Discipline Referral Outcomes: Meeting the Needs of Students

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In this study, school disciplinary procedures/programs used in response to disciplinary referrals and programs that schools have in place to prevent, intervene, and respond to behaviors that result in suspensions or expulsions from the classroom or school were investigated. The focus of this study was school leaders' concerns regarding the effectiveness of the programs and procedures currently in place within their schools. Identification of programs to address the specific needs of special education students that are used in addition to or separate from the programs used with the general education population was an additional focus. The use of reintegration programs to assist any suspended or expelled student in successfully returning to the classroom or school environment was examined. Students receiving special education services incur a disproportionate number of discipline infractions, and often school remedial behavior programs do not work effectively to change behavior (Losen & Gillespies, 2012; Rose, Monda-Amaya, & Espelage, 2010; Skiba, Peterson, & Williams, 1997).

Introduction

A major focus within a school day is creating and maintaining a learning environment that fosters student success. To create this environment, many variables need to be addressed. These variables include classroom demographics, organization, procedures, teacher characteristics, and the community of learners (Striepling-Goldstein, 2005). Providing this safe environment takes great initiative on the part of school leaders.

In the area of special education, many legal requirements necessitate specific compliance (IDEA 2004) regarding disciplinary referrals (National Dissemination, 2012). However, researchers indicate that students in special education require direct teaching of skills to ensure appropriate growth and social development (Lerner & Johns, 2009). Many current disciplinary procedures do not remediate problems by teaching students appropriate social strategies. Special education students are often at risk for disciplinary actions or victimization because of inept social behaviors (Mishna, 2003).

Discipline plans in the Individualized Education Plan (IEP) are directed toward the individual student, but not necessarily the student as part of a learning community. The progressive movement to include students with difficulties into the general education setting and curriculum encourages programs for ALL students.

Despite major efforts put forth through preventative measures, educators continue to report incidences of school violence (Robers, Zhang, Truman, & Snyder, 2011). School staffs are often left frustrated and this can turn into reactive, punitive, and exclusionary responses to student behavior (Whitehead, Boschee, & Decker, 2013). Research has demonstrated disciplinary methods are not an effective means to remediate social and behavioral issues for special education students. A common disciplinary response is out of school suspension, with more than 3.3 million students suspended each year (Cornell, Fan, Gregory, & Lee, 2011). When schools utilize suspension in response to incidents of disruption, violence, and aggression, further consideration of the residual effects of this practice should be considered.

Review of the Literature

To establish effective education within a learning organization, educators must provide a safe environment at school that is conducive to the learning of all students. "School safety is more than the absence of violence – it is an educational right" (Morrison, Furong, D'Incau, & Morrison, 2004, p. 257). To provide this environment educators often respond to the disruptive, aggressive, or violent behavior of a student with exclusion from the learning environment. Kaplan, Cornell, and Dewey (2006) report that students in special education were referred for higher incidence of disciplinary actions and that their study supported the use of suspension for threat management. However, Lerner and Johns (2009), and Thompson and Webber argued that, "punitive measures have been shown to have little effect in dissuading students from engaging in disruptive behavior at school" (2010, p. 71). Robers, Zhang, Truman, and Snyder (2010) reported that during the 2009-2010 school year, 39% of public schools instituted disciplinary action against students. This accounts for 433,800 serious disciplinary actions in which a student was suspended for five days or more (74%), was transferred to a specialized school (20%) or removed from the school with no services for the remainder of the school year (6%).

Suspension is used to remove a danger or threat from a classroom and to allow a teacher to focus on student learning. Suspension also serves as a means of punishing the student and possibly deterring them from future misbehavior (Schuck, Matera, & Noah, 2012).

The practice of suspension is consistently associated with negative academic outcomes. Possibly the greatest negative outcome is the increased susceptibility to dropping out of school (Cornell, Fan, Gregory, & Lee, 2011; Skiba & Peterson, 2000; Suh & Suh, 2007). In a study by Suh and Suh (2007) low GPA, low socioeconomic status, and deviant behavior were identified as risk factors. As these characteristics are compounded within an individual student, the risk of dropout becomes greater. In reference to suspension resulting from deviant behavior, a student's risk of dropping out is increased by 78%, if the individual had a prior history of suspension.

