



## **Avoid punitive approach to school discipline during the pandemic**

Schools should take a trauma-informed rather than a punitive approach to school discipline during the COVID-19 outbreak to support students with challenging behaviors and create a positive school climate, advised school mental health and safety professionals. By focusing on prevention and intervention, schools can better support students who are struggling emotionally and behaviorally during the pandemic, said Kelly Vaillancourt Strobach, director of policy and advocacy for the National Association of School Psychologists.

Because of the trauma, stress, and anxiety students have experienced, such as the loss of a family member, food insecurity, and inability to be with friends due to social distancing requirements, schools may see behavior regression in some students, Strobach said. "It's not that the student is giving you a hard time, it's that the student is having a hard time," she said. "The goal ... should be to identify kids who need support and get them that support."

Many education stakeholders are rethinking traditional school discipline practices as a result of the pandemic. In fact, several advocacy groups have asked schools to refrain from expelling or suspending students during this time, saying exclusionary punishments aren't effective and disproportionately impact students of color and students with disabilities.

In April, 42 advocacy organizations in California wrote to the governor and state superintendent asking that districts stop expelling students during extended school closures. In New York, the Solutions Not Suspensions Coalition asked the state education department to declare a moratorium on suspensions and to provide students with enhanced social and emotional behavioral supports during the pandemic.

"Our schools are facing incredible challenges but also have a unique opportunity in this moment to reimagine our education systems and confront long-standing inequities head-on," said Angela McNair Turner, a staff attorney with the Public Counsel, which helped write the letter in California.

John Matthews, founder of the Community Safety Institute, also recommends schools focus on prevention and mitigation of school safety threats by providing interventions to students who are known to be struggling emotionally and behaviorally. "There are so many stressors right now," Matthews said. "Going back to school will be a totally different situation than in the past. We need to be acutely aware of our students' emotional needs."

Prioritizing trauma-informed discipline practices doesn't mean that schools need to throw away their rules of conduct or eliminate nonexclusionary consequences for violations. Schools must continue to provide a safe and supportive learning environment free from discrimination, taunting, harassment and bullying, including cyberbullying, said Jaime Fernand, a school attorney with Barton Gilman LLP in New York. "Schools are required to promptly investigate and respond in an appropriate manner to end such harassment," Fernand said.

Here are several steps schools can take to reduce challenging behaviors and create safe school environments:

- **Teach behavior expectations.** Many schools typically teach behavior expectations at the beginning of the school year. Those lessons will be crucial this year as some students may be learning in virtual settings while others will be school buildings. For those students attending classes in school, they also will need to be taught social distancing expectations and the consequences for violations.
- **Increase social and emotional supports.** Strobach said the first few weeks of the new school year should include an infusion of social and emotional supports. Extra attention should be provided to students who have struggled with behaviors in the past. Students with ongoing behavior challenges will need additional supports when the new school year begins, according to the National Child Traumatic Stress Network.
- **Know discipline provisions for students with disabilities.** School staff should know the rules governing discipline for students with disabilities. The suspension of a student with a disability for more than 10 consecutive school days is a change in placement. [34 CFR 300.536](#). Within 10 school days of any decision to change the student's placement because of a violation of a code of student conduct, the district must conduct a manifestation determination review to determine if the student's misconduct is a result of the student's disability.

The IDEA also requires that IEP teams consider the use of positive behavioral interventions and supports and other strategies to address the behaviors of a student whose challenges impedes her learning. [34 CFR 300.324](#) (a)(2)(i).

- **Evaluate the circumstances of infractions.** Fernand recommends administrators evaluate the circumstances that a student may be going through before determining what consequences will be delivered for violating code of conduct rules.

Depending on the violation, schools can consider having students write a reflective essay to try to understand and change their behavior, she said. "Other restorative justice techniques to consider with a remote or hybrid setting could be having students send messages to classmates, or community service, such as writing letters to health care workers," she said.

- **Partner with community, national agencies.** Schools and districts may consider collaborating with outside agencies to support student mental and social well-being and to develop positive and safe school climates, Matthews said. "Sometimes schools have difficulty taking it all on themselves," he said.

Additionally, there are several resources about creating positive school climates and options for nonexclusionary discipline practices. For example, NASP has a new Framework for Effective School Discipline that provides effective practices and policy recommendations.

- **Model a calm, nonjudgmental approach.** School staff can help create a positive and welcoming environment -- online or in person -- by modeling expected behaviors. Teachers also should be encouraged to productively and confidentially discuss strategies to support students with challenging behaviors, recommends NCTSN.

See also:

- [How to transition students with EBDs back to school](#)
- [SmartStart: Placement -- Stay-Put During Disciplinary Challenges](#)
- [Dangerous Conduct by Students With Disabilities: Legal Guidelines for Appropriate Responses](#) by Elizabeth A. Morrow, Esq.

*For more stories and guidance on this topic, access the [Return to School Roundup](#).*

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**July 21, 2020**



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