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LOYOLA UNIVERSITY CHICAGO

EXPLORING THE USE OF SUSPENSION  
IN HIGH SCHOOL CODES OF CONDUCT  
FOR MILD, MODERATE, AND SEVERE BEHAVIORS

A DISSERTATION SUBMITTED TO  
THE FACULTY OF THE GRADUATE SCHOOL  
IN CANDIDACY FOR THE DEGREE OF  
DOCTOR OF PHILOSOPHY

PROGRAM IN SCHOOL PSYCHOLOGY

BY

AMY BETH HORWITZ

CHICAGO, ILLINOIS

AUGUST 2010

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## ACKNOWLEDGEMENTS

The completion of this dissertation would not have been possible without the support and guidance of many individuals. I would like to thank my dissertation chair, Dr. Pam Fenning, for your support, time, and encouragement throughout my time at Loyola University. To my committee members, Dr. Lynne Golomb and Dr. Erica Hartman, for your knowledge, feedback, and time during this project. I would not have been able to complete my dissertation without the help and assistance from my wonderful committee.

To my classmates, Anna Hamilton, Anne Walsh, Chris Fallon, and Jennifer James whose support and humor were vital in completing this project and my Ph.D.

To my family, who believed in me and supported me throughout this process.

Finally, to my closest friends, Shelly Rees and Erica Hartman for their support, love, and friendship during my long seven years in graduate school.

To everyone that has a dream and the courage to live life to the fullest.  
Thoughts become things...

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## ABSTRACT

The purpose of this investigation is to describe the outcomes of a multi-state study of written discipline policies in a high school setting. This study examines discipline codes of conduct and analyzes the content for behaviors ranging in severity (mild, moderate, and severe) while specifically examining the use of suspension as a punitive measure. Publicly available written discipline policies (n=120) were drawn from state board of education web-sites in six states (Illinois, Iowa, Georgia, Texas, New York, Oregon). The Analysis of Discipline Codes Rating System (ADCR-R) was used as a tool to analyze the behaviors. The frequency of school responses listing the consequence of suspension will be compared to behaviors ranging in severity (mild, moderate, severe), in each code of conduct. In addition, comparisons of policy content will be made by state and setting type (urban versus rural) as it relates to using suspension as a punitive measure.

## CHAPTER ONE

### INTRODUCTION

School safety has become a national priority over the past 10 years. Violence in America has remained relatively stable over the past 15 to 20 years, but this statistic is not true for juvenile crime (Mayer, 2001; Sprague & Walker, 2000; Sugai, 2001); violent crimes among juveniles have increased dramatically (41%) from 1982-1991 (Sprague & Walker, 2000). “Problems such as violence, vandalism, bullying, and similar behaviors create an unsafe learning environment, undermine instruction, and pose a threat to the school population” (Luiselli, Putman, Handler, & Feinberg, 2005). President Bush signed the No Child Left Behind Act (NCLB) on January 8, 2002. This change in educational reform was created to help all students succeed in school, including all students at risk for academic failure and students with behavioral problems. Schools are supposed to be a safe environment for both children and adults. The No Child Left Behind Act also addresses goals to create and maintain safe and drug free schools. In order to address this goal of safety, codes of conduct were created by educators and administrators for the student body to follow. “Discipline codes of conduct are written blueprints in schools that are used by administrators and related school service personnel to communicate expected behaviors to students, parents and the larger community (Lally, 1982). NCLB has mandated that all districts have codes of conduct. “The majority of school districts across the U.S. now have codes of conduct and these are the contracts for

expected behaviors of the students” (Fenning & Bohanan, 2006). There is little research pertaining to the nature of discipline codes of conduct. “The literature available to date indicates that written codes of conduct are based on a select few reactive and exclusionary procedures, such as suspension and expulsion” (Fenning, Parraga, & Wilczynski, 2000; Larson, 1998).

When examining codes of conduct across the country, many solutions are still reactive in nature. “Such reactive or aversive strategies may result in an immediate reduction in problem behaviors, but such reductions are temporary, and problem behaviors often reoccur” (University of Oregon, 2004). Many of these codes of conduct contain reactive (punitive) versus proactive (teaching) content when addressing behavior issues in the school. The exclusionary consequence of suspension is often utilized as a reactive consequence to problem behaviors. Suspending students for minor offenses and keeping them out of the classroom fails to deal with the child’s underlying behavioral and academic problems (Radin, 1988).

Another reactive approach that has been endorsed and integrated into written codes of conduct is the use of zero tolerance procedures. The initial intent of zero tolerance was to remove students from the school environment for serious offenses, such as bringing weapons or drugs to school. However, in application, zero tolerance has been invoked for minor behaviors, such as disruption and truancy. “There is still considerable variation in local definition of zero tolerance: while some districts adhere to a zero tolerance philosophy of punishing both major and minor disruptions relatively equally, others have begun to define zero tolerance as a graduated system, with severity of

consequence scaled in proportion to the seriousness of the offense” (Skiba & Knesting, 2001). While this policy was created to keep schools safe, there are inconsistencies on the use and interpretation of zero tolerance from state to state. Skiba (2000) gives these two examples of consequences that do not necessarily match the behaviors in question. In February, 1999, Glendale, Arizona: Seventh-grade David Silverstein, inspired by the movie *October Sky*, brought a homemade rocket made from potato chip canister to school. School officials, classifying the rocket as a weapon, suspended him for the remainder of the term. Later, David was invited as a special guest to Space Adventures’ Annual Rocketry Workshop in Washington, D.C. In another example, a sophomore in Pensacola Florida was suspended when she loaned her nail clippers with an attached file to a friend. Even though the young girl was aspiring to be a doctor, she was given a 10-day suspension with the recommendation of expulsion. The intent of zero tolerance was to keep students safe in school and punish severe behaviors. These examples indicate that many schools are applying the principle of zero tolerance for behaviors that may not be severe in nature.

The principle of zero tolerance has been particularly problematic for minority students. “On a national level, African American and Latino students are more likely to receive all types of exclusionary consequences (e.g., suspension and expulsion) even though they commit less serious offenses than their White counterparts” (Skiba, 2006). Many of these suspensions and expulsions are for minor offenses such as tardies, disruption, and truancy. We also tend to see an overrepresentation of minorities that are getting suspended and expelled compared to students that are White for the same

violation. “For example, the No Children Left Behind Project conducted by Indiana Youth Services Associations in 2004 revealed that African American students are four times more likely to be suspended than White students for the same violation; Hispanic students are twice as likely to be suspended than White students” (Evenson, Justinger, Pelischek, & Shultz, 2009). “This may be related to a variety of factors, one of which might be the higher prevalence of zero tolerance policies and procedures in schools with high percentages of African-American and Latino students” (Harvard University Advancement and Civil Rights Project, 2000). In one of the largest cities in the United States, 58% or more of ninth-grade students in high-minority schools do not graduate four years later” (Brennan, 2002). Since 1974, the number of students suspended had doubled (from 1.7 million to 3.1 million), there was an increase of the presence of police in the schools along with new laws mandated referral of children to law enforcement authorities for various school code violations (U.S., 2000). The unfortunate consequence is that those that do not fit into the norm are usually targeted for removal. This exclusion can lead to dropping out, engaging in illegal activities and possible involvement in the juvenile justice system or prison.

Almost all discipline codes are punitive in nature. They do not focus on teaching positive behaviors or how to correct mistakes that students are making. It appears that schools may be getting rid of unwanted students for minor offenses and not working on the core of the problem. This can inevitably lead to students missing important instruction or even dropping out of school. Making sure our schools are providing safe and established discipline practices is essential in providing a safe and successful learning

environment. Incorporating proactive strategies into our codes of conduct is necessary in order to move away from the punitive approach still being utilized by most schools. Most codes of conduct list exclusionary practices, such as suspension, for behaviors ranging in severity (mild, moderate, and severe). It appears that codes of conduct need to be reviewed and revised on a national level to meet the guidelines of the Individuals with Disabilities Education Improvement Act (IDEIA, 2004), which advocates for school-wide positive behavior supports (SWPBS) for students known to have behavioral difficulties. This study examines the current use of suspension in codes of conduct as a consequence for behavioral infractions.

### **Significance of Study**

The purpose of this study was to examine the problems and inconsistencies with current discipline code policies across our country. Specifically, the researcher is interested in the use of suspension in codes of conduct by level of behavioral severity. Discipline codes of conduct are created to provide school-wide discipline procedures in order for our schools to ensure a safe and successful learning environment. Many current policies are reactive in nature without providing any proactive consequences. Reactive consequences are strictly punitive in nature. They only provide punishment without teaching an appropriate behavior or skill. Proactive consequences provide a teaching consequence (Skiba & Rausch, 2006). This allows educators to teach the appropriate behaviors and skills we want to see in the school. Suspension is a reactive consequence that does not work for most students and is often being utilized for mild disciplinary problems. However, proactive approaches can save schools time when dealing with

discipline issues and teach positive and corrective behaviors to students. The more time and effort that we can put into education, the less time we will need to deal with disruptions and discipline problems in our country.

This study examined current codes of conduct to determine whether the high school policies the researcher sampled listed suspension for all levels of behavioral severity (mild, moderate, severe). Codes of conduct were studied from six states: Illinois, Iowa, Georgia, Texas, New York, and Oregon. Within each of these states, 10 codes of conduct were gathered from urban areas while the remaining 10 codes of conduct were from rural areas. The data obtained will answer these three questions:

**Research Question One: Does the frequency by which suspension is mentioned differ by level of behavior severity (mild, moderate, severe)?**

Hypothesis: Suspension will be named in higher frequency as a consequence to the category of severe behaviors as compared to mild and moderate behaviors.

**Research Question Two: How do states differ in the degree to which their policies list suspension by level of behavior severity (mild, moderate, severe)?**

Hypothesis: It is hypothesized that states in the southern region of the United States will name suspension as a consequence to all behaviors more frequently.

**Research Question Three: Are there are any state or setting differences in respect to how often suspension is used for behaviors ranging from mild to severe.**

Hypothesis: Urban high schools tend to be more diverse and have higher populations in relation to rural high schools. It is hypothesized that urban codes of

conduct will list suspensions more often for all levels of severity (mild, moderate, severe) in all six states.



## CHAPTER TWO

### LITERATURE REVIEW

It is important to examine the history of codes of conduct and how we have arrived at our current situation today. “Discipline codes of conduct are documents which contain the schoolwide discipline procedures that students must follow” (Fenning & Bohanan, 2006). No Child Left Behind (2002) has mandated that all districts have codes of conduct. The majority of school districts across the U.S. now have codes of conduct and these represent the contracts for expected behaviors of the students (Fenning et al., 2008). Research has shown that suspension and expulsion are not effective means of discipline (Radin, 1988). This literature review addresses the principal of zero tolerance as a punitive measure for all types of behaviors ranging from mild to severe. The literature review also examines the overrepresentation of minorities, particularly African Americans, who are suspended and expelled from schools. Current research on the use of proactive strategies, such as SWPBS, is also discussed in detail. The following literature review gives the most up to date research on these topics.

#### **Discipline Policies Past and Present**

Codes of conduct have been present in districts across the U.S. for nearly 100 years. In the 1970’s, a Senate Subcommittee was chaired by Senator Bayh due to increased concern about school violence and vandalism (Safe School Study Report to the

Congress, 1978). The prevalence of school violence was found to have decreased compared to previous years (1960's and early 1970's) (Fenning et al., 2006).

Even though there was a documented decrease in school violence, it was still prevalent in schools across the U.S. and school districts needed to work to address and fix this issue (Safe School Study Report to Congress, 1978). "One of the conclusions drawn from the Safe School Study was that school crime was more likely when rules were arbitrary and enforced by those who were considered excessively punitive" (Fenning et al., 2006, Lally, 1982). The Safe School Study Report to Congress (1978) recommended the development of uniform written codes of conduct as a way to clearly describe the rules to all in advance. The purpose of the codes of conduct was to make rules and guidelines clear to the students and staff and overall to make schools safer.

