

# Teachers Talk

School Culture, Safety and Human Rights



**NESRI** NATIONAL ECONOMIC &  
SOCIAL RIGHTS INITIATIVE

**TEACHERS UNITE**  
Educators for social justice

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# TEACHERS TALK

## SCHOOL CULTURE, SAFETY AND HUMAN RIGHTS

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The Human Right to Education Program at NESRI works with advocates and organizers to promote policy change in public education using human rights standards and strategies. Human rights offer a framework for transforming our public schools based on internationally recognized standards of equality, accountability, dignity, and community participation. The Education Program generates human rights documentation, analysis, advocacy, public education materials, and training workshops.

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### ABOUT TEACHERS UNITE

Teachers Unite is building a movement of public school teachers who play a critical role in working for social justice. Our members develop their leadership as teacher activists and contribute their insight and expertise as educators to grassroots organizing campaigns that demand justice in New York City communities, particularly in schools. Teachers Unite defends public education by rebuilding the relationship between teachers, students, families and communities as partners building power to win the fight for racial and economic justice.

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# EXECUTIVE SUMMARY

*Teachers Talk* brings the voice of teachers to the debate around safety and discipline in schools. What happens when you ask teachers in New York City public schools how to make schools safe? They tell you that punitive approaches toward children, such as aggressive policing, suspensions and other reactive strategies, actually undermine the human right to education by failing to address the causes of conflict and criminalizing students. And while teachers recognize that suspensions and other removals can be necessary in serious and limited circumstances, they feel strongly that these strategies fail to provide learning opportunities and are used excessively and unfairly to the detriment of students.

What teachers do call for are preventive and constructive approaches to discipline that create positive school cultures, teach behavior skills and use conflict resolution. This holistic approach is supported by research which shows that positive environments and constructive interventions with participation from all stakeholders are the most effective means for improving safety and reducing disciplinary incidents.

This also reflects a human rights-based approach to discipline which requires that school environments protect the inherent dignity of the child and that education be aimed at the full academic, social and emotional development of children. This report presents human rights as a positive framework for reforming discipline and safety policies. The Convention on the Rights of the Child, an important human rights treaty that is widely adopted throughout the world, recognizes discipline as part of an educational process to develop the social skills of students, encourage learning, increase school attendance, and protect the dignity and safety of the child.

The findings in this report are based on surveys of more than 300 middle and high school teachers in over 130 public schools across the city, as well as focus groups and interviews with over a dozen teachers.

## ***Degraded School Cultures and Punitive Discipline***

- The most common threat to school safety named by 17% of teachers is a lack of cohesive culture and positive relationships between staff and students.
- Teachers noted that even other major threats to safety, including gangs (16%), fights and conflict among students (15%), can only be addressed by building positive relationships within the school.
- Teachers also listed the lack of a clear system for discipline (14%), the lack of leadership and support from administrators (11%), and overcrowding and large class sizes (7%) as threats to safety.
- Almost 43% of teachers said they have only *some* or *no influence* over discipline and safety policies, but 86% said they should have *a lot* or the *most influence*.
- Almost 70% of teachers said that students have only *some* or *no influence* over discipline and safety policies, but 51% said that students should have *a lot* or *the most influence*.
- Less than 45% of teachers said that suspensions are effective. ***By contrast, over 80% of teachers said that classroom management training, conflict resolution, guidance counseling and mediation are effective or very effective for improving discipline.***

## ***Police and Security Measures***

- Teachers reported that School Safety Agents (SSAs) can play a positive or negative role depending on their training, experience and relationship to the school community.
- Over 59% of teachers said that SSAs only *sometimes* treat students with respect, and 13% said they *never* or *rarely* treat students with respect.

- Over 18% of teachers said they have intervened on behalf of students in incidents involving the police or SSAs. Over 42% of those teachers intervened because police or SSAs were harassing or disrespecting students or were instigating or escalating a conflict.
- An overwhelming 64% of teachers said that armed NYPD officers in the school building *never* or *rarely* make students feel safe, and almost 30% said they only *sometimes* make students feel safe.
- In schools with permanent metal detectors, over 91% of teachers said that students are *never*, *rarely* or only *sometimes* treated with respect when they go through metal detectors, and 67% said that metal detectors *sometimes* or *always* make students late to first period class.

### ***Teachers Have Answers***

Teachers strongly believe that discipline must be an opportunity for learning and growth, and call for:

- ***Building positive school cultures*** by creating shared values or norms, holding regular staff meetings and utilizing programs such as student orientation.
- ***Strengthening teaching and learning*** by making the curriculum engaging, reducing class size, and offering extra-curricular and after school programs.
- ***Providing counseling and support services*** by increasing the number of well-trained guidance counselors, social workers, psychologists, school aides and community outreach workers in school.
- ***Implementing proactive strategies to prevent and resolve conflict*** by providing classroom management training, making conflict resolution and mediation available, and using restorative practices.
- ***Supporting student leadership in discipline practices*** through student participation in decision-making and in peer mediation and mentoring.

The report also highlights positive models being used

in three New York City public schools – East Side Community High School in Manhattan, Banana Kelly High School in the Bronx and the James Baldwin School in Manhattan. At Eastside Community High School, for example, the 100% RESPECT Campaign involves students and staff in a process to discuss and define what respect means in their community. Six months after the campaign was implemented in the middle school grades, suspensions dropped by 45%.

To protect the human right to education and safety with dignity for all students, the report calls on the Mayor and Department of Education to follow the advice of teachers by implementing these positive approaches, as well as removing armed police officers from a regular presence in schools and providing better training for SSAs. We also need more accountability and transparency around what is happening to students in the name of discipline and safety. The report offers a range of steps that the Mayor and Department of Education can take to meet these vital goals.

*“I was trying to get a student back in the building and didn’t know he couldn’t return once he’d left. He was getting screamed at by security for nothing (from what I could see) and then I started getting screamed at and threatened with arrest. I was baffled - why can’t students come to school? And why does school safety have more authority over these decisions than administrators or teachers?”*

*- Teacher of 3 years, medium-size school in the Bronx (Survey Respondent 131)*

*“Why are we putting money into the SSAs and roving metal detectors and all these punitive programs rather than putting the resources in the school and creating the programs in the school that make those kids that are disenfranchised feel like they are a part of something?..What are we doing building more punitive structures, rather than creating smaller class sizes when students are really struggling?”*

*- Teacher of 10 years, Large high school in Manhattan (FG Participant 4)*

# INTRODUCTION



Political leaders, advocates, police, journalists, and pundits all have given voice to opinions about how you ensure safety and discipline in schools. It is far less common to hear the voices of ordinary teachers in this public debate, although it is teachers – along with their students – who have the most relevant experience with this question. What happens when you ask teachers in New York City public schools how to make schools safe? Not surprisingly, they talk about creating positive school cultures built on caring relationships, a commitment to learning, and the teaching of skills to prevent and resolve conflict.<sup>1</sup>

*What do you believe is needed to make your school safer?<sup>2</sup>*

*“Creating a school climate based on trust and mutual responsibility.”*

*- Teacher of 19 years, large high school in the Bronx (Survey respondent 160)*

*“Committing time in the school day to conflict resolution and social skills. This must begin with the staff, and as a community we have to decide what the clear consequences will be for behavior issues... Students should be able to generate a lot of the ideas and information for policies.”*

*- New teacher, medium-size middle school in Manhattan (Survey respondent 119)*

*“Culture is the most important factor. An environment that makes student learning the highest priority is the most effective.”*

*- Teacher of 5 years, small high school in Brooklyn (Survey respondent 242)*

Teachers also reflect a keen understanding that all members of the school community need to come together to develop a comprehensive plan for discipline with clear rules and consequences that are implemented consistently and fairly.

This holistic approach to school discipline and safety is supported by research which shows that positive environments and constructive interventions with participation from all stakeholders are the most effective means for improving safety and reducing disciplinary incidents.<sup>3</sup> This also reflects a human rights-based approach to discipline which requires that school environments protect the inherent dignity of the child, and that education be aimed at the full academic, social, and emotional development of children.

## A. A HUMAN RIGHTS APPROACH TO EDUCATION AND DISCIPLINE

*Every child has the right to receive an education of good quality which in turn requires a focus on the quality of the learning environment, of teaching and learning processes.*

*- UN Committee on the Rights of the Child, General Comment 1<sup>4</sup>*

The right to education is deeply rooted in the fabric of this country’s democracy and is guaranteed by New York State and City law.<sup>5</sup> Human rights declarations and treaties such as the Universal Declaration of Human Rights<sup>6</sup> and the Convention on the Rights of the Child<sup>7</sup> also provide a framework for the right to education. Article 26 of the Universal Declaration of Human Rights, a document developed with U.S. leadership, recognizes the right to an education that is aimed at the full development of each child’s potential and that adapts to the different needs of each child. At the

heart of the right to education is the protection of each child’s inherent dignity and the creation of caring and respectful learning environments. Thus, these human rights standards require developing effective discipline policies aimed at preventing and resolving conflict and protecting children from humiliation or harm. They also provide a powerful framework for assessing both the intent and impact of our educational policies.

The New York City Council in 1989 embraced these principles when it passed a resolution supporting the Convention on the Rights of the Child and acknowledging that children have the right to “education and the right to develop in a safe environment free from discrimination.”<sup>8</sup> Yet, children in New York City still suffer under school policies that degrade and criminalize young people, deny them access to education, and are fundamentally at odds with these basic human rights principles.

## B. BACKGROUND ON DISCIPLINE AND SAFETY POLICIES

New York City public schools face many barriers to creating positive school climates and effective approaches to discipline that ensure the human right to education. Both New York City and State policy-makers allow overcrowding and deny schools the resources to provide supportive services for students and quality training for teachers.<sup>9</sup> At the same time, the Department of Education mandates top-down policies which rely on aggressive policing, suspensions, and other reactive strategies that fail to address the causes of conflict, sacrifice the education of students, and criminalize the school environment.<sup>10</sup>

This trend toward punitive, “zero-tolerance” discipline has its roots in federal policy, beginning with the Gun Free Schools Act of 1994, which required suspension or expulsion for grave offenses such as having a weapon or committing

serious acts of violence in schools. Over time, as local school districts implemented their own policies, they expanded the scope of zero-tolerance to include harsh punishments for far less serious misbehavior such as school fights and altercations, nonviolent offenses, and even talking back to teachers.<sup>11</sup> Proponents of zero-tolerance cite the imperative to make schools safe and reduce violence and misbehavior in schools.<sup>12</sup> But the American Psychological Association has compiled and analyzed research which shows that rather than deterring misbehavior, zero-tolerance suspensions and expulsions are linked to an increased likelihood of future behavior problems, as well as detachment from school, academic difficulties, and an increased likelihood of dropping out of school altogether.<sup>13</sup>

At the same time that school districts imposed increasingly draconian zero-tolerance policies, they also increased the number of school safety officers, police officers, metal detectors, and security cameras in schools.<sup>14</sup> In New York City, there are over 5,000 School Safety Agents (hired and supervised by the police department) and at least 200 additional police officers assigned to schools, making the NYPD School Safety Division larger than the entire police force of several U.S. cities, including Washington D.C. and Detroit.<sup>15</sup> Police personnel are patrolling school hallways, handcuffing, arresting, and referring students to the juvenile justice system for relatively minor infractions, such as petty school fights or disobeying staff, which used to be dealt

**Table 1 - Students in U.S. Schools Reporting Selected Security Measures**

	1999	2001	2003	2005
Presence of security guards and/or assigned police officers	54%	64%	70%	68%
One or more security cameras in school	--	39%	48%	58%
Metal detectors	9%	9%	10%	11%

Source: Kevin P. Brady et al., “School-Police Partnership Effectiveness in Urban Schools: An Analysis of New York City’s Impact Schools Initiative,” *Education and Urban Society*, Vol. 39 (4), August 2007.

