Teacher Focus Group Notes – Feedback on Advisory Council on Student Behavior and Discipline Proposed Changes to R.S. 17:416

I. Background

On Saturday, January 13, 2018, nine educators met at the offices of the Louisiana Association of Educators to review and provide feedback regarding proposed changes to R.S. 17:416 authored by the Discipline Working Group of the Advisory Council on Student Behavior and Discipline (ACSBD). The group met from 11:30am to 2:45pm.

After a detailed presentation of each section of the proposed changes by Sarah Omojola of Southern Poverty Law Center, participants asked clarifying questions and provided feedback. With the exception of a few areas, participants unanimously agreed.

Section II of this document details participant names, contact information, and work sites and Section III contains participant feedback.

II. Participants

Name	Personal Email	Work Site and Parish
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Suzanne Breaux	Suzannebreaux22@yahoo.com	Herod Elementary School, Vermillion Parish
John Breaux	Johnbreaux24@yahoo.com	Port Barre High, St. Landry Parish
Ryan Lawrence	Ryan.parker.lawrence00@gmail.com	Hammond High, Tangipahoa Parish
Carrie Coleman	Colemancarrie93@gmail.com	St. Helena Early Learning Center, St Helena Parish

III. Feedback

A. General Preamble

- (A)(1)(a)
    - Replace “on school campus” with “in school” to be more inclusive of all parts of school property
- (A)(1)(b)
    - Insert “evidence-based” before “interventions and supports.”
- (A)(3)(h)
    - The definition of suspension is unclear and open to interpretation. For instance, if an incident occurs on a Monday at noon and a student is suspended, would a one-day suspension mean that the student would return on Tuesday at noon or Wednesday when school begins?
- (A)(3)(b)(iii)
    - Delete “self-esteem” and replace with “behavior” or “conduct”
- should be “evidence-based” interventions and supports

B. Responding to Student Misconduct

- Weapon should be defined as it is used in (B)(1)(a)(iii)(ee), (D)(4), (D)(6)(x) and a few other places.
- (B)(1)(a)(iii)
    - On many disciplinary documents, there is no place for students to tell their side of what happened. This is important as there are federal due process laws that mandate that students be heard. BESE should create model forms so educators know what is required and what is a best practice. Some schools have counseling referral or “time to think” forms that include the students perspective; some do not.
- (B)(1)(c)(iii)
    - Replace “fifth” with “five”
    - While participants understood that this section mostly applies to how schools are set up, it should be noted that a kindergartener should not be treated in the same ways as a fifth grader. The more appropriate groupings should be K-2, 3-5, 6-8, and 9-12.
- (B)(1)(d)(iii)
    - What if there is not “another setting” where a child can be educated, a teacher to feel safe, and a school to function smoothly. For instance, if a child, who has a right to learn, has gotten into a physical altercation with the only science teacher for his/her grade, where will that student receive their required science education?

- It is important to note that usually there is no continuum of services to help student with severe trauma and/or counseling needs or a person coordinating outside services to help address student misconduct.

C. LEA Codes of Conduct

- (D)(5)(b)
    - Participants disagreed about whether LEAs should have discretion to eliminate out of school suspension as a consequence. Some noted that this is already a choice so there is no need to put this in law. However, if this continues to be part of the proposed recommendation, it would be a good idea to require that LEAs who want to make this decision to meet with teachers who are part of a union and part of a bargaining unit, as well as those who are not. Other participants believed that if an LEA has the supports and structures necessary and that it works for them, they should be allowed to eliminate suspensions for themselves.
- (D)(6)
    - Reorganize disciplinary infractions from low to high
        - Note that depending on grade, some infractions maybe be more serious
        - Willful disobedience and profanity are low level, not warranting suspension, except when repeated multiple times
- (D)(6)(ix)
    - Include “school employee property”

D. Serious Disciplinary Incidents

- For students who are using drugs and alcohol, there should be an emphasis on intervention and rehabilitation. There should be processes in place for referring students to get help. Additionally, for families who can’t afford treatment there should be ways for schools to pay for treatments.
- What’s the appropriate response for students who are on recreational drugs at school? Some educators stated that sometimes when students are under the influence of , school nurses aren’t equipped to treat them and they end up being sent back to class and disrupting learning.

E. Publishing Discipline Data

- There should be protections to make sure that data would not be used to retaliate against educators or schools
- Participants wondered how LDOE will ensure reliability and validity of state accountability metrics.
- They also recommended that LDOE should require reporting of data by semester so that educators can better evaluate trends.

F. Other Comments and Concerns

- Participants noted that in some schools there are some practices, procedures, and interpretation of law that make it very difficult to manage student behavior. For instance, mandating silent lunch does nothing to help student behavior or school discipline. Disallowing educators from managing discipline in cafeteria or other non-classroom areas of school campus is also ineffective.
- There should be funding for training and professional development for restorative justice, positive behavior intervention and supports, classroom management, and cultural competency. LAE would be interested in providing this sort of training for schools.
- There were differing opinions about what the bullying section of the code should include. Some educators noted that the bullying section include protections for both students and teachers who are lesbian, gay, bisexual, transgender, queer, intersex, and asexual (LGBTQIA). Some noted that the bullying section should include sexual harassment.
- The Department should provide authorization and support for the community schools model, as well as funding for community liaisons.
- There should be a reentry plan and services for students returning to their schools from incarceration or hospitalization for mental health needs.