Positive, Proactive Approaches to Supporting Children With Disabilities

Addressing Discipline Disparities

Overview

Public early childhood programs, elementary, and secondary schools are responsible for meeting the needs of children with disabilities, which includes addressing their social, emotional, and behavioral needs. Far too often, positive and proactive approaches that focus on preventing interfering behavior are not part of a child's individualized education program (IEP). As a result, children with disabilities—particularly children with disabilities of color—are frequently subjected to exclusionary discipline, which removes them from their learning environment without focusing on how to best meet their unique behavioral needs. Schools and early childhood programs must understand how to protect the rights and needs of children with disabilities to ensure their disability-based behaviors are understood and that their IEPs are appropriately developed and effectively implemented to enable social, emotional, and academic success.

In July 2022, the U.S. Department of Education, Office of Special Education Programs (OSEP), published the guide *Positive, Proactive Approaches to Addressing the Needs of Children with Disabilities: A Guide for Stakeholders*, which provides actions state educational agencies (SEAs), local educational agencies (LEAs), schools, early childhood programs, and educators can take to implement positive, proactive, and preventative practices that seek to better address a child's behavioral needs while decreasing the use of exclusionary discipline. These practices reinforce core pillars of the Individuals with Disabilities Education Act (IDEA), including how addressing the behavioral needs of children with disabilities is part of IDEA's requirement to provide a free appropriate public education (FAPE) provided in the least restrictive environment (LRE), and the IEP as the vehicle for fulfilling this obligation. By implementing practices associated with these positive and proactive approaches, students with disabilities can be assured of access to an educational environment that is nondiscriminatory, supportive, positive, and nurturing for both their academic and behavioral development.

OSEP Technical Assistance (TA) Center Resources

The resources in the following tables can support schools and early childhood programs in implementing positive, proactive approaches to support and respond to children's behavioral needs more effectively. Following the resources is information about OSEP TA Centers that can provide additional information to support schools in implementing the practices described below.

POSITIVE BEHAVIOR INTERVENTION AND SUPPORTS (PBIS)

Resource	Description	Audience	Reference citation
Are Fewer Students With Disabilities Suspended When Schools Implement PBIS?	This evaluation brief explores the relationship between (a) schools' implementation of Tier 1 (universal) support within a Positive Behavioral Interventions and Supports (PBIS) framework and (b) the proportion of students with disabilities suspended.	• Educators • School administrators	Simonsen, B., Freeman, J., Gambino, A. J., Sears, S., Meyer, K., & Hoselton, R. (2021). *Are fewer students with disabilities suspended when schools implement PBIS?* Center on Positive Behavioral Interventions and Supports. https://www.pbis.org/resource/are-fewer-students-with-disabilities-suspended-when-schools-implement-pbis
Do Schools Implementing SWPBIS Have Decreased Racial and Ethnic Disproportionality in School Discipline?	The purpose of this study was to examine discipline disproportionality among schools implementing SWPBIS compared to the entire population of schools in the U.S. Examining patterns in a large-scale evaluation of schools implementing and not implementing SWPBIS could help determine the extent to which implementation of SWPBIS is related to lower, higher, or unchanged discipline disparities.	• Educators • School administrators	McIntosh, K., Gion, C., & Bastable, E. (2018). Do *schools implementing SWPBIS have decreased racial and ethnic disproportionality*. Center on Positive Behavioral Interventions and Supports. https://www.pbis.org/resource/do-schools-implementing-swpbis-have-decreased-racial-and-ethnic-disproportionality-in-school-discipline
Using PBIS to Ensure Racial Equity in School Discipline	Schools across the United States are implementing PBIS in efforts to reduce racial disproportionality in school discipline, and overall, research shows that schools implementing PBIS with fidelity have more equitable school discipline. Yet eliminating disparities through standard PBIS implementation, without attention to the sociocultural context and systems that perpetuate inequities, is unlikely to produce desired outcomes. The presenters will share specific strategies and free resources for increasing equity in PBIS systems.	• Educators • School administrators	McIntosh, K., & Hollins-Sims, N. (2021). *Using PBIS to ensure racial equity in school discipline* [Video]. Center on Positive Behavioral Interventions and Supports. https://www.pbis.org/video/using-pbis-to-ensure-racial-equity-in-school-discipline

