



**Indiana's Model Evidence Based Plan for
Improving Behavior and Discipline within Schools (IC 20-26-5-32)
Guidance Document**

Introduction HEA 1419

In 2009, the Indiana Legislature passed HEA 1419, which requires the Indiana Department of Education to develop a model evidence-based plan for improving discipline and behavior within schools. HEA 1419 requires the state model plan to include guidelines for accomplishing the following results:

1. Improving safe school planning and classroom management using positive behavior supports, parental involvement, and other effective disciplinary tools.
2. Providing improved mental health services in or through schools.
3. Reviewing zero tolerance policies to ensure:
 - (A) compliance with applicable laws; and
 - (B) that students are not inappropriately referred to juvenile justice agencies.
4. Providing assistance to parents concerning access to family strengthening programs.
5. Improving communication, coordination and collaboration among schools, including special education programs, parents, and juvenile justice agencies.
6. Improving methods and procedures for school suspensions, and referrals to alternative programs.
7. Providing for the collection, review, and reporting on an annual basis of school behavior and disciplinary problems, arrests, and referrals to the juvenile justice system disaggregated on the basis of race and ethnicity, under guidelines for determining the existence of disproportionality in discipline or inappropriately high rates of suspension or expulsion.

**IC 4-23-30.2-3 defines disproportionality as a situation in which members of a particular race or ethnic group in the United States are represented at a percentage higher or lower than the percentage of the general public that the particular race or ethnic group comprises.*

The Department of Education Model Plan must be completed by June 1, 2010 and school corporation plans must be submitted by July 1, 2011.

In accomplishing this mandate, HEA 1419 offers schools a unique opportunity to partner with local support agencies, the business community, and other organizations committed to the

healthy development of its future citizens. It is recommended that this plan become part of your School Improvement Plan and be reviewed annually.

Identified Need for Improvement in Indiana's Student Behavior and Discipline

HEA 1419 passed as a result of the growing concern that the education of Indiana students was being negatively impacted by punitive, exclusionary and disproportionately administered discipline practices in schools. Data at both the national and state levels indicate that, while needed as a tool in some situations, suspension and expulsion are not effective methods for teaching the necessary self-discipline skills required for students to be successful in school and in the community.

The American Psychological Association Zero Tolerance Task Forceⁱ studied zero tolerance policies and the use of suspension and expulsion as disciplinary tools, and concluded that:

The duty of schools to preserve the safety and integrity of the learning environment is incontrovertible: to preserve a safe climate, to encourage a positive and productive learning climate, to teach students the personal and interpersonal skills they will need to be successful in school and society, and to reduce the likelihood of future disruption. It is the means to these ends that have created controversy around zero tolerance policies.

The accumulated evidence points to a clear need for change in how zero tolerance policies are applied and toward the need for a set of alternative practices. These alternatives rely upon a more flexible and commonsense application of school discipline and on a set of prevention practices that have been validated in over 10 years of school violence research... current evidence clearly suggests that research-based prevention practices hold a great deal more promise than zero tolerance for reaching our shared goals of safe schools and productive learning environments.

(APA Zero Tolerance Task Force Report, 2008, pp. 859-860)

In Indiana, the *Children Left Behind Project* documented the efforts of Indiana principals working to maintain high standards of discipline while reducing their use of suspension and expulsion (<http://www.iub.edu/~safeschl/ChildrenLeftBehind/pdf/Discipline.pdf>). Those principals reported that a combination of high expectations and support for students can be effective even for the toughest kids:

“We’ve had several really tough kids enter this school and after going through and being surrounded by kids who have embraced the class and the culture of the school they’ve turned it around. We’re not seeing that aggressive behavior. Because they know this is a nurturing place. That the teachers care about them as individuals. Other classmates care about them...that has helped eliminate many of the problems.”ⁱⁱ

HEA 1419 recognizes the responsibility of the school community to consistently teach, support, and acknowledge the positive behavioral expectations embedded in the school culture. The ultimate goal of an effective school discipline plan is the evident self-discipline of students, as modeled by staff members. A graduated discipline system is one in which serious behaviors that may threaten school safety are met with severe consequences, but more minor misbehavior and disruption is dealt with through less severe, primarily school-based, interventions. Under the federal Gun-Free Schools Act, for example, zero tolerance must remain in place for firearm possession on school property. For less serious infractions, however, a comprehensive list of consequences and interventions are in place, the goal of which is to teach students more appropriate behavior that will help them succeed in school and in life.

