

Incarceration, Exclusion and Social Emotional Learning

House Judiciary
Jan. 20, 2016

Agenda:

1. Youth incarceration in Vermont
2. Suspension to incarceration?
3. Suspension and Exclusion in Vermont
4. Solutions? How can we reduce exclusions?

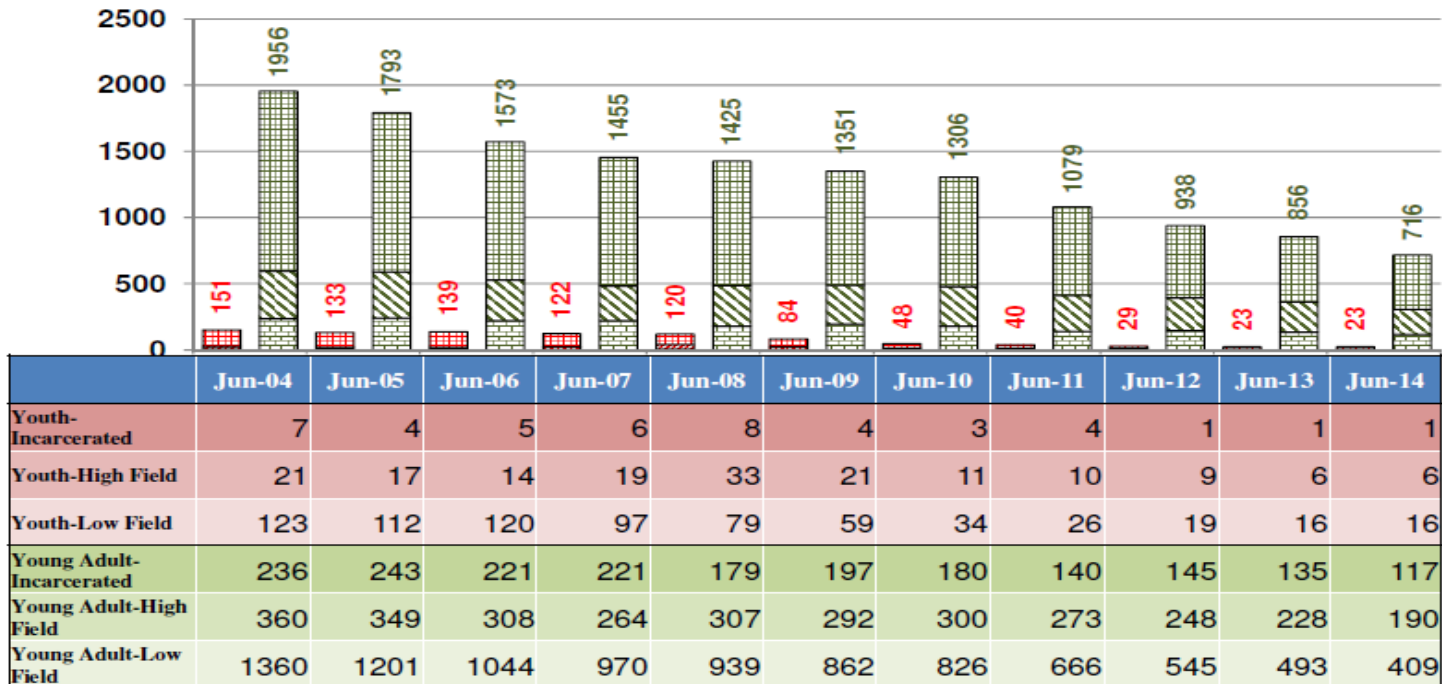
Youth Incarceration in Vermont

The number of youth in corrections declined about 85% between '04 and '14

Youths & Young Adults in Corrections

Youth (under 18) & Young Adults (18-21) - June 30th each year

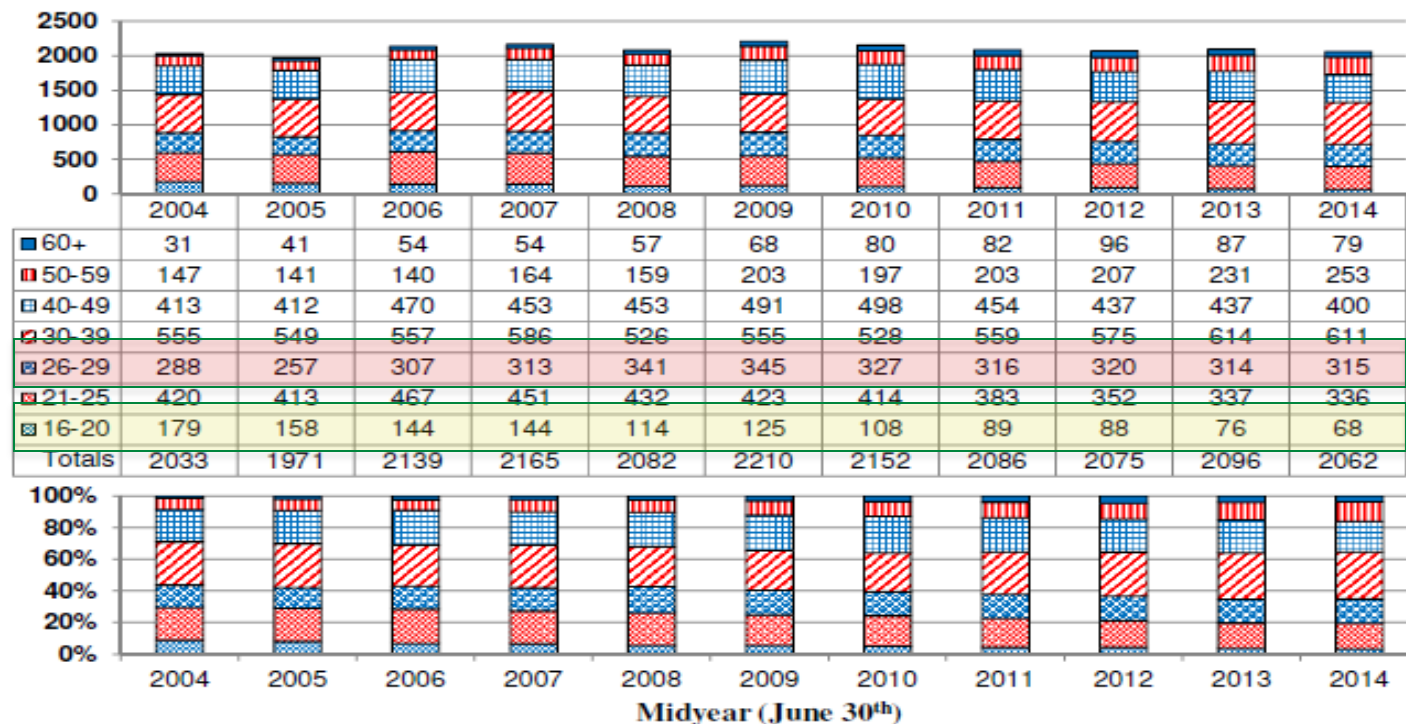
■ Youth-Incarcerated ■ Youth-High ■ Youth-Low ■ Y.Adult-Incarcerated ■ Y.Adult-High ■ Y.Adult-Low



