Engage Students to Embrace Civility

Nancy Willard, M.S., J.D.
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This is my father

He co-invented the process to make potato flakes

It is necessary to look at what is not working and figure out why – then to identify, based on the research, what approaches hold greater promise for success

Lessons From My Father
CONCLUSIONS:

What educators are being told about those who bully is wrong

The way they have been told to address bullying will not work in the digital age

Reality check: Adults are not in control!

We have to empower young people with the skills and motivation to independently maintain positive relationships
Maintain Positive Relationships

Book for school leaders and student empowerment program will be released Summer 2022

Extensive slideshow is on my website: http://embracecivility.org
**What is “Bullying”?**

**Academic Definition**
- Intentional – repeated – imbalance of power

**“Hostile Environment”**
- Definition under civil rights laws

**50 Different Statutory Definitions**
- USDOE: “contributes to confusion”

**Survey Descriptions**
- “Teasing” “Made fun of you” “Excluded you”

**Definition under civil rights laws**
- “Someone is being hurtful to me and this is making me feel really bad”

**Principal Thinking**
- “If I consider this ‘bullying,’ then I will have to report”
• NO decline in student reports of being bullied or not going to school for safety concerns on the Youth Risk Behavior Survey since 2009

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<tr>
<th></th>
<th>2009 Total</th>
<th>2011 Total</th>
<th>2013 Total</th>
<th>2015 Total</th>
<th>2017 Total</th>
<th>2019 Total</th>
<th>Trend</th>
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<td>Were bullied at school</td>
<td>19.9</td>
<td>20.1</td>
<td>19.6</td>
<td>20.2</td>
<td>19.0</td>
<td>19.5</td>
<td></td>
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<tr>
<td>Did not go to school</td>
<td>5.0</td>
<td>5.9</td>
<td>7.1</td>
<td>5.6</td>
<td>6.7</td>
<td>8.7</td>
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Students at Highest Risk

**Targeted Students**

- Social Misfits
  - “Weak” “Weird”
  - “Annoying”
  - “Different” “Wimps”

- Rivals
  - Students perceived to be challenging status of Hurtful Student

**Identity Based**

- Disabilities
- Sexual or gender minority
- Physical appearance/obese
- Race/color/national origin
- Religion
- Low income/Foster care

**Marginalized Hurtful Students**

- “Victim/Bullies”
  - “Hurt people hurt people”
  - Abusive homes
  - Challenges in self regulation
  - Poor social relationship skills
  - Bullied and excluded by peers
  - Denigrated by staff
  - Engage in Reactive Aggression
Recent meta-analyses of bullying prevention programs demonstrated:
- Marginal to no positive impact in reducing bullying at elementary level
- Zero effectiveness at the secondary level

There are NO “evidence-based best practices”
Harms of Bullying

- Stress-related physical and mental health symptoms
- Less engaged in school, low grades and test scores
- In schools with more bullying, there is less student involvement, lower test scores, higher drop-outs
- Marginalized Hurtful Students are at high risk of criminal involvement and social maladjustment in adulthood
BULLYING IS TRAUMA

- Two forms of trauma
  - Serious incidents – Acute traumatic events
  - Persistent situation – Chronic trauma
- Associated with increased suicide behavior
- Associated with school violence, bringing weapons to school, school shootings
Educators are told that those who bully others are “at risk” youth. These are Marginalized Hurtful Students engaged in Reactive Aggression.

**Concern for Children and Youth Who Bully**

- Children and youth who bully others are more likely than their peers to:
  - Exhibit delinquent behaviors
  - Dislike school, drop out of school
  - Drink alcohol and smoke
  - Hold beliefs supportive of violence
  - Bring weapons to school
  - Think of suicide and attempt suicide
**Primary Source of Bullying**

Students who are hurtful to achieve social dominance

Popular, Competent, Socially skilled, Attractive, Leaders, "Cool", Have empathy, Good athletes, Compliant to staff

Engage in Proactive Aggression
Ethological Behavior

Two Targets

Social misfits  Rivals

Where am I on the “social ladder?”

