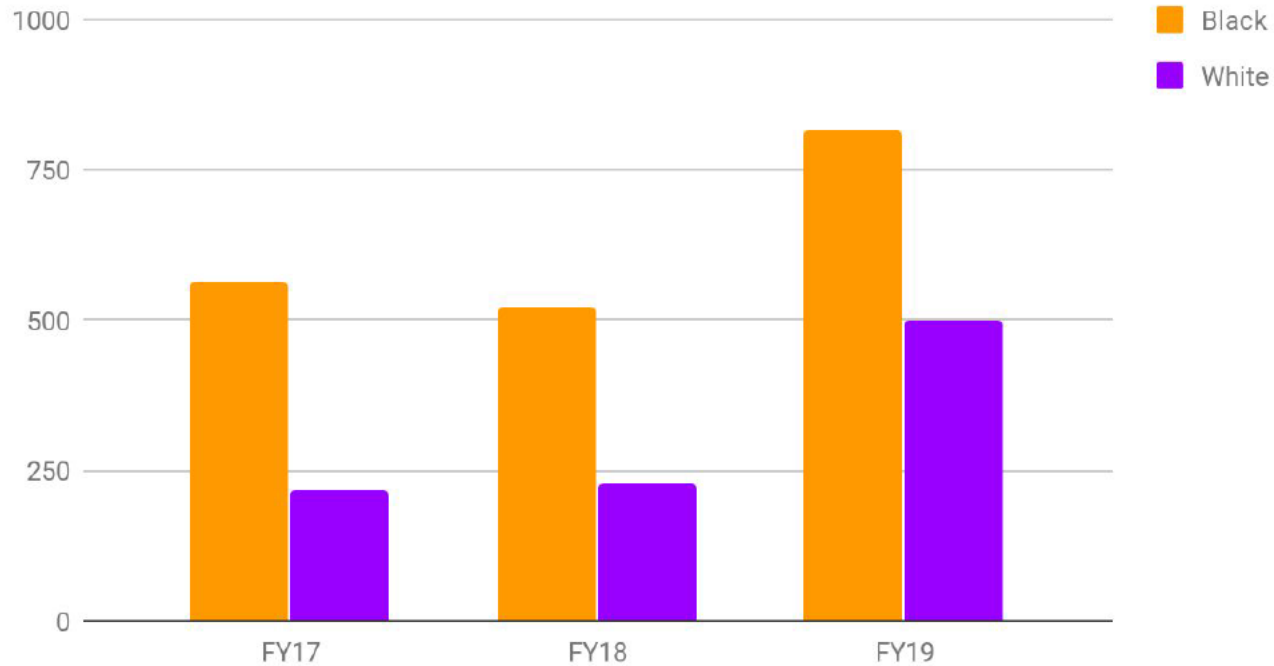
Resolution



This graph shows incidents.