Source: VTDOC Daily Snapshot (June 30th). A person was only counted once in the most restrictive placement (i.e. "Incarcerated" over "High field supervision" over "Low field supervision").

The number of inmates remained roughly constant, but proportionally fewer inmates are under age 26.

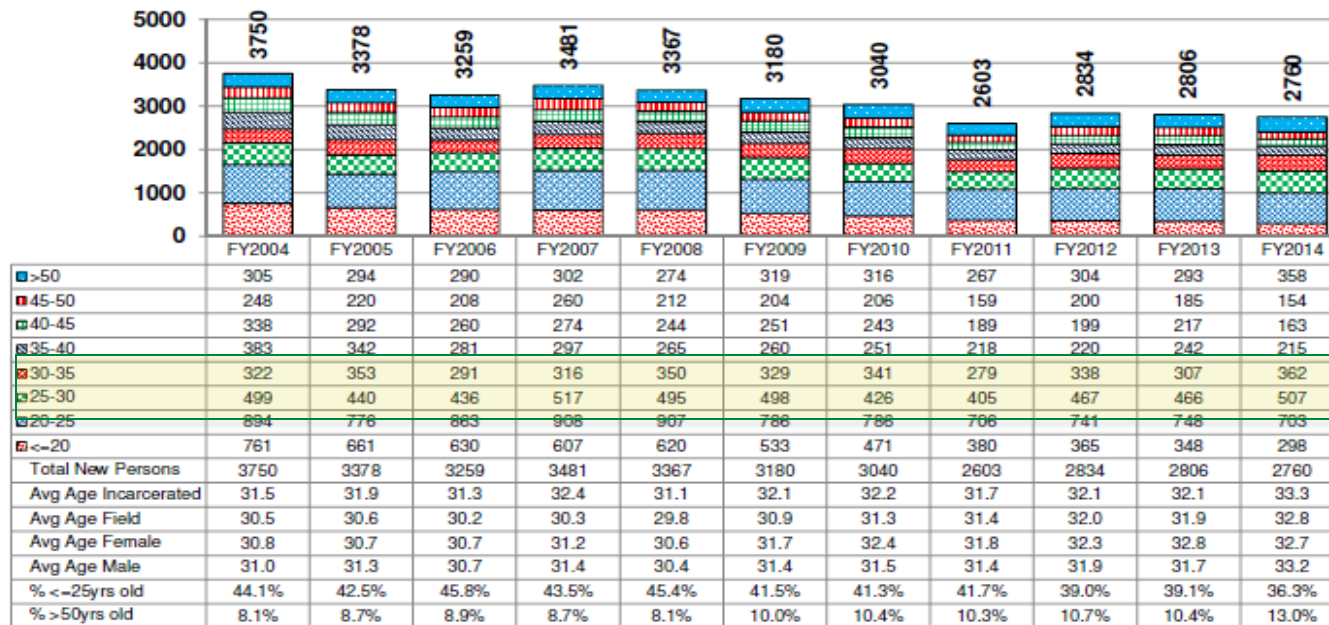
Age of Inmates June 30th each year



Source: VTDOC Daily Snapshot (June 30th each year).

Increasingly, first time entrants to corrections are between ages 25-35.

First Time Entrants to Corrections – Age Earliest Booking Slips



Fiscal Year on Earliest Extant Incoming Slip

Source: VTDOC Booking Slips. First time entrants are offenders who are placed on supervision or lodged and who have no earlier record (still extant in VTDOC's computerized data) of incarceration or supervision by the Vermont Department of Corrections.

Suspension to Incarceration?

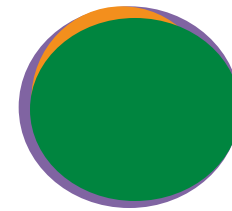
Studies of Suspension to Incarceration

Studies begin by looking at adults who are incarcerated and ask questions like:

- Were they ever incarcerated as juveniles?
- Did they have prior convictions?
- Were they ever suspended from school?

Because of the high correlations between each of these, people often conclude that suspensions in school predict future incarceration.

