



**Implementing Positive Behavior Systems in Rural Schools**  
A Disciplinary Intervention for the Quitman County School District

Harvard Law School Mississippi Delta Project  
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## I. Introduction<sup>1</sup>

School discipline is a growing problem in Mississippi. As a state, Mississippi has some of the most extreme school discipline policies in the country. With limited resources, state public schools struggle with managing student behavior through appropriate consequences, often resorting to severe punishments like classroom exclusion (expulsion and suspension) and corporal punishment. However, these punishments very rarely lead to the behavioral results schools desire and school districts, such as Quitman County School District, are beginning to see a need for alternative disciplinary interventions in order to reach more positive behavioral results.

This policy brief, therefore, presents low-cost strategies to improve disciplinary outcomes in Quitman County School District (QCSD). Although this brief has been prepared at the behest of QCSD, the strategies described herein are intended to be broadly applicable for rural Southern school districts.

### A. The State of School Discipline in Mississippi

As a whole, Mississippi school districts tend to employ extreme disciplinary strategies, including three-strikes rules, mandatory minimums, and ‘broken windows’ policing (a law enforcement strategy of aggressively policing traditionally ignored minor offenses with the intended purpose of preventing more serious crimes).<sup>2</sup> In general, Mississippi has some of the most extreme school discipline policies in the country and these policies, as well as their negative consequences, have been the subject of both local and nationally attention. For example, the Department of Justice recently filed and settled a federal action against Meridian, Mississippi, regarding overly harsh and racially discriminatory school disciplinary policies.<sup>3</sup> The DOJ found that Meridian schools were using severe punishments, such as suspension, on students for minor infractions such as dress code violations, profanity, “talking back” to teachers, and “disrupting”

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<sup>1</sup> This report was prepared by Divya Subrahmanyam, member of the Harvard Law School Mississippi Delta Project, under the supervision of Desta Reff, Mississippi Delta Fellow. The following students from the Harvard Mississippi Delta Project were involved in research and drafting of this report: Anna Byers, Andrea Clay, Lisa Fitzgerald, Zachary Greenamyre, Margaret Hazuka, Matthew Tako and Bret Thacher. Special thanks to Lisa Lana, Co-Chair, Mississippi Delta Project, and Emily Broad Leib, Associate Director, Harvard Center for Health Law and Policy Innovation.

<sup>2</sup> ADVANCEMENT PROJECT, HANDCUFFS ON SUCCESS: THE EXTREME SCHOOL DISCIPLINE CRISIS IN MISSISSIPPI PUBLIC SCHOOLS 9 (Jan. 2013), *available at* [www.advancementproject.org/page/-/resources/Handcuffs%20on%20Success%202013%20MS%20Report.pdf](http://www.advancementproject.org/page/-/resources/Handcuffs%20on%20Success%202013%20MS%20Report.pdf).

<sup>3</sup> See *United States v. City of Meridian*, No. 4:12-cv-00168 at 12 (S.D. Miss. Oct. 24, 2012), *available at* [www.justice.gov/crt/about/spl/documents/meridian\\_complaint\\_10-24-12.pdf](http://www.justice.gov/crt/about/spl/documents/meridian_complaint_10-24-12.pdf).

the classroom.<sup>4</sup> Mississippi public schools have also received criticism from national organizations such as the ACLU and the NAACP.<sup>5</sup>

Mississippi state law allows teachers to employ corporal punishment, defined as “the reasonable use of physical force or physical contact by a teacher, assistant teacher, principal or assistant principal, as may be necessary to maintain discipline, to enforce a school rule, for self-protection or for the protection of other students from disruptive students.”<sup>6</sup> Although the numbers are widely disputed and fluctuate from year to year, Mississippi still has the highest rate of school-based corporal punishment in the country.<sup>7</sup> As of the 2012-2013 school year, 99 of the 151 school districts in the state administered corporal punishment, resulting in a reported total of 39,000 punishments.<sup>8</sup>

In addition, Mississippi schools suspend or expel students at very high rates. During the 2009-2010 school year, there were over 54,000 out-of-school suspensions in the state, amounting to 6 suspensions out of every hundred students.<sup>9</sup> This is nearly double the national average of 3.7 out of every hundred, and significantly higher than the average suspension rate of neighboring states such as Louisiana (4.9), Alabama (4.6), Georgia (4.4), and Arkansas (4.2).<sup>10</sup> In that same year, six Mississippi school districts had out-of-school suspension rates that were at least nine times higher than the national average. East Jasper School District, the district with the highest out-of-school suspensions, had a suspension rate of 63.4, more than seventeen times higher than the national average.<sup>11</sup>

In sum, Mississippi schools tend to practice harsh forms of school discipline, featuring corporal punishment, high rates of classroom exclusion, and, in some places, reports to law enforcement and racially discriminatory policies. However, these harsh forms of discipline have little correlation to the behavioral outcomes schools desire and, as is often the case, may actually lead to worse disciplinary problems for students.

## **B. School Discipline in Quitman County**

Within this statewide context, Quitman County School District is situated in its own unique demographic and disciplinary environment. Quitman is a rural and

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<sup>4</sup> *Id.*

<sup>5</sup> *Extreme Discipline Targets Minority US School Kids*, MISSISSIPPI NAACP (Jan. 17, 2013), available at <http://naacpms.org/extreme-discipline-targets-minority-us-school-kids-report/>

<sup>6</sup> Miss. Code Ann. § 37-11-57

<sup>7</sup> Jon Alverson, *Schools average in paddling*, DESOTO TIMES (Sept. 10, 2010), available at <http://www.desototimes.com/articles/2010/09/10/news/doc4c8abe1136500945468333.txt>.

<sup>8</sup> Marquita Brown, *Paddlings in Miss. schools on decline*, THE CLARION-LEDGER, (April 12, 2013), available at <http://archive.clarionledger.com/article/20130413/NEWS01/304130037/Paddlings-Miss-schools-decline>.

<sup>9</sup> *Handcuffs on Success*, *supra* note 2, at 12.

<sup>10</sup> *Handcuffs on Success*, *supra* note 2, at 12.

