

BALANCING ACT:

MAY 2018



Mississippi Administrators and Teachers Weigh in on Discipline Policies in Schools

A school district’s student code of conduct serves as a contract between the student and administration outlining student expectations that, if followed, will foster a positive learning environment. Developed under the leadership of the district administration and adopted and enforced by the local school board, the code of conduct and student handbook explain possible disciplinary actions and consequences should disorderly conduct occur. When a student violates the code, disciplinary policies are put into place to address the behavior exhibited. The methods of discipline and the degree of enforcement vary widely across the U.S. K-12 landscape and even from school to school.

DISCIPLINE POLICIES IN MISSISSIPPI

In Mississippi, school suspension, detention, alternative policies, alternative education, and corporal punishment are allowable under state law. Mississippi Code 37-11-55 requires local school boards to adopt their own disciplinary policies and make them available to students, parents and guardians at the beginning of the academic year.¹

METHODS OF DISCIPLINE

On average, one out of every seven students in American public schools experiences **exclusionary discipline**: in-school suspension (ISS), out-of-school suspension (OSS), or expulsion.² Expulsion and OSS remove the student, permanently or temporarily, from the school environment. In-school suspension, in contrast, seeks to keep the student in the school environment while removing them from the classroom. Though policies and best practices recommend using ISS classrooms “to maintain order and safety while addressing behavioral issues without excluding students from the learning environment”³, students disciplined with ISS still miss instruction time with their peers.



^ Suspension:

^ Removing a student from the regular classroom for a specified period of time. May be served in school (ISS) or out of school (OSS), depending on the severity of the infraction, and the school’s code of conduct

^ Detention:

^ Requiring a student to report to a designated area during otherwise free time (i.e., lunch, recess, free period, after school)

^ Corporal Punishment:

^ Physically administering discipline, usually by means of spanking or hitting

^ Positive Behavioral Interventions and Supports (PBIS):

^ Providing discipline plans and rewards for good behavior at the student, classroom, and school levels

^ Restorative Justice:

^ Seeking to balance consequences with mending the relationship between the student and the school community after an infraction has occurred



Given that disciplinary methods vary across the Mississippi public school landscape, it is important to examine how and why they are being implemented in the classroom. Administrators and teachers are closely involved in the process and can have valuable insight into current practices. With support from the Annie E. Casey Foundation, researchers at Mississippi KIDS COUNT, a project of the Family and Children Research Unit at Mississippi State University’s Social Science Research Center (SSRC) developed a web-based survey instrument to gather the perspectives of Mississippi K-12 public school administrators and teachers on the types of discipline policies administered in their schools, the effectiveness of these policies, and their suggestions for alternative strategies. The total number of completed surveys was 433. Additionally, researchers conducted telephone interviews with six school administrators (i.e., superintendents, principals, and assistant superintendents) from around the state to obtain qualitative responses that are featured within the body of this brief. The administrators’ comments are reflective of their views on disciplinary procedures and may or may not correspond with the key findings from the survey.

KEY FINDINGS: CURRENT DISCIPLINE PRACTICES IN MISSISSIPPI SCHOOLS

Survey responses from school principals indicate that three-quarters (75.5%) currently use in-school suspension, and 93.3% use out-of-school suspension as disciplinary tools in their school settings. Just a little over one-half (51.5%) employ detention as a discipline policy. The majority (86.5%) use some form of positive behavior intervention and support (PBIS), while 62.6% report using corporal punishment.

