

Effective School Discipline for Maryland: A Shared Approach to Keep Children in School and Learning

Executive Summary:

Maryland is leading the charge to reduce the number and disproportionality of suspensions and expulsions. Accomplishing this goal begins with a commitment to keep more children in the classroom and actively learning. It also requires a shift in perspective. Educators should embrace the fact that safe and supportive learning environments **and** fair disciplinary policies and practices are not mutually exclusive.

Proposed state regulations require improved processes for discipline and provide an opportunity for schools to implement disciplinary alternatives that help teachers, administrators, and students maintain positive behaviors and create more successful schools. The regulations do not ban suspensions or expulsions, but encourages educators and administrators to use these disciplinary methods only as a last resort or in response to extreme situations.

Introduction:

Due to an over-reliance on reactive zero tolerance policies with severe consequences, high numbers of students—particularly students of color and students with disabilities — are being suspended, expelled and even arrested. Oftentimes, it is for minor offenses that were once handled in school.

As a result, these students are spending less time in school and are more likely to dropout, experience unemployment and become involved with the juvenile justice system.¹ Additionally, punitive discipline practices negatively impact the whole school. Instead of cultivating a safe and supportive learning environment for all students, the high numbers of suspensions and expulsions have been shown to result in higher future rates of misbehavior, increased student alienation and an negative school climate.²

Common sense and data tell us that children learn more if they are in an instructional environment. While keeping students in an instructional environment is shared goal held by most educators, out-of-school punishments such as suspension and expulsion are high in many districts across the state.

During the 2011-2012 school year, 6% or 51,232 of Maryland students were suspended or expelled between grades Kindergarten to 12. Of this number, over one third was suspended more than once. The breakdown of the numbers by district, however, reveals a far more complex and alarming account of the types of students receiving out-of-school punishment.

¹ *The High Cost of High School Dropouts: What the Nation Pays for Inadequate High Schools*. Alliance for Excellent Education (2011).

² *Are Zero Tolerance Policies Effective in Schools? An Evidentiary Review and Recommendations*, A Report by American Psychological Association Zero Tolerance Task Force (2006), <http://www.apa.org/pubs/info/reports/zero-tolerance.pdf>

While the rates in specific districts vary, African American students and students with disabilities are disproportionately represented in the data across the state. In Wicomico County Public Schools, African Americans make up only 35% of the student population, but represent 62% of all suspensions and expulsions. In Baltimore County Public Schools, the rates are similar: African American students are 39% of the population, but make up 63% of the suspensions and expulsions. Even in Montgomery County Public Schools, the district with the lowest suspension and expulsion rate in the state, African American students consist of 21% of the overall population, but account for 48% of suspended and expelled students.³

Although some students are suspended or expelled for “hard” or violent offenses, 41% of Maryland’s 85,372 out-of-school suspensions during the 2011-2012 school year were for non-violent offenses such as violations of school policies, disruption, disrespect, insubordination, and communication devices.⁴ Currently, we have a system in which the punishment often does not fit the crime and students are missing out on valuable class time crucial for chances for success.

Solutions:

Recognizing these issues, the Maryland State Board of Education (MSBE) is in the process of revising the state regulations on school discipline and the state code of conduct. The revisions reflect a more preventive, student-centered and equitable approach to school discipline. The revisions will require school districts to revise their disciplinary practices, eliminate most zero tolerance policies, and provide minimal educational services to students placed out of school. In addition, schools will have to monitor disproportionality and school-based arrests by expanding their data collection.

Based on recent activities and the current climate supporting disciplinary reform, Advocates for Children and Youth (ACY) has developed a public information campaign, **Effective School Discipline for Maryland**. The campaign is to create awareness about creating a positive learning environment while holding students accountable for their actions. This information to help schools and districts develop fair and effective discipline policies and practices. The campaign includes an online tool called the **Effective School Discipline Guide** which provides the steps necessary to create positive school climates with high expectations for academic achievement and student behavior.

Effective School Discipline Approach Examples:

The following section provides real life examples of how an effective school discipline approach has been used in various school settings. It is important to note that these districts did not experience a great influx of additional dollars. They simply used best practices and solutions that fit their districts. A commitment from leadership and staff was also critical to creating a positive school climate and an effective disciplinary process. The inclusion of new disciplinary methods

OUT-OF-SCHOOL PUNISHMENT

Cecil, Charles, Dorchester, Kent, Somerset and Wicomico have the highest rates of suspension—all near or over 10%.

Montgomery, Garrett, Howard, Carroll, Washington and Queen Anne’s counties have the lowest rates—all below 4%

³ *Civil Rights Data Collection Database*, U.S. Department of Education, Office of Civil Rights (2012).

