Exclusionary Discipline Research Brief

Tow + JJPOC Suspension & Expulsion Subcommittee
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Introduction

Impact of Policy

Policy changes can have impact in one of two ways: impact can be deep, affecting a small number of people in ways that meaningfully change their lives or they can be broad, affecting many people incrementally. One way to think about the intended impact of a policy is to use a framework of scale and scope. Understanding these two dimensions: **Scale** (i.e., from students up to the state DOE) and **Scope** (i.e., from changes in specific classroom practices up to changes for the entire education system) can help advocates and policymakers target their recommendations (Figure 1). Typically, state policymaking is focused on the broadest level of impact with the *scale* being state agencies and the *scope* being changes to systems (Figure 2). As this workgroup moves forward with recommendations that are designed to impact every school and classroom across the state, we recommend keeping this image of scale and scope in mind.
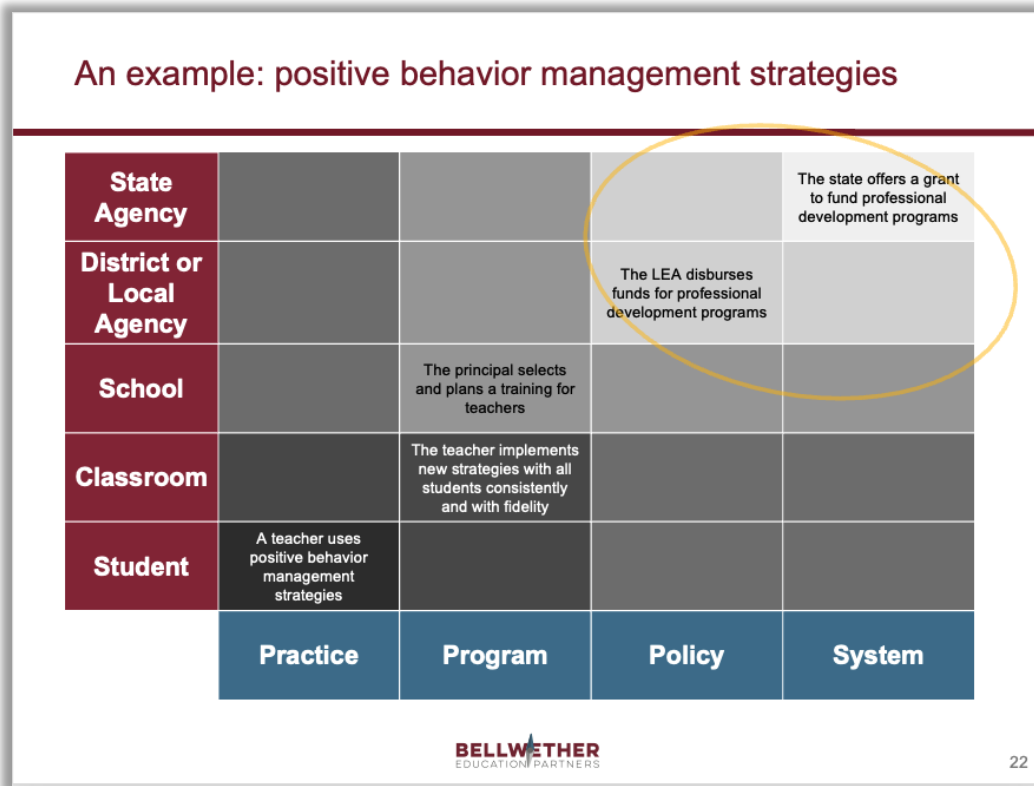
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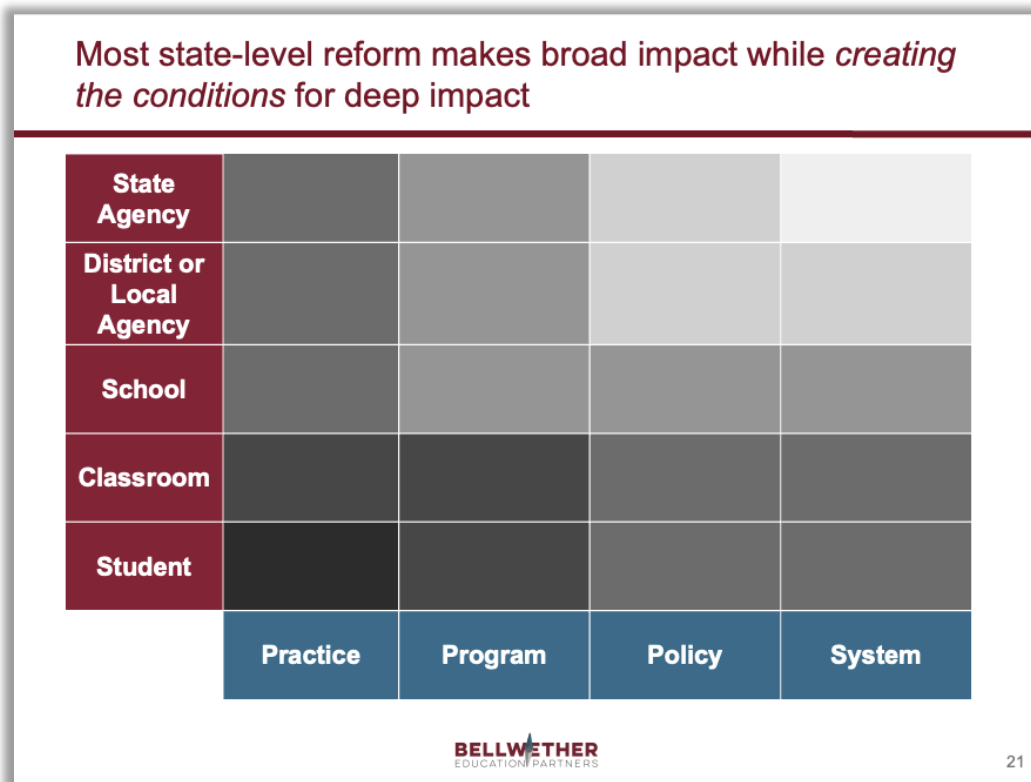
When they are well designed, policies with broad impact **create the conditions** for educators to have **deep impact** with individual students. As described in more detail below, the ability to enable

conditions (i.e., provide and/or create resources and supports) will ultimately determine the success or failure of policies, no matter how well-intentioned.

Figure 2

An example: positive behavior management strategies

	Practice	Program	Policy	System
State Agency				The state offers a grant to fund professional development programs
District or Local Agency			The LEA disburses funds for professional development programs	
School		The principal selects and plans a training for teachers		
Classroom		The teacher implements new strategies with all students consistently and with fidelity		
Student	A teacher uses positive behavior management strategies			

Research Approach

The following brief is provided to support the CT JJPOC workgroup by providing supplemental research for review and consideration. In collaboration with the Tow Youth Justice Institute Team, Bellwether conducted a landscape scan of academic literature, reports, and government data that focused on the following topics:

1) The impact of PreK-2 exclusionary discipline practices
2) The impact of exclusionary discipline practices for all grades (PreK–12)
3) Disparities in exclusionary discipline
4) The impact of exclusionary discipline policies (e.g., suspension and/or expulsion bans for certain behaviors) at the state or district levels
5) Alternatives to exclusionary discipline practices
6) Effectiveness of alternative exclusionary discipline practices (e.g., restorative justice, positive behavioral interventions and supports, social-emotional learning, etc.)