Risk prevention approaches will not reduce this kind of hurtful behavior
POSITIVE BENEFITS OF BULLYING

- **Status Benefits**
  - Leadership positions
  - Starting positions on teams
  - Admission to high ranking university
  - Career achievement
  - Leaders in the eyes of many

- **Relationship Benefits**
  - Earlier dating and sex
  - Greater dating and sex
  - More sexual partners

- **Marginalized Hurtful Students**
  - Do not receive ANY of these benefits
Staff Bullying

An abuse of power by a staff member who persistently degrades a student, often in front of other students.

- Staff bullying is
  - Rationalized by offenders
  - Normalized or ignored by colleagues
  - Enabled by inaction of school system
  - Accepted by students
  - Undetected by outsiders
Students Typically Targeted by Staff

- Students with behavioral disorders
- Students with low academic achievement
- Students with poor attendance
- Students with cognitive impairments
- Other (minorities, LGBTQ, ELL)
- Considerable overlap with being a minority, behavioral disorders, and low academic achievement
**Effectiveness of Staff**

- Numerous studies have found students do not perceive the actions of school staff to be effective in preventing or responding to bullying.

- Students overwhelmingly believe teachers
  - Ignore or do not recognize hurtful activities
  - Are not prepared to intervene if asked
  - Are incapable of doing anything effective
“TELL AN ADULT”

• THE primary prevention approach
  - Students are often also told not to tattle
  - Social norm that if you tell an adult, you are a “snitch”
  - Leads to retaliation – “snitches get stitches”
  - Telling is an admission you are a “wimp”

• The vast majority of students do not report
Students who were bullied and distressed

- Grade 5
- Grades 6 to 8
- Grades 9 to 12

- Did not tell
- Told and stayed same
- Told and got better
- Told and got worse
Apparent effectiveness of the “tell an adult” approach

About 10%
Why Did You Not Tell?

- A school staff member will not do anything to help
- A school staff member might make things worse
- Will lead to public recognition they reported, which will damage reputation
- Think they will be blamed
- Student being hurtful would likely retaliate
- Would have to reveal confidential information
- Think they deserved it
CONFLICTING GUIDANCE

- **State Statutes**
  - Adopt policies, tell students to report, investigate, consequences

- **Federal Civil Rights**
  - Identify a hostile environment – take steps reasonably expected to stop the harm, remedy the harm, and correct the environment

- **StopBullying Guidance**
  - Don’t use conflict resolution or mediation for bullying

- **Dear Colleague Letter**
  - Do not suspend students
  - Use restorative practices
2010 USDOE Guidance on Statutes

- “Transparency and Monitoring” Include a provision for LEAs to report annually to the state on the number of reported bullying incidents, and any responsive actions taken.

NYC public schools have been underreporting bullying: report

Schneideman’s analysis of state Education Department data from the 2013-14 school year found that 1,257 of 1,792 city schools — or 71% — reported zero incidents of harassment, bullying or discrimination of students for that entire year. And 1,762 schools — or 98% of the total — reported 10 or fewer incidents.
ESSA Included this Requirement

- Under ESSA, schools must report "incidences of violence, including bullying and harassment"

<table>
<thead>
<tr>
<th>- NYC schools</th>
<th>- Los Angeles schools</th>
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<tr>
<td>‣ 1603 schools,</td>
<td>‣ 1041 schools</td>
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<tr>
<td>‣ 966,510 students</td>
<td>‣ 511,610 students</td>
</tr>
<tr>
<td>‣ 4,915 allegations</td>
<td>‣ 426 allegations</td>
</tr>
<tr>
<td>‣ 1,887 students disciplined</td>
<td>‣ 94 students disciplined</td>
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https://ocrdata.ed.gov
The vast majority of students do not report when they are bullied when they do report, these are frequently persistent situations that have not caused a substantial disruption.

Principals have strong incentive not to characterize situation as “bullying” because there would be a requirement to report.

So the student is told “This isn’t bullying”
**My Research Framing**

- What aspects of the environment and planning need to be better addressed?
- How can we empower those who are more frequently targeted to reduce the potential others will treat them badly and improve their response?
- How can we influence those who are hurtful to stop being hurtful and to remedy the harm if they were?
- How can we empower and encourage witnesses to step in to help?
- How can we improve the effectiveness of staff and school leader in responding to hurtful incidents and situations?
CONTINUOUS IMPROVEMENT - SCHOOL

Leadership team with staff, students, and parents

Annual survey, analyzed, and focus groups

Evaluation of effectiveness

Improvement objectives tied to data

Strategies informed by research

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Annual survey, analyzed, and focus groups

Leadership team with staff, students, and parents

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Strategies informed by research
**Authentic Student Voice**

- The best way to motivate students to foster a positive and inclusive school climate and reduce hurtful behavior is to give them the responsibility to make things better.