with by a visit to the principal's office. The imposition of criminal penalties for these non-criminal behaviors violates basic human rights principles and is counter to proven strategies for reducing at-risk behavior. As shown by the American Psychological Association study, classroom management techniques, gang prevention programs, mediation, and conflict resolution are more effective for reducing violence and disciplinary incidents.<sup>16</sup> In contrast, in a 2006 study exploring perceptions of violence among teachers and students, researchers found that "security guards, metal detectors, and surveillance equipment in hallways" can contribute to a climate of anxiety and stress for both teachers and students while doing little to prevent violence.<sup>17</sup>

While the entire education community is negatively impacted by these practices, students of color from low-income communities are disproportionately affected. In New York City, students of color make up more than 85% of the student population, and 73% of students are eligible for free or reduced price lunch. In the 2006-2007 school year, while African American students made up 32% of the student population, they represented 55% of out-of-school suspensions.<sup>18</sup> It is important to highlight that African American students are suspended more often and receive more

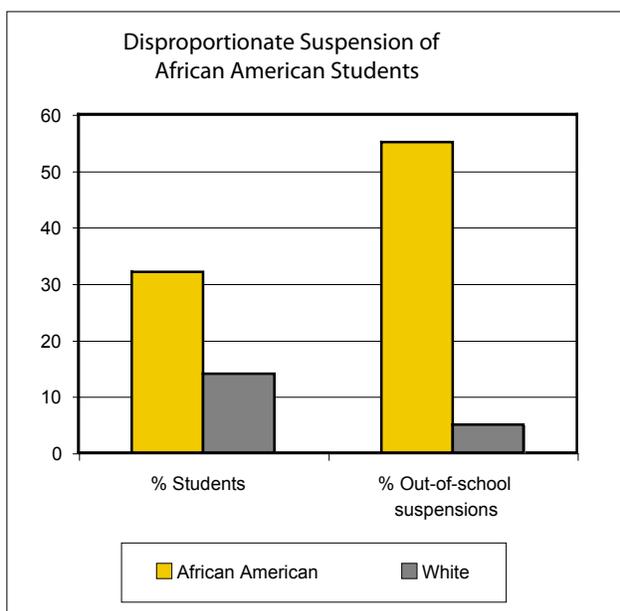
severe punishments than White students for the same infractions.<sup>19</sup>

Research studies suggest that the disproportionate discipline of students of color is likely due to stereotypes or biases about students' race, neighborhood, or affiliations.<sup>20</sup> Educators may project negative attitudes perpetuated by society about African American youth and label them as troublemakers. Schools with the highest percentage of African American and Latino students are also more likely to be overcrowded, to have metal detectors and police personnel, and to have higher suspension rates than less segregated schools.<sup>21</sup> Because students of color are concentrated in schools with fewer resources, they receive fewer supportive interventions, such as mediation or counseling, leaving teachers with fewer options for alternatives to suspension, which are already - as detailed below - in short supply.<sup>22</sup> In short, resource starved schools are imposing ineffective, irrational, and extreme punitive measures on the most vulnerable students leading to serious deprivations of the human right to education and human dignity.

## C. DOCUMENTING TEACHER VOICE

In this report we document the views of teachers on how best to address discipline and safety. Educators bring a depth of knowledge and experience to the table and have the right to participate, along with students and parents, in decisions affecting what policies are implemented. For the most part, teachers that participated in focus groups and surveys felt safe in their schools. Nonetheless, some described isolated incidents when teachers had been shoved or pushed by students, and one teacher described an incident at his school last year when a teacher was hurt in a staircase while intervening in an incident.<sup>23</sup>

But like a growing number of educators, along with youth, parents, and advocates, the teachers surveyed spoke out about the importance of using preventive and supportive approaches to discipline and safety that teach positive behavior and conflict resolution. They also cited the lack of positive alternatives or clear



Source: U.S. Office of Civil Rights, 2006 Civil Rights Data Collection, Table 7a/8a.

guidelines from administrators as the primary cause for the excessive, inconsistent, and haphazard use of suspensions, removals and policing. While teachers saw suspensions and security measures as potentially constructive in narrow and specific circumstances, the abusive and unjustifiably broad use of these measures severely undermined their professional identities and aspirations and discouraged them from turning disciplinary intervention into an opportunity for education.

*“The definite thing that I think is missing from any discipline policy right now, is that there is no moral consequence, there is no apology, there is no conference with parents... It’s just punishment like a criminal but never the teaching part.”*

*- Teacher of 21 years, large high school in the Bronx  
(FG Participant 7)*

In a critique of the aggressive and reactive policies employed by the New York City Department of Education, Peter Coleman, Director of the International

Center for Cooperation and Conflict Resolution at Teachers College, called the reliance on police officers and “get tough” security measures “terribly misguided.” Rather than rely on strategies that only aim to target, intimidate, and punish students, he emphasizes the work of schools that “go beyond student-focused activities and work systemically - targeting school pedagogies, curriculum, disciplinary, and grievance systems, and providing training and coaching for the adults in the schools, as well.” He writes that “such initiatives are aimed at establishing a school climate that is not only secure, but that engages and supports children.”<sup>24</sup>

Coleman’s assessment represents an integrated whole school analysis that closely mirrors the opinions of New York City public school teachers and reflects a human rights approach to education. As this report highlights, there are already inspiring examples of schools in New York City that successfully create positive climates, and use constructive interventions. The New York City Department of Education should create an environment where all our schools are given the resources, tools and guidance to utilize participatory and holistic processes that involve all stakeholders in the school community to ensure the right to education.

## Data and Methodology

The analysis in this report is based primarily on the findings of surveys and focus groups of New York City middle and high school teachers conducted during the 2007-2008 school year by the National Economic and Social Rights Initiative (NESRI) and Teachers Unite. We collected a total of 310 surveys from teachers working in 136 public schools across the city. 238 high school teachers filled out the survey, as well as 70 middle school teachers. The survey respondents teach in small, medium, and large schools from across the four boroughs of Brooklyn, Bronx, Manhattan, and Queens.

**Table 2 - Characteristics of Teachers Responding to Survey  
(total of 310 responses)**

	Percent of respondents	# of schools represented by respondents
Bronx	30%	34
Brooklyn	35%	46
Manhattan	25%	39
Queens	9%	17
Small schools (less than 500 students) <sup>a</sup>	55%	63
Medium schools (500 to 1,500 students)	27%	47
Large schools (more than 1,500 students)	18%	25

<sup>a</sup> Citywide in the 2005-2006 school year, 56% of high schools had less than 500 students, 21% had between 500 and 1,500 students, and 22% had more than 1,500 students (NYC Department of Education, 2005-2006 Annual School Reports).

Over 56% of teachers surveyed had 5 or more years of experience (29% had 5 to 10 years, 27% had more than 10 years). By comparison, citywide in the 2007-2008 school year, 62% of teachers had five or more years of experience. Almost 32% of teachers surveyed work at schools with permanent metal detectors and 9% work at current or former Impact Schools. NESRI and Teachers Unite collected surveys on-line, through visits to schools, and at gatherings attended by teachers.

In addition, we conducted three focus groups with 12 high school teachers and 2 interviews with middle school teachers from schools in the Bronx, Brooklyn, and Manhattan. The report also analyzes data from New York City and State school report cards for the 2005-2006 and 2006-2007 school years, and references data from a variety of research and policy reports.

## DEGRADED SCHOOL CULTURES UNDERMINE DISCIPLINE, SAFETY, AND THE DIGNITY OF STUDENTS

All stakeholders - teachers and students, parents and community members, health workers and local government officials - should work together to develop environments conducive to learning.

- Dakar Framework for Action, World Education Forum<sup>25</sup>

Schools simply cannot ensure the human right to education or create effective discipline and safety policies, without a healthy and respectful school culture. School culture is defined as the beliefs, attitudes, norms, behaviors, and relationships of the people that make up a school community.<sup>26</sup> A positive culture supports “people feeling socially, emotionally, and physically safe” and requires that “students, families, and educators work together to develop, live, and contribute to a shared school vision.”<sup>27</sup> The UN Committee on the Rights of the Child has recognized that schools should promote a culture which is infused with the human rights values of understanding, peace, tolerance, and equality.<sup>28</sup>

When schools create this positive culture, it contributes to improved student learning and a sense of connectedness to school which in turn reduces disciplinary problems.<sup>29</sup> But when teachers have no time to build relationships with students or a shared vision among the various stakeholders in the school community, schools become chaotic and punitive, contributing to disciplinary and safety problems, as well as poor learning outcomes.

Teachers are more aware of this dynamic than perhaps any other group of people. In New York City public schools when teachers were asked the open-ended question, “What do you believe is the largest threat to safety in your school?” the most common response (from roughly 17% of teachers) was a lack of cohesive culture and positive relationships between staff and students. One teacher described the “lack of a sense

of community” in her school. She said, “The less we do together, bring students together to celebrate each other, discuss issues, the more fights and tension there is.”<sup>30</sup>

Moreover, even the other major threats to safety cited by teachers, including gangs (16%), fights, and conflict among students (15%), can only be addressed if a school has a positive and respectful culture. As one teacher explained, “relationships are the key. You can have as many structures [for discipline] as you want, but you have to create a positive environment interpersonally.”<sup>31</sup>

Another noted, “I work in an area with a lot of gang violence so that is the most immediate threat. However, I think the school culture in which security guards and teachers and administrators are constantly reprimanding and disrespecting students instigates violent behavior.”<sup>32</sup> Teachers are hungry for alternatives to these environments where they and their students are deprived of a real opportunity to teach and learn.

### A. OVERCROWDED AND CHAOTIC SCHOOLS

Teachers identified overcrowding as one of the key barriers to creating positive school cultures. To build trust, teachers need to get to know the personalities, strengths, challenges, and needs of individual students, as well as the dynamics between different students. The UN Recommendations on the Status of Teachers

Table 3 – Teachers were asked the open-ended question:  
**What do you believe is the largest threat to safety in your school?**  
 (Top ten most common phrases listed by at least 5% of respondents; n=261)

Lack of cohesive culture and relationships between staff and students	17%
Gangs	16%
Fights and conflict among students	15%
Lack of a system for discipline, no clear rules, and inconsistent consequences	14%
Lack of leadership and support from administrators	11%
Disrespectful treatment and criminalization of students	8%
Overcrowding and large class size	7%
Sharing a building with other schools	7%
Violence outside of school	5%
Students lacking skills to resolve conflict	5%

recognizes that “class size should be such as to permit the teacher to give the pupils individual attention” and that “working conditions for teachers should be such as will best promote effective learning and enable teachers to concentrate on their professional tasks.”<sup>33</sup>

When teachers have time and space to give individual attention to students, teachers can more effectively prevent conflict and promote learning. And when conflict does develop, they can more easily intervene and de-escalate the situation.<sup>34</sup>

In contrast, in overcrowded schools with large class sizes and limited resources, teachers are not afforded the time and space to build the necessary relationships with students. Students themselves have a more difficult time managing multiple peer-to-peer relationships and tensions are more likely to develop. In New York City, middle and high schools are significantly overcrowded. Both New York state and city recognize in their policies that the largest a class should be for middle and high school is no more than 23 students.<sup>35</sup> Yet data from the 2006-2007 school year shows that the average class size in New York City high schools is around 28 students, depending on grade level and subject area. Over 100 high schools have at least one general education class

*“I have 25 students maximum in my class, I am so lucky. With those 25 I feel I know their learning styles really well... When they’re having issues I can sort of ask, ‘What’s going on? You’re not behaving the way that you normally behave. Is something going on in your life? Are you having an issue with John in the other class?’ You can’t have those relationships when there are 35 to 40 kids in a classroom.”*

*- Teacher of 4 years, small high school in Manhattan  
 (FG Participant 2)*

*“Having 34 students per class makes it more difficult for teachers to get to know and understand our students and the dynamics between our students. Fewer students in each class would help to address safety.”*

*- Teacher of 2 years, medium-size high school in Brooklyn  
 (Survey Respondent 202)*

with 31 students or more, and in some schools there are up to 42 students in a class.<sup>36</sup> Over 7% of teachers surveyed for this report said that overcrowding and large class size was the largest threat to safety.

