



# Guiding Principles for Creating Safe, Inclusive, Supportive, and Fair School Climates



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## Contents

<b>Guiding Principles for Creating Safe, Inclusive, Supportive, and Fair School Climates .....</b>	<b>3</b>
<b>Guiding Principle 1: Foster a sense of belonging through a positive, safe, welcoming, and inclusive school environment. ....</b>	<b>7</b>
<b>Guiding Principle 2: Support the social, emotional, physical, and mental health needs of all students through evidence-based strategies. ....</b>	<b>9</b>
<b>Guiding Principle 3: Adequately support high-quality teaching and learning by increasing educator capacity.....</b>	<b>12</b>
<b>Guiding Principle 4: Recruit and retain a diverse educator workforce .....</b>	<b>14</b>
<b>Guiding Principle 5: Ensure the fair administration of student discipline policies in ways that treat students with dignity and respect (including through systemwide policy and staff development and monitoring strategies).....</b>	<b>15</b>
<b>U.S. Department of Education Resources to Improve School Climate and Build Educator Capacity .</b>	<b>18</b>

## Guiding Principles for Creating Safe, Inclusive, Supportive, and Fair School Climates

All students deserve learning environments that are safe, inclusive, supportive, and fair. Schools can both keep their school community—including students and school staff—safe while ensuring every student is included, supported, and treated fairly. Consistently applied, evidence-based approaches to discipline are important tools for creating learning environments that are foundational to the success of all students.

The Department appreciates school administrators, teachers, and educational staff across the nation who are working to administer student discipline fairly, and to provide a safe, positive, and nondiscriminatory educational environment for all students and educators. The Department also recognizes that harsh or unfair exclusionary discipline practices and frequent disparities in the use of exclusionary discipline practices for children of color, LGBTQ students, and children with disabilities can contribute to students feeling unwelcome, unsafe, and unsupported.<sup>i</sup> When this happens, schools miss crucial opportunities to support students' needs and put students on the path toward success. Instead, schools should provide students with the social, emotional, physical, academic, and mental health support they need to thrive. To that end, more and more schools serving students in pre-K through grade 12 are using evidence-based approaches to meet students' social, emotional, academic, and mental health needs. This resource, *Guiding Principles for Creating Safe, Inclusive, Supportive, and Fair School Climates*, provides guidance on how to maintain safe, inclusive, supportive, and fair learning environments for students and school staff and includes specific recommendations for evidence-based practices to give students what they need to learn and grow.<sup>ii</sup>

This resource identifies five guiding principles and suggests actions schools and school districts can take to create inclusive, safe, supportive, and fair learning environments. The resource also lists federal resources to support these efforts. **The five guiding principles are:**

1. [Foster a sense of belonging through a positive, safe, welcoming, and inclusive school environment;](#)

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<sup>i</sup> Exclusionary practices include the formal or informal removal, whether on a short-term or long-term basis, of a student from a class, school, or other educational program or activity for violating a school rule or code of conduct. Examples can include detentions, in-school suspensions, out-of-school suspensions, suspensions from riding the school bus, expulsions, disciplinary transfers to alternative schools, and referrals to law enforcement, including referrals that result in school-related arrests. An in-school suspension is an instance in which a child is temporarily removed from his or her regular classroom(s) for at least half a day for disciplinary purposes but remains under the direct supervision of school personnel. Direct supervision means school personnel are physically in the same location as students under their supervision.

<sup>ii</sup> The Department's guidance on evidence use can be found at <https://www2.ed.gov/policy/elsec/leg/essa/guidanceusesinvestment.pdf>. The Department's What Works Clearinghouse (available at <https://ies.ed.gov/ncee/wwc/>) identifies the tier of evidence that reviewed studies meet, as applicable. The Substance Abuse and Mental Health Services Administration (SAMHSA) Evidence Based Practice Resource Center has additional resources that may be helpful (available at <https://www.samhsa.gov/resource-search/ebp>).



2. [Support the social, emotional, physical, and mental health needs of all students through evidence-based strategies;](#)
3. [Adequately support high-quality teaching and learning by increasing educator capacity;](#)
4. [Recruit and retain a diverse educator workforce;](#) and
5. [Ensure the fair administration of student discipline policies in ways that treat students with dignity and respect \(including through systemwide policy and staff development and monitoring strategies\).](#)

This resource references evidence-based policies, practices, and programs that can help create safe, inclusive, supportive, and fair learning environments for all students to learn, grow, and become successful.

### **The Need for More Effective Approaches**

Many schools and districts across the country have taken steps to implement fair student discipline approaches that keep students safely in learning environments. Yet nationwide data continues to suggest that some school practices—such as suspensions, expulsions, and the use of corporal punishment—harm or unnecessarily push students out of school for behavior that does not pose a threat to others or the student themselves.<sup>1</sup> As shown below, these practices often disproportionately affect students of color, students from low-income backgrounds, English learners, students with disabilities, and students who identify as LGBTQ. This is a pattern seen as early as preschool.

