



FORWARD
TOGETHER

Increase PPS Students' Sense of Belonging and Safety

**Addressing Negative Impacts of Article 9 “Discipline and Safety” that
Disproportionately Affect Black, Latino and Students of Color**

October 12, 2022

Who We Strive to Be...

(As outlined in our community-created vision)

CORE VALUES

Students at the Center

We believe that all students have the ability to succeed and that positive impacts on students are at the center of each decision and action.

Racial Equity and Social Justice

We believe in the fundamental right to human dignity and that generating an equitable world requires an educational system that intentionally disrupts—and builds leaders to disrupt—systems of oppression.

EDUCATOR ESSENTIALS

Every day at PPS, we strive to become...

Racial Equity and Social Justice Centered

Courageous change agents who actively promote and ensure racial equity and social justice.

Inclusive and Responsive to Diverse Learners

Mindful of who our students are and are aware of students' unique needs as they design and conduct their daily work.

Self-Aware and Reflective

Self-aware and knowledgeable as to their own strengths and biases, and they have a positive sense of their own identity.

Caring, Empathetic and Relational

Adults with strengths-based view of every person at PPS and are particularly attentive to the needs of our most vulnerable students.

We Can All Do More.

We recognize that implicit bias influences everyone's decisions.

Across the US, Black, Native American and students of color and students with disabilities are disproportionately referred, suspended or expelled from public schools.

Unfortunately, PPS is not an outlier.

There is a strong correlation between school discipline and the likelihood of dropping out, arrests, and incarceration.

PPS' discipline data mirrors disproportionate impact on students of color being referred, suspended, and sent to disciplinary hearings at higher rates than their white counterparts:

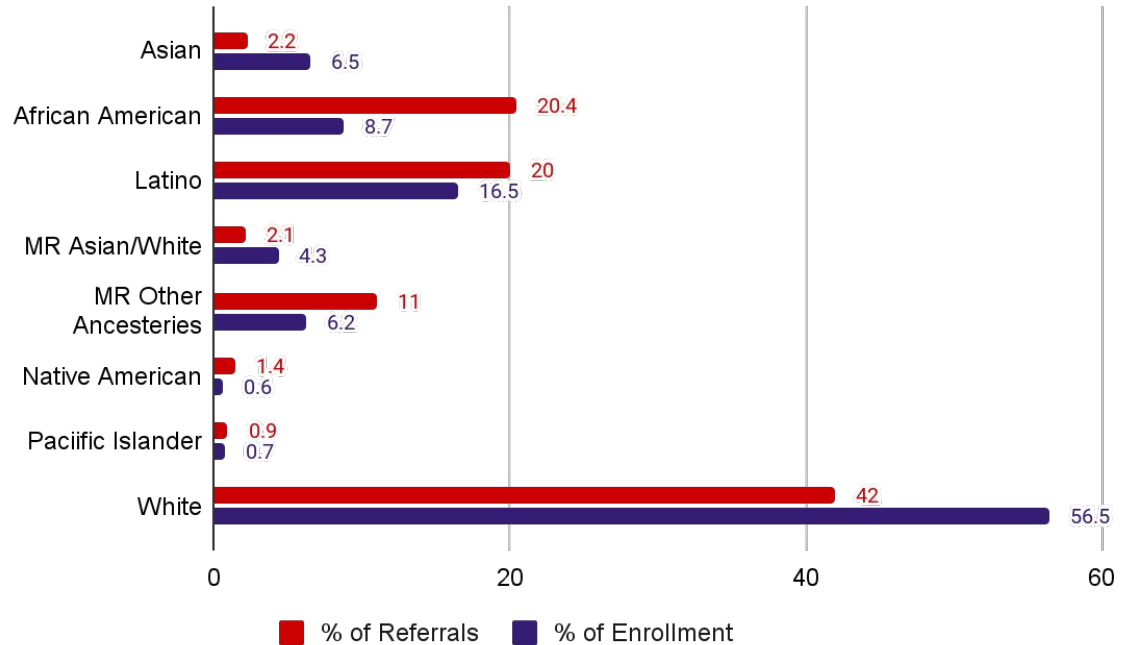
- Black students: **x 3.5**
- Native American students: **x 2.5**
- Latinx students: **x 1.24**

In its current form, Article 9 language is a significant roadblock to disrupting these disproportionate outcomes at PPS.

