

SCHOOL DISCIPLINE THAT WORKS

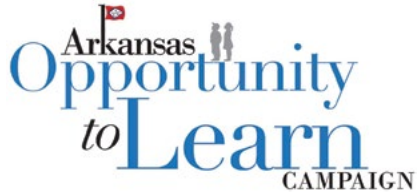
BETTER OPTIONS FOR HELPING ALL KIDS LEARN AND THRIVE



Arkansas
**Opportunity
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SCHOOL DISCIPLINE THAT WORKS

BETTER OPTIONS FOR HELPING ALL KIDS LEARN AND THRIVE

by Ginny Blankenship, Ed.D
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Safe, orderly, and caring school cultures are the foundation for helping all students learn and thrive. Kids need clear expectations for behavior and logical consequences to grow academically and learn from their mistakes. And teachers need to feel supported by administrators and parents when it comes to setting boundaries for student behavior.

However, many outdated school discipline policies and practices in Arkansas are doing more harm than good. Harsh, arbitrary, or “zero tolerance” policies often defy common sense, such as sending a child home from school for not wearing the correct uniform. The more that students are sent out of the classroom, the further they fall behind.

A growing body of research shows that “exclusionary” discipline (suspensions) and corporal punishment (spanking) are not only ineffective at improving student behavior and school culture but also have negative long-term effects on mental health, graduation rates, and preparation for college and careers. And children of color are being punished far more frequently and unfairly for the exact same behaviors as their white peers.

This report summarizes some of the effects of school discipline policies and offers more effective, research-based options for Arkansas’s public schools.





WHY EFFECTIVE SCHOOL DISCIPLINE MATTERS

Research shows that students who act out in class are often struggling to read and perform on grade level in all subjects.¹ Then, when they are sent to in-school or out-of-school suspension, it makes it even more difficult to keep up with classwork. Many of these kids already struggle with getting to school on time regularly, due to things out of their control.²

Ineffective school discipline also takes an emotional toll on kids at a time when their brains are still developing and they need extra guidance. It can be especially harmful for students who have experienced trauma or have special mental or emotional needs.³ In fact, Arkansas has the highest level of children who have experienced at least one adverse childhood experience, such as abuse and neglect (56 percent).⁴ Unfortunately, these are usually the kids who are disciplined the most harshly. They also rarely get the kind of counseling and mentoring that would address the root of behavior problems and help kids make better decisions.

Regardless of whether you have kids, we should all care about how school discipline is used, because it affects the quality of neighborhood schools, community safety, and costs to taxpayers. Unnecessarily harsh, discriminatory, or unhelpful discipline causes kids to be more likely to drop out of school and end up in the juvenile justice system, commonly known as the “school-to-prison pipeline.”⁵

School discipline also affects our state’s ability to recruit and retain the best teachers. The Arkansas Bureau of Legislative Research’s 2018 educational adequacy study found that 26 percent of teachers who reported they were currently considering transferring to another school or district cited student discipline problems as a primary reason. Of those who are currently considering quitting the teaching profession altogether, 34 percent cited discipline problems.⁶

UNEQUAL CONSEQUENCES FOR CHILDREN OF COLOR AND THOSE WITH SPECIAL NEEDS

School discipline practices in Arkansas and across the U.S. disproportionately affect children of color. Black students in Arkansas are punished far more frequently and severely for the same behaviors as their non-black peers.⁷ These disparities are not always found within schools but are often concentrated in certain geographic areas, such as the Arkansas Delta.

Nationwide, students with disabilities also are up to five times more likely to receive corporal punishment than students without disabilities.⁸ [AACF](#) found similar disparities in Arkansas in its research for the Legislative Task Force on the Best Practices for Special Education.⁹