### **Data and research suggest some schools may use unfair discipline policies and practices that lead to the disproportionate exclusion of certain students from school or the classroom.**

For example, during the 2017-18 school year— the most recent school year for which data are available from the Department’s Civil Rights Data Collection—Black students made up 15 percent of the total pre-K-12 public school student population yet accounted for 38 percent of all pre-K-12 school expulsions.<sup>2</sup> In nearly 20 percent of those instances, students received no educational supports during their expulsion – furthering the risk of students falling behind. Likewise, Black students were more than twice as likely to receive an in-school suspension and more than three times as likely to receive an out-of-school suspension compared to all other students.<sup>3</sup> The disproportionate use and overuse of exclusionary discipline practices for Black students even exists at the preschool level. During the 2017-18 school year, Black students made up 18 percent of pre-K enrollment but accounted for more than 43 percent of students receiving one or more out-of-school suspensions.<sup>4</sup>

A deeper look into data on race/ethnicity and gender, and race/ethnicity and disability show even larger disparities. Black girls made up 15 percent of girls enrolled, yet accounted for 44 percent of girls receiving one or more out-of-school suspensions in public schools.<sup>5</sup> Native American girls made up .5 percent of girls enrolled, yet accounted for 1.4 percent of out-of-school suspensions in public schools.<sup>6</sup> Black students with disabilities were twice as likely to receive one or more in-school suspensions and four times as likely to receive an out-of-school suspension when compared to their white peers.<sup>7</sup> Additionally, a study of six Oregon school districts found that English learners in middle school and high school were suspended at higher rates than their non-English learner peers.<sup>8</sup>

Some research has found that LGBTQ+ students report they are also more likely to be disciplined than their non-LGBTQ+ peers. For example, LGBTQ+ students of color report being suspended at twice the rate of their non-LGBTQ peers.<sup>9</sup> Similarly, LGBTQ+ youth report being suspended for dress code violations or school offenses related to their identity expression, likely contributing to the disproportionate suspensions this group of students' experiences.<sup>10</sup> Almost all public school dress code policies contain rules with subjective language, which are at greater risk of being inconsistently enforced based on LGBTQ+ status as well as race, ethnicity, and disability.<sup>11</sup>

**While a range of factors contribute to disproportionality in rates of student discipline, research shows that substantial disparities in disciplinary rates for Black students are not explained by differences in behavior.**

Multiple studies show that differences in discipline rates for Black students generally are not explained by differences in behavior.<sup>12</sup> Studies also suggest that higher rates of poverty among students of color do not fully explain racial disparities in discipline.<sup>13</sup> Instead, research suggests that some of the disparities in student discipline can be attributed to differences in subjective interpretations of behaviors, despite the absence of significant objective differences in behaviors.<sup>14</sup> For example, Black students are more likely than their white peers to receive a disciplinary action for offenses that are subjectively characterized, like "disrespect," "disruption," or "defiance."<sup>15</sup>

**Unfair student discipline practices can cause students to feel unsafe in learning environments and result in a negative school climate overall, including a range of poor academic, social, emotional, and mental health outcomes.**

While there may be limited circumstances where classroom or school removals are used to provide adequate supports and ensure the safety and wellbeing of students and staff, it is important to consider the impact of exclusionary discipline policies and to ensure they are appropriately and fairly implemented. The consequences of exclusionary discipline on students are well documented. Most immediately, a student removed from their class can lose important instructional time which can negatively impact the student's academic success and increase the likelihood that the student will repeat a grade or disenroll from school altogether. For example, during the 2017-18 school year, more than 2.5 million students missed more than 11 million school days collectively, or 63,000 years of instruction, due to exclusionary disciplinary actions.<sup>16</sup> Even for students who are otherwise regularly attending school and passing their classes, a single suspension early in their high school years can lead to further suspensions, absenteeism, and truancy, failing grades throughout their remaining high school years, and not finishing high school.<sup>17</sup>

In addition, exclusionary practices increase the likelihood that a student becomes involved in the juvenile legal system. A Texas study that reviewed millions of student records over a six-year span found that students who have been suspended or expelled are significantly more likely to become involved in the juvenile legal system during the following school year than students who have not experienced exclusionary discipline.<sup>18</sup> Additionally, state laws and school discipline policies that require a referral to law enforcement or the juvenile legal system for minor misconduct further increase a student's exposure to the juvenile legal system.<sup>19</sup>

The overuse of punitive and exclusionary disciplinary practices can create a negative school climate for all students and staff by discouraging the development of open and trusting relationships between

students and school staff.<sup>20</sup> In addition, exclusionary discipline practices, particularly for younger students, can present a critical challenge for working parents and guardians, especially those from low-income backgrounds with limited affordable care options who may have to leave work or arrange child care, often with short notice and the risk of losing employment or wages.<sup>21</sup>

A wide body of research shows that suspensions and expulsions can be harmful and ineffective at reducing challenging behavior.<sup>22</sup> Importantly, suspensions and expulsions do not reduce future rates of disruptive behavior – students who receive suspensions in early grades are more likely to be suspended for similar offenses later. This is true even when controlling for a student’s socioeconomic status, race/ethnicity, disability, and academic achievement.<sup>23</sup>

