

March 11, 2021

Dear Senator Hooker and Senator Campion,

Thank you for your hard work on S.16 and the proposal of a Task Force on School Exclusionary Discipline Reform. Please pass this letter on to any interested parties.

We are co-coordinators of the [BEST Project](#), housed at the Center on Disability and Community Inclusion (CDCI) at the University of Vermont. The BEST Project is charged with supporting supervisory unions, districts, and schools to increase their capacity to address the needs of students who are at risk of or who experience social, emotional, behavioral challenges. Our primary role is to provide training, coaching, and technical assistance around [Positive Behavioral Interventions and Supports \(PBIS\)](#). Positive Behavioral Interventions and Supports (PBIS) is a **sustainable, proactive, school-wide, systems framework** for improving social and academic outcomes for all students that utilizes positive, preventive evidence-based strategies, collaborative teaming, and data-based decision making (adapted from Horner, Sugai, Muscott, and Mann). The goal of the PBIS framework is improved social/emotional/behavioral learning and well-being as well as prevention of problem behavior through:

- Adoption of a multi-tiered prevention framework
- Encouraging prosocial behaviors and a positive culture
- Reducing coercive interactions and problem behaviors at all levels

PBIS isn't a curriculum you purchase or something you learn during a one-day professional development training. It is a commitment to addressing student behavior through systems change. When it's implemented well, students achieve improved social and academic outcomes, schools experience reduced exclusionary discipline practices, and school personnel feel more effective. In our efforts to support PBIS in Vermont schools, we embrace and promote the principles of restorative practices - exploring relationships, meaningful engagement, voluntary participation, and participatory decision-making.

PBIS is currently implemented in 164 Vermont schools. The extensive reach of the BEST Project over the past 25 years makes us poised to provide input on this bill. You can find our current Annual Report [here](#).

As the legislature continues to review this bill, we encourage you to consider the following:

- **Urgency:** As many who testified mentioned, while improving data collecting and analysis is critical, this can occur simultaneously with the task force researching ways to effect change in the outcomes. We can't wait for the data. We know that students are currently being suspended for low-level, subjective behaviors, and at disproportionate rates (and, as Carlen Finn mentioned in her testimony, this is not just a middle/high school issue). While there is language in the bill around eliminating *expulsion* for students under 8 years of age, we should really be looking to reduce/eventually eliminate *expulsion and suspension* for all students, especially those under 8. In addition, as the Disability Law Project mentioned in their testimony, "informal suspension," such as when students are

sent home for the rest of the day but not given an official suspension, should also be considered by the task force when making recommendations about data collection.

- **Building on existing initiatives:** As the testimony from the VSBA, VPA, and VSA detailed, Vermont schools have several established and emerging programs that can reduce the occurrence of exclusionary discipline that should be leveraged and further supported to improve fidelity of implementation and widespread use. We don't need to "reinvent the wheel." As they wrote, equity and culturally responsive practices are fundamental in the design and implementation of each of these frameworks:
 - Multi-tiered systems of support (MTSS)
 - Social and emotional learning (SEL)
 - Trauma-informed practice
 - Positive Behavioral Interventions and Support (PBIS)
 - Restorative justice (typically referred to as restorative approaches when talking about school-wide restorative justice)

We also support these additional areas for consideration mentioned in their testimony:

- Integrated mental health services
 - Three Vermont LEAs are currently engaged in Project Aware, an initiative that establishes interconnections between mental health and schools to support students in their homes, schools, **and** communities.
 - Reinvalidate the need for a well-vetted statewide school climate survey.
 - At least 29 VTPBIS Schools have completed School Climate Surveys this year.
 - An increase in the availability of, and funding for, implicit bias training to meet school communities where they are at and is attentive to how implicit bias impacts school disciplinary practices.
 - Building systems that support alternative methods of schooling.
- **Systems, data, and practices considerations:** It might be useful for the legislators and the task force to think about this issue in terms of system, data, and practices. For instance, rather than just recommending all schools use a restorative practices or a social skills curriculum, school/district teams need to consider what *systems* need to be put into place to tackle this issue (i.e. teaming infrastructure, professional learning/coaching, prioritization, action planning), what *data* will be collected to determine whether they are seeing the outcomes they are looking for, and what *evidence-based practices* will be put into place to support students to improve their social, emotional, and behavioral skills? We encourage schools to select a small number of evidence-based practices to adopt that fit their context and will have the largest impact for the smallest amount of effort.
 - **Professional learning for school administrators and staff:** If reducing/eliminating exclusionary discipline is the goal, administrators and staff need training in building out supports for students who might have previously received suspension/expulsion. Simply taking away the option for suspension/expulsion without equipping schools with the skills

to implement alternatives will likely not result in the outcomes the state is looking for. Many of the initiatives mentioned above would be excellent places for schools to start.

- **Seclusion and restraint:** Data on seclusion and restraint should also be considered, either by this task force, or by the Agency of Education. While separate from exclusionary discipline, more information on how these two responses are used is necessary. Reduction in seclusion and restraint should also be an ongoing goal of the state, districts, and schools. Please note that in the 3/10/21 draft of the bill, on page 7, line 7, *seclusion* is incorrectly written as *inclusion*.

Thank you for your consideration of these issues. If we can be of assistance to the legislature in any way, please don't hesitate to contact us. We would also welcome an invitation to the task force when it is formed.

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