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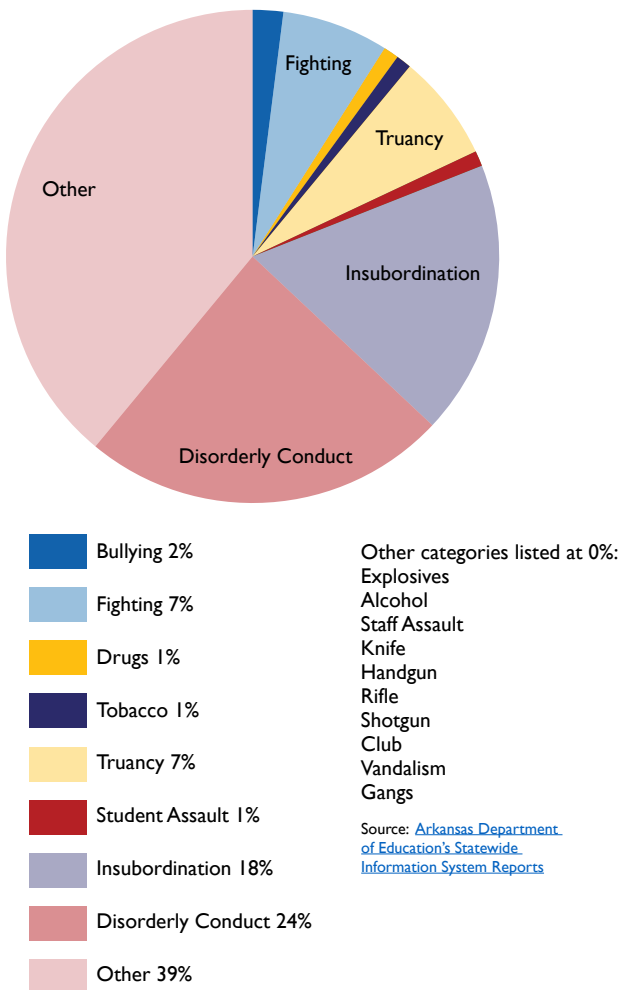
THE STATE OF SCHOOL DISCIPLINE IN ARKANSAS

DISCIPLINARY INFRACTIONS

In 2017-18, over 80 percent of all disciplinary incidents reported in Arkansas's public schools were for “disorderly conduct” (24 percent), “insubordination” (18 percent), or “other” (39 percent) — which could mean anything from dress code violations to passing notes in class. “Fighting” accounted for 7 percent, and less than 1 percent were serious offenses, such as assault or bringing weapons to school.

Thirteen percent of “other” infractions are for breaking cell phone policies, public displays of affection, and other minor issues. The other 87 percent of these “other” infractions are unknown.

2017-18 DISCIPLINARY INFRACTIONS STATEWIDE

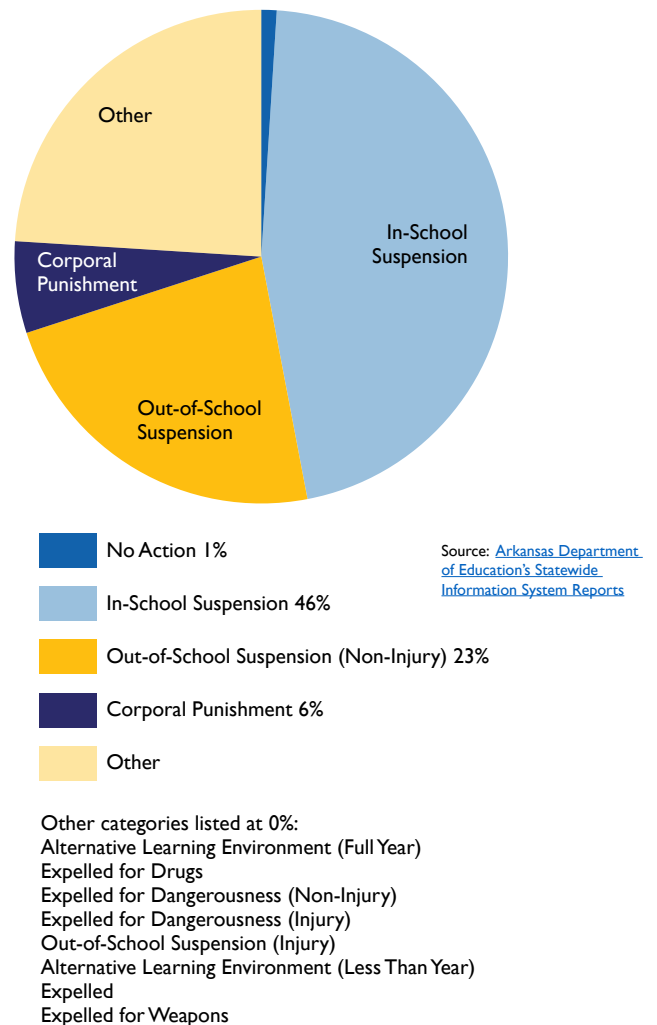


DISCIPLINARY CONSEQUENCES

Arkansas has an alarming rate of suspensions for K-12 students: There were 109,133 in-school suspensions and 54,091 out-of-school suspensions in Arkansas's public schools in 2017-18.¹⁰ In-school and out-of-school suspensions made up nearly three-quarters (69 percent) of all punishments. And although Act 1329 of 2013 banned the use of out-of-school suspension for truancy, dozens of schools are still suspending kids who miss too much class.¹¹ According to the Arkansas Department of Education, the legislature would have to amend the law to specifically require the Department to enforce it.

