

Addressing Discipline Disproportionality within a PBIS Framework: A Guide for School Teams



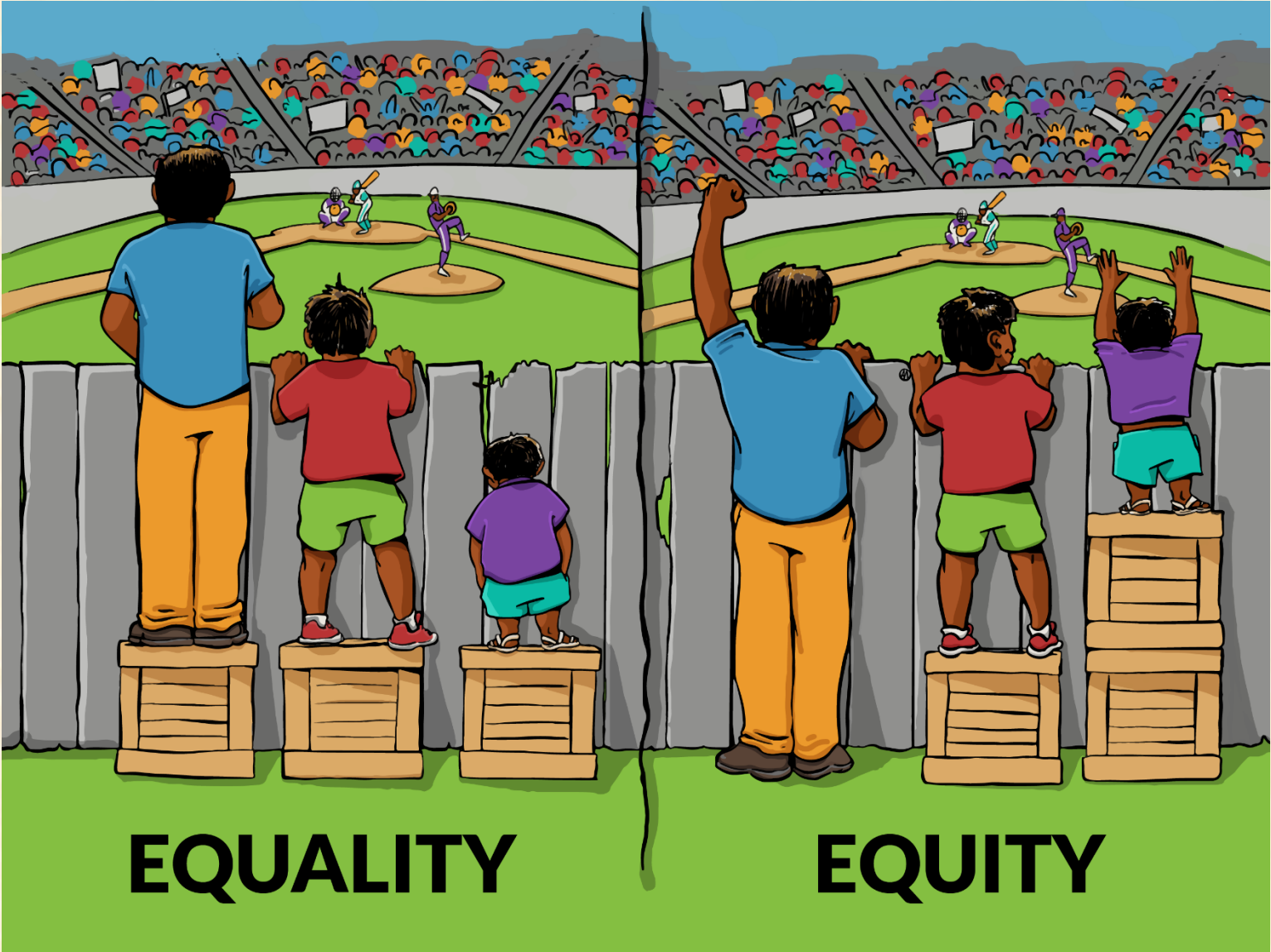
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Equity in Education

- While **equality** means treating every student the same, with an equal amount of respect or an equal amount of instruction, **equity** means making sure every student has the support they need to be successful.
- **Equity** in education requires putting **systems** in place to ensure that every child has a equal chance for success

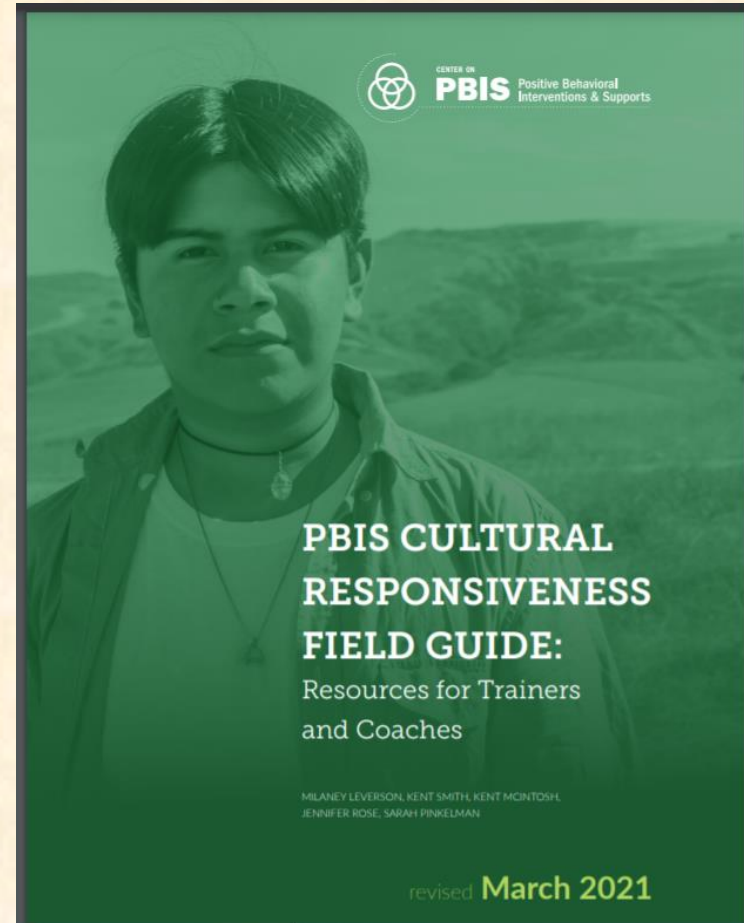
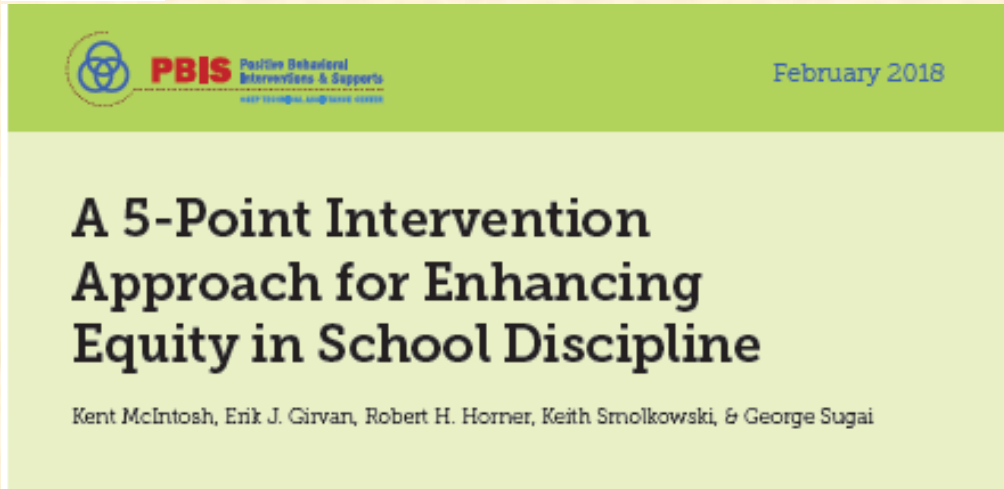
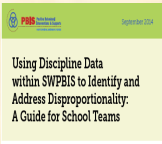


EQUALITY

EQUITY

PBIS Resources for Equity in School Discipline

<http://www.pbis.org/school/equity-pbis>



A 5-Point Intervention Approach for Enhancing Equity in School Discipline, 2018

Kent McIntosh, Erik J. Girvan, Robert H. Horner, Keith Smolkowski, & George Sugai
PBIS/OSEP Technical Assistance Center

- Discipline disproportionality is one of the most significant problems in education today (Gregory, Skiba, & Noguera, 2010; U.S. Government Accountability Office, 2013).
- The results of decades of research consistently show that students of color, particularly African American students (and even more so for African American boys and those with disabilities), are at significantly increased risk for receiving exclusionary discipline practices, including office discipline referrals and suspensions.

National Data

A 5-Point Intervention Approach for Enhancing Equity in School Discipline, 2018

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Components of Effective Intervention to Prevent and Reduce Discipline Disproportionality

1. Collect, Use, and Report Disaggregated Discipline Data
2. Implement a Behavior Framework that is Preventive, Multi-Tiered, and Culturally Responsive
3. Use Engaging Instruction to Reduce the Opportunity (Achievement) Gap
4. Develop Policies with Accountability for Disciplinary Equity
5. Teach Strategies for Neutralizing Implicit Bias in Discipline Decisions