<sup>11</sup> *Id.*

relatively low-income county. Most of its roughly 8,000 residents are farmers,<sup>12</sup> earning a per capita income of just over \$13,000/year according to the 2010 census.<sup>13</sup> QCSD has four schools: an elementary school, a middle school, a high school, and a technical/vocational school.<sup>14</sup> As of 2012, these schools enrolled a total of 1,274 students, with a graduation rate of 70.3%.<sup>15</sup> Of these 1,274, 97.17% of students were Black, 2.36% were white, 0.39% were Latino, and 0.08% were Native American.<sup>16</sup> Students with an individualized education plan (IEP) made up 12.1% of all students.<sup>17</sup> All special education teachers and around 80% of regular education teachers are deemed “Highly Qualified” by national standards.<sup>18</sup>

Fortunately, unlike the urban districts, QCSD does not experience issues with student-on-student violence or employ disciplinary strategies that resemble law enforcement.<sup>19</sup> However, it disciplines students at very high rates, using corporal punishment and frequent suspensions. According to the Southern Echo, during the 2010-11 school year, when the district enrolled 1,273 students, QCSD reported 1,594 incidents of corporal punishment.<sup>20</sup>

QCSD’s Madison Palmer High School enrolls roughly 340 students.<sup>21</sup> According to a recent discipline report, between August 2013 and April 2014, the high school disciplined students 944 times for disorderly conduct. While disorderly conduct is the most common offense, there were many other infractions by students, including offenses like disrespect, defiance, and skipping class.<sup>22</sup>

Students receive different consequences based on the seriousness of the offense and their past discipline record.<sup>23</sup> For example, a student who tells the principal to “shut up” may be suspended for 1 to 5 days, depending on their disciplinary record. Generally speaking, on an average day, 5-10 students are sent to the principal’s office at the Madison Palmer. During an average week, the

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<sup>12</sup> MISSISSIPPI DEVELOPMENT AUTHORITY, QUITMAN COUNTY, MISSISSIPPI (last visited June 25, 2014), *available at* <http://quitmancounty-ms.com/>.

<sup>13</sup> QUITMAN COUNTY QUICK FACTS, (last visited July 24, 2014) *available at* <http://quickfacts.census.gov/qfd/states/28/28119.html>

<sup>14</sup> QUITMAN COUNTY SCHOOL DISTRICT, (last visited June 25, 2014), *available at* <http://www.qcschools.org/schools/>.

<sup>15</sup> THE CHILDREN FIRST ANNUAL REPORT, QUITMAN COUNTY SCHOOL DISTRICT (DISTRICT 6000), *available at* <http://reports.mde.k12.ms.us/data/nclb/2013/District/6000%20Revised.pdf>. The statewide graduation rate is about 75%.

<sup>16</sup> *Id.*

<sup>17</sup> *Id.*

<sup>18</sup> *Id.*

<sup>19</sup> Telephone Interview with Kegi Wells, Principal of Quitman County Middle School, and Cynthia Washington, Principal of Quitman County Technical School (Apr. 3, 2014).

<sup>20</sup> MISSISSIPPI SCHOOL DISTRICTS CORPORAL PUNISHMENT INCIDENTS: 2009-2010 TO 2010-2011 SCHOOL YEARS, (last visited May. 13, 2014), *available at* <http://southernecho.org/s/wp-content/uploads/2012/01/01-12-12-map-ms-sch-dist-corp-punshmnt-change-09-10-to-10-11-v7.pdf>

<sup>21</sup> Telephone Interview with Kegi Wells and Cynthia Washington, *supra* note 19.

<sup>22</sup> *Id.*

<sup>23</sup> *Id.*

school's principal estimates, 3-5 students receive in-school suspension, 15 receive in-school detention, 5 receive after-school detention, and 15 receive corporal punishment.<sup>24</sup>

The principal, Ms. Kegi Wells, attributes these high rates of discipline to a cluster of different causes. She states that teachers expect a high level of respect from students, and lack training in how to employ positive disciplinary interventions.

## II. The Consequences of High Rates of Exclusion and Corporal Punishment

Research shows that in the aggregate, high rates of classroom exclusion and corporal punishment have harmful effects on students' achievement and long-term success, as well as on the overall health of schools and communities. This section discusses those impacts, and argues that it is imperative for schools and teachers to collaborate to create a more positive disciplinary environment.

### A. High Rates of Exclusion

Most modern school systems use suspension and expulsion as final disciplinary measures for students. However, more recent trends indicate the range of infractions for which these final measures are deemed necessary has been growing; school suspensions nationwide have more than doubled in the last three decades, according to the Department of Education.<sup>25</sup> Despite this expansion, research has yielded little evidence that such practices work to decrease problem behavior.<sup>26</sup> In fact, exclusions usually exacerbate discipline problems, by diminishing educational outcomes, harming school climate, and triggering cycles of crime and incarceration among the state's most vulnerable students.<sup>27</sup>

Excluding students from school via suspension or expulsion also leads to poorer academic outcomes. Research has shown that the "strongest predictor of academic achievement is active academic engagement," and excluding students from school deprives them of that engagement.<sup>28</sup> In addition, exclusion tends to trigger "cycles of disengagement and an escalation of rule-breaking."<sup>29</sup> Without

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<sup>24</sup> *Id.*

<sup>25</sup> *Id.*

<sup>26</sup> Russell J. Skiba, Suzanne E. Eckes, and Kevin Brown, *African American Disproportionality in School Discipline: The Divide Between Best Evidence and Legal Remedy*, 54 N.Y.L. SCH. L. REV. 1071, 1074 (2010)

<sup>27</sup> See e.g., Simone Marie Freeman, *Upholding Students' Due Process Rights: Why Students Are in Need of Better Representation at, and Alternatives to, School Suspension Hearings* 45 FAM. CT. REV. 638, 640 (2007).

<sup>28</sup> Skiba, et al., *supra* note 26 at 1073-74, citing Charles R. Greenwood, Betty T. Horton & Cheryl A. Utley, *Academic Engagement: Current Perspectives on Research and Practice*, 31 SCH. PSYCHOL. REV. 328, 328-49 (2002); Charles W. Fisher et al., *Teaching Behaviors, Academic Learning Time, and Student Achievement: An Overview*, J. Classroom Interaction, Winter 1981, at 2.

<sup>29</sup> *Handcuffs on Success*, *supra* note 2 at 13.

rehabilitation or reintegration, suspended students frequently repeat misbehavior. Further, these students are often not allowed to make up the work they miss, and end up falling behind and, many times, dropping out.<sup>30</sup>

Indeed, the Mississippi Department of Education reports that “most students who drop out have received five to nine discipline referrals and were absent for more than ten days from school — absences that were probably a direct result of out-of-school suspensions.”<sup>31</sup> A six-year study of school discipline in Texas found that of all the students who were suspended and expelled in 2009-10, 31 percent repeated the grade, compared with only five percent of students with no disciplinary involvement.<sup>32</sup> It also found that a student suspended or expelled for discretionary violations was twice as likely to repeat his or her grade compared with a student with similar characteristics at the same school who had not been suspended or expelled.<sup>33</sup>

Exclusion also contributes to students’ criminal involvement via the “school to prison pipeline,” the mechanism by which frequently disciplined students enter the criminal justice system. For example, the six-year Texas study found that half of all students who were disciplined eleven or more times had formal contact with the juvenile justice system (in the form of a referral, detention or arrest), in contrast to two percent of those students who had never been excluded.<sup>34</sup> In this context, the pipeline operates when students are all too easily expelled or suspended from school. These students, often left unsupervised and without productive ways to fill their time, may commit crimes.<sup>35</sup> In addition, exclusionary discipline can also lead to a distrust of authority, frustration, low self-esteem and other psychological states that may lead to more serious crimes.<sup>36</sup> High rates of exclusion can also have long-term personal and societal impacts. One study

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<sup>30</sup> Sarah Carr, *Do Zero Tolerance School Discipline Policies Go Too Far?*, TIME, (last visited on July 24, 2014), available at <http://content.time.com/time/nation/article/0,8599,2115402,00.html>.