Given the evidence showing the negative short and long-term outcomes associated with exclusionary discipline, states, districts, schools, and early childhood programs should identify ways to significantly reduce the unnecessary use of exclusionary discipline and, when used, ensure it is not used in ways that are unfair to certain groups of students. Research shows that social, emotional, cognitive, and academic development are interconnected, suggesting that learning environments can be designed in ways that help students overcome challenges, in turn helping them to grow personally and academically.<sup>24</sup> School climates that reflect a holistic understanding of student development – in other words, conditions that are safe, inclusive, supportive, and fair for all students – have been shown to be more effective than zero tolerance approaches in meeting students’ social, emotional, physical, mental, and academic well-being and needs.<sup>25</sup>

The Department identified these five guiding principles to address the challenges above:

## Guiding Principle 1: Foster a sense of belonging through a positive, safe, welcoming, and inclusive school environment.

A positive school climate includes policies and practices that foster school safety for all; promote a supportive academic, disciplinary, and physical environment; and encourage and maintain respectful, trusting, and caring relationships throughout the school community. Research shows that a positive school climate is associated with better academic outcomes (e.g., test scores and graduation rates), greater student engagement, improved risk prevention and health outcomes, and increased teacher retention.<sup>26</sup> States, districts, and schools can work to proactively foster students' sense of belonging by taking steps, including but not limited to:

- **Increasing efforts to promote a positive school climate.** A positive school climate includes strong relationships among staff, students, and families.<sup>27</sup> For example, with professional development and coaching, educators can work to build strong relationships with students by expressing care, challenging growth, providing support, sharing power, and inspiring students to be successful.<sup>28</sup> This includes creating safe environments where students feel like they belong, have positive peer relationships, and are receiving equitable opportunities and supports to meet high expectations (e.g., instruction that includes and makes connections to students' lived experiences and identities). Evidence suggests that the overuse of exclusionary practices is associated with a poor school climate, which can ultimately foster distrust and lead to poorer educational outcomes.<sup>29</sup> In contrast, strong student-teacher relationships are associated with academic motivation, a sense of belonging, and achievement.<sup>30</sup>
- **Providing students equitable access to mental health services that are welcoming and inclusive with regard to race, ethnicity, culture, language, sexual orientation, gender identity, socioeconomic status, disability, and religion.** This may be accomplished by increasing the number and diversity of school counselors, mental health professionals, social workers, psychologists, nurses, and other integrated support staff throughout the school.<sup>31</sup> Students of color are less likely than white students to report that they feel they can reach out to a teacher or counselor for mental health support.<sup>32</sup> Schools should consider providing adequate support and training for educators and mental health professionals to provide safe and open environments for all students to feel connected and empowered to seek additional support.
- **Providing rigorous, culturally relevant, and welcoming learning environments.** Research suggests that raising the bar to provide academically rigorous and challenging learning environments with clear and consistently high expectations is associated with mutual respect between students and educators.<sup>33</sup> When educators create rigorous learning environments with clearly-communicated high expectations, students believe in their abilities and have more positive attitudes towards school.<sup>34</sup> Additionally, research suggests that brain development flourishes when students feel emotionally and physically safe, feel respected by adults, and are challenged in their learning.<sup>35</sup> To create more rigorous learning environments where students feel challenged, respected, and connected, educators may draw and build upon students' prior knowledge, experience and interests to make connections between the curriculum and the community. For example, schools can use project-based learning or service learning<sup>36</sup> to give students the opportunity to learn about issues they care about (e.g., environmental challenges, homelessness, civic engagement or community service). Research suggests culturally relevant



education can be positively associated with higher levels of students' social, emotional, and academic wellbeing and has been found to encourage more trusting relationships with teachers, improved academic outcomes, stronger community ties, and a deeper sense of belonging in school.<sup>37</sup> Schools can foster a positive environment where each student is welcomed by creating authentic peer and educator engagement with respect for cultures represented within school communities.

- **Ending the practice of corporal punishment in schools.** Recent research has confirmed prior studies demonstrating that [corporal punishment](#) is ineffective and harmful.<sup>38</sup> Corporal punishment harms children and youth physically, emotionally, psychologically, behaviorally, and academically.<sup>39</sup> Not only can corporal punishment lead to serious physical pain and injury,<sup>40</sup> but it is also associated with higher rates of mental health problems;<sup>41</sup> higher rates of aggression, antisocial behavior, and other externalizing problems;<sup>42</sup> and lower cognitive ability and academic achievement.<sup>43</sup> Instead, a coordinated system of whole school evidence-based intervention practices has been found to be more effective. This includes strategies such as the Good Behavior Game,<sup>44</sup> trauma-informed practices,<sup>45</sup> social and emotional wellbeing,<sup>46</sup> [restorative practices](#),<sup>47</sup> and positive behavioral interventions and supports,<sup>48</sup> that are more effective than corporal punishment or exclusionary discipline in addressing students' individual needs and improving school climate and safety.