PBIS through a Culturally Responsive Lens



Core Components of Culturally Responsive PBIS

1. Identity

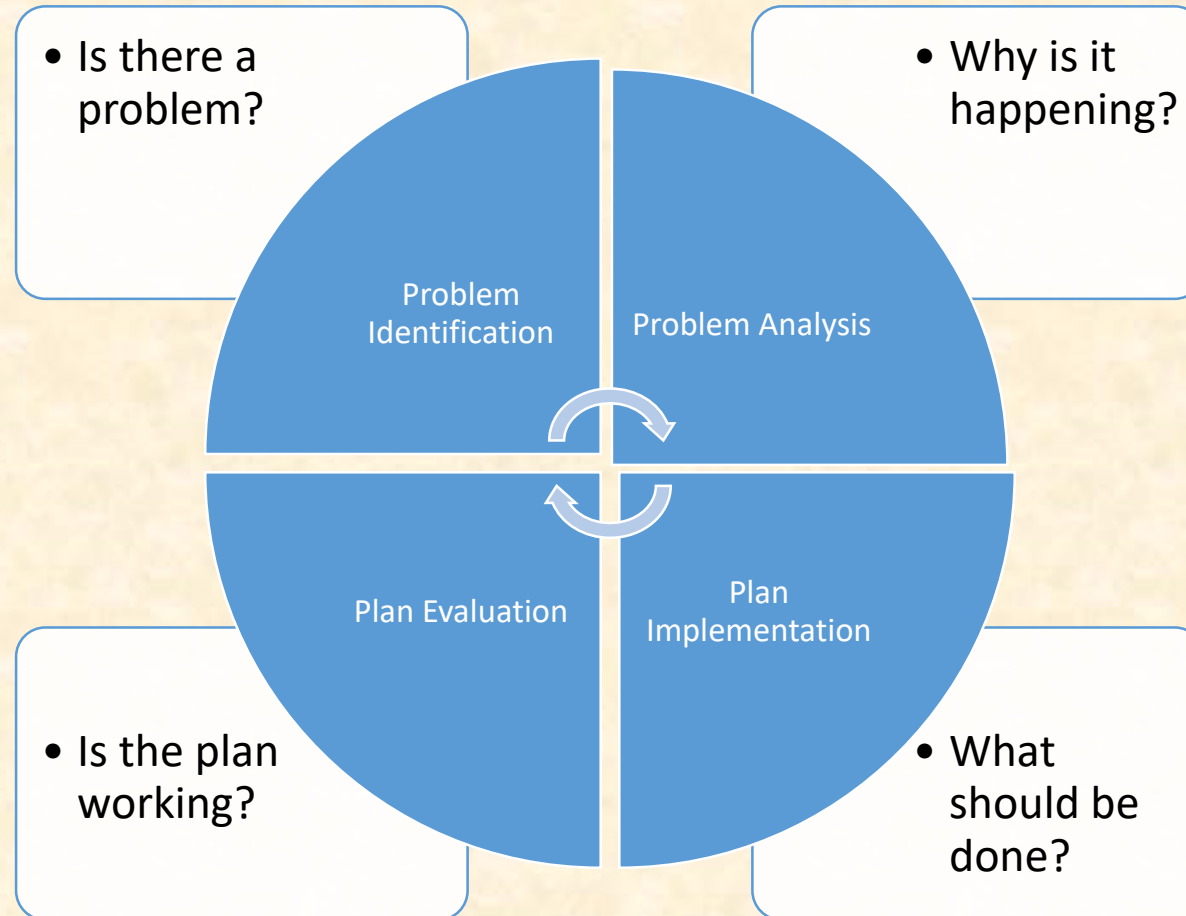
2. Voice

3. Supportive Environment

4. Situational Appropriateness

5. Data for Equity

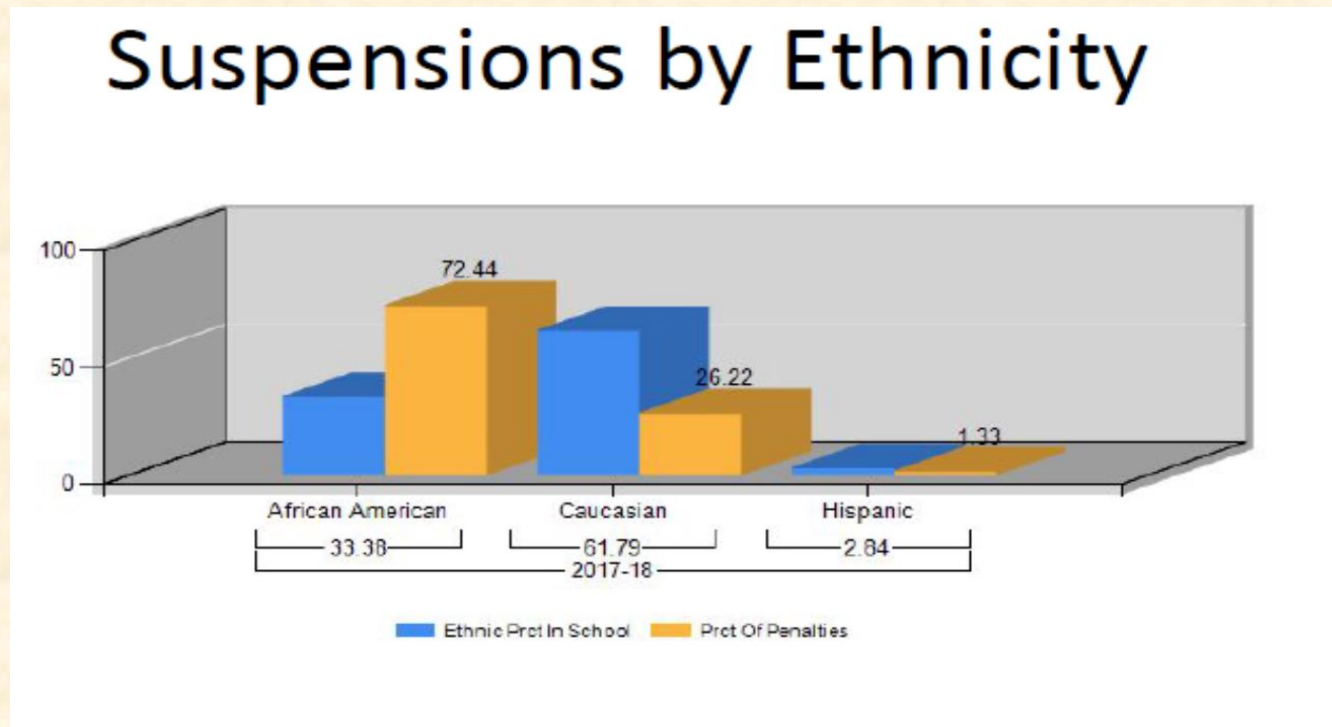
Problem Solving Process



Step 1. Problem Identification

Two recommended metrics for determining if there is a problem.

- **Composition (*Referrals by Ethnicity*) in MiStar PBIS Reports**



Risk ratios represent the likelihood of the outcome (e.g., suspensions) for one group in relation to a comparison group.

- First, compute the Risk Index for each group – the percent of a group that has had a suspension. For example, there are 100 African American students in the school and 50 of them have had a suspension. The risk index for African American students is .5
- Then, compute the risk index for the comparison group (e.g., all students in the school other than African Americans). There are 700 other students in the school and 250 of those have had a suspension. That group's risk index is .35

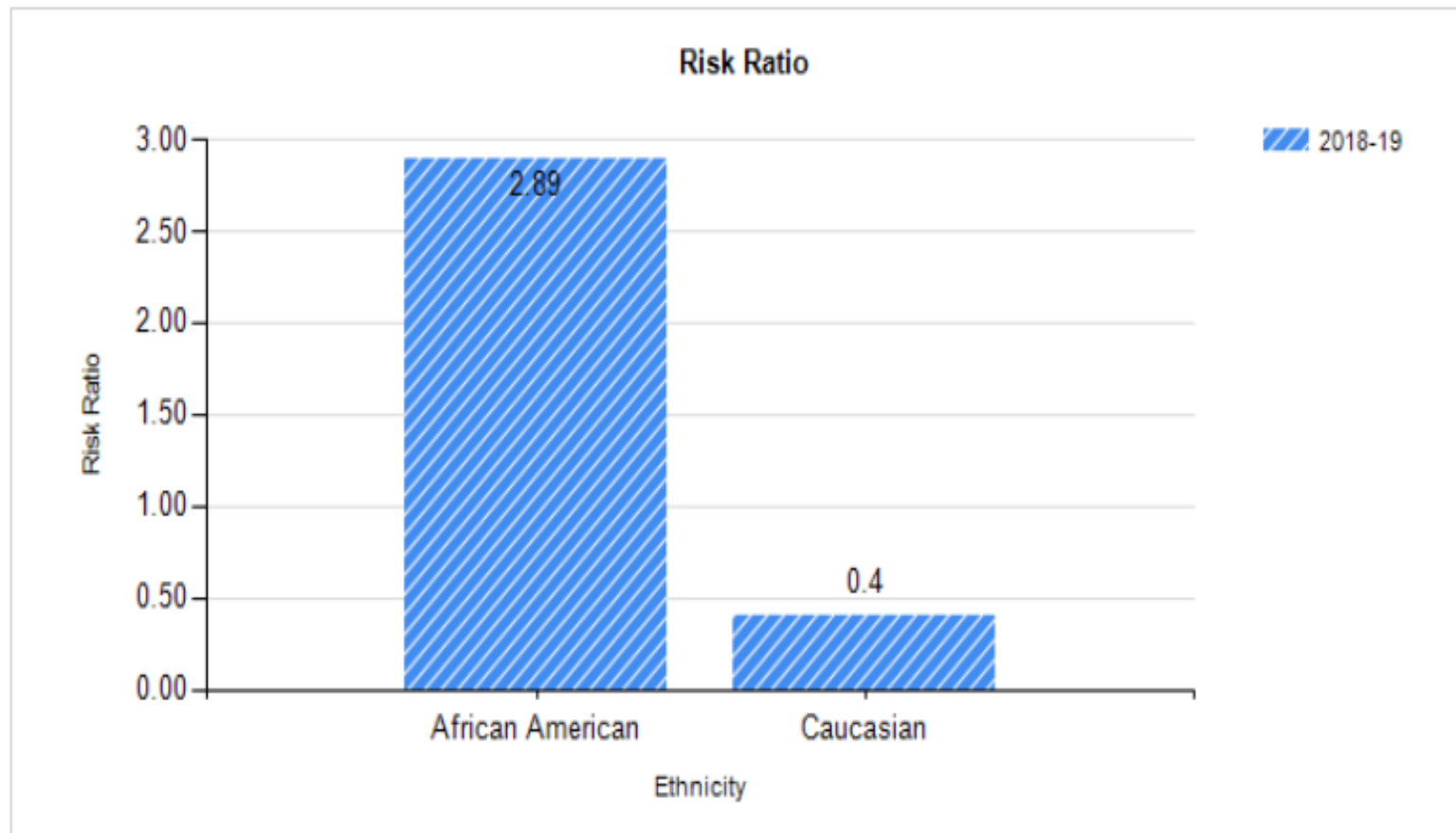
$$\frac{\text{Risk Index of Target Group}}{\text{Risk Index of Comparison Group}} = \text{Risk Ratio}$$

- $.5 \div .35 = 1.4$
- The risk ratio for African American students is 1.4
- The likelihood of an African American student receiving a suspension is 1.4 greater than all other students in the school.

Risk Ratios in MiStar PBIS Reports

Suspensions by Ethnicity from 09/04/2018 to 11/26/2018

All Students



Compare to Goals

There is no federal definition of what constitutes disproportionality.