7) How other states are implementing exclusionary discipline bans for various offenses and/or ages

In addition to the seven topics above, Bellwether looked to align findings from the research to the three priority areas of:

   I. Data and accountability systems

  II. Family and community engagement

 III. Professional learning

In all, Bellwether reviewed 90+ articles and reports that included peer-reviewed case studies, landscape reviews of the literature, rigorous quasi-experimental studies, and reports from advocacy organizations and university-based research centers.

Limitations

Based on the mix of research reviewed for this brief—and the various levels of validity and research design—it is critical to view the following references as loose guidelines rather than definitive evidence that drives decisions. In short, the findings referenced throughout this brief should not be viewed as generalizable since there is not conclusive evidence on any of these concepts, ideas, practices, models, or policies. However, the research and information referenced throughout this brief comes from peer-reviewed literature and/or reliable research centers and the information should be seen as reliable resources to help inform discussion. For example, there are multiple studies that review outcomes on a suspension and expulsion reform for the Los Angeles Unified School District (LAUSD)[1]—one of the largest and most diverse districts in the U.S. While the research on the LAUSD suspension and expulsion reform is referenced in this brief as a resource, the context and policy ecosystem of LAUSD is vastly different Connecticut's.

Lastly, beyond the limitations of generalizability, without a specific direction or narrowed set of concepts and/or models, this is only a landscape scan and not a focused analysis. As a result, this brief offers a wide field of view but may not provide as much detail on any one specific intervention. Nonetheless, some of the most referenced, well-designed, and rigorous research—along with information from respected advocacy organizations and university-based research centers—are provided throughout.

Summary

The following research has been carefully reviewed and gathered to support the workgroup's focus areas and decision-making process. The workgroup, positioned to make broad changes that reach every corner of the state, should pressure-test every recommendation with the question of, "*How does this recommendation create or provide the necessary conditions for most educators and school systems in CT to adopt change?*". Generally, good policy is heavily predicted by a strong implementation plan.

This means the success of the workgroup's recommendations will depend on the clarity, conciseness, and level of detail that every recommendation includes. Lastly, it is important that the workgroup reviews the following research with a critical eye to ensure that any recommendation, no matter what the research may be indicating, fits and makes sense for the context of Connecticut and objectives of the JJPOC.

Bellwether

Executive Summary: Exclusionary Discipline Research Brief

Exclusionary Discipline	Key Takeaways
Exclusionary discipline is associated with multiple negative outcomes	• Exclusionary discipline is associated with grade retention, disengagement, lower academic success, and an increased risk of entering the juvenile justice system
Emerging research is showing that exclusionary discipline practices may have negative impacts on non-suspended or expelled students as well	• A 2019 study found that in schools with high suspension rates, non-suspended peers experienced *decreases* in math and ELA test scores • A 2022 study showed that students in science and math classrooms with higher rates of suspensions for minor infractions were more likely to have *significantly lower* course grades, test scores, and GPA
There is no clear evidence to suggest that exclusionary discipline reforms or bans are effective	• Exclusionary discipline reforms and/or bans have shown *little or no* sustainable improvement in overall exclusionary discipline rates • There is currently *no valid evidence* to suggest that exclusionary discipline reforms and/or bans lead to improves academic outcomes
Some research shows that exclusionary discipline bans and/or reforms may lead to negative academic outcomes and/or actions	• In a 2019 study, the unintended consequences of adopting an exclusionary discipline reform led to *worse* student behavior by a 1.3 percentage point increase in serious incidents, an 8-percentage point increase in truancy rates, a 5.28 percentage point decrease in math achievement scores, and a 4.26 percentage point decrease in ELA achievement scores.
Exclusionary Discipline Bans in Practice	**Key Takeaways**
Denver Public Schools	• Schools with the lowest exclusionary discipline rates combined models of positive behavioral interventions and supports (PBIS) with layers of restorative practices. • Schools with the lowest exclusionary discipline rates heavily invested in engagement protocols like formal home-visitation programs, morning meetings with students and families, and intentional protocols that heightened visibility and access during and after school • Schools with the lowest exclusionary discipline rates were heavily invested in providing professional development to staff and embedding protocols and concepts like restorative practices and/or social-emotional learning into the everyday routines and curriculum
California Public Schools	• The CA exclusionary discipline reform that was designed to eliminate exclusion for specific behaviors (i.e., willful defiance) was *ineffective* at creating overall sustainable change • While exclusionary discipline for willful defiance *decreased* by roughly 67%, those rates were offset by the *increase* of exclusionary discipline issued for non-willful defiance offenses
Los Angeles Unified School District	• The exclusionary discipline reforms in LAUSD included state policy coupled with district-wide mandates and financial support to deploy school-wide positive behavioral interventions and supports with embedded restorative practices in every school • While exclusionary discipline rates *decreased* after the reforms were adopted, there were already declining exclusionary discipline rates before the reform was put into place • The reform efforts of LAUSD show positive results but the results are *minimal*, and it is unclear whether those same results would be accomplished without the adoption and costs of the exclusionary discipline reforms
Public Schools of Philadelphia	• Philadelphia's exclusionary discipline reform was tailored to eliminate exclusionary discipline for specific behaviors (i.e., willful defiance) • After the reform was adopted:

- willful defiance infraction rates *decreased* by over 50%
- exclusionary discipline for more serious infractions *increased* by over 50%
- student engagement rates *decreased* by 8 percentage points
- *decreases* of 5.28 and 4.26 percentage points were observed in math and ELA achievement scores, respectively
- elementary students that received some form of exclusionary discipline had an *increase* in absences

- Philadelphia's exclusionary discipline reform *did not*, at scale, achieve the intended results

K-12 Policy & Practice Implementation	Key Takeaways
Implementation is the key to any successful policy	- One of the primary reasons for failed policy is the *lack of focus* on the implementation process - Polices that achieve the intended impact focus on *creating optimal conditions* that promote change
Successful implementation most often takes multiple years	- A landscape review of education policies in the U.S. found that most policies achieve their highest level of effectiveness *between 8 and 14 years* - Even with optimal conditions, support, and resources the implementation of models and/or approaches like restorative justice and positive behavioral interventions and supports will take *multiple years* to observe material and sustainable change
The large-scale implementation of school behavioral models and approaches like positive behavioral interventions and supports (PBIS) demand a lot of resources and need to be planned for accordingly	- Done properly, the implementation of PBIS in one school building should take *at least 3-years* - The effective implementation of PBIS and/or restorative practices takes a *massive effort* that includes resources, capacity, time, and commitment - Attempting to implement policies that require interventions without the proper planning and/or amount of needed resources can lead to *negative outcomes* like increases in student misbehaviors and teacher turnover and decreases in school climate and culture