Overcrowded classrooms make it particularly difficult for teachers to tailor teaching and disciplinary strategies to high need students. All teachers have to support students with complex needs, including academic difficulties, learning disabilities, language needs, and behavioral and emotional challenges. Teachers reported that high need students are more likely to act out if they are denied the individual attention provided by smaller classes. But in New York City schools, Special Education students and English Language Learners are frequently placed in overcrowded classrooms where they do not receive the extra staff support or small classroom environments to which they are entitled by law.<sup>37</sup>

For example, one teacher in a middle school in the Bronx explained that in her school there is supposed to be a team-teaching program in which special education students are placed in small, general education classes with two teachers - one special education and one general education. But instead, special education students are put in large classrooms in which “a special ed teacher comes in a couple times but will be pulled when we need her for other coverages. And then it’s one teacher who gets stuck in this big class with kids with special needs and it’s horrible.”<sup>38</sup>

*“We have kids with high academic need, high social and emotional need. But the problem is we have all these kids whose needs aren’t being met, and of course they’re acting out and they’re angry because they’re not getting what they need. And we don’t have the resources to give them what they need. The classes are 34 students. And the more needs the kid has, the more resources you need and the smaller the class should be.”*

*- Teacher of 20 years, large high school in Manhattan  
(FG Participant 3)*

In addition, New York City schools with the largest number of students living in poverty are also the most likely to be overcrowded and under-resourced.<sup>39</sup> Students in these schools often face personal stresses associated with poverty – such as hunger, homelessness,

and instability – and would also benefit from more individual attention and support, which their schools are not able to provide.

Another host of challenges have been created by the recent reforms in New York City to split large schools up into many smaller schools, which are meant to create more focused and intensive learning environments. Since 2002, 231 new small secondary schools (including high schools and middle schools) have opened in New York City. But contrary to what many people first assume, small schools have not always meant buildings with intimate environments where people know each other and have enough space to meet student’s needs. Nearly half of the new schools are located on the campuses of phasing-out or phased-out schools and therefore share the same building with one or sometimes several other schools.<sup>40</sup> Just under 55% of teachers answering the survey work in small schools, and 82% of those teachers are in schools located on larger campuses. Overall, 55% of teachers responding work in schools located on larger campuses.

Successful models of space sharing, where schools work together to initiate plans for developing programs at a specific site, are unfortunately rare in New York City.<sup>41</sup> The process of closing and opening schools is managed from above by the Department of Education - not at the community level - and as a result small schools are often competing for resources and struggling to thrive in the limited space they are assigned or required to share. As schools close, open, grow, re-organize, and compete for space, teachers described that class sizes remain large in many schools and the need for more resources is not being met. A teacher who previously taught in a Brooklyn school building that contained four separate schools described “a very chaotic environment... there were a lot of large fights in the building itself, narrow hallways, lots of kids, not safe.”<sup>42</sup> Another 7% of teachers said that the largest threat to safety was the tension and chaos created by sharing a crowded building with other schools.

There are new issues as well created by the shared space. Teachers commonly referred to the challenges

of managing competing school cultures within one building and the difficulty in maintaining cohesion and continuity when physical space is shared. One teacher explained that the largest threat to safety in her school is “being in a building where there are diametrically and philosophically opposed discipline policies among schools.”<sup>43</sup> Another teacher explained, “There are issues in the other schools in a large building and I have felt unsafe when they have had a police presence from those schools enter ours...the police come in and out and students get agitated...There are a lot of issues that come up when you’re sharing space with so many other different schools in a building.”<sup>44</sup>

*“The largest threat to safety is the size of the campus. We have 5 schools in one building, and the library is on our floor so we have lots of students passing through who we don’t know. We also have an overcrowded cafeteria used by most of the campus at the same time.”*

*- Teacher of 15 years, small high school in the Bronx  
(Survey Respondent 107)*

Teachers working in the remaining large schools that are not split up under the new small school reforms also described the challenging conditions left behind in their environments.<sup>45</sup> Recent reports by advocates have shown that as many of the new small schools have been created, special education students and other high needs students are excluded and pushed into the already overstretched large schools without additional resources.<sup>46</sup> A teacher at one such large school commented, “I feel less safe than I used to at school, considerably less... because we’ve had in the last few years an influx of very high need students in large numbers. I feel safe in the classroom with the kids I know and have a rapport with. It’s the stranger in the hallway that when you try to enforce the school rules the tension builds. It’s a more vulnerable situation.”<sup>47</sup>

The overwhelming response from teachers in both large and small schools with overcrowded classrooms was one of exasperation and frustration - that teachers

were asked to do too much with too little and have no time to develop positive and personal relationships with students.

## **B. A VACUUM OF LEADERSHIP AND SUPPORT FROM PRINCIPALS**

Positive and safe school cultures are difficult, if not impossible, to cultivate without the leadership and guidance of the school’s principal. Asked why she described one school she taught at as “very functional, very disciplined” and another as “very chaotic” and “not safe,” a teacher said “a lot of it was administrative—a real crisis of leadership.”<sup>48</sup> When asked about the biggest threat to school safety, 11% of teachers cited a lack of leadership and support from principals.

*“Weak administration is the biggest cause of chaos at my school. No clear vision for student behavior creates a void for discipline standards. Teachers’ attempts to create school-wide discipline policy failed due to the administration’s lack of support and structure to create effective deterrents and consequences.”*

*- Teacher of 5 years, medium-size high school in Brooklyn  
(Survey Respondent 284)*

These teachers reported that their principals fail to set a positive tone for their school, that they rarely see administrators interacting with students or walking in hallways, and that there are no regular staff meetings or methods of communication between teachers and the administration. By contrast in schools with strong leadership, teachers described principals who greet students in the hallways in the morning as they arrive in school and who work collaboratively with teachers, students and all members of the school community to establish school norms, rules, and values.

Related to discipline and safety practices specifically, teachers expressed a lack of guidance and support from principals for developing a cohesive plan. When asked

about the biggest threat to school safety, 14% said it was the lack of a system for discipline and clear rules that are communicated to students and enforced consistently. One teacher commented, “most faculty don’t believe there is a discipline plan for our school....if I wrote a referral to the deans or principal sometimes they will get handled, sometimes they won’t...no one has faith that the disciplinary system works at this school.”<sup>49</sup>

Research has demonstrated the importance that teachers place on strong leadership from principals. In a national survey, 79% of new teachers said they would choose supportive administrators over salary increases.<sup>50</sup> Specifically, they cited support for creativity in the classroom, support for their handling of discipline, and access to adequate materials. And according to the National Education Association, new teachers nationally cite a general “lack of support” from administrators as their primary concern with the profession.<sup>51</sup>

But New York City teachers surveyed also recognized that the crisis of leadership in their schools was in large part due to the Department of Education’s failure to provide guidance and support on these issues to principals. One teacher explained that her principal had only taught for two years and then went through a training program before assuming leadership of a new school, and given her relative inexperience did not receive adequate support and guidance.<sup>52</sup> In general, teachers reported that principals do not feel comfortable acknowledging problems in their schools or asking for help for fear of losing autonomy or even their jobs.

This culture of blame and lack of trust among teachers, principals, and the Department of Education is counterproductive to building positive school cultures and preventing discipline problems. Principals must play a proactive role in building a collaborative teacher community, creating space, spending time, and devoting resources to their professional team and they need support to do accomplish this. In a study of Indiana public schools, principals were interviewed about what is needed to create positive climates. They emphasized

*“It can be fearful for principals to acknowledge a lot of this which is why I give a lot of credit to principals who are strong...If a principal asks for help, they are immediately looked at as inept and that shouldn’t be because they are dealing with an environment of so many different attitudes with kids and you don’t really know what might set it off. It is so important to have all these supports for principals and teachers.”*

*- Teacher of 33 years, medium-size school, Brooklyn  
(FG Participant 11)*

connectedness, understanding, and involvement of all stakeholders: teachers, staff, students, and parents. They also stressed working closely with teachers to develop clear and consistent guidelines for behavior.<sup>53</sup>

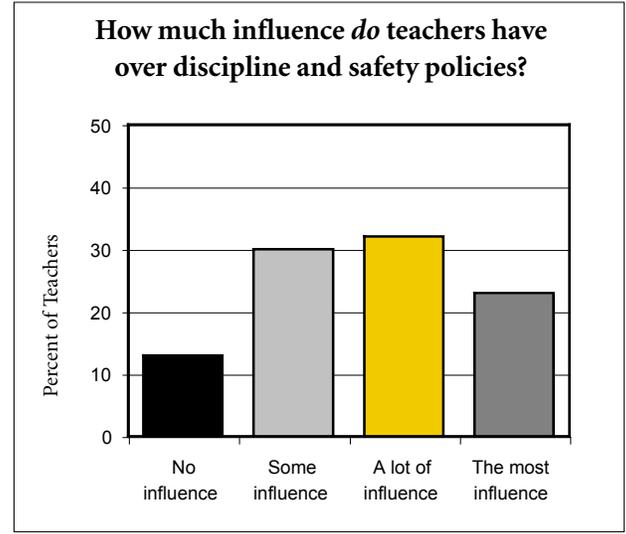
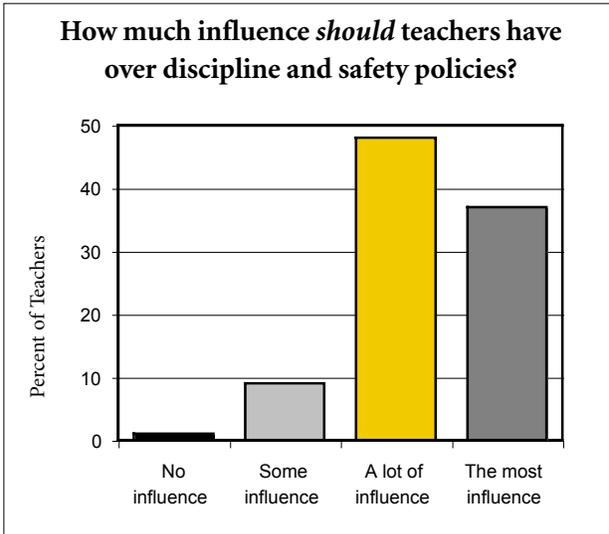
## C. LACK OF TEACHER VOICE IN DECISION-MAKING

*Teachers are essential players in promoting quality education...they are advocates for, and catalysts of, change. No education reform is likely to succeed without the active participation and ownership of teachers... Teachers must also accept their professional responsibilities and be accountable to both learners and communities.*

*- The Dakar Framework for Action,  
World Education Forum*

Our surveys and focus groups reflect that New York City public school teachers, far too often, have little voice in how safety and discipline policies are designed and implemented. Almost 43% of teachers surveyed said they have *no influence* or only *some influence* over safety and discipline policies in their school. By comparison, 86% said that teachers should have either *a lot of influence* (49%) or *the most influence* (37%).

As key stakeholders in the education community, teachers should be included in developing and implementing school and district level policies and practices. Human rights standards recognize that



in order for schools to ensure the right to a quality education for students, teachers must be well-motivated, receive adequate compensation and “be able to participate, locally and nationally, in decisions affecting their professional lives and teaching environments.”<sup>54</sup> The American Federation of Teachers, through its new Innovation Fund initiative, is supporting reform efforts led by educators in collaboration with parents and communities that are grounded in the experiences and strategies that work in the classroom.<sup>55</sup>

In many schools, teachers reported that there is no formal mechanism for teachers to give input into disciplinary policies or to develop strategies for managing discipline in the classroom. Thus, discipline as a part of teaching and learning seems absent as a concept in too many schools. The only vehicle that exists in some schools and includes teacher representatives (at least in theory) is a “Safety Committee” which is supposed to meet monthly in every school. The idea of a “Safety Committee,” which has a mandate that includes issues such as emergency plans and crisis response, as the only formal vehicle for discipline issues is flawed so long as such a committee is not shaped to deal with discipline as a pedagogical matter. Moreover, these Safety Committees, which are supposed to meet monthly, simply do not meet regularly, according to many teachers surveyed, and do not include the required representatives.