- Establish a Student Leadership Team
- Conduct a norms and incidents survey
- Have the SLT engage in Continuous Improvement
- SLT leads indirect instruction
Focus on Kindness
Authoritative School Management

- Students in schools that maintain an authoritative school management approach are less likely to experience being bullied in school and more likely to step in to help.
  - Unfortunately, most schools use an authoritarian approach.
TRAUMA INFORMED PRACTICES

- Knowing they are safe and welcome in their school helps students survive and thrive
- Imperative to address the trauma students are experiencing within the environment over which educators have the most control
Positive Psychology is the scientific study of the strengths that enable individuals and communities to thrive. The field is founded on the belief that people want to lead meaningful and fulfilling lives, to cultivate what is best within themselves, and to enhance their experiences of love, work, and play.

The Greater Good Science Center studies the psychology, sociology, and neuroscience of well-being, and teaches skills that foster a thriving, resilient, and compassionate society.
Use strategies grounded in the development of intrinsic motivation to increase student motivation to engage in civility.
Leadership status can be attained through
- Dominance – coercion and intimidation
- Prestige – skill and respect

In every school, there are prestige leadership students who are consistently kind and respectful

Dominance and Prestige: A Tale of Two Hierarchies
Jon K. Maner
GROWTH MINDSET

- Having a growth mindset perspective increases effectiveness in maintaining positive relationships and not retaliating if treated badly
Character Strengths

Creativity  Perspective
Judgment    Curiosity
Honesty     Bravery  Fairness  Humor  Zest
Perseverance  Teamwork
Love         Kindness  Leadership
Social Intelligence
Forgiveness  Hope       Prudence
Appreciation of Beauty & Excellence
Spirituality  Self-Regulation  Humility  Gratitude

© www.VIACharacter.org
**Positive Social Norms**

- When students learn the actual positive norms of their peers – disapproval of those who are hurtful and strong admiration of those who step in to help – they are more willing to abide by those norms.
Psychology of Influence

- **Reciprocity**
  - “How would you feel if someone did that to you?”

- **Commitments**
  - “Does this fit with your personal commitments?”

- **Social Proof**
  - “What would others think?”

- **Liking**
  - “What would your friends think?”

- **Authority**
  - “What would your mom or dad think?”

- **Scarcity or Possible Loss**
  - “How could this damage your reputation or get you in trouble?”
Be Positively Powerful

If someone is hurtful, I stand tall and respond in a positively powerful way.

I focus on the good and make a positive difference.
Cultivating Dandelions

- Dandelions can grow and flourish everywhere
- Some students – because of their identity – will always face greater potential of being treated badly

We can’t protect them – we MUST empower them!
Resilience

Research has identified a common set of factors that predispose children to positive outcomes in the face of significant adversity

- Supportive adult-child relationships
- A sense of self-efficacy and perceived control
- Opportunities to strengthen adaptive skills and self-regulatory capacities
- Sources of faith, hope, and cultural traditions
BE POSITIVELY POWERFUL
Build and Retain Personal Power

- As an imbalance of power is at the heart of bullying behavior, it is essential to assist targeted students
  - Gain greater personal power
  - Not respond to being treated badly in a manner that undermines their personal power
- The Be Positively Powerful strategies support empowerment of students
MAKE POSITIVE CONNECTIONS

I maintain positive connections with good friends and trusted adults.
**POSITIVE STAFF-STUDENT RELATIONSHIPS**

- Use Relationship Mapping to ensure every student has one or more staff members who are committed to maintaining a close connection.
- Hold regular “circle time” in classrooms, advisories, or homerooms.
- Students should regularly receive 5 positive comments to every 1 negative comment or correction.
I reach out to be kind to others
I know this makes them and me feel happier
Use My Strengths

I use my strengths every day and when things get tough.