Total Incidents by Race

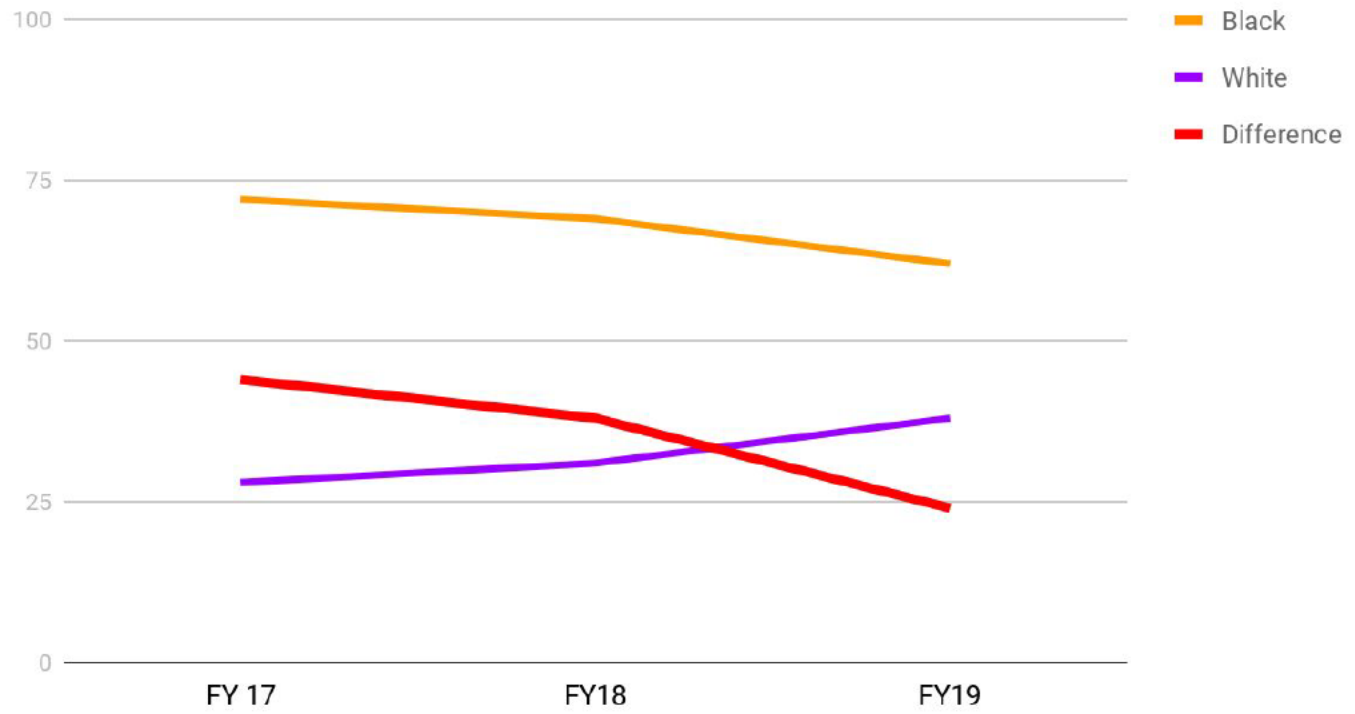
August, September and October



This graph shows incidents.

Difference Between Black and White Referrals

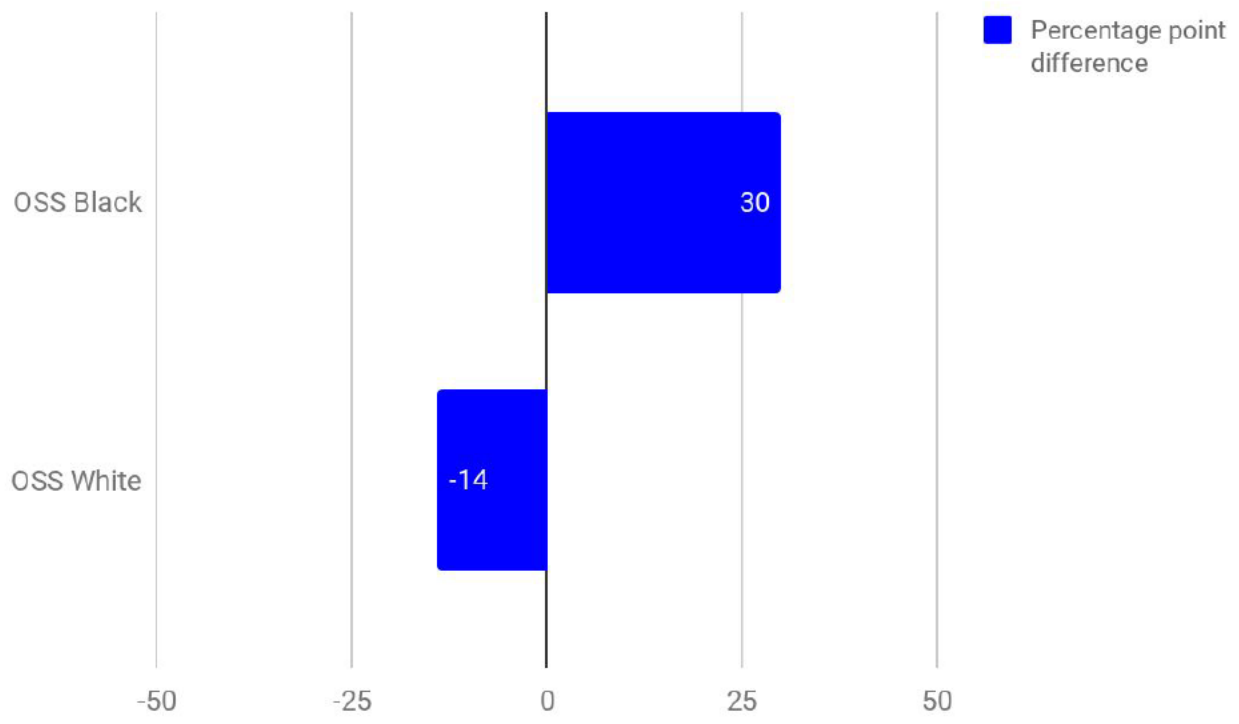
August, September, and October Percent of Black and White Referrals