*“Our [safety plan] is largely a template and most of the members of the Safety Committee sign it before even reading it... We meet monthly but the players aren’t there. The Level 3 School Safety Agent [sergeant in charge for each school] isn’t there, the principal isn’t there, so it has no real impact.”*

*- Teacher of 12 years, large high school in Brooklyn  
(FG Participant 5)*

Many teachers also reported that they do not receive even basic information about discipline and safety policies they are supposed to be using. One teacher stated, “I have no idea if there is a committee or where the discipline decisions come from in my school...I read the blue book [the DOE’s Citywide Standards of Discipline and Intervention Measures], but no one told me I had to read it, nobody talked about it.”<sup>56</sup> Many teachers facing these frustrations also reported a general lack of communication – no staff meetings or regular check-ins – and thus no opportunity to work these issues through.

For a substantial number of teachers, there is little if any solicitation from administrators about teachers’ perspective on discipline and safety, and teachers often feel that they are tied to discipline codes and guidelines that undermine their professional judgment and front-

line knowledge of their students. This “stifling of teacher voice” can contribute to teacher dissatisfaction. According to sociologist and former teacher Laura Finley, it can result in increased apathy as well as fearfulness, potentially leading to perceptions of student behavior as more threatening than it otherwise might be and acceptance of more repressive discipline.<sup>57</sup> Caught in this vicious cycle and without outlets to engage and make the changes they see as necessary to improve the school culture, teachers may grow apathetic and stop seeing the potential for improvement, transfer schools or leave the profession altogether. In a survey by the National Center for Education Statistics over half of the teachers responding gave lack of influence over school policy generally as one of their main reasons for transferring schools.<sup>58</sup>

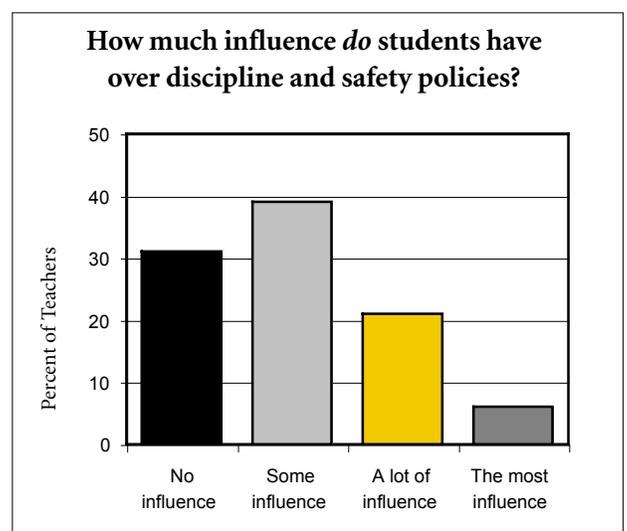
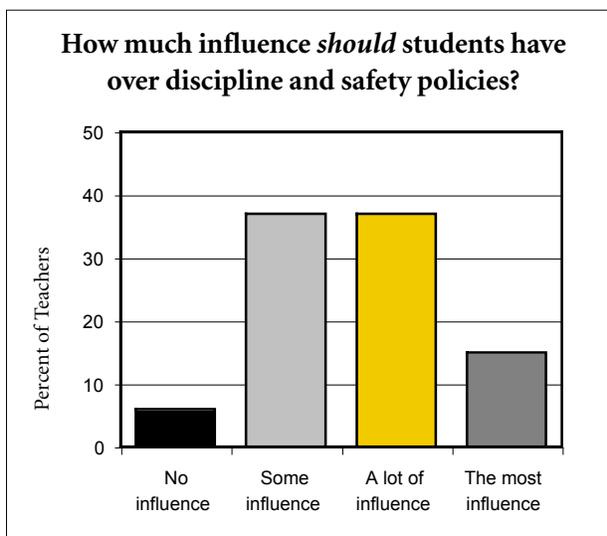
## D. NO OPPORTUNITIES FOR STUDENT AND PARENT PARTICIPATION

At the same time that teachers lack input into decision-making, students and parents are also shut out. Students and parents have a fundamental human right to participate in decisions that affect their schools and the right to education. The right to participation is a cornerstone human rights principle enshrined in multiple documents, including Article 25 of the International Covenant on Civil and Political

Rights.<sup>59</sup> Student voice and participation in the school community is a fundamental part of holistic education and is essential both for improving school climate and the quality of education, and for contributing to the development of young people as active participants in society. The UN Guidelines for the Prevention of Juvenile Delinquency recognize that “students should be represented in bodies formulating school policy, including policy on discipline, and decision-making.”<sup>60</sup>

Most teachers also believe that greater student participation in decision-making can improve discipline and safety problems. In the teacher survey, 51% of teachers said that students should have *a lot of influence* (37%) or *the most influence* (15%) over safety and discipline policies, and very few teachers (5%) felt that students should be excluded.

One teacher explained that “not including a student body in the planning and executing of policies affecting their school” was a major threat to safety because “students were not able to develop connections to and ownership over the school community.”<sup>61</sup> Yet when teachers were asked how much influence students actually have, 70% of teachers said that students have *no influence* (31%) or only *some influence* (39%) over discipline and safety policies. According to these teachers, the lack of community and hierarchical cultures in their schools would not allow for student participation



*“At my school student participation wouldn’t work because it’s fundamentally a top down school...In an actually democratic community, students should play a huge role. If the students’ voices are actually valued by the people at the top, that could really work.”*

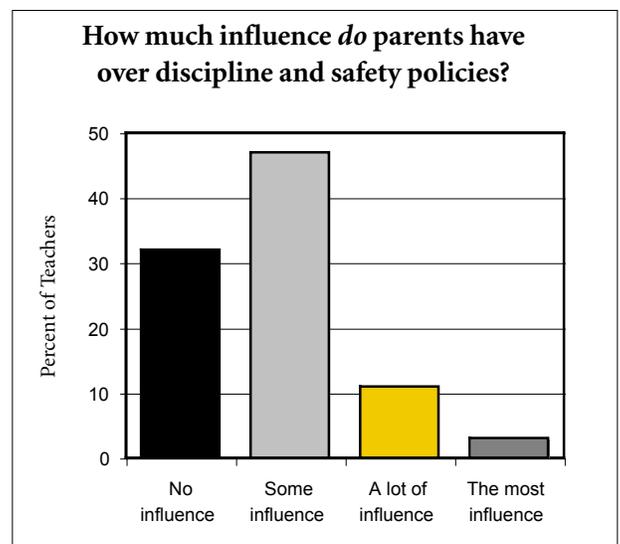
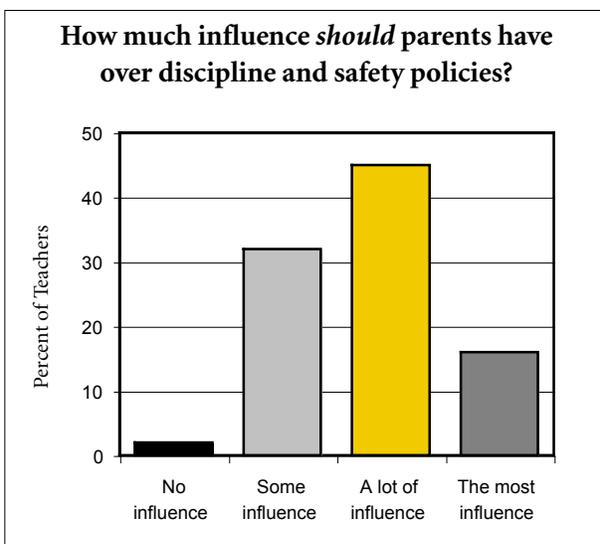
*- Teacher of 6 years, small middle school in the Bronx (Interview 1)*

Teachers also felt strongly about the inclusion of parent voice. National studies have shown that teachers recognize the importance of parent participation generally for ensuring the right to education. For example, in a national study, 65% of teachers felt their students’ academic performance would benefit from more parent involvement, and 72% of teachers said children whose parents aren’t involved may be more likely to “fall through the cracks.”<sup>62</sup> This notion applies with equal force to discipline and safety issues. Among teachers surveyed for this report, 61% said that parents should have *a lot of influence* (45%) or *the most influence* (16%) over safety and discipline policies in their children’s schools.

Yet when teachers were asked how much influence parents actually have, 79% of teachers surveyed said that parents have *no influence* (32%) or only *some influence*

(47%) over these policies. In schools where parents have no influence over discipline and safety policies, they are often only involved after a problem arises. One teacher described her school as having no structure or support for parent participation and said, “Parents are involved once a kid gets in trouble. Then they’re called. But then it becomes an adversarial situation.”<sup>63</sup> In her particular school, language was one of the key barriers to involving parents and there was no effort to address it. She estimated that over two thirds of the students in her classroom do not speak English at home and as a result it was difficult to find help in her efforts to communicate with parents. In one case, she had to pull a paraprofessional out of a different classroom to translate for her over a cell phone.

It is not surprising that the exclusion of parents until after a disciplinary incident occurs can fuel a culture of mistrust between parents and staff. This affects the overall environment at any school. A recent national survey found that 20% of new teachers and one quarter of principals attribute a significant amount of on-the-job stress to their relationships with parents.<sup>64</sup> One teacher described the antagonistic relationship between parents and staff in her school in the following way: “I wouldn’t say the school welcomes parents, but they come. A lot of them come anyway. All the parents are really angry about what’s happening at the school.”<sup>65</sup> A teacher and former high school dean noted that the



adversarial relationship between parents and staff that is created in disciplinary proceedings and suspension hearings disallows opportunities for conversations about student needs or constructive solutions.

This lack of parent participation and mistrust at the individual level contributes to a deeply problematic conceptualization of the roles students and parents are expected to play in educational policy. Rather than critical voices with legitimate demands, students and parents are often treated as peripheral ‘thorns in the side’ of school staff and district officials. But without shared understanding and commitment from teachers, students and parents, school discipline and safety policy is empty and meaningless. Only a vision of safety and discipline, grown out of collective dialogue

*“My experience at the superintendent suspension hearings when I was a dean was that the kid’s parents were on the defensive, as they should be. An attorney would tell them don’t say or do anything that would point to problems or could be used against your child. As a result, there was no safe space for a discussion of needs, what services the kids should be receiving.”*

*- Teacher of 20 years, large high school in Manhattan  
(FG Participant 5)*

and democratic representation, will adequately serve the needs of its constituents and protect their human rights to dignity and education.



## A PUNITIVE, REACTIVE APPROACH TO DISCIPLINE IS INEFFECTIVE

Learning environments should also be healthy, safe and protective. This should include...policies and codes of conduct that enhance physical, psycho-social and emotional health of teachers and learners...and practices leading to knowledge, attitudes, values, and life skills needed for self-esteem, good health, and personal safety.

- Dakar Framework for Action, World Education Forum

Teachers cannot teach and students cannot learn in chaotic or disruptive school environments. Effective systems of discipline are necessary for creating healthy, safe, and productive schools and ensuring the human right to education. The traditional goals of any disciplinary system are to ensure the safety of students and teachers, to create a climate conducive to learning, to teach students needed skills for successful interaction in school and society, and to reduce rates of misbehavior.<sup>66</sup> Human rights standards specifically encourage the use of preventive and proactive approaches that protect access to education and build social and behavioral skills needed for positive learning environments.<sup>67</sup>

New York City has made a sharp departure from these human rights approaches over the past decade by increasingly imposing punitive suspension and removal policies with the supposed goal of improving discipline. As teachers keenly reflect, in reality, these punitive approaches are an attempt to take a short cut around the root causes of violence, which include resource disparities. Instead, these policies inevitably degrade the school environment and threaten students' access to education.

