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Administrators' Perceptions of Knowledge of IDEA Regulations Related to Disciplining Students with Disabilities

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Annette Jackson-Thomas

has been found to be complete and satisfactory in all respects,
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Walden University

2022

Abstract

Administrators' Perceptions of Knowledge of IDEA Regulations Related to Disciplining
Students with Disabilities

by

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MA, University of Wisconsin-Milwaukee, 2001

Project Study Submitted in Partial Fulfillment
of the Requirements for the Degree of
Doctor of Education

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Abstract

There is a nationwide concern among students, parents, and educators regarding high school administrators' inequitable disciplinary practices and students with disabilities (SWD) policies in the U.S. The problem addressed in this study was that high school SWDs in a local Midwestern urban school district have higher rates of suspension from school than their nondisabled peers. Guided by Bandura's social learning theory, the purpose of this basic qualitative study was to understand local administrators' perceptions of their knowledge of the Individuals with Disabilities Education Act (IDEA) related to disciplining SWDs to gain insight into their decisions to suspend. The research questions examined administrators' perceptions on their training and knowledge of IDEA, their decision-making process to suspend and the additional training administrators identified as needed to support a decrease in suspension rates of SWDs. A purposeful sample of eight high school administrators responsible for dispensing school discipline participated virtually in semistructured interviews. By creating codes, which led to themes, the findings revealed that administrators felt unprepared and had a lack of understanding of the relationship between disability and behavior, which led them to misunderstand laws protecting SWDs during the discipline process. Administrators reported a need for ongoing professional development (PD) about the areas of disability and how students' behavior may be impacted. A 3-day PD training session was developed to educate administrators about IDEA, disabilities, and laws related to disciplining SWDs, to avoid inappropriate suspension of SWDs, thereby decreasing punitive student discipline and promoting positive social change over time.

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Students with Disabilities

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Dedication

I wish to dedicate this study to my husband, William C. Thomas, who encouraged me through the journey and who passed away before this study reached completion. I know that he would be proud of me. I also dedicate this to my beautiful daughter Brandy, who pushed, encouraged, and reminded me of my strength to continue when life's challenges gave me stumbling blocks along the way. I dedicate this to my granddaughters Ava and Zoe, who have been my biggest cheerleaders at their young age, checking in with me daily to ensure that I was working on my paper. Their unwavering love and support have been the driving force to reaching this milestone. A special thank you to my sister Vicki, who took the pressure of cooking off my plate. You will never know how much this helped me in this journey. And to my son-in-law Shaun, who kept the situation lighthearted to reduce my stress, thank you for the laughter. I could not have done this without any of the people mentioned.

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Section 1: The Problem

The Local Problem

The problem in this study was that high school students with disabilities (SWDs) in a local Midwestern urban school district have higher rates of suspension from school compared to their nondisabled peers. Students with disabilities make up 19.1% of the student population in this urban district but are suspended at a rate that is more than twice that of their nondisabled peers. The problem may be related to or exacerbated if high school administrators have a false sense of their knowledge and understanding of the Individuals with Disabilities Education Act (IDEA) and its relationship with disciplining SWDs. If administrators' sense of knowledge of IDEA regarding discipline is flawed, this impacts their decisions to suspend, which violates rights of this population of students (Decker & Pazey, 2017; Pazey & Cole, 2013).

The state database for educational information noted both local and statewide suspension rates for the 2017-2018 year. The overall statewide suspension rate for SWDs for the 2017-2018 school year is 23.8%, compared to the local districtwide suspension rate for SWDs at 67.4%. The suspension rate for students without disabilities (SWODs) in 2017-2018 was 5.8% statewide and 24.2% local districtwide. The problem increases in severity if the data set is reduced to high school students. For the 2017-2018 school year, suspension rates for high school students for SWDs were 27% statewide and 83.6% for the Midwestern local urban school district. There are 23 high schools in the Midwestern local urban school district with approximately 70 high school assistant principals assigned to high schools.

The Midwestern urban school district has a parent/student handbook on rights, responsibilities, and discipline documenting codes of school and classroom conduct discipline for grades 3-12. Levels of disciplinary action are assigned a level number from 1 through 4. Level 1 actions result in a conference or positive behavior intervention strategies, and Level 2 actions may result in suspension for not more than 3 days. There are 27 level 2 or 3 suspension recommendations. Actions at level 3 or 4 are severe school breaches of conduct with referrals to centralized student services. Level 4 actions are the most severe breaches of school rules or deemed criminal. Any violation of Level 4 is a recommendation for expulsion.

The National Clearinghouse on Supportive School Discipline (NCSSD, 2013) defined *exclusionary discipline* as an action that removes or excludes a student from their typical educational setting, temporarily following the violation of school rules or policies. Suspensions have adverse effects extending beyond the classroom when students miss significant instruction. Adverse effects of suspension include missed academic educational services, gradual disengagement from school and learning opportunities, weak social interactions, increased dropout rates, and juvenile justice encounters (Brobbe, 2018; Laco & Steinberg, 2019; National Council on Disability, 2015; Pyne, 2019; Skiba & Losen, 2015). Losen et al. (2014) said, “significant disparities in suspension rates have a disparate impact on both the academic achievement and life outcomes of millions of historically disadvantaged children, inflicting on them a legacy of despair rather than an opportunity” (p. 2). Removal from the educational environment excludes students from full access to opportunities and services that are necessary to

bridge the education gap (Anderson et al., 2019; Lashley & Tate, 2009; Mendoza et al., 2020). Academic gaps may exacerbate when schools suspend or expel SWDs for behaviors that involve their disabilities. Social costs result for community, local, and state tax bases when students become disengaged from school because of suspension (Rumberger & Losen, 2016). These social and economic costs include diminished wage-earning ability, increased crime and costs associated with it, and higher social welfare costs when students become disenfranchised and drop out of high school (Marchbanks et al., 2015; Mendoza et al., 2020; Rumberger & Losen, 2016). Administrators using suspensions may not consider economic costs because there is no immediate and apparent social impact (Marchbanks et al., 2015; Rumberger & Losen, 2016).

Rather than suspend, schools must look closely at why students may be exhibiting behavioral challenges in the classroom or school environment (Pierce et al., 2022; National Association of School Psychologists, 2010). Pierce et al., (2022) said students may use avoidance strategies when frustrated or academics become too challenging. Inappropriate education programs and support may be contributing factors to their conduct. Misbehavior may be triggered by inappropriate academic programs and supports, which lead to frustration for SWDs if they do not have prerequisite academic and social skills. A programming review may clarify the relationship between students' disciplinary problems and disability-related needs. The punitive strategy of suspension and expulsion of SWDs adversely affects future outcomes. The National Association of School Psychologists (2018) said ineffective punitive discipline policies only temporarily suppress negative behaviors. As negative behaviors increase, the likelihood of students

dropping out of school and interacting with the juvenile justice system increases (Mendoza et al., 2020).

In 2014, the U.S. Department of Education Office for Civil Rights, following complaints from students, parents, community members, and educator concerned with students' treatment in the discipline process by administrators, prepared a brief on school discipline. In response, following an investigation of disciplinary practices and policies across the U.S. regarding SWDs, a letter was drafted by the Office of Special Education and Rehabilitative Services. The letter authorized school personnel via the Individuals with Disabilities Education Improvement Act (IDEA) regarding code of conduct violations for children with disabilities. The letter supported school safety but provided a reminder to schools regarding their obligation to consider behavioral needs concerning disabilities and effects of choosing discipline options while ensuring the provision of Free and Appropriate Public Education (FAPE). Administrators' awareness of laws and obligations concerning disciplining SWDs is critical. At administrative meetings within the local Midwestern urban school district, administrators have expressed concerns that they lacked requisite knowledge to make informed decisions when suspending SWDs and determining when behaviors were a manifestation of student disabilities. Local Midwestern urban school administrators' understanding of how their knowledge of IDEA related to SWDs may directly impact students' future outcomes and the adverse effects which extend beyond the classroom, may be a catalyst for social change. Limited research is available involving how administrators make decisions or acquire knowledge concerning special education.

Rationale

Administrators are responsible for staying abreast of updates regarding discipline of SWDs to navigate safeguards put in place via the IDEA for this vulnerable population (Couvillon et al., 2018; Reed et al., 2020). Understanding how behaviors and subsequent suspensions affect SWDs helps administrators develop positive interventions to prevent suspensions that may be avoidable through experience (Richard & Hardin, 2018).

Administrators' knowledge of special education laws may directly impact how they discipline SWDs (Roberts & Guerra Jr., 2017). As incidences of school violence have risen, administrators are tasked with understanding and implementing disciplinary policies in school settings. There may be legal ramifications related to discipline of SWDs and rights that are inadvertently violated due to a lack of administrators' requisite knowledge of special education laws (Couvillon et al., 2018; Decker & Pazey, 2017; Lewis, 2017). The purpose of the study was to gain an understanding of high school administrators' perceptions of their knowledge of the IDEA as it relates to disciplining SWDs in order to gain insights about decisions to suspend.

Definition of Terms

The following key terms and definitions used in this study support research on administrators' perceptions regarding their knowledge of the IDEA related to discipline of SWDs.

Behavior Intervention Plan: A behavior intervention plan (BIP) is a formal, written plan developed from the FBA, that seeks to teach and replaces negative behaviors with positive behavioral strategies in an effort to prevent or stop misbehavior that interferes

with students learning. The BIP lists the problem behavior, describes why it is happening and puts in place strategies or supports to help the student move towards positive behavior.

Discipline disparities: Disciplinary actions that are disproportionately disseminated at a greater rate for a particular demographic group in terms of race, gender, sexual orientation, or disability status compared to other demographic groups (NCCSSD, 2014). This also includes types of disciplinary actions taken against students when similar offenses are committed among demographic groups.

Exclusionary discipline: The removal of a student for a specific period, using suspension or expulsion, which prevents them from engaging in classroom academics (Marchbanks et al., 2015).

Expulsion: The highest discipline level which is reserved for criminal acts or the most severe school rule violations. Students are removed from school and not allowed to attend for a period of more than 10 days and are removed from school rolls during this period. A preliminary expulsion hearing is conducted within the period the student is suspended from school.

Free Appropriate Public Education: Public schools are required, under IDEA, to provide a free appropriate public education (FAPE) in the least restrictive environment, to every child with a disability, at no cost to the child's family. The concept means an educational program, individualized to meet a child's unique need, is designed to assist them in receiving education benefits, preparing them for the future.

Functional Behavior Assessment: A functional behavior assessment (FBA) is an

ongoing process of collecting information with a goal of identifying what's behind behavioral challenges. This assessment is conducted by a team who begin by seeking to determine and define in specific and objective ways, what the problem behavior is. The information is gleaned by gathering information through school records, interview of staff and student and assessment tests. The information is then analyzed to determine the reason for the negative behavior. The FBA provides the data to develop the behavior intervention plan to teach and replace negative behaviors with positive behaviors.

Individuals with Disabilities Education Act: The individuals with Disabilities Education Act (IDEA) is the U.S. special education law with entitlement of each eligible child with a disability to a free appropriate public education (FAPE) that emphasizes special education and related services designed to meet the child's unique needs and that prepare the child for further education, employment, and independent living. 20 U.S.C. §1400(d)(1)(A).

Individual Education Plan: A student's individual education plan (IEP) describes their unique special education services, related services and environment in which the services will occur. The IEP also explains why the student's services are placed outside of a general education classroom; if applicable. The IEP is developed by a team consisting of the student, parents (or legal guardian), LEA, regular education teacher, special education teacher and related service providers (if applicable). To understand achievement, the IEP team explores and documents the student's current academic achievement and functional performance as it relates to access, engagement, and progress in relation to early childhood/grade-level academic standards and functional skill

expectations. The team seeks to identify effects of disability and disability-related needs to determine why the student may be struggling to access, engage, or make progress in identified grade level academic standards and functional expectations. The IEP team next develops ambitious and achievable goals that close achievement gaps by supporting the student's unique disability-related needs. Services are then aligned Services to determine the specially designed instruction, related services, supports, and accommodations needed to address disability-related needs, attain IEP goals, and ensure access to the general curriculum. Lastly, the IEP team analyzes progress by reviewing the systems in place to ensure the student is making progress toward ambitious and achievable IEP goals.

Least Restrictive Environment: The least restrictive environment (LRE) is not a place but rather a principle that guides a child's education program. It means that students with disabilities should be in the same general education classroom as their non-disabled peers and involved in the general education curriculum; as much as possible. LRE is an important part of IDEA, the U.S. special education law.

Local Education Agency: Local Education Agency (LEA): An LEA is the person assigned by the district to oversee the IEP meetings. This role is typically fulfilled by a principal or their representative. As a member of the IEP team, this person works collaboratively with other IEP team members to develop a program based on each student's unique needs that is reasonably calculated to enable the student to make progress appropriate in light of the individual student's circumstances and assists the team in documenting that program in the student's IEP. The Individuals with Disability Education Act (IDEA) 2004 identifies the LEA representative as someone who; (i) is

qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities; (ii) is knowledgeable about the general education curriculum; and (iii) is knowledgeable about the availability of resources of the public agency. (34 CFR 300.321(a)(4))

Manifestation Determination: The U.S. Department of Education (2017) said an IEP team must meet within 10 school days after a code of student conduct violation when considering a change in student placement. The IEP team must review all relevant data in the student's file and other information provided by parents and teachers. Parents and students are team members to determine if behaviors that violate student codes of conduct are caused by or had a direct and substantial relationship with any student disability. During the meeting to determine if the behavior is a manifestation determination of the student's disability, the IEP team must also address if LEAs' failure to implement the IEP resulted in the behavior in question.

Suspensions: Temporary exclusion from the building, which includes classes and all school-related activities held during and after school and on weekends. Parents are notified of the suspension and expected to meet with a school administrator before the child returns to school. School-based suspensions are not more than 3 days, though suspensions involving a referral to district level administration and the Department of Student Services that oversees the due process of individuals involved in discipline levels that may escalate to an expulsion from the district, may be up to 5 days.

Significance of the Study

This study investigated high school administrators' perceptions about their knowledge of IDEA related to disciplining SWDs to gain insight into their decisions to suspend. Addressing the problem in this study is significant because it may provide insight into how high school administrators make decisions to suspend SWDs, their knowledge of the laws related to the discipline of SWDs and what additional training they deem is necessary to make informed decisions. If administrators' sense of knowledge of IDEA regarding discipline is flawed, this impacts their decisions to suspend, which may violate rights of SWDs and contribute to adverse effects of suspension. Well (2013) said further studies should be conducted "to determine how well-informed school administrators are with the legal issues surrounding special education discipline" (p. 427). School administrators' use of zero tolerance policies resulted in adverse effects on SWDs (Losen et al., 2014; Smith, 2015; Williams et al., 2015). Adverse effects of suspension include gradual disengagement from school and learning opportunities, weak social interactions, increased dropout rates, and juvenile justice encounters (Lieberman, 2021; Maag, 2012; National Council on Disability, 2015; Skiba & Losen, 2015).

Administrators have the power to alter the trajectory of exclusionary discipline policies that create discipline gaps for SWDs (DeMatthews et al., 2017). Lack of administrators' understanding of due process provisions creates confusion and feelings that there is a conflicting discipline system (McCarthy & Soodak, 2007). Although administrators are primarily responsible for assigning disciplinary consequences in

schools, research on their understanding does not involve why overrepresentation of SWDs is happening. This project study involved addressing their knowledge base regarding the IDEA in relation to suspensions of SWDs. Administrators' understanding of how their knowledge of the IDEA related to the discipline of SWDs may directly impact SWDs future outcomes and the adverse effects which extend beyond the classroom, may be a catalyst for social change.

In the local Midwestern urban school district that was examined in this study, out-of-school suspensions are decided by a building-level administrator who is given the authority to make and enforce disciplinary consequences. I sought information regarding high school administrators' perceptions of their knowledge of the IDEA related to the discipline of SWDs and how that knowledge informs their decisions to suspend SWDs. I also addressed if high school administrators perceived they had requisite knowledge to determine if student disabilities may affect their behavior to make informed decisions and IDEA laws governing the discipline of SWDs. I examined if high school administrators need to expand their professional acuity and knowledge related to special education discipline as well as identified areas for more specific training to support administrators. Findings resulting from this study may close the gap in practice regarding administrators' perceptions of their knowledge regarding disciplining SWDs and how those students' behaviors may manifest due to disabilities, resulting in a more equitable distribution of disciplinary practices.

I also sought to determine areas of need to expand their professional acuity and knowledge related to the special education discipline. Districts may identify more

specific training needs to support administrators. Training needs include supporting administrators regarding IDEA regulations and use of exclusionary discipline.

The IDEA emphasized improving student achievement and ensuring students remained in classroom environments. Suspension is a disciplinary practice widely that is used to manage student behavior in response to improving classroom climates in terms of student achievement. Due to rising concerns about the increase of SWDs receiving exclusionary discipline, Congress amended the IDEA, requiring states to monitor suspensions and expulsions in terms of overrepresentation.

Results from the study may provide the district with information for the development of professional development (PD) to educate administrators on how student disabilities manifest as behaviors. As members of the IEP (Individualized Educational Plan) team, they help guide and support teachers in terms of implementing and documenting behavior intervention plans (BIPs) that move students towards positive behaviors and outcomes. The rush to suspend creates time away from academic instruction, which is foundational to closing the achievement gap. Findings resulting from this study may help the Midwestern local school district understand administrators' professional training needs to close the gap in practice regarding administrators' perceptions of their knowledge base in relation to disciplining SWDs, resulting in more equitable disciplinary practices.

Research Questions

The following research questions (RQs) were used for this qualitative investigation to understand administrators' perceptions of their knowledge of the IDEA

related to disciplining SWDs to gain insight into decisions to suspend.

RQ1: How do administrators describe how their training and knowledge of special education laws related to discipline affects their decisions to suspend?

RQ2: How do administrators describe their decision-making process in terms of suspension of SWDs?

RQ3: What additional district training or supports do administrators identify as needed to support a decrease in suspension rates of SWDs?

When high school administrators increase their knowledge of the IDEA and understand how student disabilities may affect behavior, they can work from that foundation to determine proactive measures.

Review of the Literature

Past research dating from 1979 to 2022 was the foundation for this study. I searched for keywords using the following databases via the Walden Library: Google Scholar, Education Source, ERIC, SAGE Journals, Academic Search Complete, ProQuest Central, Emerald Insight, Scholar Works, Taylor and Francis Online, Dissertations & Theses at Walden University and Thoreau Multi-Database. Key search phrases were: *discipline of students with disabilities, special education and administration, disproportionality in school discipline, discipline and special education, special education and the manifestation of the disability, school administrators and knowledge of special education law, discipline and disability, exclusionary discipline and students with disabilities, discipline disproportionality and students with disabilities, special education and discipline, exclusionary discipline, administration training in special education, and*

overrepresentation and students with disabilities.

Conceptual Framework

The study was guided by Albert Bandura's social learning theory with the concept of observational learning. Learning is a direct result of experience. Various environmental systems, including home, community, and work, directly impact how individuals make meaning, from learning to interactions with others in a social context. Bandura (1971) said people observe to perform and develop a hypothesis to determine their course of action during learning experiences. Formal education does not shape social attitudes, activities, and behaviors. Information may be gleaned from environmental influences and experiences in terms of responding to the actions of others. The mass media plays a significant role in terms of shaping expectations and responses of people. Bandura (1971) said an "accurate hypothesis gives rise to successful performances, whereas erroneous ones lead to ineffective courses of action" (p. 3). For example, given a set of behaviors that are deemed offenses and require suspension, the administrator may make an erroneous decision to suspend, leading to an ineffective course of action if the student's disability manifests itself in behavior that is not taken into consideration. Where administrators get their knowledge concerning the behavior of SWDs determines their courses of action when deciding to suspend.

Development of discipline policies is complex. Interactions with administrative peers and how they perceive discipline may influence administrators when they do not have a solid foundational knowledge from which to build (Samuels, 2018; Sun & Xin, 2019). Bandura (1971) said how administrators react to behavioral challenges is a direct

response to how they perceive or have learned to discipline SWDs. Without proper training about how behaviors might be considered a manifestation of disabilities, administrators' understanding is developed through personal and professional experiences. Bandura's social learning theory applies to how administrators view behavior and disseminate consequences. I applied this theory as a guide to investigate the problem by examining how local Midwestern urban school district administrators' knowledge base may be developed for disciplining SWDs absent formal training. When administrators have a standard framework to understand how student disabilities may affect their behavior, they can work from that framework to determine how and what disciplines would be proactive. Administrators can alter the trajectory of exclusionary discipline practices that create discipline gaps for SWDs (DeMatthews et al., 2017).

Exclusionary Discipline

The 1990s, saw a paradigm shift in education concerning the inclusion of SWDs in the general education curriculum and classroom. This has forced administrators to acknowledge the importance of their role and need to have a knowledge base to ensure compliance with laws mandated under the IDEA for SWDs. SWDs are already a high-risk and vulnerable population that is affected by exclusionary practices and have struggled to receive education that is aligned with their nondisabled peers in inclusive schools and classrooms (Anderson et al., 2019; Brobbey, 2018; Miller & Meyers, 2015; Yell, 2016). SWDs are guaranteed rights and access to a FAPE in the general education classroom and curriculum in the least restrictive environment (LRE) through a legally binding document known as the IEP (IDEA, 2004).

Blad (2015) said academics are not the most significant hurdle SWDs need to clear; it is disproportionate dissemination of discipline practices in schools. Despite classroom inclusion, SWDs continue to be vulnerable to exclusion, as documented by disproportionate suspensions and expulsions which lists the rate SWDs as 13% compared to 6% for SWODs. (Brobbeey, 2018; U.S. Department of Education, 2014a).

Administrators' use of exclusionary discipline for SWDs has emerged as one of the most persistent issues receiving attention and creating legal liabilities in schools today. School administrators have an ongoing challenge of balancing school discipline while teaching social values and maintaining an environment that is conducive to learning.

Lashley and Tate (2009) said, "children are works in progress, and their learning to meet the social, emotional, and behavioral expectations embedded in the school environment does not occur without mistakes, conflicts, arguments, or altercations" (p. 24). Students' inappropriate social behaviors that are manifested due to their disabilities may cause them to be at higher risk for disciplinary actions. Administrators' knowledge regarding disciplinary procedures governing SWDs has become increasingly crucial as districts balance disciplining SWDs while maintaining their right to FAPE.

Under the tenets of the IDEA, general and special education disciplines are joined to ensure all students receive equal educational opportunities. A brief issued by the U.S. Department of Education Office for Civil Rights disaggregated 2011-2012 suspension and expulsion data for every public school in the nation. The rate of exclusionary discipline for SWDs was over twice their nondisabled peers at 13% for SWDs compared to 6% for SWODs. Sullivan et al. (2013) said disability status is significantly related to

suspension risk following a study they conducted to examine indicators predictive of the likelihood of school suspension. This conclusion was reached using multilevel linear modeling and multinomial logistic regression Vincent and Tobin (2011) said the period of exclusion is impacted significantly by disability, in particular emotional and behavioral disorders. Exclusion jeopardizes students school performance as removal deprives them of exposure to any type of instructional activity and special education services, which is critical for SWDs.

Johnson (2017) said high school administrators do not have the knowledge base to determine how mental health issues manifest in high school educational environments. SWDs continue to be suspended and excluded from academic participation, impacting other areas of their lives. Administrators must have a solid knowledge base to address whether conduct was caused by or had a direct and substantial relationship to students' disabilities.

McCarthy and Soodak (2007) explored how nine public school administrators, in the state of New York, balanced the protection of high school educational environments with educational rights of SWDs. Most administrators favored the safety of the broader school community over the rights of SWDs. Some of the nine high school administrators evoked the concept of fairness when they were unable to impose the same consequences on all students regardless of disability. A perception shared among high school administrators was that the practice of a manifestation determination was unfair, with students' individual rights given inappropriate weight during the discipline process. McCarthy and Soodak (2007) said public high school administrators vary in terms of

degree of balancing school safety and SWDs' individual rights due to differences in their experiences and training. Rose (1988) said administrators used different discipline rules when issuing suspensions for SWDs, despite prior court recommendations following lawsuits on this subject.

Reed et al. (2020) described exclusionary discipline of SWDs and other marginalized groups as “an equity and social justice issue” (p. 172). In the governmental policy changes on the accountability for suspension and expulsion data to address the discipline process, Reed et al. said minimal training involves school administrators ‘moving from a fixed mindset to a growth mindset about student centered behavior deficits, which impacts school administrators understanding of school discipline policies and legal mandates. PD is a vehicle to improve equity in educational discipline reform.

IDEA legislation has been amended several times to effectively support and level the educational landscape for SWDs. Receipt of educational benefits through FAPE and legal protections of SWDs has been a continual struggle for school districts across the country (Wagner & Katsiyannis, 2010). The U.S. Government Accountability Office (GAO, 2018) said SWDs represented 11.7% of the K-12 student population for the 2013-2014 school year yet make up approximately 25% of students suspended from school (p. 23). Out-of-school suspension for SWDs is 12%, and SWODs are 4.8%.

Lacoe and Steinberg (2019), using instrumental variable strategies, said suspensions affect math and reading achievement when students miss academic instruction, thereby decreasing grades and performance on cognitive and standardized tests for reading and math. A minimum of 2 days of suspension has adverse academic

effects with more significant declines in math and reading as more days of suspension are imposed. The more time outside of the classroom, the more critical information a student misses.

Richard and Hardin (2018) said SWDs were suspended more than their nondisabled peers, and males were suspended more than females. Recommendations for staff to receive training on alternate methods of discipline to reduce suspension are needed. Districts using suspension discipline data provide targeted interventions and training of administrators to reduce the dispersion of suspension discipline gap between SWDs and SWODs. Brobbey (2018) said representation of SWDs with learning disabilities in the discipline process is not traditionally reviewed when discussing disability and discipline because the focus is typically on students with emotional behavioral challenges. School administrators need reminding that all SWDs need to be in school for additional academic support and strategies that are necessary for classroom success. When these supports are removed because of suspension, their academic problems are exacerbated.

Laws Governing Discipline of SWDs

Equal rights in education for SWDs were secured following the civil rights movement during which individuals with disabilities argued were part of the civil rights agenda (Aron & Loprest, 2012). In 1975, in response to correcting adverse experiences of SWDs and enforcing the 14th Amendment equal rights protection clause, Congress congressionally mandated the Education for All Handicapped Children Act (EAHCA). The name became Public Law (PL) 94-142 and was signed into effect by President Ford

in November 1975. The law was renamed in 1990 with a people-first focus as the IDEA. Modern phraseology under IDEA included using the term disability to replace handicap and SWDs instead of disabled students (Snow, 2013). The IDEA was reauthorized in 2004 and signed into law by President Bush as the Individuals with Disabilities Education Improvement Act (IDEIA). The IDEA is considered for policies, laws, and practices governing education of SWDs. With the guarantee of due process rights, IEPs, FAPE, and LREs, the IDEA ensures equal access to meaningful educational opportunities for SWDs.

According to the IDEA, students are entitled to be educated in LREs with their nondisabled peers. However, laws did not explicitly address discipline of SWDs (IDEA, 1997; Osborne, 1988; Skiba & Losen, 2015). USC. Sec.1415 of the IDEA delineates administrator regulations supporting the discipline of SWDs to prevent subjective decision-making.

IDEA (1997) [20 U.S.C. §1418 (c)] amendments also introduced mandates by Congress for the collection and monitoring of overrepresentation data by states to ensure special education procedural compliance (Albrecht et al., 2012; U.S. Department of Education, 2014; U.S. Department of Education, 2017). 2004 IDEA reauthorization [20 USC. §1412 (a) (22, 24)] strengthened Congress's monitoring of school discipline, the overrepresentation of minorities in special education, and the least restrictive environments. The monitoring tied federal funding eligibility to states as an incentive to identify districts with significant discipline discrepancies of SWDs, reporting annually [20 USC. §1412 (a) (22, 24)]; (Albrecht et al.,2012; U.S. Department of Education,

2014). The monitoring included the rate of suspensions expulsions in disciplinary practices among SWDs for significant discrepancies, including race and ethnicity, and covered under Indicator 4 of the twenty defined indicators [20 USC. §1412 (a) (22)]; (Albrecht et al., 2012; U.S. Department of Education, 2014; U.S. Department of Education, 2018). IDEA 1997 also introduced mandates by Congress to collect and monitor over-representation data by states (IDEA, 1997).