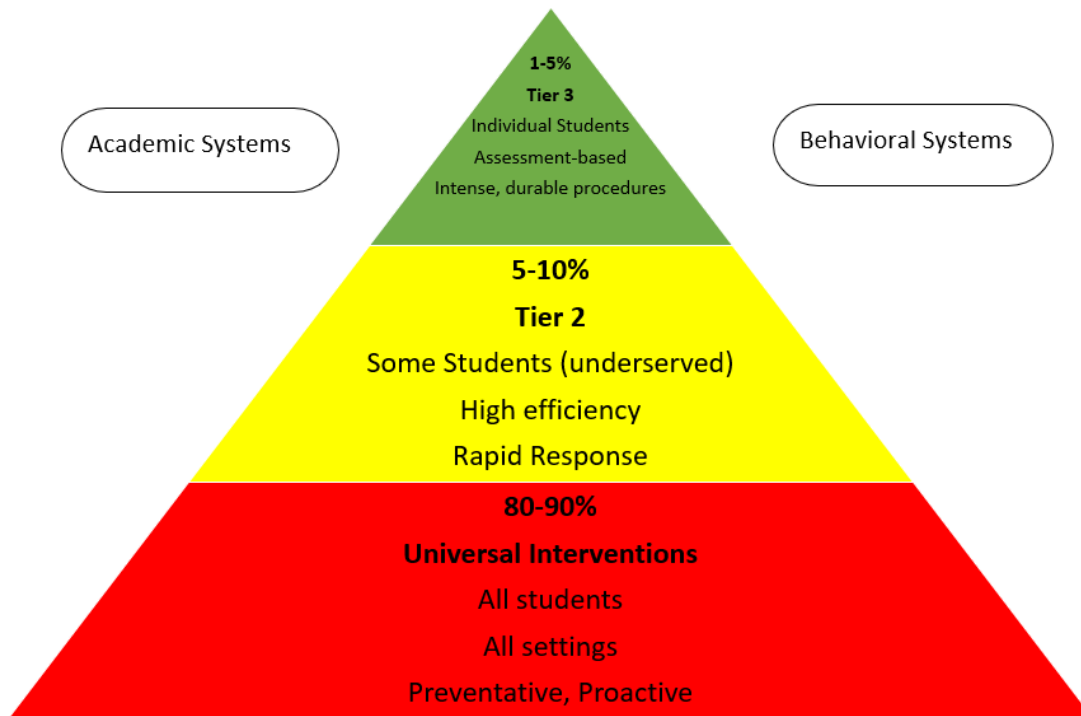
## Guiding Principle 2: Support the social, emotional, physical, and mental health needs of all students through evidence-based strategies.

Safe, inclusive, supportive, and fair learning environments are highly predictive of students' well-being and academic success.<sup>49</sup> Students thrive when school systems work proactively to improve the school environment; evidence shows these actions can reduce health and safety threats and increase academic success.<sup>50</sup> To reduce the risk of stress, trauma, and other adverse experiences, schools can increase protective factors like making investments in positive relationships and improving students' connection to school.

Steps that states, districts, and schools can take to proactively improve learning environments for students include, but are not limited to:

- **Establishing a Multi-Tiered System of Supports (MTSS) Framework for students.** MTSS is an evidence-based framework for organizing a continuum of practices to support each student's educational, social, emotional, and behavioral needs that integrates academic and behavioral supports and interventions.<sup>51</sup> Universal or Tier 1 supports are designed to serve as a foundation in which educators build a proactive, positive, supportive, and connected school community. Tier 2 and 3 targeted supports provide both additional instruction and individualization to increase the likelihood of student success. MTSS can also be applied to mental health by implementing policies and interventions that promote student wellbeing, prevent behaviors that interfere with class time, and provide an opportunity for early identification and support.<sup>52</sup> The [Center on Positive Behavioral Interventions and Supports](#) provides resources and implementation strategies. Some steps to consider when developing effective practices at the district or school-level include:
  1. Carefully reviewing disaggregated (e.g., race, ethnicity, gender identity, disability, and income) discipline data (e.g., suspensions, expulsions, corporal punishment, referrals to law enforcement tickets) and other data that may be used for early intervention (e.g., attendance, engagement, academic performance, and other on-track indicators) to better understand and address trends and patterns among all students and underserved populations.
  2. Identifying and implementing evidence-based practices (e.g., [restorative practices](#), [Blueprints for Healthy Youth Development](#), and [positive behavioral interventions and supports](#)) to address the needs of students, promote positive behavior, build on student assets, and develop social emotional skills and well-being. Schools should regularly review data to understand the effectiveness of evidence-based interventions.
  3. Providing ongoing professional development and technical assistance to staff to ensure implementation fidelity. Schools can also leverage a problem-solving framework, as described below, to build a continuum of supports to match the needs of students.