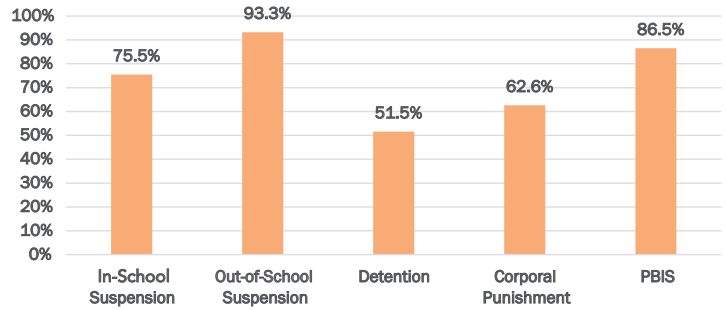
SUSPENSIONS

During the 2013-2014 school year, 8% of all Mississippi public school students were given one or more out-of-school suspensions, compared to the national average of 6%. That adds up to approximately 42,100 students in grades K-12. In-school suspensions are not as often cited as disciplinary options in the state-level documents describing Mississippi school law. School districts vary considerably in their use of ISS versus OSS. For example, Quitman County schools reported no in-school suspensions during the 2014-2015 school year compared to 18.3% of their student population receiving OSS. Conversely, the Pass Christian school district reported that 14.5% of its population received at least one ISS during the year, while less than 2% received an OSS.⁴

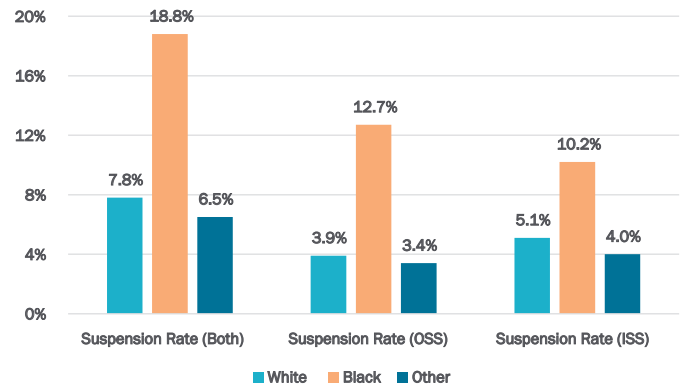
The impacts of being suspended from school are both immediate and lasting. When a student is removed from a classroom, he or she misses instruction time. For students who struggle academically already, suspensions only add to the problem.⁵ Students who are suspended are also more likely to be held back or drop out of school entirely.⁶ Further, while suspended from school, an adolescent is more than twice as likely to get arrested compared to time periods when an adolescent is in school.⁷ Beyond academic achievement, studies of state and national suspension data show a striking finding around race. Black students, especially males, are disproportionately suspended compared to White peers.⁸⁻¹⁰ In many cases, exclusionary discipline exacerbates a problem it intends to solve.

A majority (66%) of principals surveyed say their students can be suspended for “willful disobedience” or “willful defiance,” infractions which are subjectively defined. During the 2014-2015 school year, Black students (12.7% OSS rate) in Mississippi were over three times as likely to receive one or more out-of-school suspensions as White students (3.9% OSS rate)⁴. Research shows that a student’s behavior may or may not be defined by their teacher as “willful disobedience” or “willful defiance,” depending on the student’s race.^{11,12}

MISSISSIPPI PRINCIPALS’ REPORTED USE OF DISCIPLINE STRATEGIES



MISSISSIPPI SUSPENSION RATES BY RACE, 2014-2015



Source: Mississippi Data Project, 2017



One of the district administrators interviewed for this study shared their recognition of some of the ways their old discipline policies were working against their goals for students and how school personnel worked together with community members to: “look at things within our system that [were] stopping certain groups of our students, certain pieces of our population from being successful. One of those things was discipline. In terms of defiance and disrespect, we made it that there is no way you can issue suspensions at Level 1. You do conferences and other things... Level 1 in nature, those are infractions that are subjective, like define ‘disrespect’? We also created a definition guide on what each infraction actually means so that teachers and administrators can go with that as well.”



An overwhelming majority (97%) of respondents indicated their school does track suspension data on a regular basis. Nearly three-fourths (74.5%) said they track by gender; 71% said they track by race; 82.1% by grade, 60.7% by disability, and 89% by infraction. Those administrators who were interviewed indicated that tracking data can help to identify the root cause of misbehavior:

“We will never know how successful we are unless all data is entered.”