<sup>31</sup> *Dignity in Schools, Reducing Dropout and Teacher Turnover in Mississippi Through PBIS*, DIGNITY IN SCHOOLS (last visited June 25, 2014), available at <http://www.dignityinschools.org/content/reducing-dropout-and-teacher-turnover-mississippi-through-pbis>, citing “Effective Discipline for Student Success: Reducing Student and Teacher Dropout Rates in Mississippi,” Mississippi Youth Justice Project, Southern Poverty Law Center (April 2008).

<sup>32</sup> THE COUNCIL OF STATE GOVERNMENTS JUSTICE CENTER & PUBLIC POLICY RESEARCH INSTITUTE OF TEXAS A&M UNIVERSITY, *BREAKING SCHOOLS’ RULES: A STATEWIDE STUDY OF HOW SCHOOL DISCIPLINE RELATES TO STUDENTS’ SUCCESS AND JUVENILE JUSTICE INVOLVEMENT* xi (2011).

<sup>33</sup> *Id.*

<sup>34</sup> *Id.* at xii.

<sup>35</sup> *What Is The School-to-Prison Pipeline?*, ACLU (last visited July 3, 2014), available at <https://www.aclu.org/racial-justice/what-school-prison-pipeline>, citing American Academy of Pediatrics, Committee on School Health, *Out-of-School Suspension and Expulsion*, 112 PEDIATRICS at 1207 (2003), and Johanna Wald & Dan Losen, *Defining and Re-directing a School-to-Prison Pipeline*, 99 NEW DIRECTIONS FOR YOUTH DEVELOPMENT at 11 (2003).

<sup>36</sup> ACLU OF NORTHERN CALIFORNIA, *SCHOOLS FOR ALL CAMPAIGN: THE SCHOOL BIAS & PUSHOUT PROBLEM* 8 (2008), available at <https://www.aclunc.org/sites/default/files/Schools%20For%20All%20Campaign-%20The%20School%20Bias%20and%20Pushout%20Problem.pdf>.



found that “high school dropouts are twice as likely to commit crimes as high school graduates.”<sup>37</sup> Another study, conducted in Massachusetts, found that high school dropouts earned \$456,000 less over their lifetime than those with a high school degree.<sup>38</sup>

## B. Corporal Punishment

Corporal punishment, as most commonly applied, consists of a teacher, coach, or school administrator striking a student in the rear with a wooden paddle. Although it is a common practice in many states, significant research indicates that, not only does this practice not improve school discipline, but it also generally worsens student behavior.<sup>39</sup> Though paddling is not always physically harmful, an estimated 10,000-20,000 students seek medical treatment as a result of corporal punishment every year.<sup>40</sup> In addition to being painful, corporal punishment causes an array of significant behavioral problems that can make it harder for teachers to control the classroom.

Numerous studies, including a meta-analysis of these studies, have found an association between physical punishment and increased aggression in children.<sup>41</sup> Specifically, students who are paddled may develop violent behaviors that exacerbate already existing disciplinary problems and make it harder for the teacher to control the classroom.<sup>42</sup> Many of these studies have also found that corporal punishment was associated with an increased risk of future delinquent and antisocial behavior.<sup>43</sup> Students who have been subjected to corporal punishment have reported long-term problems with depression, fear, and anger.<sup>44</sup> Victims of corporal punishment also often develop symptoms of high-risk

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<sup>37</sup> DIGNITY IN SCHOOLS, MODEL SCHOOL CODE (Oct. 2013), *available at* <http://www.dignityinschools.org/our-work/model-school-code>, citing C. Belfield and H. Levin, HIGH SCHOOL DROPOUTS AND THE ECONOMIC LOSSES FROM JUVENILE CRIME IN CALIFORNIA, California Dropout Research Project (2009).

<sup>38</sup> DIGNITY IN SCHOOLS MODEL SCHOOL CODE, *supra* note 38, citing BOSTON BAR ASSOCIATION TASK FORCE ON EXPANDING THE CIVIL RIGHT TO COUNSEL, GIDEON’S NEW TRUMPET: EXPANDING THE CIVIL RIGHT TO COUNSEL IN MASSACHUSETTS (Sept. 2008), *available at* <http://www.bostonbar.org/prs/reports.htm>.

<sup>39</sup> *See infra notes 40, 41.*

<sup>40</sup> Caroline Cournoyer, *Is it Time to End Corporal Punishment in Schools?*, EDWEEK (Feb. 14, 2011), *available at* [http://blogs.edweek.org/teachers/teaching\\_now/2011/02/is\\_it\\_time\\_to\\_end\\_corporal\\_punishment\\_in\\_schools.html](http://blogs.edweek.org/teachers/teaching_now/2011/02/is_it_time_to_end_corporal_punishment_in_schools.html).

<sup>41</sup> E.T. Gershoff, *Corporal punishment by parents and associated child behaviors and experiences: A meta-analytic and theoretical review*, 128 PSYCHOLOGICAL BULLETIN 539, 539(2002).

<sup>42</sup> American Academy of Pediatrics, Committee on School Health, *Corporal Punishment in Schools*, 106 PEDIATRICS 343, 343 (2000), *available at* <http://pediatrics.aappublications.org/content/106/2/343.full>.

<sup>43</sup> *Id.*

<sup>44</sup> Murray A. Strauss, *Corporal punishment of children and adult depression and suicidal ideation*, in COERCION AND PUNISHMENT IN LONG TERM PERSPECTIVE 59, 60 (Joan McCord, ed. 2000), *available at* <http://pubpages.unh.edu/~mas2/CP3.pdf>.



adolescent behavior including difficulty with concentration, lowered school achievement, intense dislike of authority, and a tendency to avoid school and/or drop out.<sup>45</sup>

### **C. A Note on QCSD and Corporal Punishment**

This brief acknowledges the contextual and cultural place of corporal punishment within school districts like QCSD, and Mississippi in general. With this in mind, this brief respectfully suggests that QCSD phase out corporal punishment over a period of years, but understands that a complete phase-out may not be entirely feasible or desired by the community. Regardless of whether or not QCSD chooses to eventually eradicate corporal punishment, QCSD should restructure its disciplinary ladder so that both corporal punishment and extended classroom exclusions (of a day or more) are used sparingly and only for specifically outlined, more serious offenses.

## **III. Positive Behavior Support: Best Practices and Implementation**

Although any intervention must be tailored to the specific characteristics of a given school and district, educational research has yielded some broad principles and approaches that form the foundation of any successful attempt to reform school discipline. This section outlines one of the major alternative discipline approaches, Positive Behavior Support (PBS), and sets out the characteristics of a successful PBS intervention (PBIS), and a general action guide for implementation.

