The Shift from Punitive to Restorative: The Impact of School Disciplinary Policy on Student
Behavior and Academics in an Urban Charter School
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Abstract

Urban charter schools in New York often promise impressive results through a rigid, no-excuses centered discipline model. Their punitive system yields alarming suspension rates at the middle school level – rates that might logically compromise student outcomes. By implementing a restorative based discipline structure with a 7th grade cohort, I studied the overall trend in students sent out of class. In comparing the four weeks leading up to the Thanksgiving break and those leading up to the Winter break I found that student send outs had decreased by half. Student achievement, as measured by the average of their individual academic grades in non-sequential courses, simultaneously increased. These results suggest that this shift in policy has potential to positively impact academic performance.

Introduction

It has been acknowledged that traditional school disciplinary practices, relying on punitive consequences, are ineffective[1]. This practice negatively impacts achievement[2]. Studies have shown the immense positive benefits of restorative justice protocols on student behavior, but few have been conducted on the implementation of such a program in urban schools comprised of low-income students or students of color with no available research on implementation within a charter school[3]. There is a significant opportunity to investigate the implications of a restorative discipline model in an urban charter school.

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[1] Olley, Rivka I., Andrea Cohn, and Katherine C. Cowan. 2010. Promoting safe schools and academic success: Moving your school from punitive discipline to effective discipline. Vol. 39. Bethesda.
[2] Davis and Jordan, 1994
[3] González, Thalia. 2012. Keeping kids in schools: Restorative justice, punitive discipline, and the school to prison pipeline. Journal of Law and Education 41, no. 2: 281-335

New York charter schools attribute their success to a "no-excuses" approach to academics and discipline[4]. Under this policy, there is a propensity for removing students from classrooms or suspending them for relatively minor infractions – relying on a "broken windows" theory of discipline to control behavior and ensure academic outcomes[5]. Research on 32 urban charter schools in New York demonstrates that these assertive policies are statistically insignificant in their effect on student achievement when controlling for more influential school policies and they compromise academic progress for students who are frequently missing instructional time[6]. Research shows that punitive discipline is a contributing factor in the tripling of the national prison population from 1987 to 2007[7]. This is especially concerning given that many urban charter schools serve higher proportions of low-income students or students of color – student groups who historically are disproportionately subjected to punitive discipline[8].

Restorative justice suggests that schools focus on developing communal identity and values[9]. Through fostering a relationship between the individual and community, students

[4] Carter, Samuel C. 2000. "No Excuses: Lessons from 21 High-Performing, High-Povery Schools." Heritage Foundation; Thernstrom, Abigail, and Stephan Thernstrom. 2004. "No Excuses: Closing the Racial Gap in Learning." Simon & Schuster; Angrist, Joshua, Parag Pathak, and Christopher Walters. 2011. "Explaining Charter School Effectiveness." NBER Working Paper No. 17332

[5] Carter, Samuel C. 2000. "No Excuses: Lessons from 21 High-Performing, High-Povery Schools." Heritage Foundation; Thernstrom, Abigail, and Stephan Thernstrom. 2004. "No Excuses: Closing the Racial Gap in Learning." Simon & Schuster; Whitman, David. 2008. "Sweating the Small Stuff: Inner-City Schools and the New Paternalism." Thomas B. Fordham Institute.; Mongelli, Lorena. "Slap at charter-school discipline." The New York Post. (March 15, 2013 Friday): 185 words. LexisNexis Academic. Web.; González, 2010;

[6] Davis,, J.E., & Jordan, W.J. (1994). The effects of school context, structure, and experiences on African American males in middle and high schools. *Journal of Negro* Education, 63, 570-587.; Olley, Rivka I., Andrea Cohn, and Katherine C. Cowan. 2010. Promoting safe schools and academic success: Moving your school from punitive discipline to effective discipline. Vol. 39. Bethesda.; Dobbie, Will, and Roland G. Fryer. 2011. "Getting Beneath the Veil of Effective Schools: Evidence from New York City*.*" NBER Working Paper No. 17632.

[7] Maguin, E., & Loeber, R. (1996). Academic performance and delinquency. Crime and Justice, 20, 145-264.; González, Thalia. 2012. Keeping kids in schools: Restorative justice, punitive discipline, and the school to prison pipeline. Journal of Law and Education 41, no. 2: 281-335

[8] Gregory, A., Skiba, R. J., & Noguera, P. A. (2010). The achievement gap and the discipline gap: Two sides of the same coin? Educational Researcher, 39(1), 59-68.