The reauthorization of IDEA in 1997 brought clarity to districts on how to discipline SWDs in alignment with the due process rights afforded to them (Hartwig & Ruesch, 2000; IDEA, 1997; Walker & Brigham, 2017; Zurkowski et al., 1998). The reauthorization focused on positive behavioral supports to change behavior rather than the punitive acts of exclusionary discipline (Hannigan & Hannigan, 2019; Zurkowski et al., 1998). IDEA (1997) mandates that districts may discipline SWDs similarly to SWODs if the disciplinary infraction is not directly due to the student's disability. The SWD cannot be suspended if the district fails to implement the student's IEP. The offense results from the student's disability or the disciplinary measure will violate the student's due process rights under IDEA.

In determining whether a behavior is a manifestation of a student's disability, administrators as part of the IEP team manifestation determination meeting should review the following items for supporting data: information provided by parents, initial and subsequent evaluations with diagnostics results, student observations, educational placement, individualized education plans, and previous discipline infractions and actions (Arnberger & Shoop, 2006; Walker & Brigham, 2017). A systematic review is

complicated and must be guided by IDEA laws and those knowledgeable of the laws (Leone, 1985; Raj, 2018). An IEP review is critical; the school must be able to document that the student's IEP has been implemented with fidelity to eliminate the concern that there may be an underlying connection between the failure of the implementation of the student's IEP and the student's behavior (Arnberger & Shoop, 2006; Walker & Brigham, 2017).

Administrators may suspend SWDs for up to 10 days for violation of the district's code of conduct in the same manner the sanctions placed on SWODs (IDEA, 1997; IDEA, 2004). When SWDs exceed the 10th day of suspension in the same school year, the 11th day of suspension and forward represent a placement change. In this area, IDEA is clear; a pattern of disciplinary removals constitutes a change of placement, which is a direct violation of the district's need to provide FAPE to ensure the students' educational needs are met (IDEA, 1997; IDEA, 2004). Districts may provide FAPE through programming offered beginning the 11th day of removal, in conjunction with the documented IEP to support academic and behavioral support.

A manifestation determination is required by IDEA to be held following the 10th day of removal from the educational environment. This is required to determine if an SWDs suspension constitutes a pattern of suspensions or the appearance of a change of placement (IDEA, 2004). The LEA must review the removals' length, total time, and proximity factors in determining if a pattern is leading to a change in educational placement. The manifestation determination considers whether the violation relates to the student's disability or the district's failure to implement the student's IEP. Suppose the

IEP team, which consists of the parent, agrees that the district's code of conduct violation is a manifestation of the student's disability. In that case, the student must be returned to their original placement unless the parent agrees that a new placement is warranted.

When the IEP team determines the violation is a manifestation of the student's disability, if warranted, a functional behavior assessment (FBA), behavior improvement plan (BIP), behavior goals, strategies, and supports are developed (IDEA, 2004).

When the IEP team determines that the violation of the code of conduct is not a manifestation of the student's disability, the district may implement disciplinary actions consistent with non-disabled students, including expulsion (IDEA, 2004). Regardless of the IEP decision on the manifestation determination, the school district must continue to ensure a continuation of services for compliance with FAPE, whether in traditional or alternative educational settings (IDEA, 2004). Parents may request a due process hearing when not in agreement with the IEP team's decisions. The due process hearing must occur within 20 days of the date; the hearing request is processed (IDEA, 2004; U.S. Department of Education, 2014; U.S. Department of Education, 2017).

Guns-Free Schools Act and Zero Tolerance

Researchers have expressed opinions that the rise in suspensions of SWDs directly correlates to President Clinton's Guns-Free Schools Act (GFSA), signed into law in 1994, thereby amending Improving America's School Act of 1965 by Congress (Cheng, 2017; Guns Free School Act, 1994; Skiba & Losen, 2015). Under this law, school districts receiving federal funds were mandated to develop and implement policies that stated that students bringing firearms to school receive expulsion from the school

district for one year with referral to juvenile justice (Guns Free School Act, 1994). Since GFSA is not a zero-tolerance law, with the elimination of federal funds for GFSA in 1995, school districts began the implementation of zero-tolerance policies for policies enacted in response to the Guns-Free Schools Act (Cheng, 2017; Findlay, 2010).

Zero-tolerance guidelines were developed in response to students bringing dangerous weapons or drugs onto school grounds, which allowed school districts to suspend or expel students for these infractions (Alnaim, 2018; Anderson & Ritter, 2017). Zero-tolerance policies were broadened to include less egregious school infractions (e.g., fighting, truancy, disrespect, alcohol) as a cause for suspension or expulsion. Zero-tolerance policies have shifted administrators' mindset to a punitive and reactive model for minor infractions (Alnaim, 2018; Evenson et al., 2009). Under the zero-tolerance philosophy, students may be removed from the educational environment for violating the school code of conduct, ranging from truancy to violent offenses (Anderson & Ritter, 2017; Cheng, 2017). Zero-tolerance policies, intended to be a deterrent to negative behaviors through the use of suspension and expulsion, were found by Curran (2016) to have not contributed to a reduction in violations of the school's code of conduct.

The Guns-Free Schools Act (1994), in coordination with IDEA, does not strip SWDs of their procedural protections and rights under IDEA, nor does it exempt SWDs from discipline involving weapons offenses, drugs, and serious bodily injury in alignment with their non-disabled peers (Lashley & Tate, 2009). Administrators continually try to implement a process that is individually driven by IDEA within a zero-tolerance framework (Alnaim, 2018). The Guns-Free Schools Act (1994), in coordination with

IDEA, does not strip SWDs of their procedural protections and rights under IDEA, nor does it exempt SWDs from discipline involving weapons offenses, drugs, and serious bodily injury alignment with their non-disabled peers (Cruz & Rodl, 2018; Lashley & Tate, 2009). Administrators continually try to implement a process that is individually driven by IDEA within a zero-tolerance framework.

Historically, SWDs received higher exclusion rates from their non-disabled peers, particularly around disciplinary exclusion (Camancho & Krezmien, 2020; U.S. Department of Education, 2016; Miller & Meyers, 2015). Punitive measures, such as suspensions, prevent students' access to required special education services to support academic success (National Council on Disability, 2015). A policy brief written by Epstein (2014) proffered the need to reduce discipline disparities and the criminalization of youth through zero-tolerance policy reformation. Reformation considerations when disseminating discipline to SWDs include, but are not limited to, determining whether the incident is exasperated by the student's disability or preventive services wrapped around the offending student (Epstein, 2014). Whitford et al. (2016) provided a comprehensive overview of the disciplinary discipline and associated overuse of suspension, impact, theoretical underpinnings, and consequences to students. The findings of this research supported that narrowing the overuse of suspension in the discipline of SWDs begins with revamping administrative practices (Whitford et al., 2016). Arnberger and Shoop (2006) said:

the process of determining whether the behavior of a student is a manifestation of his or her disability is not only complex but also subject to evolving

interpretations. To reach legally correct decisions and avoid unnecessary conflict during the discipline phase of school leadership, savvy school leader must keep their professional knowledge of special education law current. Competent school leaders must stay current with evolving education law, primarily related to the challenging task of protecting all students' rights while also providing appropriate discipline to SWDs. (p. 21)

Walker and Brigham (2017) using a quantitative and qualitative approach, sought to understand the perceptions of both general education and special education teacher on the manifestation determination process. They noted that although the manifestation determination process allows teams to review and discuss information related to the student and behavior, the process resulted in different outcomes between special educators and general educators. Walker and Brigham (2017) found that general educators have a lack of understanding of disabilities causing confusion and conflict on deciphering the guidelines for disciplining SWDs. Lewis (2017) said IDEA's intent regarding manifestation determinations was lost regardless of procedural requirements followed. The author determined that the decision-making process is subjective and arbitrary. The findings suggest that the standard for manifestation determinations be modified to ensure fidelity and guidance beyond procedural aspects, with a change in phrasing to justify the decision-maker's decisions.

Raj (2018) provided historical background on the history of IDEA and the discipline of SWDs. An area of particular focus for the author is the concept of misplaced burden of proof, looking closely at the statutory text that explains the manifestation of

disability guidance. Raj (2018) expressed that the burden of proof that the behavior is a manifestation of determination lies on the student's shoulders. Since disabilities are not fixed or well defined, this creates unintentional consequences for the student. Disability and behaviors are individual to students and situations and cannot be compartmentalized (IDEA, 2004; U.S. Department of Education, 2014).

Raj (2018) said the way the statute is currently written around manifestation determination, schools continue to, without clear understanding, discipline students for behaviors rooted in their disability. Contested discipline decisions lead to an abundance of appeals by families of SWDs for reversing the school's decision. Determining a manifestation determination is inherently tricky, with regulations silent on the burden of proof. Without regulations defining the burden of evidence, the responsibility falls to the student. This is important as we work to educate administrators on the manifestation determination process (IDEA, 2004; U.S. Department of Education, 2017).

Discipline

School administrators' use of zero-tolerance policies resulted in an adverse effect on SWDs (Losen et al., 2014; Pyne, 2019; Smith, 2015; Williams et al., 2015). These adverse effects included missed academic educational services and diminished interest in academic success. Gradual disengagement from school and learning opportunities, weak social interactions, increased dropout rates, and juvenile justice encounters were also noted as adverse effects (Allman & Slate, 2012; Gregory et al., 2010; Maag, 2012; National Council on Disability, 2015; Skiba & Losen, 2015).

Zablocki and Krezmien (2012) conducted a national longitudinal and transitional

study to determine the correlation between school suspension and the dropout rates of SWDs. With a participant group size of 5,018, their results showed that the odds of SWDs dropping out increased at three times the rate of SWODs (Zablocki & Krezmien, 2012). The relationship between student achievement and student discipline was reviewed through a study conducted by Kaitlin et al. (2019). There is a correlation between exclusionary consequences such as suspension and grade retention, which produce worse academic outcomes for students. The study further identified that administrators' bias in selecting the discipline type and approaches in response to a behavior infraction affects academic outcomes.

Possible Predictors of Student Suspensions

Sullivan et al. (2013) explored suspension predictors and patterns of SWDs in a study of 39 schools within a Midwestern district. Williams et al. (2013) analyzed the literature, through the lens of intergroup threat theory, in response to the disproportionate exclusionary discipline of SWDs. Their analysis revealed that administrators held perceived threats from SWDs. These threats created a higher likelihood that administrators would use exclusionary discipline or suspensions when administering discipline following the infringement of local educational agency (LEA) policies by SWDs. To alleviate this threat, principals expanded their knowledge to understand IDEA's complexities (IDEA) that guide discipline (Decker & Pazey, 2017; IDEA, 2004; Williams et al., 2013).

Skiba et al. (2014) conducted a multilevel analysis of students' discipline records and school-level data on principals' attitudes. They noted that although student behavior

is a predictor of suspension, the more reliable predictor might be administrators' attitudes and perspectives regarding discipline. Skiba and Edl (2004) surveyed 325 principals across Indiana using the Disciplinary Practices Survey to understand the principal's attitudes toward school discipline. Data gleaned from the study suggests that school suspension is a choice made by administrators based on their knowledge of and beliefs concerning the disciplinary process. Administrators deliver discipline according to their level of knowledge and personal interpretations.

Schaaf et al. (2015) conducted a study in which 174 administrators in a Midwestern state were surveyed on their readiness to support special education aspects. The researchers documented administrators' readiness to address behavior issues of SWDs. Only 5% of the administrators indicated being well-prepared following preparation programs, and 32.8% noted they were adequately prepared. More than half of the administrators stated a need for additional training on special education laws in the form of PD. The studies above support that limited PD of administrators in special education areas has a negative impact on SWDs (Ball & Green, 2014; Lynch, 2012; Reed et al., 2020).

Cruz and Rodl (2018) conducted a study to examine the prediction of out-of-school suspension using school context and student characteristics to determine discipline disparities. To accomplish this archival data spanning six years, 56,000 students and 41 schools provided the study data for suspension risk. One of the school-level contexts reviewed in the study included a critical role of principals' perceptions of disparities and a school-level predictor of disability. The study shows that SWDs had a significantly

higher suspension rate for student-level results.

Knowledge of Special Education Law

When working to support SWDs, procedural safeguards surrounding discipline, administrators must be knowledgeable about varying disabilities and their impact on behavior to properly document, provide feedback, and assist in developing behavior management strategies. Navigating IDEA requires a frontline defense approach to ensure administrators' training needs are identified and advocated proactively (Culver, 2013; Raj, 2018). The National Council on Disability (2015) believes that schools' focus on reducing discipline overrepresentation should be to provide appropriate academic and behavioral supports, guaranteed under IDEA through FAFE.

Administrators are primarily responsible for adhering to discipline policies and determining disciplinary punishment (e.g., in and out of school suspensions, alternative school placements) to maintain safe and instructional learning environments. To ensure the procedural safeguards and due process rights adhered to following the discipline, principals are required to understand the complexities of the IDEA that guides discipline (IDEA, 2004; Samuels, 2018). When considering disciplinary actions, administrators must understand the relationship between behavior and the student's disability.

Administrators' knowledge and understanding of the special education laws provide a guideline on how disability may manifest in relation to behavior (Ball & Green, 2014; Decker & Pazey, 2017; Pazey & Cole, 2013). Under the amendments to IDEA 2004 and 2006, administrators must know and understand their duties under the special education law (DeMatthews et al., 2019). Administrators' roles and responsibilities in

ensuring the required federal mandates under IDEA have significant ramifications when not followed (Decker & Pazez, 2017; Pazez & Cole, 2013). Administrators need to understand the legal compliance mandates to support special education, resulting in negative consequences for districts that do not have knowledgeable administrators. An IDEA reauthorization by Congress in 1997 included the 10-day rule limiting the out-of-school placement of SWDs (IDEA 1997). This change resulted from organizers representing administrators who urged discipline to be the same for SWDs and SWODs (GAO, 2001; National Council on Disability, 2015). The compromise was that SWDs are disciplined the same as SWODs for up to 10 days per school calendar. On the 11th day, districts must provide services to ensure SWDs continue to receive FAPE (20 USC. § 1415(k)(1)(B)(i). The IEP team must meet within ten school days to determine if the behavior is a manifestation of the student's disability, conduct a functional behavior assessment (FBA) and develop a behavior intervention plan (BIP) (20 USC § 1415(k)(1)(E)(F)). National Council on Disability (2015) "believes that administrative guidance would be the most effective method to improve IDEA implementation" (p. 15).

DeMatthews et al. (2019) conducted a qualitative study with six principals to gain information about their exceptional education attainment through university leadership programs. The research results show that the principals were provided very little instruction and guidance surrounding special education, with one to three courses focused on special education law in their programs. While the principals did not gain much knowledge from university coursework, they expressed that special education law is an integral part of their job.

Browning (2019) conducted a study to understand how administrators make decisions when disciplining SWDs. The findings report that administrators did not have prior training in special education and therefore lacked the background knowledge to make informed decisions. Other study findings indicate that administrators reference previous experiences, allow others to help shape their actions, are provided minimal training, and rely on research from their initiatives. The study supports districts' need to fill the education gaps of administrators related to special education through ongoing PD. These qualitative study results align with prior research results (Angelle & Bilton, 2009; Ball & Green, 2014; Pazey & Cole, 2013; Roberts & Guerra, 2017; Sun & Xin, 2019).

Administrator Training

Local school districts set standards for how discipline and safety are handled in their schools. At times, one might question whether there seems to be a double standard in enforcing discipline about SWOD and SWDs. Outside of the regulations for student discipline for all students in a school district, there are rules for disciplining SWDs (GAO, 2001; GAO, 2018). Numerous authors discuss the need for educators to be literate in the laws governing special education to address the inequities surrounding the discipline of SWDs and prevent legal challenges to their actions (Decker & Brady, 2016; Garrison-Wade, 2005; Pregot, 2021; Roberts & Guerra Jr., 2017; Samuels, 2018). When school administrators are illiterate in the laws governing the discipline of SWDs, they unknowingly violate the rights afforded to this population of students. Literacy in special education laws changes school administrators' trajectory from the negative concept of punishment to a problem-solving mindset stemming from making informed decisions

(Decker & Brady, 2016).

Decker and Pazez (2017) conducted a study focused on educators' lack of training in the requirements related to disciplining SWDs and the implementation of those laws when suspending or recommending expulsion for behavior infractions. Christensen et al. (2013) studied 64 principals' beliefs about preparation programs that trained educational leaders regarding special education support issues. The investigation revealed that 87.1% of principals prioritized understanding legal guidelines for disciplining SWDs, emphasizing the need for better training in special education matters. A review of the literature documents a lack of course content focused on special education in preparation programs leading to a lack of knowledge for administrators (Angelle & Bilton, 2009; Bateman et al., 2017; Billingsley et al., 2014; DeMatthews et al., 2019; DiPaola & Walther-Thomas, 2003; Pazez & Cole, 2013; Sun & Xin, 2019). Principal preparation programs offer a small glimpse into special education. The recommendation for increasing school administrator's legal literacy in special education laws are the implementation of PD for administrators, the expansion of research related to special education laws, and more thorough integration of special education laws in administrator preparation programs (Billingsley et al., 2014; Decker & Brady, 2016; Roberts & Guerra Jr., 2017).

Sun and Xin (2019) investigated 134 principals' opinions on preparedness to provide services and support to SWDs and obtain their knowledge. The study results documented that 23.8% of administrators have special education academic knowledge gained through leadership programs. The study found that administrators did not have

adequate knowledge despite being required to implement special education programs. Their knowledge of special education is obtained through on-the-job experience (Samuels, 2018; Sun & Xin, 2019). Looking from the lens of perceived threats from SWDs, Williams et al. (2013) and Roberts et al. (2017) conducted a study with 155 survey responses from administrators to determine if perceived threats impacted administrators' decisions when disciplining SWDs. The study is significant because of historical bias towards SWDs. The authors looked at intergroup threats to determine if administrators could not psychologically identify with the SWDs group and the behavioral challenges manifested by their disability. With administrators and SWDs being identified as two separate groups, the authors used "structured equation modeling to investigate the relationship between the latent variables of the perceived threat and administrators' disciplinary decisions related to SWDs" (p. 238). The study results indicated a correlation between threat perception from SWDs by an administrator and the disciplinary decisions made from that threat level.

Positive Behavioral Supports

Preventive strategies are needed to minimize behavior and increase academic achievement. When informed, principals seek to integrate positive behavioral supports within the school as a proactive measure to address behavioral challenges. When practical, behavior management establishes a critical process necessary for student and administrative success (Allday et al., 2021; Fetter-Harrott et al., 2009; Hannigan & Hannigan, 2019). For SWDs, more individualized preventive strategies to support positive behavior need to be established. The root cause of the behavior and its purpose

must be understood before a replacement behavior can be taught. McIntosh et al. (2018) conducted a study to use discipline data to address equity and identify specific challenges to assist administrators in decision-making concerning discipline. The authors used a data guide process to calculate disproportionality metrics, determine the vulnerable decision points, plan the implementation, and use the data to support data-driven decisions to reduce exclusionary discipline practices for SWDs. This process study documented a reduction in discipline referrals (McIntosh et al., 2018).

A study on implementing the PBIS framework and exclusionary discipline for SWDs was conducted by Simonsen et al. (2021). The finding indicates that when PBIS is used with fidelity, there is less likelihood that SWDs will experience suspensions. The goal is to create a safe, orderly school climate where students are appropriately taught how to respond to negative challenges (Allday et al., 2021; Nese et al., 2021; Skiba & Losen, 2015; Simonsen et al., 2021). A collaborative group of individuals comprised of analysts, researchers, educators, and advocates participated in a national initiative focusing on the overuse of suspension in school discipline. At the end of their research, the group released a series of papers focusing on evidence-based interventions. Socio-emotional approaches (manage emotions), relationship building (student-teacher), and interventions (unique to the student) are under the positive behavioral supports umbrella (Skiba & Losen, 2015).

The changes do not begin with students but rather with the administrators. Green et al. (2018) shared results from a study that provided additional support for administrators to increase equitable discipline processes. These processes include

establishing equity teams, reevaluating current policies, establishing evidence-based supports, and reviewing disaggregated data continuously to mitigate discipline disparities. Nese et al. (2021) addressed the use of preventative and instructional supports to reduce the number of behaviors and level of exclusionary discipline of underrepresented students. The article supports the use of alternatives to exclusionary discipline through building relationships and logical responses to student behavior. The authors suggest incorporating instructional support in the classroom and tiered support for students in need. We are reminded that exclusionary practices are deeply embedded in education and shifting mindsets will take time. This philosophical shift will set our students up for academic and social-emotional success.

Implications

Reduced disparities in suspension rates would positively impact both the academic and life outcomes of historically disadvantaged SWDs, providing them with a legacy of hope rather than despair. The findings resulting from this study may help close the disproportionate gap in administrators' practice, resulting in a more equitable distribution of disciplinary practices. A project (see Appendix A) in the form of PD was created based on the study results. This information may guide districts in identifying areas for more specific training needs to support administrators regarding IDEA regulations and the use of exclusionary discipline.

Implications include a project consisting of hands-on PD workshops in determining how a student's behavior may manifest his disability and proactive measures to reduce behavioral incidents. Administrators will learn how to implement appropriate

interventions to manage students' behavior with disabilities on a case-by-case basis by identifying the root cause. SWDs would benefit from increased time in the educational setting receiving services, increased opportunities for positive social interactions, increased graduation rates, and fewer juvenile justice encounters. Expanding the administrator's knowledge of IDEA and disciplinary policies related to SWDs may change administrators' behavior in determining suspensions or provide legal justification for suspending. Without understanding SWDs' protected rights under IDEA, administrators grapple with a misunderstanding that creates assumptions that generate disagreement surrounding SWDs (Decker & Pazey, 2017; Lashley & Tate, 2009). The goal is to reduce the disciplinary gap and provide data that brings a suspension of SWDs in alignment with their non-disabled peers by the administrator's understanding of IDEA related to disability and discipline.

Summary

I aimed to understand high school administrators' perceptions of their knowledge of the IDEA related to disciplining SWDs to gain insight into decisions to suspend. Research helped determine if high school administrators need to expand their professional acuity and knowledge related to special education discipline. Furthermore, school district personnel may identify areas for more specific training needs to support high school administrators. Section 2 includes the methodology I used for my study. The chapter includes the rationale for this choice of methodology, potential participants, instruments, data collection, data analysis methods and results.

Section 2: The Methodology

Qualitative Research Design and Approach

This basic qualitative study was conducted to gain an understanding of how high school administrators' perceptions of their knowledge of the IDEA as it relates to disciplining SWDs affect their decisions to suspend. Merriam and Tisdell (2016) said individuals construct reality in response to their environment, sharing how they interpret experiences and construct knowledge and meanings attributed to those experiences in qualitative studies. The meaning of the phenomenon is established from participants and developed via patterns and relationships to generate meaning (Creswell, 2014).

Qualitative research is investigative and involves using interviews to provide in-depth information about intricate issues. The interview process was selected to gain insights from high school administrators in the local Midwestern urban school district on their requisite knowledge and understanding of the IDEA and discipline of SWDs.

Qualitative Research Design

A qualitative research design was chosen to describe and analyze high school administrators' perceptions in the local Midwestern urban school district. Individual interviews were used with a group of eight administrators from various high schools within the local Midwestern urban school district to ensure data saturation. Qualitative studies are typically done by collecting data through interviews, observations, and analysis of documents and artifacts (Creswell, 2014; Merriam, 2009; Merriam & Tisdell, 2016).

When interviewing, researchers can ask probing questions that elicit additional

information to ensure sufficient data are collected to answer the RQs. This qualitative study involved documenting high school administrators within a local Midwestern urban school district experiences concerning discipline of SWDs. This qualitative study is designed with the purpose to describe experiences and perceptions of selected high school administrators in a Midwestern urban school district have involving discipline of SWDs. Research was conducted to address overuse of suspensions given to SWDs and determine if high school administrators' lack of knowledge related to disciplining SWDs impacts overuse. SWDs in the district are suspended from school at higher rates than SWODs. The overall statewide suspension rates for all SWDs for the 2017-2018 school year was 23.8% compared to the local Midwestern urban school districtwide suspension rate for SWDs at 67.4%. For the 2017-2018 school year suspension rates for high school SWDs was 27% statewide and 83.6% for the local Midwestern urban school district. I sought to answer three RQs:

RQ1: How do administrators describe how their training and knowledge of special education laws related to discipline affects their decisions to suspend?

RQ2: How do administrators describe their decision-making process in terms of suspension of SWDs?

RQ3: What additional district training or supports do administrators identify as needed to support a decrease in suspension rates of SWDs?

The purpose of the study was to gain an understanding of administrators' perceptions of their knowledge of the IDEA and disciplining SWDs to gain insights regarding decisions to suspend. Grounded theory, phenomenological, narrative, and

ethnographic designs were considered and rejected for this study. These designs require procedures for collection of data over sustained periods of time and may involve more than one group for constant comparison as well as multiple data collection stages and cultural group participation in natural settings, stories, and lived experiences (Creswell, 2009; Creswell & Creswell, 2018; Merriam & Tisdell, 2016). I did not aim to collect multiple forms of data from different sources over an extended period. A basic qualitative approach was selected to understand high school administrators within a local Midwestern urban school district perceptions of their knowledge and practices, for which the basic qualitative design and interviewing administrators were the best options. The basic qualitative design and interview format allowed from probing questions to be asked that elicit additional information. Personal interviews allowed the high school administrators to tell their stories or point of view in their own words from their personal experiences. Therefore, the basic qualitative design was used to garner information necessary to address the study's purpose.

Justification of Research Design

I sought to address high school administrators' views in the Midwestern urban school district and perspectives concerning their knowledge of discipline of SWDs. The quantitative methodology was not appropriate for this study since I was not seeking to collect or examine the relationship between variables using numerical data. The quantitative design is evaluative and involves considering relationships between variables and would not allow for individual voices of high school administrators to be heard. This methodology involves hypotheses and statistical analysis. Mixed methods research

involves combining qualitative and quantitative methods. This methodology is complex, time-intensive, and costly.

Interview results include how high school administrators perceive their knowledge of special education law and discipline procedures. The district is seeking ways to reduce suspension rates of students by race, gender, and disability. All information used in the analysis derived from interview data may help the district develop authentic PD that is targeted to administrators' needs related to the discipline of SWDs.

Participants

Multiple high schools within a local urban district within a Midwestern state is the research site for this study. The district has approximately 76,000 students, with about 20% or 15,200 identified as SWDs. There are approximately 160 schools with a targeted administrator population of roughly 250; approximately 70 assistant principals and deans of students are assigned to high schools. Participants were comprised of eight administrators of various local high schools within the Midwestern urban school.

Criteria for Selecting Participants

All participants were high school administrators in the district who were responsible for administering disciplinary actions following disciplinary referrals. High school administrators who hold non-discipline roles were excluded from the study. In the local district located in this midwestern state, assistant principals have a minimum of a master's degree with an administrative leadership license. Participants were purposefully identified and recruited to be representative of the high school administrators in the local

Midwestern urban school district. Participants were responsible for implementing disciplinary policies. Due to the nature of the qualitative design, participants were purposefully selected. Collecting information for data analysis from various administrators may provide the district with knowledge to understand training needs for addressing the discipline overrepresentation phenomenon involving SWDs.

Four participants had regular education backgrounds and four had special education backgrounds (two special education teachers, one special education administrator, and one psychologist). Average length of time teaching among participants was 24.25 years as educators and 10 years as administrators. The four administrators with special education backgrounds had an average of 5 years in their roles as administrators. Volunteer participants were school administrators and did not represent a protected or vulnerable population. Identities of participants remained confidential. Participants were provided invitations to participate in the study, with a consent form link embedded in the email.

Justification of Number of Participants

Merriam and Tisdell (2016) recommended using purposeful sampling to select a sample size that provides credibility to the topic of study. Although there is no set rule in a qualitative study for sampling size, there must be an adequate number to answer the research question (Creswell & Creswell, 2018; Merriam & Tisdell, 2016). A total of 51 high school administrators in the local Midwestern urban school district met the selection criteria for participating in the study and were provided an invitation to participate. Eight high school administrators who met the criteria volunteered to participate. Data were

collected, through deep inquiry, from the eight interviews with assistant principals to reach data saturation and answer the research questions. Once I began to document similar responses repeatedly from the eight participants, I became confident that saturation was indicated during the data collection process.

Procedures for Gaining Access to Participants

Obtaining permission to gain access from the local Midwestern urban district for this study was not required since the district would not be providing any support role. The participants were accessible without permission or help from the organization. A requirement of the Walden University Instructional Review board (IRB) is the submission of the proposal for approval prior to data collection. Upon approval by IRB (IRB# 04-07-21-0534329) to conduct my proposed study, I gathered publicly available emails for high school assistant principals and deans.

Researcher-Participant Relationship

The protections of participants in a research study are essential (Creswell & Creswell, 2018). To ensure I, the researcher had a clear understanding and readiness to protect the participants in the research study, Walden University's Institutional Review Board (IRB) required academic course instruction on the subject. The Basic Course from the Collaborative Institutional Training Initiative (CITI) program for human subjects' protection was completed in January 2021. This course provided me with valuable knowledge and information on interacting with the participant by reviewing risks, history, ethical principles, and unanticipated problems. The need and requirements for informed consent, respecting participants' privacy and confidentiality were also provided

through the course content.