### **A. PBS Generally**

Positive Behavior Support (PBS) is a broad term that refers to a “set of strategies or procedures designed to improve behavioral success by employing non-punitive, proactive, systematic techniques.”<sup>46</sup> The approach was designed on the basis of a growing body of research suggesting that establishing clear behavioral expectations, positively supporting appropriate behavior through monitoring and rewards, teaching social/life skills, and utilizing non-punitive responses to misbehavior improves school climate and reduces violence.<sup>47</sup>

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<sup>45</sup> Society for Adolescent Medicine, *Position Paper: Corporal Punishment in Schools*, 32:5 J. ADOLESCENT HEALTH 385, 388 (2003).

<sup>46</sup> SAFE AND CIVIL SCHOOLS, *Positive Behavior Supports (PBS) – A Discussion* (last visited July 3, 2014), available at <http://www.safeandcivilschools.com/research/papers/pbs.php>. Specific, proprietary versions of PBS, such as Positive Behavior Interventions and Strategies (PBIS) and Safe and Civil Schools (SCS) have become widely used.

<sup>47</sup> Stephen R. Lassen, Michael M. Steele, and Wayne Sailor, *The Relationship of School-Wide Positive Behavior Support to Academic Achievement in an Urban Middle School*, 43 PSYCHOLOGY IN THE SCHOOLS 701, 701 (2006).

In addition to developing these expectations, supports, and consequences, school-wide applications of PBS includes the establishment of a planning team and a system for actively monitoring student behavior.<sup>48</sup>

Key practices include<sup>49</sup>:

- providing clear definitions of expected appropriate, positive behaviors;
- providing clear definitions of problem behaviors and their consequences;
- providing regular instruction on positive social behaviors to students;
- providing effective incentives to encourage positive behaviors in students;
- staff commitment to the long-term success of the behavior intervention;
- providing staff with training, feedback and coaching on effectively implementing PBS systems;
- implementing systems to evaluate the intervention's effectiveness.

Characteristics of a successful intervention include:

- Program has been designed collaboratively by teachers and administrators so that there is a high-level of buy-in from the school's administration;
- Focus on positive reinforcement of good behavior;<sup>50</sup>
- Program is nurturing and education oriented, not focused solely on discipline<sup>51</sup>
- Discipline standards are consistently enforced;<sup>52</sup>
- High behavioral and academic expectations for students set by teachers and reflected in overall school climate/culture;<sup>53</sup>
- Community involvement in creating positive climate;<sup>54</sup>
- Program has specific goals (e.g. reducing exclusion rates, reducing law enforcement referrals);<sup>55</sup>
- Multiple levels of supports and interventions for behavioral problems of varying severity. Should include group-wide interventions, such as mentoring, peer mentoring, team building (for students with mild/moderate

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<sup>48</sup> *Id.* at 702.

<sup>49</sup> George Sugai and Robert Horner, *The Evolution of Discipline Practices: School-Wide Positive Behavioral Supports*, 24 *CHILD & FAMILY BEHAVIOR THERAPY* 23, 32-37 (2002).

<sup>50</sup> Jeffrey Sprague and Robert Horner, *School Wide Positive Behavioral Supports*, *THE HANDBOOK OF SCHOOL VIOLENCE AND SCHOOL SAFETY: FROM RESEARCH TO PRACTICE* (Shane Jimerson & Michael Furlong, eds., *in press*).

<sup>51</sup> Soleil Gregg, *Creating Effective Alternatives for Disruptive Students*, 73 *THE CLEARING HOUSE* 107, 109 (1999).

<sup>52</sup> *Id.*

<sup>53</sup> Hussain Al-Fadhli and Madhu Singh, *Teachers' Expectancy and Efficacy as Correlates of School Achievement in Delta Mississippi*, 19 *JOURNAL OF PERSONNEL EVALUATION IN EDUCATION* 51, 63 (2006).

<sup>54</sup> GUIDING PRINCIPLES: A RESOURCE GUIDE FOR IMPROVING SCHOOL CLIMATE AND DISCIPLINE, U.S. DEPARTMENT OF EDUCATION 13 (Jan. 2014), *available at* <http://www2.ed.gov/policy/gen/guid/school-discipline/guiding-principles.pdf>.

<sup>55</sup> *Id.* at 6.

misbehavior) as well as individualized interventions for frequent/severe misbehavior;<sup>56</sup>

- Clear, appropriate, consistent expectations and consequences for students;<sup>57</sup>
- Continuous improvement of school discipline policies and practices;<sup>58</sup>
- Training for teachers to deal immediately with disruptive behaviors;<sup>59</sup>
- Early identification of students at risk for disruptive behaviors<sup>60</sup>
- Improve data collection;<sup>61</sup>

Some common mistakes (school practices that contribute to disciplinary problems):<sup>62</sup>

- Ineffective instruction
- Failure to individualize instruction and supports
- Inconsistent implementation
- Staff disagreement and/or lack of administrator involvement
- Failure to reward compliance/good behavior
- Unclear expectations

## **B. Successes of PBS**

Although few longitudinal studies of PBS implementation exist, initial findings are positive.<sup>63</sup> Over 10,000 U.S. schools across the country are implementing PBS and seeing reductions in disciplinary referrals and increases in academic performance.<sup>64</sup> In Los Angeles, Virgil Middle School reduced its suspension rate from 300 per year to 50 since implementing PBS.<sup>65</sup> In Florida, middle schools incorporating PBS saw a 34% reduction in disciplinary referrals within the first year, while the number of students scoring “proficient” on state standardized tests increased simultaneously.<sup>66</sup> Finally, schools in North Carolina implementing a PBS approach have a 50% lower suspension rate than North Carolina schools not implementing a PBS approach.<sup>67</sup>

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<sup>56</sup> *Id.* at 6-7.

<sup>57</sup> *Id.* at 11-16.

<sup>58</sup> *Id.* at 16-18.

<sup>59</sup> Russell Skiba and Reece Peterson, *School Discipline at a Crossroads: From Zero Tolerance to Early Response*, 66 EXCEPTIONAL CHILDREN 335, 341 (2000).

<sup>60</sup> *Id.*

<sup>61</sup> *Id.* at 342.

<sup>62</sup> Sprague & Horner, *supra* note 50.

<sup>63</sup> *Id.*

<sup>64</sup> DIGNITY IN SCHOOLS, *Florida Pushout Fact Sheet* (2012), (last visited July 24, 2014), available at <http://www.dignityinschools.org/sites/default/files/Florida%20Pushout%20Fact%20Sheet.pdf>.

<sup>65</sup> DIGNITY IN SCHOOLS, *California Pushout Fact Sheet* (2012), (last visited July 24, 2014), available at <http://www.dignityinschools.org/sites/default/files/California%20Pushout%20Fact%20Sheet.pdf>.

