Committee Members in attendance:
Alan Burke, Ed.D, *Office of Superintendent of Public Instruction*
Dr. James Smith, *Educational Opportunity Gap Oversight and Accountability Committee*
Edri Geiger, *Washington State School Directors' Association*
Jennifer Harris, *Office of the Education Ombuds*
Mia Williams, *Association of Washington School Principals*
Paul Alig, *TeamChild*
Rosemarie Search, *Washington Association of School Administrators*
Tim Stensager, *K-12 Data Governance Committee*
Tracy Sherman, *League of Education Voters*
Trevor Greene, *Association of Washington School Principals*
Za Vang, *Commission on Asian Pacific American Affairs*

Committee Members not in attendance:
Edward Prince, *Commission on African American Affairs*
Governor's Office of Indian Affairs *(TBD)*
Greg Williamson, *Office of Superintendent of Public Instruction*
Lillian Ortiz-Self, *Commission on Hispanic American Affairs*
Matt Vaeena, *Commission on Asian Pacific American Affairs*
Myra Johnson, *Washington Education Association*

Staff and Public in attendance:
Christie Perkins, *NWPBIS*
Heidi Maynard, *Washington State School Directors' Association*
Jenny Owre, *Office of Superintendent of Public Instruction*
Jerry Bender, *Association of Washington School Principals*
Katherine Taylor, *Senate Early Learning & K-12 Education Committee*
Kristin Hennessey, *Office of Superintendent of Public Instruction*
Lori Lynass, *NWPBIS*
Maria Flores, *Office of Superintendent of Public Instruction*
Marie Sullivan, *Washington State School Directors' Association*
Megan Eliasson, *Office of Superintendent of Public Instruction*
Scott Raub, *Office of Superintendent of Public Instruction*
Sheri Dunster, *Office of Superintendent of Public Instruction*
Tricia Hagerty, *Highline School District*

Introductions, agenda overview, and approval of meeting minutes
The meeting was called to order at 9:12 a.m. by OSPI facilitator, Maria Flores. The agenda items were reviewed and the November meeting minutes were approved.

Finalize Initial Recommendations for 2015-16 CEDARS Manual
Task Force members split into two groups to discuss final definitions from the homework.
Discussion:
- Feedback from WSSDA legal counsel regarding differentiation between major and minor. Concern with the outcome of singular definition being too similar to "other" category and having inaccurate data.

- Disaggregate by discipline offenses by location (classroom and non-classroom)
- Staff entering the data won't be thinking through the definitions with the same level of detail. Potential of misinterpreting "failure to cooperate."
- AWSP polled principals, which resulted in a 70/30 split for separate definitions
- Definitions should include other interventions. Good work is happening in our schools and it's not captured in state data.
- How do we explain to parents that a student is being suspended for a minor occurrence- just for repeated incidents? How do we bring the element of family into the equation?
- Students should not be suspended for "failure to cooperate" only in lawful circumstances.
- Regulation codes are written as guidance for people who need it. We should have confidence in administrators to do the right thing.
- Minor incidents will show disproportionality and repeated occurrences will be noticeable.
- Regulatory language should be consistent with language that already exists. However, language could be clarified as semantics are a challenge for parents.
- How do we structure a way to remove minor incidents and instead capture chronic minor incidents?
- We're trying to find out what "other" discipline is occurring. A single definition will still be unclear. We should make the definitions more clear to make sure they are in correct category.
- What does this process look like at the school level?
    - Teacher works through incident at the classroom level first of all.
    - Provide warning regarding what happened, how it was handled and potential consequences of future offenses.
    - We write a narrative that is provided at parent teacher conferences.
- District EDS manager updates CEDARS at least monthly (often weekly) from School Information System. We can sort at the state level, but it's still coming in a varied way.
- A concern with putting in data from each segment of the system and skewing the numbers from district to state.
- CEDARS is never seen at the school level. SIS could be unique for each district or between some schools within a district.
- Possible for schools to have multiple definitions per incident to choose from, district compiles this data from SIS into the categories of CEDARS.
- How do we get the best correlation between what kids are getting written up for and what ends up in our data system?
- We want a distinction between minor incidents (not safety issues) and those that may become safety issues. Using a distinction at CEDARS level in the title, specify major/minor.
- Building decisions that move upward- compiler will not be distinguishing between major and minor.
- Issues with consistency and credibility of data. District needs a tool to manage their disciplinary process.   Data is a supplement to whole issue- understanding and usability at district level.

Positive Behavioral Interventions and Supports

Dr. Lori Lynass, *NWPBIS*

- NWPBIS is a non-profit that works mainly with SEA's and LEA's rather than school level.
- Washington Task Force on Behavioral Disabilities- 9-13% of youth ages 9-17 with emotional disturbances serious enough to impede functions
- First 4 schools implemented PBIS through University of WA
- 21% of schools are trained in PBIS and 86% of districts have at least one school implementing; we don't know the level of fidelity as well. Free database for schools to enter in results, however entry is not required.
- 21,000 (25%) of schools nationwide are implementing
- We have about 20% of students are in need of some type of mental health service- 70% of them do not receive these services.
- When schools don't know how to handle a situation they resort to exclusion or punishment, yet behavior does not change unless the right interventions are in place.
- From the very first time a student is suspended, the likelihood that they will drop out doubles from 16% to 32%.
- Disproportionate infractions by ethnicity usually are a sign of issues with cultural awareness- encouraging schools to track data across ethnicity.
- NWPBIS does an activity with all staff to writing down their definition of respect when they have a situation of "disrespect."
- LGBT group is an increasing risk category for discipline disparities.
- Even after building PBIS in a school, there is difficultly with implementation and sustainability.
- Results include reduction in office referrals (for targeted students) change to supportive environment, reduction in suspension, reduction in drop outs, increase in academic gains, increase in staff and student satisfaction, and return on investment
- Talk to students about the culture they want in their buildings and how to maintain sustainable and effective learning environments.
- Estimated that 1% out of 1-5% in tier 3 have an IEP (including health impaired).
- The system should address the whole child- behavior issues and academics.
- PBIS is similar to a medical model in that it addresses prevention first.
- Need data collection at a universal level to know which programs need to be implemented.
- Schools should be encouraged to always analyze outcomes and go back to the data. What are the evidence and doable practices that we can put in place?
- With every issue of compliance, educators should ask- does the student know what's expected of them and do they have the skills to follow through?
- What classroom management PD is provided to teachers-to make sure they are ready to teach students expectations and take preventative measures?
- Unfortunately, the number one way to address tardy/truancy is to suspend students.
- Other programs with similar approach- overall expectation for schools to try other interventions before jumping to disciplinary action.