This graph shows unduplicated students.

FY19 Percentage Difference OSS to Enrollment

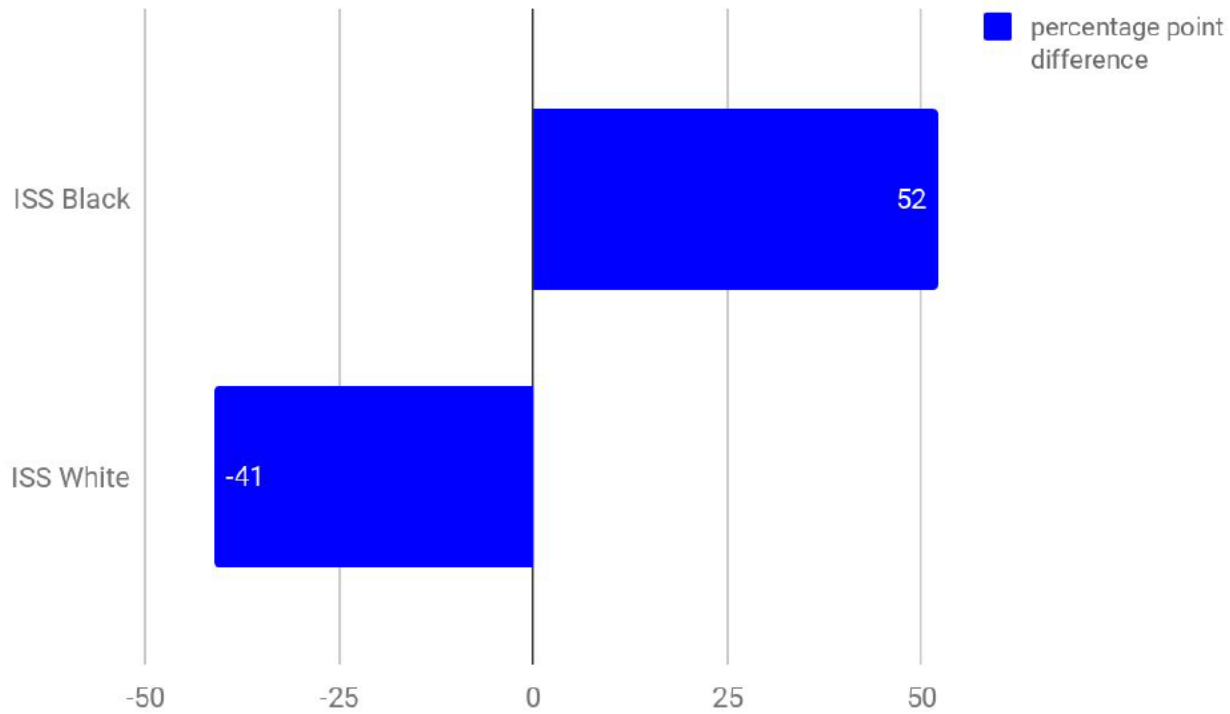
FY19 Percentage Difference Between OSS and Enrollment



This graph shows unduplicated students.