A gap exists between research and current discipline practices such as suspension. Braaten suggested that schools "are part of the problems and can no longer simply remove or refer and forget troubled and troubling students" (2004, p. 57). Skiba and Peterson (2000) explained that discipline strategies that are harsh or punitive in nature have not proven to be sufficient to foster a school climate that can prevent the occurrence of school violence. The American Academy of Pediatrics reported that between 70% and 94% of schools have zero tolerance policies and 90% of Americans support these policies (Committee, 2003). Zero

tolerance policies are a strict interpretation of the law and treat everyone the same by emphasizing equality (Stefkovich, 2010). These punitive approaches lack empirical support and do not result in decreased recidivism (Hyman, Mahon, Cohen, Snook, Britton, & Lurkis, 2004). In a time when schools are focusing on the differentiation of instruction to meet the needs of individual learners, individual differences are often ignored in discipline situations.

Students receiving special education services incur a disproportionate number of discipline infractions (Skiba, Peterson, & Williams, 1997). Kaplan and Dewey (2005) found that nearly half of all violent threats reported to school principals represented threats made by special education students. Lerner and Johns (2010) specified that the focus for modifying behavior of special education students should be centered on skill development requiring specific and direct intervention teaching. Contrary to this approach, special education students appear to be at a greater risk for receiving a variety of harsh discipline practices that include suspension, expulsion, and corporal punishment (Skiba, Peterson, & Williams, 1997). The Civil Rights Project revealed in a study conducted by Losen and Gillespie (2012) that students with disabilities are suspended twice as often as their peers. This study further found, "students with disabilities suspended from school in 2009-2010 were slightly more likely to have been suspended repeatedly compared to just one time" (Losen & Gillespie, 2012, p. 17). Why is this? Could the lack of programs for skill development regarding behavior and social competence be the determining factor?

Suh and Suh (2007) recognized that as students accumulate risk factors (low GPA, low SES, and deviant behavior) they become more apt to drop out of school. With this information it becomes evident that addressing the disciplinary needs of special education students is complex in nature. The individual characteristics and risk factors of special education students are addressed in the Individuals with Disabilities Education Act (IDEA) and their right to a free and appropriate public education (FAPE). Student rights through IDEA, focus on the whether the individual's disability is the determining factor for the disciplinary referral and its outcome. Functional Behavior Assessments and behavior support plans are completed to reintegrate the student into the school community. However, these actions are focused on one student and do not take into consideration the school community and its relationship to the student. Duggan and Dawson (2004) found that in the very large school district of NYC, effective supports for disciplinary issues focused on seven different areas. Two of these areas were school-wide routines for behavior (program) and social skills instruction. The NYC schools did not assume proper, appropriate behavior in students, rather they taught the skills.

Skiba (2002) explained that there is often controversy between upholding IDEA and FAPE and the rights of schools to implement policies and procedures that address the safety of the learning environment. Recognizing the increased possibility of dropping out by students who are suspended from school in conjunction with the over-representation of special education students incurring these suspensions, we are led to the need for alternate responses to disruptive, aggressive, and violent behavior.

Research Questions

The purpose of this study was to focus on the concern of school leaders regarding disciplinary referrals. The researchers sought to determine if students with a current Individualized Education Program (IEP) were more likely to be referred for disciplinary action. A second

question was whether schools had successful programs in place to reintegrate students after disciplinary action to eliminate or alleviate successive disciplinary referrals.

School leaders delineated the target population for grade (6-12), gender, and current student IEP status. They identified any current programs in place for reintegration or intervention for students referred for disciplinary action. Data were collected to address three research questions:

1. Are special education students referred more often for disciplinary actions than the general education population? Are they more often repeat offenders?
2. Which disciplinary actions are most often used in schools?
3. Does a school have an intervention or prevention program plan in place; is it successful for the reintegration of students after a major disciplinary referral?

Quantitative data provided a foundation for comparison to the principals' survey of present programs and their success or lack of success to meet the needs of these students.

Participants

Eleven school districts from a rural Midwest geographic area participated in the study. Six schools completed all parts of the surveys.