Disciplinary Disparity

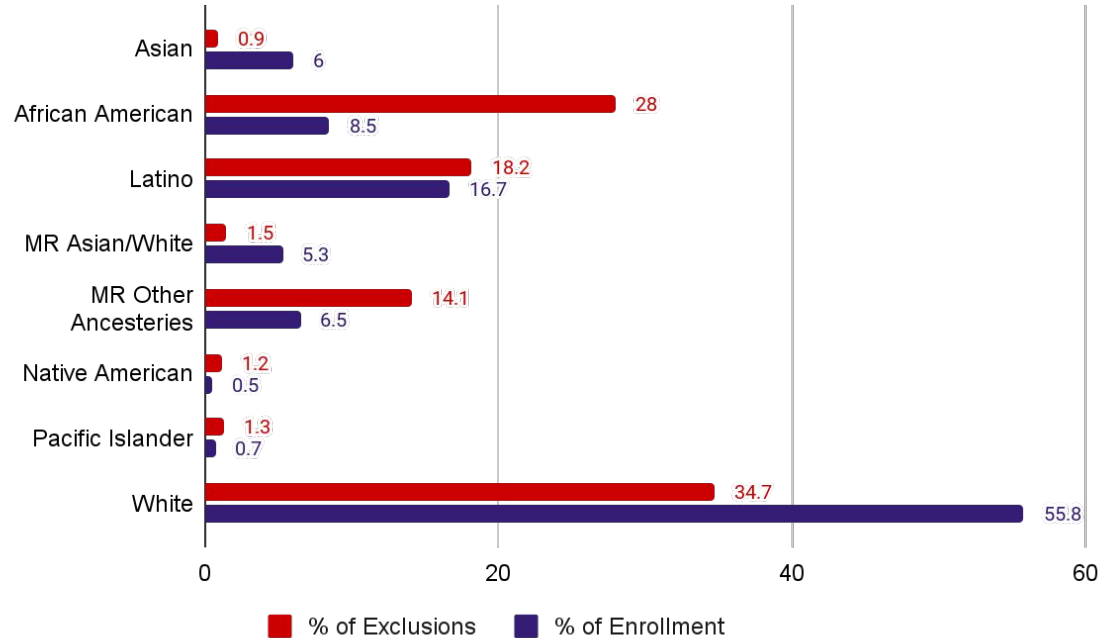
Student Discipline Referrals by Race - 2019-2020

- School discipline referral is made by a staff member to refer a student, for discipline, to the school administration.
- Although Black students make up 8.7 percentage of student population, **they make up more than 20 percent of the discipline referrals.**



