School Discipline in Public Education: A Brief Review of Current Practices*

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Abstract

In this manuscript, we examined the literature regarding current disciplinary practices in American schools. Specifically, we discuss in-school suspension, out-of-school suspension, and disciplinary alternative education programs. Moreover, the issue of zero tolerance policies and their relationship with increased use of disciplinary practices is analyzed.

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1 Sumario en espanol

En este manuscrito, nosotros revisamos la literatura con respecto a prácticas disciplinarias actuales en escuelas norteamericanas. Específicamente, discutimos suspensión de en-escuela, suspensión extraescolar, y programas alternativos disciplinarios de educación. Además, el asunto de políticas de mano dura y su relación con el uso aumentado de prácticas disciplinarias es analizado.

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2 About the Authors

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3 History of School Discipline in Public Education

Inappropriate behaviors of students in school are not a new issue in public education; teachers have reported behavior problems in school since the early beginnings of the public school system (Morris & Howard, 2003). These problem behaviors exhibited by students have been addressed in schools through school consequences including verbal reprimands, corporal punishment, after-school detention, in-school suspension, out-of-school suspension, and fines (Skiba & Peterson, 2000; Sugai & Horner, 1999; Townsend, 2000). School administrators' use of out-of-school suspension began as a method of reducing student misbehavior in the 1960s and has continued to be used since that time (Adams, 2000). Researchers began to express concern over the removal of students from the general education classroom because it promoted more poor behavior and in fact did not address the students' behaviors at all (Hochman & Worner, 1987; Sauter, 2001). Results from studies in which school suspension was examined provided data revealing that students who were suspended from school were in fact likely to become repeat offenders, receiving additional suspensions over time (Ambrose & Gibson, 1995; Costenbader & Markson, 1998).

Despite these findings, out-of-school suspension has still been reported to be one of the most commonly used disciplinary consequences for student misbehavior (Morrison & Skiba, 2001; Sauter, 2001; Skiba, 2002). More recently out-of-school suspension has even been used for minor offenses despite its original intention to address serious infractions of school policies and more severe inappropriate behaviors (Amuso, 2007; Dupper, 1998). Costenbader and Markson (1998), for example, analyzed student surveys that included questions about in-school suspension and out-of-school suspension. Follow-up questions included an assessment from the students for the behaviors that resulted in the school suspensions. The most frequent reasons for student suspension were physical aggression, verbal disrespect, and profanity with school staff.

School policies and procedures continue to be developed and re-evaluated to address misbehavior and still include out-of-school suspension (Leone, Mighter, Malmgren, & Meisel, 2000). However, due to the continued controversy of out-of-school suspension and issues with students being unsupervised during the school day during the out-of-school suspension time period, a recent increase in the use of in-school suspension has surfaced as an alternative to out-of-school suspension (Amuso, 2007). O'Brien (1976) provided one of the first formal accounts of the use of in-school suspension through a study for Minneapolis' school in-school suspension programs. As a result of his research, O'Brien determined that the premise behind the in-school suspension programs was to help students learn to "accept the consequences for their actions" as well as to help them "think about what they're doing" (O'Brien, 1976, p. 36). Although in-school suspension has continued to be utilized since that time, it has not been without controversy.

In fact, the assignment of both in-school suspension and out-of-school suspensions to students has also led to several due process hearings (Troyan, 2003). Kemerer and Walsh (2000) discussed the Fifth and Fourteenth Amendments in the U.S. Constitution that provide individuals due process rights. These rights were first challenged in 1961, in the case of *Dixon v. Alabama*, after a college expelled students from school without providing the students their due process rights (*Dixon v. Alabama, 1961*). Then, in 1975, the case

of *Goss v. Lopez* extended the decision of *Dixon v. Alabama* when the court supported the requirement of schools to provide due process rights to students who were assigned school suspension for a short amount of time, as well as when students were expelled (*Goss v. Lopez, 1975*).

In addition to court decisions regarding the suspension and expulsion of students, federal and state laws have influenced how discipline in schools is currently implemented. For example, the Gun Free Schools Act of 1994 was initiated as part of the Improving America's School Act 1994 (U.S. Department of Education, 1994). The Gun Free Schools Act of 1994 required that all states that received federal funding develop discipline policies that include the expulsion of a student from school for at least one school year for "a student who is determined to have brought a weapon to school" (Gun Free School Act, 1994, para. 2). Also included in the Gun Free Schools Act was a mandate for local education agency policies to be consistent with the Individuals with Disabilities Education Act (IDEA). The case-by-case allowance in the Gun Free School Acts required local education agencies to discipline students with disabilities in accordance with the laws and procedures set in place for students with disabilities.