Schools reported “other” for 24 percent of punishments in 2017-18, which could mean anything from requiring afterschool detention, requiring extra assignments, or holding parent-teacher conferences. Of this “other” category, 45 percent of consequences are unknown.¹²

2017-18 STUDENT PUNISHMENTS STATEWIDE



CORPORAL PUNISHMENT

Many people are shocked to learn that students are still being spanked in Arkansas's public schools — even as late as high school. Arkansas is one of only 19 states that still allows public schools to use corporal punishment — the worst offenders being Arkansas, Alabama, and Mississippi.¹³ More than 80 percent of school districts in Arkansas still use corporal punishment. Statewide, students were hit a total of 15,453 times in 2017-18.¹⁴ And there is no state law prohibiting schools from hitting students with disabilities.

Research shows that corporal punishment is ineffective in improving student behavior and school climate, causes long-term emotional damage to children through adulthood, and is administered disproportionately to students of color.¹⁵ In November 2018, the American Academy of Pediatrics issued a strong policy warning against the harmful effects of spanking. Their conclusion largely was based on a 2016 meta-analysis of studies, which found that spanking not only does not work but also that the effects do not differ from physical abuse.¹⁶

SCHOOL-BASED ARRESTS

The Arkansas Department of Education's data does not include the prevalence of school-based arrests and physical restraints. But research on school-based arrests finds that their use tends to make matters worse. Although the purpose of school resource officers should be to help kids keep kids safe and becoming involved with the juvenile justice system, these officers rarely are trained in how to effectively teach and redirect children's behavior. As a result, schools that over-rely on school resource officers to handle student discipline have higher rates of school-based arrests.¹⁷

Many recent news stories have highlighted some of the more extreme cases in Arkansas. For example, Little Rock police officers pepper-sprayed many students to stop a fistfight, then charged two students with third-degree battery and sent them to jail. "Kids don't need to be arrested for everything they say and do in a school setting," Pulaski County Circuit Judge Joyce Warren told the *Arkansas Democrat-Gazette*. "That's how the school-to-prison pipeline gets started."¹⁸

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The American Academy of Pediatrics and researchers find that spanking does not improve behavior and does long-term harm to kids.

MAKING PROGRESS IN ARKANSAS

School districts in Arkansas can set their own discipline policies as long as they comply with state and federal laws and regulations. Arkansas Code § 6-18-502 requires school districts to involve parents, students, and teachers in developing their school discipline policies; provide the written policies to all parents and students; and provide teachers, administrators, and volunteers with “appropriate student discipline training.” Code sections § 6-18-503 and 6-18-505 define how corporal punishment may be used by teachers or administrators. Other statutes in this section of code include guidelines for school suspensions and expulsions, parental notification of student misconduct, and anti-bullying policies.

But since Arkansas has some of the highest rates of exclusionary discipline in the nation, the state legislature recognized that something needed to be done. Two of the most important laws enacted to reduce excessive and ineffective practices are Act 1329 of 2013 and Act 1059 of 2017.

Arkansas has one of the highest rates of exclusionary discipline in the nation.



ACT 1329 OF 2013: REPORTING DATA

Act 1329 of 2013 requires school districts to report data on their discipline practices each year, including disparities among student subgroups by race, income, disability status, and whether students are performing at or below “basic” in literacy, math, or end-of-course assessments.¹⁹

The law also requires the Arkansas Department of Education to provide an annual report on school discipline to the State Board of Education and all school districts. The University of Arkansas’s Office for Education Policy (OEP) has conducted these studies for the Department since 2014. The report must include whether any reductions in discipline rates and disparities have resulted in higher academic achievement. The Department also must survey districts to find out which ones are using evidence-based strategies, like restorative justice, and making progress in reducing disciplinary rates and disparities.