Protection of Participants

Ethical discretion is an essential aspect of qualitative research in protecting participants from harm. Confidentiality to protect the participants was provided through the form of aliases. For example, Administrator 1 was referred to as A1. The research via interviews was conducted from my home office, which was locked to ensure privacy, unintended observation, and being overheard by others. I requested that participants interview away from others to ensure confidentiality. Precautions were in place to respond to an unintended breach of confidential information through the intrusion of privacy of others who are not involved in the study (e.g., participant's family). There was no unintended breach during the project study.

I assured the participants that I was the only one with access to the interview files. The transcribed interview is stored in a locked file cabinet in my home office. The electronic files are stored on my home-based personal computer, password-protected, and backed up on a password-protected cloud drive. Both transcribed and electric files will be maintained in a locked cabinet and password-protected cloud drive and deleted at five years. After five years, the transcribed interviews will be shredded via a shredding machine, and electronic files will be deleted from the password-protected computer and password-protected cloud drive.

To help the participants in the research study feel comfortable with participating, a letter was sent via email to each participant, including a brief description of the study, an explanation of procedures for participation, risks and benefits, and the assurance of

confidentiality. The latter portion of the consent form provided the participant with the voluntary nature and opportunity to withdraw consent with contact information for the researcher. I shared with each participant that I am the primary instrument for gathering data.

Data Collection

A basic qualitative study was conducted using an interview format. An interview format's benefit is that it can yield a large quantity of data from the conversation between the researcher and the participant (Marshall & Rossman, 2011). Personal interviews allow the participants to tell their stories or point of view in their own words. This study uses Bandura's (1971) social learning theory that learning is a direct result of experience to develop research questions to examine how the administrator's knowledge base may be developed for disciplining SWDs absent formal training.

Data Collection Instrument

Participants had the choice of conducting an in-person, phone, or teleconference interview. Before the start of the interview, participants were asked to provide permission to have the interview audiotaped. Due to the COVID-19 pandemic, I provided participants the option of whether to use video within a synchronous virtual platform, such as Zoom. All participants selected the virtual option via Zoom. The Zoom interviews were conducted during the evenings and weekends outside of the participant's scheduled work hours. Participants were provided an invitation to participate in the study, with a consent form link embedded in the invite. Once I received consent verification, I reached out to each participant to schedule a day and time for the interview. When a day

and time were agreed upon by both parties and confirmed, a Zoom link was sent to the participant. The data collection process took approximately eight weeks, with each interview lasting between 24 minutes 38 seconds to one hour 12 minutes. A total of eight assistant principals from the local district high schools volunteered to participate in the study.

I set the stage for the interview to put the interviewees at ease by sharing essential information about the interview, the purpose of the study, and how the interview was structured. I developed an interview guide for data collection during the interview to ensure continuity across all interviews. Probes were incorporated to remind me to ask for clarification of responses, allow the interviewee to ask questions, and close the interview (Creswell & Creswell, 2018). The interview guide was developed to provide a list of questions to explore the participant's perceptions of their knowledge of IDEA related to disciplining SWDs and gain insight into decisions to suspend. RQ1 contained six open-ended interview questions to elicit personal perspectives. RQ1 sought to understand how administrators' training and knowledge of special education laws related to discipline affect their decisions to suspend. The following are samples of questions asked of every single high school administrator participating in the study to address RQ1:

- Think back to your university coursework. Describe your university administrative coursework. What is your perception related to preparedness from this coursework to support special education programs? The discipline of SWDs?
- How much training have you received around the discipline of SWDs? Where did you receive this training?

- Describe your depth of understanding concerning the laws related to the discipline of SWDs.
- What, if any, does a student's disability factor into consequences for behaviors?
When do these factors become important?

RQ2 contained seven open-ended interview questions. RQ2 sought to understand administrators' decision-making process when disciplining SWDs. The following are samples of questions asked of every single high school administrator participating in the study to address RQ2.

- What is your philosophy about disciplining SWDs?
- What guidance do you follow in disciplining SWDs? What information do you use to determine whether an SWDs will be suspended?
- Explain the process used when considering the suspension of a student with a disability when their disability manifests itself in what would be regarded as unusual behavior.
- Please explain if there are any barriers to disciplining SWDs.

RQ3 contained four open-ended interview questions. RQ3 sought to understand what district training or support administrators identify are needed to support a decrease in the suspension rates of SWDs. The following are samples of questions asked of every single high school administrator participating in the study to address RQ3:

- What additional training, if any, would you like regarding the disciplining of SWDs?

- Whom do you rely on when you have questions about disciplining a student with disabilities, and why do you use this individual as a resource?

Keeping Track of Data

I recorded Zoom interviews to organize and keep track of the data. Note-taking was present during the process of the Zoom interview with each participant and added at the end of the transcribed interview produced by Microsoft Word. Using an Excel spreadsheet table helped me track the raw data's coding, cataloging, and organization. Each volunteer participant was given a code, such as A1 through A8, to ensure I was not referencing specific individuals as I reviewed the transcripts. All interview documents were password protected in electronic files, with physical files stored in a locked file cabinet.

Gaining Access to Participants

Obtaining permission to gain access from the local Midwestern urban school district for this study was not required since the district would not be providing any support role. The participants were accessible without permission or help from the local Midwestern urban school district. I gathered publicly available emails for the high school administrators from the district's website. Before sending an email for participation in the study, I checked potential participants against the Department of Public Instruction licensing division to ensure they held an administrative license as specified criteria for participation in the study. Licensing verification yielded a target population of 51 high school assistant principals in the local Midwestern urban school district. An email was sent to all 51 high school assistant principals describing the study and requesting an email

response with 'I consent' if volunteering to participate. The emails yielded a total of 8 high school assistant principals that consented and volunteered to participate in the study.

Role of the Researcher

I was employed in the local Midwestern urban school district where this study was conducted for approximately 25 years as a special education teacher supporting students with orthopedic impairments, learning disabilities, and emotional and behavioral disabilities. I held the position of special education supervisor for the latter eight years of my employment. The special education supervisor works within the schools to ensure evaluation, IEP development, delivery of special education services, and due process in discipline are afforded to special education students within the school setting. I had a previous working relationship in my role as a special education teacher with two of the volunteer participants, A6 and A8 (one 10 years prior and one 12 years prior). We did not keep in touch over the years, and our prior relationship did not affect data collection or analysis. The interview protocol questions did not change for participants A6 and A8, and everyone was provided an opportunity to review and confirm their responses.

At administrative meetings, high school administrators in the local Midwestern urban school district have expressed concerns that they lack the requisite knowledge to make informed decisions when suspending SWDs and determining when the behavior is a manifestation of the student's disability. My special education administrative position piqued my curiosity regarding the discipline of SWDs and moved me to delve deeper into the topic which led to this study. To maintain objectivity and reduce bias, after removing

identifying information I had a peer, that is an educator but not under the umbrella of special education, review my findings for accuracy

Data Analysis

I began the data analysis by transcribing audio recordings into a written format to capture what was said in the interview in word-for-word format. To ensure that I captured what the participants expressed verbatim, I shared a copy of both the audio and transcription via email for accuracy verification to each volunteer participant. Once confirmation of the accuracy of the data was received from volunteer participants, data analysis began. Data from the interviews were analyzed to identify critical themes related to the research questions. Audiotapes were transcribed, critically read, and preliminarily coded. A set of codes grounded in and consistent across interviews were developed to organize and assign meaning to the data. Participants' responses across themes supported identifying patterns and relationships among themes (Creswell & Creswell, 2018). Open coding was used to organize and begin to find common topics in the data. Once all the data was coded, the codes were organized into larger categories from which the overarching themes emerged (Belotto, 2018; Williams & Moser, 2019).

Creswell's (2016) description of data analysis refers to notes taken during the interview to capture thoughts, gestures, and comments made and answer the interview questions. Reading these notes allowed the dissection of the text with a critical lens to establish relevant pieces. Codes were established when looking for patterns in words and phrases, participants' quotes, words that repeat, surprise, align with the theory, or were mentioned in the literature review. Once codes were established, the merging of several

of them together created categories or patterns. Information was further developed by labeling the categories or patterns and interpreted to create themes in order of importance or connectedness (Belotto, 2018; Creswell, 2016; Creswell & Creswell, 2018; Merriam & Tisdell, 2016).

When beginning to code, I read each interview and became familiar with the contents to get an idea of the data collected. I reviewed all participants' comments and began to assign codes. I then sorted the codes for similarity, moving from codes to categories. Creswell and Creswell (2018) said, the open coding process is used to develop themes. A critical piece of data analysis for a qualitative study is the winnowing of data to sift out information that is not relative to the study and keep information that addresses the research question. For this research, the inductive coding method allowed me, the researcher, to start with a blank slate, reading and thinking about the data to form codes and develop categories to themes related to the research question. Deductive coding was not used as it requires developing a codebook from someone else's theoretical framework to guide the coding process (Xu & Zammit, 2020).

Using a concept map and table helped me organize raw data and aggregate codes into themes when coding by hand. The analysis included research participant quotes, carefully chosen and embedded, transparency, and an authentic voice to summarize data in the analysis. Using verbatim quotes gave the research participants an authentic voice through their actual words and lent credibility to the final narrative. Verbatim quotes were illustrative (explicit), succinct, and representative (reflecting strong patterns) in alignment with themes or categories that address the research questions (Lingard, 2019).

Once I determined the information was becoming redundant and that no additional coding or themes were yielded from the data, data saturation had been reached (Braun & Clarke, 2021; Guest et al., 2020). In the development and identification of themes, direct attention has been given to discrepant data to support the credibility and dependability of this study. As themes emerged, I included the eight high school administrators' perspectives in this study to ensure the accuracy and validity of the findings. There were not fully discrepant cases, but I did find that some of the participants expressed differences of opinion that do not refute the data, which I incorporated into the analysis and reported above.

Data Analysis Results

The problem I investigated was that high school SWDs in the local Midwestern urban school district have higher rates of suspension from school than their non-disabled peers. The study aimed to understand high school administrators in the local Midwestern urban school district perceptions of their knowledge of IDEA related to disciplining SWDs to gain insight into decisions to suspend.

Generation of Data

Eight high school assistant principals from the local Midwestern urban school district volunteered to participate in the study and provided the sample. For interview transcript confidentiality, the name of each participant is not included in the interview transcripts but has been replaced with a number identifier. For example, I use A1 to refer to the first high school administrator interviewed through A8, the last high school administrator interviewed. The semi-structured interviews consisted of open-ended

questions with probes to ensure representation of a detailed description of responses. One-on-one interviews were conducted, and responses were recorded (with participants' permission) via the virtual platform; Zoom. Notes on my thoughts during the sessions were kept in a separate notebook.

Transcription of the interview was completed using speech-to-text software. I transcribed all interviews within one week of conducting the interview by converting the interview using the platform of speech-to-text software. I then listened carefully to each interview to clarify any speech-to-text errors and corrected the transcript to ensure the participants' voices were accurately documented. A manual coding system was used. Saldana (2021) and Creswell and Creswell (2018) provided coding guidelines and techniques used in this study. The following approach was used (a) the printed interviews were organized in a readable format with spacing for notes, (b) thorough reading of the interview transcripts; (c) color, circling, highlighting were used to develop pre-code notes, (d) coding system that laid out interviews side by side on a spreadsheet to develop categories, (e) moved from categories to emerging themes (f) apply meaning to themes through narrative writing, and (g) findings interpretation (Saldaña, 2021).

Coding

For this study, when beginning to code, I read each interview and became familiar with the contents to get an idea of the data collected. I reviewed all participants' comments to best a thematic analysis. I began by sorting the codes for similarity and moving from categories to themes. A critical piece of data analysis for a qualitative study is the winnowing of data to sift out information that is not relative to the study and keep

information that addresses the research question. Coding was ongoing and completed during and after the interviews. The inductive coding method was used to keep an open mind and spontaneously create original codes to make sense of themes (Saldaña, 2021). For this research, the inductive coding method allowed me, the researcher, to start with a blank slate, reading and thinking about the data to form codes and develop categories to themes related to the research question. Using an Excel spreadsheet helped me organize raw data and aggregate codes into categories and themes when coding by hand (see Appendix B).

Thematic Analysis

Several themes that emerged from the analysis are presented. The following research questions of this study drove the qualitative investigation to understand high school administrators in the local Midwestern urban school district perceptions of their knowledge of IDEA related to disciplining a student with disabilities to gain insight into decisions to suspend. Audio tapes from participant responses were transcribed into a word document to support in the development of themes. Warm-up questions provided a window into the background of the eight high school administrators that participated in the interview process. For confidentiality, demographic information did not contain any information identifying the participants, school, or district.

Results for RQ1

Theme 1

To address RQ1, administrators shared that they obtained knowledge about special education from experience, not their licensing programs. The responses from all

eight high school administrators were similar. All participants indicated they were not prepared from their administrative licensing coursework to support special education programs and the discipline of SWDs, having only one course in school law. A1 stated, "I don't know if I necessarily really got much out of it." A2, A6, and A8 expressed similar sentiments that there were not enough courses offered in administrative programs to prepare educators to deal with SWDs. A3 looked at administrative licensing preparation from the lens of a special education teacher. A3 stated, "if I had not been a special education teacher, I would be left with many questions related to public laws related to SWDs." A4 and A5, who hold Director of Special Education licenses, indicated that their administrative licensing programs did not prepare them. A4 summarized it, stating,

To be honest with you, I can say quite sure that we didn't have anything specifically on special education. If that were the only educational background that I had, I would be left with a lot of unknown information. I would not have the appropriate background to be able to know the rights of my SWDs, to know the appropriate processes and procedures for SWDs and their protections.

However, A8 felt prepared through an accelerated administrative program he participated in for a second licensing but not in his initial administrative licensing coursework. He shared that his accelerated administrative program coursework focused on different student laws, special education, and regular education. "It focused on being fair and the discipline piece. I felt prepared," shared A8.

Theme 2

Participants stated that they had received more training from the district regarding

suspension within the last six to seven years in response to a lawsuit or corrective action plan. A1, A6, and A7 describe the district training as held annually at the beginning of the school year. Training is on the subject of discipline in response to a corrective action plan. Several PD topics, shared A2, "are more general in dealing with behaviors." A2 also shared that the training is "reactionary" following a lawsuit instead of proactive. A3 expands his professional understanding by attending district PD and conferences outside the district. A4 said:

The district changed two to three years ago in response to a corrective action complaint from the Office of Civil Rights. These changes led to the operationalization of the code of conduct, so 'less subjectivity' can potentially lead to discriminatory practices. A4 continues noting that there is not a lot of training on IDEA. There is a lot of self-learning that must happen.

A5 noted that training on IDEA came from her position as a former special education administrator. A5 also shared information on the annual training, stating that it is "grassroots, just a baseline of what we need to follow." A7 was provided more district training as the special service administrator assigned to the building. In this role, he is provided more training on special education issues than the average administrator.

Theme 3

The following was shared in RQ3 when seeking to determine if the administrators understand the student's disability and relationship to behavior. A1 described having a pretty good knowledge but felt that teachers need to understand this topic better. A2 believes that administrators "should not suspend if the behavior plan has been followed.

Equality looks different for one student versus the other, but they are both getting the same treatment.” A3 indicated that a student "cannot be suspended for more than ten days without a review/revise."

A4 and A5, who hold Director of Special Education licenses, both indicate strong knowledge of understanding how a student's behavior may be a manifestation of their disability. A4 expressed, "there are certain protections in place for SWDs that make building-based administrators more mindful of the use of exclusionary discipline." A6 shared those administrators need to read the IEP and know the student. At the same time, A7 noted that administrators should ensure that IEP services are provided and "if the behavior is a manifestation of the student's disability, you should not be suspending them." A8 shared, "not to pull kids out independently. You can't remove kids from the inclusion environment’.

Results for RQ2

Theme 1

In addressing RQ2, there were varying personal perspectives regarding information learned about the discipline of SWDs. Comments made by A2 include:

Lack of patience that educators have for SWDs, and there is a lack of tolerance for SWDs. Students are being suspended because the adults in the building have not supported them academically or emotionally.

"Students may want to be suspended" is a comment shared by A3. In that same line of thinking, A7 stated, "from my experience, most of our disciplinary issues are within the sped population, and there are different consequences for sped students." A8 also saw

students acting out "to seek administration attention."

When asked to provide more insight into their personal understanding of the laws related to disciplining SWDs, five administrators felt they understood well but struggled to articulate their knowledge clearly. Two administrators, A4 and A5, indicated strong expertise because of their special education backgrounds. Administrators expanded on their knowledge about disciplining SWDs. A1 does not always believe that discipline of SWDs is necessary. The belief shared by A1 is that "we've done too much of it" and "definitely stereotyped." A2 noted the need to understand and build relationships by implementing interventions. A3 seeks ways to discipline that are not punitive but help the student. A4 shared that punitive discipline "isn't helpful in terms of modifying behavior." A4 believes that we should approach the discipline from "a teaching lens." "Make sure we're in compliance before disciplining SWDs," stated A5 regarding a personal philosophy. A6 records his philosophy and attitude as having changed from a 'zero tolerance' before he understood special education laws following a PD that stemmed from an OSEP complaint on the overrepresentation in the suspension of African American males. A6 describes himself as a listener trying to analyze the root problem. A7 administers disciplinary actions but communicates with the special education teacher to develop a plan to address the behavior. Counseling and making students feel important is A8's personal philosophy, so he spends time on that aspect.

Theme 2

Administrators shared that they felt there conflicting messages by the district regarding the issuance of suspensions. As A8 explained, "the district is trying to eliminate

suspensions, advising us (administrators) to hold them (students) in school and keep the attendance rate up." A1 also shared that policy and procedures create a barrier to disciplining SWDs. With a similar sentiment, A2 shared:

The district ties your hands with how many students you can suspend when they are under a class action lawsuit. If an administrator puts a kid out and says, 'you're going home for a day,' the special education administrator will let you know that it's still counting as a suspension.

A4 noted that "I think some assistant principals think they can't suspend SWDs. There is a lot of misunderstandings." A6 explained, "there are certain things that we want to do we can't do due to the barriers that are in place." When asked to expound on barriers, A6 shared:

Suspension because at the end of the day, we must make sure that everyone is safe in the building, and if it is a manifestation of the disability, no actions will be taken because of what they're doing is they're displaying their disability.

To combat this barrier, A6 indicated that administrators would send a student home for a day without issuing a suspension, referring to it as 'a cool off' period or self-reflection time. A8 identifies the barrier as

When the district puts it out that they want absolutely no special education students suspended, I mean, that's a Catch-22. It's almost like your hands are tied, and then you start to be selective about trying not to suspend a kid.

Theme 3

There are district guidelines and expectations for disciplining all students.

Administrators advance discipline according to the discipline action levels noted in the code of student conduct. The administrators expressed that the guide is for disciplining all students with a small blurb regarding SWDs and the number of suspensions. Although there is a code of student conduct handbook, administrators expressed information on its alignment with the discipline of SWDs. A2 shared that the code of student conduct is followed, but "suspension of SWDs is sometimes distributed when there is a level of intolerance of behaviors without investigating the root cause." A3 shared that he defaults to a 1-day suspension unless the principal does not give him a choice. A4 stated:

I follow the handbook because it is pretty black and white in terms of what's a suspendable offense, and I cannot use a lower level, and I include the IEP team in the conversations. For more severe Level 4 offenses that go to the central office, I talk to the SPED supervisor to go through a manifestation determination. There are separate steps to follow for SWDs; behavior plans and manifestation determinations. There are certain protections in place for SWDs that make building administrators more mindful of the use of exclusionary discipline. Be mindful of patterns and address those patterns in student behavior through the IEP. Be mindful of not suspending SWDs for more than ten days without provisionary-like practices in place.

A5 stated that:

A5 consults the district code of student conduct but researches the student's behavior history to see if there are patterns that indicate the behavior may be a manifestation of the student's disability. The factors become important depending

upon the disability label. Make sure plans are in place for the student regarding possible triggers and how to support them. Have those plans and procedures in place so that students will not lash out and receive a disciplinary consequence from someone unfamiliar with the disability. Especially when an administrator without background information with students with various disabilities.

A1, A6, A7, and A8 seek to discipline in alignment with the student code of conduct for minimum and maximum discipline penalties. A6 also looks for patterns of behavior while following the code of conduct. A6 shared, "when you have exhausted all of your resources, made every effort as an administrator, provided them with documented support, and the behavior remains, you have to take further disciplinary action." A7 shared that a student's disability factors in consequences if it is part of the disability, which helps drive administrators' consequences.

Results for RQ3

Theme 1

The following responses involve determining if assistant principals need more training on understanding disabilities and their relationship to behavior. Participants are seeking information on the laws related to disciplining SWDs. A1 expressed a need for additional training that is not simply based on policies and procedures. A2 shared:

I absolutely, wholeheartedly feel there has to be more training on the different and the specific behaviors of students with IEPs. The training must be intentional. The current training lumps regular and special education students together. If the PD is on disruptive behaviors, it is just blanket disruptive behaviors covering any

student. You have a lot of administrators that don't understand special education law. They don't understand the different disabilities. They (the administrators without SPED knowledge) are part of the problem of the suspension rate being higher than it should be because they don't understand special education.

A3 would like training delivered in unison with the special education administrators' team. A4 expressed that:

Some assistant principals think that they can't suspend SWDs. There is a misunderstanding, and I think it's based on just not having the information they need. All administrators need to be more well-versed in disability in general. I think there's a considerable lack of knowledge around special education as a whole. A4 continues with if you don't have that foundational knowledge, then when you're trying to apply that information to the discipline, and you don't have it, how are you ever going to fix the problem of SWDs being suspended three times the number of students without disabilities.

A5 would like staff trained on understanding disabilities by personnel with expertise in that area, not delivered by just anyone. The A5 expressed that the district may need to seek training from experts outside the district. A6, A7, and A8 seek training on disability categories and how the student's disability manifests in behavior because they lack this knowledge. A8 shared that "decisions to suspend are sometimes based on frustration when you lack understanding." A7 would like more training on supports that are available before the suspension. A5 reiterated that if she did not have special education administration background and training, "I truly don't believe that I would have had

everything that I needed to assist me in the role of assistant principal. The laws and everything that I had to learn in a special education administration role."

A common theme among administrators was more PD on disability categories and how a manifestation of a student's disability is determined. After the school principal, the administrators all seek out the special education administrator and use the district code of student conduct handbook as a guide to deciding whether to suspend SWDs.

There is confusion about the 10-day rule surrounding the suspension of SWDs and the implementation of disciplinary actions consistent with non-disabled students when the IEP team has determined that the code of conduct violation is not a manifestation of the student's disability.

Discrepant Cases

Creswell and Creswell (2018) said that researchers must present information that contradicts the themes to support the credibility and validity of the data. In developing and identifying themes, direct attention was given to discrepant data that may run counter to the themes. Different perspectives were reviewed to support the study's credibility and dependability to search of contrary information. As themes emerged, I included the eight administrators' perspectives in this study to ensure the accuracy and validity of the findings. I did not find information that would contradict the study's themes.

RQ1, Theme 1, identified a possible lack of preparation regarding special education in administrative licensing programs. Administrators' knowledge regarding disciplinary procedures set forth governing SWDs, has become increasingly crucial as districts balance disciplining SWDs while maintaining their right to FAPE (Decker &

Brady, 2016). The findings from this theme identified that all of the eight study participants align with the following studies from the literature review, which supports administrators' perceptions that coursework for administrative licensing does not adequately prepare an administrator in the knowledge of IDEA and the discipline of SWDs. Schaaf et al. (2015) conducted a study in which 174 administrators in a Midwestern state were surveyed on their readiness to support special education aspects. The researchers documented administrators' readiness to address behavior issues of SWDs. Only 5% of the administrators indicated being well-prepared, following preparation programs, and 32.8% noted they were adequately prepared.

DeMatthews et al. (2019) conducted a qualitative study with six principals to gain information about their exceptional education attainment through university leadership programs. The research results show that the assistant principals were provided very little instruction and guidance surrounding special education, with one to three courses focused on special education law in their programs. While the principals did not gain much knowledge from university coursework, they expressed that special education law is an integral part of their job. These qualitative study results align with prior research results (Angelle & Bilton, 2009; Ball & Green, 2014; Pazey & Cole, 2013; Roberts & Guerra, 2017; Sun & Xin, 2019).

Christensen et al. (2013) studied 64 principals' beliefs about preparation programs that trained educational leaders regarding special education support issues. The investigation revealed that 87.1% of principals ranked the need for understanding legal guidelines for disciplining SWDs, emphasizing the need for better training in special

education matters. A review of the literature documents a lack of course content focused on special education in preparation programs leading to a lack of knowledge for administrators (Angelle & Bilton, 2009; Bateman et al., 2017; Billingsley et al., 2014; DeMatthews et al., 2019; DiPaola & Walther-Thomas, 2003; Pazey & Cole, 2013; Sun & Xin, 2019). Principal preparation programs offer a small glimpse into special education.

Sun and Xin (2019) investigated 134 principals' opinions on preparedness to provide services and support to SWDs and obtain their knowledge. The study results documented that 23.8% of administrators have special education academic knowledge gained through leadership programs. Despite being required to implement special education programs, the study found that administrators did not have adequate knowledge. Their knowledge of special education is obtained through on-the-job experience (Samuels, 2018; Sun & Xin, 2019).

RQ1, Theme 2, identified that the district provides on-the-job training on discipline. The findings from this theme noted that the district provides minimal training annually on the subject of discipline but is not specific to the discipline of SWDs. The reauthorization of IDEA in 1997 brought clarity to districts on how to discipline SWDs in alignment with the due process rights afforded to them (IDEA, 1997; Walker & Brigham, 2017). Where administrators get their knowledge concerning the behavior of SWDs determines their course of action when deciding to suspend. The administrator's development of dispensing discipline is complex. Interactions with administrative peers and how they perceive discipline is issued may influence the administrator when the

individual administrator does not have a solid foundational knowledge from which to build (Samuels, 2018; Sun & Xin, 2019).

Browning (2019) conducted a study seeking to understand how administrators make decisions when disciplining SWDs. The findings report that administrators did not have prior training in special education and therefore lacked the background knowledge to make informed decisions. Other study findings indicate that administrators reference previous experiences, allow others to help shape their actions, are provided minimal training, and rely on research from their own initiatives. The study supports districts' need to fill the education gaps of administrators related to special education through ongoing PD.

RQ1, Theme 3, identified administrators' knowledge of the discipline of SWDs and how a student's behavior may be a manifestation of their disability is limited. Findings from this theme identify a lack of consistency among administrators surrounding the understanding of the relationship between the students' disability and behavior. When working to support SWDs, procedural safeguards surrounding discipline, administrators must be knowledgeable about varying disabilities and their impact on behavior to properly document, provide feedback, and assist in developing behavior management strategies. In order to comply with legal regulations related to SWDs, administrators must have a depth of knowledge of special education to adhere to these regulations. Educating administrators on issues surrounding the punitive discipline consequences and providing training on the discernment of why problem behaviors are occurring may reduce suspensions (Allday et al., 2021). Pregot (2021) said administrators

have a minimal knowledge base of these functions. There is a higher likelihood that administrators would use exclusionary discipline or suspensions when administering discipline following the infringement of local educational agency (LEA) policies by SWDs. To alleviate this likelihood, principals expanded their knowledge to understand IDEA's complexities that guide discipline (Decker & Pazey, 2017; IDEA, 2004; Williams et al., 2013).

RQ2, Theme 1, identified that administrators used their varied personal philosophies and knowledge to make suspension decisions. The finding indicates there were varying personal perspectives concerning the discipline of SWDs. Skiba et al. (2014) conducted a multilevel analysis of students' discipline records and school-level data on principals' attitudes. They noted that although student behavior is a predictor of suspension, the more reliable predictor might be administrators' attitudes and perspectives regarding discipline. Skiba and Edl (2004) surveyed 325 principals across Indiana using the Disciplinary Practices Survey to understand the principal's attitudes toward school discipline. Data gleaned from the study suggests that school suspension is a choice made by administrators based on their knowledge of and beliefs concerning the disciplinary process. Administrators deliver discipline according to their level of knowledge and personal interpretations.

RQ2, Theme 2, identified misconceptions about when the discipline of SWDs warrants suspension. Administrators felt there were barriers put in place by the district regarding the issuance of suspension. McCarthy and Soodak (2007) said that administrators lack understanding of due process provisions. They noted that this might

create confusion and feelings of a dual discipline system. The dual discipline system is a sentiment expressed by Participant A6 regarding a barrier to disciplining SWDs. They said SWDs are handled differently with different consequences or disciplinary level actions. Many administrators get confused over the concept of equality when it comes to serving students who receive special education services.