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DISPROPORTIONALITY

Resource	Description	Audience	Reference citation
Placement and School Discipline	An 18-part Center for Parent Information and Resources (CPIR) article that takes a not-so-brief look at how student placement can be affected by disciplinary actions at school.	• Educators • School administrators	Center for Parent Information and Resources. (2017). *Placement and school discipline.* https://www.parentcenterhub.org/disciplineplacements
Talking About Race	A 2020 CPIR information suite with five stand-alone webpages: Introduction, Looking Within Ourselves, Listening and Learning, Talking with Our Children about Race and Racial Violence, and Helpful Websites and Organizations.	• Educators • School administrators	Center for Parent Information and Resources. (2020). *Talking about race.* https://www.parentcenterhub.org/talk-about-race
Understanding Common Measures of Disproportionality	This fact sheet provides illustrations of the measures used to understand disproportionality related to various groups of children and a particular factor or outcome. This document focuses on children grouped by race/ethnicity. However, there are other groups you might also want to review (e.g., gender, dual-language learners, children with IEPs). This presents an example of the calculation of these measures using the completion of a Behavior Incident Report for a young child. These measures of disproportionality are also used to examine other variables of interest, including suspensions, expulsions, or referrals for services.	• Local and district agencies • School administrators • State and regional agencies	National Center for Pyramid Model Innovations. (2021). *Understanding common measures of disproportionality* [Fact sheet]. https://challengingbehavior.cbcs.usf.edu/docs/Understanding-Measures-of-Disproportion.pdf
Wise Use of Coordinated Early Intervening Services (CEIS) to Achieve Equity in School Discipline	Disproportionality in exclusionary school discipline is a longstanding challenge in general and special education. To reduce disproportionality in discipline in a way that produces measurable results, federal law includes a mechanism referred to as Coordinated Early Intervening Services (CEIS). Whether a school district has been cited for significant disproportionality, is out of compliance, or is voluntarily directing funds to reducing disproportionality in discipline, this brief provides background on CEIS and outlines best practices for how state, district, and building administrators can invest these funds most effectively to achieve equity in school discipline.	• Educators • School administrators	Austin, S. C., von Ravensberg, H., & McIntosh, K. (2022). *Wise use of Coordinated Early Intervening Services (CEIS) to Achieve equity in school discipline.* Center on Positive Behavioral Interventions and Supports. https://www.pbis.org/resource/wise-use-of-coordinated-early-intervening-services-ceis-to-achieve-equity-in-school-discipline

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USING DATA			
Resource	**Description**	**Audience**	**Reference citation**
ED*Facts*: Discipline Data	States and LEAs must report five types of disciplinary removals for children and youth with disabilities. The ED*Facts* IDEA Discipline Data Infographic visualizes the information from six IDEA Discipline data ED*Facts* file specification documents in an interactive infographic that outlines the discipline data for children and youth with disabilities ages 3 through 21 that states must include in their annual submission of ED*Facts* files FS005, FS006, FS007, FS088, FS143, and FS144. Data states report in these files include counts of children and youth with disabilities with in-school and out-of-school suspensions and expulsions; length of and reason for disciplinary removal; and count of disciplinary removals due to drugs, weapons, or serious bodily injury.	• Local and district agencies • Researchers • State and regional agencies	IDEA Data Center. (n.d.). *EDFacts: Discipline data.* Westat and U.S. Department of Education. https://ideadata.org/discipline
SEA and LEA ED*Facts* Edit Check and Data Display Tools	If states and districts are to address discipline disparities effectively, they must first have high-quality data. The IDEA Data Center's (IDC) SEA Edit Check and Data Display Tools allow states to identify potential business rule errors or errors in category sets, subtotals, or totals before submitting their data to OSEP. Offering user-friendly data summaries, this resource also has edit check tools that permit states to directly copy and paste their ED*Facts* data files, as opposed to manually entering the data. States can use the SEA ED*Facts* Edit Check and Data Display Tool – IDEA Discipline to identify format, validation, and other errors in category sets or subtotals in SEA-level ED*Facts* data files FS005, FS006, FS007, FS088, FS143, and FS144. State staff can use the LEA ED*Facts* Edit Check and Data Display Tool – IDEA Discipline to check LEA-level data files FS005, FS006, FS007, FS088, FS143, and FS144 for errors. State staff can also use this tool as a data display in their work with LEAs, including monitoring, performing desk audits of LEA data, and providing TA and professional development to LEA staff.	• Local and district agencies • School administrators • State and regional agencies	IDEA Data Center. (n.d.). *SEA and LEA EDFacts Edit Check and Data Display Tools.* Westat and U.S. Department of Education. https://ideadata.org/edit-check-tools
Success Gaps Toolkit: Addressing Equity, Inclusion, and Opportunity	IDC's Success Gaps Toolkit outlines a process that district and school teams can use to identify and address discipline disparities revealed through the state's accountability system or through self-evaluation. The toolkit, with its process and materials, provides a manageable and defined way for districts or schools to take a closer look at their educational system to ensure an equitable education for all students.	• Local and district agencies • School administrators	IDEA Data Center. (n.d.). *Success Gaps Toolkit: Addressing equity, inclusion, and opportunity.* https://ideadata.org/resources/resource/1538/success-gaps-toolkit-addressing-equity-inclusion-and-opportunity

