

Update to Suspension in Buffalo Public Schools: History, Analysis and a Holistic, Positive Path Forward

Authors: Jessica Bauer Walker, BA, CHW; Rae Shih, JD, MPP; Jessica Balistreri, MA; Carly Hite, JD; Quinn Carroll, MA, LMSW

Contributors: Dina Thompson, MA; Renee Cadzow, PhD; Kim Diana Connolly, JD, LLM

I. Background

In December of 2022, an interdisciplinary group of advocates published a white paper titled [Suspension in Buffalo Public Schools: History, Analysis and a Holistic, Positive Path Forward](#). In it, we conveyed concerns regarding the extensive reliance on exclusionary discipline in Buffalo Public Schools (BPS, or the District) as a counterproductive method that fails to improve the school environment and stifles student success. We also raised concerns related to violations of New York State laws that regulate how and when suspensions are applied, and the disproportionate¹ impact of suspensions on students who are Black, Latine, low-income, have a disability, and/or have limited English proficiency.

This report presents new data showing that most of these original concerns remain. While we recognize some improvements by the District to address these issues, BPS continues to suspend students at high and disproportionate rates. Students who are often already at significant academic and social risk lose valuable time in the classroom and are also cut off from vital supports that schools provide, e.g., school meals, mental health support, special education and language services, healthy relationships, peer support, and more.

In New York State everyone younger than 21 who does not already have a high school diploma has the right to attend a public school. Suspensions remain an ineffective tool for managing student behaviors and are one way to push students into arrests and contact with the criminal legal system. Research shows suspensions likely reinforce the very behavior they seek to eliminate (Losen, 2014; NYSED Office of Student Support Services, 2022). As advocates and community members, our goal is to support BPS in transitioning from a punitive to a restorative system to facilitate appropriate student behavior in order to prioritize student success and safety and eliminate all disproportionate impacts. As we discuss below, this will require a culture and mindset shift with associated policies and practices to move from an accountability model that emphasizes punishment of students to a restorative framework of justice-seeking to repair the harm caused by behavior or conflict.

II. Key Updates and Suspension Trends

During the 2023-24 school year, Buffalo Public Schools administered **5,584 short-term suspensions** (where a student is out of school for 5 or fewer days) and **1,145 long-term suspensions** (6 or more days, up to a maximum of 180 days) (Buffalo Public Schools, 2024c).

¹ Black students constitute 40% of all students enrolled and should represent 40% of suspensions in a proportional and unbiased system. However, their suspension rate in BPS is closer to 60%. This is what we refer to as disproportionality.

While overall suspension numbers did decrease in 2023-24 compared to the previous year (short-term suspensions decreased 8% and long-term suspensions decreased 5% for all students), it is important to note that these numbers reflect the number of **suspensions issued** and not **total days lost of school**, for which data is not available. This assertion also masks disparities among marginalized groups. During the 2023-2024 school year, the number of short-term suspensions given to Black students slightly increased by 0.2% compared to 2022-2023 despite decreasing for students of all other races/ethnicities. Strikingly, Latine students saw a nearly 7% increase in long-term suspensions (Buffalo Public Schools, 2024c). Meanwhile, White students saw a 12% reduction in short- and long-term suspensions.

Moreover, suspension rates in the district should be considered alongside average daily attendance rates and an ongoing systemic issue of persistent and widespread chronic absenteeism.² Last year 34% (or 10,562 students) were considered severely absent (missing at least 20% of school) and 30% (or 9,138 students) were chronically absent (missing 10-20% of school) (Buffalo Public Schools, 2024b). In total, 64% of all students in Buffalo Public Schools are chronically or severely absent.

Most worrisome, advocates report a District practice of unlawful suspensions where a student is sent home without official documentation (Janaswamy, 2022). The suspension is thus likely not tracked in the Data Dashboard statistics. Additionally, in-school suspensions are not publicly reported in the Data Dashboard. While it is preferable to keep a student in school rather than exclude them entirely, any exclusion of students from their classrooms has a significant impact on their academic progress. Furthermore, some schools have in-school suspension and others do not. Unreliable tracking practices like this across the District make it challenging to accurately assess the true suspension rate, or any impacts on demographic intersectionality, meaning students with multiple characteristics.

Although BPS policies formally promote restorative approaches, implementation is enigmatic. Parents, students, and school staff report inconsistent use of restorative practices across the District.³ Coupled with ongoing concerns regarding the supports and services available for suspended students, especially those concentrated in certain high-suspending schools and in the District's "alternative" school which primarily serves students who have faced chronic suspensions, compliance with these policies is impossible to assess.

Unlawful, Overcharged, and In-School Suspensions

Advocates continue to decry the use of unlawful suspensions in schools across BPS. A suspension is unlawful when a school administrator calls a parent or guardian to request that they pick up the student from school for an issue related to their behavior without providing proper documentation or creating a record. In these cases, parents and students are not informed of their right to request an informal conference, question witnesses, appeal the suspension, or of their alternative instruction options. Unofficial suspensions not only go against State Education Law, they also make an accurate suspension rate impossible to calculate especially if students are

² Chronic absenteeism is defined as a student missing at least 10% of the school year, or 18 or more days.