Suspension



Juvenile
Incarceration

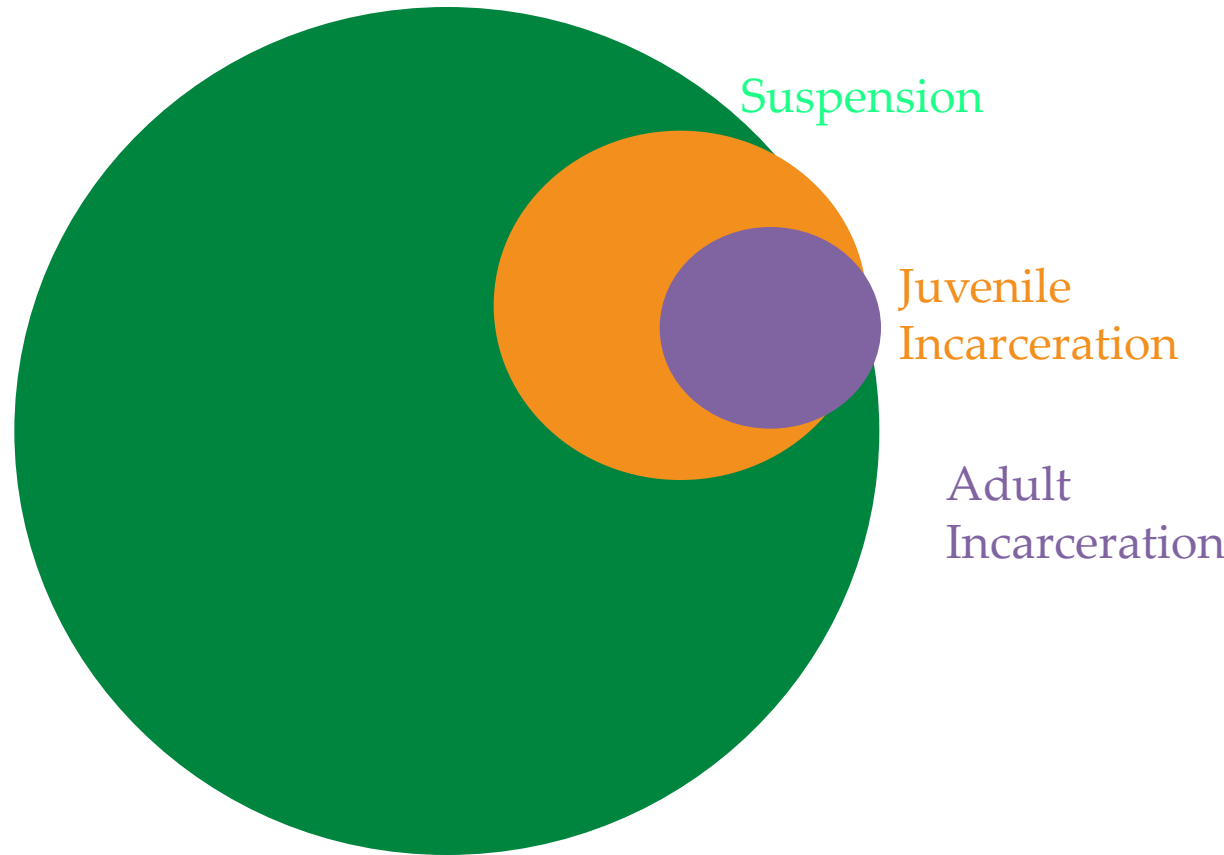
Adult
Incarceration

Conceptualizing Suspension to Incarceration

An alternate study would look at all students suspended and determine if

- They ever are incarcerated as juveniles?
- Are they ever incarcerated as adults?

These studies have not been done, but experience suggests that the vast majority of students who are suspended at one point in their lives do not end up incarcerated. Suspension does not cause Incarceration (correlation vs. causation).



Suspension and Exclusion in Vermont

Vermont statute tries to balance the needs of students

16 V.S.A. § 1162. Suspension or expulsion of pupils.

(a) A superintendent or principal may, pursuant to policies adopted by the school board that are consistent with State Board rules, **suspend a student for up to 10 school days** or, with the approval of the board of the school district, expel a student **for up to the remainder of the school year or up to 90 school days, whichever is longer**, for misconduct:

(1) on school property, on a school bus, or at a school-sponsored activity when the misconduct makes the continued presence of the student harmful to the welfare of the school;

(2) not on school property, on a school bus, or at a school-sponsored activity where direct harm to the welfare of the school can be demonstrated; or

(3) not on school property, on a school bus, or at a school-sponsored activity where the misconduct can be shown to pose a clear and substantial interference with another student's equal access to educational programs.

(b) **Nothing contained in this section shall prevent a superintendent or principal, subject to subsequent due process procedures, from removing immediately from a school a student who poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process of the school, or from expelling a student who brings a weapon to school pursuant to section 1166 of this title.**

VT statute supports and encourages provision of alternate education or services

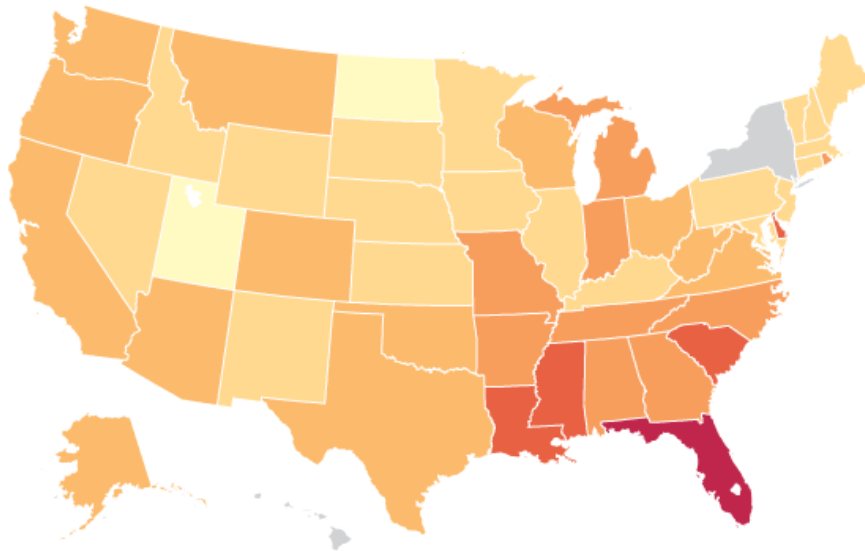
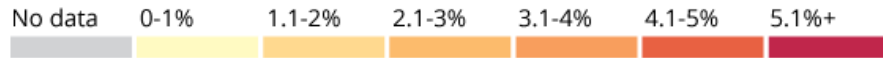
16 V.S.A. § 1162. Suspension or expulsion of pupils.

