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ABSTRACT
        This report presents the outcomes of a policy forum
convened to address issues of disciplining students with
disabilities. Summaries of panel presentations are provided, focusing
on legal and policy issues, school/interagency solutions/good
practices, and family and community issues. Observations and
recommendation of forum workgroups are also summarized, in the areas
of: definition/scope of discipline, interagency/community/family
issues, systemic reform practices, array of services and intervention
strategies, and training and empowerment. Forum participants
recommended that a range of discipline options be available, and the
focus should be on early intervention. The school curriculum should
include the development of prosocial behaviors, problem solving,
mediation, negotiation, and other skills that lead to positive
student behaviors. In general, forum participants favored an emphasis
on dissemination of information about effective practices and support
for systemic capacity building, rather than the development of
additional federal and state law and regulation changes. Appendixes
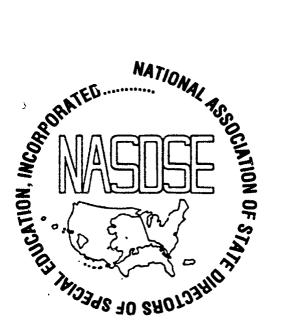provide a participant list and forum agenda. (JDD)

ED 378 713

A FORUM ON DISCIPLINE CHALLENGES AND OPPORTUNITIES IMPACTING STUDENTS WITH DISABILITIES

Final Report
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Prepared for:
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Prepared by:
Project FORUM

National Association of State Directors of Special Education
1800 Diagonal Road, Suite 320
Alexandria, VA 22314

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A FORUM ON DISCIPLINE CHALLENGES AND OPPORTUNITIES IMPACTING STUDENTS WITH DISABILITIES

I. PURPOSE AND ORGANIZATION OF THE POLICY FORUM

A. Background and Purpose of the Forum

Maintaining discipline is a major challenge for school officials, particularly with increased crime and violence in our schools. The courts, state legislators, Congress, as well as federal, state, and local policy makers have all become involved in addressing discipline issues, including procedural issues related to disciplining students with disabilities.

This policy forum was convened to address issues of disciplining students with disabilities within the following areas:

- o legal and policy issues
- o school/interagency issues
- o family and community issues

Participants also discussed recommendations for changes needed at the local, state, and federal levels in both policy and practice. In addition, resources and assistance were identified that will be necessary to carry out proposed recommendations.

B. Preparation for the Forum

Project FORUM staff worked with the Office of Special Education Programs (OSEP) personnel to identify 15 participants for the forum. (The final list of participants is included as Appendix A). Participants included building principals, a secondary classroom teacher, local special education administrator, attorneys, mental health advocate organization representative, other advocacy group representative, mental health services representative, state directors of special education, and a consumer/student. In addition, several OSEP and Project FORUM staff participated in the forum. Participants were chosen to provide several different "lenses" or perspectives related to student discipline issues and practices.

To provide background information, two papers (in draft form) were sent to the participants prior to the forum:

- o Hartwig, E., & Ruesch, G. (1994). *Disciplining students with disabilities: A synthesis of critical and emerging issues.* Alexandria, VA: National Association of State Directors of Special Education, Inc., Project FORUM.

- o Ahearn, E. (1994). *Discipline and students with disabilities: An analysis of state policies.* Alexandria, VA: National Association of State Directors of Special Education, Inc., Project FORUM.

These two background papers provided information regarding current issues, policies, and practices in the application of school discipline to students with disabilities. Participant's packets contained additional information regarding litigation issues, school-based interventions, school-home-community intervention, and several proposed amendments to the Individuals With Disabilities Education Act proposed by Congress. Tom Hanley, from OSEP, also provided copies of the *National Agenda for Achieving Better Results for Children and Youth With Serious Emotional Disturbance.* This body of information was intended to provide the participants with a common core of knowledge and to stimulate forum discussion.

C. Process of the Meeting

The forum was held on September 8-9, 1994 at the Old Town Holiday Inn, in Alexandria, Virginia. The agenda (Appendix B) began with welcoming remarks by Joy Hicks, Director, Project FORUM, and Lou Danielson, Director, Division of Innovation and Development, OSEP. Eileen Ahearn and Judy Schrag, FORUM staff, provided background/context for the forum and an orientation to the forum agenda. Participants introduced themselves and shared brief comments regarding their job/advocacy role related to discipline issues, concerns, and practices involving students with disabilities.

The forum was designed to elicit information from the participants on their experience and expertise within the three forum topic components (legal and policy issues, school/ interagency issues, and family/community issues). Toward that end, each participant was pre-assigned to one of three panels on these topic components and asked to discuss policies, issues, and practices that should come to the attention of practitioners and policy makers.