[9] Kohn, A., & Gale Group. (2006). Beyond discipline: From compliance to community. Alexandria, Va: Association for Supervision and Curriculum Development.

develop empathy and subsequent misbehavior is deterred out of respect for the community[10].

Schools who have implemented such a policy note that the social and emotional climate improved dramatically while misbehavior decreases, students remain in the classroom learning[11]. Since increasing student performance on standardized assessments is associated with an increase of instructional time, it stands to reason that a discipline policy that keeps more kids in class can positively impact academic performance[12].

Methods

In designing a new approach to discipline our goal was to both deter misbehavior and preserve learning by capitalizing on the success others had seen using restorative practices. It is impossible for a school to radically switch disciplinary policies – a hybrid model was necessary[13]. Using the language of demerits and send outs as a scaffold to provide familiarity to students and families, teachers were encouraged to focus on instances that disrupted learning for the student or for others. Disciplinary dialogue needed to shift– instead of using consequences to control behavior, teachers were to focus on discussing how behaviors compromised learning and the learning environment. Instead of punitively taking away community lunch and recess, students who disrupted the classroom community could be sent out and would stay after school to work with the teacher, ensuring no academic content was lost as a result of their behavior while discussing their actions, emotions, and how these affected other individuals and the broader community. In more serious cases, students and staff collaboratively worked to find

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[10] González, Thalia. 2012. Keeping kids in schools: Restorative justice, punitive discipline, and the school to prison pipeline. Journal of Law and Education 41, no. 2: 281-335

[11] McCluskey G, Lloyd G, Kane J, Riddell S, Stead J, Weedon E. Can restorative practices in schools make a difference?. Educational Review [serial online]. November 2008;60(4):405-417.; González, Thalia. 2012. Keeping kids in schools: Restorative justice, punitive discipline, and the school to prison pipeline. Journal of Law and Education 41, no. 2: 281-335

[12] Olley, Rivka I., Andrea Cohn, and Katherine C. Cowan. 2010. Promoting safe schools and academic success: Moving your school from punitive discipline to effective discipline. Vol. 39. Bethesda.

[13] Kohn, A., & Gale Group. (2006). Beyond discipline: From compliance to community. Alexandria, Va: Association for Supervision and Curriculum Development.

ways to repair the harm created by the student's actions. I solicited input from students, staff, and administration so that the new framework was a communal product. Upon returning from Thanksgiving break, I held a morning assembly to walk students through the new system, the rationale, and a flow chart of what to expect. Families received a letter where I addressed the shift and the new philosophy behind it, and they were personally notified during the first two weeks if their student was sent out to discuss what happened, any consequences, and to answer any questions or concerns.

I aggregated the send out data from the beginning of the year so that it would be clearer how this intervention impacted the broader historical trend in the data (Fig. 4). During the next four weeks, we continued to track the number of times students were sent out of class, meeting weekly to ensure fidelity in messaging and implementation – minimizing the infidelity that Denver Public Schools cited[14].

After tracking daily send outs through send out logs in the dean's office, I discovered that while there was an observable trend, there was a great deal of noise from daily fluctuations in the data. I then decided to aggregate the data each week – measuring both the sum total of send outs each week as well as calculating a daily average. This clarified the trends in the data that I observed while reducing extraneous noise that could reflect confounding variables such as weather, school events, alternative school scheduling, etc.

Since I was interested in how a disciplinary shift might signal similar shifts in academic performance, it was important to collect data about student performance in their academic classes – measured by overall course grades. Two things had to be true in order for the data sets to be comparable: grading structures had to be consistent and the classes had to be non-sequential

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[14] González, Thalia. 2012. Keeping kids in schools: Restorative justice, punitive discipline, and the school to prison pipeline. Journal of Law and Education 41, no. 2: 281-335

(whereby mastery of previous content is a pre-requisite for subsequent learning). This led to an exclusion of ELA and Math grades as the former significantly shifted grading policy during the intervention and the latter as performance on foundational units had significant impact on future performance.