³While the district has a "Parent Conference in Lieu of Suspension" metric, advocates are concerned about the lack of notice to parents of their right to request an informal conference, and whether these conferences incorporate authentic restorative justice practices.

marked absent when they were told to stay home by a school official. Unlawful suspensions violate the District's procedural obligations and are grounds for the Commissioner to overturn and expunge the suspension. The Buffalo suspension hotline⁴ reports that 25% of families calling for suspension assistance have experienced an unlawful suspension, most frequently for students with disabilities and Black students.

Another way the District unlawfully suspends students is by overcharging them. The BPS Code of Conduct categorizes violations from Level 1 to Level 4. According to the Code of Conduct, a suspension is appropriate only if the alleged misbehavior is a Level 3 or Level 4 violation. Last school year, an estimated 20% of all short-term suspensions were overcharged, meaning the underlying offense was not a suspendable violation. **None of these suspensions should have occurred, and all of them should be expunged.**

Lastly, the District's policies and practices around the use of in-school suspensions remain unclear, as in-school suspensions are not reported to the Data Dashboard and are deployed inconsistently across schools. Based on reports from parents, students, and building staff, students have been sent to in-school suspension for up to 5 days for low-level offenses such as using their phone in class. Other students, commonly in elementary grades, may be sent to classes at a lower grade level. This is not recorded as an in-school suspension even though it is a learning loss. It has been reported that while some students in in-school suspension receive schoolwork and supervision, they are not provided regular classroom instruction.

Accordingly, while we offer available data in this report, it must be understood that BPS makes it impossible to accurately calculate a true suspension rate given the prevalence of unlawful, overcharged, and unreported in-school suspensions; as well as the lack of data on total days of school exclusion due to suspension. These issues demonstrate a systemic failure that undermines progress toward accountability, transparency, and consistency and fails to adhere to New York State Education Law and the BPS Code of Conduct.

Our analysis of the following suspension charges listed in Table 1 found that an estimated 805 of these charges were classified as potential overcharges. The total number of short-term suspensions from Sept 2023 to April 2024 was 4,085. **This means 20% of all short-term suspensions from September 2023-April 2024 should never have been suspensions in the first place.**⁵

⁴ Families in the Western New York region can call 716-220-7081 to request assistance with their student's suspension. They will be referred to one of seven partner organizations, including Western New York Law Center, Legal Aid Bureau of Buffalo, CoNECT, Erie County Restorative Justice Coalition, the University at Buffalo School of Law, New York Civil Liberties Union, and Community Action Organization of Western New York.

⁵ The 20% was calculated by dividing the total number of overcharged short-term suspensions (805) by the total number of short-term suspensions through April 2024 (4,085).

Table 1. Short-Term Suspension Overcharges, September 2023 through April 2024 (Buffalo Public Schools, 2024a)

Code #	Code of Conduct Charge	Count of Short-Term Suspension Overcharges
8	Class Cutting*	86
9	Classroom Disruption*	106
10	Defiance of Authority/Insubordination	285
21	Discrimination, Harassment, Bullying	25
11	Disrespectful Behavior	97
12	Dress Code Violation*	3
14	Elopement*	69
20	Hallway Misbehavior*	28
25	Physical Contact with School Personnel	25
28	Portable Electronic Device Use at Unauthorized Times	8
27	Property Damage, Including Graffiti	16
33	Technology Acceptable Use Violation*	3
36	Tobacco Possession or Use*	56
	Total Number of Overcharges	805

*Charges listed with an asterisk indicate those that do not exceed a Level 2 response, per the BPS 2023-2024 Code of Conduct

Disparities in Suspensions Across Race, Disability Status, and Socioeconomic Status

Our research, along with BPS’s own data, shows that students from historically marginalized backgrounds continue to face disproportionately elevated suspension rates. Data acquired by the New York Civil Liberties Union (NYCLU) through a New York Freedom of Information Law (FOIL) request shows a disturbing trend. From 2018 to 2024, on average, 64% of short-term suspensions in the district were given to Black students per year, despite these students making up an average of 42% of annual district enrollment.⁶ In comparison, White students account for an average of 10% of annual short-term suspensions yet make up 18.2% of the district enrollment. These data also show that Black male students made up the largest portion of these suspensions, accounting for an average of 39% of annual short-term suspensions, whereas White male students accounted for only 7%. Similarly, during this time, Black female students accounted for an average of 25% of annual short-term suspensions, whereas White female students accounted for only 3%.

These disparities have not changed in recent years per the data available on the district’s Data Dashboard, which shows the same disparities for the 2023-24 school year. In the 2023-24 school year, **Black students were suspended in the short-term at 2.5 times the rate of their White peers.** This disparity is even larger for long-term suspensions, with Black students suspended in

⁶ Analysis on annual trends exclude the 2020-2021 remote school year.

the long-term at almost four times (3.8x) the rate of White students. Other students of color saw similar disparities last school year. For example, Latine students were suspended at 1.6x the rate of White students in both the short-term and almost 3 times (2.7x) times the rate of White students in the long-term.