“In order for this to be tracked, we needed every referral written to be entered. We are just now, this year, turning that corner. People don’t want the school to look bad. Things that are minor, they don’t want to put in. But we need to put that in so we can really see what is happening, when it’s happening, who’s doing it. And also, that’s how you see if the code is being followed.”

CORPORAL PUNISHMENT

Mississippi is 1 of 19 states that still allow the use of corporal punishment as a discipline option.¹³ If a school district chooses to use corporal punishment as a means of discipline, it may do so. Under Mississippi Code 37-11-57, corporal punishment is defined as “the reasonable use of physical force or physical contact by a teacher, assistant teacher, principal or assistant principal as may be necessary to maintain discipline, to enforce a school rule for self-protection or for the protection of other students from disruptive students.” School personnel cannot be held liable for carrying out disciplinary responsibilities such as corporal punishment except in the case of “excessive force or cruel and unusual punishment.”¹⁴

Mississippi KIDS COUNT researchers reviewed the handbooks of each school district and determined that corporal punishment is currently allowed in 90% of the state’s school districts—only 16 districts have banned it. The districts that have banned corporal punishment tend to be larger—13 of the 16 have enrollments exceeding 3,000, including Jackson and Tupelo Public Schools. Most recently, the Greenville School District voted to end the use of corporal punishment in January 2018. During the 2016-2017 school year, there were 27,748 incidents of corporal punishment in 100 school districts across the state. Just over fifteen thousand (15,600) students were disciplined by corporal punishment at least one time during the school year. Rankin County, Neshoba County, and Columbia had the lowest percentages of corporal punishment use at 0.57%, 0.68%, and 0.76% respectively. The highest percentage of use was in West Jasper Consolidated Schools where 34% of their students received corporal punishment during the school year.¹⁵

MISSISSIPPI SCHOOL DISTRICTS WITH HIGHEST AND LOWEST RATES OF CORPORAL PUNISHMENT

School District	Percentage of students receiving corporal punishment 2016-2017 ^a	Suspension Rate 2014-2015 ^b	Accountability Rating 2016-2017 ^c
West Jasper Consolidated	34%	23%	B
Aberdeen	25%	22.8%	C
Forest Municipal	22%	20.3%	D
Rankin County	0.57%	12.3%	B
Neshoba County	0.68%	11.0%	C
Columbia	0.76%	7.6%	C

Source:

^aPublic Information Request, April 2018 Mississippi Department of Education

^bMississippi Data Project, 2017

^cMississippi Department of Education, 2017

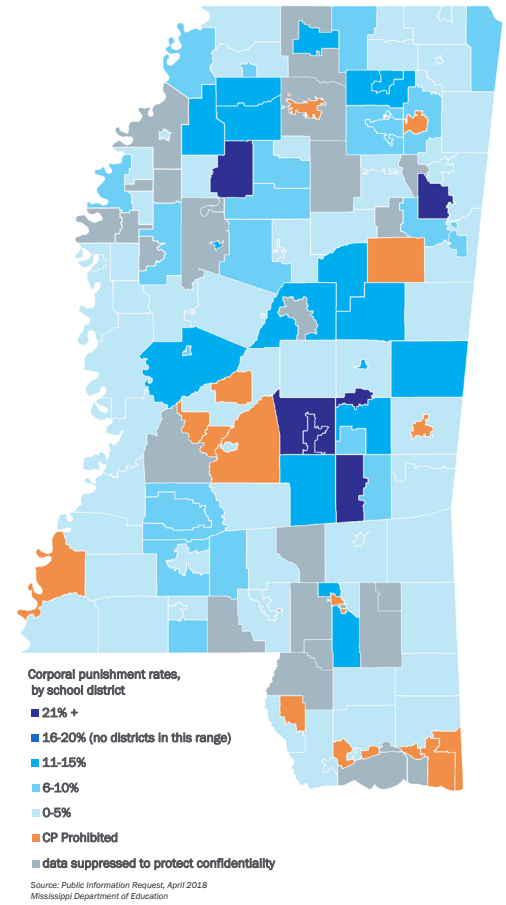
Note: 16 districts with low cell counts were suppressed to protect confidentiality

“We ultimately envision corporal punishment being totally removed [from the district policies]. But we also had some pretty intense discussions. We had a student leadership team that represented schools across the district. It’s amazing. Corporal punishment is ingrained in students and the culture of our area. In that conversation, we had students say, ‘Yes, we need it.’ And parents said, ‘Yes, we need it.’ It’s been so much a part of it [the culture]. So we were not going to strip it all the way out, but we reduced it.”