The study was limited by a lack of a control group and an inability to use a statistically random sample since the intervention was applied uniformly to a single grade level – which also inherently limited the data set collected. There is also the possibility of experimenter bias affecting the data set given that I interact significantly with the intervention group.

Results

School and Cohort Profiles[15]

The discipline intervention was implemented at a charter middle school in Harlem, New York with grades 5-8. The middle school has an enrollment of 264 students. Of those students, 1% is an English Language Learner, 18% have IEPs, and 76% are eligible for Free or Reduced lunch. Demographically, 63% identify as African American and 37% identify as Latino – 19% of families speak a language other than English at home.

Within the 7th grade cohort, there are 56 enrolled students. Of those students, 2% of students are English Language Learners and 18% have IEPS. Demographically, 63% identify as African American, 36% identify as Latino, and 1% identify as Asian American – 16% of families speak a language other than English at home. The 7th grade cohort is split into two classes – one of which received co-taught instruction for students with IEPs – with class sizes of 28. In the co-taught class, 32% of students have IEPs.

Academic Send Out Data

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[15] Data taken from internal records and confirmed through http://schools.nyc.gov/OA/SchoolReports/2013-14/School_Quality_Guide_2014_EMS_M335.pdf

Both the daily average and weekly total send out data were highly responsive to the change in discipline systems. In measuring the send outs during the 4 weeks leading up to the Thanksgiving break (pre-intervention period) and the 4 weeks leading to Winter break (post-intervention period), send outs decreased by an average of 6.3 send outs per day, or 49.2%. Weekly send out totals decreased by an average of 24.25 send outs per week, or 49.7%.

To minimize the effects of aforementioned confounding variables I contrasted the send out trends during the pre- and post-intervention periods (Fig. 1). There is some operational confounding as this figure illustrates a repeated trend of behavior as students approached Thanksgiving and Winter break, but there is no procedural confounding given that these intervals follow the same weekly increasing/decreasing trends, albeit with different magnitudes. A third interval reduces procedural confounding as it reflects a four week period not leading up to a school break while corroborating results of the post-intervention.

Suspension Data

Suspensions are one of the most extreme exclusionary practices exercised by a school, second only to expulsion. Between the 2013-2014 and 2014-2015 school years, our school eliminated the policy of suspending students for receiving multiple send outs in a day. Comparing them directly would introduce significant procedural confounding. Therefore, in Figure 2, I added additional values that represent suspensions that would have occurred under the old policy to render these data sets comparable. Though actual suspensions increased during the pre and post intervals, this reflects the change in suspension culture. In comparing suspension behavior from the previous year during the same time period, accounting for the shift in policy, send outs increased during the pre-intervention window from 12 in 2013 to 13 in 2014, or by

8.3%. The number of suspensions during the intervention period decreased those in 2013 by 20, a reduction of 80%.

Academic Performance Data

The goal of this research was not just to see if send out behavior responded to the intervention, it was to see if a change in behavior occurred simultaneously with a change in academic performance. Figure 3 shows the academic achievement of students measured by overall course grades from the pre- and post-intervention marking period. The average of the median grades for measured courses increased from 78.5% to 81.75% - a difference of 3.25%. The mean of the average of both courses increased from 74.75% to 80.75%, or 6%. While this does not indicate correlation or causality, it seems plausible that the increased instructional time due to decreased send outs contributed to an increase in academic performance.

Discussion

Both disciplinary and academic data suggest that the change in discipline policy made within the intervention school had a significant impact on reducing the number of students being sent out of class. An additional four week interval also suggests that the observed effects were not initial responsiveness to a new system. Within the context of the intervention school, a restorative approach coincided with a decrease in send outs that a previous assertive policy did not deter.

Beyond the quantitative measures, which alone warrant further longitudinal study, there was a significant qualitative impact as well. Prior to the implementation, behavior felt out of control. Students were earning consequence after consequence, and the frequency had been steadily increasing since the start of the school year (Fig. 4). Students became less combative to correction and seemed to earnestly work harder to change subsequent actions. Students who

were sent out were staying after class to complete work rather than being subjected to arbitrary punitive consequences. They built better relationships with teachers during that time, and subsequently performed better on assessments. In almost every measure we could account for, things got better. The experiment contradicted previous perceptions that many had about the way things ought to be run at a New York charter school such as ours. Perhaps the most telling indicator of the intervention's success is the dialogue that it may now be implemented more broadly across the school, suggesting how compelling the effects have been.