Exclusions by Race - 2020-2021*

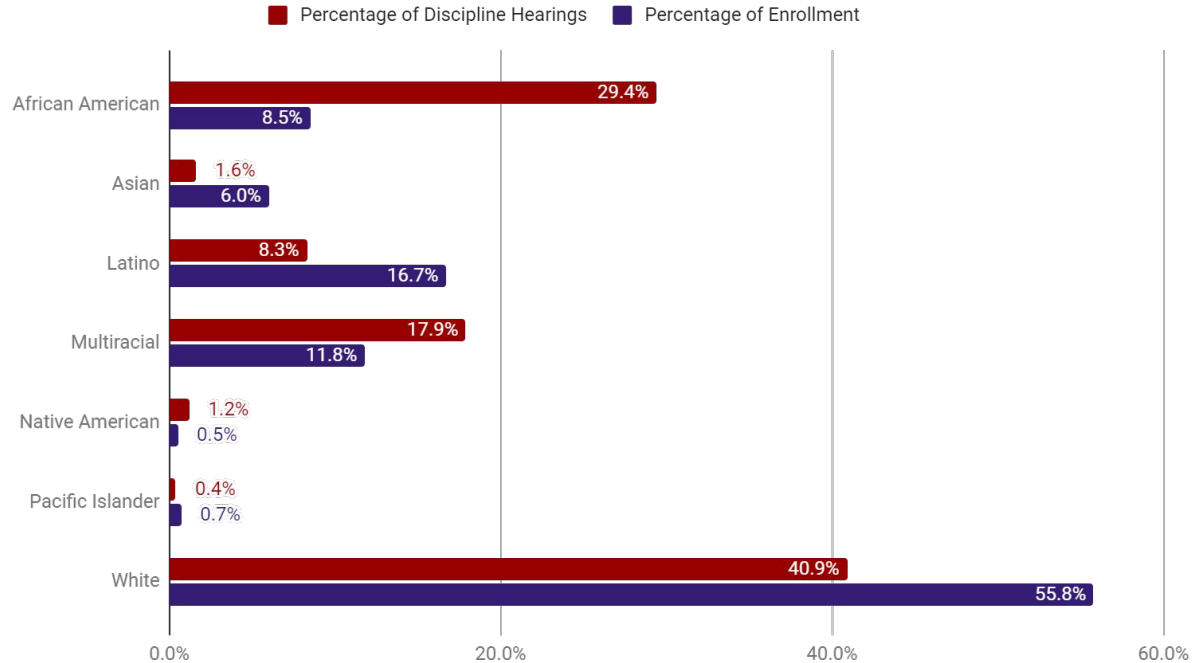
- Exclusion is when student removed from class due to behavior.
- Although Black students make up 8.5 percentage of student population, **they make up 28 percent of all classroom exclusions.**



* Up to 2.15.2021

Discipline Hearings by Race - 2021-2022

- Discipline hearings occur when expulsion is proposed.
- Although Black students make up 8.5 percentage of student population, **they make up close to 30 percent of all proposed expulsions.**



Summary of Disproportionate Discipline in PPS Schools and Classrooms

- Black students are **3.5 times** more likely to be referred, suspended, and sent to disciplinary hearings.
- Native American students are **2.5 times** more likely to be referred, suspended, and sent to disciplinary hearings.
- Latinx students are **1.24 times** more likely to be referred, suspended, and sent to disciplinary hearings.



PPS Proposed Changes to Article 9 on Discipline and Student Safety

Educator safety is important...

...If we don't feel safe at work, we can't be fully present for our students.

As PPS educators, we hold true our unwavering commitment to racial equity and social justice and doing right by every student, especially Black, Native American and students of color, and students with disabilities.

By focusing on making adjustments to language of Article 9, we hope that **together**, we can align our shared values of racial equity with students at the center, and a commitment to educator and student safety.

PAT Contract: Article 9 “Discipline and Safety”

Current Language

- **Requires mandatory minimum**
 - Five (5) day minimum suspension for a “threat”
 - Mandatory expulsion for for “physical attack”
- **Definitions are subjective**
 - Implicit bias influences the decision making process
 - Establishes violent criminal standard
- **Creates predetermined results**
 - Automatic removal of students from classrooms
 - Limits use of trauma-informed practices that maximize instructional time for every student

Our Proposed Changes

- Create reasonable and trauma-informed standards (compared to individual standards).
- Reorient PPS’ student discipline towards research-based restorative practices.
- Remove mandatory sentencing rules.

Summary of Proposed PPS Changes

Section	Proposed PPS Changes
Preamble	Add preamble
9.1 Professional Educator Authority and Protection	Clarifies policies and regulations refers to School Board policy on student discipline.
9.2 Definitions	Provides clarity to the definitions of physical attack/harm and threat/causing fear of harm
9.3 Student Discipline	Updates to language that is less punitive and updates to align with current practice.

Proposed Change: Preamble

The District and Association are committed to an approach for student conduct and discipline that aligns with the PPS Vision and utilizes research based in Racial Equity and Social Justice, Restorative Justice, Trauma Informed and Culturally Sustaining Practices to minimize the use of exclusionary discipline and to maximize instructional time, while repairing harm done within the school community. Student success will not be predicted nor predetermined by national origin, race, culture, ethnicity, sex, language, socio-economic status, mobility, sexual orientation, disability, and/or religion. Student behavior is a communication of unmet needs, and makes sense when put in context. The disciplinary response process should be aimed at meeting these needs and create an environment that helps students find new ways to meet their needs. With this belief PPS will begin to move from exclusionary discipline to Restorative Practices for all Pre-K to 12th grades. These practices paired with meaningful and accessible instruction and guidance offer students and staff the opportunity to learn, grow and contribute to the school community.