(c) Principals, superintendents, and school boards **are authorized and encouraged to provide alternative education services or programs to students during any period of suspension or expulsion authorized under this section.**

VT exclusion rates are low relative to the nation (note: some error in this data)

States With The Most Elementary School Suspensions

States' elementary school suspension rates, 2011-12



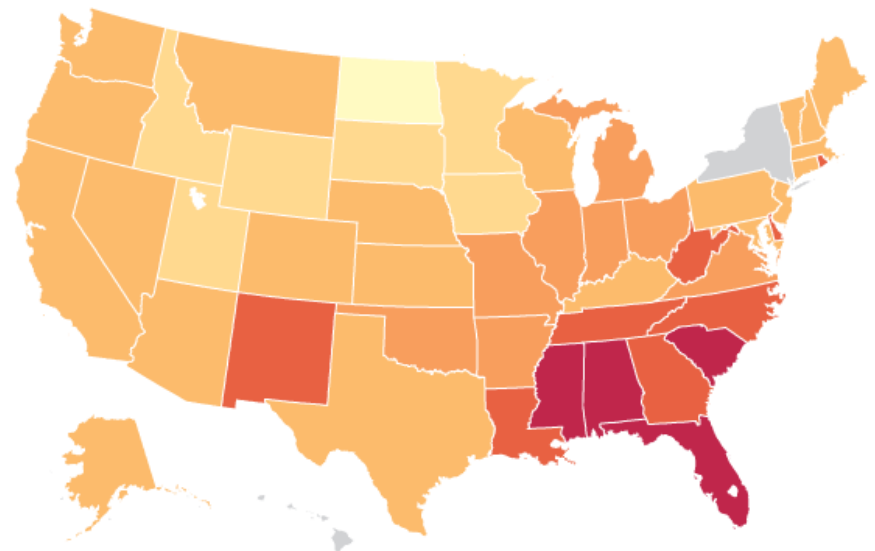
Note: Hawaii and New York were removed because of data reporting errors.