Procedures

Two surveys were sent to the participating school leaders. The first survey, *Discipline Referrals Survey,* was a quantitative survey utilizing the school database. Information collected included the number of students in the school per grade level, the population of the school, students with an IEP per grade, referrals for disciplinary action, and repeat referrals for the same student.

Survey two, the *Building Leader Student Discipline Survey*, was completed by the principal, assistant principal, or school counselor. This survey obtained the school leader's direction and focus on students who had had disciplinary referrals during the 2010-2011 school year. Survey two also obtained the viewpoint of the school leader regarding the success or lack thereof in their current program for reintegration of students with a major disciplinary referral.

The resulting information provided an opportunity to compare programs, building leaders' confidence in the programs, and the data obtained from the first survey. The researchers sought to determine whether programs specified by the participants were related to the data regarding the school's disciplinary referrals.

Furthermore, in the participating schools, were students with a current IEP more likely to have a disciplinary referral or be involved in repeat disciplinary referrals? Did participating schools have effective programs to teach strategies? Was there a correlation between the number of students with an IEP for disciplinary referrals and no identified effective program in a district? Did reintegration programs that focused on teaching skills make a difference as opposed to traditional methods for discipline (i.e., suspension)?

Results

Using information from Survey One, *Discipline Referrals Survey*, information concerning the number and type of referrals and instances of repeat referrals was collected. Disciplinary referrals were defined as: Abusive language, physical aggression, insubordination, bullying, property damage, and illegal substance use. The information collected delineated general education vs. special education population referrals for disciplinary action into two categories: general education vs. special education, and repeat offenders who were also delineated into general education vs. special education.

Information gained from the second survey, *Building Leader Student Discipline Survey*, focused on five questions to acquire the participant's perspective of programs in place at their school for school-wide intervention, prevention or reintegration of students after major disciplinary actions. This data were coded by type of program currently utilized, the population targeted, and the confidence level of the participating school leader.

Total School Population Data

Individual school demographics were combined to formulate a total schools' population comparison for general education students and students with an IEP. The general education student population comprised 87% of the total (all schools), while students with an IEP comprised 13% of the total population (all schools).

Referrals for all Schools (Baseline Data for Comparison)

Referrals in all categories of disciplinary actions were compiled from all of the schools. General education student referrals were compared with referrals of students with an IEP. The comparison revealed that 74% of the referrals were students in general education and 26% of referrals were students with an IEP. Approximately one quarter of the referrals were for students in special education.

Comparison of Repeat Referrals General Education vs. Special Education

A comparison of repeat referrals for disciplinary action in general education vs. special education students was prepared. Of the repeat referrals, 21% were from students with an IEP, and 79% were from general education students. Disciplinary actions were defined as a compilation of all referrals in all disciplinary categories. In Appendix A, Table 1, results from the comparisons of schools, gender, and general education vs. special education statistics support past research that typically males comprise more special education students than females. This table also illustrates that special education students comprise between 27% (School E) to 8% (School F) of the total school population. Nationwide, the percentage average for special education population is 13% (National Center, 2012).

Qualitative Section

This section consisted of five questions to determine if an intervention or prevention program was in place for the school/district, whether this program was the same for general education

students and special education students, and if the building leader felt confident that the program was effective.

Background Information Data

Data from the second survey, *Building Leader Student Discipline Survey,* revealed the following: Principals completing this survey comprised 82% of the participants. The average length of time as a principal was 10.4 years, with a range between 2 and 36 years.

Ten of eleven schools had specific programs in place for students with discipline referrals. Eight schools utilized the same program for the entire school. Programs reported by schools were: Behavior Plan (through IEP-all), Student Intervention Teams (2 schools), Student Responsibility Center (1), Classroom Redirect System with 4th redirect resulting in contract (1), MiBLSi (Michigan Integrated Behavior and Learning Support Initiative) (2), Boys Town Model – (1), Detention/Saturday School/Suspension (3), Honor Level System (1).

When rating their programs, two school leaders felt it was not working, five felt somewhat confident it was working, two were confident the program was working and two had no response.