This led to The National School Resource Network (NSRN) coming together to develop uniform written codes. "The NSRN published a handbook intended to guide schools in developing effective discipline codes of conduct" (Fenning et al., 2006; National School Resource Network, 1980). The NSRN included language to be used in the codes of conduct and hoped this would guarantee the rights of individuals while making sure the rights of others were maintained too. It was important for the codes of conduct to be connected to specific behaviors of the students. "The ultimate outcome of both rights and responsibilities was intended to be a philosophy of mutual respect for all" (Fenning et al., 2006). "The NSRN suggested school disciplinarians use discipline policies as educational and rehabilitative versus relying on punitive measures. This group cited data that drives our thinking today about the need for evidence-based alternatives to

suspension and expulsion. The early writing about discipline codes focuses on the use of these documents as teaching tools rather than sanctions for punishment. Discipline codes were seen as a way of pre-teaching students, teachers, and the larger community what is expected of them rather than solely emphasizing punishment for incorrect behavior” (Fenning et al., 2006).

“In general, the time frame from the 1980’s until the middle 1990’s was marked by limited sustained research activity and writing about discipline codes of conduct or discipline in general” (Fenning et al., 2006). One large change in discipline policies was the passing of the Gun Free Schools Act of 1995. This act required that any student be expelled, at least one calendar year, for possession of drug or weapon offenses. “As a result, many schools established district-wide policies to reflect this legislation, and documented this compliance in their discipline codes of conduct” (Fenning, Theodos, Benner & Bohanon-Edmonson, 2004). School districts reflected their current discipline policies to be in line with zero tolerance policies. Zero tolerance refers to policies that punish all offenses severely, no matter how minor. During the early 90’s, schools began adopting zero tolerance, which included not only drugs and weapons but also more minor offenses like tobacco possession and school disruption.

### **Zero Tolerance**

Zero tolerance grew out of state and federal drug enforcement policies during the 1980’s. With many school adopting the principle of zero tolerance throughout the 1990’s, inconsistencies and overuse of this policy became apparent across the United States.

“The National Center of Education Statistics report, *Violence in America’s Public*

*Schools: 1996-1997* (Heaviside, Rowand, Williams, & Farris, 1998), found that 94% of all schools have zero tolerance policies for weapons or firearms, 87% for alcohol, while 79% report mandatory suspensions or expulsions for violence or tobacco” (Skiba, 2000). Keeping in line with the principle of zero tolerance, in 1994, President Clinton signed into law the Gun-Free Schools Act. “This law mandates an expulsion of one calendar year for possession of a weapon and referral of students who violate the law to the criminal or juvenile justice system. It also provides that the one-year expulsions may be modified by the "chief administrative officer" of each local school district on a case-by-case basis” (Skiba & Peterson, 1999). However, this can lead to inconsistencies on the use and interpretation of this policy from district to district. While some districts use common sense when disciplining behavioral infractions, other districts strictly adhere to the principle of zero tolerance. Zero tolerance was written into codes of conduct without any room for modification by administrators.

In the early 1990’s, zero tolerance began to lose favor at the community level; however, it began to take a bigger hold in public schools with the highly publicized school shootings in suburban and primarily White communities (Skiba & Peterson, 1999). The zero tolerance policy was intended to protect students and staff and keep our schools safe while setting an example for potential wrongdoers through harsh punishment. “When the application of a zero tolerance policy produces an overly harsh result, arguably the policy is irrational and therefore a violation of procedural due process. Further, zero tolerance policies that by definition disallow mitigating factors in determining discipline may create an irrebuttable presumption, also a violation of

procedural due process” (Alexander & Alexander, 2005, p. 789). Some believe the use of strict codes of conduct that adhere to zero tolerance may be in place in order to help others feel safe. “These written policies help to reassure the school organization and the community at-large that strong actions are being taken in response to a perceived breakdown of school order” (Skiba & Reece, 2000, p. 337). When schools are strictly adhering to zero tolerance practices, it prevents administrators from using alternative forms of discipline when students break the rules. Students need to be able to see the logical consequence for their infraction. “When punishment is not appropriate for the crime, students can lose trust in the way society handles critical issues, so that their trust and respect for authority are compromised” (Chalk Talk, 2001, p. 549). When incorporating zero tolerance into codes of conduct, schools need to provide explanations and common sense solutions to misbehavior. Removal of students from instructional time should be the last resort when applying consequences. Unfortunately, we still see suspension being utilized for all levels of severity (mild, moderate, and severe).

### **Suspension and Expulsion**

Many administrators and teachers look favorably on disciplinary measures as a method of controlling the schools. Suspension is widely used across the United States putting students at a higher risk of dropping out and/or falling behind. Many are months, if not years behind in their schooling. “Suspension and expulsion, the most common responses in discipline policies (Fenning & Bohanon, 2006), are not effective in meeting the needs of any student and exacerbate the very problems that they are attempting to reduce (Mayer, 1995; Sugai & Horner, 2002). These exclusionary procedures often

leave students without instructional time and provide the opposite effect of antisocial behavior (Arcia, 2007). “An awareness that suspending students from school for attendance offenses (truancy, cutting class, excessive tardiness, leaving without permission) is an irrational and ineffective disciplinary response which only compounds the problems of absence from school” (Mizell, 1978). However, many schools around the country still utilize suspension as a consequence for these minor offences. Studies indicate that students who have issues with discipline at a young age tend to show a multitude of problems as they get older.

Tobin and Sugai (1999) conducted a longitudinal study with sixth graders and found that those that received early discipline referrals had more discipline problems over the next two academic years. “Given the study’s design, the results cannot indicate if disciplinary problems were a function of student pre-referral characteristics, a function of an oppositional and defiant response of students to poorly managed or inappropriate discipline, or a function of reputational bias” (Arcia, 2007). This is an area of interest that researchers should examine more closely. We also see that many students who receive discipline referrals at a young age are at a greater risk of getting involved in violence or other anti-social behaviors. There have been many who argued that discipline policies and practices based on exclusion and punishment inadvertently lead to increases in undesirable behavior, as well as a shift in behavior problems from schools to the larger community (Mayer, 1995). Discipline problems may contribute to the overall environment where violence and crime may occur (National Center for Education Statistics, n.d.-b).

Gottfredson, Gottfredson, and Hybl (1993) state,

Disruptive behavior in school harms both the misbehaving individual and the school community. Students who misbehave also drop out of school, use drugs and alcohol, and engage in delinquent behavior at higher rates than do their more conforming peers... school misconduct may play a part in producing negative outcomes. Suspension, a common response to school misconduct, limits students' opportunities to learn. Teachers may lower their expectation for troublesome students and limit these students' opportunities for learning by asking fewer questions, for example. Conventional peers may avoid misbehaving students, pushing them toward more deviant peer groups. (p. 180)

Punitive measures, such as suspension, only exacerbate problems for students who are "at-risk." "Schools that invest in comprehensive school reform efforts and emphasize teaching social skills, parent involvement, academic and curricular restructuring, and positive and preventive classroom and school-wide discipline are likely to experience decreases in antisocial behavior (e.g., vandalism, harassment, aggression)" (Gottfredson et al., 1993; Lipsey & Wilson, 1993; Mayer, Butterworth, Nafpaktitis, & Suzer-Azaroff, 1983; Mayer, Mitchell, Clementi, & Cement-Robertson, 1993; Tolan & Guerra, 1994).

Unfortunately, many codes of conduct do not reflect proactive consequences and SWPBS. Instead of teaching appropriate skills at an early age, schools are still relying on exclusionary measures, such as suspension, in their codes of conduct. "Rigorous evidence-based research and government panels have been highly consistent in identifying a number of programs as either effective or promising in reducing the threat of violence" (Skiba, Rausch, & Ritter, 2004). Thus, knowing that early intervention can be effective, schools should be utilizing these programs while also incorporating proactive responses into codes of conduct. Skiba et al. (2004) identified potential

research-based programs that have had positive results: Promoting Positive Thinking Strategies (Greenberg, 1996), Second Step (Frey, Hirschstein, & Guzzo, 2000), Steps to Respect (Committee, 2001), Let's Get Real (Chasnoff, Cohen, & Stille, 1996), Life Skills (Botvin, 2006), and Woven Word. Early intervention can be beneficial in identifying students who need positive behavior supports and who also may be "at-risk" for dropping out of school.

Many students who have disciplinary problems and/or are suspended often are at a higher risk of dropping out of school. "Analysis of data from the national High School and Beyond survey revealed that 31% of sophomores who dropped out of school had been suspended, as compared to a suspension of only 10% for their peers who had stayed in school" (Ekstrom, Goertz, Pollack, & Rock, 1986). Suspension is often used to remove unwanted students from school. These are typically the students who need more of our help and attention. Students that have low academic standing will increase the likelihood that they will get suspended or expelled (Arcia, 2006; Rodney, Crafter, Rodney, & Mupier, 1999). "Results from other studies do suggest that once students are suspended for an aggressive act, they are watched more closely than other students and are more likely to be suspended for attitudinal reasons" (Morrison, Anthony, Storino, & Dillon, 2001). This may indicate other factors such as, teacher attitude, administration and school climate need to be further examined when utilizing suspension as a consequence.

School administration and staff need to be able to examine other possible factors that cause discipline problems. "School disciplinary actions cannot be accounted for



solely in terms of student behaviors, but are also a function of classroom and school characteristics” (Skiba, 2000). Wu and colleagues (1982) found that school suspension rate was associated with a number of school and district characteristics, including teacher attitudes, administrative centralization, quality of school governance, teacher perception of student achievement, and racial makeup of the school. Skiba et al. (1997) reported that, in one middle school, two thirds of all disciplinary referrals came from 25% of the school’s teachers. This implies a classroom management problem or improper use of disciplinary measures. Rules and expectations need to be clearly stated and consistently enforced. School staff, parents, and students should be aware of the school’s discipline code while also constantly communicating and collaborating between groups.

Suspension has shown not to be the best method of communicating with parents about the behavior of their children. Creating good communication with the parents along with the staff will create consistency and involvement in the discipline process. “While school officials are often willing to acknowledge the role for peers and the student’s family as possible contributors to the student’s misbehavior, they are less frequently willing to acknowledge or address school-related factors” (Mizell, 1978).

### **Overrepresentation**

The use of suspension has been on the rise for high school students over the past 30 years. The U.S. Department of Education (2000) found that between 1972 and 2000, the percentage of white students suspended annually for more than a day rose from 3.1% to 5.09%. During the same period, the percentage for black students rose from 6.0% to 13.2%. “Nationally, black students are 2.6 times as likely to be suspended as white

students. In 2000, they represented 17% of the student population but 34% of those suspended” (U.S., 2000).

Poe-Yamagata and Jones (2000) reported that African Americans comprise one-third of the country’s adolescent population but represent two-thirds of all youths confined to detention and correctional placements. There is also a large correlation between minorities getting suspended and the juvenile justice system. Terms like “school-to-prison-pipeline” and “prison track” have been coined to describe this trend. “The term “school to prison pipeline” was a concept used to depict the increased involvement of the juvenile justice system in handling behavioral infractions that once remained at the school door, particularly for African American males” (Fenning, McArdle, Wilson, Horwitz, Morello, Golomb, Maltese, & Morello, in press).