Source: The Center for Civil Rights Remedies, UCLA

THE HUFFINGTON POST

States With The Most Secondary School Suspensions

States' secondary school suspension rates, 2011-12

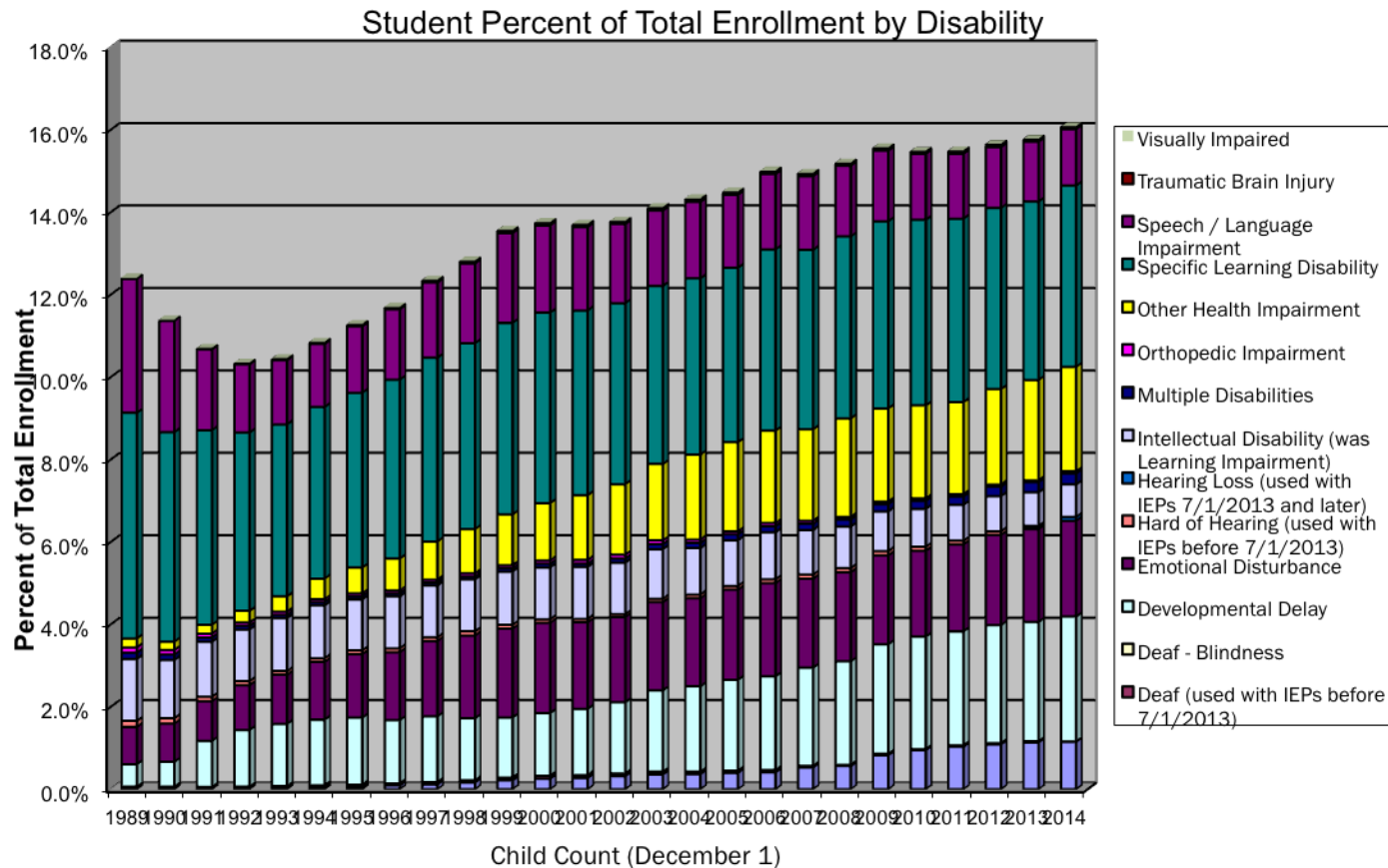


Note: Hawaii and New York were removed because of data reporting errors. Secondary schools are defined as middle schools, junior high schools and high schools.

Source: The Center for Civil Rights Remedies, UCLA

Higher risk students are a growing proportion of our student population....

Vermont Child Count Data 1989-1990 to 2014-2015



Demographic characteristics of students	% of population	% of excluded students	Note:
Eligible for FRL	40.1%	65.5%	FRL-eligible students are excluded at higher rates than their representation in the population.
Students with IEPs	18.1%	33.5%	Students with disabilities are excluded at higher rates than their representation in the population.
Students of Color	8.2%	10%	Students of color are excluded at higher rates than their representation in the population.
504 eligible	4.6%	8.3%	Students with 504 plans are excluded at higher rates than their representation in the population.
Males	51.5%	73.4%	Male students are excluded at higher rates than their representation in the population.

What helps? Interventions with cultural and linguistic competence:

Hepburn and Kaufmann (2005) Indicators of competence:

- Demonstrated respect for diverse backgrounds
- Understanding of the variance across cultures in mental health practices and how clinical issues present
- Provision of treatment and information in the appropriate language or literacy level (through interpreters, as necessary and appropriate)
- Utilization of culturally appropriate screening, assessment, and intervention tools and service plans
- Ability to distinguish between resistance to change and a desire to uphold culturally appropriate behavior

Professional development: Educators need training and support

- Provide professional development in supporting social-emotional development and responding appropriately to challenging behaviors (PBIS/BEST Institute)
- Help teachers, especially novices, distinguish behaviors that are inappropriate from those that are developmentally age appropriate (kids need to learn how to behave in school and public). (Supervision and support).
- Train educators to recognize behaviors that may be indicators of an underlying disability, so they can address the disability and not punish children for behaviors caused by disabilities.
- Help develop and support the self-reflective capabilities teachers need to identify and correct any potential biases.
(USED)

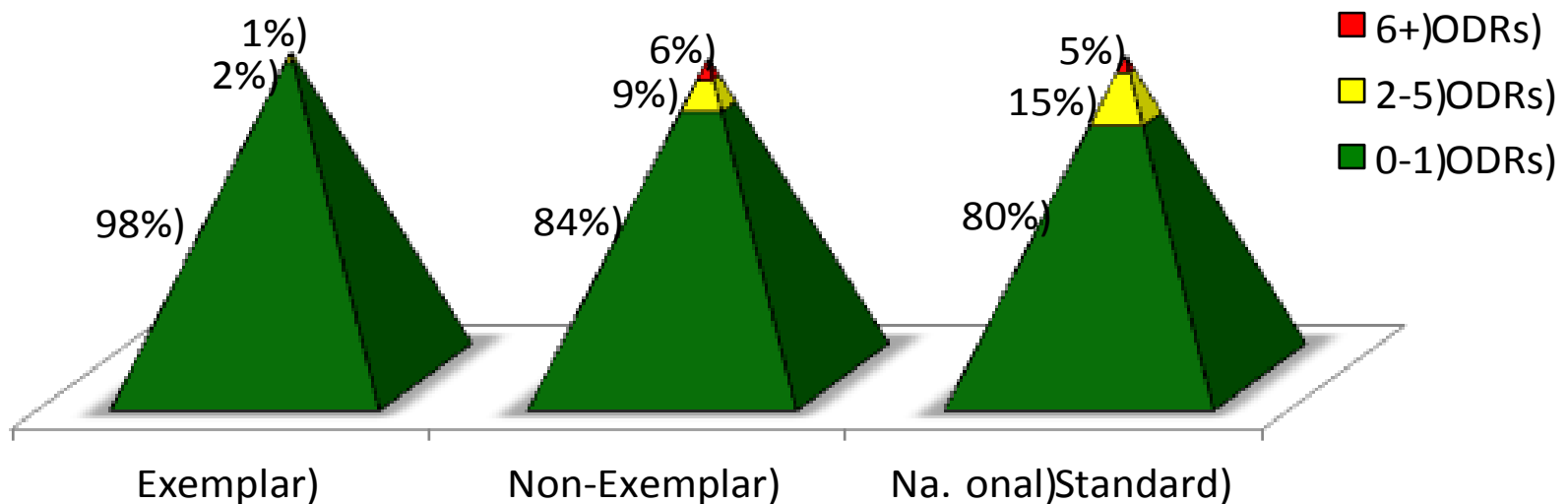
Solutions?

How can we reduce exclusions?