CT JJPOC Priority Areas	Key Takeaways
Data is critical to the success of implementation	- Data is critical to informing *policy development and policy change* - Data is critical to informing *professional development and technical assistance* needs Having continuous data access is critical for creating systems and processes that *efficiently identify* the need for interventions
Data is critical to closing inequities and disparities in exclusionary discipline practices	- Effective data collection systems require *all data* to be reported and disaggregated by race, ethnicity, language, gender, income, and ability - Reliable and accessible data is the foundational component to *reducing inequities* and disproportionalities in exclusionary discipline
Family and community engagement plays a critical factor in the successful implementation of alternative exclusionary discipline models and approaches	- Data systems that aim to increase equity should include the collection of *all forms of harsh discipline*, and from multiple types of reporters that includes administrators, teachers, families, and mental health consultants - A holistic plan to address exclusionary discipline must include attention to *family wellness* and to the communities in which children live
Restorative justice and behavioral interventions and supports are well-researched and show promise	Many school systems including large urban districts in California, Colorado, Illinois, Minnesota, and Pennsylvania have turned to restorative justice as a *tool for avoiding* exclusionary discipline practices

	• Restorative justice in the U.S. is often used as the primary intervention approach for addressing the disproportionality in exclusionary discipline • Multiple studies have shown positive associations between restorative practices and the *reduction* of exclusionary discipline • A 2019 review of 55 PBIS studies found *positive effects* on exclusionary discipline rates • A 2018 meta-analysis on PBIS studies found *significant reductions* in exclusionary discipline associated with the adoption of PBIS
The research and evidence to support interventions like PBIS and restorative practices is still growing and inconclusive—much more research is needed to prove the statistical validity and effectiveness	• The research on restorative practices is *still limited* and nearly all associated research on the impacts of restorative practices lacks internal validity • One 2019 study suggests that, even while many teachers see the value in interventions like PBIS and restorative justice, most teachers still believe that *suspensions can be useful* • There is a *dearth of research* on the effectiveness of PBIS beyond the elementary grades and across various populations and demographics of students

Literature Review: PK-2 Exclusionary Discipline

Overview

Exclusionary discipline—defined as practices and/or policies that call for the removal of students from their original school learning—can take the form of out-of-school suspension, expulsion, or any other alternative school placements.[2] Research consistently finds the ways in which exclusionary discipline can lead to detrimental outcomes for all ages of youth[3,4,5,6], and especially for youth at the PreK-5 grades and ages.[7] The most inequitable component of exclusionary discipline practices is the ways in which certain historically marginalized identities, particularly Black boys, are disproportionally punished with exclusionary discipline practices in comparison to their non-Black peers.[8]

As more research on the short and long-term impacts of exclusionary discipline practices shows associations with detrimental outcomes like grade retention, school disengagement, and increased risk of having interactions with the juvenile justice system[9], states across the country have begun to re-think their behavior management and discipline approaches.[10] Based on an analysis by The Center on Poverty and Inequality at the Georgetown School of Law[11], as of 2020 there were 32 states plus D.C. that amended their exclusionary discipline laws and policies. Nearly all exclusionary discipline policy revisions were undertaken with the intention of reducing inequities and disparities in exclusionary discipline.[12]

Further, in each of these thirty-two states, plus D.C., the policy revisions include some version of a ban on suspensions and expulsions. Connecticut (CT), along with 12 other states, have enacted policies at the state level that ban suspensions and expulsions for certain ages and/or grades of students (*see Appendix B for a list of the 13 states with age and/or grade exclusionary discipline bans*). In comparison to other states and D.C., CT is one of the most progressive states in terms of adopting clear and direct policies that are designed to eliminate and/or drastically reduce exclusionary discipline practices across the entire PreK-12 system. CT is one of the only states to expand a broad exclusionary discipline ban to the upper grades (9-12), and is one of the few states that collects, disaggregates, and publicly publishes their discipline data.[13]

The one exclusionary discipline reform element that is not seen in Connecticut is a mandatory alternative model and/or approach to exclusionary discipline (e.g., restorative justice, positive behavioral interventions and supports, social-emotional learning). Twenty-two states plus D.C have specific language in their exclusionary discipline bans or reforms that mandate or support alternative discipline models like restorative justice (RJ) or positive behavioral interventions and supports (PBIS (see Appendix B for a list of states).[14] Additionally, Some states, but not CT, have mandated funding within their policies for alternative exclusionary discipline models like RJ and/or PBIS professional development (CA, DC, IL, MD, MT, NJ, & PA).[15,16]

Emerging Research

The research on the use of exclusionary discipline, as well as any changes in outcomes resulting from bans, is still emerging. However, there is recent evidence to suggest that the use of exclusionary discipline in schools not only has long-term academic and social effects on the suspended or expelled student,[17] but also has negative associations with the non-suspended or expelled students in the school.[18] This finding combats prior research that suggests the use of exclusionary discipline is necessary because it removes the distraction from other students that are on task and trying to learn.[19,20] The theory on this emerging research is built on findings that suggest schools and educators who use exclusionary discipline also have a higher likelihood of creating or sustaining negative school climates and cultures—which have negative correlations with student outcomes.[21,22]

Additionally, research on an exclusionary discipline ban in Philadelphia found that the use of exclusionary discipline had a negative academic impact for students that were suspended or expelled but **did not** impact the academic outcomes for non-suspended or expelled students that were exposed to the incident or behaviors.[23] Finally, perhaps the most significant element of the Philadelphia study was that the use of exclusionary discipline was associated with an **increase** in school absences for **elementary** students.[24]

Gaps in the Current Literature

Alongside the emerging evidence that supports the banning of exclusionary discipline practices, there is also research that highlights how much is still unknown about the topic and practice of exclusionary discipline.[25] For example, even with the popularity and momentum of exclusionary discipline bans across the U.S.,[26] the effectiveness of exclusionary discipline bans is relatively unknown and, in some cases, exclusionary discipline bans have been associated with declines rather than improvements.[27] [28]

Moreover, many states with exclusionary discipline bans are also simultaneously adopting alternative approaches to exclusionary discipline practices like positive behavioral interventions and supports (PBIS). While there is plenty of evidence to suggest the promise of interventions like PBIS, the research is not conclusive on these alternative approaches and the level of impact they can have.[29] Complicating matters more, the level of commitment and resources needed to successfully implement large-scale initiatives are difficult to meet and often leave school systems in worse shape because of poor implementation.[30]

What makes the research in this space so inconclusive, at least in part, is the nuance and lack of correlational outcomes. In other words, where exclusionary discipline bans or reforms have been proven to show some levels of success (e.g., Denver Public Schools), the research to-date has not been

able to statistically identify which factor(s) has the most influence on those improvement outcomes. In the case of Denver Public Schools, it could be the exclusionary discipline ban policy, the restorative justice adoption, the level of funding dedicated to the effort, or even the professional development plan. [31]

Evidence Against School Exclusionary Discipline Bans

Based on the number of public-school systems across the country looking to address inequities and disproportionalities in exclusionary discipline practices, a large portion of PreK-12 stakeholders agree that exclusionary discipline practices are ineffective and potentially harmful.[32] Even so, within the exclusionary discipline research space there is evidence to suggest that exclusionary discipline bans are ineffective and/or that they can result in *worse* outcomes in terms of overall exclusionary discipline rates, racial/ethnic disparities in exclusionary discipline, attendance, and academic achievement.[33]