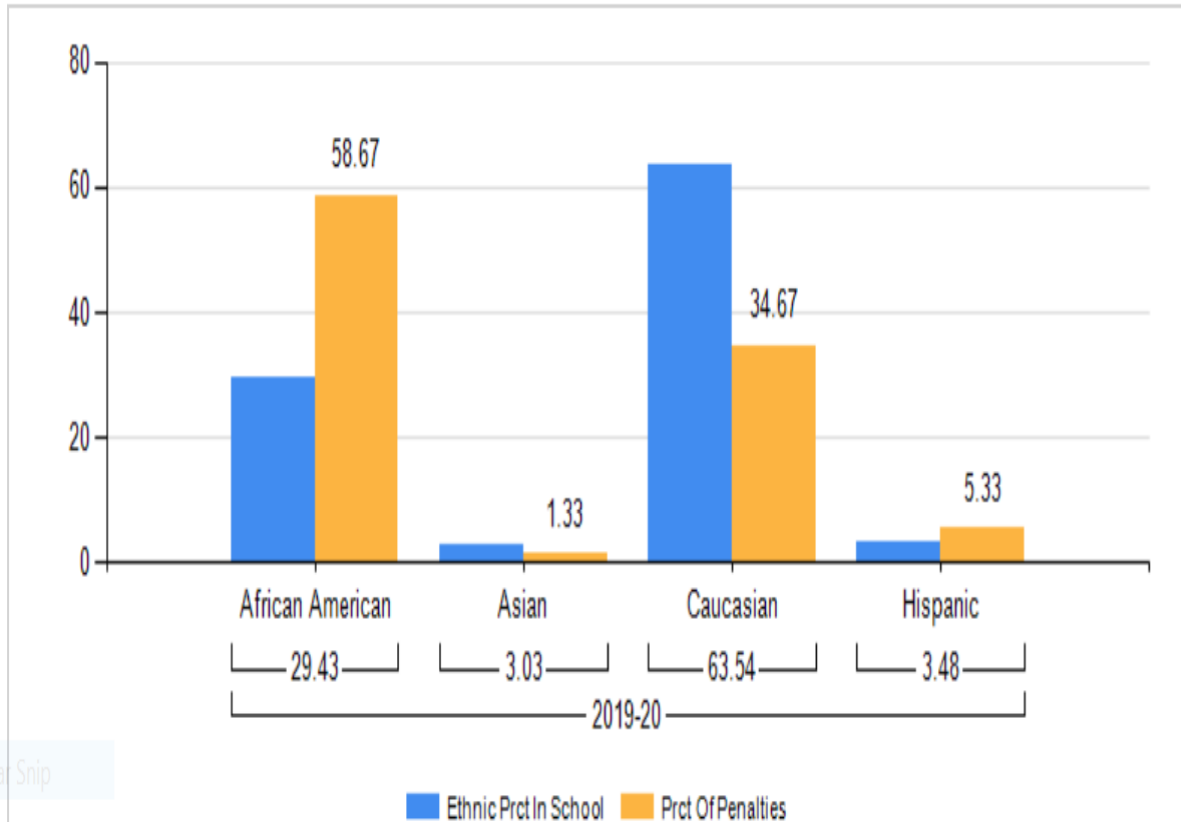
Some options:

- Compare the same calculations from previous years. Look for trends.
- Identify an external standard (e.g., district, state, national standards)
 - Federal disparate impact criterion = 1.25 risk ratio.
 - Set short term and long-term goals.
- For example, if African-American students have a risk ratio of 3.6, the school team might aim to reduce it to below 1.25 within one-two years.

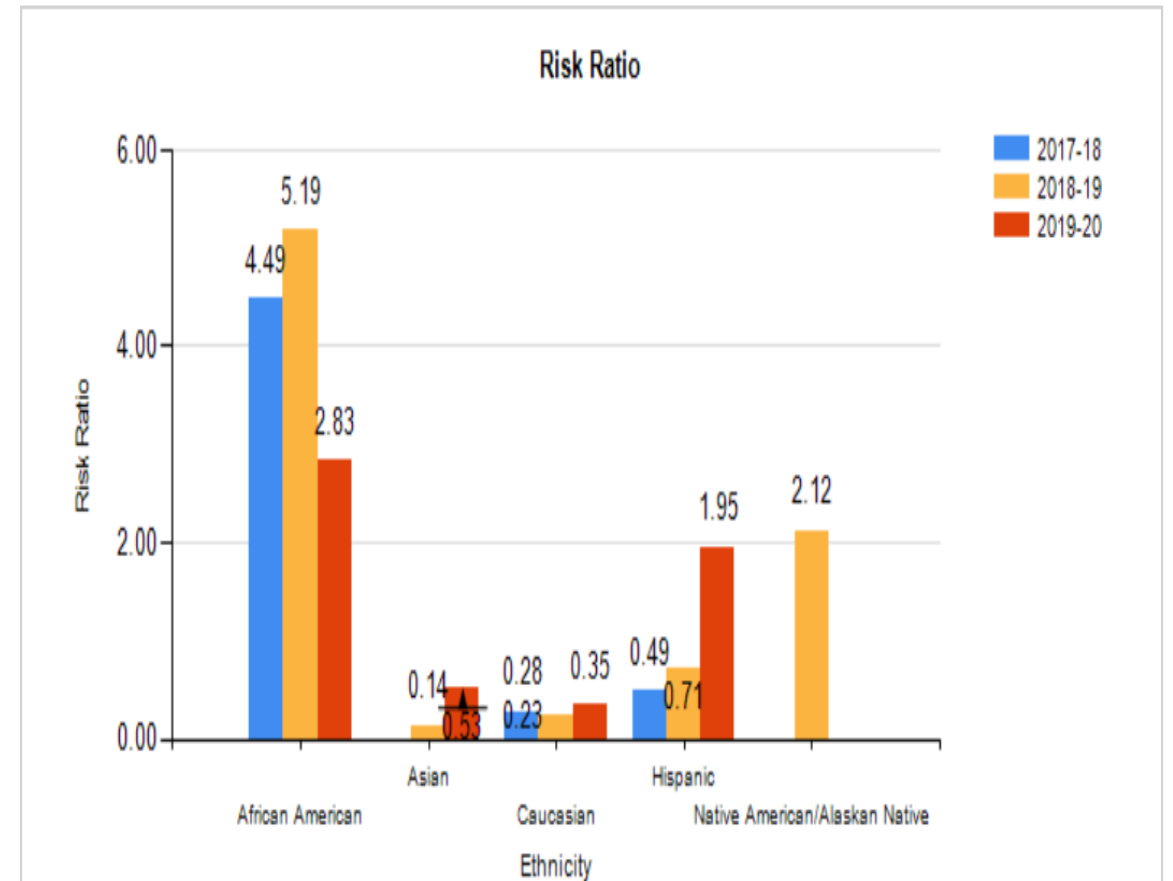
Equity Data Samples

High School - Composition & Risk Ratio

All Suspensions



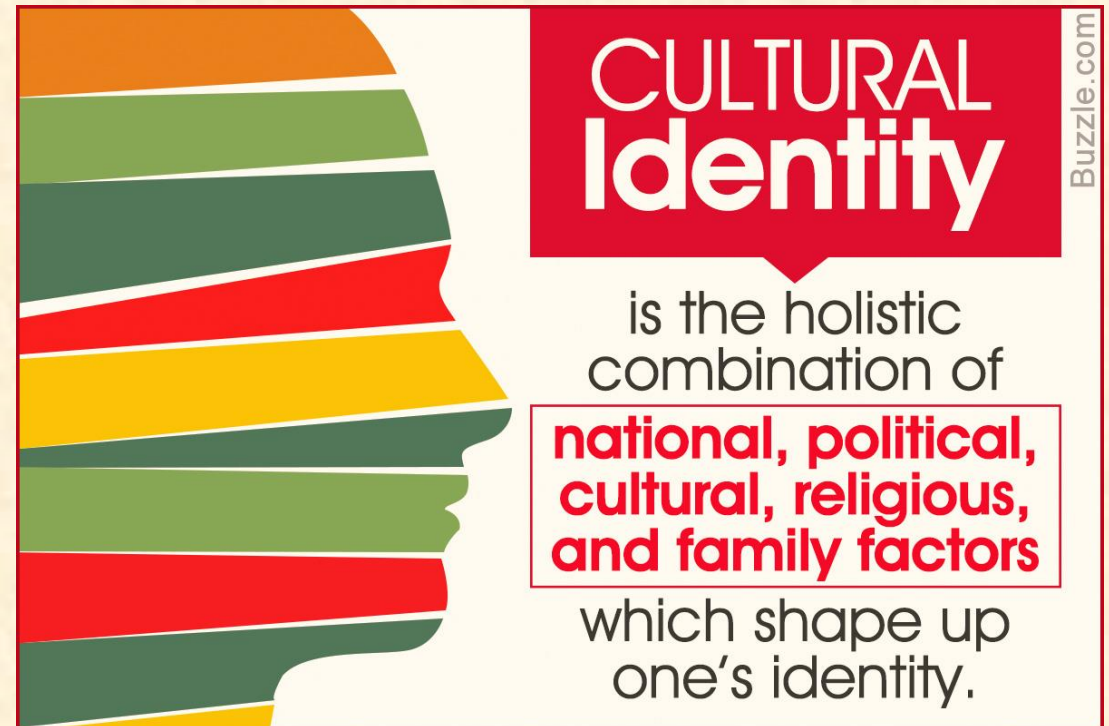
Risk Ratio



Tier One Culturally Responsive PBIS

Identity

- School staff need an awareness and understanding of how their personal culture and values impact their classroom and school environment.
- School staff must actively seek to understand and validate the values of the students, families, and communities they serve.
- The common belief that it is best to be “colorblind” with regards to race is well intentioned, but may have detrimental effects on students.



Identity

- It is vital for educators and students to understand student and family identity. This can be done by respectfully exploring students' backgrounds, cultures, and values.
- This allows educators to make more genuine connections with students and their families.
- Make family histories, interests, and experiences visible on a daily basis in the school setting. Honor students and their family identity by displaying art and artifacts that reflect their history, values, or interests.