I focus on my growth and build new strengths.
I focus on the good things happening in my life.
I am thankful and express my gratitude.
BE MINDFUL

I take time each day to achieve calmness and focus.

If things get tough, I remind myself to remain calm.
**Self Regulation**

**Help them to Self Regulate**

- When they are calm, help them identify what may trigger them.
- Collaboratively Think Things Through about how they can take steps to remain calm.
- After any triggering situation, discuss what happened and note success or things they can improve.

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**Avoid T.A.C.O.S**

Avoid actions that can increase their distress:

- Threaten
- Argue
- Challenge
- Order
- Shame
I hold myself tall and strong
I do not allow what happens to me control how I think about myself or respond
Think Things Through

In any challenging situation, I think things through to decide what to do.
How to Think Things Through

- What is the situation?
- What do I want to accomplish?
- What strategies could I use?
- Is each in accord with my values and does each use my strengths?
- For each, what might happen?
- What is my best first choice and how should I proceed?
- Did this work?
- What else could or should I do?
Stop, Own It, and Fix It

I always remember that my choices show who I truly am

I stop myself and make things right if I have been hurtful
PRINCIPLES OF INFLUENCE

• Reciprocity
  - “How would you feel if someone treated your friend in the way you treated this other student?”

• Commitments
  - “How do your actions fit with the personal commitment statement that you created?”

• Social Proof, Liking, and Authority
  - “What did our school survey tell you about the thoughts of other students related to what they think about other students who engaged in the actions that you did?”
MECHANISMS OF MORAL DISENGAGEMENT

- Spin It
  - It was just a joke

- Deny Personal Responsibility
  - Someone else started it

- Deny the Harm
  - She’s just overreacting

- Blame the Other
  - He deserved it
**NOT RETALIATE**

- **Self-Regulate**
  - “I will make sure I remain calm”

- **Personal Power**
  - “I choose not to give anyone the power to control how I feel about myself or act”

- **Growth Mindset**
  - “I know that others can change and the situation can change”

- **Problem Solving Skills**
  - “I will think things through to decide what is best to do”
Reach Out

I reach out to be kind to those who are treated badly or left out.

I help others think things through or resolve conflict.
Say “Stop”

If it is safe, I publicly tell someone being hurtful to stop

I help someone who was hurtful stop, own it, and fix it
Report Concerns

If it is a serious situation, I will tell an adult who can help.
The Importance of Witnesses

- Most hurtful behavior takes place in front of peers
- Many students indicate they would like to help
- When students do step in to help, they are generally effective
- Targeted students who have friends experience less distress
- Students strongly admire those who step in to help
- **Most often, witnesses do not step in to help**
When a Witness

- Students have a choice – they can be …

Hurtful Supporter  Passive Observer  Helpful Ally
PERSONAL FACTORS

- **Motivation**
  - Personal responsibility for well-being of others
  - Acceptance of differences
  - Affective empathy
  - Personal connection

- **Personal Power**
  - If witness is not as powerful as aggressor, risks are embarrassment or retaliation
  - If witness becomes associated with target, risk is embarrassment

- **Self-Efficacy**
  - Effective skills plus confidence (personal power)
  - Can reduce risks of embarrassment or retaliation
**Social-Environmental Factors**

- **Friendships**
  - Friends of target likely to help targeted friend
  - Friends of aggressor likely to support aggressor
  - Friends of both may help to mediate or may stay out
  - Friends of neither depends on Personal Factors

- **Perceived Norms**
  - Students often behave in accord with perceived peer norms
  - When those norms discourage peer aggression and support positive peer intervention, the percentage of students who are willing to act in a positive manner increases

- **School Climate**
  - Culture of acceptance of differences
  - Engagement of students
  - Conflict with school expectations
  - Effectiveness of school interventions
Federal Civil Rights Laws

• Title IX of the Education Amendments of 1972
  - Sex and sexual or gender minority
• Title VI of the Civil Rights Act of 1964
  - Race, color, national origin, religion if grounded in national origin
• Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990
  - Disabilities
HOSTILE ENVIRONMENT

• When unwelcome conduct directed at a protected class student becomes so severe or persistent that it creates an intimidating, threatening, or abusive environment that affects a student's ability to participate in or benefit from an educational program or activity
  - Also applies to pervasive hurtful conduct directed at many protected class students
Requirements for a Response