As one example where exclusionary discipline bans were shown to be ineffective, the Public Schools of Philadelphia study found that academic outcomes slightly *decreased* while suspensions and expulsions for more serious offenses *increased*.[34,35] Similarly, another 2018 study on three large urban California districts observed a decline in math academic outcomes that was associated with the adoption of an exclusionary discipline ban.[36] Multiple other studies have observed unfavorable outcomes showing that various forms of exclusionary discipline bans had little or no significant effects on overall exclusionary discipline rates.[37,38]

Summary of Research: PK-2 Exclusionary Discipline

Take-Aways from the Field	Key Points
Exclusionary discipline is associated with multiple negative outcomes	• Exclusionary discipline is associated with grade retention, disengagement, lower academic success, and an increased risk for entering the juvenile justice system
Emerging research is showing that exclusionary discipline practices may have negative impacts on non-suspended or expelled students as well	• A 2019 study found that in schools with high suspension rates, non-suspended peers experienced minimal decreases in math and ELA test scores • A 2022 study showed that students in science and math classrooms with higher rates of suspensions for minor infractions were more likely to have significantly lower course grades, test scores, and GPA.
There is no clear evidence to suggest that exclusionary discipline bans are effective	• Exclusionary discipline reforms and/or bans have shown little or no sustainable improvement in overall exclusionary discipline rates • There is currently no validated evidence to suggest that exclusionary discipline reforms and/or bans lead to improves academic outcomes
Some research shows that exclusionary discipline bans may lead to negative academic outcomes and/or actions	• In a 2019 study, the unintended consequences of adopting an exclusionary discipline reform led to worse student behavior by a 1.3 percentage point increase in serious incidents, an 8-percentage point increase in truancy rates, a 5.28 percentage point decrease in math achievement scores, and a 4.26 percentage point decrease in ELA achievement scores.

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Literature Review: Exclusionary Discipline Bans in Practice

Overview

The following section covers research on states and/or districts that have adopted exclusionary discipline bans similar to the exclusionary discipline ban in CT. Whenever possible, each case study below provides details on the impact and/or results of the exclusionary discipline ban in the state or district.

1. Denver Public Schools (DPS)[39]

- DPS Policy
  - *Colorado HB 19-1194:* schools may only use out-of-school suspension or expulsion for preschool through second grade students if the student engages in certain behaviors, including dangerous weapon possession, controlled substance offenses, or creates a safety threat or dangers to others; school must follow stricter procedural protections before suspending or expelling the student).[40]
- Year of study publication: 2018
- Years of data observed: 2014-15
- Policy objective: Get suspension rates 0-3% for all students and Black students in particular
- Outcomes data: *No analysis performed on academic or future behavioral trends and outcomes.*
- Details:
  - 60% of the schools in the study were elementary
  - Schools in the sample population served predominantly low-income students of color with 43% Latino 34% white 13% black 4% multiracial 3% Asian and 1% Native American
  - Low exclusionary discipline schools (schools that suspended or expelled the least number of students) had a higher rate of using restorative practices s to resolve serious incidents
  - Low exclusionary discipline schools had three critical strategies to help build relationships with students and families that included iterations of:
    - Home visitation programs
    - Morning meetings
    - Staff visibility throughout the day and/or after school
  - Most low exclusionary discipline elementary schools implemented PBIS
  - Many of the low exclusionary discipline secondary schools also used PBIS structures but adapted the model to be suitable for older students

- Most low exclusionary discipline schools embedded social-emotional learning (SEL) into their curriculum
- Most low exclusionary discipline schools viewed classroom teachers as first responders that were equipped to resolve most misbehaviors or conflicts
- One of the most important conditions that supported the success of low exclusionary discipline schools was to implement solid professional learning for school staff
- Many of the low exclusionary discipline schools included every adult in the building as part of the professional learning process
- The low exclusionary discipline schools had a strong culture of accountability where there were clear expectations and follow up when staff did not adhere to those expectations
- In the low exclusionary discipline schools, accountability was focused on encouraging new strategies to improve the experiences rather than to punish

o The authors conclude their research with the following recommendations:

- Engage all staff in professional learning
- Establish and provide training for school staff on inclusive and proactive discipline and behavior protocols
- Collaborate, create, and/or re-establish school-wide expectations for students and staff every year and sometimes multiple times a year
- Embed social emotional learning (SEL) concepts or community building elements into every day
- Create and participate in a parent-teacher home visitation program
- Along with a PBIS model, use restorative practices to address low level misbehaviors as well as more serious discipline incidents
- Allocate funds to provide a wide variety of site-based student support services

2. California (San Fran Unified, Pasadena Unified, Oakland Unified, Azusa Unified)[41]

- CA policy
    - SB 419: Prohibits the suspension of a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, and recommending the expulsion of a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, for disrupting school activities or otherwise willfully defying the valid authority of those school personnel engaged in the performance of their duties.[42]
- Year of study publication: 2022
- Years of data observed: 2011-12 to 2018-19
- Policy objective:

- Improve the disproportionate rates of exclusionary discipline applied to African American students
- Outcomes data:
    - Exclusionary discipline for willful defiance decreased by ~67%
    - Exclusionary discipline for overall out-of-school (OSS) rates did not significantly change
    - The decrease in willful defiance exclusionary discipline was offset by an increase in exclusionary discipline for other more serious exclusionary discipline
    - Black students benefited the least from the exclusionary discipline ban for willful defiance
    - Black students experienced an increase of ~26% for exclusionary discipline on issues that did not fall under the willful defiance exclusionary discipline ban
- Details:
    - Research performed on exclusionary discipline ban that was implemented by four California school districts
    - The policy specifically banned schools from issuing exclusionary discipline for willful defiance
        - Willful defiance: behavior that disrupts the school activities or otherwise willfully defies the valid authority of supervisors, teacher, administrators, school officials, or other school personnel engaged in the performance of their duties.
    - Broadly, the ban was effective at reducing exclusionary discipline on issues of willful defiance but was ineffective at reducing exclusionary discipline overall
    - The exclusionary discipline ban did not improve the disproportionate gaps in exclusionary discipline between African American students and other races/ethnicities of students
- The author concludes their research with the following thoughts:
    - This CA exclusionary discipline reform was ineffective at changing exclusionary discipline rates in schools
    - Policy-based discipline reforms might only make minimal contributions to any academic outcome metric
    - There are many unintended consequences of discipline reforms that should be thought through before adoption
    - There is a high likelihood of failure without strong implementation supports in place

3. California (LAUSD)[43]
- CA & LAUSD Policies

- SB 419:[44] Prohibits the suspension of a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, and recommending the expulsion of a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, for disrupting school activities or otherwise willfully defying the valid authority of those school personnel engaged in the performance of their duties.
  - LAUSD School Climate Bill of Rights:[45] Additional layer to SB 419 exclusionary discipline ban that emphasizes restorative justice as the philosophical approach for managing student behavior and school-wide positive behavior interventions and supports (SWPBIS) as guiding framework for alternative to exclusionary discipline actions.
- Year of study publication: 2018
- Years of data observed: 2003-04 to 2014-15
- Policy objective:
  - Reduce overall suspension rates in the district and target inequities in suspensions for students of color and other marginalized groups.
- Outcomes data:
  - Immediately after the exclusionary discipline ban was adopted in 2011-12, there was a decline in suspension rates for all populations
  - By year 3 of the exclusionary discipline ban, the decreases in exclusionary discipline began to level out
  - In year 4 of the exclusionary discipline ban adoption, restorative justice was fully implemented throughout the district and there was another significant decrease in overall exclusionary discipline rates
  - The exclusionary discipline ban effectively closed disproportionate exclusionary discipline rates between Hispanic students and the exclusionary discipline rates for white and Asian students
  - The exclusionary discipline ban made slight progress on closing the disproportionate exclusionary discipline rates between Black students and the rates of exclusionary discipline for white and Asian students.
  - The gaps between exclusionary discipline rates for special education and non-special education students also made marginal progress
- Details
  - The full LAUSD exclusionary discipline reform and overall initiative to reduce disproportionate exclusionary discipline practices consisted of three phases to the implementation:
    - Phase I: The district implements SWPBIS in 2006-07