## Multi-Tiered System of Support



**Figure 1.** MTSS Continuum of Interventions and Supports

- **Using data to identify evidence-based supports and then building systemic supports to ensure successful and sustainable implementation.** For example, district and school MTSS leadership teams should include a cross-representation of skills and roles, such as administrators, behavior specialists, school psychologists, counselors, social workers, nurses, special education teachers, and teacher leaders. The team should then systemically review student data and make decisions about allocating resources and filling gaps in staff skill sets by planning appropriate professional development and ongoing technical assistance.
- **Using early intervention strategies.** Early interventions conducted by mental health staff are associated with positive academic and developmental outcomes, such as fewer disciplinary incidents, increased student engagement with school, and elevated graduation rates.<sup>53</sup> Individual student data patterns should be routinely examined through existing data sources (e.g., discipline, attendance, academic outcomes) or with a [screener](#) to identify students who may need additional supports.
- **Investing in integrated student supports (ISS).** Schools can improve student well-being by systemically supporting academic and non-academic needs of students. [Implementing ISS](#) should include needs assessments, student support coordination, community partnerships, use of data for continuous evaluation and improvement, and full integration into existing school systems and structures.

- **Implementing high-quality restorative practices.** [Restorative practices](#) are both a prevention and intervention strategy about building community, giving space to learn and correct mistakes, and addressing root causes through listening, healing, and accountability.<sup>54</sup> Research has found that high-quality restorative practices can be associated with positive outcomes, including improved social relationships and reductions in student misbehavior.<sup>55</sup> Schools may consider hiring one person to be responsible for [implementing high-quality restorative practices](#), such as peer mediation and restorative conversations, circles, and conferences.
- **Investing in full-service community schools.** While every community school is different, the [four pillars of community schools](#) – integrated student supports; expanded learning time and opportunities; family and community engagement; and collaborative leadership and practice – are associated with positive academic and non-academic outcomes, including reduced disciplinary incidents, reduced absenteeism, and increased reports of positive school climates.<sup>56</sup>
- **Implement the Whole School, Whole Community, Whole Child (WSCC) model.** This model is designed to meet the need for greater emphasis on both the psychosocial and physical environment as well as the increasing roles that community agencies and families play in improving childhood health behaviors and development. The WSCC model also addresses the need to engage students as active participants in their learning and mental and [physical health](#). The WSCC model is student-centered and emphasizes the role of the community in supporting the school, the connections between health and academic achievement and the importance of evidence-based school policies and practices. The WSCC model has [10 components](#): physical education and physical activity; nutrition environment and services; health education; social and emotional climate; physical environment; health services; counseling, psychological and social services; employee wellness, community involvement; and family engagement.

### Guiding Principle 3: Adequately support high-quality teaching and learning by increasing educator capacity.

Students benefit from identifying an adult who they can trust and go to for support in school.<sup>57</sup>

Providing educators with training, coaching, and support can help them effectively manage class behavior, ensure students are engaged, and help them [to build trusting relationships with students and their families](#).

Steps that states, districts, and schools can take to proactively support high-quality teaching and learning include, but are not limited to:

- **Requiring pre-service and ongoing professional development, learning, and mentoring opportunities.** A significant number of teacher preparation programs do not ensure that future educators learn the essential classroom management strategies supported by strong research,<sup>58</sup> which can leave teachers feeling unprepared to support the behavioral needs of students. Insufficient support and training on classroom management is associated with a range of negative outcomes for students and educators.<sup>59</sup> To address this, state educational agencies (SEAs) can work with colleges and universities to ensure pre-service teachers are receiving adequate training before they enter the classroom. Additionally, schools, school districts, and SEAs can provide continuous professional learning opportunities about maintaining positive class environments, limiting bias, improving trauma-informed approaches, and increasing positive behavior. Opportunities for all educators to engage in learning, including through pre-service and ongoing mentoring, can improve teacher effectiveness and student achievement.<sup>60</sup>
- **Helping educators understand child and youth development** and how it relates to student behavior and discipline. Educators should also learn how to identify student behaviors that are developmentally appropriate versus concerning and learn how to give young students the opportunity to learn, grow, and express themselves in productive ways. Educators should also learn how to monitor progress toward meeting grade-level standards.
- **Adopting policies and practices that focus on developing, repairing, and sustaining relationships** (e.g., restorative practices). Schools can successfully implement restorative practices with high-quality, well-trained support staff and schoolwide training on these practices.
- **Ensuring there is sufficient in-school access to diverse and certified mental health staff** (e.g., certified psychologists, counselors, social workers, and behavior specialists). Schools should consider providing training in culturally competent, trauma-informed, and evidence-based interventions for mental health professionals. For example, to provide school-based mental health professionals with the tools they need to address the growing mental health crisis among young people, schools can also provide staff [gatekeeper training](#), or another training to support students at risk of [self-harm](#).
- **Requiring detailed documentation for all disciplinary actions, including class and school removals.** The documentation for all disciplinary actions should contain a detailed description of the student conduct, all actions taken by school staff to address the conduct and, if applicable, the disciplinary actions taken (e.g., documenting corrective actions taken including exclusionary and other methods).

- **Revising reporting policies to provide clear definitions of infractions and possible consequences that are well-aligned with the behavior at issue** to ensure discipline is consistent, objective, and appropriate.