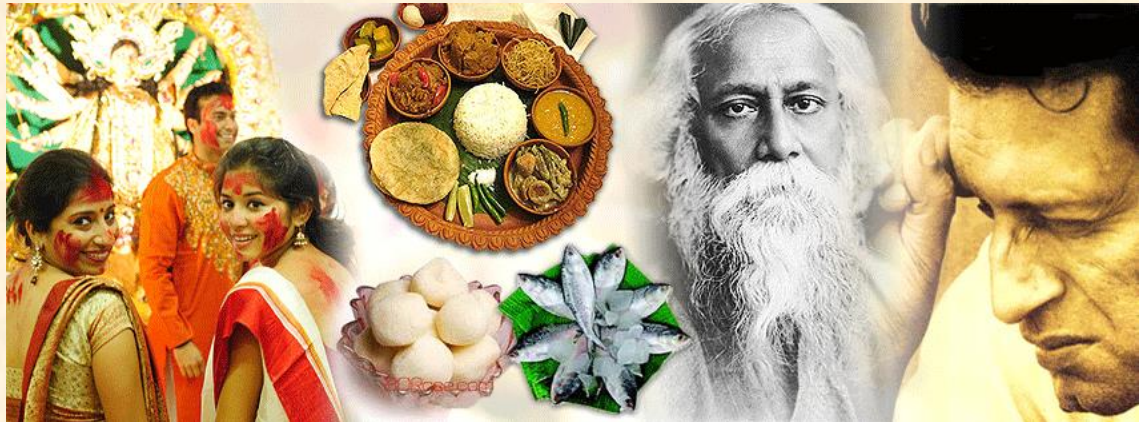
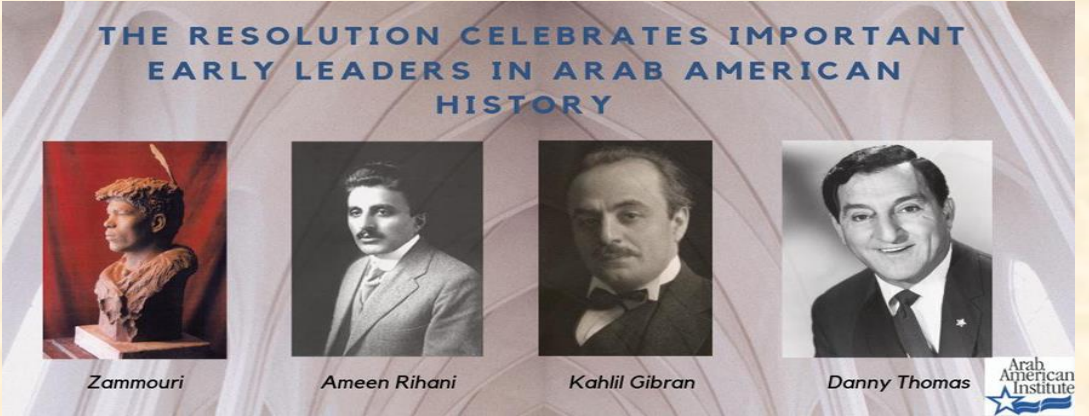
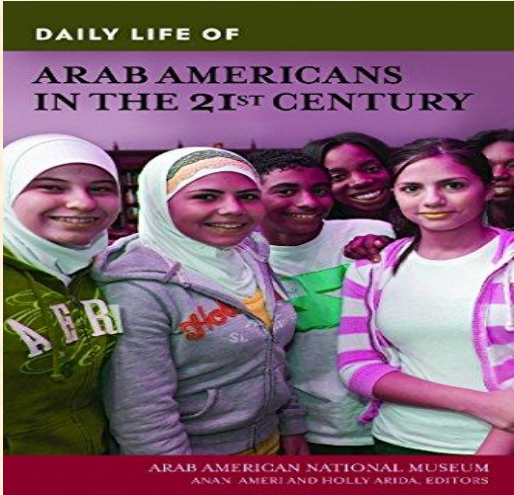
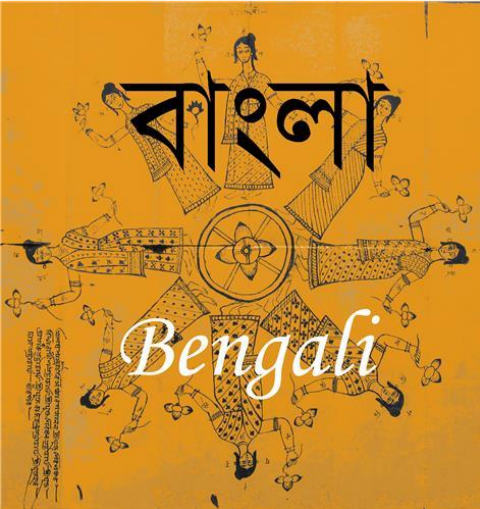


Identity

- Make sure that instructional materials include reading material that is culturally specific or neutral, and remove materials that reinforce negative stereotypes or that misrepresent history.
- Utilize a range of music in the classroom and other school settings to represent the backgrounds of students and their families.



Do Students See Their Culture Represented at School?



Voice



- Authentic family or community engagement includes providing families, students, and community members with meaningful opportunities to be heard, and to exercise leadership within the school system.
- To truly engage with a culturally responsive lens, schools must reach out to the families and communities of minority students and draw them into conversations and work.
- School PBIS teams include family and student subcommittees.
- Move beyond viewing communities from a racial standpoint to understanding the cultures and ethnicities they serve.

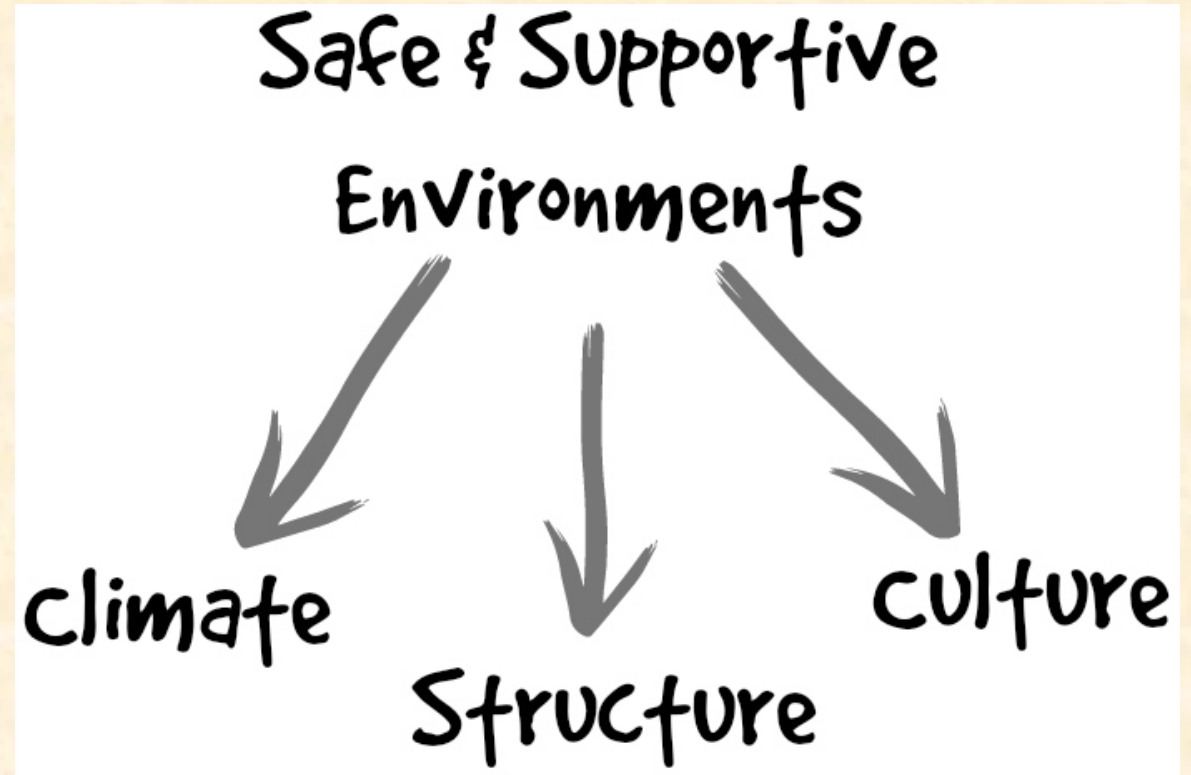
Educator Voice

- Teams have a process for frequently facilitating two-way communication between the school administration, the leadership team, and faculty.
- School staff are acknowledged for their participation in PBIS systems.
- Teams collect and use feedback from school staff regarding their perceptions of and suggestions for Tier 1 PBIS at least annually.



Supportive Environment

- In a supportive environment staff understand that school expectations exist as a framework to teach desired behavior to fluency, rather than a system through which infractions are delivered.
- Staff use acknowledgment systems to encourage the learning and generalization of desired behavior.
- Staff response to behavior errors includes teaching the desired behavior.



Supportive Environment

- Teams have procedures for staff to respond to behaviors by re-teaching the skill with additional practice, acknowledgment, and a focus on restoring relationships.
- Classroom Procedures: Teachers post images of successful persons from minority groups filling professional roles to counter stereotypical imaging.
- Teachers use a range of instructional methods appropriate to the content area and developmental level of students (e.g., whole group discussions, cooperative group activities)



Supportive Environment

Teachers use these evidence based instructional strategies:

- Explicit instruction
- Building and priming background knowledge.
 - According to Robert Marzano, "What students *already know* about the content is one of the strongest indicators of how well they will learn new information relative to the content."
- Increasing opportunities to respond.
- Providing performance feedback



Research-based Interventions/Culturally-Responsive Behavior Management

Fallon, L.M., O'Keefe, B.V., & Sugai, G. (2012). Consideration of Culture and Context in School-Wide Positive Behavior Support: A Review of Current Literature. *Journal of Positive Behavior Interventions*, 14, 209-219.

Increase Positive Contacts

- Greet students daily
- Ask about students' outside interests
- Show a caring attitude
- Listen to students
- Be warmly demanding (being positive, while also being direct and assertive)

Situational Appropriateness

- Situational appropriateness involves altering one's behaviors when settings, contexts, or companions change.
- Behavior instruction in school should be tailored to the context in which the behaviors occur, with explicit connections to when and where expectations may change. This process is called code-switching.



Situational Appropriateness

- Teams actively seek input on problem behavior definitions (especially defiance and disrespect) from school staff, students, and families.
- Teams and school staff provide materials for families so they can define and teach behavior expectations in the home in ways that fit their needs.
- Teams actively seek consensus among staff with responses to problem behavior by revisiting procedures at least annually.
- Teams work with school staff to develop categories of for behavior that include staff-managed, office-managed, and situationally inappropriate behaviors.

Categories of Behavior

Example of a Completed Pi Chart

Situationally Inappropriate Behaviors	Staff-managed Problem Behaviors	Office-managed Problem Behaviors
Overlap (contributing before teacher finishes talking)	Missing materials	Use or Possession of Alcohol/Drugs
Touching Peers (as way of communication)	Inappropriate language	Weapons
Delay in starting work (contemplation, not avoidance)	Minor non-compliance	Continued defiance
Checking work with peers (cooperation)	Dress code violation	Harassment
Movement during class	Rudeness	Fighting

What is implicit bias?

Kent McIntosh, U. of Oregon

- Unconscious, automatic
- Generally, not an indication of our beliefs and values
- We all have it (even those affected by it)
- Based on stereotypes
- More likely to influence:
 - Snap decisions
 - Decisions that are ambiguous

Consider: Is it possible that implicit bias could be a factor in any of the identified situations?