- Phase II: The district enforced exclusionary discipline ban on suspending students for willful defiance beginning in 2011-12.
- Phase III: The district adopted restorative justice programs to be implemented schoolwide alongside SWPBIS and the exclusionary discipline ban policy in 2014-15
- *As part of this implementation the district also centralized decision making around student suspensions by requiring principles to report all suspension recommendations to the central office administrators
- The authors conclude their research with the following thoughts:
  - While suspension policy bans are gaining more traction there is little evidence to support their justification
  - Districts can likely only lower suspension rates so far and there may even be declines in progress when targeting specific behaviors in an exclusionary discipline ban like LAUSD and CA are doing with "willful defiance"
  - The results of the study show that reducing inequities and suspensions does not happen immediately and that districts need time to make such interventions work
  - Restorative justice was a possible contributing factor to the decline in exclusionary discipline, but the study did not investigate causalities and cannot make conclusions on this claim

4. Philadelphia[46,47]

- Policy for the School District of Philadelphia:
  - 2012-13 SD Code of Conduct
    - Suspensions should only be utilized as a last resort when other interventions are not successful, or for serious violations of the code of conduct
    - Students not to be removed from school for specific infractions that include: 1) failure to follow classroom rules, and 2) using profane or obscene language or gestures.
    - The maximum allowable punishment for the above behaviors went from 1-3 days of out-of-school suspension to in-school interventions
    - For more serious offenses, such as theft or bullying, the maximum punishments were changed from expulsions to suspensions
- Year of study publications: 2017 & 2018
- Years of data observed: 2005-06 to 2014-15
- Policy objective:
  - Reduce racial disparities in exclusionary discipline

- Outcomes data:
  - In the first two years of the exclusionary discipline reform, there were slight improvements in exclusionary discipline rates
  - The year before the exclusionary discipline reform (2011-12), 24.9% of all suspensions given to grades 3-12 students were for either failure to follow classroom rules or profane/obscene language or gestures
    - Once the exclusionary discipline reform was adopted in 2012-13, the rate for these two offenses fell to 12.1%
    - In the following two years, the rate of suspensions for the two specific offenses continued to decline by over 50% per year
  - By the third year of the exclusionary discipline reform, total exclusionary discipline for out-of-school suspensions (OOS) ***increased by ~7%***
  - Overall, after the exclusionary discipline reform was adopted, there was a slight increase in OSS for more serious offenses and a slight increase in truancy rates
    - The exclusionary discipline reform is associated with a decrease of 8 percentage points in student engagement as measured by truancy rates
    - Prior to the exclusionary discipline reform in 2011-12, 15.9% of all OSS were for more serious infractions
    - During the first year of the exclusionary discipline reform, the OSS rate for more serious infractions rose to 36.1%
    - During the second year of the exclusionary discipline reform, the OSS rate for stayed high at 31.7%
  - The exclusionary discipline gap between Black and white students slightly decreased by .03 days per student after the exclusionary discipline reform was adopted
    - However, the exclusionary discipline reform is also associated with an increase in exclusionary discipline for Black students by way of more serious violations
  - The exclusionary discipline reform is associated with a decrease in math and ELA proficiency
    - Decrease in 5.28 percentage points in math
    - Decrease in 4.26 percentage points in ELA
  - While the exclusionary discipline reform resulted in a decline for the targeted exclusionary discipline offenses, there were significant increases for more serious infractions

- Details
  - The study was conducted on the School District of Philadelphia (SDP) after the 2012-13 school year when the SDP implemented a discipline policy reform that emphasized intervention rather than suspension for less serious student misconduct
  - The exclusionary discipline reform in 2012-13 also gave school principals more discretion around the response to more serious disciplinary infractions
  - Under this new policy students were no longer to be removed from school for failing to follow classroom rules or for using profane or obscene language
  - Principles were encouraged to utilize alternative approaches to school discipline that addressed school culture but had autonomy to address and adopt their own interventions
    - This also led to school leaders having little guidance about which alternative strategies to use and few additional resources to implement the new discipline approaches that they did select
  - More serious offenses like theft or bullying changed to a maximum punishment suspension instead of expulsion
  - Ultimately, the analysis found that the discipline reform of Philadelphia had little overall effect on suspension usage after the exclusionary discipline reform was put into place
    - While the exclusionary discipline reform led to substantive declines in suspensions for minor infractions there was a surge in suspensions for more serious non-conduct infractions
  - The exclusionary discipline reform in SDP may have also affected student achievement and other aspects of school climate such as student behavior and engagement because of the uptick in serious student misconduct like bullying, fighting, and alcohol and drug possession
- The authors conclude their research with the following thoughts:
  - The exclusionary discipline policy reform was not successful in achieving its aim of reducing the use of suspensions for low level student misconduct or significantly closing disparities in exclusionary discipline rates.
  - Reducing penalties for more serious misconduct from expulsion to suspension may lead to a worsening of school climate
  - School-level difference in resources and capacity make a significant difference in how successful the implementation and/or effectiveness of the exclusionary discipline ban is

Summary of Research: Exclusionary Discipline Bans in Practice

School System	Key Points
Denver Public Schools	• Schools with the lowest exclusionary discipline rates combined models of positive behavioral interventions and supports (PBIS) with layers of restorative practices. • Schools with the lowest exclusionary discipline rates heavily invested in engagement protocols like formal home-visitation programs, morning meetings with students and families, and intentional protocols that heightened visibility and access during and after school • Schools with the lowest exclusionary discipline rates were heavily invested in providing professional development to staff and embedding protocols and concepts like restorative practices and/or social-emotional learning into the everyday routines and curriculum.
California Public Schools	• The CA exclusionary discipline reform that was designed to eliminate exclusion for specific behaviors, like willful defiance, was ineffective at creating overall sustainable change • While exclusionary discipline for willful defiance decreased by roughly 67%, those rates were offset by the increase of exclusionary discipline issued for non-will defiance offenses
Los Angeles Unified School District	• The exclusionary discipline reforms in LAUSD included state policy coupled with district-wide mandates and financial support to deploy school-wide positive behavioral interventions and supports with embedded restorative practices in every school • While exclusionary discipline rates decrease after the reforms were adopted, there were already declining exclusionary discipline rates before the reform was put into place • The reform efforts of LAUSD show positive results but the results are minimal, and it is unclear if those same results would be accomplished without the adoption of exclusionary discipline reforms