The first day of the forum proceeded with presentations from <u>Panel 1: Student Discipline: Legal and Policies Issues Involving Students With Disabilities</u>. Following Panel I presentations, three small groups discussed legal and policy issues discussed by Panel I; identified other legal and policy issues; and discussed the extent to which federal, state, and local policies facilitate or complicate these student discipline issues. This process was also used to facilitate the presentation and discussion of topics addressed by Panel II and Panel III (School and Interagencies Issues and Family/Community Issues).

At the end of day one, small groups synthesized what they heard during the three panel presentations and began to formulate recommendations regarding issues and solutions, as well as policy changes and resources needed at the federal, state, and local levels for implementation and/or resolution.

Day two began with individual review and reflection on the summary of Day one discussions. The large group categorized the list of major issues in the disciplining of students with disabilities, and spent the remainder of the morning making recommendations for action and change.

II. OUTCOMES OF THE MEETING

Project FORUM staff utilized laptop computers to maintain a process account of the large group discussions occurring on both days of the forum, as well as to prepare a summary of Day one discussions for use during the second day. The large and small group discussions were also taped to assist in recording the process as well as content of the forum.

The following summary of comments made by forum participants are divided into two sections. Section one outlines major points presented by the panel members. Section two represents the recommended actions and strategies of the whole group as a result of reaction to and expansion of thoughts offered by the panelists.

A. Summary of Panel Presentations

PANEL 1:   Student Discipline: Legal and Policy Issues Involving Students With Disabilities

- o   The problem in this society is that we don't know how to deal with students "on the margins".

- o   Our policies become a reflection of our societal response to the problems and issues of concern.

- o   We haven't given serious thought nationally about children and a clear perception about what we want for our future.

- o   We look at parole as solving the problem; suspending students as solving the problem; but we fail to look at the sources of our problems. Long- term solutions must focus on giving students a sense of self-worth and responsibility so that students don't have a sense of hopelessness.

- o   One of the things that we fail to recognize is that many of the behaviors that we dislike in children begin very early. The child is not necessarily bad or evil, but often their behavior is a reflection of society as experienced in the child's immediate environment.. We need to look beyond the school to the community for additional resources, support services, and programs.

- o   In Virginia, we have been looking at the records of some of the children and find that there has not been any previous effort to implement an intervention. Often we wait for problems to occur before we provide programs/services.

o   GOALS 2000 fortunately involves a broader program than the schools;
        e.g., the community and other programs.

o   One of the things that we need to look at is how we train teachers and
        administrators.

o   Once a child is expelled from school, he loses his place in society. We
        cannot afford to toss away any child.

o   Often children we serve don't have a parent support system.

o   We assume that suspension will solve the needs of children with
        disabilities.

o   Sometimes school systems do not pay attention to what happens when
        a special education student gets in trouble.

o   There are due process procedures, but there is no process in place to
        indicate effective follow-up after suspension especially in cases of
        violent, re-occurring behaviors.

o   Because the behaviors are perceived by the school as not making the
        student eligible for special education, the child may not get assistance.
        We need to intervene before the child is suspended and keep the child
        in school. The resources that we expend keeping students out of
        schools could be spent on intervention programs and support services.

o   There are not enough attorneys for appropriate representation of
        children in need.

o   We need to keep in mind that we are focusing on reform and
        supported education for all students.

o   Solutions related to student discipline must be a part of and not apart
        from education reform. For example, site based management must
        provide alternatives.

o   In Washington, we have been implementing inclusive school practices,
        which we call supported education. The results have been successful
        in improving student self esteem, etc. As we, however. begin to look
        at the child with more severe problems such as behavior problems, we
        are finding that there is a lack of a continuum of services and lack of
        on-going supports for the teacher. Part of the problem has been
        unfunded mandates.

o   Teacher time is a critical component of effective intervention. Preparation takes time and coordination.

o   We need to be better "students" of trends and demographics. "It is easier to ride a horse in the direction it is going."

o   As the mix of students change and parents don't feel that their child is safe in school, vouchers may become a reality with a possible severe impact on inclusion.

o   Vouchers may result in a "think alike and look alike" mindset.

o   Perceived or real, the attitudes of teachers is a barrier to implementation of the range of supports needed by students. This is a concern because in many instances nationally, teachers have been seen as leaders in reform.

o   Not only is the immediate threat to the child the problem, but the legal mileau and teacher union concerns about teacher safety are all putting a cloud over the gains of inclusion. Litigation and the threat of litigation is a problem.

o   There have been many changes in society and other changes such as Honig vs. Doe and other litigation since the passage of P.L. 94-142.

o   In some cases, the stay put provision has been a barrier to dealing with some students who have been a threat to others. Sometimes we need to take immediate action to create a better environment.

o   The stay put provision is acting as a disincentive. The stay put provision may be a disincentive to inclusion because once a student violates the discipline code, regulator administrators know that there is a likely potential that the "stay put" will be invoked and the student will remain in the standard educational classroom. This creates a visible difference between disciplining students with disabilities and their nondisabled peers.