<sup>66</sup> Florida Pushout Fact Sheet, *supra* note 64.

<sup>67</sup> *Id.*

## C. Implementation in Four Steps

There are four key steps to successfully implementing a new PBS model. A school or district must 1) build a team and gain support; 2) collect data and identify the issues; 3) develop and implement solutions; and 4) measure outcomes. Below, this brief elaborates on the methods different rural schools have used to complete each step.

### 1. Build a Team and Gain Support

The first step in implementing a successful PBS model is to define who will be involved in creating the school-specific behavior plan. The research emphasizes that it is critical that all school administrators, faculty, and staff support changes in the disciplinary framework of their school.<sup>68</sup> Different schools have created different processes to ensure such support.

In some studies, schools created a working group from selected members of school staff and an outside university to develop a PBS system.<sup>69</sup> The team then collected and analyzed data from archived disciplinary referrals and undertook a PBS needs assessment survey to determine what behavioral issues needed to be addressed. The team would determine what outcomes they would like to see achieved, and then develop practical solutions meant to effectuate those outcomes. Ideally, researchers suggest, staff would then approve the plan<sup>70</sup>

In other qualitative studies, administrators engaged a large group of school personnel at the initial stage of deciding whether or not to implement PBS changes.<sup>71</sup> In one such study, concerning a rural Kentucky elementary school, the school staff was brought together for three hour long staff meetings to discuss the implementation of a PBS system. After the third meeting, the staff unanimously agreed to move forward with PBS implementation, and next engaged in an 8 hour conference during the summer to formulate their plan. Afterwards, a leadership team was chosen from the personnel in attendance for implementation.<sup>72</sup>

Regardless of the method used to create a school-specific behavioral plan, it is paramount to ensure that the majority of school personnel buy in to the new behavioral models before the plan is implemented.

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<sup>68</sup> S.P. Safran and K. Oswald, *Positive Behavior Supports: Can Schools Reshape Disciplinary Practices?* 69 *EXCEPTIONAL CHILDREN* 361, 361-62 (2003); A. Leedy, P. Bates, and S.P. Safran, *Bridging the Research-to-Practice Gap: Improving Hallway Behavior Using Positive Behavior Supports*, 29 *BEHAVIORAL DISORDERS* 130, 138 (2004); D. McGray, D. Lechtenberger, and E. Wang, *The Effect of Schoolwide Positive Behavioral Supports on Children in Impoverished Rural Community Schools*, 56 *PREVENTING SCHOOL FAILURE* 1, 6 (2012); T.M. Scott, *A Schoolwide Example of Positive Behavioral Support*, 3 *J. OF POSITIVE BEHAVIOR INTERVENTIONS* 88, 92 (2001).

<sup>69</sup> See Safran *supra* note 68 at 370.

<sup>70</sup> *Id.*

<sup>71</sup> Leedy, *supra* note 68; Scott, *supra* note 68.

<sup>72</sup> Scott, *supra* note 68.

## 2. Collect Data and Identify the Issues

The second key step of PBS implementation is for schools to collect and analyze data that will help identify the school system's biggest disciplinary issues. Correct identification and proper prioritization of disciplinary issues are necessary for successful PBS implementation. There are several methods to accomplish this. For example, in many studies, school administrators collected and analyzed archived disciplinary referrals that included types of offenses, disciplinary consequences (detention, suspension, etc.), and other administrative measures in order to assess issues.<sup>73</sup> In another study, data and staff needs assessment surveys were analyzed by an outside university research team, who reported their findings to the school-based PBS team.<sup>74</sup> The PBS team then determined where to concentrate their effort, in this case hallway behaviors, and came up with specific problems to focus on within the issue area, like running, walking out of line, invading other's personal space, and yelling.<sup>75</sup>

In the Kentucky study, school personnel used their eight hour summer conference to break into groups based on common job responsibilities (administrators, teachers, secretaries, custodians, etc.) and worked to identify the key behavioral issues noticed in each school location (classrooms, cafeteria, playgrounds, etc.).<sup>76</sup> The issues identified were specific – fighting in lunch lines, yelling in hallways, pushing on the playground, etc.<sup>77</sup>

## 3. Develop and Implement Solutions

Once information is gathered and issues identified, the next step is to develop and implement appropriate solutions. Schools can do this in a variety of ways. In the Kentucky school discussed above, school personnel were divided up into groups and asked to develop lists of common problem behaviors at specific locations the school. In a subsequent meeting, these groups came up with a comprehensive list of potential solutions to the listed problems and this list was submitted to all staff for discussion. Through a process of deliberation and compromise, the personnel emerged from their conference with a manageable list of practical solutions and behavioral expectations they could implement to improve behavior at the identified key locations in the school. Finally, each small group was asked to select a representative to serve on the school behavior support team for the year.<sup>78</sup>

At the beginning of the school year, the school's staff worked to communicate the newly developed behavioral expectations by posting them in each key location. Some of those expectations included clean tables in the cafeteria, walking, not running, in the hallways, and encouraging appropriate games that could be

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<sup>73</sup> *Id.*

<sup>74</sup> Leedy, *supra* note 68 at 132.

<sup>75</sup> *Id.*

<sup>76</sup> Scott, *supra* note 68 at 90.

<sup>77</sup> *Id.*

<sup>78</sup> *Id.* at 89-91.

played during recess and gym. Students were trained on the first day of school, and teachers accompanied students to each location to have them practice the positive behaviors they hoped to reinforce. Group contingency plans were used to enforce good behavior as well. For example, tables of students would not be able to leave lunch until each person had cleaned their area. Teachers made sure to continue reinforcing those positive behaviors throughout the year.<sup>79</sup>

By the end of the year, the Kentucky school had made incredible disciplinary strides: the total number of students suspended decreased by 75 percent, and referrals decreased as well (leading to a gain of more than 775 classroom hours for students in the aggregate).<sup>80</sup>

In another study, staff at a school in rural West Texas used an incentive program to address identified issues of tardiness and lack of preparedness. Teachers placed schedules on each child's locker, and gave the children rubber tote trays to keep their materials in. When students accomplished target behaviors, they would receive tickets that were put into a raffle for large prizes.<sup>81</sup> As a result of this system, office referrals and out-of-class placements decreased.<sup>82</sup>

In another study, focusing on improving hallway behavior at a rural elementary school, the leadership team created specific positive statements in answer to the specific issues they earlier identified, including, for example "Students will use walking feet. Students will walk in a single file line."<sup>83</sup> The school taught this behavior through grade level assemblies, student practice, and hallway posters with expectations clearly presented. The positive behaviors were reinforced through daily student behavioral practice and discussion sessions in class. Teachers continued to remind, reinforce, and reward positive behaviors throughout the year.<sup>84</sup>

In all these studies, the disciplinary intervention was based on the highly specific identified needs of the individual school and community. To implement a successful PBS, a school district must have buy-in and participation from as many school personnel as possible, who work to generate ideas about what the real problems are for the specific school and/or school districts and creative, effective solutions for how to fix them.

