**Problem:**

The current zero-tolerance policies in K-12 schools do not clearly define “inappropriate” behavior or promote a case-by-case system of discipline. “Violent” and “inappropriate” actions are different behaviors, which deserve different consequences; however, under the current Ohio Revised Code (*3313.534 Policy of zero tolerance for violent, disruptive or inappropriate behavior*), “violent” and “inappropriate” behavior are viewed as equivalent behaviors. This results in an increased rate of suspensions and expulsions. Broad application of zero-tolerance policies take away students’ educational opportunities and their right to due process.

**Findings:**

* A study about zero tolerance policies found that alternative disciplinary methods (outside of suspension and expulsion) resulted in more effective "youth assessments" which reduced out-of-school suspensions and increased graduation rates by 20%. [1]
* Nationally, 43% of expulsions and out-of-school suspensions lasting a week or longer were for insubordination (misbehavior). [2]
* The benefits of Positive Behavior Supports were adopted by the Ohio Department of Education: "A. A school-wide systematic approach to embed evidence-based practices and data driven decision making to improve school climate and culture in order to achieve improved academic and social outcomes, and increase learning for all students, and B. Encompasses a wide range of systemic and individualized positive strategies to reinforce desired behaviors, diminish reoccurrences of challenging behaviors and teach appropriate behavior to students.” [3]

**Recommendation:**

By defining “inappropriate” behavior, the Ohio Senate Education Committee will empower teachers and administrators to increase students’ education opportunities. The amendment of the Ohio Revised Code will give guidelines to local school districts that allow them to eliminate broad applications of zero tolerance. The Ohio Senate shall foster an equal and just discipline system which allows local districts to create their own responses to “inappropriate” behavior which align with both the discretion of the individual district and the guidelines set forth by the following amendments to the Ohio Revised Code:

* 1) Develop new language in the policy which distinguishes between “disruptive,” “inappropriate,” or “violent” behaviors in the educational environment.
* 2) Consider developmental, social, and emotional factors when an established response is applied to students’ “inappropriate” behavior.
* 3) Designate suspension and expulsion only as last resort responses.
* 4) Encourage a third party consultant from within the same local school district in which the behavior occurred to review documented cases of “inappropriate” behavior and consult with representatives from the school and student(s).

[1] *Journal of Child and Adolescent Psychiatric Nursing*, 2011

[2] *A Generation Later: What We’ve Learned about Zero Tolerance in Schools*, 2013

[3] Ohio Department of Education Policy on “Positive Behavior Interventions and Support, and Restraint and Seclusion,” 2013