FY19 Percentage Difference ISS to Enrollment

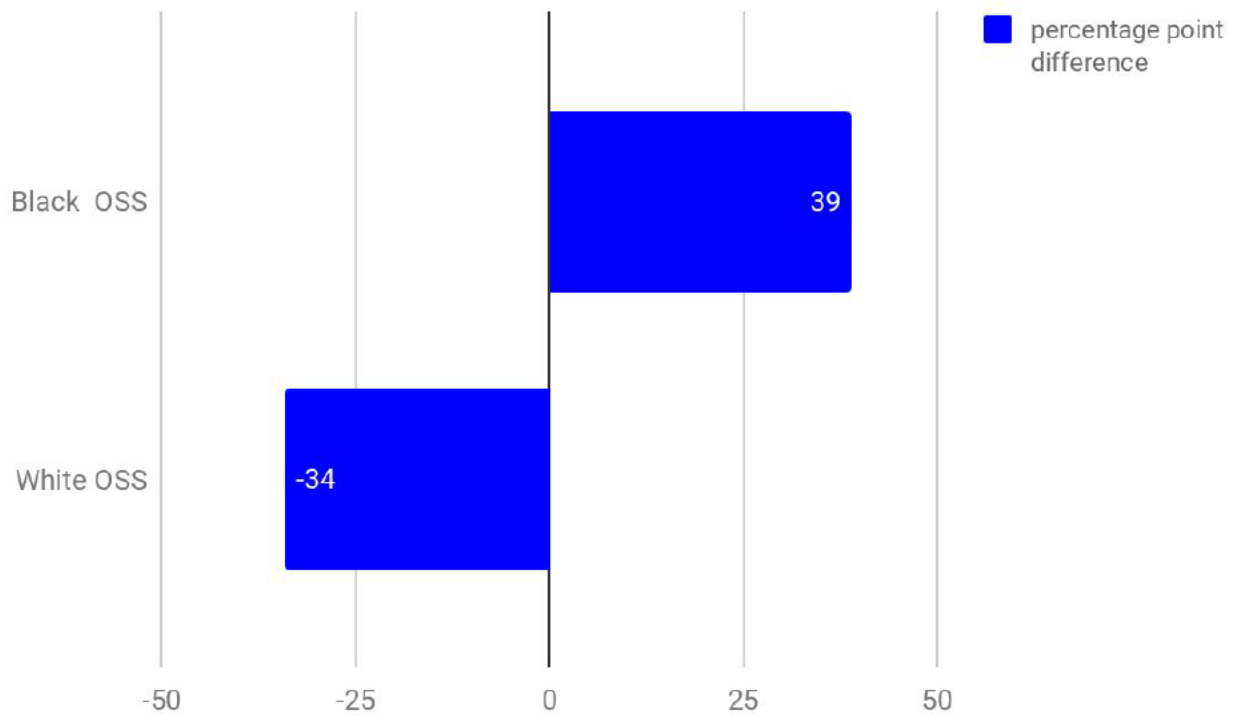
FY19 Percentage Difference Between ISS and Enrollment



This graph shows unduplicated students.