Proposed Change:

9.1 Professional Educator Authority and Protection

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The following sources for determining professional educator authority and protection shall be provided for an Association representative in each building:

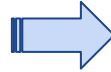
9.1.1 Oregon Statutes on Discipline, Attendance and Exclusion of Students, Chapter 339 Oregon Revised Statutes;

9.1.2 Current District Disciplinary Procedures: The Student Rights and Responsibilities Handbook and Guide;

9.1.3 All administrative directives which are for the general knowledge of professional educators including building handbooks/rules; and

9.1.4 “Policies and Regulations”

It is recognized that there may be normal delays between the time of adoptions and delivery of such materials to the building.



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9.1.2 Current District Disciplinary Procedures: The Student Rights and Responsibilities Handbook and Guide;

9.1.3 All administrative directives which are for the general knowledge of professional educators including building handbooks/rules; and

9.1.4 “Policies and Regulations” **of the Board related to student discipline.**

It is recognized that there may be normal delays between the time of adoptions and delivery of such materials to the building.

Proposed Change:

9.2 Definitions

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For the purposes of this article, the following definitions shall apply:

9.2.1 Physical Attack/Harm:

Intentionally touching (e.g.: poking, pinching, pushing) or striking of another person against his or her will or intentionally causing bodily harm to an individual.

9.2.2 Threat/Causing Fear of Harm:

Physical, verbal, written or electronic action which immediately creates a fear of harm, without displaying a weapon and without subjecting the victim to actual physical attack.



9.2 Definitions

For the purposes of this article, the following definitions shall apply, **taking into account a student's age and developmental abilities:**

9.2.1 Physical Attack/Harm:

Intentionally **violent** touching (~~e.g.: poking, pinching, pushing~~) or striking of another person against **their** ~~his or her~~ will or intentionally causing bodily harm to an individual.

9.2.2 Threat/Causing Fear of Harm: Physical, verbal, written or electronic action which immediately creates **an objectively reasonable fear** of harm, without displaying a weapon and without subjecting the victim to actual physical attack.

Proposed Change:

9.3 Student Discipline

9.3.1.2

That a professional educator may remove a student from class who is disrupting the educational program in a manner requiring immediate action by the professional educator, or who has exhibited a pattern of disruptive behavior, and send the student to a location designated by the principal.

9.3.1.3

That the principal, supervisor or his/her designee shall, at the professional educator's request, confer with the professional educator without disrupting the professional educator's classes. Such conference generally shall take place prior to returning the student to class unless the principal, supervisor or his/her professional designee is not available, in which case the conference shall take place when the principal, supervisor or professional designee becomes available.



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That a professional educator may refer remove a student from class who is disrupting the educational program in a manner requiring immediate action by the professional educator, or who has exhibited a pattern of disruptive behavior to the Principal or their designee, and send the student to a location designated by the principal.

9.3.1.3

That the principal, supervisor or their his/her designee shall, at the professional educator's request, confer with the professional educator without disrupting the professional educator's classes. Communication to the professional educator ~~Such conference~~ generally shall take place prior to returning the student to class unless the principal, supervisor or their his/her professional designee is not available, in which case the conference shall take place when the principal, supervisor or professional designee becomes available.

Proposed Change:

9.3 Student Discipline

9.3.1.4

That a procedure shall exist for handling students removed from class when the principal, supervisor or professional designee is out of the building and, therefore, not available for a conference required by the professional educator. Such procedure shall provide that only professional personnel shall have a decision-making role in the handling of such students.