This higher rate of suspension for students of color is not due to more serious alleged misbehavior. In fact, White students are typically suspended more often for the most severe charges. Last year, 25% of long-term suspensions for White students were for weapons/alcohol/drug possession and bomb threats, while these behaviors made up only 16% of suspensions for Black students. Black students are suspended instead for lower-level and subjective infractions, such as Defiance of Authority/Insubordination and Disrespectful Behavior.

Similar disparities exist in the treatment of students with disabilities, as these students are suspended in the short-term at 1.7x the rate of their peers.⁷ In our experience representing families of students with disabilities, many of these suspensions are unlawful. Under state and federal law, the District cannot suspend a student with a disability if their behavior is a manifestation of that disability or the District has failed to provide required special education services. Based on reports from parents, students, advocates, and building staff, the District commonly suspends disabled students in violation of federal law.

During the 2023-2024 school year:

- Students with disabilities were suspended at 1.7x the rate of their peers.
- Black students with disabilities were 6.5x more likely to be long-term suspended compared to their White peers without a disability.
- Black students with disabilities in Pre-Kindergarten through 3rd Grade, made up over 28% of long-term suspensions and 31% of short-term suspensions.
- Low-income students were suspended at 3x the rate of their non-low-income peers in the short-term and over 5x the rate of their non low-income peers in the long-term.

(Buffalo Public Schools, 2024c)

Data-driven observations about other marginalized groups are impossible due to a lack of available data. BPS does not report data concerning other groups historically over-disciplined in schools, including children experiencing homelessness, in the foster care system, and youth who identify as LGBTQIA+ (GLSEN, 2016). Nor does BPS report on intersectional data, or when a student identifies with one or more of these groups. Anecdotal reports, however, indicate that these children face disparate treatment as well.

⁷ BPS has not clarified whether these data include students receiving accommodations under Section 504 of the Rehabilitation Act.

Vague and Subjective Suspension Infractions

In the 2023-24 school year, 2 out of the top 5 short-term suspension violations fell under vague guidelines of “disrespect,” and “defiance” in the Code of Conduct.⁸ The ambiguity of these terms and lack of clarification from the District has led to inconsistent enforcement and apparent bias regarding which students violate these terms. This hurts the District’s most vulnerable and marginalized students as these suspensions are most often given to students of color. NYCLU’s FOIL data shows that since the 2018-2019 school year, these vague charges alone make up an annual average of 30% of all short-term suspensions.

Table 2. Top 5 Short-Term Suspension Charges by Student Race/Ethnicity, 2023-24 (Buffalo Public Schools, 2024c)

Code of Conduct Charge	% of Total Short-Term Suspensions	% Black	% White	% Students with Disabilities
1. Fighting	24%	70%	7%	34%
2. Inciting or Participating in a Disturbance	12%	68%	9%	35%
3. Defiance of Authority/Insubordination	12%	66%	10%	34%
4. Disrespectful Behavior	9%	59%	14%	32%
5. Assault	7%	64%	9%	43%
% of BPS Enrollment	-	42%	17%	22%

Our analysis of data from NYCLU’s FOIL request showed that between September 2023 and April 2024, an estimated 58% of “Defiance of Authority/Insubordination” suspensions consisted of behaviors that, according to BPS’s own Code of Conduct, would not be suspendable. Overcharged behaviors were non-violent, minor behaviors including but not limited to tardiness, cursing, and dress code violations. Since 2018-2019, Black students accounted for an annual average of 64% of all suspensions for “Defiance of Authority/Insubordination” (Buffalo Public Schools, 2024e). Similarly, Black students accounted for an annual average of 66% of all suspensions for “Disrespectful Behavior”, a charge where an estimated 28% of short-term suspensions are overcharged.⁹ Our analysis of data from the Data Dashboard found that from September 2023 through April 2024, Black students with disabilities were 5xs more likely than white students without disabilities to be overcharged with “Defiance of

⁸ We are specifically referring to the following Code of Conduct violations: “Defiance of Authority/Insubordination” and “Disrespectful Behavior”

⁹ NYCLU reviewed and coded the incident descriptions for all “Defiance of Authority/Insubordination” and “Disrespectful Behavior” suspensions, flagging overcharges for suspensions that were given for non-threatening and non-harmful behavior that would warrant a level 2 and below response per the Code of Conduct (e.g, walking out of class, cutting class, classroom disruption). Behaviors that met the definition of the given charge were not counted as overcharges.

Authority/Insubordination” and “Disrespectful Behavior.” These findings reveal a deep-rooted systemic bias and raise serious concerns about the disciplinary practices within the District.

Community Organizing, Education, and Advocacy

In May 2023, a coalition of grassroots and statewide advocates formed the Buffalo Suspension Prevention, Diversion, and Representation Coalition. Current members include [NYCLU](#), [CoNECT](#), [Western New York Law Center](#), [University at Buffalo School of Law](#), [Erie County Restorative Justice Coalition](#), and the [Legal Aid Bureau of Buffalo](#). This coalition, in collaboration with students, parents, and caregivers has implemented a wide range of initiatives to educate students and parents on their rights, promote awareness, and provide direct assistance to children and families to address some of the root causes of suspensions. This group has implemented a wide range of initiatives that combine prevention, diversion, and legal strategies, as summarized in the chart below.