So what is the potential for replicability outside of this local context? It isn't clear – a variety of factors, as previously mentioned, could potentially mitigate or augment the results experienced here. But an intervention that produced such significant results as quickly and continuously as experienced here merits even greater application and study. What would happen if more schools, in NY or elsewhere, were able to implement similar restorative policies, keep more of their kids in classrooms learning, and augment student achievement? While the end result is not certain, this has been a step in a positive direction for the students, staff, and school community. This paradigmatic shift could potentially redefine what school discipline can and should look like – especially across the New York charter landscape.

Figure 1

Week	Daily Averages			Weekly Totals		
	Pre-Thanksgiving	Pre-Winter	*Post-Winter*	Pre-Thanksgiving	Pre-Winter	*Post-Winter*
1	10.6	7.4	*4.8*	53	37	*24*
2	11	4.5	*6.75*	44	18	*27*
3	12.75	5.4	*5.75*	51	27	*23*
4	15	7	*5.75*	45	14	*23*
Avg.	12.3375	6.075	*5.7625*	48.25	24	*24.25*
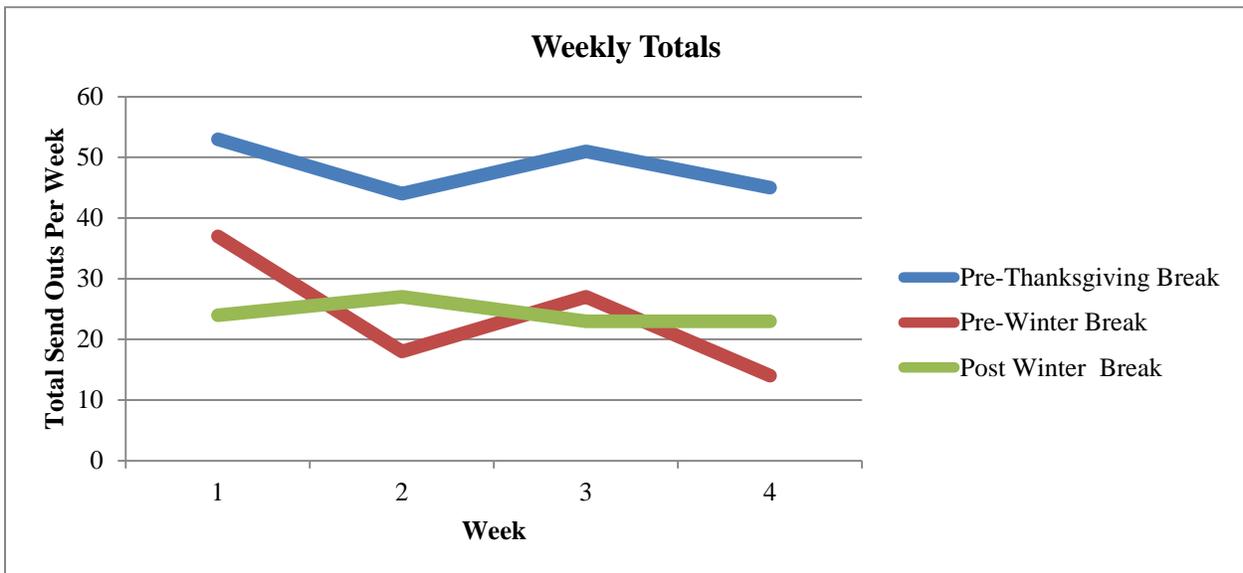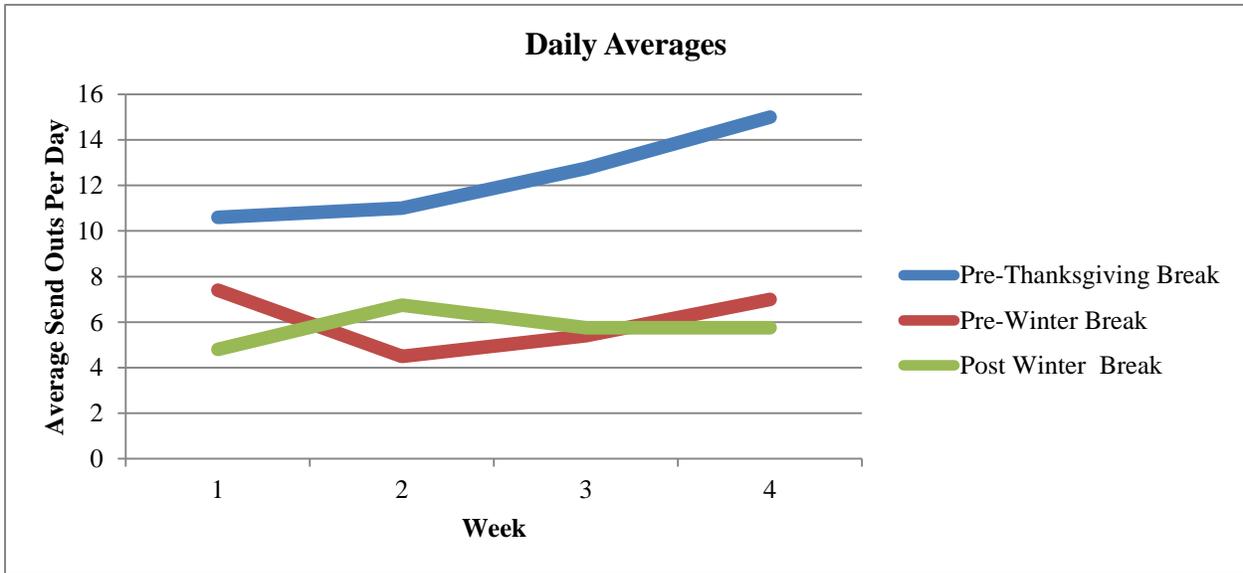
This table represents the aggregated data of send outs during the pre-intervention window (Pre-Thanksgiving Break), the post-intervention window (Pre-Winter Break), and a subsequent post-intervention window (Post-Winter Break)