RQ2, Theme 3, has identified district policy as the main source of guidance for decision making regarding suspension, which applies to all students and may not consider the special circumstances of SWDs. Findings for this theme noted that administrators advance discipline according to discipline action levels noted in the code of student conduct. Administrators question the code of conduct in its alignment with disciplining SWDs. In handling discipline cases, administrators have a responsibility to review each case from an individual basis and not simply impose the same, consistent disciplinary actions to all (Alnaim, 2018). Cruz and Rodl (2018) conducted a study to examine the prediction of out-of-school suspension using school context and student characteristics to determine discipline disparities. One of the school-level contexts reviewed in the study included a critical role of principals' perceptions of disparities and a school-level predictor of disability. The study shows that SWDs had a significantly higher suspension rate for student-level results.

RQ3 identified administrators who indicated a need for additional training on specific disabilities categories, how the behavior might be a manifestation of a student's disability, and the laws related to disciplining SWDs. Reed et al. (2020) described the use of the exclusionary discipline of SWDs and other marginalized groups as "an equity and

social justice issue" (p. 172). In the wake of reform to address the discipline process, the authors addressed the concern that minimal training is specific to how administrators' attitudes and knowledge impact their understanding of school discipline policies and legal mandates. They promote the use of PD as a vehicle to improve equity in educational discipline reform. Schaaf et al. (2015), conducted a study where more than half of the administrators stated a need for additional training on special education laws in the form of PD. The studies support that limited PD of administrators in special education areas has a negative impact on SWDs (Ball & Green, 2014; Lynch, 2012; Reed et al., 2020). Decker and Pazez (2017) conducted a study focused on educators' lack of training in the requirements related to disciplining SWDs and implementing those laws when suspending or recommending expulsion for behavior infractions. Lieberman (2021) said that the process of disciplining students' needs an overhaul to change policies and practices to reduce inequity in discipline practices. The results of this study align with literature reviews and with a common theme expressed among study participants suggesting the need for more PD on disability categories and how a manifestation of a student's disability is determined. A2 summarized the need for PD "because a lot of administrators don't understand special education law. They are part of the problem of the suspension rate being higher than it should be because they don't understand special education."

Conclusion

In exploring high school administrators' perceptions about their knowledge of IDEA regulations related to disciplining SWD, I addressed three research questions and

themes developed from the study. The research questions addressed administrator training on IDEA regulations, the decision-making process administrators use when issuing suspensions to SWDs and what training administrators report they need to decrease the suspension rates of SWDs.

RQ1: How do administrators describe how their training and knowledge of special education laws related to discipline affects their decisions to suspend?

Findings from theme 1 indicate a possible lack of preparation regarding special education in administrative licensing programs. Theme 2 identified that the district provides on-the-job training on discipline. The findings from this theme noted that the district provides minimal training annually on the subject of discipline but is not specific to the discipline of SWDs. Theme 3 identified administrators' knowledge of the discipline of SWDs and how a student's behavior may be a manifestation of their disability is limited. Findings from this theme identify a lack of consistency among administrators surrounding the understanding of the relationship between the students' disability and behavior.

RQ2: How do administrators describe their decision-making process in terms of suspension of SWDs?

Findings from theme 1 identified that administrators used their varied personal philosophies and knowledge to make suspension decisions. The finding indicates there were varying personal perspectives concerning the discipline of SWDs. Theme 2 identified misconceptions about when the discipline of SWDs warrants suspension. Administrators felt there were barriers put in place by the district regarding the issuance of suspension. Theme 3 has identified district policy as the main source of guidance for

decision making regarding suspension, which applies to all students and may not consider the special circumstances of SWDs. Findings for this theme noted that administrators advance discipline according to discipline action levels noted in the code of student conduct. Administrators question the code of conduct in its alignment with disciplining SWDs.

RQ3: What additional district training or supports do administrators identify as needed to support a decrease in suspension rates of SWDs?

Finding from theme 1 identified administrators who indicated a need for additional training on specific disabilities categories, how the behavior might be a manifestation of a student's disability, and the laws related to disciplining SWDs.

Based on the findings, high school administrators responsible for disciplining SWDs need additional training and supports to gain a better understanding of IDEA regulations related to disciplining SWDs and how the student's behavior may be a manifestation of their disability. I propose that a PD be developed that provides administrators with training on IDEA, disability areas and a manifestation of their disability. In section 3, I will utilize the information from the findings to provide a project that will offer a plan for professional development for high school administrators that provide discipline to SWDs.

Section 3: The Project

Introduction

I have created a project in the form of a PD plan based on my project findings (see Appendix A). Section 3 includes this project study plan as well as the rationale for developing a PD plan, a review of literature related to PD, the project evaluation plan, and implications for social change.

A 3-day PD session is the proposed project for this study. The purpose is to help high school administrators in the local Midwestern urban school district better understand different disabilities and how students may exhibit behaviors that are manifested due to these disabilities. I also provide information on laws that were developed to ensure equitable protections and reduce inequalities in suspensions for SWDs. The project was developed from themes that emerged from interviews. Data from this study informed the creation of PD to fill knowledge gaps involving the IDEA and discipline of SWDs that are not provided in administrative preparation programs. Data revealed that high school administrators in the Midwestern urban school district would like a deeper understanding of how student disabilities manifest as behaviors. This project would supplement PD opportunities that are currently provided in the district, with a more specialized focus for administrators who deliver discipline to students.

Rationale

Topics for PD sessions include (a) understanding what different disabilities are and how they may impact student behavior, (b) functional behavior assessment, behavior intervention plan, manifestation determination process, and positive behavioral

intervention strategies, and (c) understanding laws governing the discipline of SWDs.

This study may help close the disproportionate gap involving disciplinary referrals of special education children in the local district. Reed et al. (2020) described exclusionary discipline of SWDs and other marginalized groups as “an equity and social justice issue” (p. 172). PD is promoted as a vehicle to improve equity in educational discipline reform. This PD project may guide the district in terms of implementing this specific training on an ongoing basis to support high school administrators in the local Midwestern urban school district regarding IDEA regulations and use of exclusionary discipline.

Review of the Literature

Peer-reviewed articles on PD of educators were part of the literature review for this section of my project study. High school administrators in the local Midwestern urban school district are tasked with having a solid understanding of discipline policies of their districts. Furthermore, they are tasked with understanding laws related to discipline of SWDs. PD is a vital tool to provide administrators with knowledge and improvement in this area. Darling-Hammond et al. (2017) said effective PD, structured as professional learning results in changes in practices and improvements in outcomes. Wide acceptance from decision makers within the local Midwestern urban school district to support continuous PD is needed for high school administrators to gain required knowledge to strengthen leadership practices (Aas, 2017; Brion, 2020; Gümüs & Bellibas, 2016). Reviews of effective PD for administrators are rare.

PD is multidimensional. Gümüs and Bellibas (2016) said PD should include activities with hands-on learning experiences to improve administrators’ leadership skills.

Darling-Hammond et al. (2017) said active learning involves interactive experiences to engage educators. High school administrators want high-quality PD that includes individualization, coaching, and hands-on experiences (Desimone & Park, 2017; Koonce et al., 2019).

PD must be engaging and provide administrators with relevant skills to lead to educational change (Aas, 2017). The more principals take part in PD activities, the more they engage in leadership practices that allow them to practice developing in-depth understanding of the knowledge learned. Administrators want PD that allows them to apply knowledge and skills that contribute to leadership practice enhancements (Darling-Hammond et al., 2017; Koonce et al., 2019). School administrators want PD that provides them with strategies and skills that can be used immediately in their practice and sustained over time (Akinyemi & Nkonki, 2021; Koonce et al., 2019; Matherson & Windle, 2017).

Effective PD involves allowing administrators to practice and apply their expertise in schools (Goldring et al., 2012; Koonce et al., 2019). These opportunities provide leaders with active learning as well as new capacities and experiences, strengthening areas they may be weak in and stretching their comfort zones (Goldring et al., 2012). Professional learning opportunities should involve information that supports situations that high school administrators may encounter daily. When targeting information needed for administrators to succeed, PD must address information and experiences the district needs to effect change for both administrators and the district (Bond & Blevins, 2020; Daniels et al., 2019). Embedding PD in the job allows for

continuous practice, leading to positive outcomes (Davis et al., 2020). Gümüs and Bellibas (2020) said PD contributes to leadership practice enhancements and there was a statistically significant positive relationship, $\beta=0.485$, $p < 0.001$ between principals' PD and leadership practices, using a cross-sectional survey design to examine direct and indirect links. An ongoing learning process is critical to principals' development in terms of meeting the demands of school leadership.

The effectiveness of PD is dictated by the content and quality of activities and their relationship with job-embedded responsibilities (Gümüs & Bellibas, 2016). Job-embedded PD which is linked to administrators' daily responsibilities is most effective. Leadership practices are improved with more hands-on action approaches for PD activities involving passive dissemination of information (Zepeda, 2019). The most beneficial PD is engagement through active participation rather than formal or isolated experiences (Evans, 2014).

Irby et al. (2017) said mentoring is used to develop trust and community as well as increase skill sets and improve productivity and retention. PD activities that include partnering administrators with mentors and networking opportunities to improve administrators' leadership skills (Brown & Militello, 2016; Daniels et al., 2019; Darling-Hammond et al., 2017; Davis et al., 2020). Networking allows for discussion and reactivation of knowledge and exchange of effective practices (Daniels et al., 2019). Bai and Martin (2015) said urban school administrators seek knowledge to strengthen their competence in terms of special education and determine their PD needs. The study looked at 289 urban school administrators to assess their needs for supporting special

education programs. Their research supports that urban school administrators want to acquire knowledge that betters their practice in terms of serving the needs of SWDs.

Several studies examined a vast amount of literature on PD to establish design elements that make up effective PD. The first element focuses on content that connects the theory of learning to authentic practice in developing in-depth understanding (Daniels et al., 2019; Darling-Hammond et al., 2017). The second element is active learning which focuses on interactive experiences to engage the educator. Gümüş and Bellibas (2020) showed the more active exercise of learning-centered leadership from principals who participate in more days of PD activities. The third element includes building opportunities for collaboration to extend educators' knowledge beyond their isolated experiences by working in groups to arrive at solutions (Darling-Hammond et al., 2017).

Existing knowledge is activated when administrators are provided an opportunity to network and share ideas with colleagues. Collaboration with peers is essential with opportunities for critical problem-solving support to gain a higher understanding for administrators while transferring knowledge and practice opportunities while developing confidence in their skills (Brown & Militello (2016); Daniels et al., 2019; Davis et al., 2020). When collaborating, administrators are provided support through motivation, encouragement, morale, and teamwork opportunities (Akinyemi & Nkonki, 2021).

The fourth element addresses modeling or demonstrating effective practice strategies (Darling-Hammond et al., 2017). The fifth element seeks to provide professionals with expertise in the area being taught that act as coaches to assist the process of understanding by linking the learning to an application (Daniels et al., 2019).

The sixth element builds in opportunities in the PD for constructive feedback and reflection of the information to deepen learning (Darling-Hammond et al., 2017). Reflection noted by Bond & Blevins (2020) should be an essential part of PD to allow participants to identify how the information gained will be carried into continuous practice.

Continuous reflection and coherence to the subject being studied may be a critical component of instructional coaching for effective PD (Desimone & Park, 2017). The opportunity for reflection in PD is required for administrators to challenge thoughts, analyze the problem and search for solutions (Davis et al., 2020). Focus on sustained duration, with concepts being job-embedded for continuous learning (Bates & Morgan, 2018; Gümüs & Bellibas, 2020). In contrast, Koonce et al. (2019) identified barriers to principal engagement in the PD process. The study shared that time and money were consistent among participants as overarching barriers to effective PD, time being the most significant barrier. Another barrier presented was principals' concern or lack of confidence regarding PD planning and evaluation. Principals identified needs assessments, surveys, and time necessary to ensure adequate quality PD. Principals' ability to overcome these barriers may be contingent on external locus of control factors.

The global landscape for PD shifted with the COVID-19 pandemic, with online PD becoming an integral part of this new landscape (Charteris et al., 2021). Online PD is not new. Before the pandemic, the online platform gained recognition as a powerful vehicle for delivering high-quality, low-cost, accessible training. Bragg et al. (2021) define PD as “structured, formal professional learning that is entirely online, resulting in

changes to educators' knowledge, behavior, and practices" (pg. 2). Design is critical to providing a supportive learning environment and opportunity for engagement. Studies document that design is critical to successful online PD (Bedford, 2019; Sterrett & Richardson, 2020). Technology cultivates learning by understanding others' experiences within a social community of peers. Studies document that design is a critical component of successful online PD. The evidence indicates that quality online PD design elements include activities that account for various learning modalities. The activities may include incorporating opportunities for participant engagement and embedded practical learning activities to support acquired knowledge and skills (Bedford, 2019; Bragg et al., 2021; Rodriquez-Gomer et al. (2020)). Activities may include incorporating opportunities for participant engagement and embedded practical learning activities to support acquired knowledge and skills.

Technology is shifting the paradigm of PD from a more traditional format to newer forms using multiple device platforms, allowing participants to participate in PD tailored to their individual needs. Stevenson et al. (2015) examined how leaders supported PD by leveraging technology to manage and facilitate change. When educators are provided choices, traditional versus online, there is more autonomy to engage in learning as there is a relationship between tools of learning and learning itself (Bedford, 2019; Stevenson et al. (2015)).

Administrators enjoy the technological aspect of ease of use with more autonomy to engage in learning and build relationships with other participants on this platform, contributing to increased learning (Bedford, 2019; Sterrett & Richardson, 2020). The

platform cultivates learning by understanding others' experiences within a social community of peers. Video is a technology platform that allows educators to view realistic, complex environments for discussion and modeling and supports educator cognitive development (Major & Watson, 2018).

Sims and Fletcher-Wood (2021) provided a critical review that questioned the validity of several influential reviews on teacher PD, exposing the literature to scrutiny. The authors argued 3 points to extend the literature and refute the previous findings of other studies. First, there is no distinction between rigorously evaluated interventions and causally redundant components. Second, isolate PD that is effective from theory. Third, identify areas that are not evidence-supported. The review documented that researchers seeking alignment of effective PD should focus on how people acquire skills and PD interventions that are rigorously evaluated. Through the Every Student Succeeds Act, federal funding requires the components of collaboration and sustainability are included in PD.

Project Description

The PD project will be conducted in three sessions on student non-attendance days to avoid interruption of school services. The three workshops will take place within the academic school year. I will need permission from the district to conduct the PD with administrators to provide a space and resources for the PD. The PD sessions will be targeted at administrators that are responsible for delivering discipline to SWDs. The sessions will be delivered over three days (it does not have to be delivered three days in a row). The first session on day one will concentrate on administrators learning about each

of the 13 disability areas, how they are defined, and the criteria for qualification. The second session on day two will concentrate on developing a functional behavioral assessment, a behavior intervention plan, and the manifestation determination process. Also discussed will be how positive behavioral supports align with documents. The third session on day three will bring all the information together, understanding the laws governing the discipline of SWDs. This project consists of hands-on PD workshops in determining how a student's behavior may manifest his disability and proactive measures to reduce behavioral incidents. Administrators will learn how to implement appropriate interventions to manage students' behavior with disabilities on a case-by-case basis by identifying the root cause.

Needed Resources and Existing Supports

I will need permission from the Midwestern urban school district to conduct the PD sessions. I will also need to request the district to provide adequate space for approximately 100 attendees, technology to support a PowerPoint presentation, poster chart paper, colored markers, and post-it notes for each PD session. Existing support lies in the school district having a school building where PD is conducted for large groups of participants.

Potential Barriers

The study also yielded a small sample of 8 assistant principals who volunteered and participated. A possible solution would be to share the presentation with the district, with the district making the PD mandatory for all principals and assistant principals. Another barrier may be administrators' time away from their buildings. A solution to this

barrier would be to conduct the PD workshop on a student non-attendance day. COVID-19 may present a barrier to in-person PD in the current climate.

Implementation and Timeline

Before implementing the PD project, it is my responsibility to first meet with the district administration to share the project, discuss its benefits, and for permission to conduct the 3-day PD workshop for administrators. Once permission is obtained from the district, the district will notify administrators of the PD opportunity defining the purpose and benefits to their attending. The district will be responsible for granting permission to conduct the PD sessions. Provide the venue, technology, poster chart paper, colored markers, and post-it notes for each PD session held in person.

The administrators are responsible for attending all three sessions to learn the role a student's disability may play in a student's behavior and apply that knowledge when determining the suspension of an SWDs. I am responsible for the development and presentation of the PD sessions. All handouts and resources will be developed and provided by me.

Project Evaluation Plan

Determining the effectiveness of PD through evaluation is critical. Participants will be asked to complete a pre-assessment survey on the first day and a post-assessment on the last day as the evaluation methods for this study. During the presentation, snapshot polls will be conducted. At different intervals after each section of the information presentation, participants will be polled with a one-question quick understanding check. There will be six polls, two polls per each PD day. Participants will also have the

opportunity to collaborate in short five-to-10-minute break-out sessions with four to five people. Upon completion of the 3-day PD, the responses from the pre, post, and six polls will be evaluated to assess the quality of this PD project. The pre-assessment survey and the post-assessment survey will provide an opportunity to provide open-ended feedback. Results from these surveys allow the presenter to make adjustments to future presentations. It also provides information to the district to determine continued or additional PD for improving administrators' understanding of disability and its relationship to the discipline of SWDs.

Project Implications

Expanding the administrators' knowledge of IDEA and disciplinary policies related to SWDs may change administrators' behavior in determining suspensions or provide legal justification for suspending. Without understanding SWDs' protected rights under IDEA, administrators grapple with a misunderstanding that creates assumptions that generate disagreement surrounding SWDs (Decker & Pazey, 2017; Lashley & Tate, 2009). My goal was to assist administrators in learning how students' behavior may be a manifestation of their disability. A further goal was to provide tools to help these local administrators understand the laws related to disability and discipline. The administrators in the study discussed the corrective action the Midwestern district is under to reduce the number of suspensions being disseminated in the district. An understanding of behaviors could aid in this reduction.

Positive social change of reduction in the punitive strategy of suspension of SWDs, when administrators have a baseline understanding of disabilities, may positively

affect students' future outcomes since social costs are imposed when students become disengaged from school through suspension. Administrators' reduction in suspensions would benefit students with increased time in the educational setting receiving services, increased opportunities for positive social interactions, increased graduation rates, and fewer juvenile justice encounters.

Social costs are imposed on community, local, and state tax bases when students become disengaged from school through suspension (Rumberger & Losen, 2016). These social-economic costs include diminished wage-earning ability, increased crime and costs associated with it, and higher social welfare costs when students become disenfranchised and drop out of high school (Marchbanks et al., 2015; Rumberger & Losen, 2016). Those using suspensions do not consider economic costs because there is no immediate and apparent social impact (Marchbanks et al., 2015; Rumberger & Losen, 2016).

Conclusion

Section 3 includes information on the 3-day professional development project I chose for my study. The chapter includes the rationale for choosing a PD, a review of literature on PD, a description of the project, how the project will be evaluated and the projects implications. This PD session was designed to help administrators deepen their knowledge and understanding of IDEA regulations and the laws related to disciplining SWDs, understanding the 13 disability categories and how a student's behavior may be a manifestation of their disability. In section 3, the project plan for the 3-day PD session was outlined and described. A connection between the project and the research was established. I combined information gathered from both the research on PDs and the

interviews and created a 3-day PD session for high school administrators that provide discipline to SWDs. Section 4 will offer a reflection for the development of the study and the project. The information will provide insight to the strengths, limitations, and implications of the project.

Section 4: Reflections and Conclusions

This section includes my reflections and conclusions about the project study, including the project's strengths and limitations related to addressing high school administrators within the local Midwestern urban school district perceptions of their knowledge base related to the IDEA and discipline of SWDs. Section 4 includes recommendations for further research in this area. I propose implementing PD sessions based on the research problem and findings over a period of 3 days.

Project Strengths and Limitations

Administrators are stakeholders who are directly responsible for making decisions and issuing suspension notices to SWDs. The PD session was presented to support high school administrators within the local Midwestern urban school district in terms of understanding special education laws related to disciplining SWDs. This will strengthen high school administrators understanding of disabilities and how behavior may be a manifestation of disability. By sharing findings from the project study with other school administrators, they may gain an understanding of why knowledge involving special education to support students properly is critical. This will provide all school administrators with information involving working collaboratively with special education teachers to increase positive behaviors and reduce suspensions. Although research was conducted with high school administrators, PD sessions would be open to all K-12 administrators, ensuring they all have the same information and strategies which lead to better discipline decisions. The PD session is focused on high school administrators in the local Midwestern urban school district understanding IDEA, basics of specific

disabilities, how student behaviors may be a manifestation of their disability, and laws related to disciplining SWDs, which all administrators need to understand.

Although meaningful, a limitation to the 3-day PD session may be inconsistencies in high school administrator attendance since it may be difficult for high school administrators to have the time to attend 3-day presentations. Each session builds on the previous session, and therefore attendance for all 3 days is critical. They will have opportunities for meaningful conversations with colleagues during breakout group work sessions to brainstorm presented scenarios.

Recommendations for Alternative Approaches

A 3-day PD session was selected as the project deliverable for this study to support high administrators in the local Midwestern urban school district in terms of gaining a deeper understanding of special education laws related to disciplining SWDs. With high school administrative level of responsibilities, there may be time constraints, an alternative approach to addressing the research problem could involve asynchronous virtual delivery of the PD session with individual modules and passing assessments before moving on to the next module.

Other alternative methods of delivering critical information to high school administrators may include the following. Content regarding special education could be delivered to high school administrators during a monthly PD session conducted by the special education director in collaboration with the special education administrators assigned to support specific high schools. These PDs could be a part of an ongoing series of half-day PD trainings for high school administrators regarding reduction of behaviors

through understanding disability and how it may manifest in behavior, use of behavioral intervention strategies, development and use of an FBA/BIP. Another alternative would be to hire an outside consultant specializing in the discipline of SWDs, which may require significant financial investments and possibly be a one-time PD opportunity. Last, a job-embedded coach to mentor and provide parallel training or pairing administrators with special education administrators for job-embedded training may be an option.

Scholarship, Project Development, and Leadership and Change

I collected data for this qualitative study via one-to-one interviews with eight high school assistant principals in the local Midwestern urban school district, responsible for delivering discipline to students. As a novice researcher, I applied knowledge I gained through Walden University to conduct basic qualitative research. This included determining what previous research was peer-reviewed, databases, and search terms. Conducting a rigorous literature review was necessary to develop my knowledge base. It allowed me to determine what method would best answer my RQs and guided me when collecting data through interviews and analyzing transcripts for emergence of themes. Descriptive feedback was integral to completing the project study. This helped in terms of developing my role and understanding as a research practitioner.

I developed PD sessions to deliver information regarding special education laws, discipline, and manifestation of behaviors to high school administrators responsible for delivering discipline to students. PD sessions will have knowledge checks embedded with a survey presented after each session to evaluate the project deliverable. Evaluation survey information will be shared with the district research department and district

managers responsible for district PD. Information gleaned from the survey assisted me in determining adjustments which need to be implemented for the PD session.

Reflection on Importance of the Work

I conducted this qualitative research project study to use knowledge imparted to me through coursework when developing this basic qualitative study. Applying this knowledge helped me understand high school administrators' perceptions of their understanding and preparedness to discipline SWDs. Using the interview method and guiding questions for collecting data, I learned more about myself as a research practitioner. During this project study, I understood the significance of reviewing previous scholarly literature to substantiate the need for this particular study. The development of the 3-day PD session required me to spend time carefully constructing a platform that would be impactful for attending participants and make a difference in terms of supporting students with behavioral challenges instead of issuing suspensions. Understanding how to support behavioral challenges should positively affect administrators, SWDs, and the district.

Implications, Applications, and Directions for Future Research

Findings from this study and PD may build high school administrators' capacity for knowledge on proactive behavior interventions. Preventive strategies are needed to minimize behavior and increase academic achievement. When informed, administrators seek to integrate positive behavioral supports within schools as proactive measures to address behavioral challenges. Reduced disparities in suspension rates would positively impact both academic and life outcomes of historically disadvantaged SWDs, providing

them with hope rather than despair. Exploration of high school administrators' perceptions and understanding of their knowledge of the IDEA related to discipline of SWDs may directly impact students' future outcomes. It may be a catalyst for social change.

A quantitative study, using statistical suspension data for SWDs, could help identify which administrators and grade levels produce the highest suspensions rates. Additional data collection involving a mixed methods approach combining interview focus groups and local reviews of data may lead to information about administrators' perceptions related to discipline of SWDs. Future research may include a year-long follow-up study to review suspension data and administrator perceptions prior to PD sessions. A review of suspension data and administrator perceptions should be conducted approximately 6 months after the PD session to determine its effectiveness for each study participant. Future studies may be conducted on individual high, middle, and elementary schools with disproportionate suspensions rates as well as administrators disseminating suspension notices. Future research should also expand on this PD session by making a discipline helpline to support administrators when they have questions or need clarification on disciplining a SWDs. Future research should also focus on school administrators' legal literacy in terms of special education laws and implementation of PD for all school administrators, expansion of research related to special education laws, and more thorough integration of special education laws in administrator preparation programs. Themes developed from perceptions of high school administrator participants in this study align with previous studies that document lack of administrator preparation

programs, district mandates, and need for PD.

Conclusion

High school administrators are responsible for staying abreast of exclusive education updates regarding the discipline of SWDs to navigate the safeguards put in place through IDEA for this vulnerable population (Couvillon et al., 2018; Nashatker, 2010; Reed et al., 2020). Understanding how behaviors and subsequent suspensions affect SWDs helps administrators develop positive interventions to prevent suspensions that may be avoidable through experience (Richard & Hardin, 2018). Principals' knowledge of special education law may directly impact how they discipline SWDs (Roberts & Guerra Jr, 2017). As incidences of school violence have risen, administrators are tasked with understanding and implementing disciplinary policies in the school setting. There may be legal ramifications related to the discipline of SWDs and rights inadvertently violated due to a lack of administrators' requisite knowledge of special education laws (Arnberger & Shoop, 2006; Couvillon et al., 2018; Decker & Pazez, 2017; Lewis, 2017).

To address this, a qualitative study was conducted to gain an understanding of administrators' perceptions of their knowledge of IDEA as it relates to disciplining a student with disabilities. The findings from the study indicate there is a lack of preparation regarding special education in administrative licensing programs with the district providing on-the-job training on the subject of discipline. Despite district training, administrators' knowledge of the discipline of SWDs and how a student's behavior may be a manifestation of their disability is limited. The district policy is the main source of

guidance for decision-making regarding suspension, which applies to all students and may not consider the special circumstances of SWDs. Therefore, administrators used their varied personal philosophies and knowledge to make suspension decisions which lead to misconceptions about when the discipline of SWDs warrants suspension.

Administrators indicated a need for additional training on specific disabilities categories, how the behavior might be a manifestation of a student's disability, and the laws related to disciplining SWDs. The findings indicate that administrators have a need for additional training on specific disabilities categories, how the behavior might be a manifestation of a student's disability, and the laws related to disciplining SWDs.

As a novice researcher, I have gained a greater understanding of the construction of a qualitative research process. Qualitative research is an investigative model, using interviews as conversations that provide in-depth information about intricate issues. As the data collection method, the interview process was selected to gain insight from administrators on their requisite knowledge and understanding of IDEA related to the discipline of SWDs. A qualitative research design was chosen to describe and analyze the administrators' perceptions. Individual interviews were the data collection technique from eight high school administrators to ensure saturation of emerging themes. This qualitative study was designed to describe in-depth the experiences and perceptions volunteer high school administrators in the Midwestern urban school district have with the discipline of SWDs. The targeted research was conducted to address the overuse of suspensions given to SWDs and determine if administrators' knowledge impacts the overuse.

The development of this project study required the search of multiple academic

databases and the review of numerous peer-reviewed articles. It also taught me how to conduct a literature review by synthesizing information gleaned from the resources. This required me to improve my reading comprehension and writing skills, which is critical to the development of this paper.

My learning curve was further developed during the IRB process to gain approval for data collection. To ensure I, the researcher had a clear understanding and readiness to protect the participants in the research study, Walden University's Institutional Review Board (IRB) required academic course instruction on the subject. This course provided valuable knowledge and information on interacting with the participant by reviewing risks, history, ethical principles, and unanticipated problems. The need and requirements for informed consent, respecting participants' privacy, storing of information, and confidentiality, were also provided through the course content.