#### Guiding Principle 4: Recruit and retain a diverse educator workforce

All students can benefit from a diverse teacher workforce. Additional research suggests that teachers from diverse backgrounds are more likely to hold beliefs and use classroom practices associated with improved outcomes for all students, including students of color.<sup>61</sup> For example, some studies have shown that Black students are more likely to graduate, less likely to face exclusionary discipline, and more likely to be engaged in school if taught by an educator who is also Black.<sup>62</sup> Steps that schools and districts can take toward [elevating the teaching profession](#) by recruiting and retaining diverse educators include, but are not limited to:

- **Expand the [diversity of the educator](#) workforce and the use of culturally sustaining practices.** Some research shows that teachers of color build [strong relationships](#) with students of color, connect with their lived experiences, and view those experiences as assets, which can ultimately reduce the need for exclusionary discipline.<sup>63</sup>
- **Expand the [diversity](#) of school-based mental health professionals.** Hiring and retaining diverse [mental health professionals](#) can improve relatability and accessibility and reduce stigma.<sup>64</sup> Adults charged with meeting the mental health needs of students should be adequately trained, including in the use of trauma-informed services, and supported to meet the specific social, emotional, and mental health needs of the students with whom they interact.

Guiding Principle 5: Ensure the fair administration of student discipline policies in ways that treat students with dignity and respect (including through systemwide policy and staff development and monitoring strategies).

By expanding policies to include positive actions and high expectations, along with requiring the use of a continuum of supports to increase student success, states and districts can shift the focus of their disciplinary practices to promote a positive and supportive school environment focused on supporting students and keeping them in the classroom learning as much as possible. Schools should objectively define disciplinary infractions to reduce subjectivity and ensure that consequences are administered consistently and fairly without regard to race or other characteristics, such as sex or disability.

However, educators should also view fairness in implementation, not simply through a set of infractions and prescribed set of consequences, but rather through practices that ensure each student's needs are proactively met within the educational environment. A proactive focus on student needs and strengths may increase the likelihood of fair and equitable outcomes in the administration of school discipline.

Steps that states, districts, and schools can take to create and implement fair discipline policies and practices include, but are not limited to:

- **Co-creating policies with educators, parents, caregivers, and community members through both formal (e.g., high-quality school climate surveys) and informal (e.g., forums, feedback boxes) methods.** Research has found that information-sharing to improve parent and family knowledge, making families feel welcome and a part of school communities, and building infrastructure, systems, and educator capacity to improve family engagement is associated with improved social, emotional, and academic outcomes.<sup>65</sup> Disciplinary and restorative actions, and decisions related to those actions, should include families and students to help ensure all involved understand why students are facing discipline and how disciplinary action will lead to growth and improvement.
- **Considering if a discipline strategy appropriately meets the needs and developmental stage of each student.** This may include reviewing discipline policies and practices to ensure they are developmentally appropriate, especially for young learners (e.g., some states have limited the use of exclusionary discipline for young learners).<sup>66</sup> This is important because there are large differences in development and experiences for students. Early education programs should dedicate time to evaluating the developmental appropriateness of behavioral expectations and consequences. Aligning discipline to appropriate grade-level standards can support high-quality implementation. For example, what may be appropriate for elementary school students looks different for high school students.
- **Ensuring student discipline policies and procedures are clear and accessible.** Students, families, and community members should have clear and detailed information about what is in discipline policies and procedures, where they can find them, and how the policies and procedures will be implemented. Likewise, to ensure fair and consistent application and community buy-in, the school community should understand rules, expectations, and potential disciplinary actions.
- **Developing consistent, two-way communication with families,** before a problem arises, to help build a strong partnership between students' lives at home and school.<sup>67</sup> Communication should

be in multiple languages and accessible using a range of communication methods (e.g., phone, email, and text messages) to ensure every family has relevant information.<sup>68</sup>

- **Evaluating the impact of policies and practices on different groups of students.** Educators, in collaboration with students and their families, where appropriate, should regularly review state and district discipline policies and procedures (e.g., codes of conduct, school rules, and dress and grooming codes) and analyze discipline data disaggregated by race, ethnicity, gender identity, and disability status, among other characteristics, to ensure that policies and procedures do not unfairly disadvantage a group of students. Such ongoing reviews and analyses should drive changes in policies and procedures. An example of such a change could be eliminating subjective and unclear language that results in disproportionate discipline of certain students.
- **Committing to supporting students, educators, and families through systemic change.** Systemic change can be achieved through districtwide or schoolwide implementation of an evidence-based framework, like [Positive Behavioral Interventions and Supports](#) (PBIS). Schools that implement PBIS with fidelity often see reduced exclusionary discipline practices and improved school climate.<sup>69</sup> Effective [implementation may also include the following strategies](#): collecting, using, and reporting disaggregated discipline data; using that data to adjust and improve implementation; investing in systems to support sustained implementation; implementing a framework that is preventative, multi-tiered, and culturally responsive; using high-quality and engaging instruction; developing equitable discipline policies; using professional development strategies to limit bias; and meaningfully engaging community and families.<sup>70</sup> Schools effectively using PBIS often use evidence-based practices to support student needs, engage families and community members to co-create culturally responsive practices, regularly evaluate effectiveness of practices using data, rely on teams of experts to guide practices, and develop content expertise through coaching and ongoing professional development.
- **Establishing clear roles for law enforcement and school security that ensure they comply with Federal civil rights laws and are not involved in student discipline incidents that can otherwise be handled by trained educators and certified mental health professionals.** Across the country, there is wide variation in the roles of school-based police. Schools should implement high-quality practices in the training and use of SROs in schools, consistent with the Guiding Principles for SROs published by the U.S. Department of Justice. The Department encourages school officials to make decisions regarding whether to place school-based police (e.g., law enforcement, security, or school resource officers and others with arresting powers) in schools only after seeking and receiving significant community input. If schools and school districts ultimately choose to use school-based officers, they must ensure that these police or other security personnel, like all employees and contractors, comply with Federal civil rights laws that prohibit discrimination on the basis of race, color, national origin, sex, or disabilities.<sup>71</sup> They should also ensure police officers and security personnel interact with students and the school community in ways that create a safe, inclusive, supportive, and fair school climate. This may include adopting memorandums of understanding and policies that establish clear roles so that law enforcement and security are not involved in situations that do not merit their intervention, such as routine student discipline. In addition, schools should, consistent with the [Guiding Principles for SROs published by the U.S. Department of Justice](#):