VT Positive Behavioral Interventions and Supports (PBIS)

A systematic, school wide intervention and framework for preventing and responding to problem behavior within a multi-tiered system of supports (MTSS). (ODR = Office Discipline Referral)

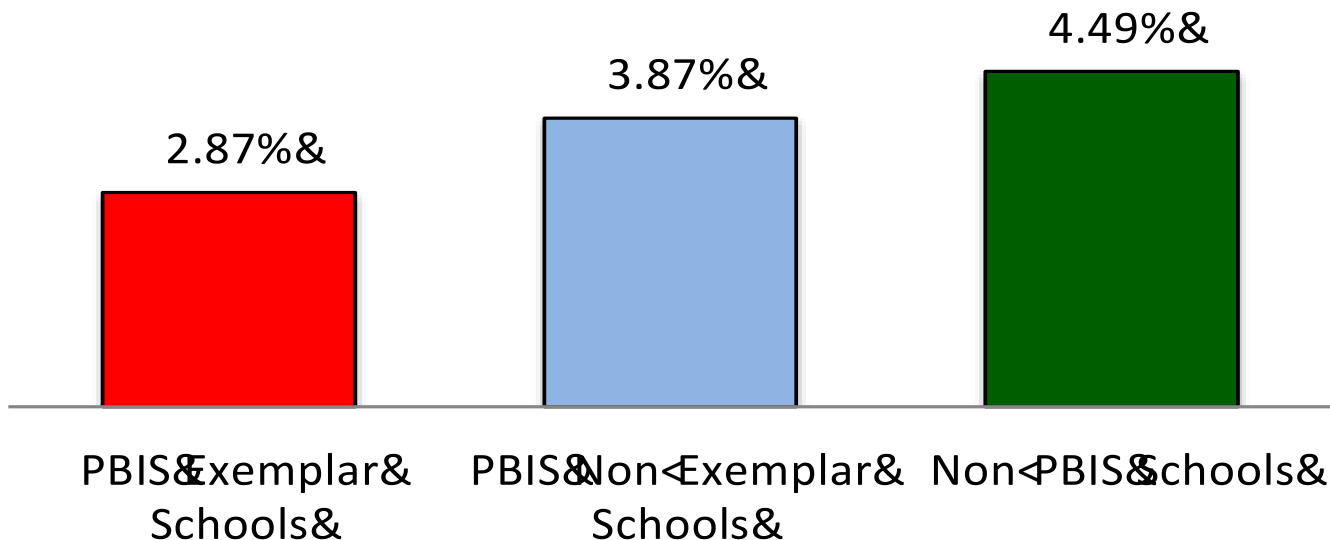
SY)15)ODR)Triangle)Report)



VT Positive Behavioral Interventions and Supports (PBIS)

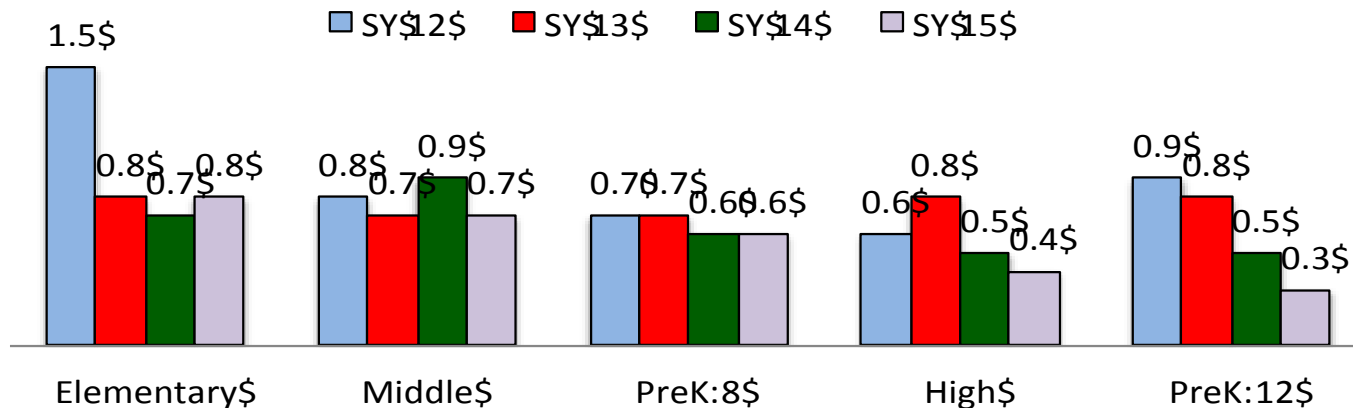
In Vermont, schools that implement PBIS with fidelity have fewer out of school suspensions (OSS) per total enrollment than schools that do not implement PBIS.

Average OSS/School Enrollment
SY 15



VT Positive Behavioral Interventions and Supports (PBIS)

