STATE OF SOUTH CAROLINA

DEPARTMENT OF EDUCATION

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STATE SUPERINTENDENT OF EDUCATION

Best Practices for Supporting Educators with Discipline

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I. Introduction

The South Carolina Department of Education (SCDE) firmly believes that student learning and teaching are best fostered in school environments that are positive, safe, and supportive. Ensuring that every school has an environment conducive to teaching and learning requires strong leadership and the input and buy-in of students, parents, teachers, and staff.

The SCDE recognizes that student discipline is a growing concern among educators and communities and in a concerted effort brought together internal staff and external stakeholders to formulate a best practice document to support educators with student discipline.[1] This best practice document will serve as a useful tool for school and district leaders as well as classroom instructors. The SCDE believes that when data-driven solutions are implemented with fidelity and with the support of the entire school community, discipline referral rates, suspensions, and expulsions will decline and teaching and learning will prosper.

II. Overview of Laws and Policies Related to Effective Discipline

A. State Laws

State Board of Education (SBE) Regulation 43-279, Minimum Standards of Student Conduct and Disciplinary Enforcement Procedures to Implemented Local School Districts, establishes a uniform system of minimum disciplinary enforcement for South Carolina's school districts (revised May 26, 2017). There are three levels of student misconduct:

- Level I: Behavioral Misconduct–Behavioral misconduct is defined as those activities engaged in by student(s) which tend to impede orderly classroom procedures or instructional activities, orderly operation of the school, or the frequency or seriousness of which interrupt the classroom or school.
- Level II: Disruptive Conduct–Disruptive conduct is defined as those activities engaged in by student(s) which are directed against persons or property, and the consequences of which tend to endanger the health or safety of oneself or others in the school. Some instances of disruptive conduct may overlap certain criminal offenses, justifying both administrative sanctions and court proceedings. Behavioral misconduct (Level I) may be reclassified as disruptive conduct (Level II) if it occurs three or more times.
- Level III: Criminal Conduct–Criminal conduct is defined as those activities engaged in by student(s) which result in violence to oneself or another's person or property or which pose a direct and serious threat to the safety of oneself or others in the school. When school officials have a reasonable belief that a student has engaged in such activities, then these activities usually require administrative action which results in

[1] See Appendix A for the November 8, 2018, Supporting Educators with Discipline Focus Group Meeting participants.

the immediate removal of the student from the school, the intervention of the School Resource Officer or other local law enforcement authorities, and/or action by the local school board. The provisions of this regulation apply not only to within-school activities, but also to student conduct on school transportation vehicles, and during other school-sponsored activities.

SBE Regulation 43-279 includes a listing of possible consequences and/or sanctions for the three levels of student misconduct. The discipline matrix was created to assist administrators in identifying student offenses and, subsequently, imposing interventions and consequences in a more uniform manner.[2] The matrix aligns with the three levels of misconducted found in SBE Regulation 43-279.

Article 3 Discipline, S.C. Code Ann. §§ 59-63-210 – 280, sets forth the statutory authority for the discipline of students:

- A school board may bar a student from enrollment (for a maximum of one year) for the following offenses after notice is provided to the student's parent or legal guardian and the student is afforded the opportunity to a hearing:
    - Violent crimes under S.C. Code § Ann, 16-1-10;
    - Adjudications for assault and battery of high and aggravated nature;
    - Unlawful use or possession of weapons; and
    - Unlawful sale of drugs.
- An administrator may suspend a student for not more than 10 days for any one offense and for not more than 30 days in any one school year.
- An administrator must provide written notice to a suspended student's parent or legal guardian regarding the reason for the suspension and the availability of a conference within three day of the date of the suspension.
- A student determined to have brought firearm to school must be expelled for no less than one year. The one-year expulsion is subject to modification by the district superintendent of education on a case-by-case basis. Students expelled pursuant to this section are not precluded from receiving educational services in an alternative setting.