- conduct a comprehensive vetting process that includes an interview panel that selects candidates from a diverse pool of high-quality security or law enforcement personnel who have volunteered for the position and who have experience working with children and youth, as well as training outlined below;
- provide training and ongoing professional development on strategies such as MTSS, de-escalation, alternatives to arrest, conflict resolution, trauma-informed and restorative practices, proper referrals to educators and mental health professionals, child and adolescent development, emergency response, and federal civil rights [laws](#);
- Establish clear roles for law enforcement so that they do not respond to situations that may not merit law enforcement intervention, such as prohibiting involvement in school disciplinary incidents that could otherwise be handled by school staff. Law enforcement should only be engaged in serious threats to school safety or serious criminal behavior that cannot be safely addressed through the school discipline process or as required by law. Doing so not only enhances public safety, but also public trust;
- Conduct community and family engagement, including by soliciting feedback on how to increase safety, and meaningfully responding to that feedback; and implement accountability measures and data-driven annual evaluations of the use of security or law enforcement (See also [Guiding Principles for SROs](#)), including by collecting, maintaining, and analyzing data and reporting disaggregated data including by a student's race, ethnicity, age, sex, type of offense, English language learner status, and disability, regarding student-officer interactions, including referrals of students, arrests, citations, and use of force, to ensure nondiscrimination based on disability, race, color, national origin, gender, or another protective class.

Schools that choose to include or expand the presence of school police should consider developing clear guidelines that address the above considerations, such as memoranda of understanding. Schools should also consider providing training for school-based police and educators on students' civil rights, on distinguishing behavior that can properly be handled by educators from conduct that cannot be safely addressed by the school's disciplinary process, and on developmentally appropriate strategies for building trusting relationships with students and families.

## U.S. Department of Education Resources to Improve School Climate and Build Educator Capacity

*Federal investments and technical assistance centers are available to support states, districts, and schools as they work to create safe, inclusive, supportive, and fair school climates. The following programs may be used to invest in one or more evidence-based practices in the guiding principles above.*

The **Title IV, Part A, Student Support and Academic Enrichment Program** provides funding via a formula to SEAs and local educational agencies (LEAs) to improve students' academic achievement by increasing the capacity of states, districts, schools, and local communities to provide all students with access to a well-rounded education; improve school conditions for student learning; and improve the use of technology in order to improve the academic achievement and digital literacy of all students.

The **Title IV, Part B, Nita M. Lowey 21st Century Community Learning Centers** program provides funds via a formula to states, which in turn competitively award grants for community learning centers that provide academic enrichment opportunities during non-school hours for children, particularly students who attend high-poverty and low-performing schools. The program helps students meet state standards in core academic subjects, such as reading and math; offers students a broad array of enrichment activities that can complement their regular academic programs; and offers literacy and other educational services to the families of participating children.

The **Title I, Part D, Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk** support improvements for educational services for children and youth in state, Tribal, and local institutions who are neglected or delinquent. The program also supports youth who are at risk of not finishing high school, who have dropped out of high school, and who are returning from correctional facilities or institutions for neglected or delinquent children and youth.

The **Title II, Part A, Supporting Effective Instruction State Grants** provides annual formula funds to SEAs and LEAs that may be used to address inequities in access to effective teachers for underserved students, provide professional development, reduce class sizes, improve teacher recruitment and preparation, increase the diversity of the teacher workforce, and a wide range of other educator related uses. Title II funds can specifically be used to implement MTSS and build educator capacity in this area.

The **Individuals with Disabilities Education Act (IDEA) Part B** requires SEAs and LEAs to meet the functional, including behavioral, needs of eligible children with disabilities as part of their obligation to provide a free appropriate public education. This includes considering the use of positive behavioral interventions and supports, and other strategies, to address behavior that impedes the child's learning or that of others. Thus, IDEA Part B funds can be used to provide support and direct services related to addressing the behavior of children with disabilities, including providing technical assistance and professional development and training in this area.