This process required an unwavering determination to endure this challenging process. Many personal obstacles could have derailed the completion of this study, but a personal commitment to myself and my now deceased spouse kept me moving forward.

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Appendix A: The Project

3-day Professional Development Plan

The purpose of the PD is to help administrators better understand the different disabilities and how students may exhibit behaviors that are manifested from the disability. The PD will provide information on the laws developed to ensure equitable protections that seek to reduce inequalities in suspension of SWDs. The PD seeks to fill the knowledge gaps of IDEA and the discipline of students with disabilities not provided in administrative preparation programs.

Day 1: Enhance the understanding of the 13 disability areas.

Day 2: Enhance the understanding of the laws related to disciplining SWDs.

Day 3: Enhance the understanding of FBA/BIP and the manifestation of disability.

The PD is designed based on the expressed varying degrees of assistant principals understanding of the discipline of SWDs. This PD was created to provide knowledge and resources to school administrators and seeks to accomplish the following learning outcomes. By the end of the 3-day PD sessions, participants are able to:

- Understand and apply the laws related to disciplining students with disabilities
- Understand how to develop a functional behavior assessment and behavior intervention plans
- Understand how to participate in the manifestation determination process

The sessions have been developed utilizing the virtual format to accommodate administrators from elementary, middle, and high schools. The session for day one will begin with the welcome, introductions, participation norms, a pre- assessment survey,

and the outline for the 3-day sessions. The structure for this 3-day, six hour per day PD opportunity will consist of 30-45-minute information sessions to include short polls to check for understanding and five-minute collaborative breakout sessions (4-5 participants) within the information sessions. The participants will be provided two 15-minute breaks and a one-hour lunch for each session. Each session will end with an opportunity for questions and answers. Day 3 will end with a post-assessment evaluation survey to gain the administrators perception of the PD information provided to improve future PD opportunities.

Professional Development Agendas

Professional Development Session Day 1: IDEA/ Define and Understand Disabilities Areas		
Time	Activity	Materials
8:00 – 8:45	<p>Set the tone for the training by having soft music playing as participants enter the Zoom link</p> <p>Welcome and introduction by the facilitator and sharing of agenda</p> <p>Introductions – ask everyone to briefly identify themselves and rename themselves to include their name and whether they are elementary, middle, or high school</p> <p>Participation Norms- share the norms for participating on the virtual platform</p> <p>3-day Agenda Outline – share information on topics of each day’s session</p> <p>Pre-assessment survey – provide a 5-minute opportunity to complete the pre-assessment survey via a Google document</p>	<p>Computer Access to Zoom</p> <p>Slides 2-3</p> <p>Slide 3</p> <p>Slide 4</p> <p>Slide 5</p> <p>Slide 6 Google doc</p>
8:45 – 9:30	<p>Why learn information regarding disabilities? (Ask for participant responses)</p> <p>Share information regarding the Individuals with Disabilities Education Act (IDEA).</p> <p>Provide background and historical context of IDEA.</p> <p>Six pillars of IDEA Individualized Education Program (IEP) Free Appropriate Public Education (FAPE) Least Restrictive Environment (LRE) Appropriate Evaluation Parent/ Teacher Participation Procedural Safeguards</p>	<p>Slide 7</p> <p>Slide 8</p> <p>Slide 9-12</p> <p>Slides 13-19</p>
9:30 – 9:45	Break	
9:45 – 11:00	Zoom Poll – How many disability areas are eligible under IDEA	Zoom Poll Slide 21

	<p>Eligibility Criteria- eligibility and disability</p> <p>Group Activity – In breakout rooms, using the Google doc, take 2 minutes to determine which of these disabilities is eligible for special education.</p> <p>Share out group results</p> <p>Eligibility or Disability Results</p> <p>Putting it all together on eligibility</p>	<p>Slide 22-24</p> <p>Breakout session (5 minutes) Slides 25-26</p> <p>Slide 27</p> <p>Slide 28</p> <p>Slide 29-30</p>
11:00 – 12:00	Lunch	
12:00 – 1:15	<p>Zoom Poll – Ask participants – Is disability an indicator of negative behavior?</p> <p>Disability Areas – Afternoon agenda Present information on each disability area- share each disability area regarding eligibility, overview, impact on curriculum and instruction and impact on social-emotional behavior.</p> <ul style="list-style-type: none"> • Autism Spectrum Disorder (ASD) • Deaf or hard of hearing (DHH) • Emotional behavioral disability (EBD) • Intellectual disability (ID) • Speech & Language (SP/L) <p>Following the presentation of information, allow participants an opportunity to share their thoughts with peers and develop a clarifying question. Response to clarifying questions</p>	<p>Zoom Poll Slide 32</p> <p>Slide 33</p> <p>Slides 37-37</p> <p>Slides 38-39</p> <p>Slides 40-44</p> <p>Slides 45-48</p> <p>Slides 49-50</p> <p>Breakout session (5 minutes) Slide 51 Slide 52</p>
1:15 – 1:30	Break	
1:30 – 2:30	Present information on each disability area- share each disability area regarding eligibility, overview, impact on curriculum and instruction and impact on social-emotional behavior.	

	<ul style="list-style-type: none"> • Specific Learning Disability (SLD) • Other Health Impairment (OHI) • Orthopedic Impairment (OI) <p>Questions??</p> <ul style="list-style-type: none"> • Traumatic Brain Injury (TBI) • Vision Impairment (VI)) <p>Following the presentation of information, allow participants an opportunity to share their thoughts with peers and develop a clarifying question.</p> <p>Response to clarifying questions</p>	<p>Slides 53-54</p> <p>Slides 55-59</p> <p>Slides 60-62</p> <p>Slides 63</p> <p>Slides 64-65</p> <p>Slides 65-68</p> <p>Breakout session (5 minutes)</p> <p>Slide 69</p>
2:30	<p>Questions/ Reflections</p> <p>Google doc – what was your ‘ah ha’ moment from today</p>	<p>Slide 70</p> <p>Google doc</p>
<p>References</p> <p>B.I.G. Solutions. (2021). 13 categories of disability under IDEA law. https://behavioralinspiredgrowth.com/special-ed-resources/categories-disability-idea-law Education for All Handicapped Children Act of 1975, 20 U.S.C. 1401 (1975). IDEA, Pub.L. No. 108-448. 118 STAT.2647 (2004). Martindale, F. (2015). <i>Impact of disability: What does impact of disability mean?</i> slideplayer.com/search/?q=Impact+of+Disability%3A+What+has+impact+of+disability+mean% U.S. Department of Education. (2020). <i>OSEP fast facts: IDEA 45th anniversary IDEA 45 years.</i> https://sites.ed.gov/idea/osep-fast-facts-idea-45th-anniversary/</p>		

IDEA

Defining and Understanding Disability Areas

Day 1

1

Agenda

- Welcome
- Introductions
- Participation Norms
- 3-Day Agenda Outline
- Pre-Assessment survey
- IDEA History
- Eligibility Criteria
- Disability Areas-relationship to behavior
- Questions/ Reflection

2

Welcome-Introductions

Rename yourself to include whether you are working in an elementary, middle and high school

Ex: John Smith/Elementary

3

Professional development norms

Please be present with camera on

Mute your mic when you are not speaking/
use the raise hand to signal to ask a question

Engage in discussions and smile!

While in Breakout Rooms stay engaged

4

3-Day Agenda

Day 1- IDEA/ Defining and Understanding Disability Areas

Day 2- Understanding the Laws Related to Disciplining SWDs

Day 3- FBA/BIP and Manifestation of Disability

5



Pre-
Assessment
Evaluation

6

Why learn information regarding disabilities?

Participant shout outs.....

7

Individuals with Disabilities Education Act (IDEA)

Overview

8

Background

- Congress enacted the Education for All Handicapped Children Act ([Public Law 94-142](#)), also known as the EHA, in 1975 to support states and localities in protecting the rights of, meeting the individual needs of, and improving the results for infants, toddlers, children, and youth with disabilities and their families. This landmark law's name changed to the **Individuals with Disabilities Education Act**, or **IDEA**, in a 1990 reauthorization. The law was last reauthorized in 2004, and the department has periodically [issued new or revised regulations](#) to address the implementation and interpretation of the IDEA.

9

Before the passage of Education for All Handicapped Children Act (EHA)

- Before the EHA's enactment, the fate of many individuals with disabilities was likely dim. Many individuals lived in state institutions for persons with intellectual disabilities or mental illness. Many of these restrictive settings provided only minimal food, clothing, and shelter, and persons with disabilities were often merely accommodated rather than assessed, educated and rehabilitated.
- Further, most families were not afforded the opportunity to take part in planning or placement decisions regarding their child, and resources were not available to enable children with significant disabilities to live at home and receive an education at neighborhood schools in their community.

10

Historical Context

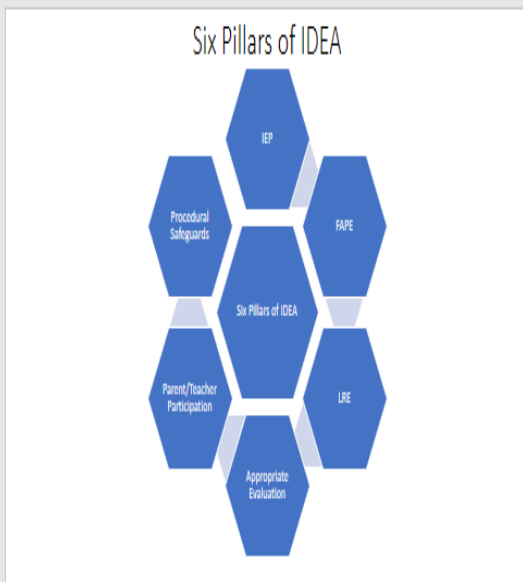
- Before EHA, many children were denied access to education and opportunities to learn. In 1970, U.S. schools educated only one in five children with disabilities, and many states had laws excluding certain students, including children who were deaf, blind, emotionally disturbed, or had an intellectual disability.
- Since the passage of EHA in 1975, significant progress has been made toward meeting major national goals for developing and implementing effective programs and services for early intervention, special education, and related services. The U.S. has progressed from excluding nearly 1.8 million children with disabilities from public schools prior to EHA implementation to providing more than 7.5 million children with disabilities with special education and related services designed to meet their individual needs in the 2018-19 school year.

11

Putting it all together – Timeline at a glance

- <https://sites.ed.gov/idea/osep-fast-facts-idea-45th-anniversary/>

12



13

Individualized Education Program (IEP)

Each public-school student who receives special education and related services must have an Individualized Education Program (IEP) *designed and truly individualized* for that one student. The IEP is a collaboration and creates an opportunity for teachers, parents, school administrators, related services personnel, and students (when appropriate) to work together to improve educational results for children with disabilities. The IEP is the cornerstone of a quality education and seeks to improve educational results for each child with a disability.

14

Free and Appropriate Public Education (FAPE)

What is FAPE?

Defined as special education and related services that are:

- Free: at no cost to parents
- Appropriate: meet the unique needs of the student
- Public: are as close to resident area as possible
- Education: are designed to provide educational benefit

15

Least Restrictive Environment (LRE)

What is LRE?

Defined as special education and related services that are in the Least Restrictive Environment. Which means...

The law requires that to the maximum extent appropriate, children with disabilities be educated with children without disabilities. This placement is called "the least restrictive environment."

The pyramid diagram illustrates the hierarchy of LRE placements from least to most restrictive. From bottom to top, the levels are: General Education/Inclusion, In-Class Support/Resource, Resource Center Replacement, Self-Contained, Public Special Education School, Private Special Education School, and Most Restrictive Environment. Each level is accompanied by a small circular icon representing that environment.

16

Appropriate Evaluation



In conducting the evaluation, the public agency must—

- Use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child, including information provided by the parent, that may assist in determining—
- Not use any single measure or assessment as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child; and
- Use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.


Assessments and other evaluation materials used to assess a child under this part—

- Are selected and administered so as not to be discriminatory on a racial or cultural basis;
- Are provided and administered in the child's native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to so provide or administer;
- Are used for the purposes for which the assessments or measures are valid and reliable;
- Are administered by trained and knowledgeable personnel; and
- Are administered in accordance with any instructions provided by the producer of the assessment

17

Parent/Teacher Participation

- From the beginning of special education legislation, families of children with disabilities have been considered important partners in meeting the needs of children with disabilities.
- ~~IDEA includes key principles to~~ guide families and professionals to work together to enhance the educational opportunities for their children.
- IDEA requires active parent participation throughout the educational process including the development of the child's [IEP](#).
- IDEA 1997 amendments mandated that schools report progress to parents of children with disabilities as frequently as they report to parents of non-disabled children. The intent was to maintain an equal and respectful partnership between schools and families.



18

Procedural Safeguards

Any State educational agency, State agency, or local educational agency that receives assistance under this subchapter shall establish and maintain procedures in accordance with this section to ensure that children with disabilities and their parents are guaranteed procedural safeguards with respect to the provision of a free appropriate public education by such agencies.

- examine records
- written prior notice
- opportunity for filing complaint and mediation



19



BREAK TIME
(15 minutes)

20

Zoom poll

How many disability areas are eligible under IDEA?

21

*

Eligibility
Criteria

There are 13 different disability categories as defined by the Individuals with Disabilities Education Act (IDEA), under which 3- through 22-years-olds may be eligible for services.

In order to qualify for special education, the IEP Team must determine that a child has a disability in one of the 13 categories, and it must adversely affect their educational performance:

22

Eligibility

Guiding Questions:

- What's the difference between disability and eligibility?
- What are the thirteen special education eligibilities recognized under the law?



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23

*

Eligibility and Disability

Eligibility:

- Eligibility of students with disabilities for special education is determined by the individualized education program (IEP) team according to specific criteria for each of the eligibility categories.

Disability:

- A physical or mental condition that limits a person's movements, senses, or activities; A disability is a condition or function judged to be significantly impaired relative to the usual standard of an individual or group.

The IDEA includes 13 primary terms under the main definition of "a child with a disability." These federal definitions guide how states define who is eligible for a free appropriate public education (FAPE) under special education law.




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Eligibility

Group Activity:

Using the handout of the next slide, take 2 minutes to circle which of these disabilities is a special education eligibility.

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25



Eligibility or Disability

Circle the 13 Special Education Eligibilities

ADD / ADHD	Dysgraphia
Aphasia	Dyslexia
Asperger's Syndrome	Emotional Disturbance
Asthma	Hard of Hearing
Astigmatism	Intellectual Disability
Autism	Muscular Dystrophy
Autism Spectrum Disorder	Multiple Disabilities
Behavior Disorder	Obsessive/Compulsive Disorder
Bipolar	Other Health Impairment
Cerebral Palsy	Orthopedic Impairment
Conduct Disorder	Schizophrenia
Deaf	Speech or Language Impairment
Deaf-Blindness	Specific Learning Disability
Depression	Traumatic Brain Injury
Down's Syndrome	Visual Impairment



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26




Share out group results



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Eligibility or Disability

ADD / ADHD	Dysgraphia
Aphasia	Dyslexia
Asperger's Syndrome	Emotional Disturbance
Asthma	Hard of Hearing
Astigmatism	Intellectual Disability
Autism	Muscular Dystrophy
Autism Spectrum Disorder	Multiple Disabilities
Behavior Disorder	Obsessive/Compulsive Disorder
Bipolar	Other Health Impairment
Cerebral Palsy	Orthopedic Impairment
Conduct Disorder	Schizophrenia
Deaf	Speech or Language Impairment
Deaf-Blindness	Specific Learning Disability
Depression	Traumatic Brain Injury
Down's Syndrome	Visual Impairment
Dysfluency	



28



**Putting It All Together:
Eligibility**

Impact:
The impairment (disability) adversely affects the student's educational performance **and requires special education to meet the student's needs**

No Impact:
If it is determined that the student has a disability, **but does not require or no longer requires special education**, the student is not eligible for special education services and supports.

The IEP team should discuss whether the student is eligible for a Section 504 Plan

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29

★

**Putting It All Together:
Eligibility**

- Eligibility cannot be changed without a formal / comprehensive assessment by the appropriate assessors



- Eligibility DOES NOT HAVE TO be changed in order to address the student's changing needs

- Eligibility and placement & services are not the same thing



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30

★



Lunch time
(30 minutes)

31

Zoom poll

Is disability an indicator of negative behavior?

32

Disability Areas- Afternoon Agenda

- The following series of slides will present information on the 13 disability areas regarding eligibility, overview, impact on curriculum and instruction and impact on social-emotional behavior.
- Following the presentation of each disability area there will be a brief opportunity for questions.
- Following the presentation of all disability areas you will have an opportunity to share your thoughts with peers and develop a clarifying question.

33

Eligibility Criteria Autism Spectrum Disorder (ASD)

One who has a disability reflected in severe disorders of communication, behavior, socialization, and academic skills, and whose disability was evident in the early developmental stages of childhood. The autistic child appears to suffer primarily from a pervasive impairment of cognitive and perceptual functioning, the consequences of which are manifested by a limited ability to understand, communicate, learn and participate in social relationships.







34

Autism Spectrum Disorder Overview

- A neurological disorder
- Cognitive abilities range from gifted to mentally handicapped
- Uneven profile/splinter skills
- Usually identified in the first three years of life
- 4:1 male to female ratio

35

IMPACT OF ASD ON CURRICULUM AND INSTRUCTION

 MAY PERSEVERATE ON A TOPIC	 MAY APPEAR NOT TO BE PAYING ATTENTION	 MAY CALL OUT ANSWERS
 MAY HAVE DIFFICULTY ATTENDING	 MAY HAVE VERY LIMITED INTERESTS	 MAY HAVE INTERFERING BEHAVIOR

36

IMPACT OF ASD ON SOCIAL/EMOTIONAL BEHAVIOR

- MAY HAVE DIFFICULTY SHARING ITEMS
- MAY BE DISTRACTED BY
- BACKGROUND NOISE, OR VISUAL DETAILS
- MAY NOT UNDERSTAND THE "BIG PICTURE"
- MAY HAVE DIFFICULTY WITH TRANSITIONS

37

ELIGIBILITY CRITERIA DEAF OR HARD OF HEARING (DHH)

- Medical: An audiological evaluation documents a permanent or fluctuating hearing threshold level that interferes with progress in any one of the following areas:
- Developmental skills or academic performance, social-emotional development or linguistic and communicative skills.
- Educational: The student needs special education.

38

IMPACT OF DHH SOCIAL/EMOTIONAL BEHAVIOR

- May feel isolated or misunderstood and display inappropriate behaviors
- May feel uncomfortable around hearing peers
- May reject hearing aids or FM devices
- May not accept hearing loss

39

ELIGIBILITY CRITERIA Emotional/Behavioral Disability (E/BD)

- A student with an Emotional/Behavioral Disability (E/BD) demonstrates an inability to maintain adequate educational performance in the educational environment that cannot be explained by physical, sensory, socio-cultural, developmental, medical, or health factors.
- In addition, a student with an E/BD demonstrates one or more of the following internal or external characteristics (and meets all other requirements of the E/BD rule):

40

Emotional/Behavioral Disability (E/BD)

Internal factors characterized by:

- 1. Feelings of sadness, or frequent crying, or restlessness or loss of interest in friends and/or school-work, or mood swings, or erratic behavior; or
- 2. The presence of symptoms such as fears, phobias, or excessive worrying or anxiety regarding personal or school problems; or
- 3. Behaviors that result from thoughts and feelings that are inconsistent with actual events or circumstances, or difficulty maintaining normal thought processes, or excessive levels of withdrawal from persons or events; or

External factors characterized by:

- 1. An inability to build or maintain satisfactory interpersonal relationships with peers, teachers, and other adults in the school setting; or
- 2. Behaviors that are chronic and disruptive such as noncompliance, verbal and/or physical aggression, and/or poorly developed social skills that are manifestations of internal factors

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IMPACT OF E/BD ON CURRICULUM AND LEARNING

- May appear anxious and/or worried and unable to concentrate
- May have difficulty attending
- May be obsessive about a task
- May appear sad and show no interest in activities
- May elope, (run or walk away) from a stressful situation
- May display noncompliant behaviors
- May display verbal and/or physical aggression
- May display many other behaviors that are an impact of *their* disability and interfere with learning

42

IMPACT OF E/BD ON SOCIAL/EMOTIONAL BEHAVIOR

- May withdraw or isolate from others; not interact with peers and adults
- May appear sad and/or cry easily
- May display social skills that are immature; not age-appropriate
- May often over or under react to situations
- May avoid interaction with others due to fears or phobias
- May elope; run or walk away from an 'uncomfortable' social situation
- May display verbal and/or physical aggression

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IMPACT OF E/BD ON COMMUNICATION

Students with E/BD often have difficulty

- communicating and expressing themselves
- 'appropriately'. They often display the behaviors that are an impact of *their* disability rather than communicating 'appropriately'.
- May withdraw, cry, 'shut down', elope
- May appear anxious, worried, fearful
- May perseverate on or 'not let go of' an issue (particularly issues related to fairness, may seem paranoid)
- May process information based on thoughts and feelings that are inconsistent with actual events or circumstances
- May display verbal and/or physical aggression toward others
- May display self-injurious behaviors

44

ELIGIBILITY CRITERIA Intellectual Disabilities (ID)

- "Significantly sub-average general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period, that adversely affects a student's educational performance" (IDEA).

45

IMPACT OF ID ON CURRICULUM AND LEARNING

- Short attention span
- Difficulty retaining information
- Need frequent feedback and reinforcement
- Benefit from verbal cues, prompts, modeling
- Develop at below-average rate
- Experience difficulty in learning and social adjustment
- Vary in their ability to learn and in their ability to be independent and socially responsible

46

IMPACT OF ID ON SOCIAL/EMOTIONAL BEHAVIOR

- May display temper tantrums, self-injurious behaviors, self-stimulations
- May have difficulty demonstrating age-appropriate social interactions with peers
- Difficulty following rules

47

IMPACT OF ID ON COMMUNICATION

- Difficulty expressing needs and wants
- Very limited communication (participatory level)
- May require assistive technology and communication training (participatory level)

48



**ELIGIBILITY CRITERIA
Language Impaired
(SP/L)**

- An impairment in the language system is an abnormal processing or production of:
 - Form including
 - Phonology (system of sounds),
 - Syntax (grammar), and
 - Morphology (forms of words)
 - Content including semantics (word meaning), or
 - Function including pragmatics (use of language in context)

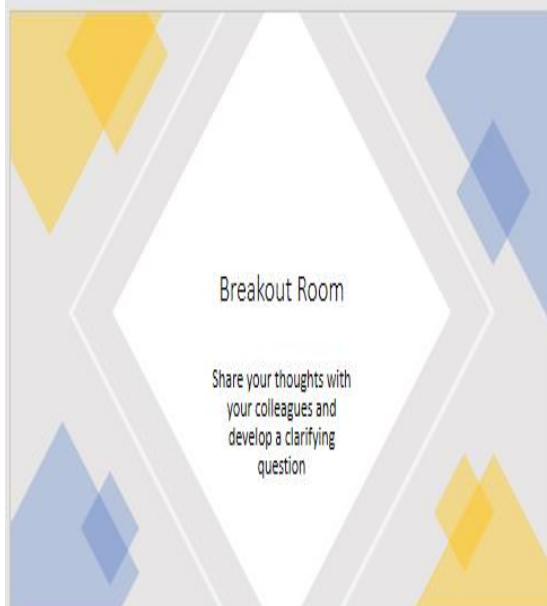
49



**IMPACT OF SP/L ON
SOCIAL/EMOTIONAL BEHAVIOR**

- The student may have difficulty developing and maintaining peer relationships.
- The student may have difficulty joining in activities.
- The student may have difficulty interpreting and responding to body language of others.
- The student may have difficulty accepting the opinion of others and offering his own opinion in a socially acceptable manner.
- May use simple language and current social phrases to cover inability to express ideas and participate in social situations.

50



Breakout Room

Share your thoughts with your colleagues and develop a clarifying question

51



**BREAK TIME
(15 minutes)**

52

ELIGIBILITY CRITERIA SPECIFIC LEARNING DISABILITY (SLD)

- Documented evidence which indicates that general education interventions have been attempted and found to be ineffective in meeting the student's educational needs.

- Evidence of a disorder in one or more of the basic psychological processes required for learning. Evidence of academic achievement which is significantly below the student's level of intellectual functioning. Evidence that learning problems are not due primarily to other handicapping conditions.

53

IMPACT OF SLD ON SOCIAL/EMOTIONAL BEHAVIOR

- May have difficulty forming friendships

- May have difficulty with social development

- May appear less mature than their same age peers

54

OTHER HEALTH IMPAIRMENT (OHI)

- Other health impaired means having limited strength, vitality, or alertness due to chronic or acute health problems such as a heart condition, tuberculosis, rheumatic fever, nephritis, asthma, sickle cell anemia, hemophilia, epilepsy, lead poisoning, leukemia, or diabetes that adversely affects a child's educational performance.

55

IMPACT OF OHI ON CURRICULUM AND LEARNING

- May have difficulty paying attention to details.
- May have difficulty staying focused.
- May have difficulty locating school work and books.
- May have difficulty participating in group learning activities due to fatigue.
- Comprehension may be affected due to distractibility.
- May have difficulty sorting out important information from the surrounding environment.

56

IMPACT OF OHI ON SOCIAL/EMOTIONAL


- May feel isolated from peers when not able to participate fully in activities.
- May fidget or chew while thinking
- May feel nervous or anxious
- May touch and feel everything including friends and teachers.
- Social interactions and reciprocity may be affected.