o   There should be ways to remove the student from the school especially when it has been determined that the behavior is not due to the disability. There would, however, have to be some limits to the time that a student can be removed such as 30 days, so that the due process rights of the student are not violated.

o   Perhaps another alternative is home-based/community instruction.

o   School districts have been lacking in policies and the needed paper trail for documentation. School districts need to specify in IEPs why the discipline code can or cannot be applied. Behavior plans have not been consistent and detailed enough. Often, school districts have been lax. There has been a problem determining discipline policies. There is a need for comprehensive planning involving mental health.

o   There needs to be evaluation procedures within behavior management plans so that review can occur before plans are allowed to go on for several weeks/months without determining their impact on the student.

o   Behavior management plans need to reflect the SEA/ district discipline codes. Changes in IDEA should include a specific requirement for behavior management plans.

o   School districts need to develop discipline policies using a fully representative group including parents and the community.

o   We should look at the definition in the current law and select the components of the definition of serious emotional disturbance (SED) and then ensure that evaluations conducted relate to those specific components.

o   There is not an adequate range of educational placements. Often a system agrees to a placement outside the system when it is not necessary.

o   Different eligibility criteria within our judicial, mental health, and education systems are a barrier to providing integrated community services.

o   There should be some mandated aspects to interagency coordination to eliminate the school-only aspect of serving students with severe behavior problems.

o   The law does not hold all of the answers. We have made principals so paranoid that they don't know where to turn. The law often conflicts with good practice.

o   Building administrators need to know what they can do to discipline students with disabilities.

o   A safe learning environment in the school is a reasonable expectation for all parents.

o   Misconduct is not solely a special education issue.

o   The Department of Education should speak as one voice. Often the Office of Special Education Programs has one policy and the Office of Civil Rights has another. Clear and consistent direction is needed for schools and parents regarding discipline and students with disabilities.

o   Labels are being used inappropriately to place non-disabled students in programs for BD/SED students to provide the "added protection" under IDEA regarding suspension and expulsion.

o   In some respects, the IDEA purposes are backfiring; e.g., trend toward more restrictive placements to hide problems away, confusion regarding exclusion for violent behavior, etc.

o   There is a need for OSEP to clarify its position on accumulated suspension days with respect to students with disabilities. Common sense and fairness needs to be factored into a solution.

o   There is also a need to clarify what is meant by "connected to", "related to", "manifestation of", and "causal" when determining how a disability related to the behavior being exhibited. etc. Also, what is meant by "manifestation".

o   There is also a need for clarification and guidance on what is meant by behavior planning in IEPs.

PANEL 2:   School/Interagency Solutions/Good Practices

o   Legal and administrative issues are not the issue, what happens within programs at the local level is more important.

o   Implementation of school reform (Blueprint 2000) in Florida is like a puzzle. We are looking at curriculum, assessment, teacher training all at once. It is important not to look at discipline in isolation.

o   Within Blueprint 2000, school districts are required to have a school improvement plan. A lesson learned is that all persons involved need to be part of the planning process.

o   We cannot continue to throw money at something that is not working. Blueprint 2000 has seven goals. One goal deals with making schools safe, in which strategies are being implemented that keep students and families from becoming dysfunctional.

Within Blueprint 2000, a master plan has been developed with eleven strategies; one of which deals with full inclusion in communities. To do this, you don't start with seniors. Earlier intervention is critical. This master plan has been signed off by both teacher unions and was the result of inter-agency collaboration. All entities are speaking with one voice.

o   Florida also has a project with school psychologists dealing with prevention.

o   Exceptional education at the state and local level is coming to the table with general education with a commitment to giving teachers help--trying to stop the inappropriate referring, testing, and placing syndrome. Florida has been a very categorical state; e.g., a child with learning disabilities (LD) goes to a LD class.

o   Waiting lists for special education are large. School personnel are trying to provide alternative pre-referral intervention.

o   Florida also has a collaborative training initiative. Social skills curriculum is an essential part of the local school curriculum. They have found that teachers need training to provide social skills training to students.

o   In addition, Florida has professional development partnerships between school districts and universities; e.g., SIDNET (17 around the state) has been implemented to work with SED students by assisting school districts and agencies.

o   In one middle school, early intervention teams have reduced the referral rate from 100 to 8 students.

o   There is a lot of research and practice about what works. Even with this knowledge, research and descriptions of practices are not being widely disseminated or implemented. Federal incentives could help make this happen.

o   In Toledo public schools, special education problems don't fall in any one category.

o   These comments address three groups, 1) high incidence problem students who are easily led, 2) students who have multi-disabilities, and 3) students often placed out-of-state who are coming back to the public schools.

o   In the first group, often general education students are getting students with disabilities take weapons through the limited detectors for them.

o   There have been six gang-related incidents, two involving students with disabilities within the school district this year.

o   In-school suspension programs, Intervention and Assistance Teams (IATs), are used to provide assistance to the teacher to deal with students with problems.

o   In the second group with serious emotional disturbance and attention deficit disorders, Intervention Teams work with individual students. These Teams work on a volunteer basis, including parents, community members, and school staff.