The majority of principals (54%) from schools that use corporal punishment said their children are permitted to choose between receiving corporal punishment or another type of discipline.

“Corporal punishment is the opposite of what we’re trying to build and creates a culture of fear... We worked with administrators to identify the only times it can be used. It’s a last resort for only a few infractions.... Before, it could pretty much be used at any time. We... gave a definition so parents and administrators can see what it should look like, when it should be used, who can do it—just to make sure all those lines are covered. We did reduce it greatly, with the hope that we are ultimately able to move away from it altogether.”

CORPORAL PUNISHMENT RATE BY DISTRICT, 2016-2017

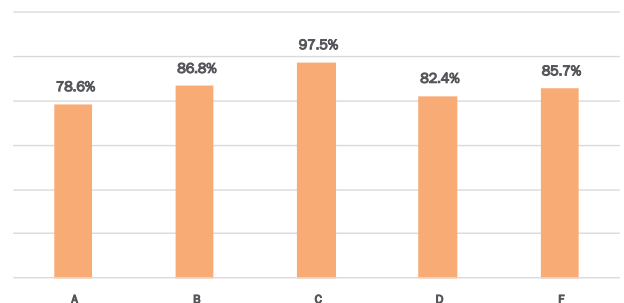


DISTRICTS PROHIBITING CORPORAL PUNISHMENT, BY YEAR ENACTED

District	Year Enacted
Oxford	1980
Gulfport	1991
Jackson Public	1991
Hattiesburg	1999
Canton	2004
Starkville-Oktibbeha Consolidated	2005
Ocean Springs	2006
Clinton	2012
Meridian	2012
Tupelo	2013
Moss Point	2014
Natchez-Adams	2014
Pass Christian	2014
Pascagoula-Gautier	2015
Pearl River Co.	2015
Greenville	2018

Source: District Board Policies

PERCENTAGE OF DISTRICTS USING CORPORAL PUNISHMENT BY ACCOUNTABILITY RATING



Source: Mississippi Department of Education



OTHER CURRENT DISCIPLINE PRACTICES

Nearly 2 out of 3 principals (64%) said they use “zero tolerance” policies. Despite the popularity of “zero tolerance” policies, there is no evidence showing that suspensions are effective in reducing unwanted behavior. Instead, zero tolerance suspensions are associated with higher risk of dropout and lower academic achievement—outcomes which are the opposite of what Mississippi schools seek to achieve.¹⁶

“We took out the zero tolerance part... But we wanted investigators to have the flexibility of investigating. Because when you investigate something thoroughly, you may find that there are some other factors in there that lessen a child having to have an immediate disciplinary hearing or be recommended for expulsion or alternative school.”

“One of the first things we did was we changed that code of conduct to strip it down of unnecessary things like: you have to have a white undershirt under your school uniform, belt color, shoelace color, shoe color. We scrapped all of those things because they just did not have any bearing on teaching and learning. For administrators or teachers who just wanted to be petty with students, this was taken out so we could get to what matters. That was our first step. In terms of our Code of Conduct, we revamped our system. Initially, we had a code that had minor infractions and major infractions and didn’t have a lot of flexibility. Some of them were really harsh.

An overwhelming majority of principals (93%) reported using a “discipline ladder” for determining the consequences of an infraction. A “discipline ladder” is an outlined procedure for addressing specific infractions. For example, first infractions might receive less severe consequences than repeated misbehavior. However, several survey respondents reported that violence and possession of drugs or a weapon are immediately considered higher on the discipline ladder.