9.3.1.5

That if unacceptable student behavior continues, at either's request, the principal, or supervisor, and the professional educator shall develop and implement a mutually acceptable behavior correction plan involving, as appropriate, the principal, supervisor, professional educator, student and parent(s) and other resource staff. The plan could include, but would not be limited to, behavior contracts, special education referral, involvement of appropriate community agencies, use of time-out rooms or other activities. The plan shall include the specific areas of concern to be addressed, a timeline for completion, and the responsibilities of the student, professional educator, administrator and others.



9.3.1.4

That a procedure shall exist for **handling supporting** students removed from class when the principal, supervisor or professional designee is out of the building and, therefore, not available for a conference required by the professional educator. Such procedure shall provide that only professional personnel shall have a decision-making role in the **handling supporting** of such students.

9.3.1.5

That if ~~unacceptable~~ **disruptive** student behavior continues, at either's request, the principal, or supervisor, and the professional educator shall develop and implement a mutually acceptable behavior **support correction** plan (**Functional Behavior Analysis (FBA)/Behavior Support Plan (BSP), Safety Plan, Supervision Plan**) involving, as appropriate, the principal, supervisor, professional educator, student and parent(s) and other resource staff. The plan could include, but would not be limited to, behavior contracts, **SIT special-education** referral, involvement of appropriate community agencies, use of time-out rooms or other activities. The plan shall include the specific areas of concern to be addressed, a timeline for completion, and the responsibilities of the student, professional educator, administrator and others.

Proposed Change:

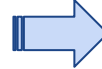
9.3 Student Discipline

9.3.1.7

An allegation that a student has committed Threat/Causing Fear of Harm or Physical Attack/Harm upon a professional educator shall result in the removal of the student from the responsibility of the professional educator pending administrative investigation of the incident. The administrator shall exercise appropriate progressive discipline as set forth above. If the investigation shows Physical Attack/Harm did occur and the professional educator so recommends, the student shall not be returned to the affected professional educator's responsibility.

9.3.1.8

In accordance with the Students' Rights and Responsibilities Handbook/Guide, any student who has been involved in a violation of state or federal law regarding weapons at school shall be immediately suspended pending administrative investigation. If the investigation confirms that the student was in violation of state or federal law regarding weapons at school, the student shall be reported to the appropriate law enforcement agency. The student shall be expelled from school for a period of not less than one calendar year. The Superintendent or the Deputy Superintendent may modify the disciplinary consequences on a case-by-case basis. A report of the modifications of disciplinary consequences shall be provided to the Superintendent at least twice a year.



9.3.1.7

An allegation that a student has committed Threat/Causing Fear of Harm or Physical Attack/Harm upon a professional educator shall result in the **temporary** removal of the student from the responsibility of the professional educator pending administrative investigation of the incident, **consistent with state and federal law**. The administrator shall **follow the adopted discipline policies to inform their next steps for the student utilizing all information from the investigation**. ~~exercise appropriate progressive discipline as set forth above. If the investigation shows Physical Attack/Harm did occur and the professional educator so recommends, the student shall not be returned to the affected professional educator's responsibility.~~

9.3.1.8 - REMOVE

Proposed Change:

9.3 Student Discipline

9.3.1.9

Any student found to have committed Threat/Causing Fear of Harm or Physical Attack/Harm upon a professional educator shall be immediately subject to appropriate discipline in accordance with the Students' Rights and Responsibilities Handbook/Guide.

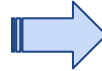
However, there shall be a minimum of five (5) days suspension for a Threat/Causing Fear of Harm and mandatory expulsion for the remainder of the year for Physical Attack/Harm.

The Superintendent or Deputy Superintendent may modify the disciplinary consequences on a case-by-case basis.

A report of the modifications of disciplinary consequences shall be provided to the Superintendent at least twice a year.

For PK-5 students, the minimum five (5) day suspension for Threat/Causing Fear of Harm shall not apply; however, an intervention shall occur and the Threat/Causing Fear of Harm will be documented.

If the Threat/Causing Fear of Harm rises to the standard in law, a suspension may be allowed.



9.3.1.9

Any student found to have committed Threat/Causing Fear of Harm or Physical Attack/Harm upon a professional educator shall be immediately subject to appropriate discipline in accordance with the *Students' Rights and Responsibilities Handbook/Guide*.

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