   ●   Toledo also has School Assistance Teams with teachers trained in intervention strategies--beginning at the positive end, setting up individual goals. A continuum of options is utilized including a multi-factored intervention program.

   ●   The Toledo Public School District has behavior specialists who are teachers. Any teacher may call and get help from these behavior specialists to maintain students in the classroom.

   ●   A program called Bridges is also being used to intervene with students early in their school career. Clusters have been developed with a floating paraprofessional aide. A team approach and release time are provided for teachers to plan appropriate intervention strategies.

   ●   A grade 7-10 team is working with vocational skill development.

   ●   The goal of all clusters and separate school programs is to return the child back to a regular class full-time.

o   The third group of students are those with more "bizarre" behaviors. Interagency teams are used for this group.

   ●   The problem that arises is the need for additional money and other resources to support the range of needed interventions, particularly in urban schools.

   ●   The COPE program provides assistance for physical restraint. Crisis intervention plans are developed for all students.

- Toledo also has two types of more restrictive environments; a behaviorally disordered class with extra support and staffing; and a multi-handicapped unit for students with more violent behavior.
- There is a strong feeling among administrators and teachers that students with more extreme behaviors do not belong in a regular public education setting if their behavior interferes with other students' ability to learn. This needs to be addressed. The bottom line is that parents will move their children out of the public schools if they do not think they are getting an appropriate education.

- Students with violent behaviors are put into a more segregated program within the building. Rooms with panic locks are used in extreme, panic situations, in which the door is locked and only the principal or someone with the key can open. They had to deal with public image that these kinds of students should not be in schools.

o Toledo is trying to come up with solutions--full inclusion is a concern. They have inclusion models that work, but they are still trying to clarify what inclusion means. There is strong opposition to full inclusion.

o School psychologists are required to document intervention attempts provided, but often these interventions didn't work because of lack of skills of school psychologists and other personnel and lack of assessment. A behavior modification concept is that behavior will increase before it extinguishes. School psychologists tend to return to previous, more comfortable roles if they lack skills and success in their intervention attempts.

o School psychologists have been funded out of special education money, so they have had to test and place students in order to get funding.

o There is also a concern about the disproportionate share of black males with behavior problems in special education.

o A concern was also noted about the number of students with disabilities who are being suspended. Schools seem to want to suspend without providing prevention approaches/constructive teaching/social skills training.

o By junior high school level, prevention approaches/constructive teaching/social skills training are hard to implement in the school setting. Outside help from organizations is very important.

o   It is important to train teachers and parents to implement conflict resolution and mediation intervention strategies, but not in isolation.

o   Minor disputes can be avoided with conflict resolution.

o   Violence results because of the lack of options. School psychologists and all staff need to guarantee that other options are available to solve student conflicts. Students pick up the message that violence is the way to deal with conflict.

o   A challenge is to be receptive to the role of school psychologists who are in a transition phase from a tester and diagnostician to a facilitator and intervenor. Often the school only wants to hear test scores. It is important to allow school psychologists to change their roles. All many psychologists know is how to test. Often that is all schools see and want them to do.

o   The pre-forum documents sent included strategies that were much like those implemented in 1963. Many strategies are the same with a few minor exceptions--what goes around, comes around. Since the 1960s, there have been changes, but expectations of students haven't changed. Values have been covered up, but the basic value expectations are the same.

o   We have fancy names for the same things that were done in the past so maybe we don't have to throw out these strategies.

o   Adults are often not consistent with students.

o   We need to be clear and concise about behavioral expectations within the schools and how to assure that students meet these expectations. Research indicates that if the first strategy is tried consistently, there is a 33% success rate; second strategy, 67% success; and the third strategy consistently used is likely to be 98.9% successful.

o   The orientation in my county is to train everyone in the program concepts, how to implement strategies related to these concepts, and how to change attitudes.

o   We are looking at improved school climate. Some may say that we don't do therapy, but everything we do is therapeutic. The school is training everyone to look at the climate of the building, teaching all staff to reinforce positive school climate.

o   If the principal cannot convince the adults/ teachers that working with school climate is important, then it won't happen. It is important to convince those who work with students on a "hands on" basis to do things better.

o   The training spans from interventions to be implemented in the classroom to use of physical restraints in the building.

o   My school has implemented a data base that allows more information about the students and the impact of the various strategies on grade point, success, etc.

o   We have an intensity 5 program within the building for more intense students who would have been in a residential or segregated program.

o   Peer mediation is being used--turning over to the students as a way to practice democracy and involvement. Students are trained to implement peer mediation strategies.

o   Maryland requires 75 hours of community service in order to graduate. The girls are the most difficult to work with suspensions, disciplinary procedures, GPA. The students will co-lead and teach girls to obtain better skills before they enter high school.