PBIS Announcements:
- PBIS National Conference - Feb 26-28, 2013 is free of charge.
- Winter Institute- base level cost $1,350 a day, training for school teams (of at least 5 people) potential to offset cost with grants or free.

Public Comment

From: Tricia Hagerty, PBIS Coordinator from Highline School District
- People have trouble with words like major and minor, could switch out for words with more clarity. Minor notates insignificance; teachers shouldn't refer a minor incident to the office.
- Experience with a high school in 2nd year of implementation- last year 1955 days of out of school suspension, this year 100 out of school suspension days.

Working Lunch- Categorization of Data Elements

Final Definitions for CEDARS Manual 2014-15:
- Failure to Cooperate (including but not limited to non-compliance, defiance, disrespect): repeatedly failing to comply with or follow reasonable, lawful directions or requests of teachers or staff.
- Disruptive Conduct: conduct that materially and substantially interferes with the educational process.

Disciplinary protections for students receiving Special Education services or have a Section 504 plan
Kristin Hennessey, *Equity and Civil Rights - OSPI*
Scott Raub, *Special Education Ombudsman – OSPI*
- IDEA is an education act that provides federal financial assistance
- Section 504 is a civil rights law protecting against disability and protects any section receiving federal funding.
- Misconceptions:
  - Students with IEP or 504 plans can be disciplined for behavior at school for up to 10 school days, until student has a change in placement (missing 10 days in a row or series of removals related to each other).
  - IEP team has the discretion to shorten a student's school day. Most often heard that this is due to behavior, but this should not be the solution. Student needs additional services, not punishment.
  - With IDEA- providing work does not substitute for service during disciplinary change of placement.
  - Zero tolerance policies do not trump behavioral plan
  - FBA (functional behavioral assessment) and BIP (behavioral intervention plan) are only required during discipline proceedings.
- Behavior Intervention Plan:
  - Appropriate interventions
  - Written with clarity

- o All Implementers need a copy of BIP
- o Determine value
- o Should have support of a behavior case manager
- Partial days count as an entire day. In school suspension is not counted if student is receiving same general education curriculum.
- IDEA has explicit regulations addressing discipline and Section 504 has no regulations that address discipline.
- IDEA services are provided after disciplinary change of placement; with Section 504 if behavior is not a manifestation; no services are provided after disciplinary change of placement.
- If a student under IDEA is caught using alcohol and drugs there is still a manifestation determination meeting.
- IDEA peer harassment based on disability has limited consequences; Section 504 peer harassment, based on disability has stronger consequences.
- Task Force may want to know what category of IEP is being disciplined disproportionately.

Special Education Discipline:

- All general education rules must apply due process for various levels of discipline; unique circumstances of the disability are considered from the outset.
- Within 10 school days of any decision to change the placement of a student, relevant members of the student IEP team (as determined by the parent and district) must conduct a manifestation determination.
- Parents do not usually have a say in who attends manifestation determination meeting, however they are supposed to. Many parents don't even know what they are attending and that they have the right to participate.
- On the IEP team each person has a distinct role and purpose, whereas a manifestation team may be someone involved with the incident, investigation, etc.
- If the manifestation of disability or IEP wasn't followed, the IEP needs modification.
- Return student to the placement the student was removed from (unless the student has been moved to interim alternative educational setting for safety reasons and district and parent agree to change of placement).
- During the manifestation review, the team must address all student behaviors, even those not included in the IEP.

Review of National Data Collection and Categorization of Data Elements
Maria Flores, *Accountability Policy & Research Program Manager - OSPI*

- Whether the student is in or out of school
- In school suspension or detention
- Disaggregated subgroups further- we have these categories, but they are not required/entered by every district
- Break out ELL
- Current ELL and Former ELL
- Showing multiple categories raises N size issues

- Would like to track discipline patterns for ethnicity and low income
- Run data on students suspended that eventually drop out
- Suspension and expulsion data will become more publicly available, easily accessible and cross-tabulated.

Final announcements, Conclusion

Agenda items for January-

- Homework to review previous sample definitions and group definitions for other "other" categories. Propose which definitions are reasonably covered and which stand alone.
- Categorize and define dress code, electronics, plagiarism, vulgar comment, multiple accumulated offenses, etc.
- School Information Systems crosswalk
- Additional data elements: Reengagement plans, Education services provided, Petitions for readmission
- Discuss potential subcommittees
- Coordination of Student Panel and/or School Site Visits

Recurring schedule for 2014: to provide more consistency, the group will hold meetings on the second.

- Next meeting: January 13, 2014 from 9:00 a.m. to 4:00 p.m.
- With no further action, the meeting adjourned at 3:30 p.m.