### A. EXCESSIVE AND UNFAIR SUSPENSIONS AND REMOVALS

Teachers surveyed in New York City reported that administrators and teachers often assign suspensions excessively and unfairly while ignoring students' underlying problems. This can lead to conflict and alienate students from school, increasing the likelihood that they will act out again in the future. Policies or practices that unfairly punish students, undermine their sense of dignity and self-esteem, or deny them access to education are fundamentally at odds with basic human rights principles. The UN Guidelines on the Prevention of Juvenile Delinquency discourage the use of "harsh disciplinary measures" and encourage schools to "promote policies and rules that are fair and just."<sup>68</sup>

The New York City discipline code provides a range of disciplinary responses for different behavioral infractions, including removal from the classroom and suspension for relatively minor infractions. Teachers can remove students from their classroom for up to

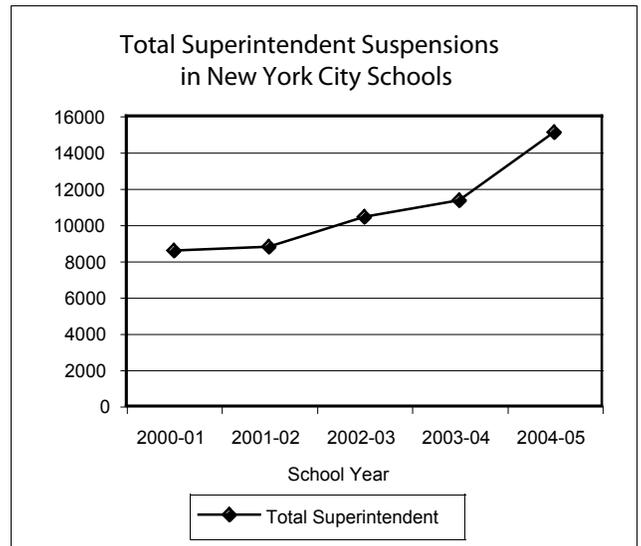
*"Kids get suspended for fighting, that's one of the most prominent ones, graffiti, threatening a teacher. Suspensions can go from 3 days to 60 days, even more depending on the infraction. I don't really believe in suspensions, they're a really poor, uncreative consequence. I don't remember a case when a kid was suspended and after they came back their academic performance didn't plummet, that's always the case. I don't remember a kid coming back and picking up where they left off."*

- Teacher of 20 years, large high school in Manhattan <sup>(FG Participant 3)</sup>

4 days for “disrespectful behavior” or for “wearing clothing, headgear (e.g., caps or hats), or other items that are unsafe or disruptive to the educational process.”<sup>69</sup> Schools can give longer Principal Suspensions of up to 5 days or Superintendent Suspensions of up to 10 days for “being insubordinate” or for “pushing, shoving” or engaging in “horseplay.” For school fights as well as for “engaging in intimidating” or “threatening” behavior, students can receive Superintendent Suspensions that range from 6 days up to 90 days.

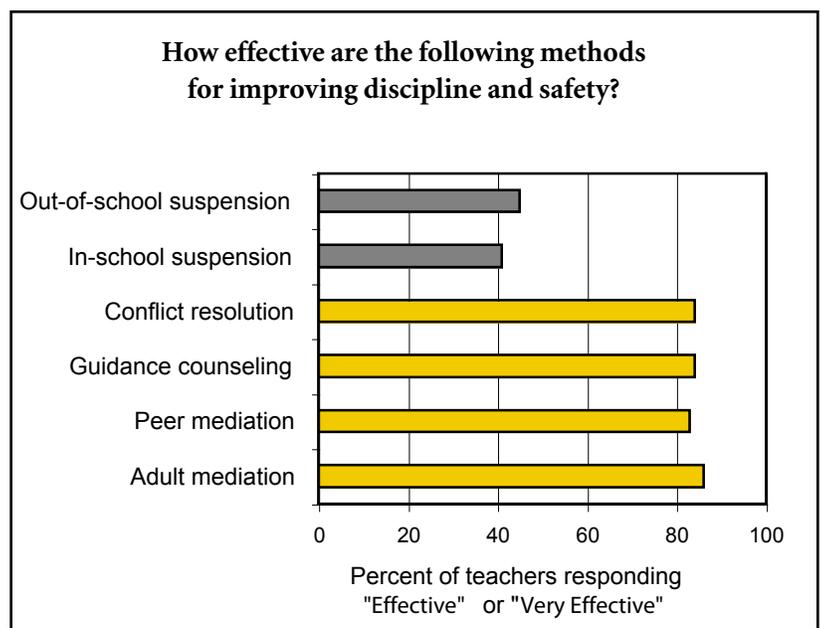
On paper the discipline code encourages schools to use the least severe disciplinary responses when possible. But in practice the Department of Education promotes approaches to discipline that “get tough” on children. In 2004, Mayor Bloomberg and Chancellor Klein launched the Impact School Safety Initiative, which places increased numbers of School Safety Agents and police officers in selected schools and encourages staff to apply stiff penalties for minor offenses, including suspension, arrest, placement in offsite detention centers and transfers to Second Opportunity Schools. Over two dozen schools have been designated as Impact Schools since the program began. This program essentially codifies the removal of students, instead of teaching them positive behavior skills, as the goal of discipline policies. During the first two years of the initiative, suspensions in Impact Schools increased by 45% compared to 24% in high schools citywide.<sup>70</sup> In all schools across the city between 2000 and 2005, Superintendent Suspensions of 10 or more days increased by over 85%.<sup>71</sup>

Teachers described incidents when they felt punishments were too severe for the infractions committed. One teacher described an incident when a group of students were suspended for three months to an alternative suspension site for smoking marijuana at school. She felt the punishment was “overkill” and described the devastating result of the suspension for the students: “When they finally came back they were failing everything, they never returned full



time, they finally transferred to another school. They were really smart kids and they could have done really well. It kind of ruined their lives.”<sup>72</sup>

When teachers were asked about the effectiveness of different disciplinary methods, less than 45% of those surveyed said that exclusionary punishments like suspensions are effective. By contrast, twice as many teachers (over 80% of those surveyed) said that supportive interventions such as conflict resolution, guidance counseling, and mediation are effective. As one teacher put it, “Suspensions are just paying a fee



for doing wrong, but its not changing the behavior.... There is no teaching involved, that's what's missing."<sup>73</sup>

Several teachers described incidents when they fought to avoid suspending a student despite zero-tolerance policies to both protect the student from the harm that suspensions can cause and to use the conflict as an opportunity for learning. One teacher in a large high school in Manhattan recounted an incident when he was shoved by a student and reported it to his principal. He wanted there to be a consequence for the behavior but had to convince the principal that suspension was not the right one. He was aware of the detrimental impact that a suspension could have on the student and instead wanted to create an opportunity for learning. So the student became the teacher's "intern" for the semester, helping out in the classroom. Other teachers sometimes chose not to report fights to their principal at all because it would have resulted in automatic suspensions.

*"I have students who got into a fight in my classroom the other day and I know the students, and I actually did not write them up because they went to mediation afterwards. I've never seen the two of them have a problem with each other. There is automatic suspension for fighting in school, but I feel these girls should not get suspended for it...I wish we had other people, I wish we had more counseling available."*

*- Teacher of 3 years, large high school in Manhattan  
(FG Participant 10)*

Teachers do believe that suspensions are warranted under appropriate circumstances and at times are necessary, but in focus groups teachers reported that suspensions should be reserved for only the most serious misconduct. The UN Committee on the Elimination of Racial Discrimination in its review of the United States stated that school districts should "review their 'zero-tolerance' school discipline policies, with a view to limiting the imposition of suspension or expulsion to the most serious cases of school misconduct."<sup>74</sup>

*"At my current school suspensions are very rarely given, not that you couldn't suspend kids for serious infractions, but the fewer they are, the more restricted they are, the more powerful they are. What happens more often are letters of apology, or conferences or talking to the kid in a stern way. That is much better."*

*- Teacher of 5 years, small high school in Brooklyn  
(FG Participant 6)*

Teachers also reported that suspensions are applied inconsistently, with different teachers and administrators in the same school applying different punishments, creating confusion and a sense of unfairness among students. One teacher described a complete breakdown in the disciplinary ladder at her school saying that the system is in place "in writing, but in actuality because the consequences at the very top are not enforced consistently or fairly, none of the rest matters...A lot of times things are let go that shouldn't be let go, and other times kids will get suspended for a uniform infraction, so the consequences are wildly disproportionate and inconsistent."<sup>75</sup> Other teachers explained that some kids are labeled as "the preferred suspects" or troublemakers in a school and as a result receive harsher punishments than other students for the same infractions.<sup>76</sup>

## **B. LACK OF ALTERNATIVES**

When asked why schools rely on classroom removals, suspension, and other punitive responses, teachers expressed frustration with the lack of adequate supportive services for students, including too few guidance counselors, social workers and psychologists, and the lack of quality mediation, mentoring, and conflict resolution programs. Research by the American Psychological Association and others has demonstrated that these services reduce violence and disciplinary problems in schools.<sup>77</sup> The UN Guidelines on the Prevention of Juvenile Delinquency also recognize the importance of counseling and supportive services for students, stating that "education systems should...

devote particular attention to...provision of positive emotional support to young persons.”<sup>78</sup>

The New York City Discipline Code also appears to recognize that difficult student behaviors are likely symptomatic of deeper issues and on paper encourages school staff to use counseling services, conflict resolution, peer mediation, and community service.<sup>79</sup> But in reality, these services are not available for most students. The National School Counseling Association has established the ratio of one guidance counselor for every 250 students as a minimum to meet students’ needs. In New York City, on average schools have one guidance counselor for every 450 students.<sup>80</sup> Without these alternative supports, many teachers feel they are forced to rely on removal from the classroom and suspensions in response to conflict and disruptive behavior.

*“The student was suspended for 5 days. What he really needed was counseling, but that’s not provided consistently or fairly at my school. The guidance counselor and the social worker are both pulled into doing college day and advisory and these other things. So sometimes even kids who have mandated counseling don’t get counseling, let alone someone who just needs counseling on a need by need basis.”*

*- Teacher of 6 years, small middle school in the Bronx (Interview 1)*

Many teachers reported that their schools have only one guidance counselor and a part-time social worker or school psychologist who can see only a fraction of the students needing services. One teacher said that her school was so under-resourced that even if the counselor is able to see students she is often forced to meet with them in the hallway because her office space is used as a classroom.<sup>81</sup> Another teacher commented, “There is supposed to be a school psychologist but I have never seen him or her.”<sup>82</sup> As a result, teachers find themselves over-extended, attempting to provide services to students that they were never trained, or hired to do.

*“I’m thinking that as a teacher, I’m not qualified to be a social worker and I’m so often being put in a position where I have to assume that role because there is only one social worker in our school who tends to so many kids.”*

*- Teacher of 4 years, small high school in Manhattan (FG Participant 2)*

*“There should be workshops available to attend on conflict resolution. I am teaching in the system 12 years and have never heard of one being offered (or perhaps they exist and we don’t hear about them).”*

*- Teacher of 12 years, large high school in Brooklyn (Survey Respondent 127)*

Teachers also talked about the lack of quality programs and teacher training in mediation, classroom management, and conflict resolution. Teachers’ opinions are reinforced by a recent survey of conflict resolution providers in New York City schools conducted by the Office of the Public Advocate in which 60 % of respondents felt that the Department of Education conflict resolution trainings are inadequate.<sup>83</sup>

Overall, teachers pointed to a lack of commitment to genuinely address discipline and safety problems from the Department of Education. With its narrow focus on school accountability measures and the resulting emphasis on test scores, principals and other school

*“It’s very clear in our school what’s important – it’s the test, the test, the test, the test. I was instructed for 2 months to do test prep everyday....Then the city is testing them and doing interim assessments every two weeks it seems like, and they’re getting tested more than they’re learning. It’s very clear to everyone that the test is important, and discipline is not. And that’s coming directly from the DOE [Department of Education].”*

*- Teacher of 6 years, small middle school in the Bronx (Interview 1)*

staff have less time, energy or resources for conflict resolution, mediation, or counseling. Instead they must rely on quick-fix, low-cost disciplinary actions which push kids out of the classroom and do little to improve behavior or create an environment conducive to learning, ultimately harming students' academic potential.