Christle, Nelson, and Jolivette (2004) examined 20 different schools that had low suspension rates and 20 schools with high suspension rates. One of the main differences between the two groups of schools was their culture. The schools that had high suspension rates were characterized by a lower socio-economic status (SES) and a more punitive response to negative behaviors. Low suspension schools had positive, proactive discipline instead of the punitive, reactive strategies that the others schools had (Arcia, 2007). There can be multiple factors that account for these differences. “In general, schools with high percentages of Black students tend to be in low-income neighborhoods and schools in low-income neighborhoods are difficult to staff with experienced instructional staff” (Education Commission of the States, 2007). These inexperienced staff placed in low-income neighborhoods may have difficulty responding proactively

and positively to discipline. In addition, low-income neighborhoods are more likely than other neighborhoods to have high crime rates; therefore teachers may be more punishing than they would be elsewhere in an effort to safeguard the school and deter inappropriate behavior in a misguided effort (Arcia, 2007). It was also noted in the study that the schools with low suspension rates had students and instructional staff that were more respectful and their appearance was more professional. More research needs to be conducted in this area to identify additional factors that may be causing the overrepresentation of minorities receiving suspension as a consequence.

Researchers have examined possible reasons schools tend to overrepresent minorities with the use of suspension as a consequence. One alternate explanation to the suspension of minorities is that they do not fit into the norm of the school and are then perceived as dangerous or troublemakers (Casella, 2003). “Once labeled in this manner, these identified groups of students (who are primarily poor ethnic minority students and those with academic problems) are removed primarily for nonviolent infractions found in the school discipline policy” (Skiba, Michael, Nardo, & Peterson, 2002). Many people believe these poor minorities are committing violent acts and are being removed from the schools for this reason. Skiba and Peterson (1999) posit that these students are not dangerous at all but in fact it is the educator’s fear of losing control of the classroom. In 1994-1995, Skiba et al. (2002) reviewed discipline data in a large, urban, Midwest middle school. The majority of these students qualified for free and reduced lunch. Their make-up was primarily African American and White. When looking at the data, African American students did not make up more referrals for severe behaviors. “On the

contrary, they received disproportionately more referrals for less severe behavior” (Fenning et al., 2007). “Furthermore, African American students, especially males, are overrepresented in other punitive school consequences, such as corporal punishment, but not as a result of engaging in more severe behavior” (e.g., McFadden, Marsh, Price, & Hwang, 1992; Shaw & Braden, 1990).

In another study, Studley (2002) looked at discipline data from four of the six largest school districts in California. Over the two years the data was reviewed, African Americans had the highest suspension rate of all ethnic groups. Similar results were found in the second largest school district in Florida with a study by Men`dez, Knoff, and Ferron (2002). This study found African American males were suspended at a higher rate than their white peers spanning across elementary, middle and high schools. Other researchers have examined the behaviors surrounding the use of suspension with minorities. Skiba et al. (2002) found that the majority of suspensions for Black students are for disrespectful or defiant behavior rather than for violent behavior or behavior that threatens safety. “Black students may be more likely to be suspended early and continuously because of the adolescent Black culture of toughness and defiance, which might be interpreted by school staff as disrespectful and threatening” (Neal, McCray, Webb-Johnson, & Bridgest, 2003). This behavior can be a reflection of the students wanting to look tough and not be disrespected in front of their peers. “Finally, Nelson, Gonzalez, Epstein, and Benner (2003) conducted a literature review and found ethnicity was a student variable that affected discipline contracts, as African American students

were found to be twice as likely than their White peers to receive a discipline referral” (Fenning et al., 2007).

### **School-wide Positive Behavior Support (SWPBS)**

“School-wide discipline plans that are properly developed and implemented will result in safe and orderly schools where teachers can teach and students can learn. Such programs should begin with positive educational programming that does not rely on punitive reductive procedures to change behavior but, rather, develops skill-based programming and legally sound discipline systems designed to improve the education of students” (Yell & Rozalski, 2008). One way to do this would be to incorporate school-wide positive behavior supports into high school codes of conduct.

“School-wide positive behavior support (SWPBS) can be described as a data-driven, team-based framework or approach for establishing a continuum of effective behavioral practices and systems that (a) prevents the development or worsening of problem behavior and (b) encourages the teaching and reinforcement of prosocial expectations and behaviors across all environments for all students by all staff” (Lewis, Simonsen, & Sugai, 2008). SWPBS is an example of multi-tiered model of behavior support, in which three tiers of intervention are used, based on the intensity of student need. The SWPBS model consists of the primary or universal tier (for all students), secondary tier (for groups of students), and the tertiary tier (for individual students). SWPBS utilizes a whole-school preventative approach which relies on data collected to determine if adequate progress is being made toward desired behavioral outcomes.

SWPBS began as a means to work with disabled students to provide interventions so they could be educated with the school-wide population (Fenning & Rose, 2007). These students are excluded from the mainstream because they typically do not fit in. Research has shown that exclusion is not the best way to educate disabled students. SWPBS is not only beneficial to disabled students but can also be valuable at the school-wide level. “During the past 10 years, SWPBS has been expanded to help address the needs of at-risk students. SWPBS is aligned with the intentions of the National School Resource Network (1980) in directly teaching behaviors of what is expected in the school’s code of conduct instead of primarily using a punitive approach to discipline (Fenning et al., in press).

“The application of this approach leads to at least three outcomes for students: (a) improved academic achievement, (b) enhanced social competence, and (c) safe learning and teaching environments (Office of Special Education Programs, 2009). “The theoretical framework for successful adoption and sustainability for interventions involves four overarching factors: (1) outcomes, (2) systems, (3) practices, and (4) data” (Bohanon, Flannery, Malloy, & Fenning, 2009). IDEIA (2004) addresses a newly adopted approach in special education termed “response to intervention” (RtI). RtI is a multi-tiered model that utilizes research-based instruction and interventions on a schoolwide basis identifying those who are at-risk and who may have a learning disability. Similar to RtI, SWPBS also utilizes a multi-tiered model that is research and prevention based to provide the teaching of expected behaviors instead of punishing those after the problem occurs. Preliminary data suggests schools that have implemented

SWPBS successfully see reductions in office disciplinary referrals for behaviors related to the school's code of conduct while also a positive change in the school climate (Bohannon et al., 2006; Sugai & Horner, 2007).

Research has shown patterns that begin early in a students' education that may predict disciplinary problems along with dropping out. Patterson (1992) notes that throughout elementary school years, students who are at-risk for developing antisocial behavior often exhibit disruptive behavior along with academic and social deficits that often leave them alienated from their teachers. By middle school, these youngsters become less interested in school and begin to seek the company of other antisocial peers while their families become less and less aware of their whereabouts (Ramsey, Walker, Shinn, & O'Neil, 1989). Unfortunately, we see many of these students drop out by the time they reach high school. SWPBS can be beneficial not only to the entire school but for those at-risk students who may be in danger of dropping out of high school.

It is estimated that SWPBS is being practiced in more than 4,000 schools across the United States (U.S. Department of Education, 2005). SWPBS has been shown to be effective in the schools when the staff is trained and there is a school-buy in with the process (Oswald, Safran, & Johanson, 2005). SWPBS works as a systems change process for an entire school or district. The underlying theme is teaching behavioral expectations in the same manner as any core curriculum subject. SWPBS includes schoolwide discipline, classroom management, targeted small group interventions, data-based decision making, family engagement and supports, function-based support, wraparound processes, and literacy. Research has shown a decrease in discipline

referrals and problem behavior when SWPBS is fully implemented in the schools.

Walker, Cheney, Stage, and Blum (2005) found that office discipline referrals, along with other social skills rating scales, can be an effective method for identifying students who are at risk of failure. This data piece also aligns with SWPBS by creating a valid measure for data-based decisions making for school staff (Irvin, Horner, Ingram, Todd, Sugai, Sampson, & Boland, 2006).

Oswald et al. (2005) studied the effectiveness of SWPBS on hallway behaviors in a rural middle school with approximately 950 students. Teachers were given training on how to teach positive behaviors by using pre-correction, reinforcement (i.e., giving good tickets for appropriate behaviors in the hallway) for appropriate behaviors, and active supervision. When analyzing the behaviors, results indicated a 42% reduction in problem behaviors. There were less incidents and referrals to the office after SWPBS was implemented at this middle school.

With the rapid increase in schools implementing SWPBS, there is an increasing need to develop an appropriate and accurate way to measure outcomes. To measure if SWPBS is working, many studies have used discipline referral rates, suspension rates, and satisfaction reports to evaluate the overall effectiveness (Lewis & Newcomber, 2002; Taylor-Greene et al., 1997). Many of these schools have found a decrease in the number of discipline referrals one to two years after SWPBS implementation (Eber, Lewis-Palmer, & Pacchiano, 2001). Looking at the schools that are using SWPBS, there have also been decreases in fighting and disruption in the schoolyard and classroom (McCurdy, Mannella, & Eldridge, 2003) and also in referrals for harassment (Metzler,



Biglan, & Rusby, 2001). Eber et al. (2001) also noted a decrease in the number of out of school suspensions. This research ties into the current study by demonstrating how utilizing proactive measures to discipline can be beneficial in keeping students in school by decreasing the use of suspension as a reactive consequence.

Discipline does not only include punitive measures. When applied fairly and consistently, it can build character development while also providing a safe learning environment. Duke (2002) recommends that discipline education be included in the learning process, stating “Learning about school and classroom rules, why they exist, and the consequences for breaking them is consistent with the educational mission of schools, and reflective of an educational perspective on school safety” (p. 67). SWPBS provides a framework for schools to utilize a more proactive approach to discipline. Focusing on a preventative approach instead of the current punitive responses in codes of conduct can reduce the use of suspension in the schools. “When classroom and school-wide practices and systems are more reactive than preventative, are not evidence-based, are implemented without high accuracy and sustainability, and do not actively and positively address the academic and social behavior needs of all students, even the best plans for individual students are likely to fail” (Sugai & Horner, 2008).

It is hoped that when schools adopt the SWPBS approach, discipline codes of conduct can then move away from exclusionary discipline and provide more proactive consequences. While SWPBS provides a framework for reducing referrals to the office for discipline infractions, based on universal applications of teaching expected behaviors to all students, discipline responses and the codes of conduct that drive them still remain

wedded to waiting for problems to happen, and then reacting by punitive and exclusionary means, such as suspension and expulsion (Skiba & Rausch, 2006). With all the current research and data supporting multi-tiered models, such as SWPBS, districts can incorporate these practices into our codes of conduct to prevent problem behaviors before they occur. Schools need to narrow the research to practice gap by continually evaluating evidence-based approaches and incorporating proactive discipline into the school climate and codes of conduct. We tend to forget that the purpose of discipline is to teach while also eliminating problem behaviors. As educators, we can use models, such as SWPBS, to teach positive social behaviors. In turn, school district administrators will incorporate these procedures and the teaching of appropriate behaviors into their school's code of conduct.

## CHAPTER THREE

### METHODOLOGY

The methodology for this particular study is part of an ongoing larger study being conducted by a university-based discipline policy research team. The initial study (Fenning, Golomb, Gordon, Kelly, Sheinfield, Morello, Kosinski, & Banull, 2004) examined codes of conduct from high schools across the state of Illinois. A total 64 high schools participated in the original Illinois study that examined codes of conduct used by administrators to make disciplinary decisions. Currently, there is a larger multi-state project examining codes of conduct from six states across the country. This study is utilizing the data from the current multi-state project (2007) to closely examine the use of suspension and expulsion in codes of conduct. The 2007 multi-state project is described in detail below.

#### **Participants**

The data used for this current study was collected in the summer of 2007. High school codes of conduct from six states (Georgia, Texas, Oregon, New York, Illinois, and Iowa) were sampled to reflect representation from regions throughout the United States. The National Center for Educational Statistics (NCES) website was utilized to randomly select 20 policies from each state. Using the NCES site, 20 policies were randomly selected from each state, 10 with a classification of urban and 10 with a classification of rural. The website breaks down each state into cities where all of the cities are listed in

that particular area. The school's student population, enrollment by grade, number of teachers, as well as demographics and rural and urban classifications were identified on the NCES website. In the end, the final sample consisted of 120 policies. The next step consisted of searching for the school's published written discipline policy (code of conduct) on the publicly available website. If a school's code of conduct was unable to be located, the NCES database was accessed to sample additional schools. The demographic data for each school is depicted in Table 1.