“We broke our code down into three levels: Level 1, Level 2, Level 3, with Level 3 being the most severe behaviors... For Level 3 things, we had some things that resulted in immediate suspension.”

“We have a K-6 set of consequences and a 7-12 set of consequences. Overall, the code is the same. For example, with horseplay and reckless play: for K-6, it is a Level 1 infraction, but the ultimate consequence is a documented student conference with an administrator and parent. As opposed to 7-12, the ultimate consequence is 1 to 3 days of either after-school detention or in-school detention.”

The majority of principals (68%) say they have a law enforcement presence in their schools. Their functions varied with 96% indicating the officer routinely patrols the hallway and campus in general; 68% saying they are involved in safety planning; 53.5% reporting they are involved in arrests; and 50.5% saying they are involved in mentoring and enforcing the code of conduct.

Teachers (66%) and school interventionists, special education teachers, counselors, and social workers (73%) believe they have little to no influence in setting discipline policies in their schools. Teachers often have a choice in determining when, how, and whom to discipline in their classroom, but principals tend to have more influence over discipline policy than teachers, local school boards, state boards of education, and parent groups.¹⁷

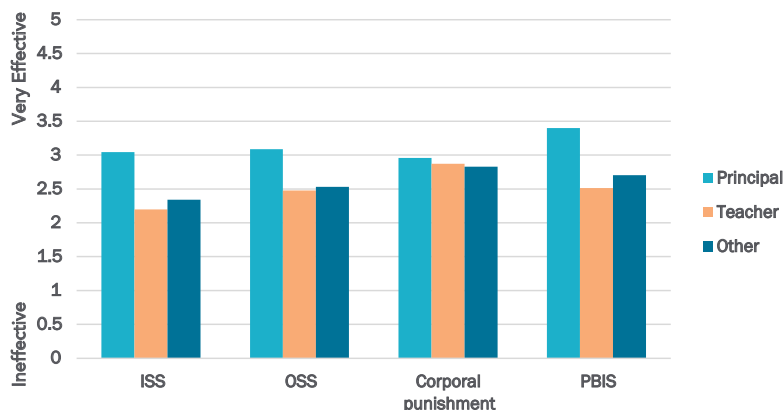


KEY FINDINGS: EFFECTIVENESS OF DISCIPLINE

On average, respondents did not identify any specific discipline strategy as highly effective.

Respondents were asked to rate the effectiveness of several discipline strategies on a scale from 1 to 5, with 1 being “not effective,” 3 being “moderately effective,” and 5 being “highly effective.” On average, respondents rated in-school suspension, out-of-school suspension, detention, and PBIS each as only somewhat or moderately effective.

PRINCIPAL AND TEACHER RATINGS OF DISCIPLINE STRATEGIES



In-school suspension

- > Habitual disruption
- > Fighting (minor)
- > Inappropriate language
- > Skipping class
- > Defiance
- > Disrespect
- > Tardiness

“Students, today, do not have accountability factors in their lives and what accountability we try to maintain is not always effective.”

“Let’s consistently utilize present discipline plans in our respective districts. Then ineffective strategies can be adequately identified, restructured, and monitored for success.”

Teachers are less likely to believe in the effectiveness of ISS and OSS in reducing unwanted behavior compared to principals. On average, teachers’ ratings of the effectiveness of ISS and OSS were substantially lower than principals (2.2 vs. 3.0 and 2.5 vs. 3.1, respectively) A similar pattern was observed for those in the “other” category (school interventionists, special education teachers, counselors, and social workers).

“In-school and out-of-school suspension are ineffective because there is no real consequence for the student’s behavior.”

“...The purpose of discipline is to change behavior. If we’re just doing some type of consequence with no behavior change, we’re messing up on both of those things.”

“I do not like ISS and OSS because it takes away the kids from the classroom and if they’re not in the classroom, they’re not learning.”

“I will always believe the purpose of discipline is to change behavior, not to be mean or punitive. You have suspensions and in-school detentions. But at the end of the day, I think it matters the relationship you’re building and where your community is going to.”