Figure 2

|	Nov. Suspensions	Additional	Adjusted	Dec. Suspensions	Additional	Adjusted
6th (2013)	12	0	12	25	0	25
7th (2014)	1	12	13	2	3	5
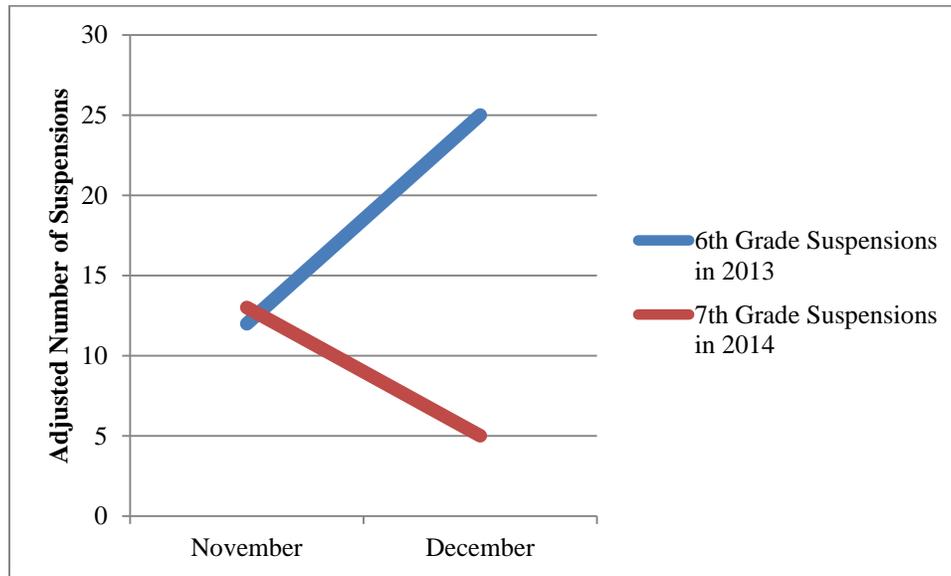
This table represents the number of suspensions the intervention group received during 2013 during November (the pre-intervention window) and December (the post-intervention window). The additional values represent the additional suspensions that would have occurred during the 2014 time periods. They were not actually incurred due to a change in suspension criteria between the academic years. The graph represents the adjusted suspension totals.