FY18 Percentage Difference OSS to Enrollment

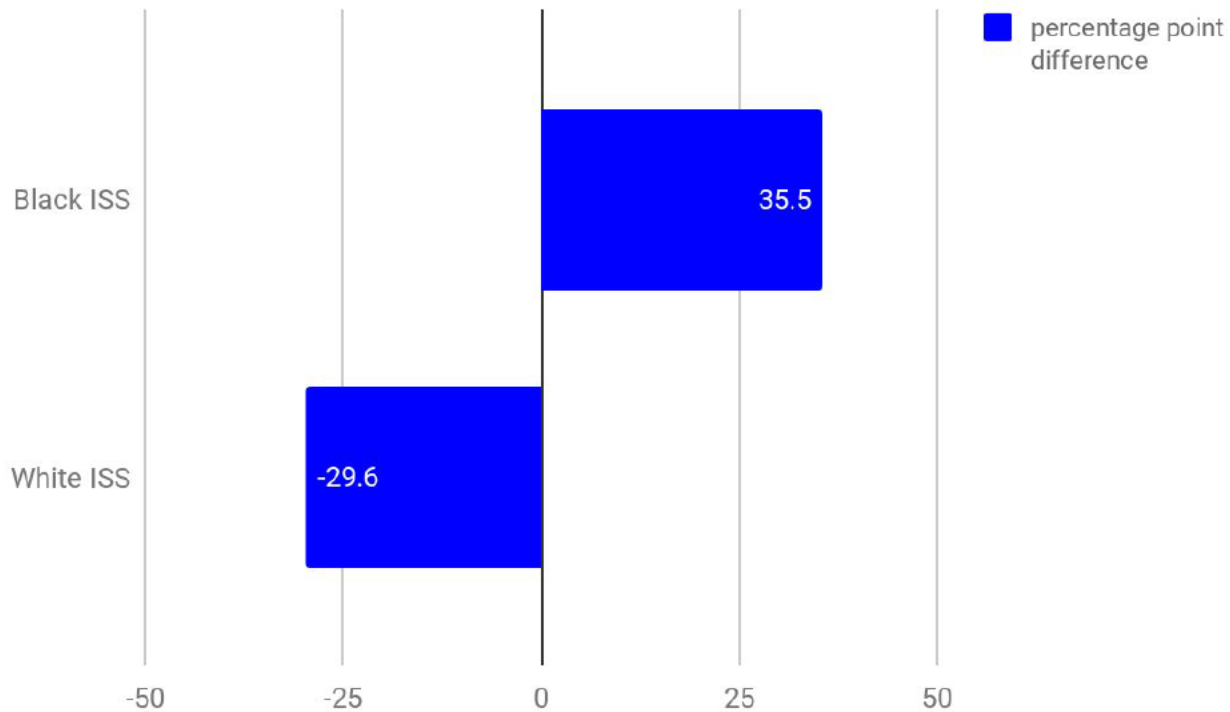
FY18 Percentage Difference Between OSS and Enrollment



This graph shows unduplicated students.