## C. MANIPULATED AND UNDER-REPORTED SUSPENSION RATES

The Department of Education takes a contradictory approach to discipline policy, on the one hand mandating that schools get tough on discipline by punishing and removing students, while on the other penalizing schools for high suspension rates. This contradiction can only be explained by the flawed and irrational assumption - despite all evidence to the contrary - that punitive discipline policies like suspension will actually improve school climate and behavior. As a result of the Department of Education pressuring schools to both get tough on children and reduce suspension rates while simultaneously starving them of resources to improve behavior, administrators often manipulate data and under-report what actually goes on in New York City schools.

New York City and State regulations require that schools keep records of and report on disciplinary incidents. The New York City Department of Education has an on-line system called On-line Occurrence Reporting System (OORS) for schools to report any suspensions, police incidents, or "formal removals" of students from the classroom. These reporting procedures are essential for monitoring the use and impact of disciplinary responses in school and for ensuring transparency in school practices. Transparency in government is a fundamental principle of human rights law, and under human rights treaties school systems "must closely monitor education-including all relevant policies, institutions, programs, spending patterns and other practices."<sup>84</sup> But a recent audit by the Office of the Comptroller for the City of New York found wide variations across different high schools in how and

whether incidents were reported in OORS. Among 10 high schools that were sampled by the Comptroller, 21% of the sampled incidents were not entered in OORS. As a result, the suspension rates reported by the Department of Education likely do not represent the actual number of students being removed or suspended from schools.<sup>85</sup>

*"As a result, the fact that one school has fewer incidents per student recorded in OORS than another school...does not necessarily mean that it has a less disruptive atmosphere or is safer."*

*- Audit Report of the City of New York Office of the Comptroller, 2007*

Teachers also reaffirmed that many disciplinary incidents go unreported and that schools use a variety of methods to remove students without formally suspending them. One teacher described an internal policy at her school, not authorized by the citywide discipline code, whereby students are unofficially suspended or "swapped" to a "buddy school," often for fights or violations of the school's dress code. These students are sent to another school where they sit in an unknown teacher's classroom for a few days and no part of the suspension is recorded, except perhaps informally between the two schools. The teacher explained, "Almost everything goes unreported officially in OORS [On-line Occurrence Reporting System], almost nothing gets reported, and I know that because I check the database." When this same teacher has students turn up in her classroom who have been unofficially suspended from their "buddy school," the practice creates "a disruption to their learning."<sup>86</sup>

Several teachers shared other strategies that schools use to keep suspension rates low and data reporting minimal, such as the increased use of detentions and other informal punishments. As a result, a school's suspension rate may go down, but the number of disciplinary problems that teachers face remains the same because nothing has been done to address the

problem.

*“Our school has detention instead of suspension, the big reason being no one keeps statistics about detention...I think they’ve reduced their suspensions a lot by having detention. I wonder if more schools will do that because you get in trouble for high suspensions.”*

*- Teacher of 12 years, large high school in Brooklyn  
(FG Participant 5)*

Altogether, teachers report that schools are pushed towards using punitive discipline against students that have been entrusted to their care, while at the same time keeping those practices hidden from public light. Schools must keep more accurate records of disciplinary incidents and make the data available to teachers and to the public to allow for evaluation, accountability, and improvement.



## POLICE AND SECURITY MEASURES ARE CRIMINALIZING SCHOOLS

Children do not lose their human rights by virtue of passing through the school gates. Thus, for example, education must be provided in a way that respects the inherent dignity of the child...and promotes non-violence in school.

UN Committee on the Rights of the Child, General Comment 1

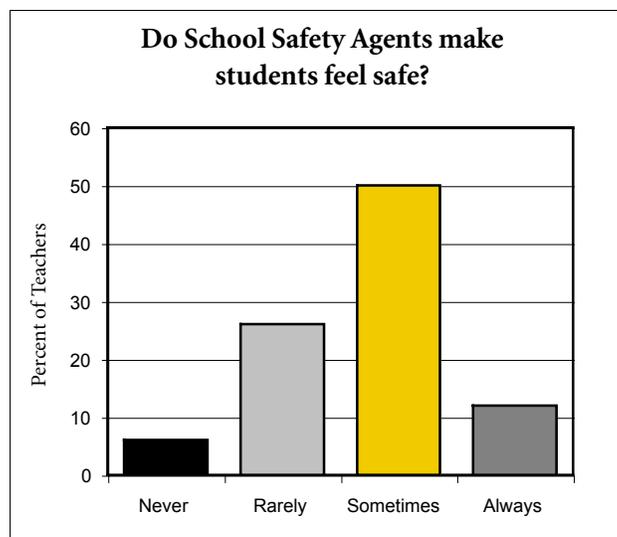
Teachers, students, and parents agree that schools must be safe in order to guarantee all young people their human right to education. The UN Committee on the Rights of the Child recognizes that all school policies and practices must promote non-violence and protect children from humiliation or harm.<sup>87</sup> Under the banner of improving safety, New York City, like school districts across the country, is using police, School Safety Agents (school safety personnel hired and supervised by the police department), metal detectors, and security cameras in schools. While there is no doubt that schools should take active steps to improve safety, these aggressive security measures do little to prevent violence and instead undermine fundamental human rights principles by creating hostile school environments, treating children like criminals, and contributing to tension and conflict.<sup>88</sup>

### A. PRESENCE OF POLICE AND SCHOOL SAFETY AGENTS

While the general public may look to the police to keep our streets safe, teachers know that police cannot play the same role in our schools. Only 3% of teachers called for more police or School Safety Agents when asked the question, “What is needed to make your school safer?” In focus groups, teachers agreed that police personnel may be needed to respond to serious incidents, and some schools rely on them to monitor exits and hallways. But teachers realize that their presence in schools is not preventing conflict or improving the school environment, and instead creates new tensions and conflicts.

In 1998, under former Mayor Rudolph Giuliani, the Board of Education transferred control over school safety to the New York Police Department (NYPD), giving the police department responsibility for training, recruiting, and managing school safety personnel.<sup>89</sup> Today, there are over 5,000 School Safety Agents and at least 200 additional New York City police officers assigned to schools. School Safety Agents (SSAs) report to the NYPD and have the same power as police officers to arrest students, but do not carry guns.

Among those teachers surveyed, 99% said they have SSAs in their schools. When asked about the impact of SSAs on the school environment, only 14% of teachers said that SSAs *always* make them feel safe, while 47% said they *sometimes* make them feel safe. Similarly, when asked whether they believe SSAs make students feel safe, only 12% of teachers said that SSAs *always* make students feel safe, while 50% said they *sometimes*,



and 32% said they *never* or rarely make students feel safe.

Teachers explained that SSAs can play a positive or negative role depending on a range of factors including how many years they have been in a particular school, how much experience and knowledge they have in dealing with adolescent behavior, and whether they are integrated into the school community. About one third of teachers in focus groups described positive relationships with SSAs who help create safe environments in school. In these schools, the SSAs tend to have many years of experience, sometimes in the same school, and they know the staff and students well, participating in staff meetings and school-wide events.

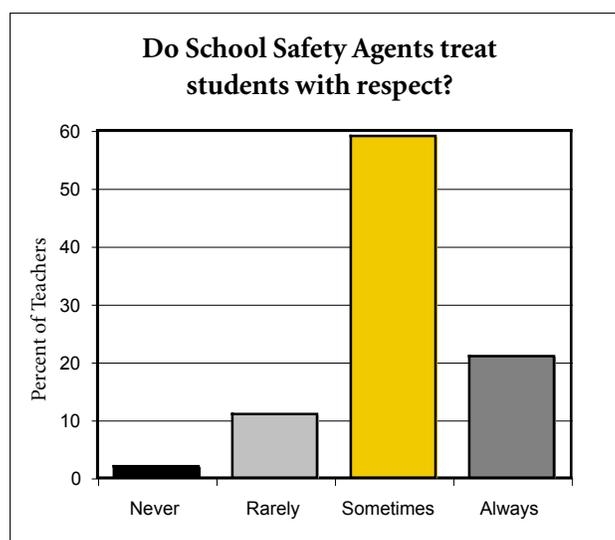
*“We have one safety agent, everyone knows her and loves her. She knows everyone and welcomes kids in the morning, knows every kid by name. She sets the tone for the school, she’s usually the first person they see, she says good morning, she’s part of the community.”*

*- Teacher of 21 years, small high school in Brooklyn  
(FG Participant 12)*

But for our survey and focus group participants, far more often, SSAs as they are currently trained and supervised have a negative impact on the environment. About half of the teachers in our focus groups described school environments where SSAs are aggressive, even combative with students leading to tension and conflict in schools. A teacher on a large high school campus in the Bronx explained that SSAs in her school view students as “potential criminals” rather than young people who are in school to learn. This mentality on the part of SSAs and their “police-like uniforms” create a “prison atmosphere” and a “tense environment that easily sets up conditions for flare ups.”<sup>90</sup>

When asked whether SSAs treat students with respect, 13% of teachers said SSAs *never* or *rarely* treat students with respect. Over 59% said SSAs only *sometimes* treat

students with respect, and 21% said they *always* treat students with respect. One teacher said “the SSAs don’t interact well with the kids...they yell at the students.”<sup>91</sup> Some SSAs aggressively patrol hallways stopping students to ask for ID, ordering them to take off their hats, and yelling at students while passing between classes.



*“There are lots of School Safety Agents in my school, in the double digits....I’ll be in my classroom with the door closed teaching, and I hear somebody screaming in the hall, and I pop my head out to look to ask them to be quiet, and I’ll see the SSAs screaming at a kid to get to class. And I’m thinking, ‘How is this helping me to teach?’ Their language is also not appropriate, using curse words.”*

*- Teacher of 3 years, large school in Manhattan  
(FG Participant 10)*

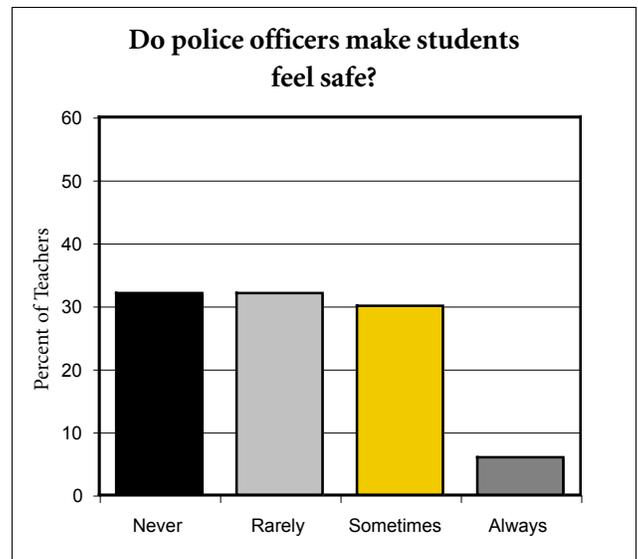
Other teachers described a lack of maturity and poor judgment among SSAs. Many of the SSAs are only a few years older than the high school students they interact with “so that creates problems, whether it’s flirting or inappropriate fraternization.”<sup>92</sup> In some cases, SSAs will form relationships with certain students and display favoritism, such as letting some students bring

cell phones into schools while confiscating them from others. This creates a host of problems, giving some students power because of their relationship with an SSA and leading to inconsistent implementation of school rules.<sup>93</sup> In other cases, SSAs break the same rules that students are expected to follow. One teacher said of the 10 to 12 SSAs that work in her school, “they walk around on their cell phones which the kids are not supposed to do. Somewhere there’s some lack of judgment.”<sup>94</sup> Teachers explained that this inconsistent behavior can undermine the system of trust that they are trying to build between adults and students in the building.