Out-of-school suspension

- > Fighting (major)
- > Drug or alcohol possession
- > Weapon on campus
- > Repeated discipline referrals

POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS (PBIS)

Under Mississippi Code 37-11-54, local school boards are required to incorporate evidence-based practices and positive behavioral intervention supports into their school district policies and codes of conduct. Methods such as peer mediation and mediation lessons in classroom curriculum are designed to address responsible decision making and nonviolent methods for resolving conflict in schools. The Three Tier Instructional Model was adopted by the State Board of Education in 2005 and revised in 2016.¹⁸ It is designed to ensure that both behavioral and academic needs of students are met through an instructional model designed to address student learning with quality classroom instruction and opportunities for intervention.

Principals believe PBIS strategies are more effective than suspension and/or corporal punishment.

On average, the principals rated positive behavior supports at 3.4 with 5 being the highest on the scale. The teachers and “other” group (school interventionists, special education teachers, counselors, and social workers) rated it as 2.5 and 2.7 respectively.

“We do a lot of behavioral analysis, not only formally, but also we try to train our staff. When they see a behavior that is concerning to them, they need to be thinking about, ‘What is the function of this behavior in the life of this child?’ And then consider helping them find alternatives to that behavior that are more acceptable in a large setting.”

TIER SYSTEM FOR PBIS: MISSISSIPPI DEPARTMENT OF EDUCATION



KEY FINDINGS: ALTERNATIVE STRATEGIES

To proactively address behavior and/or to avoid suspending students and causing them to miss out on class time, many school districts have turned to alternative discipline policies. Alternative discipline can take several forms, depending on the school and the offense, including but not limited to detention, “overnight” suspension, parents attending class, PBIS, community service and restorative justice.

“We have what we call ‘overnight suspension.’ An overnight suspension is just basically, because of a certain unwanted behavior, your child cannot return to school until they are brought back by a parent. And a lot of times, when they contact that parent, that parent is up there that afternoon to meet or they come in first thing that morning. You wouldn’t think that an overnight suspension would be a whole lot worse than an in-school suspension, [but] because that parent is taking their time and they know what their parent’s expectations are—if they’re on the soccer team or football team, they’re suspended from those activities.”

“We’re implementing something this year that actually looks at helping students develop those self-management skills. For so long, I feel educators have been resistant to considering the social and emotional needs of learners because they think, ‘I’m not a counselor. That’s not really my job.’ But you are a primary person in that student’s life, and you are an educator. We’re trying to equip them with the tools they need to help the student. Just listening to anecdotal reports from staff members, we have had a decrease in infractions. Listening to staff members share their experiences, I’m understanding that they’re understanding this is about helping the student to navigate life and part of my job as their teacher is to address those things proactively and then providing the support and interventions that are needed.”

Respondents believe more parental involvement can be key to improving behavior problems in schools. Increased parental support was a common theme among solutions respondents proposed. Both teachers and principals responded positively to parents attending class with their child as an alternative to suspension (61.7% and 61%, respectively), which is allowed under current state law.¹⁹ Respondents also frequently mentioned increased parental accountability as a necessary shift.

“[Parents will] threaten a kid with that and it usually helps. ‘Don’t make me come up there and sit in class with you,’ It’ll happen occasionally, and then the parent will leave like ‘Okay, we got that squared away, don’t even worry about that anymore’. That would be an excellent alternative to being suspended.”

“I would love a way to involve parents. I’ve invited parents to sit in classes and be part of the solutions, but have little to no parents accept this opportunity.”

“We need our community partners and parents more involved. We have bright students, but it takes everyone getting involved.”

School personnel were in favor of alternative discipline policies like community service (66%) and restorative justice (50%).

“Several of the students that I “forced” to do the work [community service] continued that work, even after their obligations had been filled. So that was the most rewarding thing for me that they still continued to work for those agencies or with those people even after they had fulfilled those obligations.”

“Our next step is finding the time and the resources to train all our administrators on the restorative justice practices and the restorative justice conversations. That’s a funding and time issue.”