FY18 Percentage Difference ISS to Enrollment

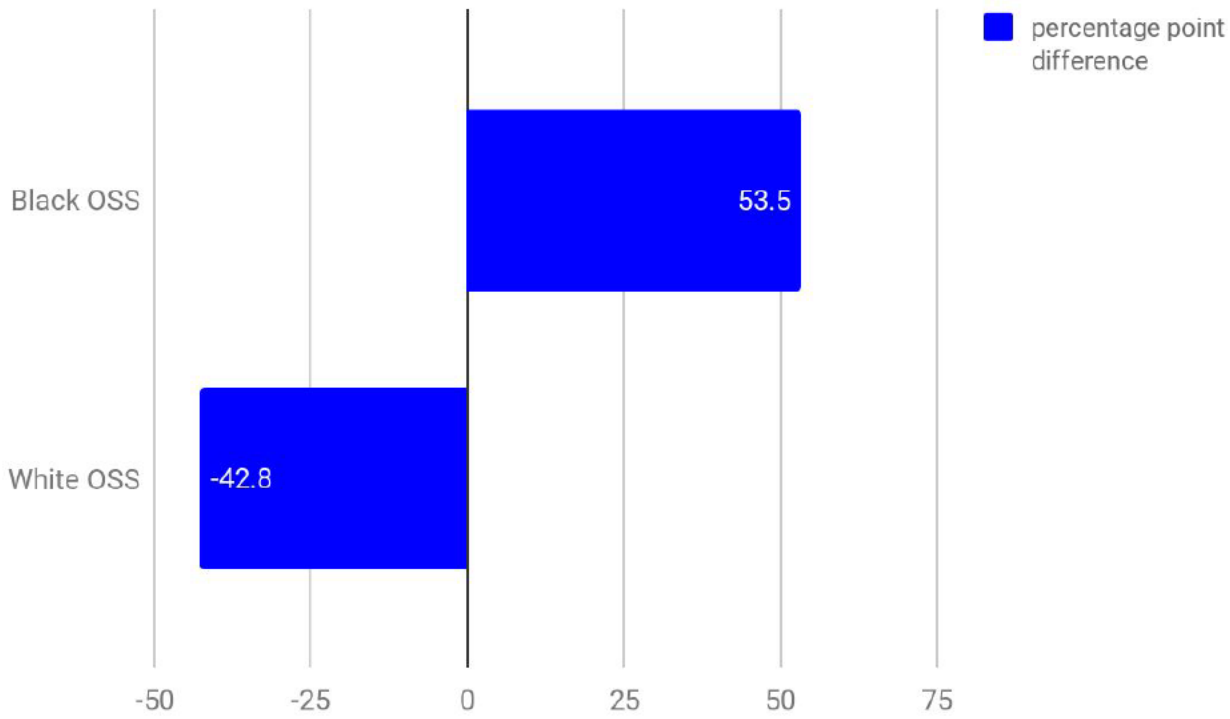
FY18 Percentage Difference Between ISS and Enrollment



This graph shows unduplicated students.

FY17 Percentage Difference OSS to Enrollment

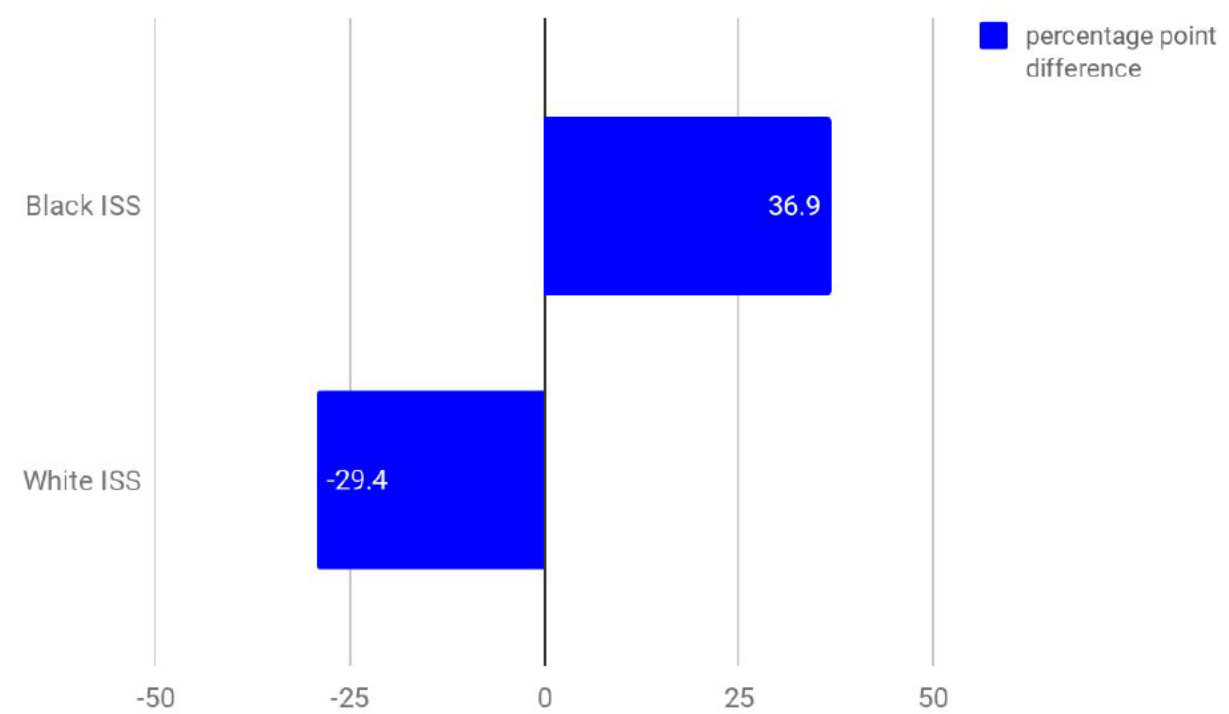
FY17 Percentage Difference Between OSS and Enrollment