#### **4. Measure Outcomes**

Outcomes can be measured in a variety of ways to ensure that the solutions implemented are working. For example, the Kentucky school discussed above measured its progress by examining the number of in- and out-of-school suspensions. Their review showed that in-school suspensions decreased by 61%

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<sup>79</sup> *Id.* at 91.

<sup>80</sup> *Id.* at 91.

<sup>81</sup> McGray, *supra* note 69 at 4.

<sup>82</sup> *Id.*

<sup>83</sup> Leedy, *supra* note 69.

<sup>84</sup> *Id.* at 6.



for the school as well as for minority students, and that out of school suspension decreased by 75% in the total number of students suspended.<sup>85</sup> Schools in Texas using PBS measured failure rates, number of office referrals, and out-of-class placements to show PBS success.<sup>86</sup> This study found a 44% decrease in disciplinary placement days, one-day in-school suspensions decreased from 497 to 59 students, and one 15-year veteran teacher reported that it was the smoothest school year she had ever experienced.<sup>87</sup> An Ohio school used direct observation of hallway behavior to determine changes in problematic behavior in their elementary school. Behavior improved overall, with the 4<sup>th</sup> grade specifically decreasing their bad behavior by 100% over the school year.<sup>88</sup> Regardless of the method used, it is essential that schools collect data and measure/monitor outcomes, in order to efficiently evaluate and modify their PBS intervention so that it has the greatest impact.

#### **IV. Implementing Solutions in Quitman County: A Practical Guide**

Although the above guide provides a useful framework for thinking about the process of implementation, most of the schools discussed above, by virtue of participating in an academic study, received external support and, likely, funding for implementing their PBS. Nevertheless, even without these resources, a school can still successfully build a positive environment and improve student discipline. This section provides practical recommendations for how QCSD can improve school climate and student behavior in the classroom. However, these suggestions are just that- suggestions. As emphasized above, it is critical that the QCSD community come together to develop a personalized PBS that everyone can support.

##### **A. Identifying and Setting Expectations**

In order to maintain an orderly classroom it important to establish a set of rules and procedures that clearly show students what is expected of them, rather than making and enforcing rules in an ad hoc manner.<sup>89</sup> Studies show that the number of class disruptions is lower in classrooms that have a set of established rules and procedures in place than in those that do not implement consistent rules and procedures.<sup>90</sup> Naturally, the rules and procedures an instructor decides to implement will vary based on personality and teaching style, even if underlying

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<sup>85</sup> Scott, *supra* note 68 at 91.

<sup>86</sup> McGray, *supra* note 68 at 5.

<sup>87</sup> *Id.*

<sup>88</sup> Leedy, *supra* note 68 at 136.

<sup>89</sup> Robert J. Marzano, Jana S. Marzano, and Debra J. Pickering, CLASSROOM MANAGEMENT THAT WORKS 13 (2003).

<sup>90</sup> In a study conducted across high school, middle school, and upper elementary school, it was found that when rules and procedures are in place, the average number of classroom disruptions decreases by 28 percentile points. *Id.* at 14.



behavioral expectations are the same school-wide. Despite this natural variance, the mere implementation of consistent rules and procedures has been shown to lower class disruptions.

Rules and procedures are not synonymous terms.<sup>91</sup> Rules are general standards and should be low in number, while procedures set expectations for specific behaviors<sup>92</sup> (e.g. “Be safe” is a rule whereas the set of actions a student must take if they want to speak is a procedure).<sup>93</sup> One expert suggests the following as a part of a framework for setting rules in a Positive Behavioral Interventions and Supports (PBIS) framework:

1. Have students create a list of rules at the beginning of the year for how they should conduct themselves in class
2. Ensure that each rule is no longer than five to seven words
3. Ensure that there are only a few rules (7-9 is sufficient)
4. State rules in positive statements (Choose “Raise your hand before speaking” over “Don’t shout out” or “Keep cell phones turned off” over “No cell phones”)
5. Even if the teacher has rules they want to include, when possible, get students to suggest the rules themselves.<sup>94</sup>

Teachers may find it difficult to limit themselves to only a few rules, but this is a critical component of ensuring students retain a clear understanding of how they are expected to behave. One strategy to overcome this challenge is to break one broader rule into several smaller, more defined rules depending on the context. For example “being respectful” on the school bus may include the following directives: “remain seated,” “buckle your seatbelt,” and “only listen to music if you have headphones.” On the other hand, the same rule (“be respectful”) in the classroom may involve the following: “raise your hand before speaking”, “look at the speaker when they are talking,” and “keep your workspace neat and orderly.”<sup>95</sup>

## **B. Enforcing rules and procedures**

Developing rules and procedures also requires a means of enforcement. Enforcement can be accomplished in a number of ways. Teachers may do this by including signs throughout the classroom to remind students of the rules. When addressing student behaviors, teachers should also refer back to the specific rules that a student has exhibited or ignored in order to reinforce the established expectations.

Positive incentives and negative consequences are another important way to reinforce the rules and procedures a teacher implements in the classroom. The

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<sup>91</sup> *Id.* at 13.

<sup>92</sup> *Id.*

<sup>93</sup> Linda Dusenbury, *Set Positive Behavior Expectations*, EDUCATION WORLD (2012), available at [http://www.educationworld.com/a\\_curr/pbis-set-positive-behavior-expectations.shtml](http://www.educationworld.com/a_curr/pbis-set-positive-behavior-expectations.shtml).

<sup>94</sup> *Id.*

<sup>95</sup> *Id.*

following is a list of positive behaviors and negative consequences that teachers may choose to use when implementing rules and procedures.

### **Positive Incentives**

- Extra center time
- Extra recess
- Bonus points on assignments
- “No homework” pass
- “Student of the Week”
- Positive phone call home
- Recognition from the class
- School assemblies
- School fun day
- Student vs. teacher basketball games
- Time with a favorite teacher
- Reward tailored to a students’ interest
- Dress down day
- Shout out at school assembly
- Lead a class activity
- Eat lunch with the teacher
- Get “free choice” time
- Have teacher share a special skill
- Computer time
- Listen to music while working
- Receive a 5-minute break
- Verbal praise
- Take home a class game for the night
- Use the teacher’s chair
- Lead the line
- Sit by friends
- Read the morning announcements
- Be featured on a photo recognition board
- Earn points for good behavior (as part of a classroom-wide behavioral tracking system)

### **Negative Consequences**

- Recess detention
- Negative phone call home
- Verbal warning
- Move seat
- Private discussion with student
- Referral to the office
- Lose participation in school events (assemblies, fun day)
- Try it again
- Lose privilege of using a classroom supply
- Clean desks
- “Time Out” to fill out a reflection sheet

Along with this enforcement, it is also important that rules are applied fairness with consistency. Consistent rule enforcement leads to more predictability for students, which provides clear expectations to which students can conform their behavior, and increases the likelihood that students will perceive the system as fair. This in turn makes students more likely to adhere to the new rules.