Public Schools of Philadelphia	• Philadelphia's exclusionary discipline reform was tailored to eliminate exclusionary discipline for specific behaviors (i.e., willful defiance)
	• After the reform was adopted:
	    o willful defiance infraction rates decreased by over 50%
	    o exclusionary discipline for more serious infractions increased by over 50%
	    o student engagement rates decreased by 8 percentage points
	    o decreases of 5.28 and 4.26 percentage points were observed in math and ELA achievement scores, respectively
	    o elementary students that received some form of exclusionary discipline had an increase in absences
	• Philadelphia's exclusionary discipline reform did not, at scale, achieve the intended results

Literature Review: K12 Policy & Practice Implementation

Overview

Based on the findings of nearly all exclusionary discipline policies and/or alternative exclusionary discipline models like PBIS, the most critical element of any policy is the implementation approach.[48] Throughout the literature it is clear that the right conditions must be in place for any level of success or fidelity to take place with policy implementation.[49] Additionally, the right conditions can mean many things—from strong professional development opportunities to the hiring of additional support roles—but there is little evidence to suggest that incentives (e.g., money) are an effective approach for motivating educators to (hopefully) change behaviors and/or actions.[50]

The following section provides insights and summaries that cover the policy implementation academic literature as well as recommendations from the PreK-12 education field.

- **Implementation Research**
    - A policy that serves as the foundation for a successful implementation is designed with clarity and visibility regarding who is supposed to implement what and who is responsible when a given step of the implementation goes wrong.[51]
    - A review of U.S. education policies from the 1990's revealed that the strongest effects for implementation were measured 8 to 14 years after the policy was implemented[52]
    - No matter the quality or level of planning that goes into implementation, there will always be resistance from stakeholders[53]
        - Leaders will need to be prepared to respond and support resisters
        - Leaders will need to build support and coalitions
        - Leaders will need to provide a plan and clear resources for change
        - Leaders will need to incorporate policies and practices into daily routines so that the desired change is sustainable
    - To improve likelihood of success, the policy implementation plan must be flexible enough to adapt to unforeseen issues[54]
    - Successful education policy implementation requires investing in the resources that will create the conditions for school-level teachers and leaders to adopt the practices and approaches that will lead to the desired change in outcomes[55]
    - Two primary reasons for failed policy implementation are:
        - A lack of focus on the implementation process[56]
        - An inability for leaders to effectively engage adopters throughout the difficult process of change[57]

- **Example: Policy Implementation Framework[58]**
  - Smart policy design and implementation starts with a clear justification and offers a logical and feasible solution to the problem
  - The policy should clearly provide steps to achieve the desired solution or outcome
  - The policy should have clear benchmarks or metrics that can bring all the determinants together in a coherent manner to make the policy operational at the school level
  - Smart policy implementation planning should include stakeholder engagement where stakeholders are recognized and given voice on how the policy is implemented
  - Smart policy design and implementation takes societal context into account and recognizes the influence of the existing environment and context of the education system
- **On the Implementation of Alternatives Approaches (e.g., Restorative Practices)**
  - Before investing in a restorative justice implementation process it is critical to understand that it takes a considerable amount of time and resources[59]
  - The hiring of a full-time coordinator is often critical to the success of alterative exclusionary discipline implementation[60]
  - At each building, a school principal and leadership team should evaluate the current culture and climate before deciding which approach will work most effectively for their community[61]
  - Before adopting alternative exclusionary discipline approaches, school leaders should engage with and learn from the experiences and perspectives of teachers, students, and parents as they will likely influence the rollout of and exclusionary discipline initiatives or programs[62]
  - The implementation of an alternative exclusionary discipline approach should include a coaching plan for teachers that are reluctant to participate[63]
  - Each school building will need a restorative practice team that is dedicated to analyzing the school culture and discipline data to immediately address needs and opportunities[64]
  - A successful implementation will include a series of resources that provides teachers with concrete practices to use when responding to student misconduct in their classrooms[65]
  - School leaders should be prepared for slow progress—any alternative exclusionary discipline program or initiative will be a multi-year effort[66]
  - For the sustainment of an alternative exclusionary discipline approach, it is important to integrate protocols and practices throughout the school and district rather than have it be adopted and/or experienced as an add-on[67]

Summary of Research: K-12 Policy & Practice Implementation

Take-Aways from the Field	Key Points
Implementation is the key to any successful policy	• One of the primary reasons for failed policy is the lack of focus on the implementation process • Polices that achieve the intended impact focus on creating optimal conditions that promote change
Successful implementation most often takes multiple years	• A landscape review of education policies in the U.S. found that most policies achieve their highest level of effectiveness between 8 and 14 years • Even with optimal conditions, support, and resources the implementation of models and/or approaches like restorative justice and positive behavioral interventions and supports will take multiple years to observe material and sustainable change
The large-scale implementation of school behavioral models and approaches like positive behavioral interventions and supports (PBIS) demand a lot of resources and need to be planned for accordingly	• Done properly, the implementation of PBIS in one school building should take at least 3-years • The effective implementation of PBIS and/or restorative practices takes a massive effort that includes resources, capacity, time, and commitment • Attempting to implement policies that require interventions without the proper planning and/or amount of needed resources can lead to negative outcomes like increases in student misbehaviors and teacher turnover and decreases in school climate and culture

Literature Review: CT JJPOC Priority Areas

The following section focuses on the committee's three priority areas. For this section, Bellwether highlighted literature from multiple PreK-12 areas of focus to identify best practices and/or recommendations from peer-reviewed case studies and experts in the field.

Data and Accountability
- Securing and/or having access to reliable data should be the first step in reducing inequities in exclusionary discipline for PreK and elementary youths[68]
- The expansion of coordinated data systems at the state or local level is a critical component of understanding and ultimately ending the disparities in exclusionary discipline rates[69]
- School teams that use data for decision making tend to have lower racial discipline disparities[70]
- Coordinated data systems enable early identification for interventions in mental health or disabilities[71]
- To accelerate expansive data systems, look to research-policy partnerships (e.g., local universities) that can help inform data system development and ensure that exclusionary discipline is monitored before and during legislation implementation[72]
- Data systems need programmatic system audits to ensure the accuracy of reports and/or the tangible consequences for poor or missing data to ensure data quality[73]
- Good data collection can help avoid many unintended consequences that often come with exclusionary discipline[74]

- Data should be collected on all forms of harsh discipline and from multiple types of reporters that includes administrators, teachers, families, and mental health consultants[75]
- Data needs to be consistently monitored to ensure the accountability of systems that track exclusions, deploy support where needed, and establish corrective action plans[76]

Family and Community Engagement

- Exclusionary discipline practices need to consider the context and unique situations of children and their families; a child who receives out-of-school suspension directly impacts a parent's ability to work which may impact the family's ability to stay economically afloat[77]
  - Parents of children with disabilities or behavior problems are two to three times more likely to experience childcare related employment problems[78]
- Policy implementation and/or the adoption of interventions like PBIS or RJ need to allow for flexibility in ways that allow each school to consider the context and needs of their community[79,80]
- A holistic plan that addresses exclusionary discipline must include attention to family wellness and to the communities in which children live[81]
  - An exemplary model is Head Start, which is centered on the premise of family wellness and provides families with connections to resources such as health care education resources employment support housing vouchers food assistance and transportation support[82]
- Engaging with families is critical to building positive relationships with students but the ability to do so is not an easy task for educators. Educators need be provided with professional development opportunities focused on creating environments that foster authentic and reciprocal relationships with family and community members[83]
  - A study from 2000 reported that 57% of early childhood teachers felt unprepared to work or engage with families[84]