• If a hostile environment exists, schools are required conduct a prompt, thorough and impartial investigation and intervene by taking prompt and effective steps that are reasonably calculated to:
  - End the harassment by the hurtful students
  - Remedy the harmful effects on the target
  - Correct any aspects of the environment that appear to be support the hurtful acts
    ‣ Which could include how staff are treating student, behavior management approaches, cultural competencies, implicit bias, athletic department perspectives, etc.
  - Ensure that the harassment does not continue
MY GUIDANCE

- The more effective requirements under civil rights laws are only available for protected class students

- EVERY STUDENT who is experiencing a serious or persistent hurtful situation deserves a complete investigation of the situation and steps taken to stop the harassment, remedy the harm, and correct the hostile environment
**Students With Disabilities**

- If student with disabilities is being bullied or engaging in bullying, the school must develop an **Intervention Plan** that addresses the identified concerns in an IEP or 504 team meeting.
  - Must include steps reasonably calculated to end the harassment, remedy the harmful effects, and correct the hostile environment in the IEP or 504 Plan.
  - May also include Functional Objectives to increase student’s interpersonal relationship skills.
Free Speech v Hurtful Speech

- Without Freedom of Thought, there can be no such Thing as Wisdom; and no such Thing as Publick Liberty, without Freedom of Speech: Which is the Right of every Man, as far as by it he does not hurt and control the Right of another; and this is the only Check which it ought to suffer, the only Bounds which it ought to know. – Locke

- The critical element in all cases will be evidence of harm or foreseeability of harm to students’ ability to learn and participate
Off-Campus Speech

• Schools have the authority to respond to off-campus student speech if that speech has, or foreseeably could, cause a substantial disruption in school or a significant interference with the ability of a student or students to receive an education.
Hate Speech

- Schools have the authority to restrict hate speech on campus if that speech has, or foreseeably could, cause a substantial disruption in school or a significant interference with the ability of a student or students to receive an education.
  - The primary issue in the hate speech cases is in situations where there has been no obvious substantial disruption or interference.
  - Schools must be diligent in documenting prior situations that have caused harm and documenting research insight on the foreseeable harms.
INTERVENTION CHALLENGE

• Principals are not going to want to determine that a hurtful incident or situation is “bullying,” because this will require a report

• My recommended solution
  - Avoid “bullying” – hurtful incidents (minor) or situations (serious or persistent)
  - Implement a response that is a diversionary intervention – with any decision on discipline held in abeyance
  - Stop the behavior, remedy harm, correct environment for all targeted students
  - Treat all incidents or situations as “teachable moments”
Teachable Moment

• Every Hurtful Incident or Situation presents a Teachable Moment to help all involved students to …
  - Reduce potential they will be treated badly and respond effectively if they are
  - Reduce the potential they will continue to be hurtful and increase the potential they will remedy the harm
  - Reduce the potential they will support those who are hurtful and increase the potential they will tell the Hurtful Student to stop
It is essential to give the targeted student VOICE

- Ask if they want a more formal resolution or just support
- Ask if they want this to be initiated based on their report or if they want staff to be attentive and detect concern
- Ask what they need to feel protected and for a remedy for the harm
- Never disclose to the Hurtful Student that the Target initiated the complaint
Certified Staff

- Staff members respond to Hurtful Incidents
  - Seek to stop the Hurtful Incident
  - Engage in further investigation of any Incidents to determine whether this is a more minor Hurtful Incident or should be considered to be a Hurtful Situation
  - Intervene in the Hurtful Incidents to resolve these or report Hurtful Situations to the Designated Staff Person
  - Periodically follow-up with the involved students to ensure the Incident been resolved
• Designated Staff Person respond to Hurtful Situations
  - Investigate with Target and any staff or student witnesses
  - Determine Target’s needs for Protection Plan and Positive Action Plan
  - Implement an Accountability Process with Hurtful Student and Hurtful Supporters to achieve an Accountability Agreement
  - Present Accountability Plan to Target
  - Assuming this resolves current situation, continue to monitor
  - Evaluate effectiveness
POSITIVE ACTION PLAN