### **C. Potential pitfalls**

Positive incentives and negative consequences must be proportional to the behavior in order to maintain student respect for the rules.<sup>96</sup> If a teacher rewards a student too greatly for exhibiting a basic behavior (e.g. giving a positive phone call home to a student who raises their hand before speaking) or reacts with too extreme a consequence for a minor infraction (e.g. giving a referral to the office for getting up without permission), then students will perceive the rules and procedures to be unfair and will be less likely to follow them.<sup>97</sup> The following consequences are listed in Robert Marzano's book *Classroom Management that Works* as teacher behaviors that decrease students' perceptions of "fairness" and damage teacher's efforts to implement rules and procedures:

- Sarcasm and put-downs
- Verbal abuse
- Unreasonable and arbitrary rules
- Not responding to students' questions
- Apathy toward students
- Unfair grading
- Negative personality
- Showing favoritism

In order to maintain the integrity of whatever set of rules and procedures are implementing, teachers should avoid exhibiting the above.

#### **D. Data and Behavior Tracking Systems**

Keeping track of student behaviors, consequences, and rewards not only reinforces rules and procedures for students but it also makes teachers fully aware of their behavior management practices.<sup>98</sup> Teachers who track students' behaviors and reactions to them can better monitor their ability to consistently apply the rules and procedures of the classroom. If possible, it is useful to implement a tracking system that is used consistently school-wide. This provides opportunities for teachers and staff to coordinate and collaborate on discipline, and to collectively determine what practices are working and what are not. In addition, school-wide tracking can illuminate patterns in student behavior that might help address the root causes of frequent disciplinary involvement for particular students.

The following are some behavior tracking options for teachers:

##### **i. Tracking Options**

###### *Clipboard*

Teachers may keep a list of student names on a clipboard and tally student behavior throughout a classroom session. This system is incredibly flexible and can be changed to match the particular style of a teacher or structure of a school. If a school uses a

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<sup>96</sup> CLASSROOM MANAGEMENT THAT WORKS, *supra* note 90 at 33.

<sup>97</sup> *Id.*

<sup>98</sup> E-mail from Babak Mostaghimi (Mar. 26, 2014, 23:48 EST) (on file with author).

“paycheck” or “school cash” system then the clipboard can be used to keep track of dollars/points earned or lost. If there is no school-wide system the clipboard may still help an individual teacher to keep track of behaviors during a period so that they may appropriately respond with positive or negative consequences.

#### *Google Drive or other online spreadsheet*

Similar to a clipboard, teachers may use a school-wide Google Drive spreadsheet to track student behavior. The school may create a single document with multiple sheets, each representing a given day, month, or teacher. Such a spreadsheet might be more difficult to implement than a clipboard, but would allow teachers and administrators to observe student behavior over time, and to administer consequences consistent with these patterns.

#### *Class Dojo*

Class dojo is a free online platform that tracks student behaviors. Each student receives an individual profile and the teacher can input a list of customizable behaviors, both negative and positive. Using any computer or mobile device, the teacher can wirelessly add a point for a positive behavior or take one away for a negative behavior. Parents who have access to the internet may also log in to see their child’s points for any given day or period of time.

### **ii. School-wide tracking vs. Classroom Tracking**

Within these options, schools must decide whether behavior should be tracked by classroom, or throughout the day. Both options have upsides and downsides. To illustrate, imagine a system in which a student receives a negative consequence after committing three infractions in each tracking unit. Tracking by classroom is simpler to implement, but can create perverse incentives for students – a student who commits two infractions in each class of the day would go unpunished, while a student who is well behaved all morning but commits three infractions in the last class of the day would receive a consequence.

If teachers are skeptical about the importance of recognizing and rewarding positive behaviors, it is possible to roll out a behavioral tracking system that, at first, incorporates only negative consequences and later incorporates positive incentives. This approach, employed by former Mississippi Delta teacher Devin Bates, can help teachers realize the power of positive behavior systems in changing the overall culture of their classroom and behavior of students.<sup>99</sup>

## **V. Generating Buy-In**

A major change in school discipline, including revising the discipline ladder or eliminating corporal punishment, is likely to face opposition from staff and community members. The pervasiveness of corporal punishment in the Delta, for example, indicates that the practice has reasonably widespread support. With this in mind, it is crucial that a school district work to generate buy-in for any new disciplinary framework.

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<sup>99</sup> E-mail from Devin Bates (Mar. 6, 2014) (on file with author).

If teachers and parents do not respect PBIS and its underlying rationales, students will not respect it either.

## 1. Faculty

The first step in getting people to change course is for faculty to acknowledge that the current system is not working. If faculty does not see a discipline problem, then change will be quite difficult.<sup>100</sup> Further, since schools have relied on exclusions and corporal punishment for such a long period of time, it may be hard for teachers to come up with alternatives. One former Sunflower County teacher relates the story of a discipline brainstorming meeting in which staff took hours to come up with consequences other than corporal punishment and suspensions.<sup>101</sup> As such, it may be best to present several new system ideas to faculty and take their input on tweaking it to tailor the school's individual needs. Providing a baseline system that teachers can then adapt will create a sense of ownership.

It is important to note that although widespread buy-in is important, initial resistance need not be discouraging. As journalist and author Malcolm Gladwell has written, it only takes a 10-20% rate of adoption to reach a tipping point in a given situation.<sup>102</sup>

Once a new system is developed, staff must be properly trained on administering it correctly and consistently. Inconsistent rules between classrooms and between individual students breed noncompliance. For example, consistency may be accomplished by having a single administrator at each school in charge of final major discipline decisions.<sup>103</sup> Long-term buy-in of a new discipline system demands proper training, consistent implementation, and vigilant administrators.

## 2. Parents

Parental support is critical to an effective discipline system. In Quitman County, parents may consider corporal punishment to be constructive; sudden elimination of the practice would blindside them. To avoid this, groundwork must be laid on the community side. One teacher's suggestions, based on his previous experience in the Delta, is to target influential parents in the community for conversations about shifting away from corporal punishment, providing reasons for the change, and making them allies in drumming up community support.<sup>104</sup>

## 3. Students

Finally, students are the third key stakeholder in this situation and buy-in is necessary for any successful disciplinary intervention. A frequently expressed concern is that

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<sup>100</sup> E-mail from Babak Mostaghimi, *supra* note 98.

<sup>101</sup> *Id.*

<sup>102</sup> *See generally*, Malcolm Gladwell, THE TIPPING POINT: HOW LITTLE THINGS CAN MAKE A BIG DIFFERENCE (2000).

<sup>103</sup> E-mail from Devin Bates, *supra* note 99.