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OSEP TA Centers

- **Center for Parent Information and Resources (CPIR) |**   CPIR provides universal technical assistance to the network of Parent Centers funded by OSEP. Among its priorities are: (a) providing Parent Centers with products and materials to support their work with families; (b) increasing Parent Centers' knowledge and capacity in specific domains; and (c) increasing the coordination of parent training efforts throughout the network. Among the products and services CPIR provides to the Parent Center network are: (a) its information-rich website in English and Spanish (called the Parent Center Hub); (b) a twice-monthly enewsletter called the *Buzz from the Hub;* (c) the eLearning Hub, which features online, self-paced learning modules for all Parent Center staff as part of capacity building; (d) frequent webinars on high-priority topics; (e) national Parent Center capacity-building conferences; (f) private communication spaces where Parent Centers can share resources and collaborate with their colleagues (CentersConnect); and (g) coordination of annual data collection and reporting of Parent Center activities, training contacts, and services provided to families, professionals, and youth with disabilities.
https://www.parentcenterhub.org

Center on Positive Behavioral Interventions and Supports (PBIS) | The Center on PBIS was initially funded in 1998 and a new 5-year funding cycle launched in October 2018. The purpose of the new center is to improve the capacity of state educational agencies, LEAs, and schools to establish, scale up, and sustain the PBIS framework to (a) scale up Tier 2 and 3 systems to improve outcomes for students with or at-risk for disabilities, (b) enhance school climate and school safety, and (c) improve conditions for learning to promote the well-being of all students. The Center on PBIS is grounded in the values of comprehensive prevention, based on human-centered science, and implemented through collaborative partnerships, centered in equity, to improve social, emotional, behavioral, and academic outcomes.
https://www.pbis.org

- **IDEA Data Center (IDC) |** IDC provides TA to build the capacity of states and LEAs to collect, report, analyze, and use high-quality IDEA Part B data. IDC offers a full range of services and resources to support states' efforts to submit 616 (State Performance Plans and Annual Performance Reports or SPP/APR) data and 618 (or ED*Facts*) data that meet the U.S. Department of Education's data quality standards for accuracy, timeliness, and completeness. IDC also partners with States and LEAs to help them use these data to identify programmatic strengths as well as areas for improvement, including addressing root causes of poor performance and evaluating progress toward goals and desired outcomes.
https://ideadata.org

- **IRIS Center |** The IRIS Center develops and disseminates free, engaging online resources about evidence-based instructional and behavioral practices to support the education of all students, particularly struggling learners and those with disabilities. These resources, designed to bridge the research-to-practice gap, are intended for use in college teacher preparation programs, in professional development (PD) activities for practicing professionals, and by independent learners. The array of IRIS resources includes modules, case studies, fundamental skill sheets, information briefs, course/PD activities, a high-leverage practices alignment tool, and an online glossary of disability-related terms.
https://iris.peabody.vanderbilt.edu

- **National Center on Intensive Intervention (NCII) |** NCII is housed at the American Institutes for Research and works in conjunction with many of our nation's most distinguished data-based individualization (DBI) experts. The mission of the NCII is to build knowledge and capacity of state and local leaders, faculty and professional

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development providers, educators, and other stakeholders to support implementation of intensive intervention for students with severe and persistent learning and/or social, emotional, or behavioral needs using DBI.
https://intensiveintervention.org

- **National Center for Pyramid Model Innovations |** The mission of NCPMI is to improve and support the capacity of state systems and local programs to implement an early childhood multi-tiered system of support to improve the social, emotional, and behavioral outcomes of young children with, and at risk for, developmental disabilities or delays. The goals of the center are to assist states and programs in their implementation of sustainable systems for the implementation of the Pyramid Model for Promoting Social Emotional Competence in Infants and Young Children (Pyramid Model) within early intervention and early education programs, with a focus on promoting the social, emotional, and behavioral outcomes of young children birth to five, reducing the use of inappropriate discipline practices, promoting family engagement, using data for decision-making, integrating early childhood and infant mental health consultation and fostering inclusion.
https://challengingbehavior.cbcs.usf.edu/index.html

More information on positive, proactive approaches to supporting the behavioral needs of children with disabilities is available from the U.S. Department of Education and a companion resource page, which includes an eight-part TA Resource Guide series and an archived video summarizing the Department's guidance and its main principles.

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