Still, teachers acknowledge that SSAs have a very difficult job in schools. Teachers felt that SSAs do not receive adequate compensation for the job they do, and are not given appropriate training in how to interact with students or to de-escalate conflict. When teachers were asked, “What is needed to make your school safer?” 8% said better training for SSAs. Part of the problem is also a misunderstanding or lack of clarity about the role of SSAs in schools. SSAs are sometimes put in awkward situations where they receive conflicting mandates from their supervisors at the NYPD and the principal and staff in the school where they work. In one school, for example, a teacher explained that “our students are allowed to wear hats and the security forget and are confrontational with them.”<sup>95</sup> As a result the teacher has to intervene, contradicting the safety agents, creating tension and conflict between staff in the school.

While teachers believe that SSAs, with the proper training and guidelines, could play a positive role in schools, fewer teachers felt that police officers could contribute positively to the school environment. An overwhelming 64% of teachers said that police officers *never* or *rarely* make students feel safe. Almost 30% said that the police *sometimes* make students feel safe, and only 6% said they *always* make students feel safe. About 25% of the teachers surveyed have police officers assigned to their schools, while others report that police officers enter their schools in response to particular incidents. In both instances, when police

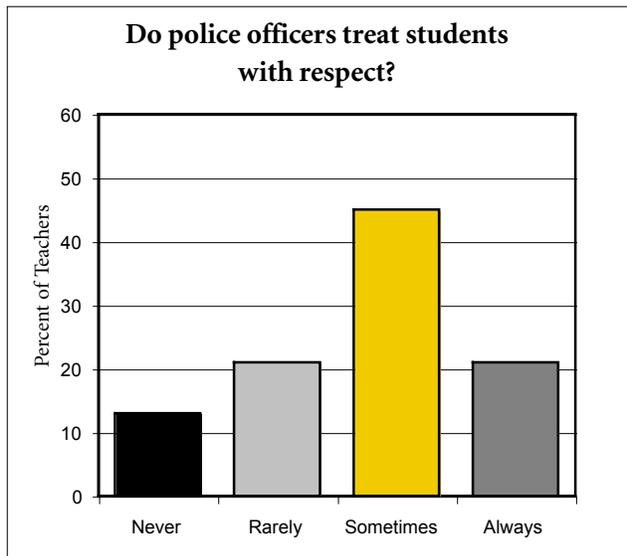
officers bring the attitudes they use in the streets into a school building, teachers report that their presence creates a tense atmosphere in which “students are made to feel like criminals.”<sup>96</sup> The sight of loaded guns and the aggressive attitudes of police can make both students and teachers feel anxious.



*“The cops create a lot of anxiety among everyone, because there are guns so visible.... There is this very macho presence that is unsettling because you’re in an environment where you are supposed to learn and grow. But I don’t know if it makes one feel unsafe, it certainly makes one feel anxious.”*

*- Teacher of 9 years, small high school in Manhattan  
(FG Participant 9)*

Teachers also report that police officers are often disrespectful towards students, shouting orders and asserting their authority. A teacher in a medium-size school in the Bronx said “the officers are too rough with students and they are disrespectful - which causes the students to get worked up. So, I think they make matters worse and instigate sometimes.”<sup>97</sup> When asked if police officers treat students with respect 34% of teachers said police officers *never* or *rarely* treat students with respect. 45% said police officers *sometimes* treat



students with respect, and only 20% said they *always* treat students with respect.

*“I’ve had officers, big guys, come into my room if they hear noise, and I’m a music teacher so there is music and noise sometimes going on. They’ll come in and yell and bark at the students. They bring an atmosphere that I can’t stand and I have to say, ‘no you get out, I’ll handle it.’”*

*- Teacher of 20 years, large high school in the Bronx  
(FG Participant 7)*

Students of color and students from poor communities are impacted the most by the presence of SSAs and police officers. For example, in Impact Schools which have higher numbers of SSAs and police officers, African American and Latino students make up 90% of the student population, compared to an average of 71% in high schools citywide. Teachers commented that for students of color the presence of police officers in their schools reinforces the broader criminalization that they see in their communities through racial profiling and the disproportionate arrest and incarceration of African American and Latino youth.<sup>98</sup> One teacher commented that police officers “represent jail and the racism of society - that jail, not school, should be normal for poor kids of color.”<sup>99</sup> In their communities,

students experience and witness abusive treatment by police officers, and this contributes to their negative reaction to police in schools.

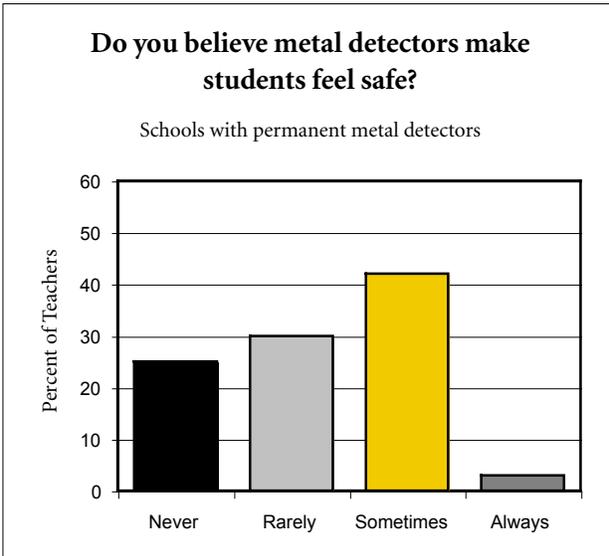
*“We don’t have cops in the building. Whenever cops do have to come in, there is a very visceral response from the students because a lot of our students are pretty regularly harassed by the police in their communities, so they have a very negative relationship towards police. I was on the subway a couple days ago and there were kids just sitting there and undercover cops just started patting them down, I saw the whole thing and it was disturbing. So when that happens in the community, kids will react when cops are in the school building.”*

*- Teacher of 21 years, small high school in Brooklyn  
(FG Participant 12)*

## B. IMPACT OF METAL DETECTORS ON THE SCHOOL ENVIRONMENT

In addition to police personnel, hundreds of schools across New York City use metal detectors, hand-held security wands, video cameras, and other security technology. Teachers shared mixed reactions to these various security devices, acknowledging that metal detectors may serve a purpose in keeping weapons out of school. But most teachers agreed that these expensive surveillance tools do nothing to proactively prevent violence or protect students’ rights.

At least 88 public schools in New York City have permanent metal detectors. In 2006, Mayor Bloomberg and the NYPD also began a “roving” metal detector program which periodically places temporary walk-through metal detectors unannounced at schools around the city. Among teachers surveyed for this report, 32% have permanent metal detectors in their schools, and an additional 15% said they have had temporary “roving” metal detectors placed at their schools. Among those teachers who have permanent metal detectors, 54%



responded that metal detectors *never* or *rarely* make them feel safe in school. When teachers were asked whether they believe metal detectors make students feel safe, the breakdown was similar, with 55% responding that metal detectors *never* or *rarely* make students feel safe and 43% responding that they *sometimes* make students feel safe. In schools that had temporary roving metal detectors, the results were similar (44% felt that metal detectors *never* or *rarely* make students feel safe, 47% said they *sometimes* do, and 10% said they *always* do).

Analysis of data from the National Household Education Survey found that the use of aggressive security measures including metal detectors can actually increase anxiety among students and reduce the likelihood that students feel safe in schools.<sup>100</sup> Teachers in focus groups reported that metal detectors make schools feel like prisons and lead to alienation towards school among students. One teacher explained her emotional reaction to metal detectors, “I am really horrified every time I see the kids go through the scanners....I have a visceral reaction of anger that every time kids walk in the building they are made to associate school with this kind of abuse, and it has to stop.”<sup>101</sup>

Teachers shared similar reactions to other security devices in schools, including surveillance cameras. One teacher commented, “This reflects my general

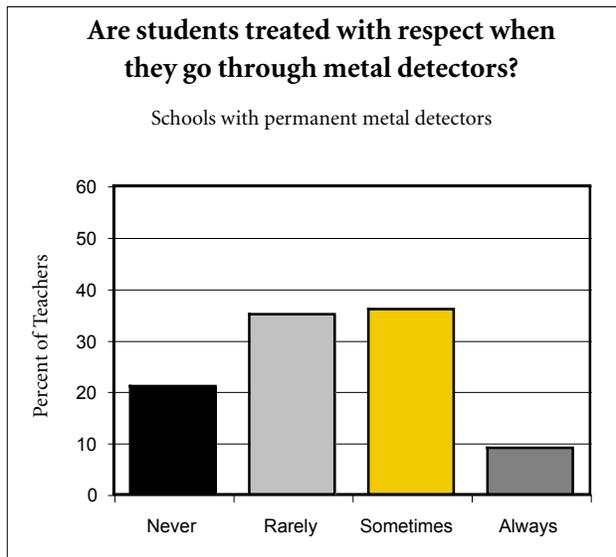
impression that the school is evolving into a prison. They instituted school uniforms this year, we have hall cameras now.” He explained that if teachers see a student breaking a rule, like wearing a hat, if the student refuses to take off the hat or won’t show ID, the teacher is supposed “to point at the kid on the camera” and then “the SSAs watching the screens are supposed to call the deans and ID the kid and then come pick them up.”<sup>102</sup> The teacher described the policy as “silly” and “unenforceable.”

Teachers also reported that these security measures can be sources of conflict and tension in the school. In particular, when students go through metal detectors, SSAs or police yell at students, pat them down, make them take off their belts and backpacks. As a result, students become aggravated and upset as soon as they enter the school building in the morning. One teacher commented, “When they come in the door and have an angry look on their face, I ask them, ‘Did you get stopped at scanning and was it difficult?’ And the student says, ‘Yeah man, this guy was messing around with me,’ and I say, ‘Sorry, that’s got to be terrible.’”<sup>103</sup>

*“We have a day care center at our school and they even pat down the babies. Apparently, not at my school, but they say apparently at other schools parents have smuggled in something. I hate it when I see them search the little babies. I asked the safety agents about why they pat down the babies and that was their response. It says that there is no trust in teenage mothers.”*

*- Teacher of 3 years, large high school in Manhattan  
(FG Participant 10)*

In schools with permanent metal detectors, almost all teachers (over 90%) felt that students are treated with disrespect when they are made to walk through the scanners. Specifically, 56% of teachers said that students are *never* or *rarely* treated with respect when they go through metal detectors, while 36% said students are *sometimes* treated with respect, and only



9% said students are *always* treated with respect. In schools with temporary roving metal detectors, results were similar, but slightly more teachers felt that students are treated with respect (45% said students are *never* or *rarely* treated with respect, 44% they are *sometimes* treated with respect, and 11% said they are *always* treated with respect).