Vulnerable Decision Points

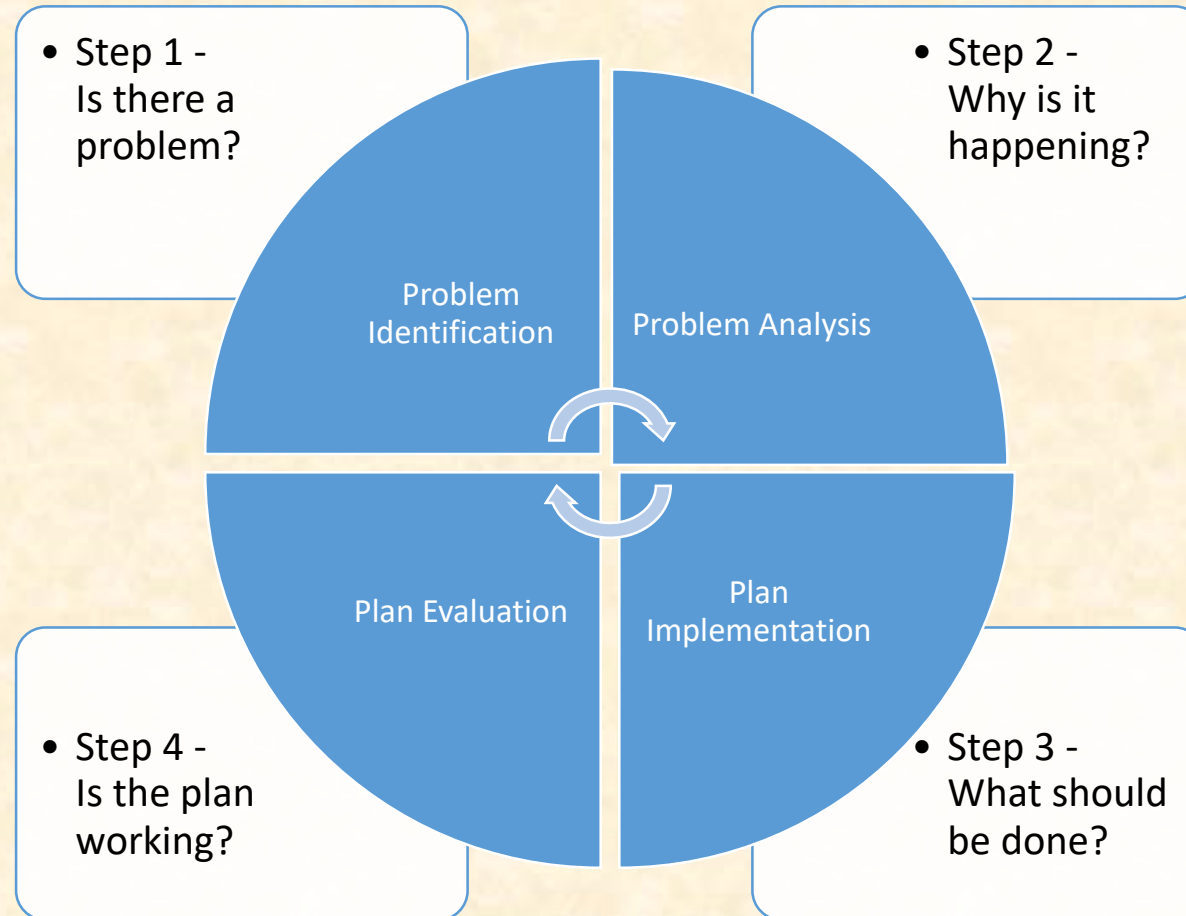
- VDP: situations that are more likely to lead to disproportionality because it is at these times where (implicit) bias is more likely to affect decisions to refer a student to the office or suspend the student (McIntosh et al., 2014)
 - For example, disproportionality for disrespect may be more likely in non-classroom areas
 - Time of day/fatigue
 - Hunger
 - Snap decisions
 - “Don’t just do something, stand there.”
 - “See me after class.”

Data for Equity

- Culturally responsive systems are based on an understanding that it is imperative to disaggregate data for analysis and action planning and openly discuss trends in the data regarding equity.
- Teams must use student outcome data and fidelity of implementation data.



Data-based Problem Solving Process



Step 2.

PBIS Team Data Analysis

- Tier One PBIS Team
- Have as many perspectives, diversity, and as much experience at the table as possible.
 - Teachers
 - Administrators
 - Students
 - Others
- Review equity data on a quarterly basis.

Providing Tier 2 Supports to Students with Multiple Referrals?

- How many students within the targeted sub-group of concern receive Tier 2 support? _____
- Specify how many are on each Tier 2 Intervention:
 - CICO _____
 - Adult Mentor _____
 - Take a Break _____
 - Home/School Plan _____
 - Targeted Social Skills _____
 - High Interest Club _____
 - Academic Support _____
 - Homework Help _____
 - Other _____

Providing Tier 3 Supports to Students with Multiple Referrals?

- How many students within the targeted sub-group of concern receive Tier 3 support? _____
- Specify how many are on each Intervention
 - Individualized behavior plan with functional assessment _____
 - On-going counseling _____
 - Small Group work _____
 - School-based Wrap-around _____
 - Alternatives to Suspension _____
 - Mental Health Services _____
 - Court Involvement _____
 - Other _____

Step 3. Plan Implementation

- Based upon the information gathered in the data analysis, select and then implement the strategies that are most likely to be effective in solving the problem.
- Design an action plan to ensure that the specific strategies are carried out as intended.
- Identify:
 - each task
 - who is responsible
 - and when it is to be carried out.

Considerations/Recommended Strategies

- Review core (Tier One) PBIS strategies. Are those strategies being implemented in a culturally responsive manner? Can we do more to engage students, families, the community?
- Ensure high levels of student engagement in academic instruction.
- Do staff need more training in culturally responsive instruction?
- Do any staff need classroom management support?

Recommended Strategies

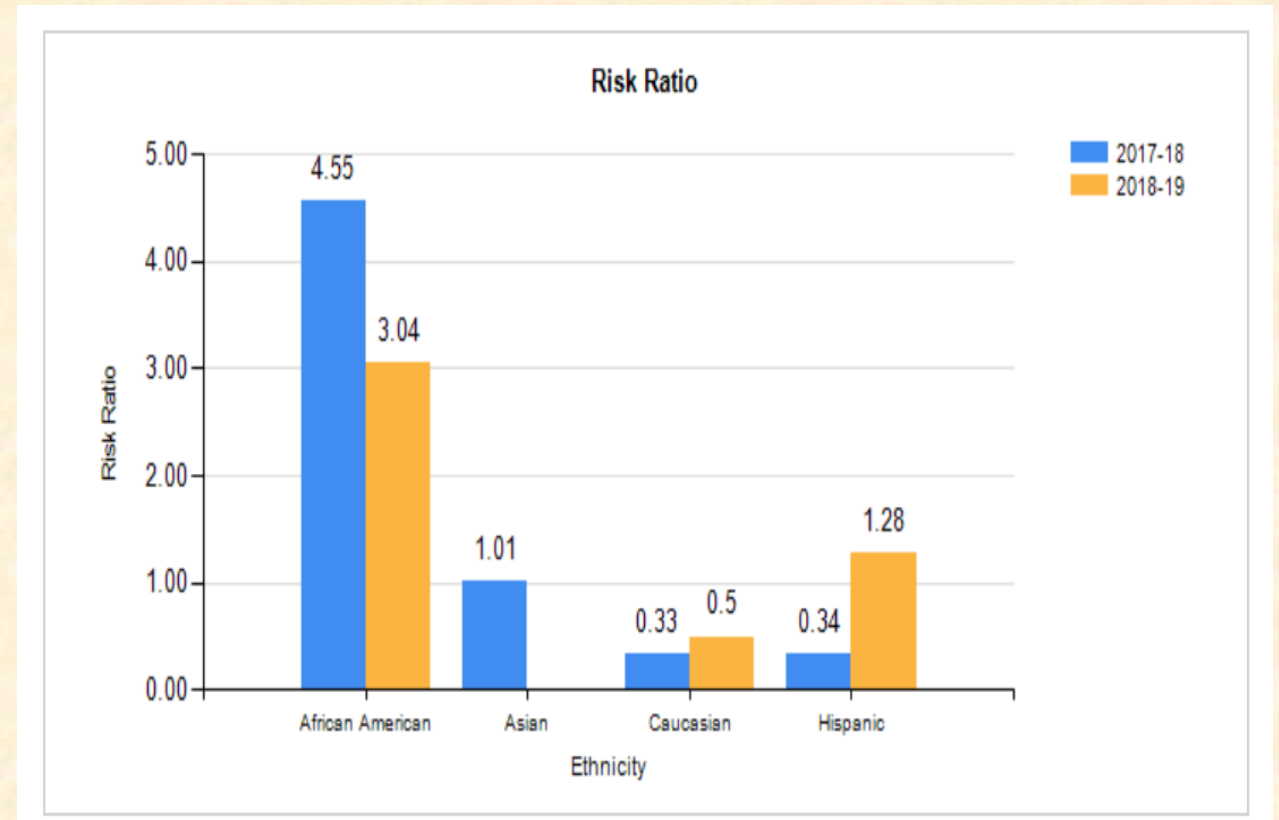
- Review behavioral definitions (majors, minors), and procedures for responding to behavioral infractions (disrespect, defiance). Are those definitions and behavioral response procedures well understood by staff?
- Have examples and non-examples of disrespect and insubordination been reviewed with staff.
- Have staff been trained in alternatives to ODRs?
 - De-escalation strategies
 - Break strategies
 - Brief time-outs
- Ensure that students with multiple referrals are receiving appropriate tiered interventions with fidelity.

Step 4. Plan Evaluation

- Evaluation occurs through periodic data collection and meetings (e.g., quarterly), so that the plan can be changed based upon results.
- As the 4-part problem-solving cycle is completed it is important to report progress to the staff, families, community and district.
- It is recommended to assess disproportionality outcomes quarterly, and fidelity of implementation to the action plan monthly.

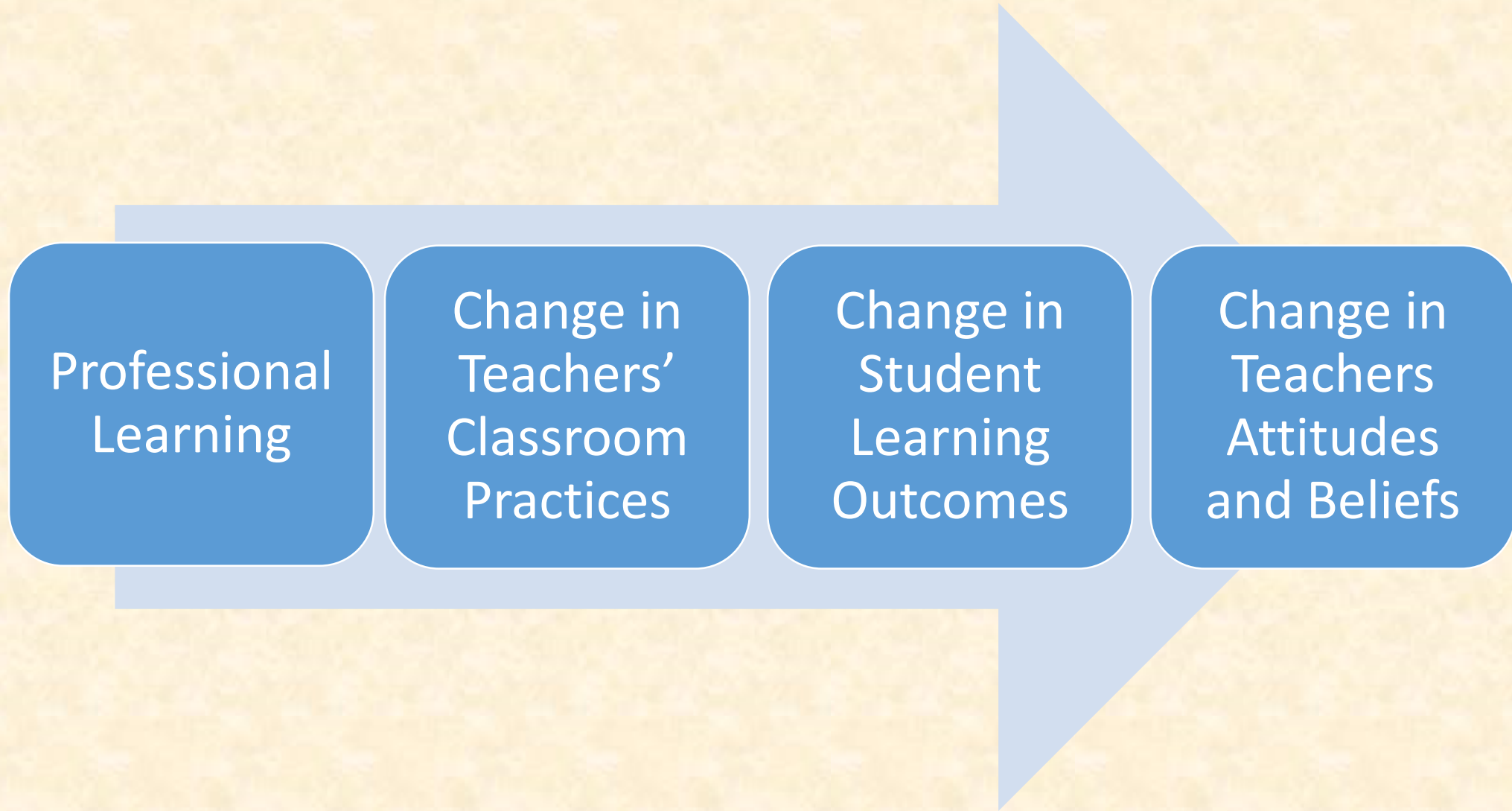
Plan Evaluation

- Calculate metrics by month and compare to previous months. Include both risk ratios and composition metrics.
- Compare monthly data to the final goal and determine whether changes need to be made.
- Share results with school staff and district administrators.