o   We have implemented very clear, concise, and consistent building rules. You cannot hold students accountable for something they do not know about.

o   We have implemented a Premier Agenda which includes study strategies, ways to prepare for tests, a place to write daily assignments, and discipline strategies. Students designed part of the Premier Agenda packet cover. Eighty percent of the students felt it helped them although many students did not like it. This book helps students negotiate through the day and year. The book is very clear and concrete.

o   Staff members have been trained and empowered in consensus management. Hand signals are used to indicate level of agreement. This strategy allows more involvement of staff.

o   Empowerment of students and teachers is the key!

o   Two myths are important to displace. First, violence and behavioral problems are especially prevalent with special education students. Second, under IDEA, appropriate discipline cannot be carried out.

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o   There are a couple of truths. First, there is a lack of a full continuum of placements/supports available for students and teachers. The second truth is that we need to think about **all** students.

o   There are many practices that are effective, but there are certain underlying principles. First, there needs to be up-front and on-going training for all staff.

o   Prevention and early intervention are critical. Third grade intervention is nice but not early enough. It is important to implement early intervention and to implement positive practices rather than punishment.

o   The school cannot do it alone. There is a need to involve all agencies, need to break down funding systems, and a need to break down confidentiality of information. The IEP (don't know if IDEA needs to be revised), but it is part of the problem.

o   The IEP must be negotiated with the family. Every child is unique.

o   The draft background paper by Hartwig and Ruesch deals with slapping, noxious therapy, and aversive therapy. I cannot imagine when these make sense in a school setting. There is a need for clarification that these strategies do not belong in the school. The paper needs correction.

PANEL 3:   *Family and Community Issues*

o   Discipline issues do not need regulations and additional litigation.

o   NASDSE has developed a Leading and Managing document--systems to support children and families need a flexible array of support sensitivity to diversity of families.

o   We support multi-agency, community-based services including counseling, recreation, and rehabilitation for all students.

o   The media is portraying children only as negative.

o   Within Maine 2000, there is an emphasis on safe, drug-free schools-- free of drugs and violence to offer an environment conducive to learning.

o   Parents want to be full participants in the planning and implementation of any intervention.

o   Safety concerns of the parents involve the school, community, and siblings.

o   Parents want a flexible support system which is responsive.

o   Violence reflects lack of planning by the schools and lack of training of staff.

o   Maine serves twice the number of students with SED than other states and are looking at strategies such as Reading Recovery programs.

o   Policy has to be directly tied to practice.

o   Weapons in the school are a violation of the criminal code. It has nothing to do with IDEA--per se.

o   The incidence of violence is higher if students are out of school. We need to keep students in school to the extent possible with necessary supports provided for teachers and other school personnel.

o   In regulatory activities, the primary customers are not individuals but the community at large. This has not been our challenge in the past.

o   We have had dramatic success for students with multiple disabilities by using successful strategies to modify behavior.

o   There are a lot of strategies that are working, but these good practices are not being disseminated.

o   Information is not getting out to people in order to have opportunities to model effective practices.

o   There is also a lack of data about effective strategies.

o   I have grave concerns with the dissemination of the draft background paper by Hartwig and Ruesch. For example, we should not use language about hostile parents. Also a paper should not be disseminated that discusses the use of aversive in the schools; e.g., the use of electric shock.

o   The whole essence of what we need to be about is coordination not just in school, but across agencies.

o   Homebound programs can be very damaging to students with behavior problems.

o   Suspension was never good for me. School goes on, and the student gets lost. When the student returns, he/she is afraid to ask questions about what is missed. The teacher never offered to help me catch up, so I did not ask for help. Family problems (mother's discipline included severe beatings) caused me to run away, turn to the streets which led to drug involvement, foster care and subsequent incarceration. I didn't listen to my mentor or anyone until I was incarcerated --- then everything my mentor said came back to me. My experience allowed me to think about what I wanted to do with my life.

o   Kids need to see our vulnerability--and what it takes to change.

o   Teachers and others have difficulty dealing with violent, aggressive students.

o   If discipline is not practical, students will not practice it.

o   What we are trying to achieve is "disciples of learning" -- to create a student who is in control of his/her learning.

o   We are trying to produce learners.

o   Most approaches to families are categorical.

o   We should not fit students into a box--but build a box for the student of needed supports and services.

o   It is important to get connected beyond the services that we provided-- connected as much as possible.

o   There is a need for commitment that goes beyond traditional thoughts. It is important to have relationships with the students.

o   The WIN (Whatever is Needed) program deals with arbitration and mediation skills to help young people institute these strategies without "losing face" and maintaining their dignity. Once students learn they can be successful, they will "buy in".

o   WIN deals with the most severe students. Coercion doesn't work, and it should never be used. Rather, we should look at the child as a door to the family and the family as a door to the community.

o   If we can help a student to negotiate prior to confrontation, he/she- won't need a gun.