“I spent a lot of time focusing on rehabilitation conversations and speaking with students one-on-one in addition to a peer mediation program we started. I started partnering with local community organizations and nonprofit organizations where in lieu of suspension, [students] would have to do so many community service hours with that local agency via homeless shelter, food bank... If those students incurred an incident that warns of suspension depending on the level, instead of suspending them from school we would contact one of those agencies that we had built relationships with, and they would serve their suspension time after school hours, but they would still return to school where they could still be instructed.”

“We have to address behavior in the same manner as we do reading and math, science and social studies. We have to know what is developmentally appropriate, and we have to do those things that help the student acquire that skill set. We weren’t born with that skill set—none of us were. We’ve learned it by trial and error. We’re hoping by being proactive and having well-developed systems of support, our staff can do the same things they need to do without as much pain as some of us had in learning those strategies. I would like to see all teacher-prep programs have a good emphasis on developing social-emotional skills for students and then knowing what to do, how to analyze the data (we do plenty of that), and then having some strategies to be able to manage that classroom and maintain optimal engagement of the learners.”

POLICY CONSIDERATIONS

- Require school districts to track their suspension rates over time (by race, age, gender, disability status, type of infraction, and date of suspension) so that disparities in disciplining students may be identified and addressed.^{20,21}
- Provide pre-service and in-service professional development opportunities so that school staff understand culturally relevant positive classroom discipline, classroom management, and the root problems triggering misbehavior, and are equipped to address the feelings, emotions, and underlying issues that may have prompted misbehavior.^{20,22}
- Increase the use of Positive Behavioral Interventions and Supports (PBIS) and Social and Emotional Learning (SEL) across the K-12 landscape, and identify and adopt alternative discipline options such as “restorative justice” programs and peer mediation systems.^{22,23}
- Ensure that teachers, students, and parents have input when reviewing student codes of conduct and school handbook discipline policies.²⁰
- Remove categories from the student codes of conduct which can be broadly and subjectively defined and interpreted, such as “willful disobedience/willful defiance,” and ensure that students cannot be suspended for minor offenses such as truancy, tardiness, and dress code violations. Ensure disciplinary referral procedures are followed consistently school-wide.^{11,24}
- Incorporate policies that allow the suspended student to reflect on, and make amends for, their misbehavior. In addition to peer mediation and restorative justice, consider requiring every student assigned to ISS and OSS to reflect on the behavior incident in writing and discuss that written report with an administrator or counselor.
- Encourage the Mississippi State Department of Education to include OSS and ISS rates among the other performance standards which determine the performance classification of a school or district’s Mississippi Public School Accountability Rating.²⁴
- Request that the Mississippi Department of Education analyze school discipline policies (including school suspensions and corporal punishment) and consider their effects on graduation rates, students’ academic achievement, and the state of Mississippi’s economic well-being.^{20,24}

METHODOLOGY

This work follows a 2017 Mississippi Data Project research study supported by the W.K. Kellogg Foundation to examine school suspensions in the state of Mississippi. With approval from the Mississippi State Department of Education, the web-based survey instrument was delivered to all principals in the state who were then asked to forward the survey to their teachers and staff. The survey included 28 questions and was sent to 888 e-mail addresses of principals from each public school district in Mississippi from March 1 to March 20, 2018. The total number of completed surveys was 433 and included principals, classroom teachers, interventionists, special education teachers and guidance counselors. For analysis purposes, the responses were grouped into three categories: principals (n=163, 39.2%), teachers (n=201, 48.3%) and “other” (n=52, 12.5%) which included interventionists, special education teachers, counselors, and some social workers. There were 17 respondents who were not included in the analysis either because they did not identify their position or as professional or support staff did not have a role in implementing disciplinary procedures at their school. Additionally, researchers conducted telephone interviews with six school administrators from across the state to obtain their views about the effectiveness of current discipline policies in their respective districts. Researchers initially identified 12 school districts with varying suspension rates along with a sample of rural and larger districts. Six administrators agreed to be interviewed.

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