<sup>104</sup> E-mail from Babak Mostaghimi, *supra* note 100a

students, used to being suspended or paddled, will not respect a system where these consequences are uncommon, and begin to act out<sup>105</sup> Opening a candid dialogue with students and getting their input on corporal punishment and on a new discipline system will help prepare staff to respond to potential issues that will arise. For example, administrators can hold a student forum or interview individuals and ask them questions such as: do they find suspensions or corporal punishment to be an effective deterrent? If so, why? If not, why not? How do these consequences make them feel? How do they think classmates will respond to the proposed changes? In addition to encouraging them to buy-in to the new system, involving students in this way makes them feel respected – something that is extremely important to adolescent youth. Asking for their input gives students more responsibility and provides them with an opportunity to become invested in their school environment.

## **VI. Restorative Justice**

Beyond the more concrete systems illustrated above, QCSD might, in the future, consider an additional, more radical, approach to managing student behavior and school environment: restorative justice. Restorative justice is a system of rehabilitative discipline designed to supplement or replace punitive disciplinary methods. Although originally used primarily in the juvenile justice context, restorative justice has benefited from significant growth and increased public attention over the past two decades, and has been adapted to cover a wide range of institutional settings, including schools.<sup>106</sup> Although students and teachers often find it bizarre at first, it has been very successful in a number of ways, including reducing suspension rates.<sup>107</sup>

There are many types of restorative practices or approaches for schools, all of which stem from the three core principles of restorative justice: 1) that wrongdoing is a violation of people and relationships, 2) that violations create obligations, and 3) that the central goal is to repair harms. When incorporated into a school's disciplinary policies, these principles support a strong sense of community within teachers, administrators, students, and even parents often involved in conflict-resolution. Restorative approaches help to reframe difficult moments as educational opportunities where students learn to appreciate the consequences of their actions and the needs of their peers. Many of the restorative models involve student participation as leaders, fostering responsibility, emotional literacy, and self-confidence.

There is a wide array of restorative options, some more formal than others. The most effective restorative disciplinary policies are implemented on a school-wide basis with support from the community, and involve a range of approaches to address issues of varying seriousness. This is a very basic overview of the most popular models.

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<sup>105</sup> *Id.*

<sup>106</sup> Cara Suvall, *Restorative Justice in Schools: Learning from Jena High School*, 44 HARV. C.R.-C.L. L. Rev. 547, 558 (2009).

<sup>107</sup> Jennifer Guerra, *School Hopes Talking It Out Keeps Kids From Dropping Out*, NPR (June 22, 2013), <http://www.npr.org/2013/06/22/194467944/schools-try-restorative-justice-to-keep-kids-from-dropping-out>.

### **1. Circle Processes or Conferences:**

Among the most formal restorative practices are healing circles or class/community conferences. These are facilitated meetings between the “wrongdoer,” school administrators, and the person (or people) harmed. The conference, or circle, provides an opportunity for the harmed person to speak about his/her experience of the harm and the wrongdoer then is given the opportunity to acknowledge the harm and to apologize. The group together decides what is needed to repair the harm. Once an agreement is finalized, the session is ended and a closing circle occurs once the wrongdoer has met all of his/her obligations.

These circles can include family members of the wrongdoer as well as family members of the harmed person. If the justice system or law enforcement has been involved, it is recommended that they too be represented in the circle process. The facilitator should receive training as these circles can present many challenges and should be a safe space for all participants.

### **2. Peer/Accountability Boards:**

Peer/Accountability Boards are similar to the circle processes but with older students participating as facilitators. These students will need extensive training but will together identify the impact of the offense and develop a case plan for the wrongdoer which often include letters of apology to the harmed parties, and community service or tutoring.

### **3. Peer Mediation:**

Peer mediation is the most commonly used restorative model in the US. Students are trained to mediate the disputes of younger students. The introduction of peer mediation programs, which teach empowerment, compassion, and patience, has consistently resulted in reductions in student interpersonal conflict. For example, in one peer mediation program at Ypsilanti High School in Michigan, a senior mediated between a shy, quiet junior, and the girl who had threatened to beat her up, in order to prevent the conflict from resulting in a physical fight. When they left the room, the quiet student reported that she felt they could become friends.<sup>108</sup> Overall, the implementation of restorative justice at Ypsilanti reduced the out-of-school suspension rate by 10 percent.<sup>109</sup> Using this kind of peer mediation in Quitman might prevent fighting and encourage a more respectful environment overall.

### **4. Class Meetings:**

Teachers can utilize a less formal circle to address classroom conflicts. The meeting can involve a teacher, a facilitator, and the student or students who have been disruptive. These circles can be quick as long as they provide a safe space for each

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<sup>108</sup> *Id.*

<sup>109</sup> *Id.*



student involved to speak. The teacher may facilitate, or when the students become familiar with the process, it may be appropriate for students to take turns facilitating.

### **5. The “Daily Rap:”**

At a regular time each day, usually at the start of the school day, students sit in a circle with their teacher and talk about how they are feeling that day. Teachers may wish to pass around a talking piece with young students to help them listen to each other and to prevent interruptions. The daily rap helps build a community in the classroom and encourages healthy communication. It is not unusual once students are accustomed to the daily rap for teachers to hear their students handle disputes by saying, “we can talk about this in the daily rap.” (For an example of the way the Daily Rap worked in Baltimore Public Schools, see the video at <http://vimeo.com/32384751>.)

### **6. Informal Practices:**

To achieve a restorative environment at the school, the restorative principles should be incorporated into informal strategies that teachers and administrators use to respond to minor issues as they arise. Effective questions for the wrongdoer include “Who has been affected by your actions?” “What needs to happen to repair that harm?” Questions to ask the person harmed include “How have you been affected by what happened?” “What has been the hardest part?” and “What would you like to see happen?” These conversations are most effective if they can include all the students involved.

## **VII. Conclusion**

Quitman County School District, like many school systems in Mississippi, suffers from high rates of classroom exclusion, based typically on behavioral infractions like defiance and disorderly conduct. Although teachers may view such harsh consequences as necessary to prevent further bad behavior, this runs contrary to the current research on school discipline. Disproportionate consequences merely make students feel that they are being treated unfairly, and may cause them to fall behind in their classes, and contribute to a cycle of worsening behavior, escalating consequences, and eventually to dropping out of school or arrest.

To interrupt this cycle, Quitman teachers, staff and administrators should work together to develop a formal school-wide Positive Behavior Support system. Though every PBS system is unique and should reflect a school individual needs, there are common elements should incorporate into its PBS design. The new system should include a revised disciplinary ladder, with tiered consequences for misconduct of varying severity, and should provide teachers with resources to create a positive environment for students. The focus should be on encouraging and promoting positive behaviors, rather than merely on discouraging negative behaviors. By applying the many strategies discussed throughout this brief, QCSD can strengthen the relationships among students and teachers, and more importantly, contribute to improved educational and life outcomes for its youth.