

Reducing Exclusionary Practices



What are Exclusionary Practices?

Exclusionary practices (often called Exclusionary Discipline) remove children from school, daycare, or other programs.

These practices include:

- ❖ Suspending or expelling a child from school, daycare, or program.
- ❖ Requiring parents to attend with their child.
- ❖ “Soft”/Informal exclusions, including:
 - Calling parents to pick up a child.
 - Shortening a child’s day at school, daycare, or program.
 - Sending a child to another location within the setting.

What schools and programs must do

Schools and early childhood programs must ensure behaviors are understood. This includes:

- ❖ Using *positive* behavior supports designed to help children succeed socially, emotionally, and academically.
- ❖ Focusing on teaching, nurturing and encouraging *positive* behaviors for children.
- ❖ Adding supports to a child’s Individualized Education Program (IEP) if he/she has one.

What families can do

❑ Know their children’s rights under the law

- ❖ Maryland law*
 - A student enrolled in a public prekindergarten program, kindergarten, first grade, or second grade may not be suspended or expelled from school.**
- ❖ Individuals with Disabilities Education Act [IDEA] (special education law)
 - IEP teams must “consider the use of positive behavioral interventions and supports, and other strategies” to address behavior
 - If a child with an IEP is suspended a total of 10 days in an academic year, a manifestation determination must take place – if the behavior was a result of the

child's disability, the IEP must either:

- Conduct a functional behavioral assessment (FBA) and implement a behavioral intervention plan (BIP); or
- If there is already a BIP in place, review and modify it to address the behavior

❑ **Be aware of school/program policies**

- ❖ Review code of conduct and discipline policies.
- ❖ Become familiar with key positive intervention terms:
 - **Tier 1** or **universal academic and behavior supports**. These are positive, proactive supports used for all students.
 - **Tier 2** or **targeted supports**. These are positive, proactive strategies for students whose behaviors impact their learning (or the learning of others).
 - **Tier 3** or **intensive** or **individualized supports**. Designed to meet a child's individual needs; FBA/BIP is often part of Tier 3 support.

❑ **Be proactive and find support**

- ❖ Document when exclusionary practices are used. Click here to read our fact sheet [Discipline at School](#)
- ❖ Work with school/daycare/program staff to make sure family values and cultural strengths are part of the **positive** strategies used to teach, nurture and encourage your child's behavior.
- ❖ Add behavior goals to your child's IEP, if needed.
- ❖ Talk to your child about goals and expectations (if age-appropriate).
- ❖ Visit the school website or office to learn about resources like family support programs.

Sources

- Adapted from: [Reducing Exclusionary Practices, Positive, Proactive Approaches to Supporting Children With Disabilities](#)
- Adapted from: [Positive, Proactive Approaches to Supporting Children with Disabilities: A Guide for Stakeholders \(July 19, 2022\) - Individuals with Disabilities Education Act](#)
- Adapted from: [guidance for prohibition of suspension or expulsion for students in grades prek to 2 comar 13a.08.01.1 1.pdf \(marylandpublicschools.org\)](#)
- Adapted from: [Maryland School Discipline Laws & Regulations: Limitations or Conditions on Exclusionary Discipline | National Center on Safe Supportive Learning Environments \(NCSSLE\) \(ed.gov\)](#)
- [Positive Behavior Support: Top 10 Tips for Parents](#)

* COMAR 13A.08.01.11(C)(1)(a)

**Except as provided in §C(1)(b) of the regulation. There are instances in which children in these grades may be suspended or expelled, but there are specific procedures that must be followed.