- Hosts “Know Your Rights” Community Education Sessions
- Offers trainings for parents and students on how to serve as advocates, Community Health Workers, and restorative facilitators
- Launched a Suspension Hotline (716-220-7081) that families can contact for direct assistance with a suspension hearing, appeal, or restorative conference
- Media and community outreach, speaking at Board of Education meetings, and working with district stakeholders to address the suspension crisis

Additionally, this past year, the Western New York Law Center (WNYLC), in collaboration with Columbia Law School’s Lawyering in the Digital Age Clinic (LDAC), developed resources to help families and advocates understand their due process rights in school proceedings. They created a “parent toolkit” and other materials to clarify the school suspension process and ensure BPS complies with legal standards. These resources are available at wnylc.com/schools.

New York State Education Department Recommendations

In January 2023, the New York State Education Department’s (NYSED) Safe Schools Task Force issued a report titled [Recommendations for Reducing Disparities In and Reforming School Discipline in New York State](#) (NYSED Office of Student Support Services, 2022). The report recommends changes to state law and school district practices regarding suspensions. Specifically, the Education Department, with support from the New York State Board of Regents, recommends that state law be amended to:

1. Eliminate suspensions in Pre-K-3rd grade;
2. Eliminate suspensions longer than 20 days;
3. Eliminate suspensions for insubordination and related subjective infractions;
4. Provide regular school work while children are suspended; and,
5. Extend these changes and due process protections to charter schools.

This report recognizes that the use of exclusionary discipline has long-term, negative effects on all students but the impact falls most severely on students of color and students with disabilities. NYSED affirms that exclusionary discipline does not resolve misbehavior and, ultimately, does not prevent the misbehavior from reoccurring.

NYSED encourages, instead, investments in students and staff, positive behavior interventions, and school-based supports, as well as mediation and restorative processes to replace the model of exclusionary discipline that has been proven ineffective. In direct response to these recommendations, members of the Buffalo suspension coalition have proposed that the BPS Board of Education immediately amend its Policies to incorporate all of NYSED's recommendations. At the start of 2024, these advocates began working with the [Partnership for Public Good](#), a local community organization, to implement these research-based measures.

Suspension Notices, Hearings, and Appeals

About one-third of all calls to the coalition's suspension hotline were due to unlawful suspensions. Through our ongoing intake and representation of families in the District, we continue to observe instances of the following violations:

1. Lack of written notice of a proposed suspension, or a letter being received after the 24-hour window (as required by NYS law);
2. Parents asked to keep a child home for several days because of an alleged incident;
3. Parents not directly offered Principal's Conferences to discuss proposed short-term suspensions, often being told to "wait for the formal [long-term-suspension] hearing";
4. Lack of transparency around requesting an informal conference in lieu of a short-term suspension;
5. Short-term suspension notices without a length of suspension/miscalculation of the first day;
6. Hearings being held two to three days beyond the statutory maximum, leaving students without access to instruction for an extended time;
7. Hearings not being bifurcated or separated ("fact-finding" and "dispositional" portions), as required under state law;
8. Students and families leaving hearings without knowing the outcome ("guilty" or "not guilty");
9. Manifestation Determination Reviews ("MDRs") are not being held for students with disabilities;
10. District-level MDRs not being held in between the fact-finding and dispositional phases (because, as discussed above, there has frequently been no separation);
11. Inability to obtain long-term-suspension hearing recordings, despite state mandates (Buffalo Public Schools, 2024a; New York State Education Department Student Support Services, 2011);
12. Short- and long-term suspension notices, hearing notices, and decision letters not translated into the District's seven dominant languages;
13. Informal conferences being conducted without professional interpreters;
14. Parents who file requests for reconsideration with the Superintendent before appealing to the Board of Education not receiving a response;
15. Appeals to the Board of Education going unanswered; and

16. No public timeline for the Board of Education to respond to the long-term suspension appeals.

Such realities and a lack of follow-through establishes a climate of distrust and unreliability. These and other issues could be resolved through policies that put student success first and create safeguards for school and District accountability.

III. Recommendations

To successfully transition from its reliance on punitive discipline to a restorative, evidence-based system, Buffalo Public Schools must undertake a significant and deliberate culture shift, to one that invests in student success. We understand that this type of change takes time. We also believe achieving sustainable progress requires both ongoing organizing, education, and action from directly impacted parents/caregivers, students, advocates, and Buffalo Public School personnel, as well as intervention by external entities (e.g., NYSED, the New York State Attorney General). This multi-directional approach can help ensure accountability, transparency, oversight, and monitoring.

We acknowledge the progress BPS has made in updating the Code of Conduct, engaging in efforts of data transparency, making changes to suspension processes and forms, and seeking out feedback from stakeholders—including building administrators, teachers, parents, students, and community partners. However, significant progress is still needed to protect students' core civil rights. Below we build upon the initial recommendations from our December 2022 white paper and outline actionable next steps.