3.1 Zero-Tolerance Policies

The development of zero-tolerance policies in schools throughout the United States might be one cause for the increased use of out-of-placement disciplinary consequences because the term has broadened since the beginning of its use. Zero-tolerance policies grew out of drug enforcement policies established in the 1980s at the federal and state levels (Skiba & Peterson, 1999). Zero tolerance became a term used from the 1980s on to refer to policies in which all offenses were severely punished, and by the late 1980s schools were beginning to form zero-tolerance policies that included the suspension and expulsion of students for certain offenses (Skiba & Peterson, 1999). Examples of student behaviors that were categorized into zero-tolerance policies included drug possession, participation in gang activity, and student possession of weapons. Over time, however, school districts began developing zero-tolerance policies across the United States for behaviors such as tobacco use or possession, school disruption, and other less serious and less violent behaviors (Skiba & Peterson, 1999). According to Blomberg (2004), Chicago Public schools reported an increase in school suspensions (in-school suspension and out [U+2011] of [U+2011] school suspension combined) by 51% the year following the adoption of a zero-tolerance discipline policy.

The implementation of the No Child Left Behind Act has also played a key role in the continued development of zero-tolerance policies. The National Association of School Psychologists (2007) cited the NCLB requirement of states to "adopt a zero [U+2011] tolerance policy that empowers teachers to remove violent or persistently disruptive students from the classroom" (p. 1). This policy reflects an attempt to uphold school districts' accountability for safety in public schools across the United States (Byrd, 2001). However, specific guidelines for the development of zero-tolerance policies are not provided in the NCLB and might account for the variance present among zero-tolerance policies in schools.

An example of variability in zero-tolerance policies can be observed in a study conducted by the National Center for Education Statistics (NCES, 1998). In this study, the NCES examined 1,234 public schools including elementary, intermediate, and high schools from across the United States and the District of Columbia. Survey data were collected from school administrators regarding the number of disciplinary actions assigned to students and the percent of schools that adopted zero-tolerance policies for four specific offenses, including: (a) possession or use of a firearm; (b) possession or use of a weapon (other than a firearm); (c) possession, distribution, or use of alcohol or drugs including tobacco; and (d) physical attacks or physical fights. The NCES (1998) determined that 79% of schools adopted zero-tolerance policies for school violence, 79% for tobacco, 87% for alcohol, 88% for drugs, 91% for weapons other than firearms, and 94% for firearms. Disciplinary actions reported by school administrators included the assignment of expulsion, placement in a disciplinary alternative education program, and extended out-of school suspension. The most recent data available from the NCES (2009) indicated that despite the intent of zero-tolerance policies to keep schools safe and reduce serious misbehavior in schools, the number of disciplinary actions reported by schools for physical aggression, insubordination, and the possession of firearms or other explosive devices has not changed to a measurable degree since the 2003 [U+2011] 2004 school year.

Although legislation has provided guidelines for student discipline and specific offenses, a more important aspect to consider is the application of these guidelines in schools and school districts (Kralevich, 2007). School administrators, leaders, and other school staff must be familiar with the current legislation and the implications of these mandates to maintain consistency of educational law with school policy and discipline implementation. These mandates provide guidelines not only for when and how long students receive consequences in specific school disciplinary sanctions, but also for how these programs are implemented and have influenced how programs are set up for students.

The adoption of zero-tolerance policies by schools continues to be a controversial topic in education as these policies have been shown to be broad and loosely defined, leaving them open for interpretation (Verdugo, 2002). Verdugo (2002) also explained that the ambiguity inherent in zero-tolerance policies fails to take into account the intent of student behaviors and context surrounding behavior incidents. Researchers have suggested that zero-tolerance policies might not be effective in reducing serious behavior and might actually increase the likelihood of future suspensions of students and lead to academic failure and student dropout (Skiba & Peterson, 2000; Verdugo, 2002).

3.2 In-School Suspension

As previously discussed, in-school suspension has been utilized in education as a disciplinary consequence for many years. The use of in-school suspension was a school consequence that served as a compromise to the criticism of out-of-school suspension (Troyan, 2003). In-school suspension programs might vary from campus to campus; however, these programs incorporate several common components (Short, 1988). These components include (a) the placement of the student upon arrival to school in a separate classroom away from their peers and regular educational environment, (b) a certified teacher, educational assistant, or both to oversee the student(s) in the in-school suspension classroom, and (c) lunch in isolation.

Four variations of in-school suspension have evolved over the years and include punitive, academic, therapeutic, and individual in-school-suspension programs (Morris & Howard, 2003). Main differences in the four programs are the amount of support staff and interaction time between the staff and the student during the student's placement in the in-school suspension program (Morris & Howard, 2003). However, the punitive model of school discipline that began in the late 1960s and early 1970s continued through the 1990s in schools across the United States and is still the most often utilized program in schools today (Amuso, 2007; Morris & Howard, 2003).

One major concern with in-school suspension programs is that students miss educational opportunities for learning because their environment is solitary and isolated. In most in-school suspension classrooms, students work independently on teacher-assigned work and are not allowed the opportunity to ask questions about content or receive remedial instruction when needing further assistance with school assignments (Short, 1988). The Commission for Positive Change in the Oakland Public Schools (1992) expressed further concern with in-school suspension programs when it concluded that in-school suspension negatively impacted student self-esteem and increased the likelihood of students choosing to drop out of school.