In addition, Act 1329 of 2013 requires the state to “develop information concerning the resources needed by school districts to reduce discipline and the restraint of students with disabilities using the strategies.” However, we still know very little about whether schools have made progress in helping these students.

ACT 1059 OF 2017: BANNING K-5 SUSPENSIONS & EXPULSIONS

The state legislature took another important step through [Act 1059 of 2017](#), which now bans out-of-school suspensions or expulsions in grades K-5 unless a student “poses a physical risk to himself or herself or to others” or “causes a serious disruption that cannot be addressed through other means.” However, it does not define what “physical risk” or “serious disruption” mean.²⁰ The Department of Education is currently updating its [2012 rules on school discipline laws](#), which may define those terms. Act 1059 also does not prohibit suspensions and expulsions for students in middle and high schools, when troubled kids are often at greater risk of unsafe behaviors when left unsupervised at home.

SCHOOL DISCIPLINE THAT WORKS

There are many other proven methods for improving students' behavior and well-being that cost little to no money. Alternative methods can also support teachers in creating learning environments that work for all kids.²¹

For example, **positive discipline** means helping children understand how to make good choices. Multiple experimental studies have found that [Positive Behavioral Interventions and Supports \(PBIS\)](#), a schoolwide approach to addressing the root causes of behavioral and academic problems early, decreases school suspensions and improves student perceptions of school culture and safety.²²

More schools nationwide also are transforming their school cultures by using **restorative justice**. This approach allows students to take responsibility for their actions, learn to regulate their emotions, and repair relationships they may have harmed.²³ Research indicates that this approach improves students' behavior, attendance, academic outcomes and graduation rates, and the school climate for all students.²⁴

Many schools in Arkansas and across the country are doing some creative things to improve student behavior, like teaching mindfulness meditation — and preliminary results show it's working.²⁵ For example, at Robert W. Coleman Elementary School in Baltimore, students who are struggling may take a break in the “Mindful Moment Room” instead of being suspended or sent to the principal's office.²⁶ Kids are encouraged to practice breathing exercises or yoga and talk through what is upsetting them until they are calm enough to return to the classroom. The school's suspension rate has now dropped to zero. Success Achievement Academy in Jonesboro, Arkansas, adopted Coleman's model in 2017, with promising results so far.²⁷



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PUBLIC-PRIVATE INNOVATIONS: RECLAIMING SCHOLARS

Saint Mark Baptist Church partnered with the Little Rock School District and the University of Arkansas at Little Rock to create the [Reclaiming Scholars](#) program in 2016. This innovative program offers a very different approach to traditional out-of-school suspensions, which often leave kids unsupervised at home and unable to keep up with school work. When a student is suspended, his or her family may choose to send their child to the church to make up assignments and receive tutoring, counseling, and mentoring.

HOW TO CREATE HEALTHY SCHOOL CULTURES FOR ALL KIDS

The Arkansas Department of Education invited Arkansas Advocates for Children and Families to serve on its Task Force on School Discipline in 2016. After two years of meetings with school administrators, policymakers and student advocates, the Task Force released its [final report to the State Board of Education](#) in September 2018. The Task Force adopted the following values recommended by AACF:

- Reduce the use of exclusionary discipline practices;
- Reduce disparities in disciplinary actions by race;
- Encourage schools to adopt policies to increase student engagement and keep students in the classroom;
- Provide training in the use of positive alternatives to suspensions and corporal punishment, such as restorative justice; and
- Make more data and resources available to parents and educators.

While not an exhaustive list, we recommend that Arkansas help all students thrive by starting with the following reforms:

MORE TRAINING AND SUPPORT FOR TEACHERS AND SCHOOLS

1. The state should take additional steps and allocate additional resources for the Arkansas Department of Education to fully meet its current obligations under [Act 1329 of 2013](#) and [Act 1015 of 2017](#) to provide oversight and support to schools.
2. Since Act 1329 was passed in 2013, disciplinary incidents have increased statewide. Many schools need much more training and support in implementing effective and equitable discipline, classroom management, student and family engagement, and mental health services. The Arkansas Department of Education and education service cooperatives should work together to provide additional professional development to educators on positive discipline, restorative justice, school culture, and adverse childhood experiences.
3. The Arkansas Department of Education and the Arkansas Department of Higher Education should work together to encourage teacher certification programs and higher education institutions to provide more training and support in positive school discipline and classroom management.