Thomas Guskey, 1986 – 2020

Systems Change Model



References/Resources

- McIntosh, K., Girvan, E. J., Horner, R. H., Smolkowski, K., & Sugai, G. (2018). A 5-point intervention approach for enhancing equity in school discipline. OSEP Technical Assistance Center on Positive Behavioral Interventions and Supports.
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**EQUITY &
EXCELLENCE
FOR ALL**

ALTERNATIVES TO SUSPENSION

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Agenda

- **Michigan Rethink Discipline Law, 2017**
- **Prevention/Avoiding Power Struggles**
- **Alternatives to Suspension Options**
- **Early Intervention for Oppositional Behavior Preview**

Alignment of Initiatives within the PBIS Framework

- Restorative Practices
- Alternatives to Suspension
- Equity/Disproportionality
- Culturally Responsive PBIS

Best done at the District & Building Levels

Rethink Discipline

Effective August 1, 2017

Michigan School Code

Sec. 1310d. (1) **Before suspending** or expelling a pupil under section 1310, 1311(1), 1311(2), or 1311a, the board of a school district or intermediate school district or board of directors of a public school academy, or a superintendent, school principal, or other designee under section 1311(1), **shall consider each of the following factors:**

- (a) The pupil's age.
- (b) The pupil's disciplinary history.
- (c) Whether the pupil is a student with a disability.
- (d) The seriousness of the violation or behavior committed by the pupil.
- (e) Whether the violation or behavior committed by the pupil threatened the safety of any pupil or staff member.
- (f) Whether **restorative practices** will be used to address the violation or behavior committed by the pupil.
- (g) Whether a **lesser intervention** would properly address the violation or behavior committed by the pupil.

Does not apply to a student being expelled for possession of a firearm

MiStar Behavior Module

Yes/No

Before suspending or expelling the pupil, were the following factors considered?

- The pupil's age.
- The pupil's disciplinary history.
- Whether the pupil is a student with a disability.
- The seriousness of the violation or behavior committed by the pupil.
- Whether the violation or behavior committed by the pupil threatened the safety of any pupil or staff member.
- Whether restorative practices will be used to address the violation or behavior committed by the pupil.
- Whether a lesser intervention would properly address the violation or behavior committed by the pupil.

Rethink Discipline

Effective August 1, 2017

Michigan School Code

- **Definition: “Restorative practices” means practices that emphasize repairing the harm to the victim and the school community caused by a pupil’s misconduct.**
- A school board or its designee shall consider using restorative practices **as an alternative or in addition to** suspension or expulsion under this act.
- Restorative practices should be the first consideration to remediate offenses such as interpersonal conflicts, bullying, verbal and physical conflicts, theft, damage to property, class disruption, and harassment and cyberbullying.

Restorative Practices

- Restorative practices may include victim-offender conferences that are initiated by the victim; that are approved by the victim's parent or legal guardian or, if the victim is at least age 15, by the victim.
- RP provides an opportunity for the offender to accept responsibility for the harm caused to those affected by the misconduct and to participate in setting consequences to repair the harm.
- The attendees, known as a restorative practices team, may require the pupil to do 1 or more of the following: **apologize; participate in community service, restoration, or counseling; or pay restitution.**

International Institute for Restorative Practices

<http://www.iirp.edu/>

Restorative Chat

- “What happened?”
- “What were you thinking about at the time?”
- “What have you thought about since?”
- “Who has been affected by what you have done?
In what way?”
- “What do you think you need to do to make things right?”

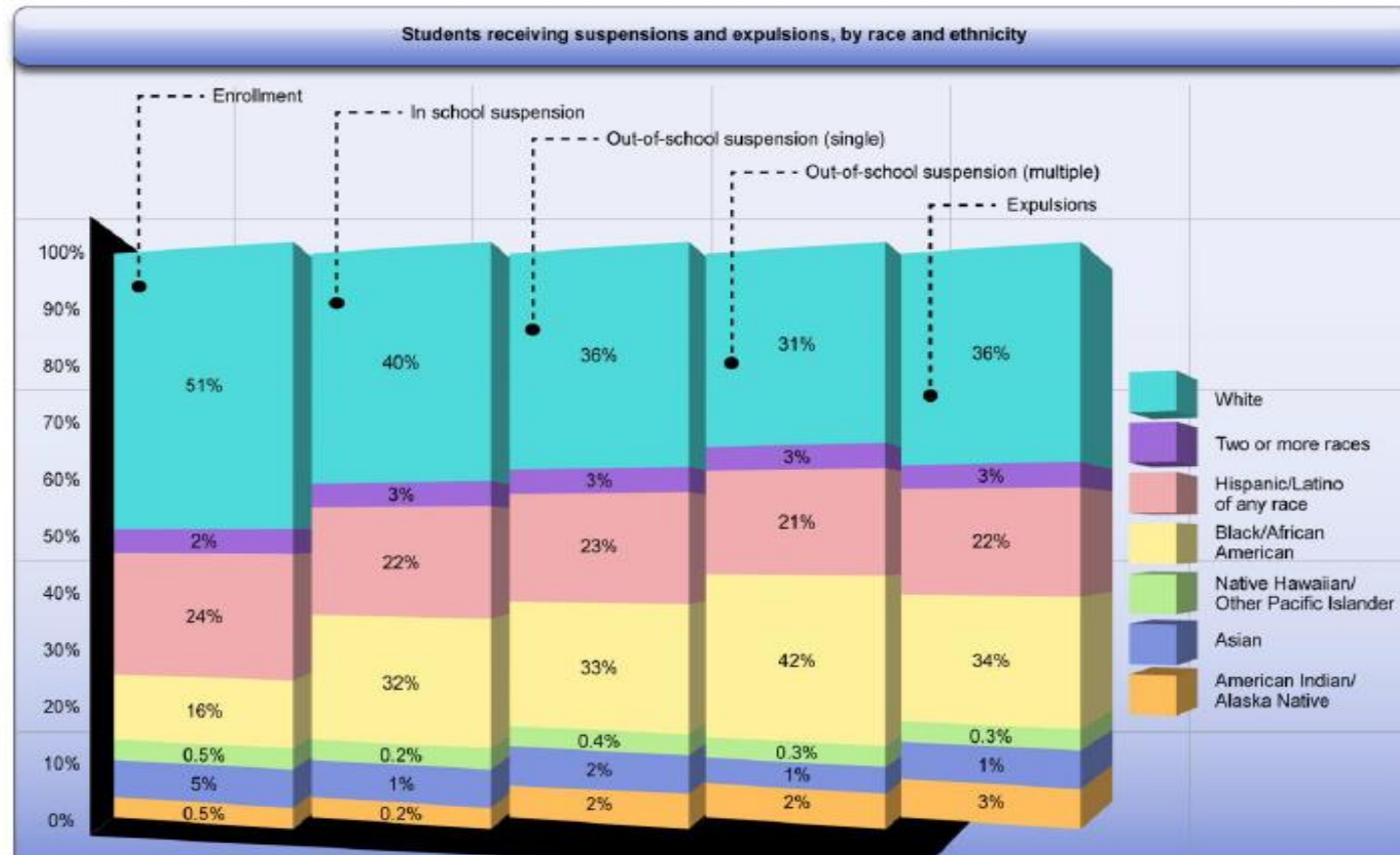
Russ Skiba, U. of Indiana, 2006

- ✓ At the national level it has been estimated that the number of suspensions and expulsions has doubled since the 1970s.
- ✓ 30-50% of students suspended are repeat offenders
 - ✓ “Suspension functions as a reinforcer...rather than as a punisher” (Tobin, Sugai & Colvin, 1996)
- ✓ Data shows that certain classrooms and schools appear to be responsible for a disproportionate share of disciplinary referrals
- ✓ In some schools suspension may be used as a push-out tool to encourage low-achieving students and those viewed as troublemakers to leave school before graduation.

OCR National Data 2013-14

Rates of suspension and expulsion, by race/ethnicity

Black students represent 16% of the student population, but 32-42% of students suspended or expelled. In comparison, white students also represent a similar range of between 31-40% of students suspended or expelled, but they are 51% of the student population.



Civil Rights Data Collection

- While male and female students each represent about half the student population, males made up 74% of the students expelled.
- Students covered under IDEA are over twice as likely to receive one or more out-of-school suspensions.

Civil Rights Data Collection

“The increasing use of disciplinary sanctions such as in-school and out-of-school suspensions, expulsions, or referrals to law enforcement authorities creates the potential for significant, negative educational and long-term outcomes, and can contribute to what has been termed the school to prison pipeline.”

Civil Rights Data Collection

- “Studies have suggested a *correlation* between exclusionary discipline policies and practices and an array of serious problems, including
 - school avoidance and diminished educational engagement;
 - decreased academic achievement;
 - increased behavior problems;
 - increased likelihood of dropping out;
 - substance abuse;
 - and involvement with juvenile justice systems.”