Due Process and Representation

1. Per NYSED recommendations, suspensions should be eliminated as a disciplinary response for students in Pre-K to 3rd grade.
2. Per NYSED recommendations, eliminate subjective, minor infractions as grounds for suspensions of students of any age, including but not limited to “Defiance of Authority/Insubordination” and “Disrespectful Behavior.”
3. Per NYSED recommendations, cap the maximum length of suspension at 20 school days.
4. Require the District offer full-day, in-person alternate instruction, at the student’s home school and with free bus transportation, for students in 8th grade and under; offer the option of full-day, in-person alternate instruction to all high school students, whether at their home school or the community hubs discussed below.
5. Mandate that the Hearing Office reject long-term suspension referrals unless the (revised) Suspension Referral Form includes:
 - a. A certified suspension notice mailed to the family in their dominant language
 - b. Confirmation that a Principal’s Conference was held with the family in their dominant language or documentation that attempts were made
 - c. Certification that alternate instruction began for the student within three days of the suspension start date
 - d. Submission of appropriate, non-hearsay evidence that meets the burden of proof, per Board of Education policy and

- e. Documentation of alternatives considered before suspension.
If any of these requirements are not met, the Hearing Office must reject the case, expunge the suspension, and return the student to school.
- 6. Require annual training for building-level leadership on suspension laws and policies, led or co-led by community advocates.
- 7. Assign a trained, independent advocate to represent students in long-term suspension hearings and facilitate their return to school if suspended.
- 8. Appoint an independent panel to audit suspension practices, including interviewing families, observing hearings, and reviewing BPS Policy and appeals to ensure compliance with laws and best practices.
- 9. Mandate a 14- to 30-day response time for the BPS Board of Education to respond to suspension appeals, after which parents may petition the NYS Commissioner of Education.
- 10. Provide multilingual advocates with specialized training on the suspension process to ensure effective translation of student rights, as well as all written notices in the home language.
- 11. Prohibit all suspensions of any special education student awaiting placement at an agency school, evaluation, or assignment of a classroom aide.
- 12. Ensure there is a rapid response mechanism and team to proactively address schools with high or disparate suspension rates, provide a public-facing mechanism for parents and advocates to report unlawful suspension practices, and effectuate automatic expungement and immediate return to school of unlawful suspensions.

Suspension Prevention and Diversion

1. Implement restorative practices with fidelity within all schools (Stutzman et al., 2018).¹⁰
 - a. Create a holistic and comprehensive framework, with ongoing investment to ensure sustainability, to support restorative practices in the district.
 - b. Prioritize training and coaching for all staff, students, parents/caregivers, and other school and district stakeholders provided by experienced restorative trainers to effectively implement restorative practices, with a strong focus on relationship, trust-building, and conflict resolution.
 - c. Phase in a plan so that there is an opportunity for all suspensions to be diverted to restorative conferences before a suspension occurs; and for restorative facilitators to co-facilitate Principals' Conferences and return-to-school restorative conferences with BPS staff.
 - d. Contract with independent, community-based restorative facilitators to build community, prevent conflicts of interest, and build trust between families and schools.
 - e. Create indicators, measures, and accountability systems for restorative practice implementation to ensure all students have access to the restorative practice

¹⁰Restorative practices and justice is a field within social sciences, rooted in traditions of indigenous communities. This framework is focused on strengthening relationships between individuals and communities, and utilizes an approach to accountability of "repairing harm" versus punishment and exclusion.

process to strengthen relationships, foster belonging, and address the root causes of suspension.

2. Support student wellness and mental, emotional, and behavioral health.

- a. Fully implement the BPS Wellness Policy (Buffalo Public Schools, 2024d) to ensure a public health and research-based approach for student and school well-being (based on the Centers for Disease Control (CDC) and Prevention/Association for Supervision of Curriculum and Development (ASCD) “Whole School, Whole Community, Whole Child” framework) (Division of Adolescent and School Health, 2023).
- b. Ensure every school has a School Wellness Team with stakeholders that represent the physical, emotional, mental, behavioral, and social wellness of students, co- led by staff, a parent, and a student and including community members/partners (Baldwin & Ventresca, 2020).
- c. Employ community-based parent and student Community Health Workers and other practitioners (mindfulness and yoga instructors (Dariotis, 2011), violence interrupters, credible messengers, etc.) who have shared lived experience with families to address the underlying causes of student behavioral challenges in a community and culturally responsive manner (Cadzow, 2024, 2022, 2017; Harries et al., 2023; McHugh, 2023).
- d. Invest in building comparable, within-district alternatives to agency schools (*i.e.*, high-support milieus for autistic students, integrated co-teaching settings for students with mental- and behavioral health needs, school psychologist for every building; contracting with bilingual school psychologists in the District’s top languages, and training classroom aides in non-punitive, trauma- and culturally-responsive classroom management techniques).
- e. Address the concentration of students with severe behavior and other challenges currently at a small number of high schools; re-design and resource the “alternative” school to ensure students and staff receive the resources and support they need.
- f. Provide basic training and coaching for all frontline staff in mental health first aid, crisis management, and de-escalation (to include teachers, teacher aides and assistants, security and school resource officers, school clerks/office staff, building administrators, etc.).
- g. Thoroughly investigate and track all Dignity for All Students Act (DASA) complaints and proactively address allegations of bullying and harassment, instituting restorative practices where applicable; make this data public on the Data Dashboard.