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o   There is a need to bridge the gap between money, priorities, and practices.

o   Research is good, but research should be focused on identifying and improving practice (service programs).

o   We need to get the kids to work with us.

o   Don't use penalties to evaluate. Rather, we need to find a more strength-based approach to evaluate the impact of our programs on students.

o   How many of you in high school knew what you wanted to be when you grew up? We have created stereotypes. We don't have a healthy image of people in their second decade of life.

o   We are good at strategies, but if kids don't find significance at school, they will find it elsewhere.

o   The terminology of SED is a problem. It is the only disability with a modifier.

o   Family issues are simple. It is important that you come to the table and make the commitment to try and that you don't quit.

o   Parents are searching for that one place that will hang in there with their kids and not throw them out.

o   Finally, families want schools to tell them the truth and they want commitment.

o   There is often no support network for kids to transition into adulthood except the prison system.

o   The community often wants these kids to go away, to build a corral.

o   We must get beyond behavior management. We must teach peace in all aspects and all relationships.

B. Summary of Observations/Recommendations by Forum Workgroups

The recommendations and observations that were made by the small groups at the end of day one following the Panel presentations were reviewed and expanded by the large group in the morning on day two. Recommendations and observations were then grouped within the major categories as follows:

1. *Definition/Scope of Discipline*

o Suspension is non productive if it is punitive and not educationally based.

o Learning should be the objective of discipline. Discipline must be inclusive of more options.

o It is important to be clear about school and community expectations and then these expectations must be consistently communicated.

o All children have basic rights.

o Punishment is only one aspect of discipline that needs to be coupled with more positive approaches.

o Positive reinforcement is a component of discipline.

o Teachers and administrators must be sensitive to the students' educational and emotional needs. The critical element to success is the relationship between the student, teacher, and family that involves the commitment to caring.

2. *Interagency/Community/Families*

o Strategies must be developed with an interagency approach involving the total community with ownership by all, including students.

o Sharing of responsibility (collaboration) and resources are critical.

o Community-based commitment to effective schools is important.

o Interagency collaboration is critical for resource availability.

3. *Systemic Reform Practices*

o There is a significant body of knowledge (research and practice) about what works, but there is a need for systematic dissemination of these practices.

o There is a need for systematic planning, training, and implementation by all (those who will implement and those who will be impacted, including the student and family). There is a need for the federal government, state departments of education, and school districts to support and facilitate capacity building within the school and community to support all students and their families.

o There is a need for a data base regarding practical interventions that work.

o   There is a need to identify effective discipline prevention and intervention practices and to disseminate this information, including data regarding the effective practices.

o   The administrative support, including the leadership of principals is critical in reform and school restructuring.

o   In addition to administrative support, teachers must be integrally involved in the planning and implementation of effective discipline prevention and intervention programs and practices.

o   The role of the state should be to facilitate change and service delivery at the local level.

4.   *Array of Services and Intervention Strategies*

o   There is a need for many options for prevention and intervention as well as continuity of care from early childhood through adulthood for students and families.

o   Given a wide variety of available options for prevention/intervention strategies, the focus should be on systematic implementation.

o   Prevention/intervention strategies need to be non-categorical.

o   The school curriculum needs to infuse conflict resolution, problem solving, social skill training, and learning strategies.

o   There is a need for early intervention.

o   There should be a wide variety of program options available to teach and reinforce pro-social skills.

o   Community service is one viable intervention strategy.

o   The role of professionals working in school settings is changing.

o   Student academic performance is a critical indicator of potential discipline or behavior problems.

o   There is a need to re-define discipline. It is only productive if it is educationally based with a positive array of interventions.

5. *Training and Empowerment*

o   An essential component of effective discipline prevention/intervention is a long-term commitment for training of everyone; e.g., school/interagency personnel, families, etc.

o   Teachers/other agency staff need time to plan and participate in self designed training opportunities. Resources must be allocated to support training efforts on-going and sustained.

o   There is a need for training for all service providers and families.

o   There must be an understanding of student behavior and the balance between individual student responsibility and the impact of disability on the student.

o   Systemic training is needed for all (service providers and families) .

o   Empowerment of staff, students, and parents is needed.

6. *Other*

o   All children should have basic rights.

o   A national commitment is needed for children and youth (national agenda and necessary resource allocation).

o   Clarification of eligibility criteria is needed.

o   There is a need for policy changes to facilitate exchange of information across agencies.

o   The law should not drive services to children and families. The law provides boundaries.

o   There is administrator fear of litigation.

On the morning of day two, forum participants made several additional recommendations regarding changes that are needed at the federal, state, and local levels in both policy and practices to resolve identified problems, as well as needed resources and assistance in the schools.

