

TESTIMONY PROVIDED TO: Joint Legislative Justice Oversight Committee

FROM: Amy Fowler, Deputy Secretary Agency of Education

TOPIC School Discipline Update

DATE: August 23, 2016

During the last session, the legislature tasked the Agency of Education with examining practices regarding restorative practices (Act 153) that could be used to improve climate and reduce negative factors such as truancy, bullying and harassment and behaviors that result in exclusionary discipline and to implement a series of recommendations presented in the AOE report on school exclusionary discipline

<http://legislature.vermont.gov/assets/Documents/2016/WorkGroups/Senate%20Education/Reports%20and%20Resources/W~Agency%20of%20Education-Exculsinary%20Discipline%20Report~1-25-2016.pdf>

To date the following actions have been taken:

Act 153:

1. **Consultation with Other States:** Agency leadership have conferred with State counterparts in Texas, California, and Colorado regarding the use and implementation of restorative practices from the Agency level to identify appropriate funding streams.
2. **Consultation with Research Bodies:** Agency leadership, through participation in the Regional Education Lab, has requested a review of research literature supporting the implementation of restorative practices.
3. **State Assessment:** The MTSS team has drafted and posted an RFP seeking an independent facilitator to understand the current implementation of restorative practices in Vermont to ensure that work builds on what has already begun.
<http://www.vermontbidsystem.com/BidPreview.aspx?BidID=16774> Proposals have been reviewed and the contract is being inked.
4. **Professional Development for Schools:** The Agency hosted the 20th annual BEST Conference which supported 412 educators from 63 supervisory unions/districts in exploring proactive, restorative practices as part of their MTSS program. A full professional development strand was offered by Jon Kidde titled "Restorative Justice: A Whole School Approach."

Recommendations from AOE Report

5. **Refinement of Data Collection:** The Agency has nearly finished guidance for schools related to data collection to increase the validity of determinations drawn from those data. Specifically, we have clearly defined what constitutes an exclusion, how to properly code infractions and reminded staff of the need to submit all exclusions.
6. **Re-publishing of the Report:** The Agency has finished collecting data from all schools and is cleaning that data to prepare a second report for the legislature's consideration in the next session.

7. **ESSA State Plan:** The Agency is developing the state response to the federal *Every Student Succeeds Act* that replaces *No Child Left Behind*. As part of this work, the Agency has committed to including two indicators related to this act as part of the school quality review process:
 - a. A student climate survey- This is a high priority for the Agency but may not meet the technical requirements for the federal program.
 - b. A measure of student discipline- We are considering and testing three different measures to meet the federal requirements and to ensure that we have data which can be reported for at least 75% of schools.

By including these two indicators on the State Report Card for schools, we create a clear incentive for all schools to focus on improving school climate and reducing exclusionary discipline.

Additional Efforts:

8. **Staffing Re-Alignment:** The Agency has re-aligned existing staff to create a team dedicated to implementation of Multi-Tiered Systems of Support (MTSS) which includes Positive Behavioral Interventions and Supports, SWIFT, school discipline matters and restorative justice practices. This team began their work on July 1, 2016.
9. **VSA Spring Conference:** The Agency sent twelve staff to the Vermont Superintendent's Association conference in Spring 2016 where nearly every Superintendent and Special Education Director participated in a full day training on "Trauma Informed Instruction" to better understand the impact of trauma (poverty, housing displacement, home violence, poverty, etc.) impact children and their coping strategies and what schools can do to support them.
10. **VPA Summer Conference:** The Vermont Principals' Association hosted a three day conference in which one strand was dedicated to positive interventions in a trauma informed setting titled "No Such Thing As a Bad Kid! Understanding and Responding to Students with Emotional and Behavioral Challenges."
11. **VT NEA Equity Committee:** The Vermont NEA is launching an initiative to examine issues that interfere with equity, specifically institutionalized racism. The AOE has been invited to participate in this group and anticipates that issues related to disproportionality in discipline will be an important topic.