B. Individuals with Disabilities Education Act

A school may remove a student with a disability who violates a code of student conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension for not more than 10 consecutive school days (to the extent those alternatives are applied to students without disabilities), and for additional removals of not more than 10 consecutive school days in the same school year for separate incidents of misconduct (as long as those incidents do not constitute a change in placement). A removal is a change of placement when a student is out for more than 10 consecutive school days or a series of removals that exceed 10 cumulative school days that constitute a pattern.

[2] See Appendix B for a sample Student Code of Conduct Matrix.

When a change of placement occurs for a student with a disability, parents must be provided with a copy of procedural safeguards. A manifestation determination meeting must be conducted to determine if the conduct in question is related to the student's disability. If the behavior is related to the student's disability, the student may not be expelled or suspended long-term. If the behavior is not related to the student's disability, the student may be disciplined in the same manner as a student without a disability.

Special education and related services, as well as access to the general education curriculum, are required beginning on the eleventh day a student is out of school even if the conduct is unrelated to the student's disability. Additional information regarding the discipline of students with disabilities may be found at this link. In addition, the SCDE's Office of Special Education Services provides valuable information to districts as well as parents and students with disabilities.

C. School Board Policies

Each school district is governed by a school board of trustees that is responsible for the governance of the district, including policies and procedures. The school board's governance of a district is anchored in the district's policy manual and serves as the foundation to help ensure that a school district promotes effective leadership, oversight, and legal compliance of a district.

School board policies are an integral part of the operations of a school district. They serve as a road map and provide direction and structure to support the school district's long-range vision and goals, as well as work as a mechanism to ensure district compliance with applicable state and federal laws. District employees should check their local board's policies.

The Safe School Climate Act (S.C. Code Ann. §§ 59-63-110–150) requires each local school district to adopt a policy prohibiting harassment, intimidation, or bullying at school. The local school board should ensure that the district's policy is included in the school district's publication of the comprehensive rules, procedures, and standards of conduct for schools and in the students' handbook

The South Carolina School Boards Association (SCSBA) serves as a source of information and guidance for the state's school districts. It serves the school board as a whole and the district, and routinely provides school districts model policies and administrative rules for school district to adopt (e.g., student discipline, code of conduct, and harassment, intimidation, or bullying). The policy manuals of most districts can be found on the SCSBA's website.

D. Program for Assisting, Developing, and Evaluating Principal Performance (PADEPP)

Principals influence working conditions, including goals and expectations, school culture, teacher quality, instructional programs, performance, and school safety. These conditions, found throughout Standards 1–9, affect student achievement. The PADEPP standards and criteria outline best practices for effective school leadership. Specifically, Standard 4: Climate ensures that leaders focus on the well-being of each student.

There are four PADEPP criteria that directly address school safety and student behavior:

- Standard 3: Effective Management – An effective educational leader fosters the academic success and well-being of each student by managing the school organization, its operations, and resources for a safe, efficient, and effective learning environment.
    - Criterion: An effective educational leader implements, evaluates, and refines, as necessary, procedures for the security and safety of all personnel and students.

- Standard 4: Climate – An effective educational leader fosters the academic success and well-being of each student by advocating, nurturing, and sustaining a positive, equitable school climate.
    - Criterion: An effective educational leader establishes and supervises programs, supports, and services that promote positive social, emotional, and intellectual growth for each student in preparation of college and career readiness and successful life skills.
    - Criterion: An effective educational leader establishes and enforces standards for appropriate student behavior according to local, state, and federal requirements.
    - Criterion: An effective educational leader deals with student misconduct in a prompt and effective manner.

Appendix A and Appendix B (Expanded PADEPP Guidelines, p.42–63) give specific examples of artifacts and job-embedded activities that principal evaluators can use to evaluate school safety and student behavior.

E. Multi-Tiered System of Supports

A multi-tiered system of supports (MTSS) is an implementation framework for maximizing the selection and use of evidence-based prevention and interventions practices along a multi-tiered continuum that supports the academic, social, emotional, and behavioral supports of all students. Pursuant to Act 213 of 2018 (S.C. Code Ann. § 59-33-510, et seq.), the SCDE shall establish and provide training and support for a statewide MTSS framework that must contain a common data-based problem-solving model, on-going student assessment, and a layered continuum of supports using evidence-based practices. MTSS implementation will begin in the 2019–20 school year. To prepare for implementation, the Office of Early

Learning and Literacy offered the opportunity for ten districts to participate in a MTSS Pilot Cohort beginning in January 2019.

