

HEA Rep. Training Student Discipline & Assault Response Protocol March 6, 2023

Presented by: Elizabeth Beck, UniServ Director, WEA Rainier

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Student Discipline – Recent History

- **OSPI adopted student discipline rules in 2018 to meet the requirements of HB 1541 (2016).** The rules apply to all students, regardless of whether the students are eligible for special education services. The following were the major goals for the new legislation and rules:
 - Decrease the number of students excluded from instruction for behavior violations which research shows has a negative impact on student learning and generally does not address underlying behaviors. The rules require the use of best practices to support student behavior.
 - Make suspensions and expulsions a last option. The new rules eliminate zero tolerance policies (with the exception of a firearms violation) and bans the use of suspensions and expulsions for absences and tardies.
 - Allow for student, family and community input to discipline processes and ensure the due process rights of students. The rules also clarify that language access requirements under federal and state laws apply to parent notification and communication related to discipline procedures.
 - Address disproportionality in discipline by requiring districts to track and report student discipline data and adjust District policies and procedures accordingly.

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Student Discipline – Recent History, cont'd

- In 2018, HEA and HSD began to work together on a protocol to use to support both educators and students in cases where a student has assaulted a staff member.
 - This was a collaborative effort between HEA leadership and several HSD departments: Human Resources, Special Education and Public Policy.
 - The first [HEA/HSD Assault Response Protocol](#) was published in 2019, and it has been updated annually since.
- During this same time period, HSD began work on a student discipline matrix. HEA was consulted on the development of this matrix, but it was not an official joint project.
 - This matrix can be found on the District website under the area of Student Rights & Responsibilities: [Student Conduct Violations](#).
 - They have since added an additional page in this same section on [Student Discipline Definitions](#).

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Student Discipline – Recent History, cont'd

- In 2020, HEA and HSD negotiated significant changes to [CBA](#) Section 3.4, which had been previously called “Student Discipline.” We also created a Student behavior Support Joint Committee. The new Section title is Student Behavior Support. Underlying goals for these changes included:
 - Compliance with the 2018 OSPI Student Discipline rules, especially around reducing exclusionary discipline (suspensions and expulsions) and disproportionate discipline.
 - Increasing clarity around the legal and contractual rules for classrooms exclusions and follow-up.
 - Increasing focus on an approach to student discipline and student behavior support in a manner that is culturally-responsive and anti-racist.
 - Fostering systems within schools that promote positive student behavior while providing appropriate responses to disciplinary concerns and violent incidents consistent with district expectations and state law.

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Discipline and Punishment are not the same

- Discipline means to teach students how to behave in accordance with rules and increase the student's ability to self-regulate.
- Discipline is forward looking. *"How can I teach the student to behave differently in the future."*
- Punishment is synonymous with retribution.
- It implies actions which seek to cause suffering or embarrassment for behaviors that have already occurred, in the hopes that it will deter similar behavior in the future.

The actions of adults when trying to change or improve student behavior can have long-term positive or negative effects. Brain research supports the use of discipline rather than punishment.

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Highlights from Section 3.4 – Student Behavior Support

- ❑ Our goal in Highline is to support student behavior in a manner that is just, equitable, and intentionally anti-racist. This involves instructional practices and strong relationships with students, families and communities, as well as legal and appropriate responses to student discipline. (*Preamble*)
- ❑ At least one administrator (or designee) should be in the building at all times to support student behavior. (*Subsection A*)
- ❑ Classroom Exclusions will be handled consistent with state law and OSPI rules - more on this later. (*Subsection B*)
- ❑ All staff should confer at least once per year (twice is recommended) to develop and/or review building disciplinary standards and enforcement. (*Subsection C*)
- ❑ Administration will ensure staff members who need to be informed of student behavioral history, incidents, plans, etc. are informed. (*Subsection C*)
- ❑ Consistent with state law and OSPI rules, staff members may use reasonable physical force to prevent a student from harming themselves or others. Staff members can and should request assistance if a student needs to be removed from the classroom to protect the health and safety of others. (*Subsection D*)

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Highlights from Section 3.4 – Student Behavior Support

- ❑ Principals will ensure that each school has plans in place to address situations when a student needs to be de-escalated and/or students need to be removed from an instructional area to facilitate that de-escalation. (*Subsection D*)
- ❑ When disciplinary assistance is requested staff members will receive a response and assistance from the building administrator as soon as possible. (*Subsection E*)
- ❑ In the event of a need to transfer a student into a different classroom/school, the principal and/or counselor will communicate and collaborate with involved staff members. (*Subsection E*)
- ❑ No staff member shall be required to search a student's person or belongings (note: nor should they!). (*Subsection E*)
- ❑ The District will provide training to new teachers around Highline's approach to behavior support. (*Subsection E*)
- ❑ Other relevant/related CBA Sections:
 - Section 3.12 – Assault Response Protocol and Damage to personal Property
 - Section 4.14 – Assault Leave
 - Letter of Agreement – Student Behavior Support Team