Table 1

*Demographic Data for Participants*

	Rural	Urban
Georgia	10	10
Illinois	10	10
Iowa	10	10
New York	10	10
Oregon	10	10
Texas	10	10

**Instrument Development***Analysis of Discipline Codes Rating Form*

The Analysis of Discipline Codes Rating Form-Revised (ADCR-R) was originally created for use in the 2004 Illinois study (Fenning et al., 2008). The codes within the ADCR-R were modified from an instrument created in an earlier study, the ADCR (Fenning et al., 2008). Content analysis involves "the systematic examination of documents, such as novels, poems, government publications, songs, and so forth"

(Babbie, 1990, p. 29). Fenning et al. (2008) used the modified ADCR-R to put behaviors into the categories of mild, moderate, and severe. Five of the original member of the 2004 study completed four practice coding sessions to obtain a minimal inter-rater reliability of .80. The five member university-based discipline policy team utilized seven outside raters to obtain judgmental validity. These raters consisted of practitioners and researchers who worked in the field of school psychology and special education. Five behaviors were ultimately eliminated because of omissions, multiple ratings for the same behavior, or otherwise no means for deriving a consensus for a behavior (Fenning et al., 2008).

In the original 2004 study, the university-based research team and the group of outside raters agreed on the severity rating of 74% of the behaviors. Agreement was then examined on the remaining behaviors. Behaviors that achieved at least 70% or higher were deferred to the judgment of the outside raters to finalize the behavioral categorization. Since the original creation of the behavioral categories, there have been some modifications. One change included the movement of hazing from the severe category to intimidation in the moderate category. The categories that were used for the 2004 study and current study are displayed in Appendix C.

### ***Current Study***

A revised version of the ADCR-R (Fenning et al., 2008) was used for this current study to examine the 120 policies from the six chosen states. After utilizing this system for the 2004 project, modifications were made to some of the behaviors. Several behaviors were combined to create fewer categories. Class and school disruption was

combined, forgery was combined with cheating and plagiarism, staff remarks was added to general staff disrespect, and one category was created for profanity, swearing, obscene language, and student remarks. The behavior of electronic devices was collapsed to include all such devices (e.g., cell phones, pagers, etc.). It was also decided to add corporal punishment to the ADCR-R. This particular response was only coded if it was used as a consequence in the policy. The revised ADCR-R now contained 31 behaviors and 16 consequences which was created into an excel spreadsheet format.

### **Categorization of Policy Consequences**

The consequences within the ADCR-R were coded as they initially were in the Fenning et al. (2008) study. The research team evaluated each consequence and then decided whether it would be placed in the category of “proactive” versus “reactive.” Proactive school responses were consequences that had a teaching component included instead of a consequence that was strictly punitive. Reactive school responses were consequences that were strictly punitive in nature and did not include any opportunity for teaching a desired behavior. The category of “natural consequence” was categorized as a proactive school response. In examining the 120 discipline policies across the six states, there was a lack of proactive responses. We included any type of consequence that had the ability to be proactive in nature, such as parent and teacher conference, which was categorized as a proactive response. Any response that was solely punitive in nature that did not include any direct teaching response was categorized as “reactive.” The research team also created categories within reactive consequences (mild, moderate, and severe). This particular study will be investigating the more severe consequence of suspension.

The researchers considered this severe because of the removal of the student from their learning environment. Categories were also created in the area of proactive responses (“global” versus “teaching”). Global responses can be defined as being more general in nature without directly being tied to the teaching of a desired behavior. The category of teaching responses was directly tied to the teaching of a skill. Please see Appendix C for the categorization of each consequence within the ADCR-R.

## **Procedure**

### ***Analysis of Multi-state Study***

Using the National Center for Education Statistics website, 120 schools were chosen from six states (Illinois, Iowa, Georgia, Texas, New York, Oregon). Each of the school’s websites was accessed to examine an electronic copy of the school’s code of conduct. There were several instances when the school’s code of conduct could not be found. In these cases, additional schools were sampled resulting in a total of 20 policies per state (10 urban and 10 rural). After gathering 120 policies from the six states, the Analysis of Discipline Codes Rating Form-Revised (ADCR-R) was used to analyze each code of conduct.

### ***Training of Independent Raters***

The university-based discipline policy research team evaluated the discipline codes of conduct. These four raters all had a background in school psychology, one as a professor and the remaining three were graduate students. The team attended training sessions to practice coding the policies and make any modifications to the form as described earlier. There were two new members to the team while the remaining two

worked on the 2004 study. The team spent a session coding a discipline policy from start to finish. This training allowed the four members of the team to follow the same protocol while coding each discipline policy.

The same coding policy was also coded together as a team to obtain inter-rater reliability. When compared to one of the researchers who coded from the previous study (e.g., the university professor), the two new raters achieved a criterion of .80 or higher. When reliability ratings were compared between the new raters and the established raters, the range was from .82-.92.

### ***Procedures for Coding the Data***

Each of the 120 discipline policies were divided among the four raters (30 policies each). The ADCR-R form was utilized to code the analysis of the discipline codes of conduct, just as in the earlier study (Babbie, 1990; Fenning et al., 2008). When analyzing each code of conduct, each behavior was tallied if it was present or absent. This was marked on the ADCR-R form by each of the four researchers. Behaviors were evaluated as either present or absent. Each consequence present in the policy for a particular behavior was coded. If more than one consequence was present, it was also coded. Each time a consequence was present for a particular behavior, it was coded as either directly linked or not directly linked to a particular behavior. For example, suspension may be in place if a student disrupted a classroom or was involved in a fight. These behaviors are linked to a specific consequence. There was also a place to code if certain consequences were offered as repeat offenses for the various behaviors. As stated earlier, corporal punishment was added to the ADCR-R form and looked for in each code of conduct.



This particular consequence was coded if it was present in the code of conduct and was not evaluated as a response to any particular behavior. All of the tallies for the behaviors and consequences were entered into an excel spreadsheet in order to have an electronic version of the rating scale.

All 120 discipline codes were evaluated and entered into the excel spreadsheet. The team created a flat file in order to transfer the rating scaled in SPSS for analysis. We initially entered basic demographic data into the database, including state the setting the school was located in (e.g., urban versus rural). Basic descriptive statistics were calculated, such as frequencies and cross-tabulations for each individual variable (behaviors and consequences).

### **Categorization of Data and Calculation of Means**

The research team created a formula in SPSS in order to calculate means for the overall reactive and proactive behaviors within the ACDR-R. In addition, the means were calculated for mild, moderate and severe reactive consequences for each subtype of behavior (mild, moderate and severe). The team also created separate proactive means (global and direct teaching) for each behavioral subtype (mild, moderate and severe). Lastly, a newly created variable for suspension mild behaviors, suspension moderate behaviors, and suspension severe behaviors was created. The formulas were created using the three categories of behavioral severity (mild, moderate, severe) and the proactive and reactive consequences that were previously described. Some of the categories had an unequal number of behaviors and categories within them. This was accounted for in the calculation of variables, so that the magnitudes could be directly compared.

The team rechecked frequency data to assure there were no errors in the formula writing. The output from the analysis ranged from zero to one and was within the range of possible outcomes for each calculation. The output that did exhibit missing data was reviewed and corrected by the team. Any errors in syntax files were corrected until all computations were computed correctly using the formulas within SPSS. Nonparametric tests were used to compare the school response means for each behavioral subtype (mild, moderate and severe). This analysis allows us to examine the means for each severity of behavior and consequence by state and setting. Additionally, we can also look at the percentage of policies that contain proactive consequences versus reactive consequences between states and settings. This project will examine a more in depth look into the policies listing suspension as a consequence in relation to the categories of behaviors created (mild, moderate, severe). The listing of suspension will also be analyzed between state (Illinois, Iowa, Georgia, Texas, New York, Oregon) and setting (rural vs. urban).

### **Research Questions and Analysis**

The researcher's first question is, "Does the frequency by which suspension is mentioned differ by level of behavior severity" (mild, moderate, severe)? The independent variables in this question are the categories of behavior (mild, moderate, severe). The dependent variable is suspension. For this question, a Pearson chi-square analysis was conducted. The goal of the Pearson chi-square was to explore a relationship, if any, between the use of suspension for mild, moderate, and severe behaviors. The second question focuses on how states differ in the degree to which their policies list suspension by level of behavior severity (mild, moderate, severe). The

independent variables in this question are the type of state (Illinois, Iowa, Georgia, Texas, New York, Oregon) and the severity of the behavior (mild, moderate, and severe). The dependent variable is suspension. Preliminary analysis eighteen Shapiro-Wilk tests were conducted to assess the assumption of normality for mild, moderate, and severe by state (Illinois vs. Iowa vs. Oregon vs. New York vs. Georgia vs. Texas). The homogeneity of covariance matrices was assessed by the Box's  $M$  test. A multivariate analysis of variance (MANOVA) was used to determine if differences exist on mild, moderate, and severe by state (Illinois vs. Iowa vs. Oregon vs. New York vs. Georgia vs. Texas) in relation to the consequence of suspension. If there was a statistical significant finding, follow up post hoc analysis was conducted to determine where the differences lie. The third and final question examines whether there is any state or setting differences in respect to how often suspension is used for behaviors ranging from mild to severe.

Independent variables in question three are the six states (Illinois, Iowa, Georgia, Texas, New York, Oregon) and the setting (rural versus urban). The dependent variables are suspension and the severity of the behavior (mild, moderate, severe). Preliminary analysis eighteen Shapiro-Wilk tests were conducted to assess the assumption of normality for mild, moderate, and severe by state (Illinois vs. Iowa vs. Oregon vs. New York vs. Georgia vs. Texas) and setting (urban versus rural). The homogeneity of covariance matrices was assessed by the Box's  $M$  test. A multivariate analysis of variance (MANOVA) was used to determine if differences exist on mild, moderate, and severe by state (Illinois vs. Iowa vs. Oregon vs. New York vs. Georgia vs. Texas) and setting (urban versus rural) in relation to the consequence of suspension. If there was a

statistical significant finding, follow up post hoc analysis was conducted to determine where the differences lie.

## CHAPTER FOUR

### RESULTS

This study examined the outcomes of a multi-state study of written discipline policies in a high school setting, specifically looking at the use of suspension as a consequence. Suspension, as it appears in discipline policies, was reviewed in terms of its frequency as a response to behaviors that range in severity. Specifically, this chapter will present the results to the following research questions: (1) Does the frequency by which suspension is mentioned differ by level of behavior severity (e.g., mild, moderate, severe) for the entire sample?; (2) Do discipline policies differ by state with respect to the degree that suspension is offered for behaviors ranging in severity (e.g., mild, moderate, severe), and if so, how?; (3) Within each state, are there differences by setting (e.g., urban versus rural) with respect to how often suspension is mentioned in the policies for behaviors ranging from mild to severe?

Table 2 displays the demographic data for each of the behavioral severities (mild, moderate, and severe) for the 120 codes of conduct sampled. A total of 120 codes of conduct were sampled from six states (Georgia, Illinois, Iowa, New York, Oregon and Texas). Within each of the six states, 20 codes of conduct were chosen with 10 categorized as rural and 10 categorized as urban. Table 2 displays the demographic data from the newly created variable for suspension mild, suspension moderate, and suspension severe.

Table 2

*Means, Standard Deviations, Range and Cronbach's Alphas for Mild, Moderate and Severe Behaviors*

Behavior	N	Min	Max	M	SD	A
Mild	120	0	10	4.66	3.07	.829
Moderate	120	0	5	3.03	1.70	.729
Severe	120	0	13	6.61	3.60	.852

### Research Question One

Does the frequency by which suspension is mentioned differ by level of behavior severity (e.g., mild, moderate, severe) for the entire sample?