In the *Building Leaders Student Discipline Survey*, principals rated their level of confidence in reference to students who returned to class or school after time spent in in-school suspension, out of school suspension, or expulsion as a result of aggressive or violent behavior. Six principals were not confidant, three were somewhat confident and only one principal was confident the behavior was eliminated. In addition, three principals indicated they were confident the behavior or a similar behavior would be repeated, five were somewhat confident that the behavior would be repeated and two felt the behavior would not be seen again.

 Comparison of Data

In reviewing the school data (see Appendix A, Table 2), only one school did not have a specific program in place for the purpose of alleviating discipline referrals. Five other schools had a specific program in place for either intervention or prevention of school disciplinary referrals. Disciplinary referrals were defined in seven specific categories; however, the percentage of referrals compared to the total school population may reflect students receiving referrals in more than one category at the same time.

Respondents at the three schools with the highest percentages of referrals stated that they were only somewhat confident that their specific programs were working to eliminate disciplinary referrals. They also had the highest percentage rates of repeat offenders of the participating schools.

Respondents at the two schools reported they were confident their current program was working to eliminate disciplinary referrals. One school had 5% disciplinary referrals; one school had 21% disciplinary referrals. These two schools did have the lowest rates of disciplinary referrals for the participating schools. Educators at one school reported that they were not confident that their program would eliminate disciplinary referrals. This school had the fourth highest referral rate percentage for disciplinary referrals as well as percentage for repeat disciplinary referrals.

In Appendix A, Figure 1, the areas of discipline referrals were disaggregated. Results demonstrate that the category of "Insubordination" was the highest referral rate especially for grades 6-8 males. The lowest category with referrals was "Illegal Substance" throughout the schools and grades.

Discussion

Many programs exist to either provide intervention once a student has obtained a disciplinary referral to integrate the student back into the school environment (i.e., behavior plan in an IEP), or as a prevention measure that addresses the total school population. Most educators reported that they had current programs ranging from prevention to traditional methods for discipline including detention and suspension. The educators who were confident in the methods they utilized to manage student behavior also had the lowest percentages of disciplinary referrals and repeat referrals for students. Educators at schools with the highest percentage rates reported programs employed within their system (mostly intervention such as traditional methods that included IEP behavior plans) but were only somewhat confident that these programs were working effectively to eliminate disciplinary actions. Within the data the highest disciplinary referrals occurred in the "insubordination" category. This particular area relies on social context and appropriate behaviors. The lowest category of disciplinary referrals was found in "Illegal substances" (an area that would more likely constitute traditional suspension). Many building leaders in these schools question the efficacy of their program and data support their concern. Schools need to examine their current programs, and adopt changes if necessary.

References

Braaten, S. (2004). *Creating safe schools: A principal's perspective*. In J.C. Conoley & A.P. Goldstein (Eds.). School Violence Intervention (2nd ed.) (pp. 256-296). New York, NY: Guildford Press.

Committee on School Health (2003). Out-of-school suspension and expulsions. *Pediatrics, 112*(5), 1206-1209.

Cornell, D., Fan, X., Gregory, A., & Lee, T. (2011). High suspension schools and dropout rates for black and white students. *Education & Treatment of Children*, *34*(2),167-184.

Duggan, D., & Dawson, C.A. (2004). Positive behavior support infused by Life Space Crisis Intervention in New York City's special education district. *Reclaiming Children and Youth, 13*(1), 37- 42.

Essex, N. (2011*). A teacher's pocket guide to school law* (2nd ed.). Boston, MA: Pearson.

Hyman, I., Mahon, M., Cohen, I., Snook, P., Britton, G., & Lurkis, L. (2004). Student alienation syndrome: The other side of school violence. In J.C. Conoley & A. P. Goldstein (Eds.). *School Violence Intervention* (2nd ed.) (pp. 483-506). New York, NY: Guildford Press.

Kaplan, S., Cornell, D., & Dewey J. (2005). Threats of violence by students in special education. Behavioral Disorders. *Behavioral Disorders*, *31*(1), 107-119.

Lerner, J. & Johns, B. (2009). *Learning disabilities and related mild disabilities: Characteristics, teaching strategies, and new directions*. (11th ed.). Boston, MA: Houghton Mifflin Harcourt Publishing Company.