This graph shows unduplicated students.

FY17 Percentage Difference ISS to Enrollment

FY 17 Percentage difference ISS to Enrollment



This table shows incidents.

FY19 Types of Events and Resolutions

	OSS	ISS	Detention	Other
Harm to Person	55%	50%	*	15%
Attendance/Dress Code	N/A	*	80%	39%
Harm to Property	N/A	N/A	N/A	*
Cheating	N/A	N/A	*	*
Drugs/Alcohol	42%	*	N/A	*
Weapons	*	*	*	*
Sexual Offences	*	N/A	N/A	N/A
Other	*	35%	*	57%

*between 0 and 10 students

These graphs show incidents.

Governor's Office of Student Achievement Discipline Dashboard

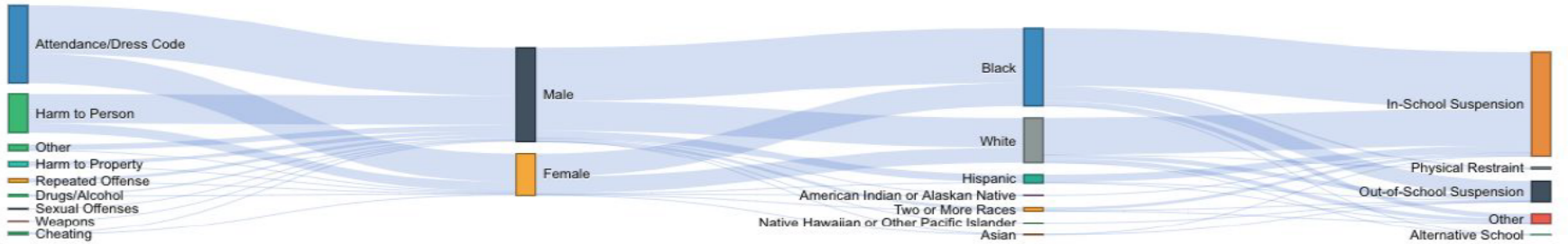
2017

Discipline Incidents and Consequences by Demographics



2016

Discipline Incidents and Consequences by Demographics



Data Issues

Data Issues

- The data is complex
- Many ways to look at the same data
- Complicating factors
 - One event can have multiple incidents
 - One incident can have multiple resolutions
 - One student can have multiple incidents
 - One incident can impact multiple students
- It is important to know what you are looking at and know when and why numbers may not add up.

Local Data Issues

- Write ups completed and correctly reported
 - Clerical Errors (end date missing, not marked complete)
 - Multiple incidents within the same event can get confusing
- Discrepancies between local record and reported information are hard to quantify.
 - We record all events in the same behavior module
 - The state reports do not have all the information disaggregated by race
- Local event names do not match state incident names
 - e.g. Locally - Rude and Disrespectful, State - student incivility
 - Over 80 local event names that coincide with the code of conduct Map to the 37 reportable codes or are not reportable.
 - The reportable are the more serious
 - Our local data tracks a wider variety of issues that occur