⁴ *Suspensions, Expulsions and Health Related Exclusions, Maryland Public Schools, 2011-2012*. Maryland State Department of Education (2012).

has led to better student behavior and a decrease in reliance on out-of-school punishment. The new methods keep students in school and accountable for the actions.

A Positive, Preventative and Equitable Approach: Course Change at Anne Arundel County Public Schools

After receiving warnings and violations from the U.S. Department of Education Office of Civil Rights, Anne Arundel County Public Schools (AACPS) in Maryland took the issue of school discipline head on. The district conducted audits of disciplinary numbers, took an honest look at the referrals and 'intake' procedures. Administrators also examined the demographics of students receiving out-of-school punishments. The results were telling. Minority students and those with disabilities received harsher punishment than their White students for the same infractions. Administrators knew a new approach to discipline was necessary.

Moving away from reactive zero tolerance policies, AACPS decided to develop a disciplinary approach that fosters positive behaviors and improves the environment and interactions between students and staff. To this end, AACPS implemented Positive Behavior Interventions and Supports (PBIS) and its use continues today.

PBIS helps schools develop a proactive culture that teaches and supports appropriate behaviors among all students. While PBIS is not a specific program or curriculum, it provides a behavioral expectations framework that helps schools organize and implement evidence-based behavioral interventions. The program works on three levels that allow schools to provide a continuum of interventions in which disciplinary consequences correspond more aptly to the seriousness of the infraction. These program levels are:

- School-wide
- Individual interventions—for students that need a little assistance
- Individual interventions—for students that need a greater degree of assistance

Working closely with individual students, AACPS continually provides individualized interventions that decrease the need for discipline and promote positive interactions among students and staff. An added benefit is the creation of a strong sense of school community and belonging. Furthermore, this more flexible approach allows schools to use referrals as an instructional opportunity. This method reserves suspensions and expulsions for the most serious of offenses and keeps more students in the classroom and actively learning.⁵

In addition to implementing frameworks such as PBIS, AACPS embraced a foundational commitment to minimizing disproportionality by having courageous conversations about the role race and disability played in the disciplinary process. Findings from these conversations revealed that referrals written for African American boys and White girls for the same infraction were written differently and resulted in more severe punishments for the African American boys. As a result, the district trained teachers and staff on writing clear and factual referrals and on separating beliefs about an individual from the actual infraction. In doing so, AACPS created an

ECONOMICAL SOLUTIONS

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⁵ Putnam, R., Horner, R. & Algozzine, R. *Academic Achievement and the Implementation of School-Wide Behavior Support*. PBIS Newsletter, Volume 3, Issue 1, (2006).

opportunity to ensure that their disciplinary policies and practices are applied fairly, consistently and effectively.

The district began their new approach to discipline in 2007 with full-scale implementation in 2011. The results are staggering—referrals for disrespect, disruption and insubordination for African American students in middle and high schools fell 27% and out-of-school suspensions fell 37% for the same group.⁶ Additionally, referrals and suspensions fell for the district overall.

A true commitment to implementing preventive and equitable discipline strategies can benefit students and schools quickly by reducing suspensions and expulsions, keeping more students in school and providing more time for learning.

A Student-Centered Approach: Student Supports and Services at Lincoln High School in Walla Walla, Washington

ADVERSE CHILDHOOD EXPERIENCES

Lincoln High School's new approach to discipline is grounded in a "trauma-sensitive" approach that emphasizes the importance of building students' resilience factors to adverse experiences.

The key to any reform effort and any disciplinary action is student responsibility. No matter the strategy undertaken, students have to be held accountable for their actions. Part of that accountability—especially for children—is helping them identify the underlying causes of their behaviors. Some issues are simply poor choices, but often times there are additional and unaddressed reasons for misbehavior. In embracing an effective discipline approach, schools do not merely punish the student but also create opportunities to help students take responsibility for their actions and learn to work out problems independently.

After learning about the role of Adverse Childhood Experiences (ACEs) in children's intellectual and psychological development, Principal Jim Sporleder at Lincoln High School realized that many of his students were exposed to a large number of ACEs and that many of their outbursts were related to complications at home. ACE's include abusive situations, transitory living environments,

and familial drug abuse among other issues.⁷ As a result, Sporleder decided to overhaul the school's disciplinary system to help students understand the reasons behind their actions, take responsibility for their behavior and resolve problems independently.

Lincoln High School's new approach to discipline is grounded in a "trauma-sensitive" approach that emphasizes the importance of building students' resilience factors to adverse experiences. This strategy requires teachers to be sensitive to students' experiences outside of school and to be trained in directly helping students resolve academic, personal and behavioral issues. While teachers are responsible for supporting students academically and socially, students also have the responsibility to be open to talking with staff.

⁶ 2011/2012 Comparison of Soft Referrals and Suspensions. Anne Arundel County Public Schools (2012).