To examine research question 1, a Pearson chi-square analysis was conducted. The goal of the Pearson chi-square was to explore the relationship, if any, between the use of suspension for mild, moderate, and severe behaviors. “This test compares the observed frequencies or proportions of cases that occur in each of the categories, with the values that would be expected if there was no association between the two variables being measured” (Pallant, 2007, p. 214). Results of the analysis were not significant ( $\chi^2 = 1.687$ ,  $df = 2$ ,  $N = 360$ ,  $p = .430$ ). These findings indicate that the frequency by which suspension is mentioned in the policies does not differ by behavioral severity. In other words, suspension is most likely to be mentioned equally for all levels of behavior severity (mild, moderate, severe).

Table 3 shows the chi-square results.

Table 3

*Chi Square Results Frequency by Which Suspension is Mentioned by Level of Behavior Severity (Mild, Moderate and Severe)*

<b>Out-of- School Suspension</b>	<b>Mild</b>	<b>Moderate</b>	<b>Severe</b>	<b>Total</b>
No	13	15	9	37
Yes	107	105	111	323
Total	120	120	120	360

Note.  $\chi^2 (2) = 1.687, p = .430$ .

### **Research Question Two**

Do discipline policies differ by state with respect to the degree that suspension is offered for behaviors ranging in severity (e.g., mild, moderate, severe), and if so, how?

To answer this question, a Multivariate Analysis of Variance (MANOVA) was completed. The preliminary analyses and results of the MANOVA procedure are described below.

#### ***Analysis***

To determine whether there were any differences across the states with respect the types of behaviors (e.g., mild, moderate, severe) in which suspension was offered in the policies, a One-Way Multivariate Analysis of Variance (MANOVA) was conducted with the newly created variable of frequency of suspension by behavioral severity as the dependent variable and the type of state as the independent variable. Each of the six states had 20 policies which made a total of 120 policies.

For the preliminary analysis, eighteen Shapiro-Wilk tests were conducted to assess the assumption of normality for mild, moderate, and severe by state (Illinois vs. Iowa vs. Oregon vs. New York vs. Georgia vs. Texas). The Shapiro-Wilk test was utilized to examine if the data was distributed normally. The results of the Shapiro-Wilk tests (see Table 4) revealed many mild, moderate, and severe by state score were not normally distributed. However, according to Stevens (2002, pp. 262-63) the sampling distribution of  $F$  is only slightly affected, and therefore the critical values when sampling from normal and non-normal distributions will not differ by much and the MANOVA is robust toward the violation with respect to Type I error. The MANOVA is a powerful enough test, that it is hardly affected by non-normal distribution. The homogeneity of covariance matrices was assessed by the Box's  $M$  test; the results of Box's  $M$  were not significant,  $F(30, 29370) = 1.18, p = .234$ , suggesting the assumption of equality of covariance's met favorably.

Table 4

*Shapiro-Wilk Tests on Behavior by State*

<b>State</b>	<b>Mild Statistic</b>	<b>Sig.</b>	<b>Moderate Statistic</b>	<b>Sig.</b>	<b>Severe Statistic</b>	<b>Sig.</b>
Illinois	.971	.768	.920	.097	.964	.616
Iowa	.902	.046	.841	.004	.927	.133
Oregon	.899	.039	.872	.013	.879	.017
New York	.889	.026	.904	.048	.966	.671
Georgia	.938	.219	.845	.004	.873	.013
Texas	.806	.001	.668	.001	.794	.001

To examine research question 2, a multivariate analysis of variance (MANOVA) was conducted to determine if state differences existed in the use of suspension within the



policies by behavioral severity (e.g., mild, moderate, and severe). For example, the research assessed whether the policies drawn from each respective state (Illinois vs. Iowa vs. Oregon vs. New York vs. Georgia vs. Texas) differed in the frequency that suspension was mentioned by behavioral severity. The results of the MANOVA were significant, Pillai's Trace = 0.37,  $F(15, 342) = 3.23$ ,  $p < .001$ , (partial  $n^2 = 0.12$ , power = 0.99), suggesting that simultaneous differences existed on mild, moderate, and severe by state. In other words, states do differ with respect to the frequency with which suspension is mentioned by behavioral severity.

Three ANOVA's are presented in Table 5 and reveal that differences existed by state with respect to the frequency in which suspension was offered as an option for behaviors that ranged in severity. Scheffe post hoc tests were conducted to determine if the mean differences were statistically significant with respect to state and behavioral severity. When examining mild behaviors, Iowa had a smaller mean ( $M = 2.00$ ,  $SD = 1.81$ ) compared to New York ( $M = 5.95$ ,  $SD = 3.20$ ) and Texas ( $M = 5.90$ ,  $SD = 3.63$ ), indicating that policies drawn from Iowa were less likely than the two other states to list suspension for mild behaviors. For moderate behaviors, Iowa had a smaller mean ( $M = 1.50$ ,  $SD = 1.19$ ) compared to Oregon ( $M = 3.45$ ,  $SD = 1.36$ ), Georgia ( $M = 3.65$ ,  $SD = 1.50$ ) and Texas ( $M = 3.65$ ,  $SD = 2.03$ ), indicating again that policies drawn from Iowa were less likely than the two other states to list suspension for moderate behaviors. For severe behaviors, Iowa had a smaller mean ( $M = 3.50$ ,  $SD = 2.54$ ) compared to Georgia ( $M = 7.85$ ,  $SD = 4.16$ ) and Texas ( $M = 8.15$ ,  $SD = 4.56$ ). Overall, the policies drawn from Iowa mentioned suspension less frequently for mild, moderate and severe behaviors in

comparison with a number of other states. Means and standard deviations are presented in

Table 6.

Table 5

*ANOVA's on Mild, Moderate, and Severe by State*

<b>Dependent Variable</b>	<b>Df</b>	<b>F</b>	<b>Sig.</b>	<b>Partial <math>n^2</math></b>	<b>Power</b>
Mild	5 114	5.173 (8.00)	.000	0.19	0.98
Moderate	5 114	5.472 (2.43)	.000	0.19	0.99
Severe	5 114	4.970 (11.12)	.000	0.18	0.98

Note. A value in parenthesis presents the mean squared error.

Table 6

*Means and Standard Deviations on Mild, Moderate, and Severe by State*

<b>Behaviors</b>	<b>State</b>	<b>M</b>	<b>SD</b>
Mild	Illinois	4.50	2.46
	Iowa	2.00	1.81
	Oregon	4.85	2.37
	New York	5.95	3.20
	Georgia	4.75	3.11
	Texas	5.90	3.63
	Total	4.66	3.07
Moderate	Illinois	2.85	1.53
	Iowa	1.50	1.19
	Oregon	3.45	1.36
	New York	3.05	1.61
	Georgia	3.65	1.50
	Texas	3.65	2.03
	Total	3.03	1.70
Severe	Illinois	6.95	2.78
	Iowa	3.50	2.54
	Oregon	6.85	2.50
	New York	6.35	2.87
	Georgia	7.85	4.16
	Texas	8.15	4.56
	Total	6.61	3.60

### **Research Question Three**

Within each state, are there differences by setting (e.g., urban versus rural) with respect to how often suspension is mentioned in the policies for behaviors ranging from mild to severe?

To answer this question, a Multivariate Analysis of Variance (MANOVA) was completed. The preliminary analyses and results of the MANOVA procedure are described below.

#### ***Analysis***

To determine whether the six states or settings differ in the degree by which their policies list suspension by level of behavior severity, a Two-Way Multivariate Analysis of Variance (MANOVA) was conducted with the newly created variable of frequency of suspension by behavioral severity as the dependent variable and the type of state and type of settings as the independent variable (e.g., urban versus rural). Each of the six states had 20 policies. Within each state, 10 policies were classified as urban while 10 policies were classified as rural. This made a total of 60 rural policies and 60 urban policies (120 total).

In the preliminary analysis, 36 Shapiro-Wilk tests were conducted to assess the assumption of normality for mild, moderate, and severe by state (Illinois vs. Iowa vs. Oregon vs. New York vs. Georgia vs. Texas) and setting (urban vs. rural). The Shapiro-Wilk test was utilized to examine if the data was normally distributed. The results of the Shapiro-Wilk tests (see Table 7) revealed many mild, moderate, and severe by state and setting score were not normally distributed. However, according to Stevens (2002, pp.

262-63), the sampling distribution of  $F$  is only slightly affected, and therefore the critical values when sampling from normal and non-normal distributions will not differ by much and the MANOVA is robust toward the violation with respect to Type I error. The MANOVA is a powerful enough test, that it is hardly affected by non-normal distribution. The homogeneity of covariance matrices was assessed by the Box's  $M$  test; the results of Box's  $M$  were not significant,  $F(66, 12525) = 1.29, p = .055$ , suggesting the assumption of equality of covariance's met favorably.

Table 7

*Shapiro-Wilk Tests on Behavior by State and Setting*

<b>State</b>	<b>Mild Statistic</b>	<b>Sig.</b>	<b>Moderate Statistic</b>	<b>Sig.</b>	<b>Severe Statistic</b>	<b>Sig.</b>
Illinois Urban	.961	.799	.905	.249	.883	.142
Illinois Rural	.930	.447	.929	.438	.897	.201
Iowa Urban	.886	.151	.838	.042	.892	.180
Iowa Rural	.940	.553	.878	.124	.932	.465
Oregon Urban	.754	.004	.904	.245	.907	.263
Oregon Rural	.890	.171	.803	.016	.887	.159
New York Urban	.845	.051	.893	.182	.889	.165
New York Rural	.897	.206	.923	.383	.917	.333
Georgia Urban	.925	.403	.902	.228	.847	.053
Georgia Rural	.881	.133	.785	.010	.786	.010
Texas Urban	.708	.001	.616	.001	.742	.003
Texas Rural	.848	.055	.724	.002	.791	.011

To examine research question 3, a two-way multivariate analysis of variance (MANOVA) was conducted to determine if differences existed in the listing of suspension in codes of conduct with respect to the types of behaviors (e.g., mild, moderate, severe) by state (Illinois vs. Iowa vs. Oregon vs. New York vs. Georgia vs. Texas) and setting (urban vs. rural). The main effect of state was significant, Pillai's

Trace = 0.39,  $F(15, 324) = 3.22$ ,  $p < .001$ , (partial  $n^2 = 0.13$ , power = 0.99), suggesting simultaneous differences exist on mild, moderate, and severe by state. The main effect of setting was not significant, Pillai's Trace = 0.02,  $F(3, 106) = 0.63$ ,  $p = .597$ , (partial  $n^2 = 0.02$ , power = 0.18), suggesting that simultaneous differences do not exist on mild, moderate, and severe by setting. The interaction between state and setting was not significant, Pillai's Trace = 0.19,  $F(15, 324) = 1.47$ ,  $p = .114$ , (partial  $n^2 = 0.06$ , power = 0.86), suggesting that simultaneous differences do not exist on mild, moderate, and severe by setting and state interaction.

Nine ANOVA's are presented in Table 8 and reveal that differences exist on each dependent variable; mild, moderate, and severe by state only. Scheffe post hoc tests were conducted to determine if the mean differences were statistically significant with respect to state and behavioral severity. Since there were no significant findings in terms of the setting (e.g., rural and urban), findings between state and behavioral severity were identical to question two. As stated above in question two, Iowa listed suspension in their policies less frequently for mild, moderate and severe behaviors in comparison with a number of other states.