Definition: Insubordination/Disrespect

- ✓ **Insubordination: "A constant or continuing intentional refusal to obey a direct or implied order, reasonable in nature, and given by and with proper authority."**
 - **Sims v. Board of Trustees, Holly Springs Municipal Separate School District**
- **The infraction that most frequently leads to suspension.**

RESPONDING TO BEHAVIOR: THE CYCLE OF COERCION

- Decades of research by G.R. Patterson and others reveal that highly oppositional children engage in a cycle of coercion with their parents.
- A cycle of coercion can occur at school between student and teacher.
- Two things to remember about the cycle of coercion:
 - **The cycle reinforces the child's negative, oppositional behaviors and worsens the behaviors.**
 - **The cycle can be broken.**

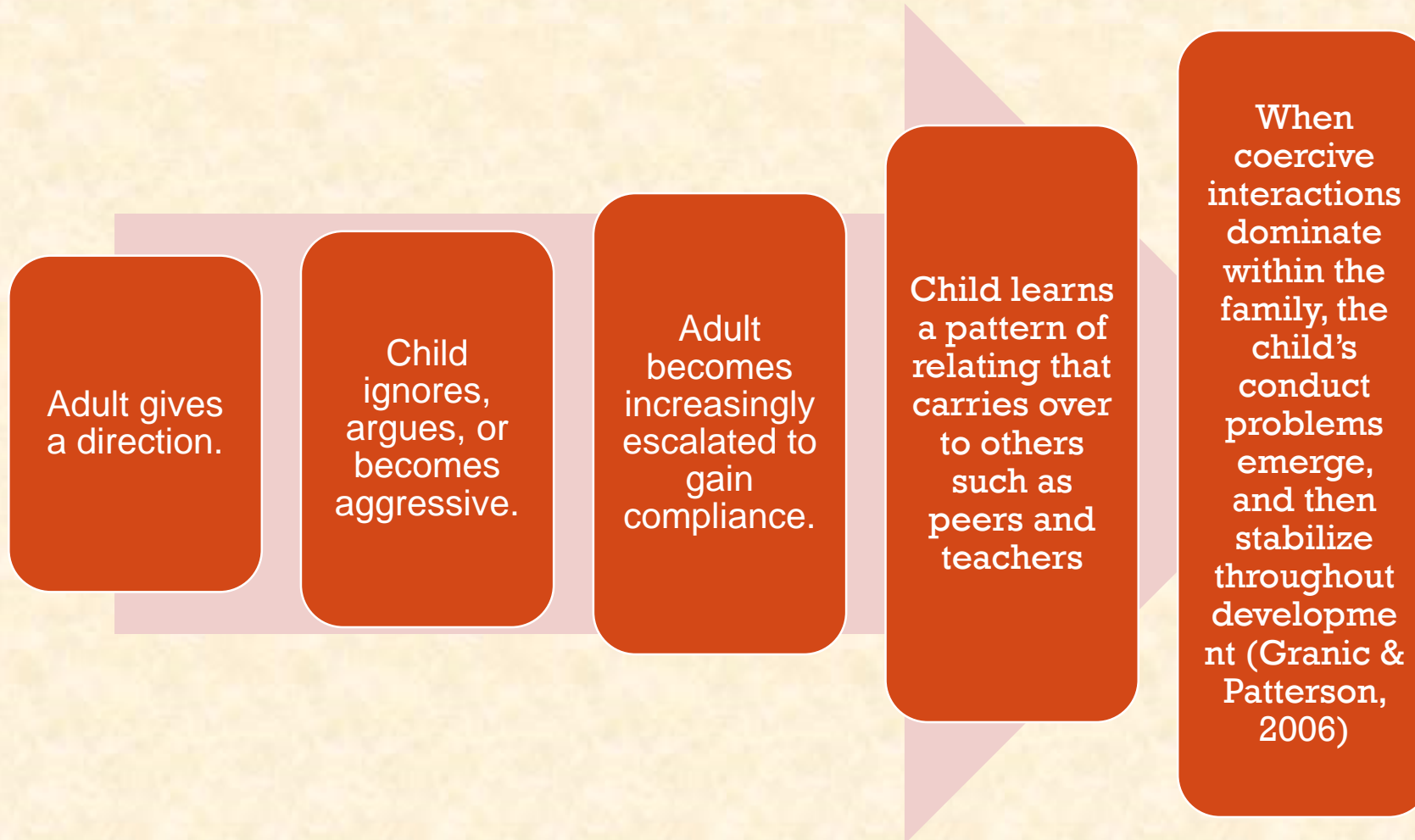
CYCLE OF COERCION INCREASED NON-COMPLIANCE

**Adult Gives a
Direction**

**Child Refuses to
Comply or
Tantrums**

**Adult Backs off
Request. Child's
Refusal/Tantrum is
Reinforced**

CYCLE OF COERCION – ESCALATING DISCIPLINE



BREAKING THE CYCLE OF COERCION

- **Adult doesn't model Coercive Behavior**
 - **"We can wait."**
 - **"Choices have consequences."**
 - **Adult models 'in control' behavior**
 - **Practice de-escalation**
- **Adult does not reward the child's non-compliance, tantrum, or aggressive behaviors**
 - **Have a response plan.**
 - **Brief time-out.**
 - **Natural/logical consequences**
 - **Privilege loss**

Adult Behaviors that Add to Power Struggles

- Responding quickly
- Trying to convince
- Threatening
- Increasing consequences
- Having the interaction in the presence of others
- Remaining in the interaction too long
- Getting angry, being sarcastic
- Putting the student down

Adult Behaviors that Diminish Power Struggles

- Simple directive, choices
- Predetermined consequences
- Listening
- Being brief and direct
- Private discussion
- Walking away
- Avoiding snap decisions

More tips for working with students with oppositional behavior – de-escalation techniques

- ✓ **Interrupt early in the cycle of non-compliance – take a walk, quick break.**
- ✓ **Convey calmness: lower your voice, strategic pause, sitting down next to the student as opposed to standing over.**
- ✓ **Validate and label the student's emotions (e.g., "Linda, you seem angry/frustrated/annoyed, tell me what's going on.")**

Oppositional Defiant Disorder or Trauma?

- Children with a history of traumatic experiences exhibit greater oppositional defiant behaviors than children without exposure to trauma.
- Under stress, traumatized children's analytical capacities are limited and behaviorally react with confusion, withdrawal and/or rage.
- More than 800,000 children are exposed to trauma annually from abuse and neglect alone. Twenty percent of those children are observed to have dramatic changes in behavior consistent with ODD following a traumatic event.
- "Paper Tiger Documentary" - <https://kpjrfilms.co/paper-tigers/>

**Systems Issue:
Students with multiple suspensions –
use a tiered approach**

Tier 2

- ✓ Check in check out
- ✓ Adult mentor
- ✓ Targeted social skills instruction
- ✓ Take a Break
- ✓ Home/school contract

**Systems Issue:
Students with multiple suspensions –
use a tiered approach**

Tier 3

- ✓ **Functional Behavior Assessment**
- ✓ **Intensive PBIS plan**
- ✓ **School-based Wrap-Around**
- ✓ **Outside agency support**
- ✓ **Alternative program**
- ✓ **Academic assistance**

Create Systems that Support Suspension Alternatives – Create a Menu of Options.

- ✓ **Teaching modules:** on topics related to various types of inappropriate behavior. These could include readings, videos, workbooks, tests and oral reports.
 - ✓ Show evidence of instruction.
- ✓ See Advantage Press
 - ✓ <http://www.advantagepress.com/discipline.html>
- ✓ **All Disciplinary Actions should have an Instructional or Restorative Component**

Alternatives to Suspension

- ✓ **Parent Supervision** Parent comes to school with student.
- ✓ **Counseling** Student is assigned to a school professional to identify skills for targeted intervention (e.g., anger management), or to work through problems or issues the student may have.

Alternatives to Suspension

- ✓ **Restitution** Student makes amends/corrects the problem he/she has caused with his/her behavior. Logical consequences. Makes apology.
- ✓ **Community Service**: Student is assigned to a supervised work job around school (after school).

Alternatives to Suspension

- ✓ Behavior Monitoring check sheets, e-mail, texts daily/weekly feedback between teacher and parent for a limited period of time.
- ✓ Home-based consequences: parent agrees to administer appropriate privilege loss at home.
- ✓ Behavioral Contract : Written agreement with student (may include parent) that specifies rewards and consequences for positive and negative behaviors.

Alternatives to Suspension

- ✓ **Loss of school privileges**

- ✓ **Detention:**

 - ✓ after school

 - ✓ lunch detention

 - ✓ Saturday detention

Alternatives to Suspension

- ✓ **Reset Room/Time-out – short term intervention**
 - ✓ **Calm down, refocus, get ready to return to class**
- ✓ **Buddy Classroom**

Alternatives to Suspension

- ✓ **Targeted suspension**: student is suspended from the specific class where the problem occurred, but otherwise stays in school.
- ✓ **In-school Suspension** ISS should continue academic or other instruction, but also focus on solving the problem that resulted in the student being sent there.

ALC

Academic
Learning
Center



**photo credit: Grosse Pointe North High School*

Some schools have moved away from In-School Suspension and have created Academic or Alternative Learning Centers. Students are assigned to the ALC as an alternative to suspension or as a part of a re-entry after suspension to support the student's re-integration to the school environment. ALCs have defined procedures that are communicated to staff and students.

Alternatives to Suspension

- ✓ Programming Alternatives Change the student's schedule, classes or program which would avoid problem situations, but yet permit continued access to the curriculum and school.

References

- ✓ Peterson, R., (2006) *What Every Administrator Needs to Know about Alternatives to Suspension and Expulsion*. University of Nebraska-Lincoln.
- ✓ Skiba, R., & Sprague, J. (2008). Safety without suspension. *Educational leadership*, 66, 38-43.

Alternatives to Suspension



A Systems Issue

A Mindset

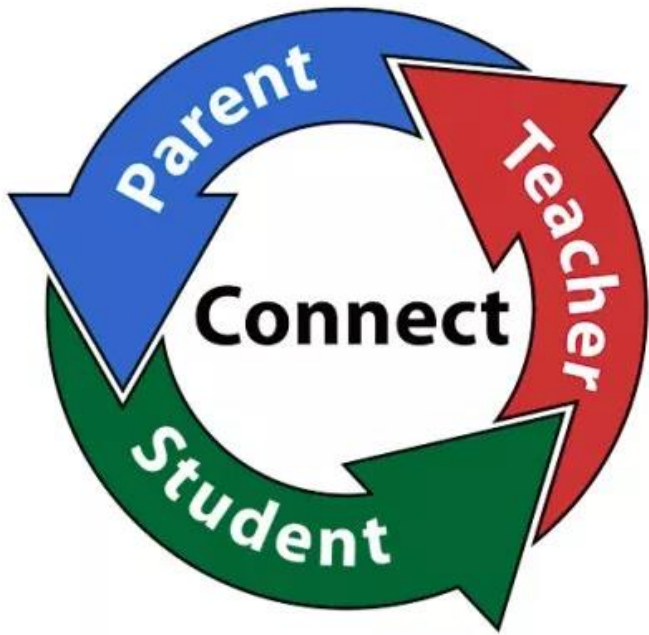
Early Intervention for Oppositional Defiant Behavior: A Tier 3 Wraparound Approach