57

IMPACT OF OHI ON INDEPENDENT FUNCTIONING

- May have difficulty processing and following directions.
- May have difficulty breaking tasks into small steps.
- Work area and materials may be disorganized.
- May have difficulty sitting during some learning activities.
- May be distracted by noise.
- May have difficulty arranging things on a page or aligning numbers.



```

    graph LR
      A[• May have difficulty processing and following directions.] --> B[• May have difficulty breaking tasks into small steps.]
      B --> C[• Work area and materials may be disorganized.]
      C --> D[• May have difficulty sitting during some learning activities.]
      D --> E[• May be distracted by noise.]
      E --> F[• May have difficulty arranging things on a page or aligning numbers.]
  
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58

IMPACT OF OHI ON COMMUNICATION

- May have difficulty with word retrieval.
- May have difficulty understanding intended meaning.
- May make inappropriate comments.
- May have difficulty staying on topic.
- May have difficulty communicating wants and needs effectively.
- May not advocate for personal needs.

59

Eligibility Criteria: PHYSICALLY IMPAIRED WITH ORTHOPEDIC IMPAIRMENT (OI)

- Orthopedically Impaired means a severe skeletal, muscular, or neuromuscular impairment which adversely affects a child's educational performance, and includes impairments resulting from congenital anomaly, disease and other causes (e.g. cerebral palsy, amputations, and fractures or burns that cause contractures)



60

PHYSICALLY IMPAIRED WITH ORTHOPEdic IMPAIRMENT (OI)

- **IMPACT OF PI with OI ON CURRICULUM AND LEARNING**
- May impact ability to participate in group activities in various classroom settings.
- May impact student's ability to produce written work.
- May impact ability to manipulate materials to respond.
- May be unable to independently access needed materials.
- May have difficulty holding books and turning pages.
- May have difficulty accessing curriculum materials, textbooks, workbooks, art materials, writing tools.

61

PHYSICALLY IMPAIRED WITH ORTHOPEdic IMPAIRMENT (OI)

IMPACT OF PI with OI ON SOCIAL/EMOTIONAL

- Student may be self-conscious about the disability which may interfere with peer relationships and interpersonal interactions.
- Student may be unable to raise hand to indicate a desire or need resulting in frustration and reduced involvement in activities
- Student may not advocate for needs and accommodations necessary to manipulate materials
- Student may shy away from participation in sports and other physical activities.

62

Questions

63

ELIGIBILITY CRITERIA Physically Impaired with Traumatic Brain Injury (PI with TBI)

- Traumatic brain injury means an acquired injury to the brain caused by an external physical force resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects educational performance. The term includes open or closed head injuries resulting in impairments in one or more areas specified in Rule 6A-6.03015(4)(a)2, FAC, but does not include brain injuries that are congenital or degenerative or brain injuries induced by birth trauma.

64

IMPACT OF PI with TBI ON SOCIAL/EMOTIONAL

- May become depressed or anxious when unable to perform previously known skills after the injury.
- Social judgment may be impaired.
- Social interactions may be difficult due to changes in behavior.
- May have difficulty with problem solving and critical thinking skills.
- May have behavioral outbursts.

65

ELIGIBILITY CRITERIA VISUALLY IMPAIRED

- 1. A medical eye report documenting a visual acuity of 20/70 or less in the better eye after best correction; a peripheral field so constricted that it impacts function in the educational setting, or a known progressive loss of vision.
- 2. A functional vision evaluation performed by a qualified teacher of the visually impaired or an Orientation & Mobility specialist

66

IMPACT OF VI ON CURRICULUM AND LEARNING

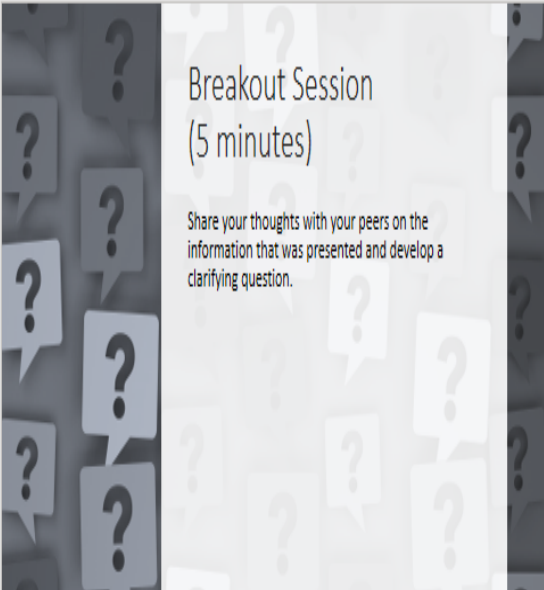
- Limitations in accessing printed materials
- Difficulty accessing board work
- May require assistance/modification to access general education curriculum
- May need assistance/training to maneuver school

67

IMPACT OF VI ON SOCIAL/EMOTIONAL BEHAVIOR

- Students may not have skills to interact with their sighted peers
- Concepts of personal space and social norms may be missing or under developed
- Feelings of isolation, low self-esteem or self image may occur

68



Breakout Session (5 minutes)

Share your thoughts with your peers on the information that was presented and develop a clarifying question.

69

Closing remarks

Response to clarifying questions

Exit ticket- Google doc / What was your 'ah ha' moment from today

70

References

- B.I.G. Solutions. (2021). 13 categories of disability under IDEA law. <https://behavioralinspiredgrowth.com/special-ed-resources/categories-disability-idea-law>
- Education for All Handicapped Children Act of 1975, 20 U.S.C. 1401 (1975).
- IDEA, Pub. L. No. 108-448, 118 STAT.2647 (2004).
- Martindale, Francisco. (2015). Impact of disability: What has impact of disability mean? <https://slideplayer.com/slide/4059030/>
- U.S. Department of Education, Office of Special Education and Rehabilitative Services. 2020. OSEP Fast facts: IDEA 45th Anniversary IDEA 45 years – 1975-2020. <https://sites.ed.gov/idea/osep-fast-facts-idea-45th-anniversary/>

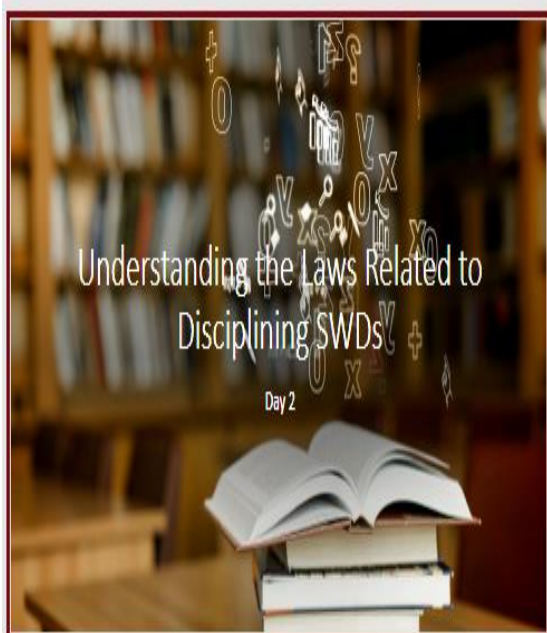
71

Professional Development Session Day 2: Understanding the laws related to disciplining SWDs		
Time	Activity	Materials
8:00 – 8:30	<p>Set the tone for the training by having soft music playing as participants enter the Zoom link</p> <p>Welcome and introduction by the facilitator and sharing of agenda</p> <p>Introductions – participants should rename themselves to include their name and whether they are elementary, middle, or high school</p> <p>Participation Norms- share the norms for participating on the virtual platform</p> <p>Quick write</p> <p>Sharing of quick write</p> <p>Zoom Poll – How do you view the discipline of SWDs? Choose reality, equality, equity or liberation. Share equity picture after the poll.</p>	<p>Computer Access to Zoom</p> <p>Slide 2</p> <p>Slide 3</p> <p>Slide 4</p> <p>Quick write/ Jam Board</p> <p>Slide 5 Slide 6</p> <p>Slide 7-8</p>
8:30 – 9:30	<p>Share current state and districtwide discipline data on discipline of SWDs in relationship to their non-disabled peers</p> <p>Breakout session – break participants out in groups of 4-5. What does the data tell you? Why is this information important to know? Post group thoughts to Google doc</p> <p>Share outs: Allow groups to share out their thoughts on the data</p> <p>Overcoming Barriers – Stumbling blocks or steppingstones?</p> <p>YouTube Video- School suspensions are an adult behavior</p> <p>Why do we discipline students?</p>	<p>Slide 9</p> <p>Slide 10 Breakout session (5 minutes) Google doc</p> <p>Slide 11</p> <p>Slide 12</p> <p>Slide 13</p> <p>Slides 14-18</p>

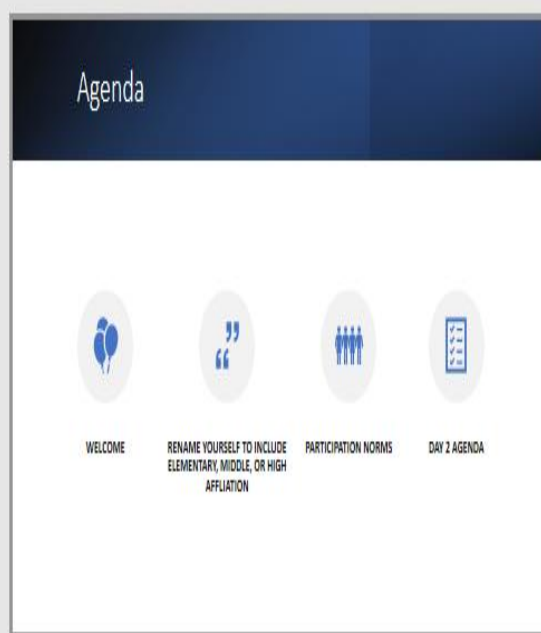
	<p>Discipline and Disability/ Urgency</p> <p>IDEA Regulations</p> <p>Breakout Session- Share your thoughts with peers and develop a clarifying question</p>	<p>Slides 19-21</p> <p>Slides 22-25</p> <p>Breakout session (5 minutes)- Jam Board Slide 26</p>
9:30 – 9:45	Break	
9:45 – 11:00	<p>Group Activity – In breakout rooms, using the Google doc, please review the behavioral scenario with your team and discuss what disciplinary measures will be taken. What challenges did you encounter in making this determination?</p> <p>Discipline flowchart- When is a student protected under IDEA for disciplinary purposes?</p> <p>Discipline flowchart - If a student is found eligible for special education services, how must behavior concerns be addressed?</p> <p>Discipline flowchart - Disciplinary removals</p> <p>Discipline flowchart – Student Protected under IDEA* Violates School Code of Conduct Discipline Flow Chart, Page 1 of 2</p> <p>Discipline flowchart - Student Protected under IDEA* Violates School Code of Conduct Discipline Flow Chart, Page 2 of 2</p> <p>Clarifying questions and answers from Midwest bulletin 6.02 and 7.01. As we go through the next couple of slides, please take a moment to jot clarifying questions that you would like to have answered.</p> <p>Pause- check in regarding information presented</p> <p>Clarifying questions and answers (continued)</p>	<p>Breakout session (5 minutes) Slide 28</p> <p>Slide 29</p> <p>Slide 30</p> <p>Slide 31</p> <p>Slide 32</p> <p>Slides 33</p> <p>Slide 34-41</p> <p>Slide 42</p> <p>Slide 43-48</p>

	Pause- check in regarding information presented	Slide 49
11:00 – 12:00	Lunch	
12:00 – 1:15	<p>Clarifying questions and answers from Midwest bulletin 6.02 and 7.01. As we go through the next couple of slides, please take a moment to jot clarifying questions that you would like to have answered.</p> <p>Breakout Session - Thoughts</p> <p>Clarifying questions and answers from Midwest bulletin 6.02 and 7.01. As we go through the next couple of slides, please take a moment to jot clarifying questions that you would like to have answered.</p> <p>Proactive approaches</p>	<p>Slides 51- 56</p> <p>Breakout room (5 minutes)</p> <p>58-60</p> <p>Slides 61-65</p>
1:15 – 1:30	Break	
1:30 – 2:30	<p>Strategies for Addressing Behavior</p> <p>Behavior change is complex</p> <p>Group Activity- Breakout Session- Share your thoughts with your peers on the information that was presented and develop a clarifying question</p>	<p>Slide 67-74</p> <p>Slide 75-77</p> <p>Breakout Session (5 minutes) Slide 77</p>
2:30	<p>Closing remarks - Response to clarifying questions</p> <p>Exit ticket- Google doc / What was your 'ah ha' moment from today</p>	Slide 78
References		
<p>Allen, R. (2016, August). School suspensions are an adult behavior [Video]. <i>You Tube</i>. https://www.youtube.com/watch?v=f8nkcrMZKV4</p> <p>IDEA, 34 C.F.R. 300.530 (2017).</p>		

- Martinez, T., & Losen, D. (2013). *Out of school and off track: The overuse of suspensions in American middle and high schools*. The Center for Civil Right Remedies.
- Skiba, R. J., & Losen, D. J. (2015). From reaction to prevention: Turning the page on school discipline. *American Educator*, 39(4), 4-11.
- U.S. Department of Education. (2014). *Dear colleague letter on the nondiscriminatory administration of school discipline*. Washington, DC: U.S. Department of Education. <https://www2.ed.gov/print/about/offices/list/ocr/letters/colleague-201401-title-vi.html>
- U.S. Department of Education. (2018). *2015-2016 Civil rights data collection: School climate and safety*. Author.
- Wisconsin Department of Public Instruction. (2006). *Legal requirements related to disciplining children with disabilities*. dpi.wi.gov/spedlaws-procedures-bulletins/bulletins/06.02
- Wisconsin Department of Public Instruction. (2014). *Manifestation determination*. dpi.wi.gov/spedlaws-procedures-bulletins/bulletins/14.02
- Wisconsin Department of Public Instruction. (2015). *Addressing the behavioral needs of students with disabilities*. dpi.wi.gov/spedlaws-procedures-bulletins/bulletins/07.01
- Wisconsin Department of Public Instruction. (2019). *WISEdash Public Portal [online database]*. wisedash.dpi.wi.gov/Dashboard/portalHome.jsp



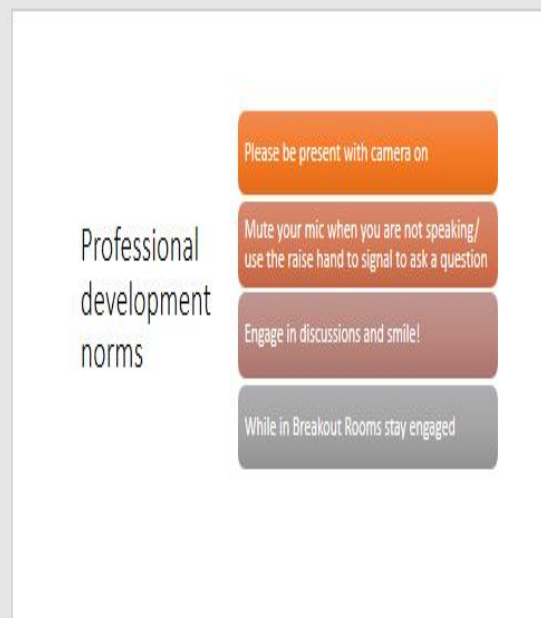
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3



4



Quick write Activity

How do you define exclusionary discipline?

5



Sharing of quick write responses

6

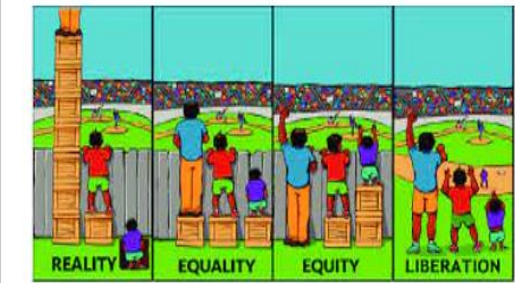
Zoom Poll

How do you view the discipline of SWDs?

On the Zoom poll choose reality, equality, equity or liberation to describe

7

How do you view the discipline of SWDs?



REALITY EQUALITY EQUITY LIBERATION

8

State and districtwide discipline data

Data on the discipline of SWDs in relationship to their non-disabled peers.


(Insert current disability discipline data here from Midwest state and district)

9

Breakout session
(5 minutes)

As a group respond to the following questions.

1. What does the data tell you?
2. Why is this information important to know?



10

Group share out

Group share out of the questions below:

1. What does the data tell you?
2. Why is this information important to know?



11

The only difference between stumbling blocks and stepping stones is the way you use them.

~ American Proverb

Overcoming Barriers



12

School suspensions are an adult behavior


School suspensions are an adult behavior

Rosemarie Allen | TEDxMileHigh

13


Breakout Discussion – 5 minutes

- Why is it important to understand the laws related to disciplining students with disabilities?



14

Why do we discipline students?



Four purposes of school discipline:

- Ensuring the safety of students and teachers;
- Creating a climate conducive to learning;
- Teaching students needed skills for successful interaction in school and society; and
- Reducing rates of future misbehavior.

Striba and Raush (2015)

15

Introduction

It's easy to think of discipline as exclusionary strategies such as removing students from class, sending them to the principal, suspending them from school, or proceeding with an expulsion.

In the event that exclusionary discipline is used, there is a legal framework to ensure disciplinary decisions are in compliance with state and federal law.

Schools committed to equity must be aware of this disproportionate impact as they develop and revise disciplinary policies.

16

We're focused on student outcomes. Why do we need to change our discipline practices?

- Exclusionary discipline rates are at all time highs. Students are removed from school at nearly double the rate of the early 1970s. (Office of Civil Rights, 2018)
- School suspension predicts further suspension and a greater likelihood of dropping out of school.
- School to jail pipeline: Nationwide, at least 73 percent of youth with emotional disabilities who drop out of school are arrested within five years.
- 20% of students need mental health intervention. Only 30% of those who need it will get any assistance at all.

17

- In districts identified with racial disproportionality, students of color in Midwest state are more likely identified as having an emotional behavioral disability, cognitive disability, or specific learning disability. (Wisconsin Department of Public Instruction, 2019)
- Students of color and students with disabilities are punished more severely for the same offenses. (OCR Dear Colleague Letter, 2014; Skiba & Rausch, 2015)
- The highest suspension rates were observed at the intersection of race, disability, and gender; for example, 36% of all Black middle school males with disabilities were suspended one or more times. (Martinez & Losen, 2013)
- Suspension or expulsion from school are highly predictive of later contact with the juvenile justice system or arrest. (OCR Dear Colleague Letter, 2014)

18

Discipline and Disability

Children with disabilities are entitled to the same disciplinary protections afforded children who are not disabled

How a student's behavior relates to their disability must be taken into consideration in the process of disciplining SWDs.

U.S. Department of Education (2018) data indicate that students with disabilities are twice as likely to be disciplined as their nondisabled peers.

U.S. Department of Education, 2018

19

Why the Urgency?

National data shows that exclusionary discipline rates are at an all time high. Students are removed from school at nearly double the rate of the early 1970s. (U.S. Department of Education, 2018)

African American students in the Midwest State are 10.2 times more likely to be suspended than white students; Native American students are 3.5 times more likely, and Hispanic students are 2.4 times more likely to be suspended than white students. (Wisconsin Department of Public Instruction, 2019)

Students with disabilities in the Midwest State are 3 times more likely to be suspended and 2 times more likely to be expelled than non-disabled students. Students with emotional and behavioral disabilities are 10 times more likely than non-disabled students to be suspended or expelled. (Wisconsin Department of Public Instruction, 2019)

20

Protections for Children Not Yet Eligible for Special Education

District must have knowledge that the child was a child with a disability prior to the behavior that led to the disciplinary action

The district does not have knowledge if:

- The child's parent did not consent to an evaluation or refused special education services; or
- The child was evaluated and determined not to be a child with a disability
- A district must evaluate a child referred for special education during a period of disciplinary removal
- The evaluation must be conducted in an expedited manner.

21

OSEP Part B regulations key issues related to discipline of SWDs

- Authority that allows school personnel to consider unique circumstances on a case-by-case basis
- Expand removal authority for special circumstances related to serious bodily injury
- Immediate short-term removals (10 days or less) and
- Long-term removals (more than 10 days) for behavior that is not a manifestation of the disability
- Clarify when services are required during a disciplinary removal: For 10 school days or less, only if the agency provides services to others similarly removed. That occurs after a removal from the current placement for 10 school days in the same school year.
- That is a disciplinary change in placement for more than 10 consecutive school days where the behavior is not a manifestation of the disability
- For special circumstances related to drugs, weapons or serious bodily injury

• U.S. Department of Education, 2018

22

Disciplinary Removals

- Children with disabilities can be removed from school for up to 10 cumulative school days in a school year, before the special education "discipline requirements" apply
- After 10 cumulative school days, services must be provided so as enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting IEP goals

23

IDEA Final Regulations

Change of placement:

- For purposes of removals of a child with a disability from the child's current educational placement a change of placement occurs if the removal is for more than ten consecutive school days

Serious bodily injury:

- The term "serious bodily injury" means bodily injury which involves—(A) a substantial risk of death; (B) extreme physical pain; (C) protracted and obvious disfigurement; or (D) protracted loss or impairment of the function of a bodily member, organ, or mental faculty

•U.S. Department of Education, 2018

24

IDEA Final Regulations

Specify when the LEA must give notice:

- On the date on which the decision is made to make a removal that constitutes a change of placement of a child with a disability because of a violation of a code of student conduct, the LEA must notify the parents of that decision, and provide the parents the procedural safeguards notice

Services:

- A child with a disability who is removed from the child's current placement must— continue to receive educational services, so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP

U.S. Department of Education, 2018

25

Breakout Session (5 minutes)

Share your thoughts with your peers on the information that was presented and develop a clarifying question. Post to the Jam board.

26



Break time (15 minutes)

27

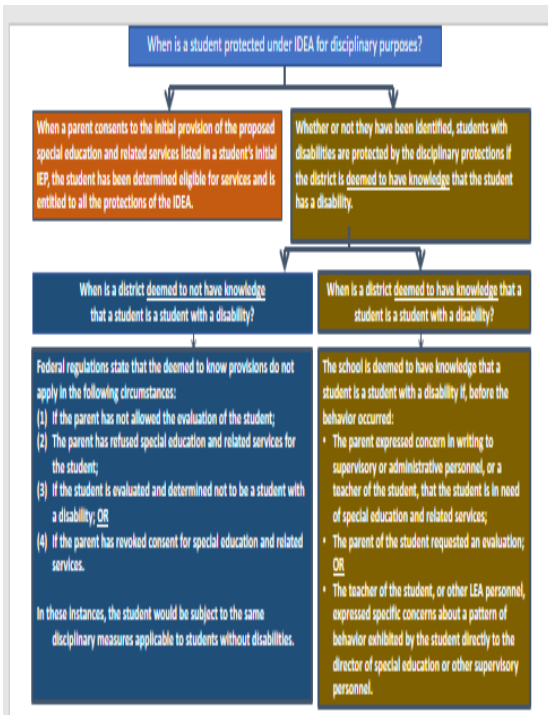
Welcome back- Breakout session (10 minutes)

Please review the behavioral scenario with your team and discuss what disciplinary measures will be taken.

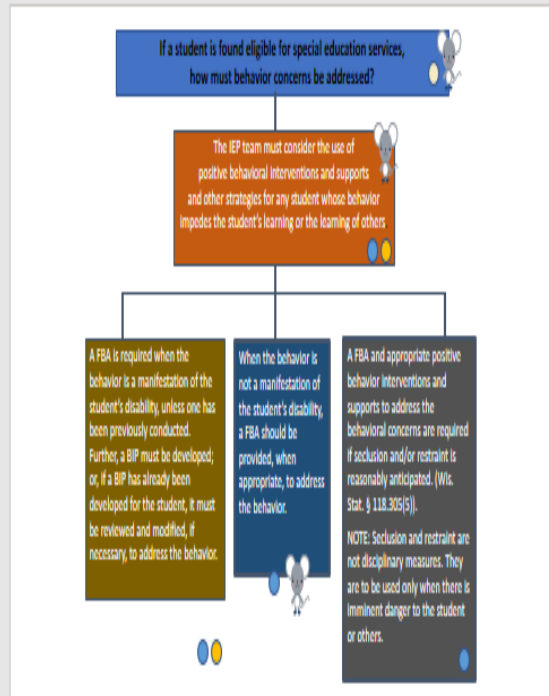
Determine who will be the spokesperson for your group to share out your results

What challenges did you encounter in making this determination?

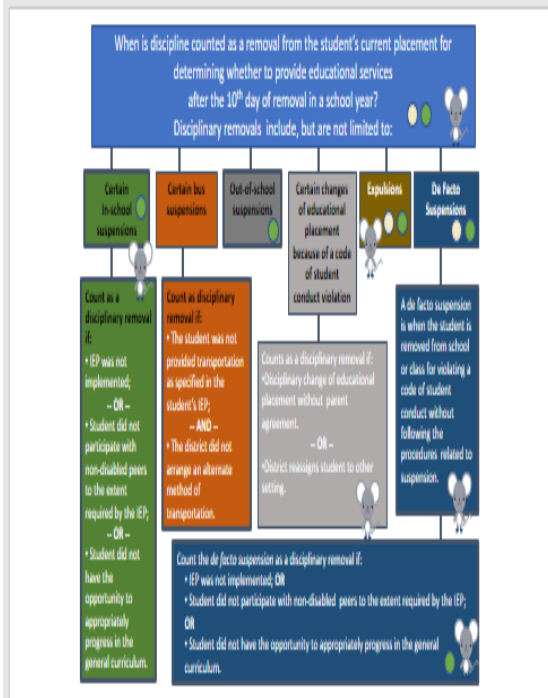
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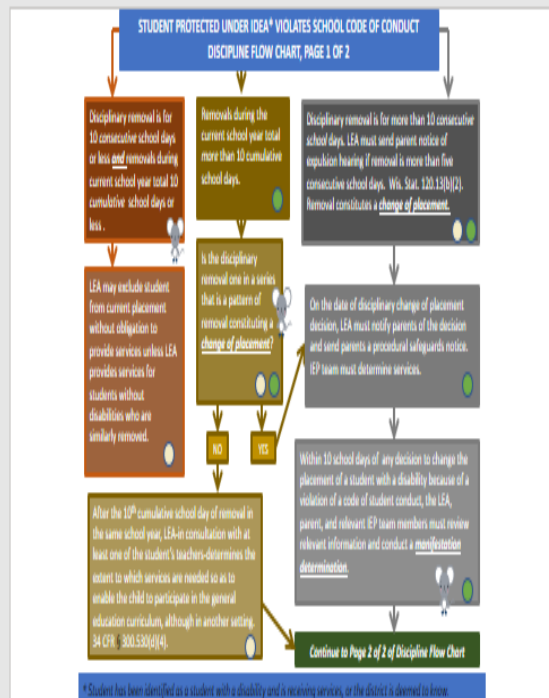
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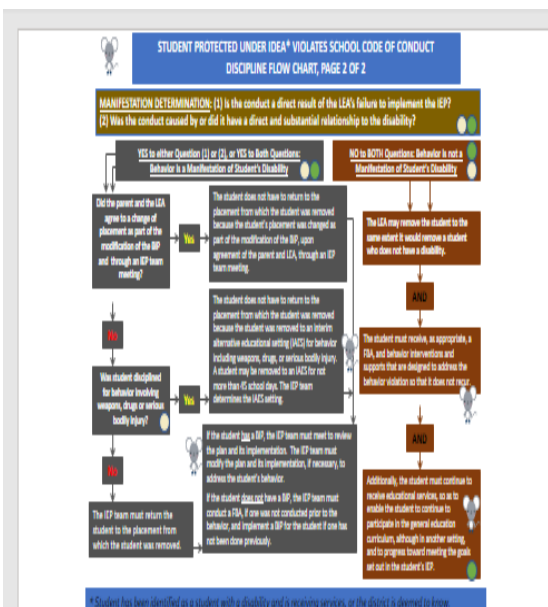
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31



32



33

Clarifying questions and answers from WI Bulletin 6.02 and 7.01

- As we go through the next couple of slides, please take a moment to jot clarifying questions that you would like to have answered.

34

May a teacher remove a student from a particular class without a school official suspending the child from school?

• Yes, under §118.64, Wis. Stats., a teacher may remove a pupil from the teacher's class if the pupil violated the code of classroom conduct adopted by the school board under §120.13(1)(a). The teacher may also remove the child from the classroom if the pupil is dangerous, unruly or disruptive or exhibits behavior that interferes with the ability of a teacher to teach effectively, as specified in the code of classroom conduct.

From Bulletin 06.02:

35

When a student is removed from class by a teacher under §118.64, Wis. Stats., where is the child placed?

The principal or his or her designee may select one of the following four options for the child:

- An alternative education program under §115.28(7)(e)11, Wis. Stats. An alternative program is an instructional program, approved by the school board, that uses successful alternative or adaptive school structures and teaching techniques in existing traditional classrooms or regularly scheduled curricular programs or that is offered in place of these programs. It does not include a private school or home schooling by the parent;
- Another class in the school or another appropriate place in the school, as determined by the principal or his designee;
- Another instructional setting; or
- The classroom from which the child was removed if, after weighing the interests of the removed pupil, the other pupils in the class and the teacher, the school principal or his or her designee determines that re-admission to the class is the best or only alternative.

From Bulletin 06.02:

36

What is a school district's general authority under state law to suspend a pupil from school?

The authority of a school district to suspend a pupil is found at §120.13(1)(b), Wis. Stats. State law permits a school district administrator or any principal or teacher designated by the school district administrator to suspend a pupil for:

- Noncompliance with school rules;
- Knowingly conveying any threat or false information concerning an attempt or alleged attempt being made or to be made to destroy any school property by means of explosives;
- Conduct by the pupil while at school or while under the supervision of a school authority which endangers the property, health or safety of others; or
- Conduct while not at school or while not under the supervision of a school authority which endangers the property, health or safety of others at school or under the supervision of a school authority or endangers the property, health or safety of any employee or school board member of the school district in which the pupil is enrolled.

Conduct that endangers a person or property includes making a threat to the health or safety of a person or making a threat to damage property.

Prior to the suspension, the pupil must be advised of the reason for the proposed suspension. If the pupil denies the accusation, the school must explain the information it has and permit the pupil to provide his or her version. The pupil's parent must be given prompt notice of the suspension and the reason for the suspension.

From Bulletin 06.02:

For how many consecutive days may a student be suspended from school?

The general authority under State law permits suspensions from school for up to five consecutive school days and for up to 15 consecutive school days when a notice of expulsion hearing has been sent. Additional requirements apply to children with disabilities. A child with a disability may only be suspended for more than 10 consecutive school days if the conduct is not a manifestation, as described in this bulletin, of the child's disability.

From Bulletin 06.02:

37

38

May a parent or a pupil challenge a suspension?

A parent or a pupil may, within five school days following the commencement of a suspension, have a conference with the school district administrator or his or her designee. The designee may not be the principal, an administrator, or a teacher in the child's school. If the school district administrator or his or her designee finds that the child was suspended unfairly or unjustly; or the suspension was inappropriate given the nature of the offense; or the child suffered undue consequences or penalties as a result of the suspension, reference to the child's suspension must be removed from the child's records. The finding must be made within 15 days of the conference. A parent of a child with a disability may also challenge any issue relating to the identification, evaluation, educational placement or the provision of free appropriate public education to the child by requesting a due process hearing.

From Bulletin 06.02:

Is there a limit on the total number of school days a pupil with a disability may be removed from his or her educational placement during the school year?

No. State and federal law do not establish an absolute limit on the number of cumulative days of removal permitted in a school year. The district must follow the requirements described in this bulletin when a student with a disability is removed more than ten cumulative days in a school year.

From Bulletin 06.02:

39

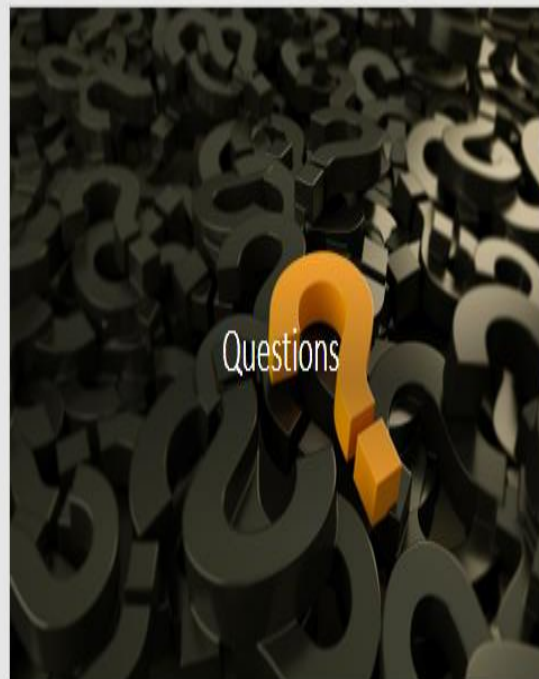
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Must an LEA evaluate a child referred for an IEP team evaluation during a period of disciplinary removal?

Yes. If the child is referred for an IEP team evaluation during a period of disciplinary removal, the agency must conduct the evaluation in an expedited manner. Until the evaluation is completed, the child remains in the placement determined by school officials, which can include suspension or expulsion without educational services. If the LEA determines that the child is a child with a disability, the agency must provide a free appropriate public education to the child in accordance with the law.

From Bulletin 06.02

41



42

Do part-day removals count toward considering whether a child has been removed for more than ten cumulative school days in a school year?

In determining whether the child had been removed for more than ten cumulative school days or subjected to a change in placement, the agency would include portions of a school day that a child had been removed. Sending a child with a disability home during the school day for not following school rules without following the procedures relating to suspension constitutes "de facto" suspension of a child from school. These days must be considered when determining whether a series of removals resulted in a change of educational placement or whether the child had been removed from school for more than ten cumulative days in a school year.

From Bulletin 06.02

43

What is a school district's general authority to expel a pupil?

The school district's general authority to expel a pupil is found at § 120.13(1)(c), Wis. Stats. Generally, a pupil may be expelled from school if the school board finds the pupil guilty of:

- Repeated refusal or neglect to obey the rules;
- Threatening to destroy school property by explosion;
- Engaging in conduct at school that endangers the property, health or safety of others; or
- Engaging in conduct while not at school or under the school's supervision or endangering the property, health or safety of any employee or school board member of the district in which the student is enrolled. Conduct that endangers a person or property includes making a threat to the health or safety of a person or making a threat to damage property.

The board must be satisfied that the interest of the school demands the pupil's expulsion. Prior to the expulsion, the school board must hold a hearing. If the child is a child with a disability, the agency also must follow the IDEA requirements described in this bulletin.

Continued

44

May a parent or adult pupil appeal the school board's decision to expel a pupil?

Yes. A pupil or, if the pupil is a minor, the pupil's parent or guardian may appeal the expulsion to the State Superintendent of Public Instruction, who must review the board's decision within 60 days after receiving the appeal to determine whether the district has followed required procedures. A parent may also challenge the expulsion of a child with a disability by requesting a due process hearing.

From Bulletin 06.02:

45

Does §120.13(1)(f), Wis. Stats., permit a school district to refuse a special education referral for an expelled child from another district or permit a district to refuse a free appropriate public education to an expelled child with a disability?

No. Section 120.13(1)(f) provides that a school board is not required to enroll a pupil from another school district during the term of his or her expulsion. Therefore, the school board is not required to admit the pupil to the district's schools during the term of his or her expulsion. However, under federal and state law, LEAs must locate, identify, evaluate, and provide a free appropriate public education to all children with disabilities, including children who have been expelled from school. A school district cannot refuse an IEP team evaluation because a child has been expelled from another school district. A school district cannot refuse to provide a free appropriate public education to a child with a disability expelled from another school district. However, the school board may provide the services to the child in a setting other than one of the district's schools, as determined by the IEP team.

46

What is the LEA's authority if the behavior involves weapons, illegal drugs, controlled substances or serious bodily injury?

LEA personnel may order a change of placement to an appropriate interim alternative educational setting (IAES) without regard to whether the behavior is determined to be a manifestation of the child's disability, if the child carries a weapon to school or possesses a weapon at school, knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance at school or has inflicted serious bodily injury upon another person while at school. "School" includes any school function under the jurisdiction of an LEA or the Department of Public Instruction. The placement may be for the same amount of time a child without a disability would be disciplined, not to exceed 45 school days. The interim alternative educational setting must be determined by the IEP team.

From Bulletin 06.02:

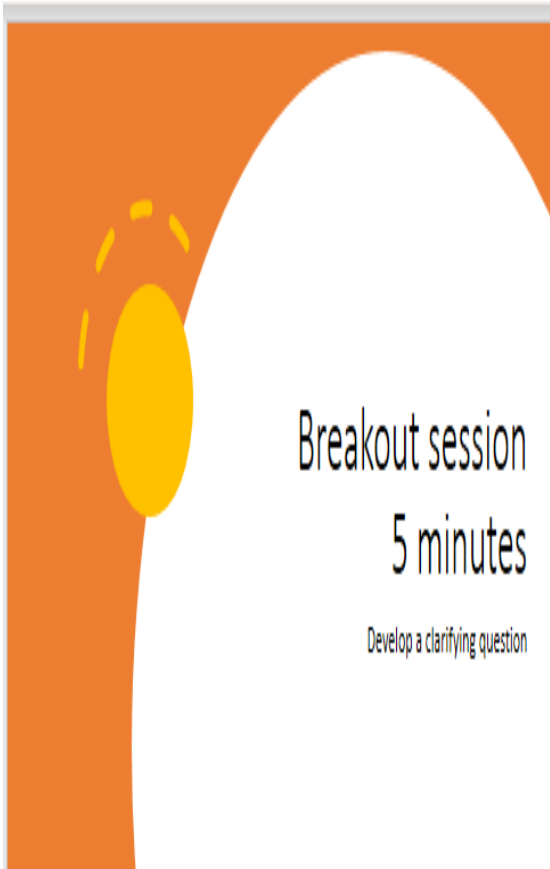
47

For the purpose of discipline requirements of special education law:

- "Weapon" means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket-knife with a blade of less than 2 1/2 inches in length.
- "Controlled substance" means a drug or other substance identified under schedules I, II, III, IV, or V in section 202(b) of the Controlled Substances Act (subsection (c) of section 812 of Title 21, United States Code). Revised schedules are published in the Code of Federal Regulations, Part 1308 of Title 21, Food and Drugs.
- "Illegal drug" means a controlled substance. The term "illegal drug" does not include a substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act. Generally speaking, controlled substances include what we commonly think of as illegal "street drugs" such as marijuana, cocaine, LSD, etc., as well as prescription drugs. Drugs purchased legally over-the-counter are not "controlled substances." For example, Ritalin is a "controlled substance," but is not an illegal drug if it is possessed or used pursuant to a prescription. Ritalin is an illegal drug if possessed or used without a prescription. For the purposes of the discipline requirements of special education law, alcohol and tobacco are not illegal drugs or controlled substances.
- "Serious bodily injury" means bodily injury that involves: A substantial risk of death; extreme physical pain; protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

From Bulletin 06.02:

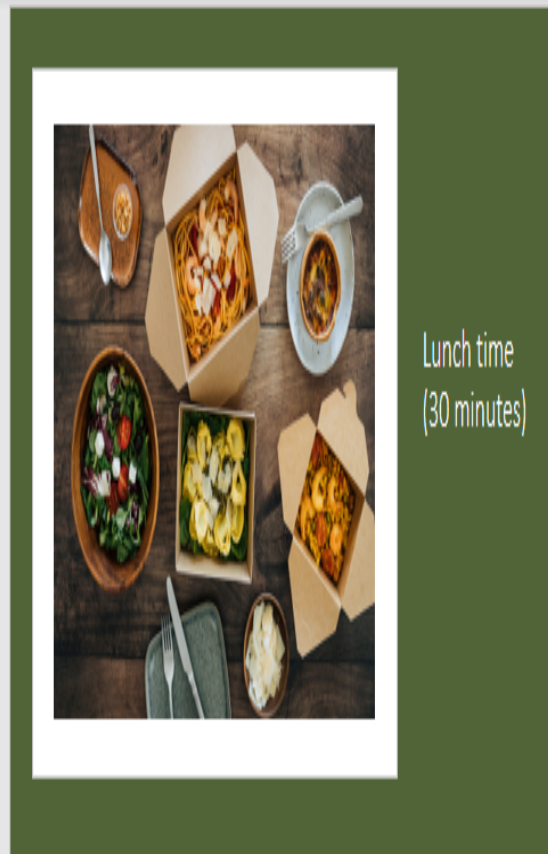
48



Breakout session
5 minutes
 Develop a clarifying question

49

★



Lunch time
 (30 minutes)

50

Do federal and state requirements regarding the expulsion of children who bring firearms to school conflict with expulsion requirement that apply to children with disabilities?

- No. While the Gun-Free Schools Act requires an LEA to have a policy in effect requiring the expulsion for a period of not less than one year of any student who brings a firearm to school, the Act does not require a district to expel all such students without exception. The Act allows the district's chief administering officer to modify the expulsion requirement of the Act for a student on a case-by-case basis. The U.S. Department of Education has interpreted this provision to mean that an LEA may comply with both special education law and the Gun-Free Schools Act by focusing on this provision for case-by-case modification of the expulsion policy.

State law includes similar provisions. Sections 120.13(c)(2)m. and (e)2, Wis. Stats., require a school board to commence a hearing and expel a pupil from school for not less than a year for possessing a firearm at school or while under the supervision of a school authority. Section 120.13(1)(g), provides that a school board may modify this requirement on a case-by-case basis. A school board must modify this requirement if necessary to comply with special education requirements. For example, the school board must modify the expulsion requirement if the IEP team determines that the conduct subject to expulsion is a manifestation of the child's disability.

From Bulletin 06.02:

May an LEA report a crime committed by a child with a disability to the authorities?

Nothing in state or federal special education law prohibits an LEA from reporting a crime committed by a child with a disability to appropriate authorities or prevents law enforcement authorities and the courts from applying the law to crimes committed by a child with a disability. An LEA reporting a crime committed by a child with a disability must ensure that copies of the special education and disciplinary records of the child are sent for consideration by the appropriate authorities to whom it reports the crime. The LEA may transmit copies of these records only to the extent permitted by the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations, 34 CFR Part 99, which in most cases would require parent consent.

From Bulletin 06.02:

What constitutes a change in educational placement for a child with a disability?

A change in educational placement for a child with a disability occurs when a child is removed from his or her current educational placement for more than ten consecutive school days. A change of placement also occurs if the child has been subjected to a series of removals that constitute a pattern because:

- The series of removals total more than ten school days in a school year;
- The child's behavior is substantially similar to the child's behavior in previous incidents that resulted in the series of removals; and
- Of such additional factors as length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another.

Whether the behavior in the incidents that resulted in the series of removals is "substantially similar" should be decided on a case-by-case basis and include consideration of any relevant information regarding the child's behaviors, including, where appropriate, any information in the child's IEP.

From Bulletin 06.02

53

Who decides whether a series of removals will result in a change of educational placement?

- Whether a series of removals constitutes a change in educational placement is determined on a case-by-case basis by the public agency. The department recommends that the principal of the child's school or other administrator and the child's special education teacher consult regarding whether a short-term removal will constitute a change in educational placement. If the parent disagrees with the determination by the public agency, the parent may request a due process hearing.

From Bulletin 06.02

54

Are "in-school suspensions" or other in-school disciplinary measures considered when determining whether the child has been removed from school for ten cumulative school days during a school year?

In-school removals from class must be considered a removal unless the child has the opportunity:

- To continue to participate in the general curriculum;
- To receive the services specified in his or her IEP; and

To participate with nondisabled children to the extent he or she would have in the current placement.

From Bulletin 06.02

55

What must an LEA do when removals exceed a total of ten cumulative days during the school year, but will not result in a change in placement?

When removals exceed ten cumulative school days in a school year, the public agency must determine whether the removal would result in a change of educational placement. If the removal will not result in a change of educational placement, the LEA may remove the child to the extent that a nondisabled child would be removed.

Beginning on the 11th cumulative school day of removal in a school year, and during subsequent removals, the agency must provide services to the extent necessary to enable the child to continue to participate appropriately in the general curriculum, although in another setting, and appropriately advance toward achieving the IEP goals. The decision about the necessary services is made by school personnel, e.g., the school principal or other administrator in consultation with at least one of the child's teachers. School personnel determine where the services will be provided. The services may vary depending on the needs of the child and the length of the removal.

From Bulletin 06.02

56

Breakout room (5 minutes)

- Develop a clarifying question

57

What must an LEA do when a removal will result in a change of educational placement?

When a removal will result in a change of educational placement either because the removal exceeds ten consecutive school days or the removal exceeds ten cumulative school days and creates a pattern that results in a change in educational placement, the agency must do the following:

Notice

On the date the decision is made to make a removal that constitutes a change in placement, the child's parents must be notified of the decision and must be provided a procedural safeguards notice (statement of parent and child rights).

Manifestation Determination

Within ten school days after the date on which the decision to change the child's placement is made, the public agency, the parent and relevant members of the IEP team must determine whether the conduct is a manifestation of the child's disability. In making the determination, all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents, must be reviewed.

- The conduct must be determined to be a manifestation of the child's disability if:
 - The conduct was caused by, or had a direct and substantial relationship to, the child's disability; or
 - The conduct was the direct result of the agency's failure to implement the IEP.

[www.doe.mass.edu](#)

58

What if a parent disagrees with a manifestation determination or a disciplinary removal from the current educational placement?

A parent or an adult pupil may submit a request for a due process hearing to the LEA and send a copy of the request to the Department of Public Instruction. The LEA must hold a resolution meeting within seven calendar days of receiving notice of the due process complaint, unless the parents and LEA agree in writing to waive the resolution meeting or agree to use the mediation process. The due process hearing may proceed unless the matter has been resolved to the satisfaction of both parties within 15 calendar days of the receipt of the hearing request, and a decision must be issued within ten school days following the hearing. The hearing officer's decision is final unless appealed in state circuit court or federal district court.

- "Stay put" no longer applies to disciplinary removals. The child remains in the setting to which he was removed until the hearing is complete or until the original removal period expires, unless the parent and LEA agree otherwise.

[From Bulletin 06.02](#)

59

What may an LEA do when the conduct is a manifestation of the child's disability but the LEA believes it would be dangerous to return to the previous placement?

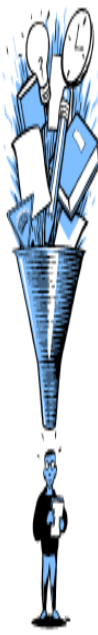
If the child's behavior poses a threat of injury to self or others, the agency may request an expedited due process hearing to request a hearing officer to place the child in an interim alternative educational setting. The hearing officer may order the child to an interim alternative educational setting for up to 45 school days if the hearing officer determines that maintaining the child's current placement is substantially likely to result in injury to the child or to others. As an alternative to a due process hearing, the LEA may apply to a court order for an order changing the child's placement.

[From Bulletin 06.02](#)

60

Being Proactive Improves Student Outcomes

- Research demonstrates that addressing behavior proactively is more effective than exclusionary discipline.
- Positive behavioral interventions and supports are specifically identified by Congress, in the Individuals with Disabilities Education Act (IDEA), as a way to improve outcomes for students with disabilities:
- (5) Almost 30 years of research and experience has demonstrated that the education of children with disabilities can be made more effective by—
- (F) providing incentives for whole-school approaches, scientifically based early reading programs, positive behavioral interventions and supports, and early intervening services to reduce the need to label children as disabled in order to address the learning and behavioral needs of such children.
- 20 U.S.C. §1401(c)(5)(F).




61

How can schools and districts make the shift to a more proactive model for addressing behavior?


- Adjust staff expectations:
 - Reflect a proactive model
 - Emphasize positive interventions over student removal
 - Use exclusionary discipline as a last resort
- Increase skills in classroom management and behavior change to decrease classroom disruption, including evidence-based techniques of classroom management, conflict resolution, and de-escalation approaches.
- Provide staff training and professional development on the use of positive behavior interventions and supports.
 - Explore alternative behavior change models and tools
 - Use data to measure progress and reflect on current practice
- Analyze school and district policies
- Provide students with supports such as evidence-based tiered supports and social and emotional learning.
- Establish clear, appropriate, and consistent expectations and consequences.
- Communicate with and engage school communities.

62

Four foundational principles underlie the paradigm shift to more proactive approaches to addressing behavior:




- The student's behavior is challenging, not the student.
- Challenging behavior produces a desired outcome for the student
- Challenging behavior can be changed.
- Challenging behavior can be reduced by changing
 - variables within the current environment that trigger and support the behavior



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IDEA Promotes Proactive Approaches



The individualized education program (IEP) team must consider positive behavioral interventions and supports, and other strategies, if a student's behavior impedes the student's learning or the learning of others. 34 CFR § 300.324(a).

If a student's behavior is determined to be a manifestation of a student's disability, a functional behavioral assessment (FBA) must be conducted (if one has not already been done), and a behavioral intervention plan (BIP) implemented; or, if a BIP has already been developed for the student, it must be reviewed and modified, if necessary, to address the behavior. 34 CFR § 300.530(f).

When the behavior is found not to be a manifestation of the student's disability, if appropriate, a FBA should be conducted to address the behavior, and the student should receive behavioral intervention services and modifications that are designed to address the student's behavior so it does not recur. 34 CFR § 300.530(c).

64

On an individual student level, IEP teams should take a comprehensive view of addressing behavior.

Interventions will be more successful when they are consistent with the findings of a FBA and each of the following components are closely aligned:

- Annual goals;
- BIP that includes teaching replacement behaviors and utilizes positive behavior interventions and supports;
- Special education and related services; and
- Supplementary aids and services.

65



Break time
(15 minutes)

66

Strategies for Addressing Behavior

Positive behavior interventions and supports are more than providing rewards for desired behavior.

- Proactively address behaviors
- Design and implement interventions and supports that proactively address behaviors, providing students with an environment that is structured to create the conditions for success.

For Example

A student may need modifications to the physical environment, more frequent adult attention, adjustments to curricular expectations, or the ability to work on assignments with a peer.

Students will find greater success when behavior is scaffolded with the necessary supports combined with teaching, modeling, and reinforcing in order to learn, generalize, and transfer new behavioral skills. Many experts agree that expected behavior should be acknowledged by the teacher at least four times for every time it is corrected.

67

Research indicates effective implementation of proactive behavioral supports includes:

Culturally competent, family friendly behavior support;

A focus both on prevention of problem behaviors and early access

to effective behavior support. Implementation with sufficient

intensity and scope to produce gains that have a significant and

lasting impact on behavior;

- For individual students, an assessment, including a FBA, conducted when the problem behavior is first observed or as a proactive activity. (NAEP, 2002)

68

Before moving forward with expulsion, ask:

Are there other alternatives so the student can remain in the educational setting?

Look at each case on an individual basis, and thoroughly explore other strategies and interventions that might more effectively address the behavior.

Remember, research has consistently found proactive approaches are more effective in addressing behavior than exclusionary measures. If we want to change behavior and increase academic success, students need to be in school, actively participating in the educational process.

For Example

• If a student has a drug or alcohol issue, would daily check-ins or some other monitoring as the student enters school and possibly intermittently during the day help to prevent an incident from occurring?

• What strategies can be used to increase the student's engagement? Are there leadership roles that the student might take on in the school, perhaps finding a solution to a problem they are concerned about? For example, if the student feels adults don't listen to them, ask the student to form a group to investigate concerns of the student body and come up with solutions.

69

Suspensions:

Are ineffective deterrents to future behavioral issues;

- Reduce the student's instructional time and decrease engagement.

Consider: "How can students be kept in school while we work to address their challenging behaviors?"

Involve the student in brainstorming and exploring possibilities. Even young students can be engaged in this process with proper supports and guidance.

For Example

- Use restorative practices related to the specific incident. For example, if the student was fighting on the playground because the student was called out in a game, they might research and teach non-competitive games during recess.
- Use mentoring to help the student build positive relationships. An effective adult mentor can guide the student in reflecting on behavior and exploring strategies for learning, practicing, and generalizing expected behaviors.
- What interests does the student have? How might we support and encourage those interests? Is there a school club the student could join or initiate? Are there classes that might expand on related skills? Can participation in desired activities be used to encourage expected behavior?

70

National Surveys

- "...national surveys report that schools with fewer disciplinary problems in general also report fewer incidents of serious crime. These findings have tremendously important implications, for they say that what we do in our schools on a day-to-day basis in terms of discipline may be related to serious crime and violence. By implementing comprehensive programs that improve overall school climate and reduce minor disruption, schools may be able to reduce the risk of more serious violent incidents." Skiba et al, 2011).

71

Proactive Approaches

Proactive approaches have consistently been found to be more effective than reactive discipline, particularly when relying on exclusive disciplinary measures. Schools should provide all students with the knowledge and skills to be prepared for college and career. Within that context, we need to ensure that students are safe, and we can best do that through proactive measures. Consider what opportunities exist (or could be developed) for students with more significant behavioral concerns to receive:

- Positive Behavioral Interventions and Supports
- Wraparound services
- Mentoring
- Alternative discipline settings within the school, such as in-school suspension
- that is adequately staffed and incorporates effective interventions and
- instruction
- Restorative justice
- Social skills instruction
- Counseling

72

Competing Behavior Pathway

Even if the discipline does not result in a disciplinary change of placement, it is good practice to review and revise, as needed, the FBA and BIP. If fidelity to quality has been maintained in implementing the BIP, sufficient data should be available to determine if the BIP is effectively addressing the behavior, if the BIP aligns well with the FBA, and what changes might be needed to reduce the likelihood the behavior will occur.

Competing Behavior Pathway

One way to check the alignment between the FBA and BIP is to complete a competing behavior pathway. A competing behavior pathway provides:

- A summary of the behavior, antecedents, etc. identified in the FBA;
- An alternative behavior pathway through identifying behaviors that "compete" with the challenging behavior, making it irrelevant in order to achieve the same outcomes for the student;
- An opportunity to identify intervention strategies that can be implemented at various points, such as strategies that divert the behavior when an antecedent occurs, provide additional supports when there is a setting event that will make the behavior more likely to occur, and opportunities to model and teach expected behaviors.

73

Alternative Placement

In making an alternative placement, the IEP considers a number of factors about the particular situation to increase the likelihood of success for the student.

Some questions to consider include:

- Does the setting allow the student to progress in the general curriculum?
- Will this setting be likely to help the student be successful?
- Are there any safety or behavior concerns that need to be considered? For example, if a student has a poor attendance pattern and would need to get
- himself/herself to the IAES independently, would the student likely attend?
- Is there an adult the student trusts that might be helpful in providing services?
- What other alternatives might we consider?

74

Changing Behavior

Behavior change is a complex process. Challenging behaviors are typically maintained by an ongoing interplay between biological, environmental, dispositional, and other factors.

As a result, interventions to address behaviors should represent a multi-dimensional approach that takes into consideration the primary factors affecting the individual student.

All too often, interventions focus on "fixing the child" using methods that are intended to maintain power and control. These strategies have a tendency to rely heavily on the use of exclusion rather than proactive measures that make the behaviors less likely to occur. With training and an understanding of effective behavior interventions, teachers can create classrooms which provide the conditions for behavioral success.

"It is essential that those who work with students with emotional behavioral disabilities create therapeutic learning environments that help students understand and overcome, rather than replicate, the conditions that have been key factors impacting their emotional and behavioral problems." (Jones et al., 2004).

75

Parents role in changing behaviors

Parents play a critical role in helping to address challenging behaviors. Engaging parents as partners on an ongoing basis will make efforts to change behaviors more effective. Rather than focusing on reactive disciplinary measures, try proactively involving parents in understanding the behavior, developing interventions, and implementing a BIP.

Critical information to obtain from parents in a proactive approach includes:

- How are these behaviors similar or different at home?
- What works at home? What doesn't?
- How do you see the school environment being different from home for your child?
- Does this behavior relate to cultural expectations, values, or beliefs?
- Are academic expectations appropriate?
- Are there any health, eating/sleeping habits, changes at home, or other patterns that might be affecting your child's behavior?
- What do you think is the purpose of your child's behavior?
- In your opinion, what behavior would be a more acceptable way to achieve the same outcome?
- What does your child like about school?
- Are there any adults that your child talks about frequently or seems to be connected to more closely than others?

76

IEP Implementation

To ensure parents and staff who work with the student understand and implement the provisions in the IEP consistently:

- Ensure everyone understands their role and responsibilities;
- Engage in regular communication between all parties; and
- Monitor to check for progress and fidelity of implementation.

Provide each team member with a copy of the IEP, along with a rubric to help them clearly understand what is expected. The rubric should:

- Outline each intervention;
- Describe what successful implementation looks like;
- Describe what the strategy looks like when it is poorly implemented; and
- Ensure all staff are implementing consistently.

• **For Example**


The IEP calls for the student to receive frequent acknowledgement from the teacher for following directions.

Fidelity to Quality Implementation Example: The teacher makes a mark on a chart kept on the student's desk each time a direction is followed.


Poor Implementation Example: The teacher tells the student at the end of the period that the student did a good job of following directions the day before.

77

Closing remarks



Response to clarifying questions



Exit ticket- Google doc / What was your 'ah ha' moment from today

78

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79

Professional Development Session Day 3: FBA/ BIP/Manifestation of Disability- Proactive Strategies		
Time	Activity	Materials
8:00 – 8:30	Set the tone for the training by having soft music playing as participants enter the Zoom link	Computer Access to Zoom
	Welcome and introduction by the facilitator and sharing of agenda	Slide 2
	Introductions – participants should rename themselves to include their name and whether they are elementary, middle, or high school	Slide 3
	Participation Norms- share the norms for participating on the virtual platform	Slide 4
	Assumptions about behavior	Slide 5
	Rethinking challenging kids: you-tube	Slide 6
8:30 – 9:30	What escalates behavior?	Slides 7-9
	Positive behavioral supports/ interventions	Slides 10-12
	How should LEAs address behavior	Slide 13
9:30 – 9:45	Break	
9:45 – 11:00	Zoom poll – I have participated in completing a functional behavior assessment (Yes/No)	Zoom Poll Slide 14
	Functional Behavioral Assessment (FBA) -Strategies for Addressing Behavior - Definitions - Assumptions and myths - Best practices and benefits	Slides 16-23
	Conducting FBA's	Slides 23 - 28
	Steps for Conducting and FBA	Slides 29-31

	Take a moment to discuss with your group. Develop a clarifying question.	Breakout session Slide 32
11:00 – 12:00	Lunch	
12:00 – 1:15	Continued steps in developing an FBA Gather data ABC summary Indirect/Observational/ Direct data Recordings What's next...after the FBA Behavior Intervention Plan (BIP) Key components Breakout session- Take a moment to review a completed Behavior Interview Plan. Questions/ Clarification	Slides 34-41 Slide 42 Slides 43- 48 Slide 49
1:15 – 1:30	Break	
1:30 – 2:30	Zoom Poll – I have participated in a manifestation determination meeting. (Yes/No) Change of placement Manifestation Determination Pulling it all together- strategies Break out session- Discuss what additional training should be included to understand disciplining students with disabilities.	Slide 51 Slide 52 Slides 53-60 Slides 61- 65 Breakout session (Google Doc) Slide 66
2:30	Post assessment survey	Google Doc
Evaluation: Participants will be asked to complete a survey. The information gained may be used to better understand the perceptions of administrators on their knowledge of IDEA related to the discipline of students with disabilities.		





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FBA/BIP Manifestation of Disability

Day 3

Agenda

-  Welcome
-  Rename yourself to include elementary, middle, or high affiliation
-  Participation Norms
-  Day 3 Agenda

1

★

2

Welcome



Rename yourself to include whether you are working in an elementary, middle and high school



Ex: John Smith/Elementary

Professional development norms

- Please be present with camera on
- Mute your mic when you are not speaking/ use the raise hand to signal to ask a question
- Engage in discussions and smile!
- While in Breakout Rooms stay engaged

3

4

Before Assuming a Child is Simply Misbehaving or Refusing to Comply, Consider This:

Skills Deficit

The student does not know how to perform the task or behavior.

- Provide direct instruction of the expected behavior.
- Model the expected behavior.
- Provide opportunities to practice the expected behavior often.
- Provide corrective feedback when behavior does not meet expectations (always stated in positive terms).
- Provide social acknowledgement and praise when behavior meets expectations.

Performance Deficit

The student has previously performed the task or behavior but is inconsistent.

- What is the function of the inconsistent behavior? Why is the student inconsistent?
- Use reinforcing strategies that encourage student to perform behavior or task.
- Look for motivation problems that may exist.
- Does the student have the ability to discriminate as to when to exhibit the appropriate behavior / task?

Rethinking challenging kids – where there's a skill there's a way

- <https://www.youtube.com/watch?v=zuoPZkFclVs>

• J. Stuart Ablen

5

6

Antecedent

A cause, course, or event that influences the development of a behavior or behaviors.

This could be the size of the environment and the number of people in it.

It could also be a specific event, time of day, etc.

Teacher Antecedents That May Escalate Intense Behavior

- Yelling
- "I'm the boss"
- Insisting on last word
- Humiliation/Sarcasm/Shame
- Character attack
- Physical force
- Assuming student's behavior is deliberate and intentional
- Assuming the student knows why she/he engaged in the behavior
- Double standard
- Preaching
- Backing student into corner
- Bringing up unrelated events
- Generalizing "Every time..."
- Preventing student from meeting his/her needs
- Rejecting child
- Instilling sense of failure
- Adult triggers student's trauma

7

8

Common Antecedents of Intense Student Behavior from Student Perspective

- Sense of fear
- Sense of failure/shame/ attack
- Loss of personal power
- Attention seeking
- Displaced anger
- Physiological issues
- Need to maintain self-esteem

9

Behavior

- What one does in response to the event, cause or condition.
- Behavior fulfills a specific need.

10

What are positive behavioral supports or interventions?

- Positive behavioral supports or interventions, which are based on FBA, attempt to understand the purpose of a problem behavior so the problem behavior is replaced with new and more appropriate behaviors that achieve the same purpose.
- In general, positive approaches are developmentally, chronologically, cognitively, and functionally appropriate for the student and focus on two areas: (1) modifying the environment to try to prevent challenging behaviors; and/or (2) addressing behavior programmatically by teaching replacement behaviors and skills.
- From Bulletin 07.01:*

11