MTSS is a framework for student success. MTSS has six key components:

- Leadership;
- Communication and Collaboration;
- Data Evaluation;
- Data-Based Problem Solving;
- Building Infrastructure and Capacity Through Coaching; and
- Tiered Instruction with a focus on building a strong core and supporting the core instruction through interventions.

Students develop and learn social, emotional, and behavioral competence, supporting their academic engagement. Educators develop positive, predictable, and safe environments that promote strong interpersonal relationships with students through teaching, modeling, and encouragement. MTSS calls for teaching behavioral expectations in the same manner as any core curriculum subject.

Students enhance their social, emotional, and behavioral competence by:

- Regularly reviewing their school's agreed upon school-wide social values;
- Frequently experiencing specific recognition when they engage in expected behaviors;
- Extending expected behaviors to all parts of the school, especially in classrooms to enhance their academic engagement and success;
- Experiencing predictable instructional consequences (re-teaching) for problem behavior without inadvertent being rewarded for problem behavior; and
- Using a common language for communication, collaboration, play, problem solving, conflict resolution, and securing assistance.

Educators develop positive, predictable, and safe environments that promote strong interpersonal relationships with their students by:

- Prompting, modeling, teaching, and acknowledging expected student behavior;
- Actively supervising all their students across all settings;
- Maximizing academic instruction to enhance student achievement and support social, emotional, and behavioral development;
- Providing clear and predictable consequences for problem behavior and following up with constructive support to reduce probability of future problem behavior; and
- Intensifying techniques if students are unresponsive to universal practices.[3]

[3] Adapted from https://www.pbis.org/school/swpbis-for-beginners/pbis-faqs?text-only.

III. Best Practices: What Works in Schools

A. Features of Strong Systems

To establish a positive and safe environment, multiple school-wide systems must work together to support students. The National Associations of Elementary and Secondary Principals, School Counselors, School Psychologists, School Social Workers, and School Resource Officers (Cowen et al., 2013) recommend the following best practices for creating safe and successful schools:

- Fully integrating learning support services within a collaborative approach;
- Implementing MTSS;
- Improving access to school-based mental health professionals;
- Integrating positive climate and safety efforts with crisis prevention and response training;
- Combining reasonable physical security measures with efforts to enhance school climate and build trusting relationships;
- Employing effective, clear, consistent, positive, and equitable schools discipline that functions with school climate and safety;
- Considering the local context to provide appropriate supports; and
- Acknowledging that sustainable and effective change takes time.

Feedback from focus group members during the November 8, 2018, Supporting Educators with Discipline Focus Group Meeting informed the following conclusions with regard to features of a strong system: (1) schools must have a foundation of clear and predictable expectations and procedures for student behavior and tiered support that are well-known and well-practiced; (2) school climate benefits from evidence-based approaches like positive behavior intervention supports (PBIS), MTSS, and social-emotional supports for students; (3) building relationships with students and finding opportunities for student input are essential parts of both strong school culture and creating a positive learning environment and should include school-based mentors for both students and new teachers; (4) ongoing training and support for teachers, school administrators, counselors, psychologists, school resource officers, and all members of school-based teams are essential for building teams of highly effective educators who have the skill, knowledge, and resources to respond to increasingly complex student needs; and (5) clear communication is essential for safe, positive learning environments.

B. Communication

Supporting discipline and positive school culture should be established at the school and district levels. Two teachers or two students can have very different experiences in the same school. Focus group members cited the importance of allotting sufficient time to follow up with students, families, and teachers when dealing with disciplinary matters. Furthermore, they suggested that successful implementation of discipline systems is dependent on clear and transparent communication between students, teachers, families, and administrators. This

communication starts with training on expectations for new students, families, and faculty members, and it must continue in day to day proactive feedback and reflection on expectations and timely responses to any incidents that need additional attention. Schools with a commitment to strong culture should examine survey data, achievement data, and other discipline and operational data to understand and better respond to student, teacher, and family needs.