2021-22

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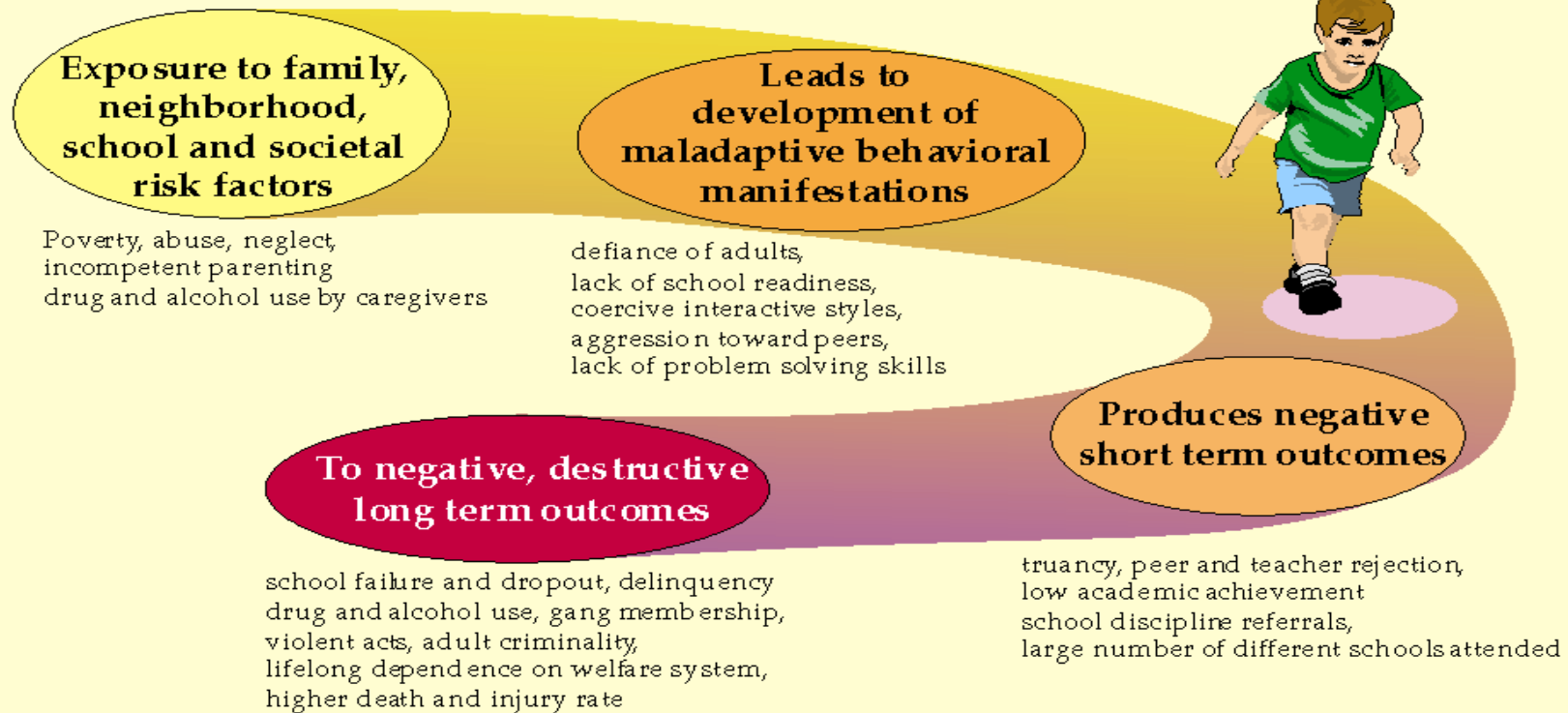


Agenda

- Prevalence of Oppositional Behavior in Young Children
- Behavioral Research-Based Model: Cycle of Coercion
- Framework for Behavior Intervention
- Expressive Communication link
- Parent Management Training – PMTO
 - Core features
- Special Education Considerations
- School-Based Wraparound: Bringing it all together

Early Starter Pathway of Conduct Problems

The Path From Risk Factor(s) Exposure to Long Term Negative Outcomes



Pathway Characteristics

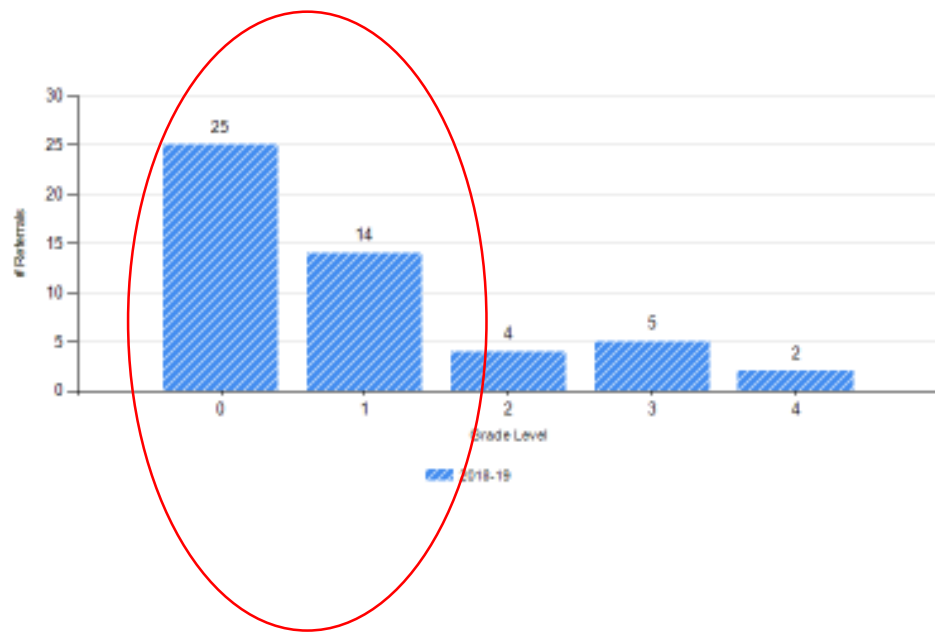
- Developmentally excessive levels of aggression, non-compliance, and other oppositional behavior in pre-school and early school-age years
- High degree of continuity through childhood, adolescence, and adulthood
- Poor prognosis

Around Wayne County...

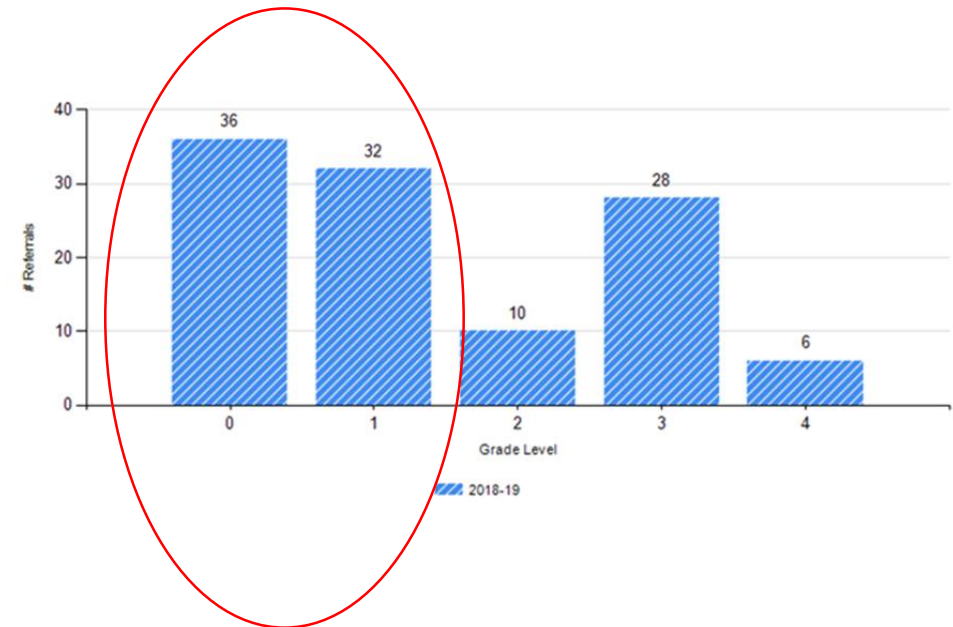
- Many PBIS data reports indicate a high level of behavior problems exists within the younger grades, especially kindergarten.
- Frequent requests to provide behavior consultation on students in lower elementary grades.
- Based on the data we receive, there is a need to focus on behavior intervention for young children displaying oppositional defiant behavior.

PBIS Data - Not Uncommon

ODRs by Grade Level



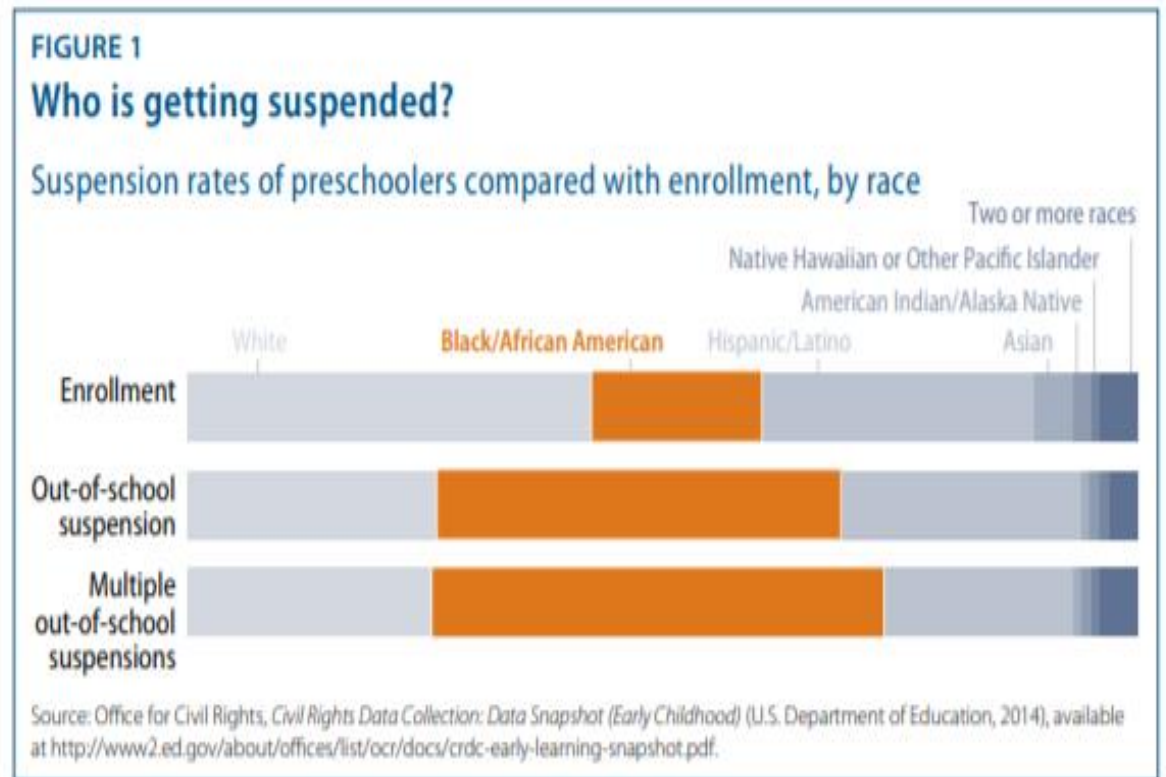
ODRs by Grade Level



The Importance of Early Intervention

<https://www2.ed.gov/policy/gen/guid/school-discipline/policy-statement-ece-expulsions-suspensions.pdf>

- A 2014 analysis from the U.S. Department of Education's Office for Civil Rights found:
 - African American children make up 18% of enrollment in preschool.
 - African-American children account for 42% of out-of-school suspensions and 48% of those receiving multiple suspensions.



Early intervention is an issue of equity.