MORE HELP FOR STUDENTS

1. The state should ban corporal punishment in all schools that receive public funds. The research is clear about the harmful effects of this outdated and inhumane practice — especially for students who have special needs or experienced trauma.
2. Now that Act 1059 bans out-of-school suspensions and expulsions in grades K-5, the state should study the law's impact on student behavior and schools' responses. It also should amend this law to include grades 6-8, while ensuring schools have the support they need to use better disciplinary methods.
3. AACF and the [Arkansas Out-of-School Network](#) have long advocated for quality afterschool and summer programs, which are proven to improve student behavior and keep students out of trouble and engaged in learning outside of the regular school day.²⁸ The state should invest in these programs through the [Positive Youth Development Grant Program Act \(PYD\)](#).²⁹ This bipartisan legislation was passed in 2011 to help local communities partner with schools to create or scale-up these programs; however, the program has yet to be funded.
4. The student-counselor ratio in the state's school funding matrix is insufficient to meet academic, behavioral, and mental health needs of students. The American School Counselor Association recommends a ratio of one counselor for every 250 students.³⁰ Arkansas's current school funding matrix provides funding for 1.11 counselors for every 500 students. The legislature should provide additional funding for schools to provide more school counselors, social workers, or coordinated school health (including mental health services) to help disengaged or at-risk students, who may have behavior problems.
5. The state should create new rules to prevent or limit waivers from state policies on school discipline (see [§ 6-18-501 et seq.](#)). In 2017-18, 21 charter schools already had waivers from school discipline laws.³¹ Under Act 1240 of 2015, all traditional public school districts may apply to receive these same waivers from discipline requirements.³²

STATE AND LOCAL REFORMS

1. The Task Force on School Discipline should present its final recommendations, along with the state's annual school discipline report, to the Arkansas Supreme Court Commission on Children, Youth and Families and the House and Senate Education Committees. The Joint Committee on Educational Adequacy also should consider including the state's annual report on school discipline in its biennial study of whether Arkansas is providing an equitable and adequate education to all public school students under the state Constitution.³³
2. [As AACF has recommended in the past](#), schools also should use their state funding for low-income students, known as National School Lunch (NSL) funding, to provide or partner with community organizations in offering mentoring, tutoring and enrichment for kids who have behavioral, academic and social-emotional challenges and need extra one-on-one attention. The Task Force on School Discipline heard testimony from many great programs across the state that are doing this well and could provide a model for other programs. And although the Positive Youth Development Act has yet to be funded, schools can still use the PYD framework already in state rules to make sure their programs are high quality and focus on measurable results.
3. As [AACF recommended last year](#), the Arkansas Department of Education should incorporate discipline as a school climate measure in the new federal Every Student Succeeds Act (ESSA) beginning in 2019-20.³⁴
4. Schools should be required to report the reading levels of students who are suspended or expelled and provide dyslexia screenings and necessary reading interventions for students who are suspended at least once per school year.³⁵

BETTER INFORMING FAMILIES AND COMMUNITIES

1. The Task Force on School Discipline should coordinate with the [State Board of Education's Task Force on Family Engagement](#) to help the Arkansas Department of Education and other stakeholders provide parent-friendly resources about effective discipline practices and how families can help their children thrive at school (for example, one-pagers, infographics, parent workshops).
2. The Arkansas Department of Education has done a great job of reporting discipline data on its MySchool Info website: myschoolinfo.arkansas.gov. We recommend publishing additional data online and in school report cards, such as school-based arrests, disaggregated by race and gender.

CONCLUSION

In summary, there are many low and no-cost things the state and schools can do to improve discipline policies and practices and keep more kids in the classroom, ready to learn. These policies can help keep kids safe, learn the social and emotional skills they need to succeed in school and the workforce, receive mental health support, and reach their full potential.

Students must have the freedom to make the right choices, the responsibility to accept the consequences, and the opportunity to grow and learn from their mistakes. Newer, research-based methods of discipline do not excuse poor decision-making or tolerate violent behavior. Instead, they redirect behavior in a positive way, reinforce good decisions, and help students (and teachers) learn healthy ways of processing strong emotions. Without effectively addressing students' social and emotional needs at an early age, Arkansas's families, communities, and workforce will ultimately pay the price.

Students must have the freedom to make the right choices, the responsibility to accept the consequences, and the opportunity to grow and learn from their mistakes.



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