Student Code of Conduct Discretion Points and Recommendations



Equity Lens



Student Code of Conduct

1. Authority of Teachers and Administrators
 - a. Points of Discretion
 - b. Recommendations
2. Progressive Discipline Levels
 - a. Points of Discretion
 - b. Recommendations
3. Disciplinary Offences
 - a. Points of Discretion
 - b. Recommendations

Authority

Teacher Discretion = Classroom Management Plan

- What he/she considers “repeatedly and substantially” interferes with his/her ability to provide instruction

Administrator Discretion

- Decision to charge a student with a violation or not
- Decision of the severity of the consequence

Recommendations

1. Establish a district wide classroom management plan in a framework that provides a clear set of rules for students to follow and a clear progression of consequences.
2. Establish a protocol for administrators to follow when deciding to either apply a rule violation or not.

Progressive Discipline Levels

- Discretion of the administrator to make an appropriate judgment based on occurrences and/or recurrences of offenses
 - Level I Discipline
 - Minor acts of misconduct
 - If appropriate teacher intervention is unsuccessful, then refer to administrator
 - Consequences range from administrative conference to three days of OSS
 - Level II Discipline
 - Intermediate acts of misconduct: misconduct that threatens the health, safety, or wellbeing of others may result immediate suspension of the student, pending investigation.
 - Immediate referral to administration
 - Consequences range from three days of ISS, OSS or any combination of ISS/OSS

Progressive Discipline Levels

- Level III Discipline
 - Most serious acts of misconduct
 - Immediately reported to administration
 - May result in immediate suspension of the student, pending investigation
 - Consequences for Level III Disciplinary offences may result in long term suspension (i.e., a suspension of more than 10 days), alternative school, or expulsion.
- Rule 11: Sexual Misconduct (pg 13)
 - 11a - General Violation - Level I
 - 11b - Lewd Behavior - Level II
 - 11c Offenses involving touching of another - Level III

Recommendations

1. Clearly outline Majors v. Minors behavior offences to provide teachers with a clear understanding of which violations should be sent to administration verses which should be handled in the classroom
2. Provide explicit language about due process - suspending a student pending investigation is a violation of due process
3. Create a progression of levels for 1st, 2nd, 3rd offences to align with repeated offenses.
4. Create a K - 5 handbook and a 6 - 12 handbook with age appropriate options for consequences
5. Align the consequences with Restorative Practices and a logical sequence of increasing the number of days suspended

Disciplinary Offenses


1. Consequence level is not always clearly linked -- formatting issue
2. State Codes - the initial attempt was to align the CSD code of conduct with the state code. However the state code is constantly being changed and added to each year. This has caused our code to be confusing and not user friendly
3. Rule identification
 - a. Student makes a threat to shoot students and teachers
 - i. Rule 6 / 12 - Assault - Including threats of violence (pg 11-12 & 14)
 - ii. Rule 25: Improper Conduct (pg 18 - 19)
4. Rule 12: Battery (including fighting)
 - a. Rule 7 & 13
 - b. Definition of battery

Recommendations

1. Reorganize the code of conduct into General Rules and then add sub-rules
 - a. Combine Rule 1: Alcohol, Rule 2: Tobacco, and Rule 3: Drugs into one rule
 - i. **Rule 1: Drugs, Alcohol and Tobacco:** A student shall not be involved in any substance, drug, alcohol, or tobacco transaction, including, without limitation to buy, possess, sell, use, transmit, solicit; attempt to buy, possess, sell, use, or transmit; or be under the influence of The prohibited substances and behaviors include, but are not limited to, the following:
 - 1a. Alcoholic beverage or intoxicant of any kind;
 - 1b. Tobacco products;
 - 1c. Offering, requesting, and/or receiving of a substance;
 - 1d. Furnishing / providing / selling of a substance;
 - 1e. Other.

Recommendations

2. Create a quick reference card for discipline violations and levels
3. Create protocol for developing, maintaining, and implementing behavior agreements/compacts between parents, students and the school upon an accumulation of an agreed upon number of suspended days or incident
4. Use an alternative system for collecting discipline infractions



Discussion