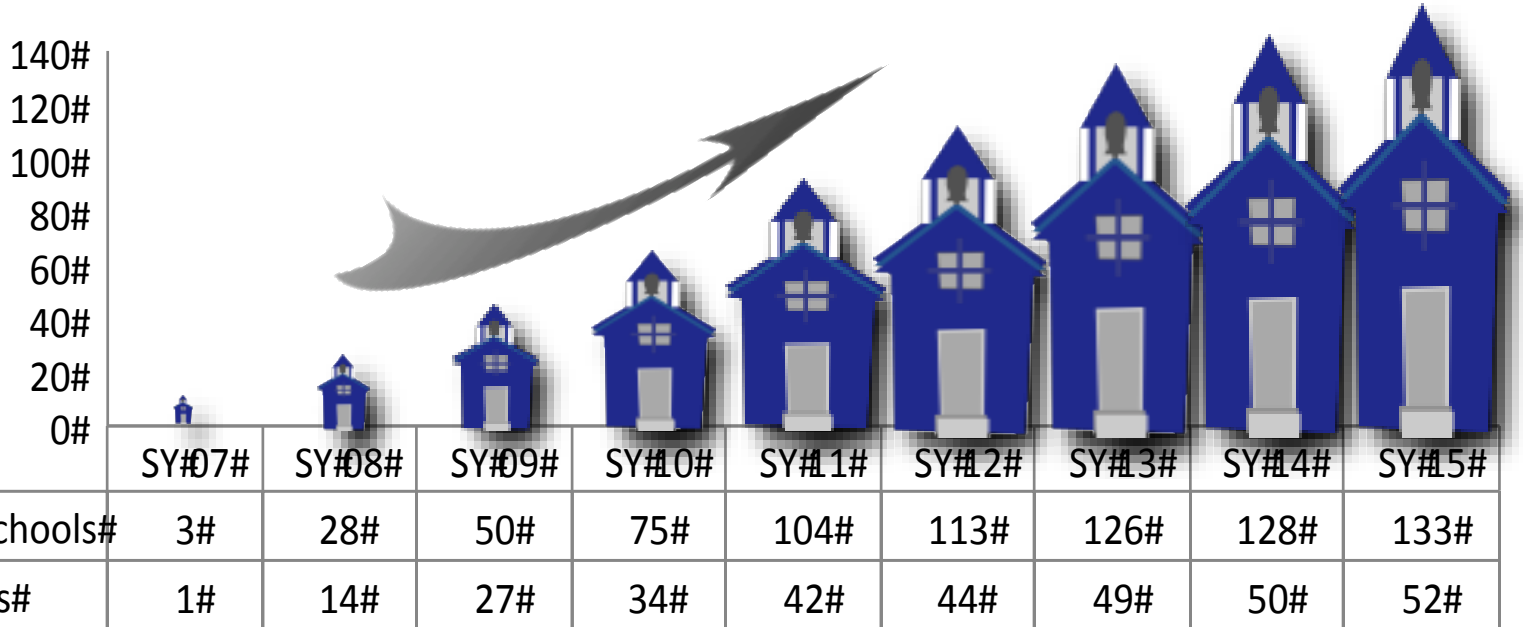
Average ODR/100 students/Day by Grade



“Our team reviewed data early in the year and found that a small group of kindergarten boys were spiking in behavior referrals for physical aggression and minor physical contact. A plan was developed to help the boys with team-building and conflict resolution. During and after the instruction period the boys had significantly less referrals” - Mandy Couturier, Thatcher Brook School

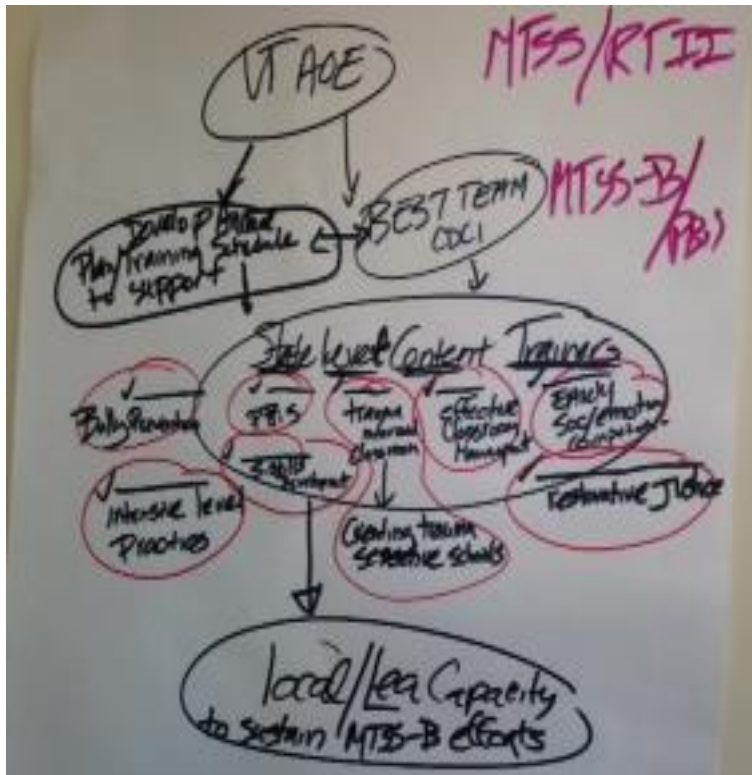
VT Positive Behavioral Interventions and Supports (PBIS)

Number of VT PBIS Schools and SU/SDs



Early Intervention

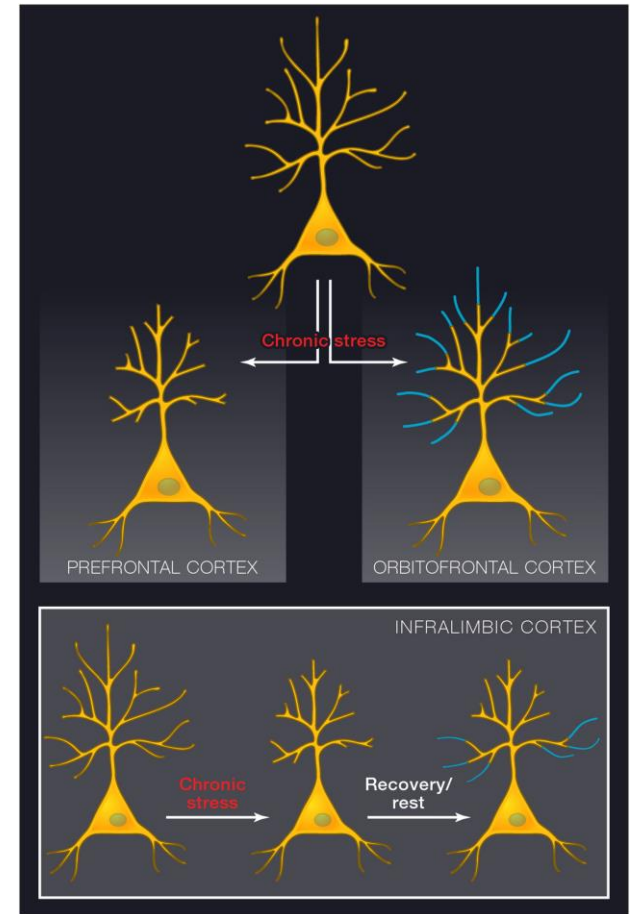
- Children who are neglected in their early years have shown long-term alterations in brain development (Pollak et al., 2010).
- Chronic exposure even to moderate stressors may result in changes in the developing brain. (Shonkoff, Boyce, and McEwen, 2009)



Early intervention:

Why teach social and emotional learning?