7. Additional Recommendations

o Forum participants discussed the need for a behavic al management plans as a part of the individual education program (IEP) or as an on-going good practice. Several of the forum participants felt that such an additional requirement would be redundant because if a student has behavior problems, behavior management objectives/ strategies should already be on the IEP. There also was discussion that the IEP should contain broad parameters of a behavioral management plan, but that the detail should be left up to classroom teachers or the intervention team since an effective behavioral plan may have daily or weekly changes. The IEP should be amendable without going back to the team; however, since it is not, teachers are reluctant to put detail in it. Also, teachers often feel that putting detail within the IEP can come back to "bite them". It was also noted that quality of a behavior management plan cannot be mandated. The Minnesota practice of including behavior management plans within the IEP was shared with the group. One problem noted with adding behavior management plans to the IEP is additional paperwork. Teachers are already burdened by paperwork.
Although it was noted that the use of behavior management plans is a good practice, there was difference of opinion as to whether additional requirements should be mandated within IDEA. The majority of support participants did not support additional changes to IDEA.

o The forum participants expressed their concern that the background paper authored by Hartwig and Ruesch contained a discussion of adversives. They felt that inclusion of this discussion might communicate that the use of adversives could be a possible alternative intervention. The group strongly recommended that all references to adversives be deleted from this document prior to any further dissemination.

o Another area of discussion was the need to add changes in federal regulations or appropriate federal laws that would allow for and facilitate the exchange of information across agencies regarding students with behavioral and learning problems. Forum participants agreed that there needs to be a systematic and thorough review of existing federal laws and regulations to determine changes that are needed. This is an important issue, but it was noted that the impact of release of information on the child/individual and family must be considered. The need to maintain student confidentiality should not thwart or deter interagency communication and coordination. The lack of information sharing is often used as an excuse for r ollaborating.

o Forum participants discussed the need to facilitate and support schools in the implementation of existing and known good practices. It is important to have knowledge about effective practices; however, support and assistance is needed for planning and implementation.

o   Another forum discussion involved the need for changes in terminology in the definition of Serious Emotional Disturbance (SED). A few forum participants indicated the need to make the change in definition that has been supported by a number of organizations and professionals across the country. It was also noted that there is opposition to this change by other organizations. There was a concern expressed that a change in the SED definition may cause an increase in the population of students within this disability category-- particularly in more urban states. One forum member indicated that the federal definition/ eligibility criteria should allow this matter to be dealt with at the state and local level.

o   There is a growing body of research and practice regarding effective discipline prevention and intervention strategies. There was consensus by the forum participants that these effective practices need to be disseminated. However, equally important is the need to provide "system change" funds or assistance to support planning and implementation at the school and community level.

III. SUMMARY AND NEXT STEPS

Panel participants identified a number of legal policies and issues, family and community issues, and school-based and inter-agency intervention programs and strategies. There was consensus by panel participants that discipline practices must involve all students. However, forum participants recommend that student discipline not be dealt with in isolation. Rather, a range of options must be available for all students and focus on early intervention. The school curriculum must include the development of pro-social behaviors, problem solving, mediation, negotiation, and other skills that lead to positive student behaviors.

This day and a half forum could not accommodate the extensive discussion of recommendations for changes at the federal, state, and local levels regarding discipline policy and practice. However, in general, forum participants favored an emphasis on dissemination of information about effective practices and support for systemic capacity building, rather than the development of additional federal and state law and regulation changes.

FORUM participants acknowledged that this September, 1994 forum only opened the dialogue on this issue. The forum participants provided a unique blend of perspectives including that of a student as well as state and local policy makers and practitioners. A second forum, involving all or many of the participants attending this September, 1994 forum, could provide additional time to further discuss and determine specific recommendations for resources, support and assistance needed by policy makers, community agencies, school administrators and practitioners, students, and families. In addition, attention should be given to the preparation of a synthesis of effective strategies and programs aimed at developing pro-social behavior, mediation skills, problem solving skills, and other resiliency skills.

APPENDIX A: Participant List

Invited Guests

Sheldon Braaten
1153 Benton Way
Arden Hills, MN 55112
Phone: 612/483-1187

Art Cernosia
Northeast RRC
Institute for Program Development
Trinity College of Vermont
208 Colchester Avenue
Burlington, VT 05401
Phone: 802/658-5036

Gary DeCarolis
Child, Adolescent & Family Branch
Center for Mental Health Services
5600 Fishers Lane, Room 11C-17
Rockville, Maryland 20857
Phone: 301/443-1333

Harold Ferguson
5002 Denview Way
Baltimore, MD 21206
Phone: 410/325-5330

Pam Gillet
799 West Kensington Road
Mt. Prospect, IL 60056
Phone: 708/577-7749

Marge Goldstein
4648 Wickford West
Sylvania, OH 43560
Phone: 419/882-5704

Barbara Huff
Federation of Families for
    Children's Mental Health
1021 Prince Street
Alexandria, VA 22314-2971
Phone: 703/684-7710