Table 8

*ANOVA's on Mild, Moderate, and Severe by State and Setting*

<b>Source</b>	<b>Behaviors</b>	<b>df</b>	<b>F</b>	<b>Sig.</b>	<b>Partial <math>n^2</math></b>	<b>Power</b>
State	Mild	5	5.19	.000	0.19	0.98
		108	(7.97)			
	Moderate	5	5.40	.000	0.20	0.99
		108	(2.46)			
	Severe	5	5.02	.000	0.19	0.98
		108	(11.02)			
Setting	Mild	1	0.18	.675	0.00	0.07
		108	(7.97)			
	Moderate	1	0.27	.601	0.00	0.08
		108	(2.46)			
	Severe	1	1.40	.240	0.01	0.22
		108	(11.02)			
State * Setting	Mild	5	1.25	.292	0.06	0.43
		108	(7.97)			
	Moderate	5	0.83	.533	0.04	0.29
		108	(2.46)			
	Severe	5	1.13	.347	0.05	0.39
		108	(11.02)			

**Note.** A value in parenthesis presents the mean squared error.

Table 9

*Means and Standard Deviations on Mild, Moderate, and Severe by State and Setting*

<b>Behavior</b>	<b>Setting</b>	<b>Urban</b>		<b>Rural</b>		<b>Total</b>	
		<b>M</b>	<b>SD</b>	<b>M</b>	<b>SD</b>	<b>M</b>	<b>SD</b>
Mild	Illinois	4.60	2.91	4.40	2.07	4.50	2.46
	Iowa	1.50	1.43	2.50	2.07	2.00	1.81
	Oregon	5.40	2.67	4.30	2.00	4.85	2.37
	New York	6.20	3.22	5.70	3.34	5.95	3.20
	Georgia	3.90	2.51	5.60	3.53	4.75	3.11
	Texas	7.00	2.75	4.80	4.18	5.90	3.63
	Total	4.77	3.10	4.55	3.06	4.66	3.07
Moderate	Illinois	3.30	1.42	2.40	1.58	2.85	1.53
	Iowa	1.40	1.26	1.60	1.17	1.50	1.19
	Oregon	3.40	0.97	3.50	1.72	3.45	1.36
	New York	3.10	1.60	3.00	1.70	3.05	1.61
	Georgia	3.30	1.64	4.00	1.33	3.65	1.50
	Texas	4.10	1.73	3.20	2.30	3.65	2.03
	Total	3.10	1.62	2.95	1.78	3.03	1.70
Severe	Illinois	8.00	2.87	5.90	2.38	6.95	2.78
	Iowa	3.30	1.95	3.70	3.13	3.50	2.54
	Oregon	8.20	1.40	5.50	2.68	6.85	2.50
	New York	5.80	2.62	6.90	3.14	6.35	2.87
	Georgia	7.60	4.86	8.10	3.57	7.85	4.16
	Texas	8.90	3.41	7.40	5.56	8.15	4.56
	Total	6.97	3.49	6.25	3.70	6.61	3.60

## CHAPTER FIVE

### DISCUSSION

This chapter provides a discussion of the findings from the analysis of the 120 codes of conduct examined within the six states (Illinois, Iowa, Georgia, Texas, New York, Oregon). The researcher will examine the results and discuss possible implications of these findings. Additionally, the limitations of the study will be stated. Lastly, recommendations for further study on the use of suspension and various alternatives to punitive disciplinary measures will be presented.

#### **Summary**

The purpose of this study was to examine the use of suspension for behaviors ranging from mild to severe in sampled codes of conduct by state (Illinois, Iowa, Georgia, Texas, New York, and Oregon) and by setting (urban vs. rural). Discipline codes of conduct are created to provide school-wide discipline procedures in order for our schools to ensure a safe and successful learning environment. All districts are mandated by law to have codes of conduct since the passing of No Child Left Behind. Even though research has indicated that suspension is not an effective means of discipline, many school districts are still utilizing these punitive measures for mild, moderate, and severe behaviors (Radin, 1988).

For this study, the researcher was specifically interested in investigating the use of suspension for behaviors categorized as mild, moderate, and severe. First, various



behaviors were categorized into mild, moderate, and severe. Differences were examined in the use of suspension in the selected codes of conduct between each of the categories. Next, the researcher also wanted to explore differences, if any, in codes of conduct between states across our country. In addition, comparisons in codes of conduct were also investigated within setting type (urban versus rural) within each of the states chosen. The researcher found significant findings after analyzing the data as reported in Chapter Four. A discussion of these findings is detailed in the section below.

### **Discussion of Findings and Implications**

#### ***Suspension Use by Level of Severity (mild, moderate, severe)***

The use of codes of conduct in the United States has been present for nearly 100 years. As previously stated, there has been a push during the past 30 years to create codes of conduct that are uniform and consistently enforced in our schools. The researcher examined the use of suspension for varying levels of severity (mild, moderate, severe). Results indicated that there are not any significant differences in the use of suspension by level of severity. These findings posit that states are utilizing suspension equally for all levels of severity as a means of punishment. Findings indicate that the codes of conduct sampled are uniform; however, it reveals that schools are using the punitive measure of suspension to remove students for mild, moderate, and severe behaviors at the same frequency. In 1979, when the Safe School Study Report was created to examine current codes of conduct, it was suggested that codes of conduct be educational and rehabilitative versus strictly punitive in nature. However, these findings

indicate that the consequence of suspension is being utilized for equally for mild, moderate, and severe behaviors.

These findings reveal that many of the codes of conduct sampled may be written in line with zero tolerance. Zero tolerance refers to policies that punish all offenses severely, no matter how minor. Zero tolerance grew out of federal drug enforcement policies of the 1980's but has grown now to include minor offenses that are punishable with suspension. Schools are currently suspending students for severe behaviors (e.g., weapons, drugs, fighting) while also suspending for mild offenses (e.g., class disruption, tardies, truancy). Although serious behavior should not be tolerated in our schools, schools are creating even more problems by suspending youth for minor infractions.

Despite the concern for applying zero tolerance across the board, codes of conduct are listing suspension as a consequence equally for mild, moderate, and severe behaviors. The literature states that removing students from school is correlated with youth engaging or becoming a victim of a violent crime. "The U.S. Departments of Justice and Education evaluated the 2003-2004 school year and the following data were published: Rates of serious violent crimes against school-aged youth including rape, sexual assault, robber, and aggravated assault are more than twice as high outside of the school as they are inside of the school" (Sudius et al., 2008). By suspending students, we are not just removing them from instruction, but also excluding them from the safety and protections of the school environment. Consequently, removing students from the school does not remediate or correct the behavior in question. Current research posits that zero tolerance policies are ineffective for correcting problem behaviors and can be associated

with negative life outcomes. For example, elevated rates of school dropout, poor school climate, low academic achievement, and discriminatory school practices have been associated with suspension and expulsion due to zero tolerance (Evenson, Justinger, Pelischek, & Schultz, 2009). The current listing of suspension for all levels of behavior severity does not support the initial intent of creating proactive and uniform discipline policies. These findings also do not support the current literature on the principle of zero tolerance and the guidelines under the Individuals with Disabilities Education Improvement Act (2004), which calls for positive behavior supports for all students known to have behavioral difficulties.

Violent and illegal activity should not be allowed or tolerated in our schools. However, schools are not keeping students safe by suspending youth for minor infractions. We are in turn creating a larger problem outside of our schools. Research shows that about 90% of schools nationwide indicate that no serious violent crimes were committed in a school year and that 99% of students do not commit serious crimes while in school (Bear, Cavalier, & Manning, 2002). Therefore, suspensions are not used for the majority of violent crimes, but instead minor infractions. This literature coincides with the findings from this study. Even though suspension has been shown to be ineffective for remediating behaviors, it is consistently being utilized for all levels of severity.

As early as 30 years ago, researchers indicated that codes of conduct should include proactive consequences instead of primarily being punitive in nature. Including early response and an educational component has shown to be beneficial in alleviating discipline issues in the schools. Not all behavioral infractions should be punished with

zero tolerance in mind. “While zero tolerance intends to set an example for potential wrongdoers through harsh punishment, the goal of early response is to ensure that minor incidents are defused before escalating into more serious offenses, and in the long-term, to teach all students appropriate alternatives to disruption and violence for resolving personal and interpersonal problems” (Skiba, 2000). These findings do not align with this research and are in fact creating an even larger problem in our society.

This information is vital to school psychologists because we are often called into situations dealing with minor to serious behavior infractions. Data from this study indicates that suspension is being utilized for serious behaviors just as often as minor behaviors. Research indicates that the use of zero tolerance for minor infractions and utilizing exclusionary measures, such as suspension, is not an effective means for disciplining students. Schools need to focus on early intervention and teaching proactive behaviors to help prevent the escalation of minor behaviors turning into severe behaviors. By modifying the use of zero tolerance for all infractions and helping to create proactive consequences, we will be better equipped to keep students in school until they graduate while also keeping them safe throughout the school day.

### ***Suspension Use by Level of Severity (mild, moderate, severe) in Differing States***

The researcher was interested in looking at the use of suspension by level of severity with six chosen states across the United States (Illinois, Iowa, Georgia, Texas, New York, Oregon). It was hypothesized that suspension would be listed more often for all behaviors in the Southern region (Georgia and Texas) when compared to the other

chosen states. Statistically significant findings were discovered between all levels of severity (mild, moderate, severe) between the six states.

In terms of utilizing suspension for mild behaviors, Iowa listed this consequence less often when compared to the states of New York and Texas. When examining the use of suspension for moderate behaviors, Iowa utilized this consequence significantly less when compared to Oregon, Georgia and Texas. Lastly, Iowa used suspension less often for severe behaviors when compared to Georgia and Texas. Although suspension was listed more often in codes of conduct in New York for minor behaviors, in Oregon's codes of conduct for moderate behaviors, and in Georgia for moderate and severe behaviors, Texas shows up in each of the levels of severity for utilizing suspension as a consequence. A discussion of these patterns is listed below.

Texas has been notorious for its strict use of zero tolerance in the schools. Data gathered over the previous ten years indicate that Texas has removed many students for violations of zero tolerance. "In Texas, according to a state legislative study, some 144,000 students were sent to Disciplinary Alternative Education Program (DAEP) or juvenile-justice alternative education facilities in 2007; 25% of them had disabilities, and minorities made up 65% of the DAEP students and 73% of the juvenile-justice students" (Hylton, 2009). Violations ranged in severity from bringing weapons and drugs to school all the way to minor behaviors, such as engaging in public displays of affection. This prompted concerned citizens to form a group to advocate for changes with the use of zero tolerance.

Texas Zero Tolerance is a group formed by concerned citizens to fight the misuse of zero tolerance in the schools. This group feels that the warehousing of students in DAEP schools is a major issue. According to the Texas Education Agency (TEA), students removed from the classroom are twice as likely to drop out. The Texas Zero Tolerance group has been on the forefront advocating for changes in the use of zero tolerance in the schools and the laws that protect this principle.

In 2009, House Bill 171 was signed eliminating the unforgiving nature inherent in prevailing rules by requiring educators to consider four mitigating factors before suspending, or removal to a disciplinary alternative program (Tuccile, 2009). The four mitigating factors include: self-defense, intent or lack of intent, the disciplinary history of the student and whether the student has a disability that impairs judgment. HB 171 also has an added component that includes students enrolled in college-bound courses placed in a DAEP must have access to those lessons so their graduation plan remains unchanged. If schools choose to remove these students enrolled in college-bound courses to be placed in a DAEP, school districts would have to pay in the end. HB 171 is a positive move toward using common sense when disciplining students. However, the bill currently does not extend due process to the accused children and their parents, which is a basic right of every citizen in the United States. The group Texas Zero Tolerance has petitioned the State Legislature to allow parents to be part of the solution to the problem, but currently the bill stands as is (Tuccile, 2009).