- Lays neurological foundation for self regulation and executive functioning
- Builds resilience
- Improves academic learning
- Reduces bullying and improves caring, respect and responsibility at school
- Reduces disruptive behaviors at school and elsewhere.



Early Intervention



Act 166: Universal PreK

Support positive social development through PK programs that:

- emphasize child-oriented discovery
- support both social-emotional and cognitive development
- connect children and families to support services as needed

Behavioral Consultation



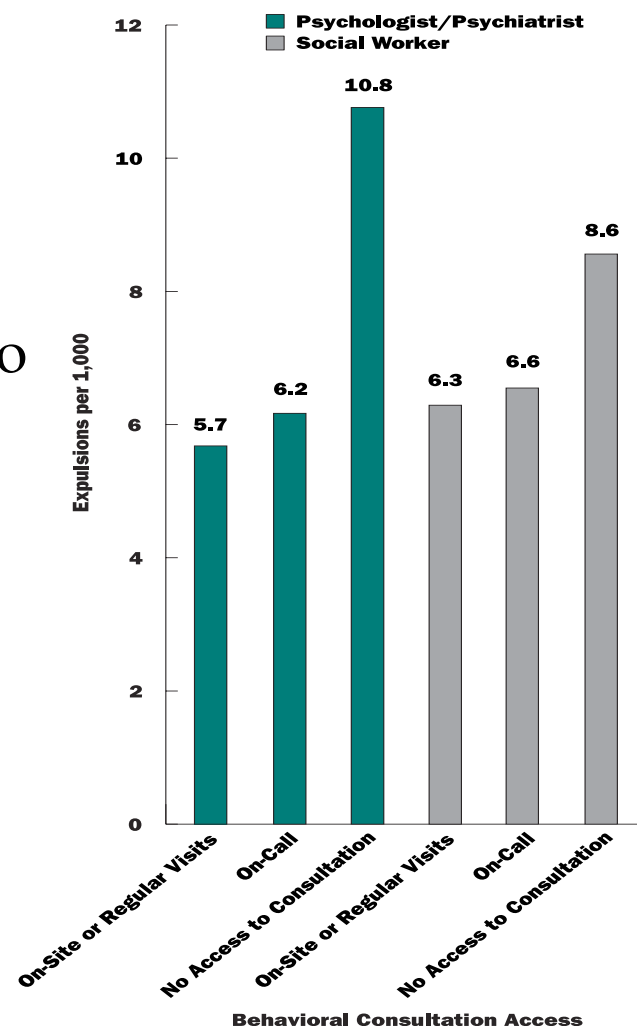
PK students were significantly less likely to be expelled when they and their teachers had access to classroom-based mental health consultation.

Prekindergarteners Left Behind: Expulsion Rates in State Prekindergarten Programs

Walter S. Gilliam, PhD

FCD Policy Brief Series No. 3. May 2005.

Expulsion Rates by Access to Behavioral Consultation



Note. For both psychologist/psychiatrist and social worker, No Access > On-Call > On-Site or Regular Visits.

Behavioral Consultation

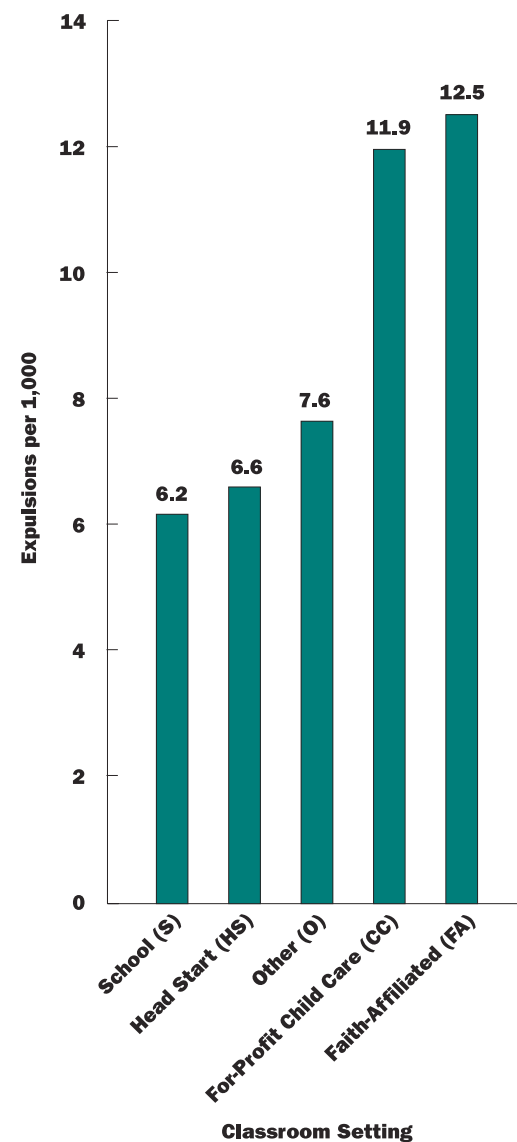
Nationally, differences in access to behavioral consultation may help explain why Head Start programs and public schools have lower expulsion rates than prekindergarten programs in other settings.

Prekindergarteners Left Behind: Expulsion Rates in State Prekindergarten Programs

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Expulsion Rates by Setting



Note. FA, CC, & O > HS & S; HS > S.

Questions