Such an effective, graduated discipline plan begins with school-wide behavioral education. Under an RTI/PBS system, any failure of individual students to meet identified behavioral expectations, met by 90% of students, may trigger a variety of evidence-based interventions at the school-wide, group and/or individual levels. Effective, pre-planned consequences are a part, but only one part, of an effective response to school disruption.

An evidence-based approach to providing social, emotional, and behavioral learning may be implemented using positive behavioral supports (www.pbis.org). Evidence to support the positive relationship between social emotional learning and supports, and academic achievement may be found at the Department of Education web page: <http://www.doe.in.gov/sservices/pdf/Research-Evidence-Linking-School-Success-to-Effective-Prevention-Programs-2010.pdf>

School Corporation Evidence Based Plan for Improving Student Behavior and Discipline

HEA 1419 IC 20-26-5-32: The governing body of each school corporation shall work with parents to:

- 1) Develop; and
- 2) review periodically;
an evidence based plan for improving student behavior and discipline in the school corporation after receiving a model plan developed by the department.

HEA 1419 also requires in section 5(d), not later than July 1, 2011, a governing body must work with parents to develop and submit to the department a plan for improving behavior and discipline in the school corporation after receiving a model plan developed by the department.

(e) The department, in collaboration with the department of child services, the division of mental health and addiction, state educational institutions and parent organizations, shall provide assistance to a school corporation in the implementation of the school corporations' plan developed under subsection (d) to ensure that teachers and administrators receive appropriate professional development to prepare them to carry out the plan for supporting student behavior and discipline.

(f) each school shall annually report the information under subsection (c) (7) to the department.

General Requirements for the School Corporation Plan:

HEA 1419

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Sample School Corporation Plan Template

Resource Document

(A document including national and state-wide resources and opportunities for staff training)

- A school corporation plan shall lay out goals for a three (3) year period which must be reviewed and revised periodically to accomplish the behavioral and disciplinary objectives of the school corporation.
- A plan must specify how and to what extent the school corporation expects to make continuous improvement in these areas of the education system where results are measured by setting benchmarks for progress.
- Goals must be consistent with evidence-based practices and include annual targets to improve data aligned to achieve each goal. Some data sources might include:
 - 1) Rates of office referral, suspension, expulsion, arrest, and referrals to the juvenile justice system.
 - 2) The rate of disproportionality as evidenced by office referrals, suspensions expulsions, arrests, and referrals to the juvenile justice system.
 - 3) The delivery of professional development to school staff with regard to positive behavioral supports and cultural competency.
 - 4) The frequency with which school staff use positive behavioral practices and strategies at school-wide, group, and individual levels.
 - 5) Feedback and input from families and community agencies regarding communication and coordination efforts and outcomes.

Timeline for HEA 1419

Date	Task
Fall 2009-June 1, 2010	Development of IDOE model evidence based plan for improving discipline and behavior within schools. Model plan disseminated to school corporations no later than June 1, 2010.
June 2010 - December 2010	On-line training resources on state model plan and positive behavioral supports developed and made available to school corporations.
June 2010- July 2011	Formation of HEA 1419 school community resource forums/committees at school corporation level. Development of school corporation evidence based plan for improving behavior and discipline in the school corporation, to be submitted to IDOE no later than July 1, 2011.
2011-2012	Year 1 School Corporation Plan: Implementation focusing on investigation/research and organization. School building professional development regarding implications of school corporation plan. Recommended development of school building plans.
2012-2013	Year 2 School Corporation Plan: Full implementation of school corporation plan, which may include ongoing positive behavioral supports training. Implementation of school building-level plans. Required data submitted annually to DOE, including school behavioral and disciplinary problems, arrests, and referrals to the juvenile justice system (IC 20-26-5-32(c) (7)).
2013-2014	Year 3 School Corporation Plan: Full implementation of school corporation plan. Full implementation of building level plans. Required data submitted to DOE.

ⁱ American Psychological Association Zero Tolerance Task Force (2008). Are zero tolerance policies effective in the schools? An evidentiary review and recommendations. *American Psychologist*, 63, 852-862.

ⁱⁱ Skiba, R., Rausch, M.K., & Ritter. S., Education Policy Brief 2(3) Summer 2004, p. 9.