Losen, D., & Gillespie, J. (2012). *Opportunities suspended: The disparate impact of disciplinary exclusion from school*. Retrieved from The Civil Rights Project website: http://civilrightsproject.ucla.edu/

Mishna, F. (2003). *Learning disabilities and bullying: Double jeopardy.* Retrieved from http://ldx.sagepub.com/content/36/4/336.

Morrison, G.M., Furlong, M.J., D'Incau, & Morrison,R.L. (2004). The safe school: Integrating the school reform agenda to prevent disruption and violence at school. In J.C. Conoley & A. P. Goldstein (Eds.). *School Violence Intervention* (2nd ed.) (pp. 256-296). New York, NY: Guildford Press.

National Center for Educational Statistics. (2013, January). *Children and youth with disabilities.* Retrieved from http://nces.ed.gov/programs/coe/indicator_cgg.asp

National Dissemination Center for Children with Disabilities. (2012, November). *IDEA (Individuals with Disabilities Educational Act – 2004).* Retrieved from http://nichcy.org/laws/idea

Robers, S., Zhang, J., Truman, J., & Snyder, T. (2011). Indicators of School Crime and Safety: 2011 (NCES 2012-002/NCJ 236021). Washington, DC: National Center for Education Statistics, U.S. Department of Education, and Bureau of Justice Statistics, Office of Justice Programs, U.S. Department of Justice.

Rose, C. A., Monda-Amaya, L.D., & Espelage, D. L. (2010). *Bullying perpetration and victimization in special education: A review of the literature.* Retrieved from http://rse.sagepub.com/content/32/2/114.

Schuck, P., Matera, M., & Noah, D. (2012). What happens to the 'bad apples': An empirical study of suspension in New York City schools. *Notre Dame Law Review*, *87*(5), 2063-2086.

Skiba, R. J. (2002). Special education and school discipline: A precarious balance. *Behavioral Disorders*, *27*(2), 81-97.

Skiba, R. J., & Peterson, R. L., (2000). School discipline at a crossroads: From zero tolerance to early response. *Exceptional Children*, 66(3), 335-346.

Skiba, R. J., Peterson, R. L., & Williams, T. (1997). Office referrals and suspensions: Disciplinary intervention in middle schools. *Education and Treatment of Children, 20*, 295-315.

Stefkovich, J. (2010). *Best interests of the student: Applying ethical constructs to legal cases in education*. New York, NY: Routledge.

Striepling-Goldstein, S. (2005). The low-aggression classroom: A teacher's perspective. In J.C. Conoley & A. P. Goldstein (Eds.). *School Violence Intervention* (2nd ed.) (pp. 23-53). New York, NY: Guildford Press.

Suh, S., & Suh, J. (2007). Risk factors and levels of risk for high school dropouts. *ASCA*, *10*(3), 297-306.

Thompson, A. M., & Webber, K.C. (2010). Realigning student and teacher perceptions of school rules: A behavior management strategy for students with challenging behaviors. *Children & Schools* (*1532-8759), 32*(2), 71.

Whitehead, B., Boschee, F., & Decker, R. (2013). *The principal: Leadership for a global society*. Thousand Oaks, CA: Sage.

Appendix A

Table 1
School Population Data in Five Categories for the Targeted Grades

Schools Grades 6-12	Total Target Population	General Ed. Males	General Ed. Females	Special Ed. Males	Special Ed. Females
A	32	16	9	5	2
B	151	68	64	14	5
C	318	139	139	27	13
D	208	85	91	22	10
E	15	5	6	3	1
F	406	N/A School grouped M & F	N/A	16	18

Table 2
Comparison of School Data

Data Results	School A	School B	School C	School D	School E Grades 6-8 only	School F
Current program in place for intervention/prevention of disciplinary referrals	Yes	Yes	Yes	Yes	No	Yes
Total School Population for targeted population (6-12)	32	151	318	208	16	406
Percent of referrals compared to total school population. ***Percentages may reflect more than one offence per student in more than one category**	21%*	25%*	99%*	74%*	5%*	51%*
Percent of repeat offenders compared to total school population	3%	3%	12%	25%	2%	12%
Confidence by Building leader that current programs are working	Yes	No	Some-what	Some-what	Yes	Some-what

Figure 1
Aggregated Discipline Referrals for All Schools