Professional Learning

- *Restorative Justice*
  - Broadly, the research to support restorative practices in the U.S. is still in a very early state[85]
  - Despite the growth of restorative justice in schools and evidence of its effectiveness, the research is still limited and nearly all the current research lacks internal validity[86]
    - However, there is a large body of research that suggests restorative justice can effectively lead to improvements with discipline disparities, misbehavior, and school climate[87,88]
    - There is mixed evidence on restorative justice reducing bullying and absenteeism[89]
    - There is mixed evidence on restorative justice impacting academic performance[90]

- Restorative practice interventions come in all shapes and sizes and range from training teachers how to build relationships and use dialogue techniques, to professionally guided restorative conferences with students and staff, and sometimes bringing in an involving community and family members[91]
- Recent case studies show that school systems are starting to embrace a more expansive whole school model of restorative justice as a preventative approach for building an interconnected school community and healthy school climate[92]
- Whole school restorative justice programs often include universal training of staff and students[93,94]
- Restorative justice programs work well when embedded into other school-wide initiatives such as social emotional learning and positive behavioral interventions and supports[95]
- Restorative justice is perceived to work best when it is integrated into the school's overall philosophy and school culture[96]
- Educators benefit most from targeted tools and resources that allow them to successfully implement, evaluate and continuously improve their practices and programming[97]
- At minimum, restorative justice implementation should include:[98]
  - elements of professional development
  - coaching
  - school time devoted to restorative justice activities and reflection
- *Positive Behavioral Interventions and Supports (PBIS)*
  - PBIS is multitiered framework for delivering evidence-based behavioral supports aligned to student needs[99]
  - PBIS includes three tiers and has been shown to be successful using exclusively the first tier to all three tiers[100]
  - PBIS was originally implemented for elementary grades, but more high schools are starting to utilize the model as well[101]
  - A landscape review of over 55 studies on tier 1 PBIS found positive effects on exclusionary discipline but less promising results on academic achievement measures[102]
    - However, there is emerging evidence that PBIS promotes positive academic outcomes[103,104] and effectively reduce racial inequities in academic outcomes[105,106]
    - Schools implementing PBIS with fidelity had lower racial disproportionality in exclusionary discipline than schools not implementing PBIS[107 108]

- Although there is a high-level of promise with PBIS, recent research suggests that PBIS alone cannot alone solve for academic and/or discipline and behavior challenges[109]

- **Social-Emotional Learning (SEL)**
  - SEL consists of acquiring and applying the knowledge, attitudes, and skills necessary to recognize and manage emotions; develop care and concern for others; make responsible decisions; establish positive relationships; and handle challenging situations[110]
  - The development and expression of social emotional skills are affected by factors such as social historic context[111]
  - The development of SEL is not a linear process for students nor does it go in one direction[112]
  - SEL should be embedded into efforts that promote equity but should not be implemented as a standalone curriculum or be considered the responsibility of a specific person like a school counselor[113]
  - All adults who interact with students within a school that has an SEL focus should have a role in the evolution of children's SEL progress[114]
  - There is no one-size-fits-all approach to SEL and educators need to adapt their strategies to fit the context and values of their local students families and communities[115]
  - SEL should be horizontally integrated in alignment with the school, communities, family, and students[116]
  - When educators effectively partner with families, SEL interventions can enhance students' social behavioral, competence, and mental health with larger effects often found with students from historically marginalized backgrounds[117]
  - Another similar concept to SEL Is trauma informed teaching which looks to create safe and supportive learning environments through a school wide approach[118]
  - Effective SEL and trauma-informed teaching can be complementary when integrated into a multi-tiered system of supports (MTSS) or similar model like positive behavior intervention and supports (PBIS)[119]

- **Potential Concerns**
  - There is limited research on the effectiveness of PBIS at the secondary level[120]
  - Broadly, the current research supporting restorative justice in schools is still in a nascent state[121]
  - With restorative justice research being limited and lacking rigorous research designs, it is difficult to make confident claims regarding effectiveness[122]
  - At least one large-scale school level randomized control trial and one other correlational study on the effects of restorative justice found evidence suggesting restorative justice had negative impacts on academic performance[123]
  - A 2019 study found:[124]

- Most teachers believe school discipline is inconsistent or inadequate and that any declines in suspensions by way of exclusionary discipline bans are likely explained by higher tolerance for misbehaviors or increases in underreporting
- While disproportionality and suspension rates are major causes of discipline reform, there are many African American teachers that believe suspensions and expulsions should be used more often

Summary of Research: CT JJPOC Priority Areas

Take-Aways from the Field	Key Points
Data is critical to the success of implementation	• Data is critical to informing policy development and policy change • Data is critical to informing professional development and technical assistance needs • Having continuous data access is critical for creating systems and processes that efficiently identify the need for interventions
Data is critical to closing inequities and disparities in exclusionary discipline practices	• Effective data collection systems require all data to be reported and disaggregated by race, ethnicity, language, gender, income, and ability • Reliable and accessible data is the foundational component to reducing inequities and disproportionalities in exclusionary discipline
Family and community engagement plays a critical factor in the successful implementation of alternative exclusionary discipline models and approaches	• Data systems that aim to increase equity should include the collection of all forms of harsh discipline, and from multiple types of reporters that includes administrators, teachers, families, and mental health consultants • A holistic plan to address exclusionary discipline must include attention to family Wellness and to the communities in which children live
Restorative justice and behavioral interventions and supports are well-researched and show promise	• Many school systems including large urban districts in California, Colorado, Illinois, Minnesota, and Pennsylvania have turned to restorative justice as a tool for avoiding exclusionary discipline practices • Restorative justice in the U.S. is often used as the primary intervention approach for addressing the disproportionality in exclusionary discipline • Multiple studies have shown positive associations between restorative practices and the reduction of exclusionary discipline • A 2019 review of 55 PBIS studies found positive effects on exclusionary discipline rates • A 2018 meta-analysis on PBIS studies found significant reductions in exclusionary discipline associated with the adoption of PBIS
The research and evidence to support interventions like PBIS and restorative practices is still growing and inconclusive—much more research is needed to prove the statistical validity and effectiveness	• The research on restorative practices is still limited and nearly all associated research on the impacts of restorative practices lacks internal validity • One 2019 study suggests that, even while many teachers see the value in interventions like PBIS and restorative justice, most teachers still believe that suspensions can be useful • There is a dearth of research on the effectiveness of PBIS beyond the elementary grades and across various populations and demographics of students