3. Collaborate with families, community, and local experts to:

- a. Co-host structured community planning sessions where parents/caregivers, students, advocates, and other community members engage with school and district staff in needs assessment, asset mapping, and co-creation of policies,

plans, and programs as they relate to suspension and student well-being (Centers for Disease Control and Prevention, 2024).

- b. Institute an independent suspension oversight board that includes representatives from experts in education, law, public health, and violence prevention, as well as local organizations, families, and students to assess suspension data, practices, and strategies and ensure community engagement, accountability, and transparency.
- c. Update the District Plan for Shared Decision Making and utilize the District Committee of Stakeholders to ensure all school and district stakeholders have input and are monitoring the District Comprehensive Improvement Plan and indicators related to student academics, attendance, wellness, and family and community engagement (Buffalo Public Schools, 2015).
- d. Ensure School-Based Management Teams are fully functional with all required stakeholders for all schools in the District, with monitoring by the District Committee of Stakeholders.
- e. Provide community hubs where students can go if they are suspended, whether for a restorative conference or to get in-person, academic support.
- f. Provide a community-run center in the Office of Pupil Personnel/Student Support Services to ensure families know their rights and have access to an attorney, peer advocate, restorative facilitator, Community Health Worker, or other community-based supports.

District Transparency and Accountability

The BPS Data Dashboard serves as a valuable public tool where community members and stakeholders can understand the scale and scope of school discipline, and how it intersects with demographics (e.g., race, income, disability) and systemic issues (e.g., attendance, academics). Over the past two years, BPS has updated the Dashboard based on parent advocate feedback, adding features like “suspension context,” which details specific Code of Conduct charges for suspended students, and a new "School Based Management Team" (SBMT) and “School Wellness Team” (SWT) section.

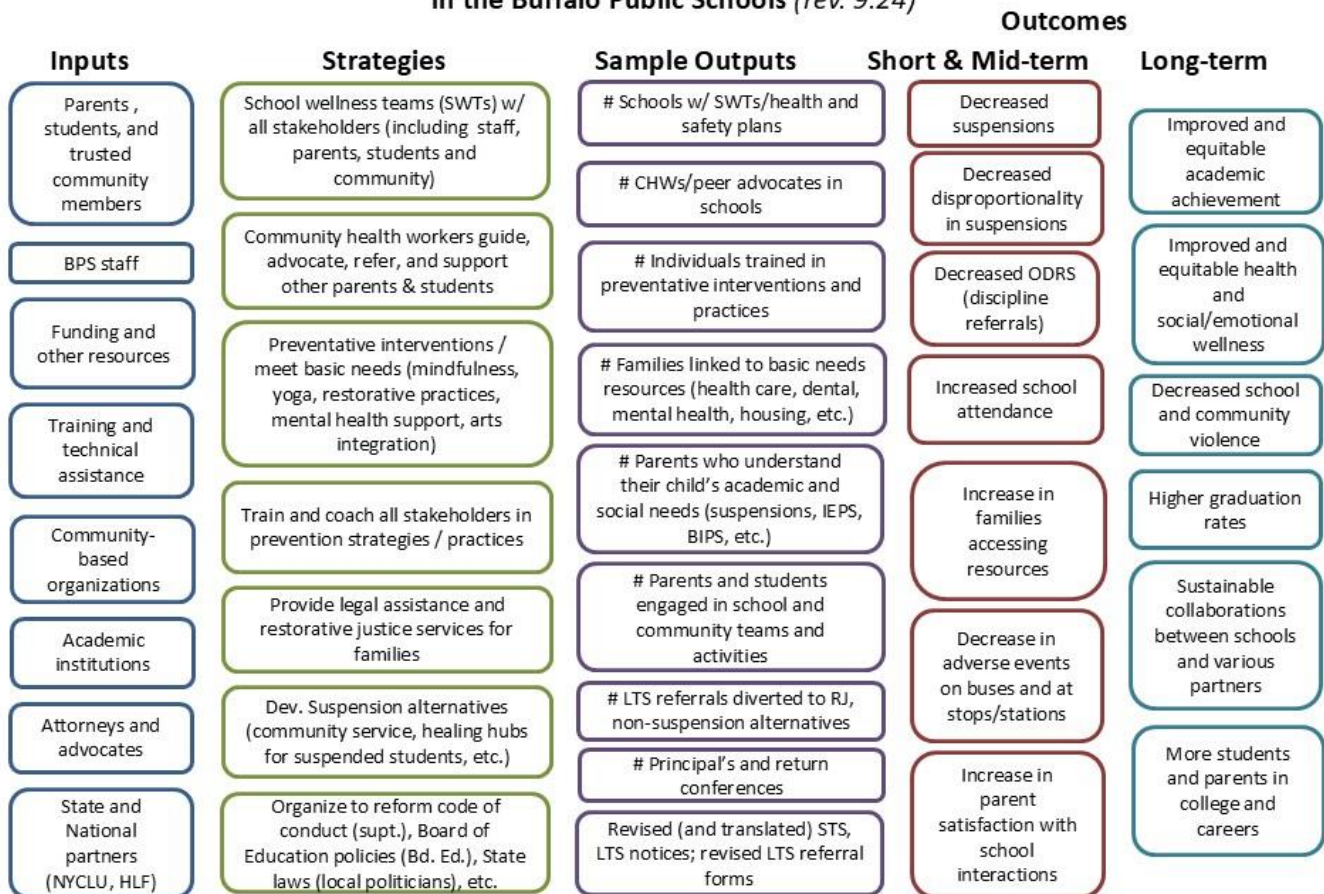
While these updates enhance transparency and accountability, additional improvements are needed, as suggested below.