Academic recovery
Social relationship skills
Daily check-in
Traumatic distress
Social media activities
Character strengths
Friendships
Staff Allies
Powerful incident response
Future goals
PROTECTION PLAN

Staff Ally for Check-in

Place of refuge and support

Safe Passages plan

No contact order

Other reasonable requests

Change in class or activities
ACCOUNTABILITY QUESTIONS

• What happened?
• What were you trying to accomplish?
• Is anything troubling going on in your life that we should be aware of?
• Why did you think it was okay for you to be doing this? Challenge rationalizations
• How would you feel if someone treated a friend in this way?
ACCOUNTABILITY QUESTIONS

• How do you think you made the student you were hurtful to feel?

• What do you think other students think about students who do what you did?

• If an adult you admire had seen what you did, what do you think this adult would have said to you?

• What do you think other students think about someone who acknowledges that they treated someone badly and takes steps to make things right?
ACCOUNTABILITY QUESTIONS

• Consult student’s Statement of Personal Commitments and ask student to compare their actions with their commitments

• Are you willing to accept personal responsibility for the harm caused by your actions?

• What do you think you can do to make things right to the student to whom you were hurtful and to the school community?
ACCOUNTABILITY AGREEMENT - DISCLOSED

• Write a statement that describes what you did:
• Write a statement that acknowledges why what you did was wrong and that you accept personal responsibility for this wrongdoing:
• Write a statement where you commit you will agree to abide by a No Contact Order (if ordered):
ACCOUNTABILITY AGREEMENT - DISCLOSED

- Write a statement where you commit you will agree to abide by target’s requests (if requested):
- Write a statement where you commit that you will avoid engaging in any further harmful acts directed at this student:
- Describe what you will do to make things right for the person to whom you were hurtful:
ACCOUNTABILITY AGREEMENT - NOT DISCLOSED

• Write a statement of what you will say to your friends about this situation:

• Describe what you will do to make things right to our school community:

• For another remedy the harm to the school community, for the next ___ days, you will reach out to be kind to at least ___ students outside your social group (reported on form)
ACCOUNTABILITY AGREEMENT - NOT DISCLOSED

- Write a statement acknowledging that you recognize that any violation of this agreement will be considered a violation of the disciplinary code and will subject you to a disciplinary consequence:

- Signatures of the Hurtful Student and Parent/Caregiver.
Students with Disabilities

- A comprehensive assessment of the student’s social relationship skills
  - CPS Thinking Skills – not a FBA
- Identification of social relationship objectives and a plan for instruction that is delivered in a sufficiently comprehensive manner to lead to success in improving social relationship skills
  - Developed in a CPS manner with student
Students with Disabilities

• An identification of any challenges and motivations of students who are being hurtful sufficient to
  - Ensure an appropriate Protection Plan in Supplemental Aids and Supports
  - Support the actions necessary to correct a Hostile Environment

• An identification of the circumstances under which the hurtful behavior directed at student is most often occurring
  - Ensure an appropriate Protection Plan in Supplemental Aids and Supports
Students with Disabilities

• An identification of any challenges associated with use of social media
  - A plan of action involving use of social media at school included in Supplemental Aids and Supports – recommended plan for home

• An identification of any concerns associated with staff behavior – being disparaging or not responding effectively when students are hurtful
  - A plan of action included in Supplemental Aids and Supports to ensure appropriate training and performance requirements for any staff members whose actions may be playing a role in the challenges faced by student
Designated Staff Person conduct a Post-Situation Evaluation of the effectiveness of the intervention

- Request of feedback from all involved parties
- Continue periodically for several months
- After several months of consistent response that the challenges have been resolved, this follow-up can be discontinued
**Correct Hostile Environment**

- Use a team approach ensuring student, parent and advocacy voice
  - Including student, parent, and advocacy representatives from identity group(s)
- Engage in assessment
  - Using data and focus groups
- Develop an action plan
  - Strategies that are grounded in research and insight into cultural competence
CORRECT HOSTILE ENVIRONMENT

- Provide professional development in cultural competence
- Ensure appropriate corrections of staff behavior, if necessary
- Incorporate Incident/Situation and Post-Incident Evaluation insight
- Evaluation plan
WEBSITE: http://embracecivility.org
EMAIL: info@embracecivility.org