Appendix A

Georgetown Law: Center on Poverty and Inequality
Summary: State Grade level bans

1. Ark. Code. Ann. § 6-18-507(b)(2) (2019) (prohibiting out-of-school suspension or expulsion for kindergarten through fifth grade students unless student's actions present a physical risk to the student or others or causes a serious disruption that cannot be otherwise remedied);
2. Colo. Rev. Stat. 22-33-106.1(2) (2019) (schools may only use out-of-school suspension or expulsion for preschool through second grade students if the student engages in certain behaviors, including dangerous weapon possession, controlled substance offenses, or creates a safety threat or dangers to others; school must follow stricter procedural protections before suspending or expelling the student);
3. Conn. Gen. Stat. § 10-233c(g) (2019) (preschool through second grade students may only receive in-school suspensions if the student's conduct was violent or sexual and endangers another person; **third to twelfth grade students** may only receive in-school suspensions if the student poses a danger to people or property or has a history of previous discipline problems that have not been adequately address through other means);
4. D.C. Code § 38-236.04(a) (2020) (kindergarten through eighth grade students may not receive suspension or expulsion unless the student caused or threatened bodily injury or emotion distress to another person; ninth through twelfth grade students may not receive suspension or expulsion for certain behaviors);
5. Ga. Code Ann. § 20-2-742(b) (2019) (preschool through third grade students may not be suspended or expelled for more than five days "without first receiving a multi-tiered system of supports, such as response to intervention," unless the student endangered the safety of others or possessed a weapon or controlled substances);
6. Md. Code Ann. Educ. § 7-305.1(b) (2019) (prekindergarten through second grade students may not be suspended or expelled unless required by federal law or they present an imminent threat to others);
7. Minn. Stat. § 121A.425 (2020) (students in preschool or prekindergarten may not be expelled or excluded, unless non-exclusionary discipline is attempted and only if there is "an ongoing serious safety threat to the child or others.");
8. Nev. Rev. Stat. § 392.467(1) (2019) (students under age 10 may not be permanently expelled unless the student has more than one occurrence of battery or possession of a firearm or dangerous weapon);
9. N.J. Rev. Stat. § 18A:37-2a (2019) (preschool students may not be suspended or expelled except for firearm possession; kindergarten through second grade students may not be expelled except for firearm possession or violent or sexual conduct that endangers others);
10. Ohio Rev. Code Ann. § 3313.668(B)(1) (LexisNexis 2019) (kindergarten through third grade students may not receive out-of-school suspension or expulsion unless the student commits certain enumerated behaviors involving firearms, knives, bomb threats, commits serious harm to a person, or if the suspension or expulsion necessary to protect others' health and safety);
11. Or. Rev. Stat. § 339.250(2)(c) (2019) (students in fifth grade and under can only receive out-of-school suspension or expulsion for seriously harming another person, presenting a direct threat to others' health and safety, or if required by law);
12. Tex. Educ. Code Ann. § 37.005(c) (2019) (students under grade three cannot receive out-of-school suspension unless they commit criminal offenses involving violence, weapons, controlled substances, or alcohol);
13. Va. Code Ann. § 22.1-277(B) (2019) (preschool through third grade students may not be suspended for more than three school days or expelled unless the student physically harms another person, presents a credible threat of harm, possesses firearms or controlled substances, or "the local school board or the division superintendent or his designee finds that aggravating circumstances exist, as defined by the Department").

Appendix B

Georgetown Law: Center on Poverty and Inequality
Summary: State Alternative Requirements

1. Cal. Educ. Code ¬ß 48900(v) (2019) (encouraging superintendent or principal to provide alternatives to suspension and expulsion "using a research-based framework with strategies that improve behavioral and academic outcomes, that are age appropriate and designed to address and correct the pupil's specific misbehavior");

2. Cal. Educ. Code ¬ß 48900.5(a) (2019) (prohibiting suspension until other means of prevention have been tried, potentially including participation in restorative justice program);

3. Colo. Rev. Stat. ¬ß 22-32-109.1(L)(II)(B) (2019) (requiring school districts to include plans for alternatives to exclusionary school discipline such as "prevention, intervention, restorative justice, peer mediation, counseling, or other approaches to address student misconduct, which approaches are designed to minimize student exposure to the criminal and juvenile justice system);

4. Colo. Rev. Stat. ¬ß 22-32-144 (2019) (encouraging the use of restorative justice as an alternative to exclusionary school discipline for certain behavioral offenses);

5. D.C. Code ¬ß 38-236.03(b)(9) (2020) (promoting the use of restorative justice as an alternative to exclusionary school discipline where appropriate);

6. Fla. Stat. ¬ß 1006.13 (2019) (allowing threat assessment teams to consider the use of alternatives to expulsion such as restorative justice);

7. Idaho Code Ann. ¬ß 33-1631(3) (2019) (requiring graduated disciplinary consequences, potentially including counseling and restorative justice);

8. 105 Ill. Comp. Stat. 5/10-22.6(b-5) (2019) (recommending consideration of non-exclusionary school discipline prior to out-of-school suspension or expulsion);

9. Me. Rev. Stat. 20-A ¬ß 1001(15-A)(B) (2019) (requiring school boards to focus on "positive and restorative" forms of discipline);

10. Md. Code Ann. Educ. ¬ß 7-305.1(d) (2019) (requiring use of positive behavior interventions and supports and restorative practices for school discipline as part of a whole school ethos);

11. Md. Code Ann. Educ. ¬ß 7-306(d) (2019) (establishing a school discipline model that is focused on restorative practices, including mediation and positive behavior interventions and supports);

12. Mich. Comp. Laws ¬ß 380.1310c (2019) (requiring the use of restorative practices instead of or in addition to exclusionary school discipline); Mich. Comp. Laws ¬ß 380.1310d (2019;

13. Minn. Stat. ¬ß 121A.425 (2020) (requiring consideration of restorative practices and other alternatives prior to use of exclusionary school discipline);

14. Neb. Rev. Stat. ¬ß 79-258 (2019) (allowing alternative disciplinary action, potentially including restorative justice practices and services);

15. Nev. Rev. Stat. ¬ß 392.4644 [Added by Acts 2019, ch. 559, ¬ß 3.3] (2019) (providing for restorative discipline and on-site review of disciplinary decisions);

16. N.J. Stat. Ann. ¬ß 18A:35-4.31 (2019) (limiting recess and disciplinary action for children grades kindergarten through fifth grade and requiring use of restorative practices as an alternative);

17. Okla. Stat. 70 ¬ß 24-101.3(A) (2019);

18. Or. Rev. Stat. ¬ß 339.250(5)(h) (2019) (requiring consideration of alternatives prior to out-of-school suspension for students in kindergarten through fifth grade);

19. Tenn. Code Ann. ¬ß 49-6-3024(b-c) (2019) (recommending alternatives to exclusionary school discipline such as restorative justice for students in pre-kindergarten and kindergarten);

20. Tex. Educ. Code Ann. ¬ß 37.0013 (2019) (requiring alternative to exclusionary school discipline for children in pre-school through second grade, including restorative justice);

21. Utah Code Ann. ¬ß 53G-8-207 (2019) (requiring school superintendent to research and provide alternatives to exclusionary school discipline);

22. Va. Code Ann. ¬ß 22.1-16.6 (2019) (requiring consideration of alternatives to short-term and long-term suspension, including "positive behavior incentives, mediation, peer-to-peer counseling, community service, and other intervention alternatives");

23. Wash. Rev. Code ¬ß 28A.600.410 (2019) (encouraging alternatives to out-of-school suspension, including counseling).

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