Althea Jones
Child Advocacy Unit
Legal Aid Bureau
Calvert Building, Suite 500
6811 Kenilworth Avenue
Riverdale, MD 20237

Al Laws
78 Chase Mill Circle
Owen Mills, MD 21117
Phone: 410/233-5565

Becky Newman
Paint Branch High School
14121 Old Columbia Pike
Burtonsville, Maryland 20866
Phone: 301/989-5600

Leslie Skinner
Temple University
School Psychology
13th and Cecil B. Moore Avenue
Philadelphia, PA 19122
Phone: 215/204-6028

David Stockford
Division of Special Education
Maine Department of Education
Station #23
Augusta, ME 04333
Phone: 207/287-5950

Charles Talmage
Association of Washington
   School Principals
1021 Eighth Avenue, SE
Olympia, WA 98501
Phone: 206/357-7951

Austin Tuning
Division of Pre and Early
   Adolescent Education
VA Department of Education
P.O. Box 6Q
Richmond, VA 23216-2060
Phone: 804/225-2847
804/225-2052

Bettye Weir
Bureau for Education of
   Exceptional Students
Florida Education Center
325 W. Gaines Street, Suite 614
Tallahassee, FL 32399-0400
Phone: 904/488-1570

U.S Department of Education

Lou Danielson
Tom Hanley
Rhonda Weiss
Jane Case Williams
Theda Zawaiza
Beverly Fulke
Dan Morgan

Project FORUM at NASDSE

Joy Hicks
Eileen Ahearn
Pecolia Freeman
Joy Markowitz
Judy Schrag

APPENDIX B: Forum Agenda

AGENDA

FORUM ON DISCIPLINE CHALLENGES AND OPPORTUNITIES IMPACTING STUDENTS WITH DISABILITIES

SEPTEMBER 8-9, 1994

Thursday, September 8, 1994

8:00 - 9:00	Breakfast
9:00 - 9:30	Welcome

        Joy Hicks - Director, Project FORUM

        Opening Remarks

            Lou Danielson - Director, Division of Innovation and Development

        Background and Goals for the Forum
            Eileen Ahearn, Project FORUM
        Orientation and Logistics
            Judy Schrag, Project FORUM

9:00 - 9:30	Participant Introductions
9:30 - 10:30	*Panel I:* Student Discipline: Legal and Policy Issues Involving Students With Disabilities
10:30 - 10:45	Break
10:45 - 11:45	Small Group Discussions: Legal and Policy Issues

        o   What are your perspectives related to the issues presented by the panel?

        o   Are there other student discipline legal and policy issues?

        o   How do these legal and policy issues relate to increased school violence, complex student diversity, and school reform?

        o   Do existing federal, state, and local policies facilitate or complicate these student discipline issues?

11:45 - 12:15	Large Group Reconvenes - Small Group Reports
12:15 - 1:15	Lunch

1:15 - 2:15	**Panel 2:** School/Interagency Solutions/Good Practices

2:15 - 3:15   **Panel 3:** Family and Community Issues

3:15 - 3:30   Break

3:30 - 4:30   Small Group Discussions: School/Interagency Solutions/Good Practices; Family and Community Issues

- o   Are there other solutions/good practices?
- o   Do identified solutions/good practices meet family needs and expectations?
- o   Are the identified solutions/good practices presented by the panels possible given current federal, state, and local policies?
- o   If not, what are some recommendations?
- o   If so, why are these and other practices not being utilized?

4:30 - 4:45   Summary of the Day
                       Judy Schrag, Project FORUM

Friday, September 9, 1994

8:00 - 9:00   Breakfast

9:00 - 9:15   Plans/Expectations for the Day
                       Eileen Ahearn, Project FORUM

9:15 - 10:15   Large Group Discussion - Small Group Reports

10:15 - 10:45   Break and Checkout

10:45 - 11:30   Small Group Discussions: Formulation of recommendations related to assistance, resources, as well as policy and practice changes needed at the federal, state, and local levels

11:30 - 12:00   Large Group Reconvenes - Small Group Reports

12:00 - 12:15   Summary/Next Steps
                       Judy Schrag, Project FORUM
                       Eileen Ahearn, Project FORUM

FORUM ON DISCIPLINE CHALLENGES AND OPPORTUNITIES IMPACTING STUDENTS WITH DISABILITIES

SEPTEMBER 8-9, 1994

REVISED AGENDA FOR DAY 2:

9:00 - 9:10   Individual review/reflection on summaries of Day 1 discussions

9:10 - 10:15   Large group discussion to reach consensus on a final list of major issues in the disciplining of students with disabilities.

10:15 - 10:30 BREAK

10:30 -10:45   Individual listing of recommendations for actions/changes

10:45 - 11:45 Large group development of final list of recommendations specifying actions needed at federal, state and/or local level as well as the resources/assistance needed to carry out that recommendation.

11:45 - 12:00 Prioritizing of recommendations

12:00 - 12:15 Conclusion/Next Steps