1. Mandate training for all BPS school board members on school discipline policies and practices in the district, the data dashboard, alternatives to suspension, and the District’s goals with regard to suspensions.
2. Mandate training for school personnel on how to collect data accurately.
3. Create policies and train District personnel on how to accurately collect information and verify the information.
4. Update the Data Dashboard to report the following information, disaggregated by race, ethnicity, gender, socio-economic status, custodial status (i.e., foster youth), housing status (i.e., McKinney-Vento designated), and sexuality/gender identity (i.e., LGBTQIA+):
 1. Duration of all suspensions;
 2. How many suspensions are dismissed at the hearing;

3. How many suspensions are overturned or expunged by the Manifestation Determination Review hearing, the Superintendent or designee, the Board of Education, and the Commissioner;
4. In-school suspensions, transportation suspensions, and unofficial exclusions (e.g. calling a parent to pick up a student, or sending a child to a different classroom);
5. Building-level referrals for long-term suspension hearings (accepted and rejected);
6. Appeals of short- and long-term suspensions to the Superintendent and to the Board of Education; and,
7. Number of restorative conferences in lieu of suspension (not just informal/principal and parent conferences in lieu of suspensions).
8. Require independent review and audit of BPS data accuracy and reporting practices

Appendix:

Holistic Suspension Prevention, Diversion and Representation Strategy in the Buffalo Public Schools (rev. 9.24)



The above presents a holistic and collaborative model that illustrates how Buffalo Public Schools, stakeholders, and partners could ensure coordinated planning, implementation, management, evaluation, and reporting to address the root causes of suspension. This “logic model” format is a best practice used in many disciplines to align resources, activities, outputs, and outcomes towards intended impact and goals; with a roadmap for processes and workflows, and markers for evaluation and accountability (U.S. Health and Human Services, 2020).

NYCLU- New York Civil Liberties Union
 HLF- Holistic Life Foundation
 SWT- School Wellness Team
 CHW- Community Health Worker
 STS- Short-term suspension
 LTS- Long-term suspension
 IEP- Individual Education Plan
 BIP- Behavior Intervention Plan

References:

- Baldwin, S., & Ventresca, A. R. C. (2020). Every School Healthy: An Urban School Case Study. *Journal of school health*, 90(12), 1045-1055. <https://doi.org/10.1111/josh.12965>
- Buffalo Public Schools. (2015, February 6). *District Plan for School – Based Planning And Shared Decision Making*. Buffalo Public Schools. Retrieved September 27, 2024 from https://core-docs.s3.amazonaws.com/documents/asset/uploaded_file/3927/BPS/3195086/BPS_SBM_T_Plan.pdf
- Buffalo Public Schools. (2024a). *2024-2025 Buffalo Public Schools Standards for Conduct, Character, and Support*. <https://www.buffaloschools.org/o/dept-student-support-services/page/code-of-conduct>
- Buffalo Public Schools. (2024b). *Attendance, BPS Data Dashboard*. Retrieved September 26, 2024 from <https://app.powerbi.com/view?r=eyJrIjoiYjYTA4NDctMDBiYi00OWZhLWI2MmEtNzdmODc4MmU3ZGQyIiwidCI6ImI1YTlkMDIjLWE4NTgtNDQ2OS1iZjY4LTU1YWVlbnJkYYSiImMiOiN9>
- Buffalo Public Schools. (2024c). *Behavior, BPS Data Dashboard*. Retrieved September 25, 2024 from <https://app.powerbi.com/view?r=eyJrIjoiYjY3MmFjNjEtOGFhNi00OWRkLTgyZjgtYjY3MmRiNWQ4NTllIiwidCI6ImI1YTlkMDIjLWE4NTgtNDQ2OS1iZjY4LTU1YWVlbnJkYYSiImMiOiN9>
- Buffalo Public Schools. (2024d). *Buffalo Public School District Wellness Policy: Making Health Academic*. https://core-docs.s3.us-east-1.amazonaws.com/documents/asset/uploaded_file/3927/BPS/4580979/Wellness_Policy_2024.pdf
- Buffalo Public Schools. (2024e). *Enrollment, BPS Data Dashboard*. Retrieved September 25, 2024 from <https://app.powerbi.com/view?r=eyJrIjoiYjY3MmFjNjEtOGFhNi00OWRkLTgyZjgtYjY3MmRiNWQ4NTllIiwidCI6ImI1YTlkMDIjLWE4NTgtNDQ2OS1iZjY4LTU1YWVlbnJkYYSiImMiOiN9>
- Cadzow, R., Bauer Walker, J., Hussein, K., Rodriguez, N. (2024, May). *Youth and Parent Community Health Worker Program Impact on Health and Wellness in Public Schools* Public Health Partnership Conference. NYS Public Health Association, Saratoga Springs, NY.
- Cadzow, R., Bauer Walker, J., Shaw, J., Hussein, K. (2022, November). *Wellness our Way: A Community-School-County COVID-19 Vaccine and Wellness Outreach Initiative Led by Community Health Workers* American Public Health Association 150th Annual Meeting, Boston, MA.
- Cadzow, R., Bauer Walker, J., Walden, D., Baldwin, S., Curtin, K. (2017, November). *School Wellness Collaborative: Revision and Implementation of the school wellness policy using the WSCC model in partnership with parent and student Community Health Workers* American Public Health Association.
- Centers for Disease Control and Prevention (2024). *Community Planning for Health Assessment: Frameworks & Tools*. Centers for Disease Control and Prevention. Retrieved September 27, 2024 from <https://www.cdc.gov/public-health-gateway/php/public-health-strategy/public-health-strategies-for-community-health-assessment-models-frameworks-tools.html>
- Dariotis, J. M., T; Blanchard, J. (2011). *Mindfulness Makes a Difference in the Lives of Urban Youth*. Johns Hopkins Bloomberg School of Public Health Adolescent Matters Issues Brief, Winter 2011. <https://static1.squarespace.com/static/63aae51996ab5b338ff1f74a/t/63c01edceb16063dbe506dce/1673535197536/Yoga+Brief.pdf>
- Division of Adolescent and School Health, National Center for Chronic Disease Prevention and Health Promotion. (2023). *Whole School, Whole Community, Whole Child (WSCC)*. Centers for Disease Control and Prevention. Retrieved September 27, 2024 from <https://www.cdc.gov/healthyschools/wsc/index.htm>