Focus group participants also identified areas that create roadblocks to clear communication. These include administrators and teachers who are spread too thin by an abundance of requirements and initiatives; large class sizes that can prevent personalized attention for students and families; one-size-fits-all state or federal mandates that may not take local needs into account; and a lack of systemic attention on social-emotional goals, perhaps stemming from the difficulty of measuring them. Inefficient or ineffective communication is a factor that impacts teacher retention when disciplinary incidents are not addressed. Teachers become frustrated with what appears to be a lack of trust and respect for their expertise.

C. Family Engagement

The evolution of parent involvement to parent engagement signifies moving parents from routinely attending school functions as invited participants to a more active role as partners in their students' educational experience. Research continues to suggest that when families are effectively engaged as partners in the learning process, their students have better attendance, higher grades, higher probability of graduation, and reduced behavior problems.

Improving school discipline and student behavior requires a partnership between the school and family. Involving families in the creation of school policies, more specifically, discipline policies, allows for families to assume ownership and therefore reinforce expectations of students in the home. Collaboration between schools and families provides an opportunity to: (1) develop a list of strategies to manage student behavior; (2) build relationships of trust; and (3) open two-way communication channels.

D. Restorative Practices

According to the International Institute of Restorative Practices, "Restorative practices is a social science that studies how to build social capital and achieve social discipline through participatory learning and decision making. The use of restorative practices helps to:

- reduce crime, violence and bullying
- improve human behavior
- strengthen civil society
- provide effective leadership
- restore relationships

- repair harm[.]” [4]

Restorative practices focus on building and repairing relationships necessary for creating healthy school communities.[5]

IV. Focus Group Recommendations

During the November 8, 2018, meeting, focus group members participated in three sessions to discuss roles and responsibilities of key district- and school-level personnel related to best practices for communication and systems concerning discipline. As noted below, common themes in the discussions included meaningful communication and the development of common procedures. A summary of the recommendations follows:

A. District-Level Administrators

- Ensure equitable access to social/emotional support personnel across the state.
- Conduct training and support in order to provide non-punitive responses to student offenses.
- Institute greater consistency within buildings related to the execution of developed discipline policies.
- Maintain greater district level presence in buildings to be better informed about what is or is not happening in schools related to discipline.
- Articulate the vision of the school’s discipline processes and why these processes are important for all stakeholders within a given district.

B. School-Level Administrators

- Communication: clearly expressed expectations regarding discipline, procedures and post-incident follow-up. Stakeholders should be involved in creation of school wide expectations. Flow of communication should include students, teachers, parents, and administrators as appropriate
- Consistency: clear expectations throughout the school building. Discipline matrix and procedures followed as outlined, appropriate and timely communication maintained with staff regarding incidents.
- Transparency: “closing the loop” with documentation and feedback tied to school-wide expectations.

Stakeholders agreed that data should be reviewed regularly with stakeholders to determine what is going well and what needs to be refined with regard to discipline.

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[4] Wachtel, Ted (2013). *Defining Restorative*. International Institute for Restorative Practices. Retrieved from https://www.iirp.edu/pdf/Defining-Restorative.pdf

[5] See Section V. for SCDE restorative practices training opportunities.

C. Teachers

- Implement school-wide positive behavior and discipline systems that are consistent.
- Build stronger relationships with caregivers, including sharing positive news. Caregivers should be more involved with school activities.
- Build a sense of community through a shared vision.
- Increase communication between administration and teachers regarding discipline actions taken with students.
- Develop common procedures across the school.