⁷ Adverse Childhood Experiences Study, U.S. Centers for Disease Control and Prevention (2013).

One way Lincoln High School achieved these goals is through their revamped in-school suspension (ISS) program. When students commit more serious infractions or refuse to be held accountable for their actions, they are sent to ISS. Geared towards increasing positive behaviors and helping students achieve academically, ISS became a place of work as well as an open environment to discuss both academic and personal struggles. It is important to note that the staff in the ISS classroom is essential. Staff must possess the ability to help the student academically as well as connect with students on a personal level.

Much like AACPS' focus on individual students, Lincoln High Schools' new approach also effectively builds a strong sense of trust, capacity and community among students and staff. The success is striking. Out-of-school suspensions were reduced by over 85% and students have more opportunities to remain engaged in their education.⁸

In addition to supporting students in their academic, personal, and social development, Lincoln High School fosters success by providing additional services to its students. Because many of the students lacked access to adequate health care, Lincoln collaborated with a local pediatrician to open a school health center right next door.

While the health center was initially intended to provide routine check-ups and treat minor health complications (asthma, infections, etc.), 90% of the center's work is treating mental health issues, helping student build social connectedness, and providing concrete support in times of need.⁹ During the 2011-2012 school year, 175 out of 200 students utilized the center's services, amounting to a total of 1,500 visits in one school year.¹⁰ Successful discipline approaches recognize that the problems faced by youth are often beyond the capacity of any single agency—collaboration with outside health, education, juvenile justice and community agencies is key to effectively supporting students, reducing suspensions and expulsions and increasing opportunities for success.

HEALTH CARE CENTER

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Building Teacher Capacity: Safe and Responsive Schools (SRS) and Safer Saner Schools (SSS)

A crucial component of successful discipline reforms is valuing and incorporating teacher expertise at all stages—both in the development of policy and the implementation of new practices. Because teachers are often the “front line” in addressing student behavior, an effective disciplinary approach builds capacity among teachers to teach positive behaviors and successfully handle student misbehavior by providing ample professional development opportunities.

⁸ *Lincoln High School in Walla Walla, WA Tried New Approach to School Discipline*, ACES Too High News (2012, April 23).

⁹ *Ibid.*

¹⁰ *Ibid.*

The Safe and Responsive Schools (SRS) program, funded by the U.S. Department of Education, is a great example of the effectiveness of involving teachers at all stages of discipline reform. In the planning and development stages, teachers are included on a team of administrators and parents that work to address school climate and to improve student behavior. The result of this collaboration was an action plan.

Once new policies and practices are written, all teachers are trained on de-escalating student disruptions and resolving behavioral issues as it is happening. A component of the SRS model is an intervention room. The intervention room is staffed with a general and a special education teacher that work with individual students to help identify and solve problems underlying the behavioral issue. In four of the studied schools, the implementation of the Safe and Responsive Schools program resulted in a 40% to 60% reduction in out-of-school suspensions and showed great improvements with students with disabilities.¹¹

Another program involving teachers is the International Institute for Restorative Practices (IIRP) - Safer Saner Schools (SSS) model. It requires that all staff be trained in the implementation of a new disciplinary approach. Safer Saner Schools moves away from punitive discipline by incorporating 'restorative practices' that foster support and responsibility. 'Restorative practices' requires that the student discusses their actions with staff and the victims of the offense to arrive at a solution collaboratively.¹²

Instead of relying on reactive zero tolerance policies, staff help process the disruption and engage students in addressing the underlying cause. The SSS model provides ample professional development opportunities as the IIRP helps train staff and provides assistance in implementation during the first year. Some staff members—including teachers—become trainers for the model and continue to build capacity as the program develops. Three of the Philadelphia high schools studied saw major decreases in referrals, suspensions and incidents. An elementary/middle school saw suspensions decrease from 86 in one school year to 10 in the following year.¹³

Conclusion:

Many schools and districts have begun the process of revamping disciplinary policies and strategies. There are many programs and tools that help improve behavior and make interaction between administrators, teachers, and students more productive. Only a few listed in this paper, but many more can be found in use in schools across Maryland. Fostering an environment of education first, is an important step in keeping more children in the classroom.

ACY will continue to serve as a resource and a connector to best practices, policies, and data collection for the state, districts, and schools as we aim to improve the disciplinary process and keep more kids in the classroom.

¹¹ Skiba, Russell, Rausch, & Karega, *Chapter 7: School Disciplinary Systems: Alternatives to Suspensions and Expulsions* in Bear, George, Minke, & Kathleen, Children's Needs III: Development, Prevention and Intervention (2006)

¹² *Building Safer, Safer Schools*. Educational Leadership. Volume 69, Number 1, September 2011.

¹³ Ibid.