Although it seems Texas is moving towards eliminating the misuse of zero tolerance in the schools, codes of conduct may not reflect the current changes with the

law. Suspension is still being listed as a consequence for all infractions, including minor behaviors. Administrators and educators need to revamp codes of conduct to match current bills passed in their state along with the Individuals with Disabilities Education Improvement Act (2004). Taking out the use of suspension for minor behaviors along with including proactive consequences in codes of conduct will be essential for eliminating the overuse of suspension. Also, allowing administrators to use “common sense” when applying the principle of zero tolerance will hopefully eliminate misuse for minor infractions. However, parents should have the right to due process so overuse of suspension can be replaced with appropriate alternatives. States, such as Iowa, have created codes of conduct that address the use of proactive consequences to discipline while also creating methods of service delivery that incorporates SWPBS in their codes of conduct.

Results from this study indicate that Iowa lists suspension less often for all levels of behavior severity in their codes of conduct. Iowa has been on the forefront in creating initiatives and programs for students with emotional and behavioral disorders. The Iowa Department of Education has been a part of implementing several statewide initiatives beginning in the early 1990’s. The first of these initiatives was the Iowa Behavioral Initiative (IBI) created to assist educators who worked with students with significant behavioral needs (Mass-Galloway, Panyan, Smith, & Wessendorf, 2008). As time went on, IBI was developed into a program named Success4. Success4 created a wrap around approach including schools, families, and communities working together to provide supports for children’s social, emotional, behavioral, and intellectual domains in the

schools. This program was replaced by the current statewide program for Iowa called Learning Supports. Currently, this system contains five necessary components including: (a) efforts that are based on long-term results, using quality data; (b) well-coordinated interventions that address the range of learning needs; (c) an infrastructure that ensures that coordination and planning are integrated with other school improvement efforts; (d) policies that are student and family friendly; and (e) sustained school capacity to focus on supports for learning (Mass-Galloway et al., 2008).

Complimenting the current program Learning Supports, SWPBS was established in the fall of 2002. This model continues to be a collaborative effort between Drake University, Iowa State University, the Research Institute for Studies in Education, the Iowa Federation of Families for Children's Mental Health, and the Iowa Department of Education (Mass-Galloway et al., 2008). Iowa is currently participating in data analysis comparing schools implementing SWPBS with non-SWPBS. Quantitative and qualitative data gathered indicate positive feedback from educators and less office discipline referrals from schools implementing SWPBS (Galloway et al., 2008).

In particular, the Heartland Area Education Agency of Iowa has been implementing a problem solving model for many years and has been a guide for many other states looking to adopt this method in their schools. Heartland's Problem-Solving Model began in 1988 when the Iowa Renewed Service Delivery System (RSDS) was developed to improve educational services in local schools by planning and implementing educational innovations across the state (Jankowski, 2003). The idea of using a problem solving process is to define problems, directly measure behavior, design



interventions, and frequently monitor student progress help to address and teach the problem instead of testing, labeling, and utilizing punitive measures. SWPBS is also widely used throughout the state of Iowa. With the Iowa Statewide Support Initiative, problem behaviors in early childhood programs implementing the SWPBS model have been reduced by two-thirds. The need for programs to take exceptional actions like dismissing or transferring children, requesting outside assistance or calling the family has been virtually eliminated (Iowa, 2009). These methods of utilizing a more proactive approach versus and punitive method may explain the low use of suspensions for all levels of severity in Iowa. Iowa's codes of conduct reflect the use of proactive strategies while lowering the use of suspension for behaviors that are not severe in nature. Utilizing different methods of service delivery may also account for the lower use of suspension found in codes of conduct; however, more research needs to be conducted in this area to examine if different models of delivery affect the positive or negative use of suspension.

These findings have large implications for practicing school psychologists. Many of the current codes of conduct need to be revamped to move away from a punitive approach and to include an educational proactive method of behavior support in our schools. The overuse of zero tolerance still remains an issue with particular states. School districts will need to modify current codes of conduct to reflect changes in the law. We see patterns emerge when students are suspended at a young age and do not receive any early interventions. Research indicates that students who are suspended at a younger age are at risk for future suspensions, expulsions, or dropping out. Findings from the Open Society Institute in Baltimore reveal that with those students who are

suspended in a given year, at least 40% will be suspended repeatedly (Sundius & Farneth, 2008). This indicates how important early intervention is for those who are at-risk of getting suspended or dropping out of school. Schools that repeatedly utilize this exclusionary measure indicate problems may lie in the discipline practices and/or the school climate. School policies and administrative climate are also possible factors with high suspension rates. In schools where management and problem behaviors are an issue, classroom management and school reform need to be examined and evaluated. Laws should also be examined at a state and local level. Federal law indicates that codes of conduct should be uniform from state to state. However, school policies are controlled by state law and local district codes. Further investigation should be conducted on the variation of local and state laws that are causing inconsistencies in codes of conduct across the country. Lastly, attention should be given to the method of service delivery by state and setting to further gather information on the use of proactive vs. punitive strategies in codes of conduct. Although still in the early stages of research, this particular area could be vital in remediating problem behaviors and decreasing the use of suspension as a disciplinary measure.

In summary, differences existed across states with respect to how suspension is offered for behaviors ranging in severity. Information from this study reveals that many schools are still responding with punitive consequences, with most offering suspension for minor behaviors, consistent with previous research (APA Task Force on Zero Tolerance Policies, 2008; Fenning et al., 2008; Skiba & Rausch, 2006). As a nation, we

need to begin to revise these codes of conduct to reflect more proactive consequences and include alternatives to suspension.

***Suspension Use by Level of Severity (mild, moderate, severe) in Differing Settings***

It was hypothesized that urban schools would list suspension more often than rural schools. When examining setting differences between codes of conduct, no significant differences were found. Although the researcher did not find any significant differences between urban and rural codes of conduct, the research indicates that variations do exist. Suspension still appears to be used with greater frequency in urban areas than in suburban or rural areas (Wu, Pink, Crain, & Moles, 1982). Data gathered in urban areas indicate suspension is utilized often as a consequence. “In one Midwestern city, one third of all referrals to the office resulted in a one to five day suspension, and 21% of all enrolled students were suspended at least during the school year” (Skiba et al., 1997). However, the current study did not support this research. No significant findings were discovered between the listing of suspension for mild, moderate, or severe behaviors in codes of conduct gathered in urban vs. rural settings. One possible reason for this discrepancy is the researcher examined how often suspension was listed for behaviors ranging from mild to severe. How often suspension was utilized in the schools for these particular infractions was not examined and therefore could not be measured between settings. In order to provide a more in depth examination on the use of suspension between settings, data would need to be gathered on the frequency suspension is utilized for each behavioral severity with sampled urban and rural schools. This type of information would provide a more accurate look on the uses of suspension between

settings. Lastly, the limitation of codes of conduct studied could account for the fact that variations were not found. Continued research needs to be conducted in this area to further examine any differences in codes of conduct between state and setting.

### ***The Implication of These Findings and Codes of Conduct Across the United States***

The results of this study have large implications with currently written codes of conduct across the United States. As we have seen, suspending students for minor infractions is not an appropriate way to discipline students. In order to stay with the original intent of making all codes of conduct uniform and proactive, school districts would need to revamp their entire system of proactive and punitive responses. This current study provided us with several important conclusions: 1) Codes of conduct sampled indicated that suspension was being equally used for all levels of severity (mild, moderate, severe). 2) There are significant differences in the use of suspension when comparing states to one another. A closer look at how this affects educators is discussed below.

The researcher previously discussed literature that does not support suspension as an effective means to disciplining students and remediating behaviors. That being said, suspension should only be utilized for severe and/or dangerous behaviors. Findings from this study reveal that schools are using suspension for mild, moderate, and severe behaviors equally. As educators, we have a large part in creating and implementing discipline in our schools. We have known for the past 30 years that suspension does not work and proactive responses have shown to be more effective. Current literature also indicates that zero tolerance in the schools is not an effective means of creating a safe and

productive environment. This study indicates that the principle of zero tolerance may be overused, particularly with minor and moderate behaviors. States need to examine each district's code of conduct to make sure they are aligned with current federal law, which mandates for a proactive approach to discipline. Research has shown that teaching expectations and rewarding positive behaviors are more effective in school discipline (Sugai, 1999). "Furthermore, recent research has suggested that the best strategy for promoting responsible behaviors in schools is to emphasize both the rules and consequences of breaking the rules" (Bear, Manning, & Shiomi, 2006). This data supports the need to switch from a more reactive approach to discipline and provide a more proactive approach, such as using SWPBS. Districts may already be implementing SWPBS in their schools, but this system is not apparent in most current codes of conduct. States need to include proactive approaches and necessary supports in codes of conduct to guide schools with the implementation of SWPBS while also aligning with the guidelines set in IDIEA (2004). Each district's system of delivery also needs to be evaluated for effectiveness. Systems change is an involved plan that takes years to implement. Changing the way we provide behavior support will be a process in which each district will need provide education and training for all staff. It appears that most districts are utilizing a "one size fits all approach" to mild, moderate, and severe behavior infractions. Unfortunately, suspension is still being listed equally in codes of conduct as a consequence for all behaviors. States can begin to address the overuse of suspension by evaluating and rewriting codes of conduct to align with current guidelines of providing SWPBS. The outcome of providing proactive versus reactive consequences to students

can save the district time with having to deal with discipline problems while keeping students in school receiving an education instead of out on the streets.

When comparing the use of suspensions in codes of conduct at the state level, we do find statistically significant differences. Iowa utilizes suspension less often when compared to Texas, who lists suspension at a higher rate for all levels of severity in their codes of conduct. One hypothesis for Iowa's listing of suspension less is their problem solving service delivery model. Schools that have implemented SWPBS have shown decreases in problem behaviors and the use of suspension. More in-depth research needs to be conducted on the various service delivery models and evaluation of their effectiveness. Many schools have adopted or are in the process of implementing SWPBS. We could gather important outcome data from these schools to evaluate the effectiveness of adopting a proactive service delivery model like SWPBS. On the other hand, codes of conduct from Texas had higher rates of using suspension for all levels of severity. One possible reason for this may be the high use of zero tolerance in this region. Even though recent changes in the law have addressed the overuse of this principle, codes of conduct have not been altered to reflect this change. Another area worth investigating is the overrepresentation of minorities by region. As educators, we need to be able to work in diverse settings while also being trained and informed in cultures that are different from our own. If we uniformly train all educators to be accepting and aware of their own biases, in turn we can address the issue of overrepresentation of minorities getting suspended. More investigation is needed in the examination of codes conduct from different regions, states, and districts in the United States. This type of data would

be beneficial for educators in creating positive behavior supports along with addressing diversity education in areas where there is an overrepresentation of minorities being suspended. Lastly, more in-depth research should be conducted with laws at the state and local level. Federal law indicates codes of conduct should be uniform and proactive; however, states and local districts should be examined for inconsistencies in the creation of codes of conduct and system delivery. Other factors such as, teacher attitude, administration and school climate along with local and state law should be further examined with the use of suspension as a consequence.

In conclusion, suspension is not an effective means of disciplining students or remediating behaviors. We have the responsibility as educators and policy makers to develop proactive discipline policies along with creating alternatives to suspending students. “School officials who are developing in school alternatives to suspension should make sure their efforts are based on a solid foundation. If they believe their primary purpose of the alternative is to punish students, or to control students, or to modify the behavior of the students, then it is unlikely the long-term results of the alternative will differ much from the results of other disciplinary practices conceived within a similar philosophical framework” (Mizell, 1978). All expectations and rules for the school need to be clearly stated and consistently followed by all staff members. “The purpose of the disciplinary policy should shift from a reactive and punitive model to one that places an emphasis on prevention, teaching competence, and altered response” (Stoiber, 2004). When discussing what is appropriate and not appropriate in the school setting, examples should be given across all settings (bus, cafeteria, hallway, etc...).

These behaviors should be taught and corrective feedback should be given to the students. Discipline policies need to be consistently enforced and communicated to staff and parents. Although not always possible, follow up strategies and program evaluation should be monitored and communicated with parents, teachers, and students. Moving towards a more proactive model of discipline can save educators time dealing with management issues while increasing instructional time for all students. By keeping students in school, we increase their chances of graduating and becoming successful members of our society.