What are some examples of positive interventions, strategies, and supports?

- The two main areas to consider are modifying the environment and addressing behavior programmatically by teaching replacement behaviors and skills.
- When modifying the environment, the goal is to prevent the behavior from occurring by adjusting the antecedents of the behavior, the consequences, or both.
- Examples include: modifying or adjusting instructional strategies, curriculum and materials; modifying or adjusting classroom seating, arrangement, or traffic patterns; modifying or adjusting testing and evaluation procedures; providing increased opportunities for students to make choices; providing predictable classroom routines; foreshadowing change; cueing students; having clear, consistent expectations and consequences in classrooms and throughout the school.
- From Bulletin 07.01:*

12

How should a local educational agency (LEA) address inappropriate behavior by a child with a disability?

- The agency should consider holding an IEP team meeting to review the child's IEP and placement to determine whether they continue to be appropriate.
- The IEP team participants should determine whether the child's behavior is impeding his or her learning or the learning of others. If so, the team must consider positive behavioral interventions, strategies and supports to address the behavior.
- The team may consider whether a FBA is appropriate to assist in the development of such strategies.
- They should consider whether re-evaluation of the child by an IEP team may be needed to determine whether the child has other impairments or educational needs.
- It is important to remember, however, that a child with any type of disability may present behavior that impedes learning and requires positive behavioral interventions, strategies and supports.

From Bulletin 07.01

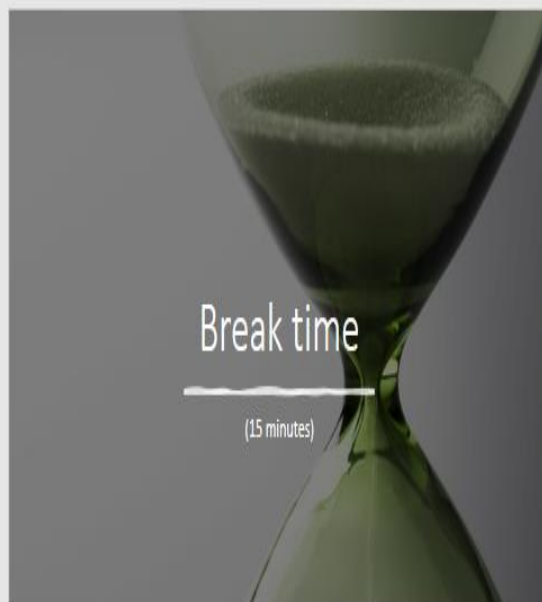
13



Zoom poll

I have participated in completing a functional behavior assessment (FBA)

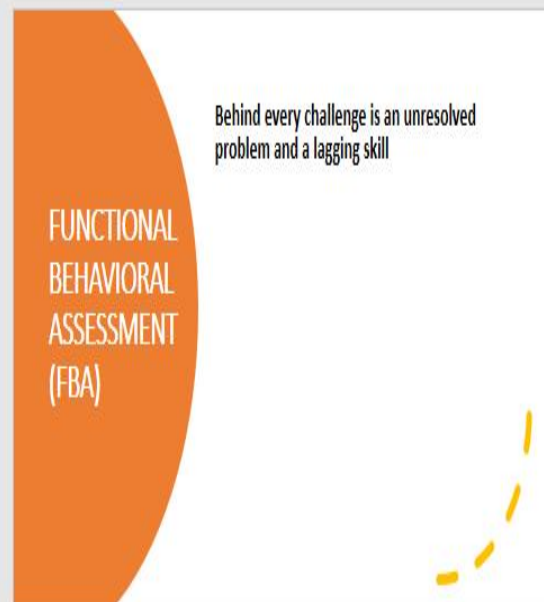
14

Break time

(15 minutes)

15



FUNCTIONAL BEHAVIOR ASSESSMENT (FBA)

Behind every challenge is an unresolved problem and a lagging skill

16

Strategies for Addressing Behavior

- Use FBAs and BIPs Proactively
 - While only required by law under certain conditions, a FBA and BIP is an effective way to address challenging behaviors any time there is a concern. Consider using this process as soon as a need for more intensive interventions has been identified.
 - FBAs provide IEP teams with a systematic process for gathering information in order to understand the relationship between challenging behaviors and the context in which they occur.
 - Use the FBA and BIP process to generate hypotheses about why the challenging behavior occurs, under what conditions it is most likely to occur, and under what conditions the student is more likely to be most successful.
- This proactive approach will result in a better understanding of a student's behavior and the positive interventions and supports to create the conditions within which the student can be successful.

17

Simple definitions of FBA and BIP

- FBA is a method for identifying the underlying cause of a behavior (FBA)
- ...and using that information in a way that helps the child develop new, appropriate replacement behaviors that are more efficient and effective at getting the child what he wants in a more appropriate manner. (BIP)

18

Assumptions of FBA's

All behavior serves a purpose.

Behavior continues because it is reinforced in some way. The outcome may appear to be undesirable to the observer (such as being removed from a class for disrupting instruction repeatedly), but the student exhibiting the behavior finds the result reinforcing because it serves a particular function.

Before we are able to develop positive behavioral interventions likely to be successful with a particular student, we need to first understand the function, or purpose, the behavior has for the student.

Boyd, 2012

19

What must an LEA do when a removal will result in a change of educational placement?

Notice

- On the date the decision is made to make a removal that constitutes a change in placement, the child's parents must be notified of the decision and must be provided a procedural safeguards notice (statement of parent and child rights).

Manifestation Determination

- Within ten school days after the date on which the decision to change the child's placement is made, the public agency, the parent and relevant members of the IEP team must determine whether the conduct is a manifestation of the child's disability. In making the determination, all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provide by the parents, must be reviewed.
- The conduct must be determined to be a manifestation of the child's disability if:
 - The conduct was caused by, or had a direct and substantial relationship to, the child's disability; or
 - The conduct was the direct result of the agency's failure to implement the IEP.

From Bulletin 06.02

20

FBA Myth

MYTH: "FBA is just required for children identified with emotional behavioral disabilities"

FACT: FBA's are required in 2 situations, regardless of the child's disability designation.

Boyd, 2012

21

Best Practice in FBA's

- It is also good practice to conduct an FBA on any child, regardless of disability status:
- When there are repeated and serious behavior problems
- When the current behavior program is not effective
- When the student or others are at risk for harm or exclusion
- When a more restrictive placement or a more intrusive intervention is contemplated

22

Who Benefits from FBAs?

Reduction of challenging behaviors and increasing desired behaviors in the general education setting has resulted from using FBAs in the **general education setting.**

Interventions based on FBAs conducted with English Language Learners in general education classrooms resulted in an increase in academic engagement from 69% to 94% and reduction in task-avoidance behaviors.

Research into function-based intervention has demonstrated its effectiveness with students with **severe disabilities, multiple disabilities, ADHD, learning disabilities, and those with or at risk for emotional or behavioral disabilities (EBD).**

23

Four General Steps to Conduct FBAs

1. Describe the behaviors that are interfering with learning in concrete and observable terms.
2. Collect data from multiple sources to measure the challenging behavior to establish a baseline and identify the setting events, antecedents, and outcomes (or consequences) of the behavior. Be sure to triangulate the data to ensure you have an accurate picture.
3. Analyze the data and develop a hypothesis that describes why the behavior is occurring, a replacement behavior that leads to the same outcomes, and the conditions that will make it more likely to occur.
4. Use this information to brainstorm interventions at the various points in a competing behavior pathway and develop a behavior intervention plan.

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FBA's

Purpose

To address significant challenging student behaviors. Typically used at PBIS Tier 3, IEP teams should consider conducting a complex FBA to meet the legal requirements if FBA is required.

*One behavior (level, duration, location, and/or time) should be the focus of the FBA. Behaviors are not to be used as a list of all behaviors.

Participants

Individualized team or IEP team that includes input from the parent(s) and student. If student receives special education services, this may be part of a special education evaluation and will be driven by IEP team.

BIP Result

Formal, intentional plan for intensive interventions that address complex behaviors based on positive behavioral interventions and supports

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Potential Functions of Behavior

If we want to improve the behavior, we need to understand the behavior's purpose or function.

Two main functions:

- Behaviors to get something,
- Behaviors to get away from something

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Potential Functions of Behavior: Educators may consider other categories of "function". Understanding the student's point of view, unique disability related needs, or history of possible trauma may assist teachers in planning and supporting students in educational setting

- Examples of positive reinforcement may include:
 - Gaining access to items, activities, or environment
 - Gaining a sense of safety
 - Gaining power / control over one's life or circumstances /cope with a situation
 - Student is trying to accomplish something they feel is important
 - Gaining social approval/interaction
 - Good feeling/ Meeting sensory need

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Potential Functions of Behavior

- Examples of negative reinforcement may include:
 - Avoiding or escaping activities or environment
 - Avoiding or escaping social attention/ interaction
 - May be seeking to self-regulate

28

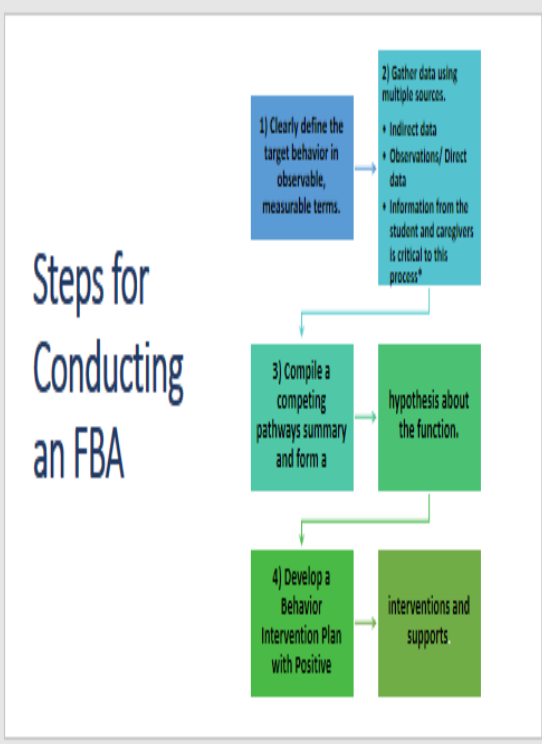
Conducting FBAs

Ensure the FBA is completed with integrity to the process (rather than simply a requirement to be met).

Look for patterns to determine the conditions under which the behavior is likely or not likely to occur.

- When does the behavior occur (and when is it less likely to occur)?
- With whom does the behavior occur (and with whom doesn't it)?
- How frequently does the behavior occur?
- For how long does the behavior occur?
- What happens before behavior? (antecedent)
- What happens after behavior? (consequence/outcome)

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30

Clearly Define the Behavior

Clearly define the target behavior in observable, measurable terms.

Include examples and non-examples which cover the range of anticipated behaviors

31

Breakout Room
(5 minutes)

Take a moment to review a completed Functional Behavior Assessments. Questions/ Clarification

32



33



34

ABC Summary

Antecedent (A): precede and may trigger the target behavior. Antecedents may include external factors vs. internal factors as well as immediate vs. distal factors.

Behavior (B): The student's behavior must be identified in clear, observable, and measurable terms.

Consequence (C): A consequence is the outcome following the behavior which influences whether the behavior is either more or less likely to occur again in the future. We use term "OUTCOME" for consequence.

35

Indirect Sources of Information

Interviews (Parent, Student, Teacher) & Review of Background

Information Which may be relevant:

- Physical and mental health history and concerns
- Hearing/Vision, History of Loss/Grief/Trauma response
- Counseling/Medication/ Other Interventions and effects -----
- Include community, educational, and medical interventions
- Relationship between home and school, include any cultural influence if any exists
- Home expectations and supports, routines, strengths and weaknesses
- Effective motivators in the past
- Describe the behaviors that interfere with learning

36

Narrative Recording

- Notes, Not quantitative
- Allows the recording of additional information as well as targeted behavior
- Teacher interactions
- Class & task, Time & Date, Number of students & adults, Peer interactions, How representative the observation was

37

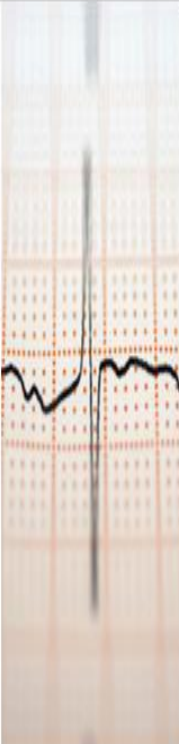
Event Recording

- Easiest form of data collection
- Often collected over several relatively large segments of the session or over the entire session
- Tally amount of times an event takes place
- When the behavior that you are looking at can be easily counted, and has a clear beginning and ending

38

Momentary Time Sampling

- When the behavior is not easily tallied
- Behavior occur at a moderate and steady rate
- Divide the observation time into equal intervals and then record whether or not the behavior occurs at the very end of each interval.



39

High Intensity – Low Frequency Behaviors

Behaviors that are low frequency but high intensity are difficult to observe.

Fighting, Arson, Property Destructions, Self-injurious behaviors

↓

May need to rely on

Interviews	A-B-C	Records Review
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40

Duration and Latency Recording

Duration recording requires measuring how long a behavior lasts.

- Behavior needs a clear beginning and end

Latency recording usually requires measuring the time to start a task from the time instructions are given.

- Behavior needs a clear beginning

41

After conducting the FBA, the team should ask the following questions before the team develops a BIP.

- Is the behavior clearly defined in observable and measurable terms so that everyone knows and agrees on what it looks like?
- Have replacement behaviors that result in the same outcome/consequence and the conditions under which they are likely to occur been identified?
- Has the data been triangulated using multiple sources and multiple measures over multiple settings?
- Do we understand the conditions under which the challenging behavior is likely to occur, as well as when, where, and why it is less likely to occur?
- Has a hypothesis been developed based on the data collected that identifies the setting events, antecedents, replacement behavior, and outcomes/consequences?

42

Developing Behavior Intervention Plans (BIPs)

43

Key Components of Behavior Intervention Plans

- Descriptions of behavior incorporating data from FBA
- Known antecedents of behavior
- Environmental concerns related to the behavior
- Address the skills deficits
- Academic interventions, if required
- Competing pathways
- Identify positive behavior interventions and supports

44

Effective Behavior Intervention Plans

An effective BIP should include:

- A detailed description of the challenging behavior and the function the behavior serves for the student.
- The replacement behavior we want to teach the student to replace the challenging behavior. This behavior **MUST** have the same function for the child.
- A description of the strategies that will be used to scaffold the challenging behavior to reduce its occurrence, including modifications to the environment, teacher behaviors, expectations, etc. Scaffolding strategies should be sure to address the setting, events, and antecedents.
- Reinforcements that will be used when the child exhibits the desired behavior.
- When and how the student will be given opportunities to learn, practice, and generalize the replacement behavior.
- The roles and responsibilities of each person (including the student) responsible for implementing the BIP.

45

Behavior Intervention Plans

A BIP provides a clear, concise set of strategies that can be communicated to all staff working with a student and implemented consistently with fidelity.

Staff must share a common understanding of what the strategies look like, who is responsible for implementing them, and under what conditions each strategy is to be utilized

BIP's need to address the **SAME** function as the target behavior.

BIP's are in addition to the positive behavior interventions and supports required in the IEP

46

Supportive Interventions versus Punishment-Based Interventions

Relationships/connections help make interventions work.

The emphasis should be on teaching new behaviors rather than punishing current ones. We should teach- practice- and reinforce appropriate behaviors.

Exclusion and punishment are ineffective at producing long-term reduction in problem behavior.

47

BIP Implementation

- **BIP Implementation:**
 - Ensure that the interventions are strength-based and proactive in addressing challenging behaviors before they occur or as early in the cycle as possible.
 - Parameters for expectations should be discussed and agreed upon so that there is consistency in implementation.
- **For Example**
- A student's BIP includes allowing a student to choose alternative ways of completing a writing assignment.
- The BIP should provide parameters the teacher can use in what choices to allow.
- This will avoid inconsistency in implementation, such as having one teacher say they can choose to do the assignment at home or at school, while another teacher allows the student to choose to work with a peer, complete the assignment in writing, or create a visual instead of writing in narrative form.

48

Breakout Room
(5 minutes)

Take a moment to review a completed Behavior Interview Plan. Questions/ Clarification

49

Break time

(15 minutes)

50

Zoom poll

- I have participated in a manifestation determination meeting.

51

Manifestation Determinations

A manifestation determination is only required in situations that constitute a disciplinary change in placement

Manifestation Determinations must be made within 10 school days after the date on which the decision to change the child's placement is made because of a violation of a code of student conduct

The school district, the parent and relevant members of the IEP team determine whether the conduct is manifestation of the child's disability

In making the determination, all relevant information in the student's file must be reviewed, including the child's IEP, teacher observations, and information provided by the parents.

From bulletin 14/02

52

Manifestation Determinations

- The conduct must be determined to be a manifestation of the child's disability if it is determined that:
 - The conduct was caused by, or had a direct and substantial relationship to, the child's disability; or
 - The conduct was the direct result of the agency's failure to implement the IEP.

From Bulletin 14.02

53

When the behavior is a manifestation of the child's disability

- The student must be returned to the placement from which the child was removed (certain exceptions apply)
- Has a behavioral intervention plan (BIP)—the IEP team must review the plan, its implementation, and modify, if needed to address behavior
- No BIP—IEP team must conduct a functional behavioral assessment, develop and implement a BIP

From Bulletin 14.02

54

When the behavior is not a manifestation of the child's disability

- The school district may proceed with the change in placement
- Services must be provided as determined by the IEP team
- The IEP team also determines where the services will be provided
- Exception/Interim Alternative Educational Setting:
 - 45 school days
 - IAES must be determined by the IEP team
 - Only for
 - Weapons
 - Illegal drugs or controlled substances
 - Serious bodily injury

From Bulletin 14.02

55

Manifestation Determination, FBA-BIP, Services

Manifestation Determination

- If the behavior is determined not to be a manifestation of the child's disability, the LEA may remove the child to the same extent it would remove a child who does not have a disability.
- Functional Behavioral Assessments (FBAs) and Behavioral Intervention Plans (BIPs)
- If the behavior is not a manifestation of the child's disability the child must receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur.

Services

- When the behavior is determined not to be a manifestation of the child's disability, the LEA may proceed with the change in placement. The LEA must provide educational services, as determined by the IEP team, to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP. Participation in the general curriculum does not mean that a school or district must replicate every aspect of the services that a child would receive if in his or her normal classroom

From Bulletin 08.02

56

What if a parent disagrees with a manifestation determination or a disciplinary removal from the current educational placement?

- A parent or an adult pupil may submit a request for a due process hearing to the LEA and send a copy of the request to the Department of Public Instruction. The LEA must hold a resolution meeting within seven calendar days of receiving notice of the due process complaint, unless the parents and LEA agree in writing to waive the resolution meeting or agree to use the mediation process. The due process hearing may proceed unless the matter has been resolved to the satisfaction of both parties within 15 calendar days of the receipt of the hearing request, and a decision must be issued within ten school days following the hearing. The hearing officer's decision is final unless appealed in state circuit court or federal district court.
- "Stay put" no longer applies to disciplinary removals. The child remains in the setting to which he was removed until the hearing is complete or until the original removal period expires, unless the parent and LEA agree otherwise.

From Bulletin 06.02:

Manifestation Determination

- The LEA must take immediate steps to remedy a failure to implement the IEP. A parent of a child with a disability who disagrees with any decision regarding the manifestation determination may request an expedited due process hearing.
- Except where a student is disciplined for behavior involving weapons, drugs or serious bodily harm, if the behavior is determined to be a manifestation of the child's disability, the IEP team must return the child to the placement from which the child was removed, unless the parent and the LEA agree to a change of placement as part of the modification of the behavioral intervention plan.

From Bulletin 06.02:

What may an LEA do when the conduct is a manifestation of the child's disability but the LEA believes it would be dangerous to return to the previous placement?

If the child's behavior poses a threat of injury to self or others, the agency may request an expedited due process hearing to request a hearing officer to place the child in an interim alternative educational setting. The hearing officer may order the child to an interim alternative educational setting for up to 45 school days if the hearing officer determines that maintaining the child's current placement is substantially likely to result in injury to the child or to others. As an alternative to a due process hearing, the LEA may apply to a court order for an order changing the child's placement.

From Bulletin 06.02

Considered Dangerous Behavior

Weapon:

- Weapon, device, instrument, material or substance used for, or capable of, causing death or serious bodily injury. Does not include a pocket-knife with a blade of less than 2 1/2 inches

Drugs: "controlled substance"; illegal drug = controlled substance

- Does not include tobacco or alcohol
- Does not include over-the-counter drugs
- Does not include prescription meds if used pursuant to the Rx
- Does include marijuana, cocaine, heroin, LSD, other "illegal street drugs" and/or prescription drugs not used pursuant to an Rx

Serious Bodily Injury:

Injury that involves substantial risk of death, extreme physical pain, protracted and obvious disfigurement, protracted loss or impairment of the function of a bodily member, organ, or mental faculty

Functional Behavioral Assessment

Required when disciplinary change of placement occurs and the behavior is a manifestation of the disability.

- [Information Update 06.02- Legal Requirements Relating to Disciplining Children with Disabilities](#)

Also required when an IEP team determines the use of seclusion or restraint is reasonably anticipated.

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Functional Behavioral Assessments (FBAs) and Behavioral Intervention Plans (BIPs)

If the behavior is a manifestation of the child's disability and the child already has a behavioral intervention plan, the IEP team must meet to review the plan and its implementation. The IEP team must modify the plan and its implementation, if necessary, to address the child's behavior. If the child does not have a behavioral intervention plan, the IEP team must conduct a functional behavioral assessment and implement a behavioral intervention plan for the child.

From Bulletin 06.02.

62

Strategies for Addressing Behavior

The flowchart outlines a process for addressing behavior. It starts with 'Reflect on the types of interventions that are currently being used.' This leads to 'Use data collected regarding the student's behavior to guide decisions to ensure intervention plans are effective, and, ultimately, make behavior change efforts more likely to be successful.' This step is linked to a box asking 'What conditions can be created that might make the challenging behavior less likely to occur?' and 'Consider modifications to the environment, teacher behavior, curriculum or...'. The next step is 'How are we using progress monitoring to determine the effectiveness of our interventions?' which leads to 'What evidence do we have that the strategies being used are effective?'. A final box asks 'address the behavior so that it does not occur?'.

Source: Jones et al., (2004)

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Strategies for Addressing Behavior

When a student violates a code of conduct, take time to determine whether this is an ongoing pattern that needs to be addressed, or an isolated occurrence. If the challenging behaviors are or have been substantial enough that adults feel they need to be addressed, develop or revise a BIP (based on a FBA as appropriate) using the following questions proposed by Jones et al. (2004) to guide the process:

- What behavior skills does the student need to learn?
- What behavior skills do I need to teach?
- What academic needs does the student have that, if unmet, may influence his or her ability to act responsibly?
- Is the classroom community meeting the psychological needs of the student?
- Am I able to teach these skills or make these academic modifications in the classroom environment with the resources I have available?

In answering these questions, schools should be sure to use data to guide decisions in determining if an existing BIP is effective and what revisions are needed.

64

Strategies for Addressing Behavior

If a FBA has not yet been conducted, IEP teams should consider beginning this process to determine more effective interventions that will prevent further exclusion and loss of instructional time.

FBA's are based on several assumptions

- Behavior is supported by current environmental conditions;
- All behavior serves a function (e.g., to obtain something positive, to escape, to reduce certain sensory experiences)
- Regardless of the etiology, challenging behavior can be changed through the use of positive intervention strategies that address the function of

A thorough FBA provides valuable information in understanding when, where, why, and under what conditions a student's behavior is likely to occur (and when it is less likely to occur). This is critical in determining how to structure the student's environment to both increase the likelihood that it will not occur and set the conditions for success.

65

Breakout Room (5 minutes)

What additional trainings would you like regarding the discipline of students with disabilities?

66

Thank you for participating in this training!

Please take a moment to complete the post assessment survey!

67

References

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Pre-Assessment

Based on your new knowledge, please respond to the following questions.

On a scale of 1-10 please rate the following areas with 0 being the least knowledgeable and 10 being the most knowledgeable.

- 1) How would you rate your overall understanding of special education disability categories?

-----1-----2-----3-----4-----5-----6-----7-----8-----9-----10----

- 2) How would you rate your overall understanding of the laws related to disciplining students with disabilities?

-----1-----2-----3-----4-----5-----6-----7-----8-----9-----10----

- 3) Are students with disabilities disciplined the same as their non-disabled peers?

-----1-----2-----3-----4-----5-----6-----7-----8-----9-----10----

- 4) Name 3 things you hope to learn related to discipline and students with disabilities throughout the 3-day PD sessions.

- 1)
- 2)
- 3)

- 5) What additional PD would you need concerning the discipline of students with disabilities?

Post-Assessment

Based on your *new* knowledge, please respond to the following questions.

On a scale of 1-10 please rate the following areas with 0 being the least knowledgeable and 10 being the most knowledgeable.

- 1) How would you rate your overall understanding of special education disability categories?

-----1-----2-----3-----4-----5-----6-----7-----8-----9-----10----

- 2) How would you rate your overall understanding of the laws related to disciplining students with disabilities?

-----1-----2-----3-----4-----5-----6-----7-----8-----9-----10----

- 3) Should students with disabilities be disciplined the same as their non-disabled peers?

-----1-----2-----3-----4-----5-----6-----7-----8-----9-----10----

- 4) Name 3 things you learned related to discipline and students with disabilities throughout the 3-day PD sessions. Your 'ah ha' moments.

- 1)
- 2)
- 3)

- 5) What additional PD would you need concerning the discipline of students with disabilities?

Appendix B: Findings Summary

Perceptions of School Administrators on the Discipline of Students with Disabilities

Categories of Data	Themes	Codes
Preparation in Admin Programs	Lack of preparation in administrative licensing programs	Not enough courses in SPED Left with unknown information Knowledge obtained through experience One course on SPED law
District PDs on discipline	On-the-job training about discipline is provided by the district	Annual PD on discipline Not exclusive to SWDs
Depth of understanding	Limited knowledge of IDEA and the discipline of SWDs, behavior, and manifestation of disability	Should not suspend Read the IEP/provide services More emphasis on laws in the last 5 years Strong knowledge
Personal philosophy	Varied personal philosophies and knowledge to make suspension decisions	Suspension is not necessary Understand the child Build relationships Based on their disability
Misconceptions	Misconceptions about the discipline of students with disabilities	Address different situations Not the same for every student Certain protections Exhausted their resources It depends on the disability label
Basic Training on Discipline	District policy is the guidance for decision	Corrective action

	suspension, which applies to all students and may not consider the special circumstance of SWDs.	Code of student conduct District PD
Additional training needs	Administrators indicated a need for additional training on specific disability categories, how the behavior might be a manifestation of a student's disability, and the laws related to disciplining SWDs	IDEA Understanding Disabilities Manifestation Determination Discipline of SWDs