D. School Board Members and State Policy Changes

- Train school board members in ethics and in their role as a neutral, advisory body; consider shadowing or other training to help board members understand the roles and responsibilities of administrators, teachers, and support staff in building positive culture.
- Establish and support clear lines of communication for families so that school leaders have the ability to respond to concerns instead of those concerns starting at the board level.
- Support innovative, long-term commitment of resources to address school's needs with culture and climate; allow time for these changes to be implemented.
- Advocate for policy changes including examination of class-sizes, sustainable substitute teacher policies, time and compensation for new teacher mentors, and funding for school-based mental health supports.

E. Educator Preparation Providers

- Provide balanced discipline instruction to pre-service teachers using scenario-based, real-life, situations.
- Offer pre-service teachers opportunities to learn about and build positive relationships with parents, students, and colleagues.
- Evaluate the structure of clinical practice that will allow pre-service teachers to experience the beginning, middle, and end of the school year.
- Evaluate degree plans of study to include integrated course work that reflects current practices and trends in effective classroom discipline.
- Provide opportunities for educator preparation provider faculty to gain exposure to the current application of discipline practices being used in schools (e.g., PBIS, MTSS, restorative practices, etc.).
- Work with second career, alternatively-certified teachers to offer discipline training.
- Stress the importance of individual growth, as it relates to discipline, past the initial teacher preparation program.

V. SCDE Training Opportunities

Leadership Development
The skills and competencies needed to lead a positive school culture are embedded in leadership training provided by the Office of Educator Effectiveness and Leadership Development. Further information about leadership development opportunities for school support personnel, teacher leaders, assistant principals, instructional coaches, principals, district leaders, and school-based collective leadership teams is available at this link.

Restorative Practices
The Office of Student Intervention Services will facilitate Introduction to Restorative Practices and Using Circles Effectively for administrators and educators currently employed in South Carolina public schools. Research indicates that the successful and sustained implementation of restorative practices positively impacts student behavior and school climate.

During the two-day regional workshops participants will learn practical strategies for building and maintaining healthy relationships.

To request to host a training in your region, please complete the following form: Restorative Practices Training Request

The South Carolina Annual Safe Schools Seminar
The U.S. Attorney's Office's Law Enforcement Coordinating Committee sponsors Safe School seminars annually. For more information, go to Safe School Seminars Information.

For additional training information and resources, go to South Carolina Safe Schools.

VI. Appendices

Appendix A: Focus Group Members

Ms. Yolandé Anderson
Director
SCDE Office of Family and Community Engagement

Ms. Penelope Atkinson
President, SC Association of School Administrators
Director of Middle School Instruction
Richland School District Two

Dr. Judy Beck
Dean of Education
University of South Carolina–Aiken

Mr. Ryan Brown
Chief Communication Officer
SCDE Office of Communications

Dr. Jacinta Bryant
Director of Special Education Services
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Mr. Garen Cofer
Principal, Aiken High School
Aiken County School District

Ms. Virginia Catoe
Assistant Principal, Dutch Fork High School
Lexington-Richland School District Five

Ms. Jennifer Coker
Executive Director of Alternative Programs
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Ms. Aveene Coleman
Education Associate
SCDE Office of Student Intervention Services

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Magnet Lead, Montessori Magnet Program
H.E. Corley Elementary School
Lexington-Richland School District Five

Dr. Bill Coon
2016 State Principal of the Year
Principal, Meadow Glenn Middle School
Lexington School District One

Ms. Rebecca Davis
Director
SCDE Office of Special Education Services

Ms. Lisa Ellis
SC for Ed
Journalism and Media Production Teacher
Blythewood High School
Richland School District Two

Ms. Karla Hawkins
Deputy Superintendent
SCDE Division of Educator, Community, and Federal Resources

Dr. Timothy B. Hunter
Chair, SCASA Student Services' Roundtable
Chief Student Services Officer
School District of Newberry County

Mr. Patrick Kelly
Board Member, Palmetto State Teachers Association
Teacher, AP US Government and Politics, Blythewood High School
Coordinator of Professional Learning
Richland County School District Two

Dr. Lisa Lipscomb
Crisis/School Safety Committee Chair
SC Association of School Psychologists
Special Ed. Coordinator/Lead School Psychologist
Anderson School District Five