### **Limitations**

One limitation to this study was the sampling procedure. Random sampling was utilized, therefore each code of conduct had an equal probability of being selected, ensuring that the sample will be representative of the population (Keppel, 1991). However, only six states were chosen from different regions of the United States: Northeast, South, Midwest, and Northwest. Since this was a small sample size, caution should be taken when generalizing the results.

Another limitation of the current study was that it is not possible to determine how the content of the discipline policies are actually enacted in practice. It is possible that schools are placing multiple options in their policies, so that such information is formally conveyed to students and families in the event that such responses are utilized. However, the findings from this study support the current research on discipline policies in the United States. This indicates that the descriptions found in each code of conduct are enacted in practice.



Lastly, the chosen methodology is a limitation to the study. Even though the ACDR-R scales were found to have adequate reliability, there is no way to ensure the scales are measuring exactly what is present and practiced in each school's code of conduct. Finally, the data collected was not normally distributed which decreased the robustness of the data.

### **Future Directions**

Prior research clearly states the negative effects of suspension as a disciplinary consequence. Further research is needed to explore research based alternative programs and the continued implementation of SWPBS. This study highlights findings from codes of conduct gathered from six states across the United States. Since this study only included data from six states, it is recommended that this study be replicated to include more states and additional codes of conduct. Gathering similar findings from another study would add generalizability of the results. Recommendations for future research are discussed below.

This current study indicates discipline codes of conduct need to be reviewed on a national level to make sure that the consequences delivered match the severity of the behavior. The implications of changing codes of conduct to be more proactive versus punitive is critical to the profession of school psychology. Suspension has been demonstrated to be ineffective for remediating behaviors; therefore, creating proactive consequences will keep students in school while teaching appropriate behaviors. It may be beneficial to replicate this study on a larger basis. More states and additional codes of conduct should be examined to see if consequences are matching the severity of

behaviors. Previous legislation advocated for uniformly described consequences in codes of conduct (National School Resource Network, 1980); however, present day codes of conduct do not seem to be disciplining children consistently and appropriately meeting everyone's needs. State and local area laws should be investigated to determine which areas are not abiding to the federal mandates in No Child Left Behind (2002) and IDEIA (2004). Examining codes of conduct on a larger basis can provide the necessary data to revise discipline policies on a national basis.

We need to shift the current model of reactive and punitive consequences to utilizing more prevention-oriented practices (SWPBS, Sugai & Horner, 2007). Along with examining additional policies across our nation, more in depth research needs to be conducted in the area of evaluating how proactive approaches are integrated into school policy and implemented into practice. A limitation with this current study is that we can only examine what is in writing; we can't see what schools are actually implementing in practice. While examining practice is additionally important, these proactive approaches should be evaluated to gather outcome data. This can include: achievement scores, office reduction referrals, suspension rates, attendance, and graduation rates. Along with gathering additional data, qualitative information would also be beneficial in examining discipline practices. More in depth studies should be conducted to investigate how administrators and other educators view the use of suspension and SWPBS. Research has indicated other factors such as, teacher attitude, administration and school climate need to be further examined when utilizing suspension as a consequence. This qualitative piece

would provide a better picture on what schools are actually implementing along with the struggles educators are facing with providing discipline in their schools.

Lastly, regardless of state or region, suspension rates should be examined on a national level. Additionally, these rates should be looked at by severity of behavior, particularly minor behavioral offenses. Research does not support the effectiveness of suspension as a punitive measure. On the contrary, suspension removes students from instructional time and puts children in danger of becoming a victim or getting involved in crime. “The U.S. Departments of Justice and Education evaluated the 2003-2004 school year and the following data were published: Rates of serious violent crimes against school-aged youth including rape, sexual assault, robber, and aggravated assault are more than twice as high outside of the school as they are inside of the school” (Sudius et al., 2008). Thus, knowing that suspension is not effective for minor infractions, districts should be collecting data on the use of suspension, the infraction for each suspension, tracking student graduation rates, while also gathering demographic data on students who are suspended. By tracking this data, states can examine what types of behavioral infractions are resulting in suspension. This will allow educators and researchers to take a deeper look into which districts are utilizing exclusionary measures for behaviors minor and moderate in nature. Collection of this type of data can also be a starting point for districts to begin revamping codes of conduct and implementing or evaluating current SWPBS. In addition, districts should also be tracking the use of suspension and student graduation rates. Literature indicates that students who are suspended often have a higher risk of not graduating from high school. Thus, research into this area can help districts in

identifying at-risk students and assist in providing early interventions to those who may be on a path of dropping out of school. Finally, gathering demographic data on the use of suspension will aid in identifying overrepresentation of minorities being suspended. Research indicates that we continue to see minorities being suspended at a higher rate than White students. Therefore, a continued investigation into this area will assist in identifying districts that may be overrepresenting minorities with the use of suspension. These identified districts can then begin to make changes in the overuse of exclusionary consequences. Continued research in the overuse of suspension is vital for the future of education in our country. As a nation, we want to see students succeed in school and become productive members in our society. In order to initiate a nationwide change with the use of suspension in codes of conduct, more in depth research needs to continue on providing disciplinary practices that are consistent, uniform, and proactive in nature.

APPENDIX A  
DEFINABLE TERMS

**In school suspensions (ISS)** is a disciplinary technique, which was created to punish students for their behavior while still ensuring that they participate in the academic community in some way.

**No Child Left Behind (NCLB)** is a federal law passed in 2001 under the George W. Bush administration. NCLB represents legislation that attempts to accomplish standards-based education reform.

**Office discipline referral (ODR)** is a form schools fill out when referring a student for disciplinary action. These are widely used by school personnel to evaluate student behavior and the behavioral climate of schools.

**Out of school suspensions (OSS)** is a disciplinary technique, which was created to punish students for their behavior by removing them from their educational environment.

**Positive Behavior Support (PBS)** is a “system approach to enhancing the capacity of schools to adopt and sustain the use of effective practices for all students” (Lewis & Sugai, 1999).

**Positive Behavior Interventions** is a “system approach to enhancing the capacity of schools to adopt and sustain the use of effective practices for all students” (Lewis & Sugai, 1999).

**School-wide Positive Behavior Support (SWPBS)** is an intervention intended to improve the climate of schools using system-wide positive behavioral interventions, including a positively stated purpose, clear expectations backed up by specific rules, and

procedures for encouraging adherence to and discouraging violations of the expectation” (Lewis & Sugai, 1999).

**Socio-economic status (SES)** A family's socioeconomic status is based on family income, parental education level, parental occupation, and social status in the community. When looking at represented samples in the schools, SES is calculated by looking at the percentage of students eligible for free/reduced lunch.

APPENDIX B  
CATEGORIZATION OF BEHAVIOR RESPONSES



**MILD BEHAVIORS**

- Class Disruption
- Cheating/Plagiarism/Forgery
- Dress Code Violation
- Electronic Devices
- General Staff Disrespect
- Loitering
- Misuse of Computer
- Student ID Violation
- Tardies
- Tobacco Offenses (Distribution, Possession, Sale, and Use)
- Truancy

**MODERATE BEHAVIORS**

- Bullying
- Fighting
- Intimidation/Hazing/General Harassment
- Social Exclusion
- Student Remarks
- Vandalism

**SEVERE BEHAVIORS**

- Alcohol Offenses (Distribution, Possession, Sale, and Use)
- Arson
- Assault/Threat
- Battery
- Bomb Threat
- Drug Offenses (Distribution, Possession, Sale, and Use)
- Gang Behavior
- Misuse of Fire Alarm
- Fireworks/Explosives Offenses
- Racial Slurs
- Sexual Harassment
- Theft/Burglary
- Weapons Offenses (Distribution, Possession, Sale, and Use)

APPENDIX C

THE ANALYSIS OF DISCIPLINE CODES RATING FORM REVISED (ADCR-R)

Rater #	Type of Behavior	Policy:		Date Code:										Data Entry:					
		Inc	Linked Det	SAT. Det	ISS	OSS	E	CR	TC	PC	CS	NC	C	PI	SB	PM	SAI	ASP	Rpt Violations
	ALCOHOL OFFENSES																		
	Arson																		
	Assault / Threat (Toward Anyone)																		
	Battery																		
	Bomb Threats																		
	Bullying																		
	Cheating / Plagiarism/Fogery																		
	Class / School Disruption (includes disruption in the hallway)																		
	Swearing/Profanity/Obscene Language																		
	Dress Code Violation																		
	DRUG OFFENSES																		
	Electronic Devices, Cell phones, iPods, etc.																		
	Fighting with Peers																		
	Fireworks / Explosives Offenses																		
	Gang Behavior																		
	General Staff Disrespect / Insubordination (Must explicitly																		
	Hazing/Intimidation/General Harass/Extortion/Negative																		
	Verbalizations																		
	Loitering After School Hours																		
	Misuse of Computer																		
	Misuse of Fire Alarm																		
	Racial Slurs																		
	Sexual Harassment																		
	Social Exclusion																		
	Student ID violation																		
	Tardies																		
	Theft/Burgary																		
	TOBACCO OFFENSES																		
	Tuancy from class or school / Cutting class																		
	Vandalism																		
	WEAPONS OFFENSES																		
	Corporal Punishment																		

\*Data will need to be transposed-right now policy is the unit of analysis; intra-rater-rate 3 schools then rerate 4 weeks later inter-rater -10 schools/4 raters

**Code Legend**

Inc Included  
Det Detention  
Sat. Det. Saturday Detention  
ISS In School Suspension  
OSS Out of School Suspension  
E Expulsion  
CR Classroom Removal  
TC Teacher Conference  
PC Parent Contact (includes any form of communication)  
CS Community Service  
NC Natural Consequences  
C Counseling  
PI Police Intervention  
SB Skill Building  
PM Peer Mediation  
SAI Substance Abuse Intervention  
ASP Alternative School Placement

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## VITA

Amy Horwitz is originally from the Northwest suburbs of Chicago. Prior to her graduate studies at Loyola University Chicago, Amy attended the University of Northern Iowa where she earned her Bachelor of Arts in Elementary Education in December of 1999. From the fall of 2000 through the spring of 2004, Amy was a third and sixth grade teacher in Phoenix, Arizona. Amy began attending Northern Arizona University for graduate school in the fall of 2004 where she began a Master's degree in School Psychology. She spent one more year as an intervention specialist in Phoenix, Arizona before applying to Ph.D. programs in School Psychology.

In the fall of 2006, Amy began her graduate career at Loyola. Throughout her time at Loyola, Amy participated on an action research team examining the use of punitive and proactive consequences in the high school setting. She completed a practicum experience in Highland Park working with junior high students and also spent a semester counseling adolescents in a school-based mental health center on the West Side of Chicago. Additionally, Amy taught several graduate courses in the school psychology program for The Chicago School of Professional Psychology.

Currently, Amy is completing an APA approved internship at Niles Central High School in Skokie, Illinois. This is a therapeutic day school for emotionally disturbed adolescents. Upon completion of her internship, Amy plans on relocating to Omaha,

Nebraska where she has a position as a high school psychologist. She also will be receiving postdoctoral supervision in pursuit of her clinical licensure.



## DISSERTATION APPROVAL SHEET

The Dissertation submitted by Amy Horwitz has been read and approved by the following committee:

Pamela Fenning, Ph.D., Director  
Associate Professor, School of Education  
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Lynne Golomb, Ed.D.  
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The final copies have been examined by the director of the Dissertation Committee and the signature which appears below verifies the fact that any necessary changes have been incorporated and that the Dissertation is now given final approval by the committee with reference to content and form.

The Dissertation is therefore accepted in partial fulfillment of the requirements for the degree of Doctor of Philosophy.

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Date

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Director's Signature