Figure 3

Course	Median 7th Grade Grades in %		Mean 7th Grade Grades in %	
	Pre-Intervention Marking Period	Post-Intervention Marking Period	Pre-Intervention Marking Period	Post-Intervention Marking Period
History	79	87.5	72	86.5
Science	78	76	77.5	75
Overall	78.5	81.75	74.75	80.75
Difference	+3.25		+6.0	

This table shows the median and mean grades earned by the intervention group during the pre-intervention marking period and post-intervention marking period. The overall averages were then calculated to determine the overall difference between pre- and post-intervention marking periods.

Figure 4
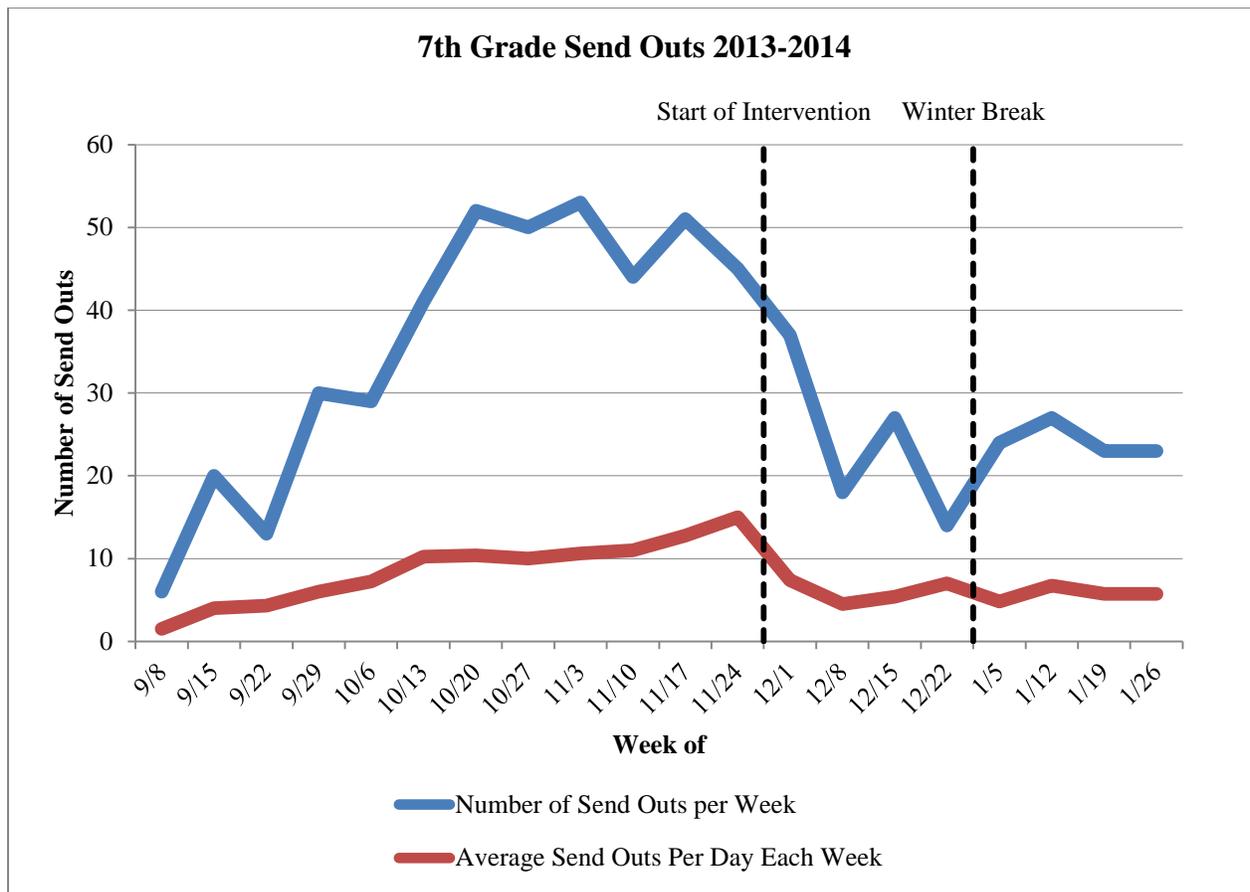
This graph shows the historical send out data for the intervention group from the beginning of the academic year through the pre-intervention interval and both post-intervention intervals as indicated by the dashed lines.