- GLSEN. (2016). *Educational exclusion: Drop out, push out, and school-to-prison pipeline among LGBTQ youth*. https://www.glsen.org/sites/default/files/2019-11/Educational_Exclusion_2013.pdf
- Harries, M. D., Xu, N., Bertenthal, M. S., Luna, V., Akel, M. J., & Volerman, A. (2023). Community Health Workers in Schools: A Systematic Review. *Academic Pediatrics*, 23(1), 14-23. <https://doi.org/10.1016/j.acap.2022.08.015>
- Janaswamy, R. (2022) Advocates share concerns about BPS suspension rate. Spectrum News 1. September 30, 2022, Education. <https://spectrumlocalnews.com/nys/buffalo/news/2022/09/30/advocates-share-concerns-about-bps-suspension-rate>
- LaForett DR, De Marco A. (2020, July). A logic model for educator-level intervention research to reduce racial disparities in student suspension and expulsion. *Journal of Cultural Diversity & Ethnic Minority Psychology*. <https://www.apa.org/pubs/journals/cdp>
- Losen, D. J. (2014). *Getting Back On Track Syracuse Report on Student Discipline Practices*. <https://www.syracusecityschools.com/tfiles/folder408/Syracuse%20Report%20on%20Student%20Discipline%20Practices-1.pdf>
- McHugh, M.K., Dixit, N., Alper, J (Ed.). (2023). *Engaging Community Health Workers/Youth Ambassadors to Improve Health Literacy: Proceedings of a Workshop—in Brief*. National Academies Press. <https://doi.org/10.17226/27146>. <https://www.ncbi.nlm.nih.gov/books/NBK593550/>
- New York State Education Department Student Support Services Section 3214 - Chapter 16, Title IV, Article 65, Part I: S 3214 Student placement, suspensions and transfers., § 3214 (2011). <https://www.p12.nysed.gov/sss/lawsregs/3214.html>
- Office of Student Support Services, & Safe Schools Task Force. (2022). *Recommendations for Reducing Disparities in and Reforming School Discipline in New York State*. New York State Department of Education. <https://www.regents.nysed.gov/sites/regents/files/P-12%20-%20Recommendations%20for%20ATT%20-%20Recommendations%20for%20Reducing%20Disparities%20in%20and%20Reforming%20School%20Discipline%20in%20New%20York%20State.pdf>
- Stutzman Amstutz, L, Canazaro, S, Galkowski, L., Gwinn Nutter, M., Riese, J., Rush, L. (2018). *Establishing a Restorative Mindset: Considerations for Adults in Schools*. Highmark Foundation. <https://towyouth.newhaven.edu/wp-content/uploads/2020/11/Establishing-Restorative-Mindset-White-Paper-ADA.pdf>
- U.S. Department of Health and Human Services, Family and Youth Services Bureau. *Using Logic Models to Guide Program Implementation and Ongoing Program Improvements*. (2020) U.S. Department of Health and Human Services. https://teenpregnancy.acf.hhs.gov/sites/default/files/resource-files/Tip%20Sheet%20Using%20Logic%20Models%20to%20Guide%20Program%20Implementation_FINAL_508_0.pdf