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Classroom Exclusions – per CBA Section 3.4.B, OSPI rules, and District Policy

A **Classroom exclusion** means the exclusion of a student from a classroom or instructional or activity area for behavioral violations. Classroom exclusion does not include actions that result in missed instruction for a brief duration (fewer than 30 minutes) when the teacher or other staff is supporting the student in meeting behavioral expectations and the student is under the supervision of the teacher or other staff. Classroom exclusion also does not include times when a student removes themselves for self-regulation or when a student is removed as outlined in their behavior plan.

- Any certificated staff or administrator may remove a student from the classroom or instructional or activity area for violations of the district's code of conduct.
- Some other type of discipline must be attempted first, unless the student's presence poses an immediate and continuing danger or an immediate and continuing threat of substantial disruption.
- Removals may be administered for some or all of the school day; if longer than one school day the school must provide notice and due process for a suspension.
- The person who removed the student must report the removal to the principal/designee as soon as possible, or immediately if the removal was because of danger or threat of substantial disruption.
- The parent must be notified as soon as possible.
- If the removal was for danger or threat of substantial disruption the principal/designee must meet with the student as soon as reasonably possible and decide next steps.
- In no event without the consent of the teacher may an excluded student return to the class during the balance of that class or activity period or up to the following two days, unless the Principal/designee and the teacher have conferred.

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Classroom Exclusions – additional provisions per CBA Section 3.4.B

- Our CBA provides some additional provisions related to classroom exclusion:
 - Each School's Shared leadership will ensure that a system is developed and in place to identify priority referrals for conferring versus a referral where a conference is not requested. Priority referrals will include the opportunity for a written response upon request.
 - **IMPORTANT: This means that teachers should be able to communicate clearly when excluding a student whether it is acceptable to return the student once they are de-escalated, or whether a conference is being requested prior to returning the student.**
 - The "conferring" between the principal or designee and staff member should include an opportunity, if requested by the staff member, for a genuine dialogue at an educationally-appropriate time about the student's behavior and the steps already taken, and those necessary to be taken, to successfully restore positive educational relationships within the classroom. Restoring relationships may, in appropriate circumstances, require the inclusion of the student and/or other facilitators in the dialogue. In all cases, the parties have a joint goal to minimize the loss of instructional activity and content due to the classroom exclusion.
 - Students must be provided an opportunity to make up any work missed as a result of the exclusion (this is consistent with state law.)

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HSD Student Conduct Violation: Assault

WHAT IS AN ASSAULT?

Assault, Threat of:

The use of excessive physical force or threatening the use of physical force against a specific person or group of people, including use of a weapon or other instrument for the purpose of inflicting injury.

ASSAULT DISCIPLINARY MATRIX

	Elementary	Middle	High
Classroom Response			
School Response	X	X	X
In-School Suspension	X	X	X
Out-of-School Suspension Short-term Suspension	X	X	X
Out-of-School Suspension Long-term Suspension		X	X
Expulsion		X	X

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HEA/HSD Assault Response Protocol

Initial steps for the administrator are to ensure safety for all and assess everyone who needs to be contacted. Beyond that, the protocol outlines support for both staff and students.

SUPPORT FOR STAFF MEMBER

- Assist w/ medical attention and/or EAP
- Provide access to an HEA Rep if requested
- Inform re rights to contact law enforcement
- Contact administrator's supervisor
- Assist with paperwork (incident report, L&I, Title IX) and contacting HR re leaves or accommodations
- Investigate incident
- Follow CBA language re student's return to classroom (Sections 3.4, 3.12, 4.14)
- Keep staff member informed of actions taken to address the student's behavior

SUPPORT FOR STUDENT

- Provide student supervision until guardian or law enforcement arrive
- Assess level of risk and potential need for emergency discipline measures
- Determine whether student has an IEP or 504 plan and contact case manager or counselor as necessary
- Contact parent/guardian of student
- Investigate incident and follow district discipline procedures, incl. any additional procedures related to an IEP or 504, if needed
- Follow all CBA procedures prior to readmitting student to class (Sections 3.4, 3.12, 4.14)
- Ensure implementation of safety/behavior plan and debrief with staff/guardians as requested

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Q&A

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