Ms. Lilla Toal Mandsager
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SCDE Office of Educator Effectiveness and Leadership Development

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School Resource Officer
Darlington County Intervention School
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Ms. Lisa McCliment
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SCDE Office of Special Education Services

Ms. MyKeida Middleton
Instructional Technology Coach
Sixth Grade Science Teacher
St. Matthews K-8 School
Calhoun County School District

Dr. Sabrina Moore
Director
SCDE Office of Student Intervention Services

Ms. Merriman Nichols
Education Associate
SCDE Office of Early Learning and Literacy

Dr. Tiffany N. Richardson
General Counsel and Director of Policy and Legal Services
SC School Boards Association

Dr. James Ritter
Education Associate
SCDE Office of Educator Services

Dr. Frank Robinson
Education Associate
SCDE Office of Educator Effectiveness and Leadership Development

Ms. Amanda Scott
Third Grade Teacher
Blue Ridge Elementary
Oconee County School District

Ms. Sherry Schneider
Education Associate (Team Leader)
SCDE Office of Educator Services

Ms. Taylor Seale
Education Associate
SCDE Office of Early Learning and Literacy

Mr. Patrick (Ryan) Shirah
Sixth Grade Teacher
Alice Drive Middle School
Sumter County School District

Mr. Thomas Smith
Education Associate
SCDE Office of Educator Effectiveness and Leadership Development

Ms. Elizabeth Stehle
Principal, Wateree Elementary School
Kershaw County School District

Mr. Jeff Stevens
Principal, Spartanburg High School
Spartanburg School District Seven

Ms. Darleen Sutton
SC Teacher of the Year (2013–14)
Literacy Coach, York County School District Two

Ms. DeVane Trigiani
President
SC Parent Teacher Association

Dr. Jessie Washington
President-Elect, SC Association of School Administrators
Superintendent, Orangeburg School Consolidated School District Five

Appendix B: Additional Resources

A Framework for Safe and Successful Schools. Cowan, K. C., Vaillancourt, K., Rossen, E., & Pollitt, K. (2013). A framework for safe and successful schools [Brief]. Bethesda, MD: National Association of School Psychologists. This framework was authored by the American School Counselor Association, the National Association of School Psychologists, the School Social Work Association of America, the National Association of School Resource Officers, and the National Associations of Secondary and Elementary School Principals.

Discipline: Effective School Practices. This document discusses the challenges to school discipline, a comprehensive school-wide plan, developing self-discipline as well as prevention.

Positive Intervention Behavior Supports (PBIS). Funded by the U.S. Department of Education's Office of Special Education Programs (OSEP) and the Office of Elementary and Secondary Education (OESE), this Technical Assistance Center on PBIS supports schools, districts, and states to build systems capacity for implementing a multi-tiered approach to social, emotional and behavior support. For responses to frequently asked questions about PBIS, please see this link.

Restorative Practices: A Guide for Educators. This toolkit illustrates how restorative practices can be seamlessly integrated into the classroom, curriculum and culture of schools, and how they can help transform schools to support the growth and health of all students.

Restorative Practices in Schools Toolkit. This online and public access guide is a collection of resources designed to educate and support practitioners, school staff & administrators, parents and community members about Restorative Practices in schools. The goal is to lead toolkit users down the path to a Restorative Whole School approach.

Sample Student Code of Conduct Matrix. This document is provided to school administrators to assist with identifying student offenses and selecting interventions. The sample matrix may also give teachers and school staff insight into how behaviors at different levels are classified and matched with interventions.

Supporting and Responding to Behavior: Evidence-Based Classroom Strategies for Teachers. This document offers an overview of next steps and best practices for addressing student behavior. The core features flowchart on page 4 allows teachers to pinpoint the specific area they need help in, from setting the foundations of the classroom to using data systems to improve student behavior.

TIPS Meeting Materials. The TIPS forms linked here help guide school- or grade-level meetings to address academic or behavioral problems. Forms are available to address problems and the chosen intervention(s) at the student, classroom, grade, or school level.