The **Education Innovation and Research (EIR)** program provides funding to create, develop, implement, replicate, or take to scale entrepreneurial, evidence-based, field-initiated innovations to improve student achievement and attainment for high-need students and rigorously evaluate such innovations.

The **Mental Health Service Professional Demonstration Grant** program provides competitive grants to support and demonstrate innovative partnerships to train school-based mental health services providers for employment in schools and LEAs.

The **School Based Mental Health** program provides competitive grants to states and districts to increase the number of qualified (i.e., licensed, certified, or credentialed) mental health services providers providing school-based mental health services to students in districts with demonstrated need.

The **Project Prevent Grant** program provides grants to districts to increase their capacity to implement community and school-based strategies to help prevent community violence and mitigate the impacts of exposure to community violence. Project Prevent grant funds allow districts to increase their capacity to identify, assess, and serve students exposed to community violence by helping LEAs to (1) offer affected students mental health services; (2) support conflict management programs; and (3) implement other community and school-based strategies to help prevent community violence and to mitigate the impacts of exposure to community violence.

The **Full-Service Community Schools** program provides support for the planning, implementation, and operation of full-service community schools that improve the coordination, integration, accessibility, and effectiveness of services for children and families, particularly for children attending high-poverty schools, including high-poverty rural schools.

The **Promise Neighborhoods** program supports efforts to significantly improve the academic and developmental outcomes of underserved students including ensuring school readiness, high school graduation, and access to a community-based continuum of high-quality services.

### **Technical Assistance Centers**

The **National Center on Safe and Supportive Learning Environments (NCSSLE)** offers information and technical assistance to states, districts, schools, intuitions of higher learning, and communities focused on improving school climate and conditions for learning. NCSSLE provides resources and technical assistance on [high-quality measurement tools](#) and has compiled a [School Climate Improvement Resource Package](#) for district and school leaders, teachers, school staff, and other members of the school community. For more information, visit: <https://safesupportivelearning.ed.gov/>.

The **Center on Positive Behavioral Interventions and Supports** works to improve the capacity of states, districts, and schools to establish, scale-up, and sustain the PBIS framework. For more information, visit: <https://www.pbis.org/>.

The **National Center for Pyramid Model Innovations (NCPMI)** works to improve and support the capacity of state systems and local programs to implement an early childhood MTSS to improve the social, emotional, and behavioral outcomes of young children with, and at risk for, developmental disabilities or delays. For more information, visit: <https://challengingbehavior.org/>.

The **Title IV-A Center** provides states with support for implementing Title IV, Part A Student Support and Academic Enrichment (SSAE) program. The center develops high quality resources, information, and training aligned with well-rounded education to improve the safety and health of students. For more information, visit: <https://t4pacenter.ed.gov/>.

The **National Center to Improve Social and Emotional Learning and School Safety (CISELSS)** works to expand the knowledge and capacity of state and local education agencies (SEAs, LEAs) to integrate evidence-based social and emotional and school safety programs and practices with academic learning. For more information, visit: <https://selcenter.wested.org/>.



### **Additional Federal Programs:**

The **Centers for Disease Control and Prevention, Healthy Schools program** plays a unique role in bringing together the education and public health sectors. The Healthy Schools program supports evidence-based school policies, practices, and programs for physical activity, healthy eating, managing chronic conditions, health services, and supportive school environments. For more information, visit: <https://www.cdc.gov/healthyschools/>.

The **National Center for School Mental Health** University of Maryland, Funded by HRSA – Maternal Child Health Bureau. The mission of the NCSMH is to strengthen policies and programs in school mental health to improve learning and promote success for youth and provides resources and webinars for school communities. <https://www.schoolmentalhealth.org/>.

**Project AWARE (Advancing Wellness and Resiliency in Education)** program builds or expands the capacity of State Educational Agencies (SEA), in partnership with State Mental Health Agencies (SMHAs) overseeing school-aged youth. Project AWARE provides training for school personnel and other adults who interact with school-aged youth to detect and respond to mental health challenges, and connects school-aged youth, who may present with behavioral health challenges and their families to needed services. For more information, visit: <https://www.samhsa.gov/school-campus-health/project-aware>.

### *Legal Disclaimer*

*For the reader's convenience, this document contains examples and information from outside organizations. Inclusion does not constitute an endorsement by the U.S. Department of Education of any outside organization, or the products or services offered, or views expressed. Other than statutory and regulatory requirements included in the document, the contents of this guidance do not have the force and effect of law and are not meant to bind the public in any way. This document is intended to provide clarity to the public regarding best policies, practices, and existing requirements under the law or agency policies.*

## ENDNOTES:

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<sup>71</sup> Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, or national origin by recipients of Federal financial assistance. 42 U.S.C. §§ 2000d–2000d-7. Title IX of the Education Amendments of 1972 prohibits discrimination based on sex by recipients of Federal financial assistance. 20 U.S.C. §§ 1681 – 1688. Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990 both prohibit discrimination based on disability, the former by recipients of Federal financial assistance, the latter by State and local governments, regardless of whether they receive Federal funds. 29 U.S.C. § 794; 42 U.S.C. §§ 12131–12134.