3.3 Out-of-School Suspension

At one time, out-of-school suspension was reported as one of the most frequently utilized school consequences (Breunlin, Cimmarusti, Bryant-Edwards, & Hetherington, 2002; Christle, Nelson, & Jolivette, 2004; Raffaele Mendez & Knoff, 2003). Although in more recent years in-school suspension has been utilized as an intervention in lieu of out-of-school suspension, many schools use out-of-school suspension in response to zero-tolerance policies and to remove students in an effort to maintain a safe school environment (Amuso, 2007). Out-of-school suspension was originally intended as a way to punish students and to alert parents of student misbehavior (Taras et al., 2003). The suspension of the misbehaving student also protected school personnel and other students at the same time (Taras et al., 2003). The assignment of out-of-school suspension as a school consequence is sometimes seen as a very straightforward consequence because the student is simply required to be absent from school for a designated period of time (Amuso, 2007).

One major concern with assigning students out-of-school suspension is that many times students who are suspended from school are students whose academic achievement is low. Upon returning to school after an out-of-school suspension, many students who are suspended find that they have missed so much work that they cannot catch up. This frustration might be the final push leading students to drop out of school, worsening the critical issue of student dropout rates (Blomberg, 2004; Connecticut State Board of Education, 2007). Additionally, suspending students might reinforce the undesired behavior instead of reducing the behaviors because suspension results in the students being out of the general educational environment (Schreur, 2006).

Although an increased use of in-school suspension in lieu of out-of-school suspension continues, the establishment of state guidelines has also helped address some of the issues and concerns with out-of-school suspension. In Texas, for example, the number of days a student can be suspended for an offense is three school days (Kemerer & Walsh, 2000). However, a student can be suspended repeatedly without limit for separate behavioral infractions.

3.4 Disciplinary Alternative Education Programs

An assignment to a school district's disciplinary alternative education program is considered a higher level of consequence than an assignment of in-school suspension or out-of-school suspension (Kralevich, 2007). School districts have utilized alternative schools to address misbehavior for many years. Kemerer and Walsh (2000) believed the increase of alternative school placements to be a result of Senate Bill 1 in Texas that called for schools to assign students to alternative schools for specific offenses. Regardless of the reason, disciplinary alternative education programs are still a common disciplinary practice used in schools (Christle et al., 2004; Texas Education Agency, 2009a).

Some student misbehaviors such as terroristic threats, drug offenses, and alcohol offenses result in a student's automatic placement to a disciplinary alternative education program as required by legislation (Kemerer & Walsh, 2000). However, students might also be placed in a school district's disciplinary alternative education program at the discretion of school administrators for offenses that violate the school's code of conduct (Kemerer & Walsh, 2000; Texas Education Agency, 2009b). Although no restrictions exist on the maximum amount of time students can stay in an alternative program, students usually stay 30 to 45 school days (Carpenter-Aeby, Salloum, & Aeby, 2001; Rose, 2001).

Educators and stakeholders also have concerns with the assignment of students to alternative educational programs for student misbehavior. One concern is teacher training. Most educators are certified in one particular subject area and are not prepared to teach students in a disciplinary alternative education program setting (Wolford, McGee, & Ritchey, 1996). Teachers at alternative schools are not required to be certified in the content area in which they teach. They may be certified teachers, but in areas other than the ones they are teaching (Lehr & Lange, 2003).

Another concern with disciplinary alternative education programs is the challenge of working with students who attend these programs. Many students are placed in alternative education programs for chronic disruptive behavior, refusing to accept other consequences, incorrigibility, violence, and other behaviors (Carpenter-Aeby & Kurtz, 2000; Dunbar, 1999). However, disciplinary alternative education programs do offer services that students otherwise might not receive, such as supervised counseling, social work intervention, and non-traditional schedules that might provide benefits for students who exhibit behavior problems in the traditional school setting (Duke & Griesdorn, 1999; Franklin, 1992; Kemerer & Walsh, 2000).

However, some researchers have reported more optimism for the outcome of students who attend disciplinary alternative education programs because the disciplinary alternative education program provides an educational environment for learning in which problematic behavior is simultaneously addressed (Kemerer & Walsh, 2000). Schools districts are required to offer academic instruction in the areas of English language arts, math, science, social studies, and self-discipline within the disciplinary alternative education programs (Kemerer & Walsh, 2000). Therefore, students have access to the same major content areas offered at general education campuses. However, not all elective courses are always available in a disciplinary alternative education program. Students might not have access to the same elective courses that they had access to at

their regular education campus.

4 Conclusion

In this article, we discussed current disciplinary practices in American schools. In particular, we examined the major disciplinary methods used today: in-school suspension, out-of-school suspension, and disciplinary alternative education programs. Moreover, the issue of zero tolerance policies and their relationship with increased use of disciplinary practices was analyzed. The benefits of and detriments to each of these disciplinary practices were provided to readers.

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