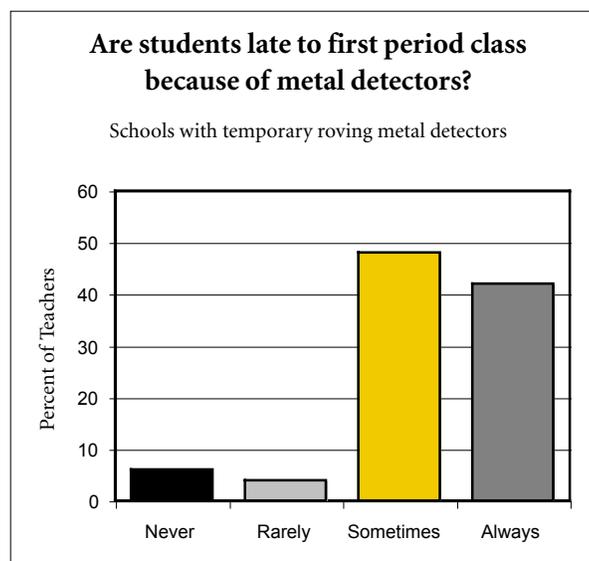
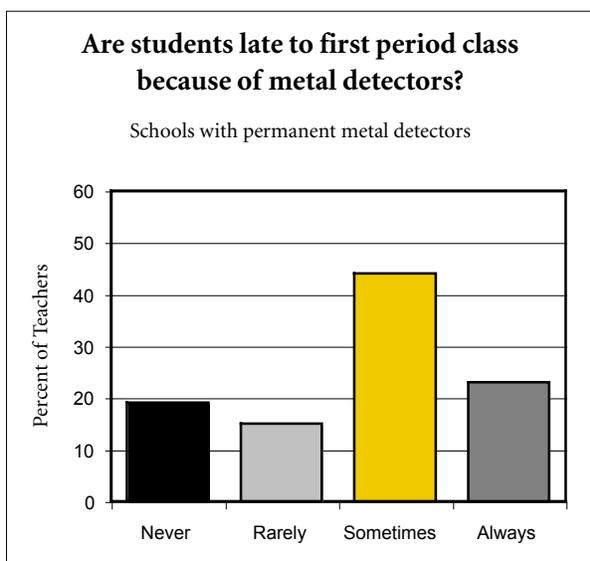
Metal detectors can also have a direct impact on classroom learning, including making students late for class. In schools with permanent metal detectors, 23% of teachers said that students are *always* late to first

period class because of metal detectors and another 44% said students are *sometimes* late to class. Teachers reported “they get to first period 5, 10, 20, 35 minutes late.”<sup>104</sup> When temporary roving metal detectors are placed in schools, teachers report they lead to even more disruption. In these schools, 90% of teachers said students are *always* (42%) or *sometimes* (48%) late for class. In some cases students arrived up to 2 hours late.

*“Our kids were getting stopped and searched the day we had random scanning. They’re getting to class an hour or two late because they’re stopping to get checked by the police. Then the next day some students didn’t come to school because they didn’t want to go through them again. It took us a while to recover from this disruption.”*

*- Teacher of 4 years, small high school in Manhattan  
(FG Participant 2)*

Despite the obvious detrimental impact of metal detectors on students and the school environment, teachers wrestled with whether metal detectors are a necessary evil in their schools. One teacher explained, “If you ask students if they like having metal detectors, some students say yes because it will keep weapons out, and other students will say no...because the metal detectors criminalize the students.”<sup>105</sup> Other teachers



questioned whether metal detectors were even effective, “I had metal detectors at my school and not only was it closer and closer to prison, but also ineffective. You can’t really watch the screen that much. If a student wanted to really get something in they can.”<sup>106</sup>

In fact, according to data analyzed by the NYCLU and ACLU, under the “roving” metal detector program between April and December of 2006, 99% of the items confiscated as a result of the metal detectors were cell phones and iPods.<sup>107</sup> Ultimately, teachers agreed that while metal detectors may keep some weapons out, they are not preventing or solving the problem of violence in schools and are instead diverting resources away from positive interventions.

*“Why are we putting money into the SSAs and roving metal detectors and all these punitive programs rather than putting the resources in the school and creating the programs in the school that make those kids that are disenfranchised feel like they are a part of something? Why can’t the schools meet their needs? What are we doing building more punitive structures, rather than creating smaller class sizes where students are really struggling?”*

*- Teacher of 10 years, large high school in Manhattan  
(FG Participant 4)*

## C. EXTREME POLICE TACTICS FOR DISCIPLINE MATTERS

It is a basic tenet of human rights that government bodies “should avoid criminalizing and penalizing a child for behavior that does not cause serious damage to the development of the child or harm to others.”<sup>108</sup> Yet, with increasing numbers of metal detectors, police officers and SSAs, schools are transforming disciplinary matters into criminal matters. Teachers reported that SSAs and police officers are confronting, handcuffing, and removing students for school fights, disruptive behavior in the hallways and for arguing with SSAs or police. Analysis of data from the police department

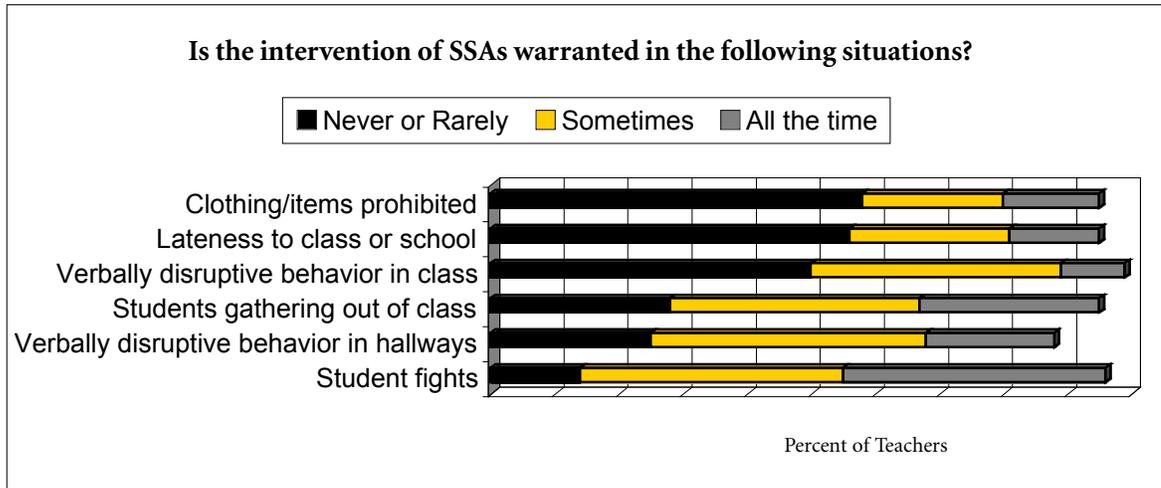
shows that overwhelmingly, police incidents in schools are for non-criminal behavior. For example, in schools with permanent metal detectors 77% of police incidents are for non-criminal behavior.<sup>109</sup>

One high school teacher reported that “a student was cuffed after a verbal incident with an SSA” in which the teacher felt the SSA had instigated the argument.<sup>110</sup> A middle school teacher reported that a student was handcuffed for calling a police officer “corny.”<sup>111</sup> Other teachers described incidents when students were handcuffed and removed for school fights and altercations, despite the absence of weapons involved or serious harm.

*“We have uniformed school safety and NYPD. On occasion you will see police take kids away. There are several schools in the building generally separated by floor. On the first floor a fight started. Six safety agents broke up the fight and took one student away in cuffs... Teachers do not break up fights, that’s the policy. Safety agents intervene in anything physical.”*

*- Teacher, medium-size high school in the Bronx  
(FG Participant 1)*

Even with virtually no other sources of support or alternatives for dealing with discipline problems, when teachers were asked whether the intervention of SSAs in school discipline was justified, the majority of teachers (over 50%) said their intervention is *never* or *rarely* warranted for behavior such as being late to school or class, for disruptive behavior in classrooms, or for clothing or items prohibited by school rules. Between 22% and 39% of teachers felt SSAs’ intervention was *sometimes* warranted for these types of misbehavior, and less than 16% said it was *always* warranted. In focus groups, teachers were particularly concerned by the intervention of SSAs in classroom discipline. One teacher described that when SSAs “come into my classroom they come in with anger and aggressiveness, but that’s not what I want. I know I need to send this kid out of the room for a minute or it will escalate, but



I don't want them to be handled aggressively, I want them under concerned care."<sup>112</sup>

A larger percentage of teachers felt the SSAs' intervention was warranted for fights and verbally disruptive behavior in hallways. Over 63% of teachers said the SSAs' intervention was warranted *sometimes* (43%) or *all the time* (20%) for verbally disruptive behavior, while 25% of teachers said it was *never* or *rarely* warranted. For school fights, 82% believed the intervention of SSAs was warranted *sometimes* (41%) or *all the time* (41%), and 14% believed their intervention was *never* or *rarely* warranted.

However, in focus groups, several teachers explained that they rely on SSAs to intervene in fights and disruptive behavior because of the lack of alternatives.<sup>113</sup> In overcrowded classrooms and hallways, without enough school aides, counselors or other staff to help, teachers feel they have no choice but to turn to police or SSAs.

But teachers acknowledged that calling in police personnel can have a detrimental impact on students, while failing to address the underlying causes of their misbehavior. One teacher related the story of a student who she believed "really needed counseling" for a history of disruptive behavior in her classroom, but when she asked the principal about what services were available, she found that there were none. After an incident of harassment in her classroom when the

student grabbed her, she felt something had to be done. She was told by her Assistant Principal that her only option was to report the incident to the police. She remembers, "I had very mixed feelings about that, but I did it...and the student was to my horror taken out in handcuffs the following day." The student received "his third Youth Detention that year, and he ended up being suspended for 5 days."<sup>114</sup>

Over 18% of teachers said they have intervened in incidents between students and police officers or SSAs. Over 26% of those teachers intervened because of disrespectful behavior, harassment, or inappropriate behavior on the part of SSAs or police, and 16% intervened because they felt an SSA or police officer was either instigating or escalating a situation. Almost 12% intervened over minor violations of school rules, including students wearing hats, having cell phones, or attempting to re-enter the school. Two teachers intervened because of physical violence toward a student – in one case an SSA was "roughing up" a student and in another an SSA "grabbed the student by the neck."<sup>115</sup>

In a few cases, after teachers intervened, they were also disrespected or threatened with arrest. One teacher described an incident when a "safety agent was verbally 'backing' a student 'into a corner' with his questioning." She said, "I told him I would take care of the situation (she was cutting class or late). He then became abusive

*“I was trying to get a student back in the building and didn’t know he couldn’t return once he’d left. He was getting screamed at by security for nothing (from what I could see) and then I started getting screamed at and threatened with arrest. I was baffled - why can’t students come to school? And why does school safety have more authority over these decisions than administrators or teachers?”*

*- Teacher of 3 years, medium-size high school in the Bronx (Survey Respondent 131)*

toward me.”<sup>116</sup>

While the intervention of SSAs or police does not always result in arrest, when arrests take place it has devastating consequences for students emotionally and academically. Article 37 of the Convention on the Rights of the Child states that the “arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time.”

Recent data obtained from the NYPD by the American Civil Liberties Union and the New York Civil Liberties Union revealed that between 2005 and 2007 SSAs and police illegally arrested approximately 300 New York City public school students under the age of 16, some as young as 11 years old, for non-criminal violations in or on school grounds.<sup>117</sup> New York State law prohibits children younger than 16 from being arrested for minor, non-criminal violations like loitering because of the resulting stigma and trauma when youth are arrested. Teachers reported that students are almost always traumatized when they are arrested and described that police officers will often engage in abusive language and treatment during an arrest - cursing, screaming, and humiliating students.

*“One of the most shocking things I saw was a boy getting arrested when I was in front of the school with kids coming back from a field trip to the museum. This cop was just cursing this boy out. You’re kind of punished while you’re being arrested. They really, really humiliate you. To put someone through that when they’re 16 or 17 is a really bad idea. I just remembered how bad it was, how serious the cursing was.”*

*- Teacher of 12 years, large high school in Brooklyn (FG Participant 5)*

*“I’ve seen kids who are completely different after they’ve been arrested...the experience...has a real effect on them. One of my students, a really good kid - studious, smart, worked hard - he was arrested for hitting a school safety agent during an argument. When he came back he was really sullen and withdrawn. He was acting out...He was like, ‘Now I’ve been arrested so now I have a reputation. So I’m gonna fulfill whatever expectation there is.’ It’s really, really sad.”*

*- Teacher of 5 years, small high school in Brooklyn (FG Participant 6)*

It would be unfair to blame SSAs or police for all of the problems with safety and discipline. Many of the SSAs are committed to student safety and contribute to a school culture based on mutual respect. However, without proper training in conflict resolution and de-escalation, and without clear and enforceable guidelines for when and how they should intervene, their impact on the school climate will often violate students’ basic human rights to education and to be treated with dignity.

## TEACHERS HAVE ANSWERS: CREATING POSITIVE SCHOOL CLIMATES AND CONSTRUCTIVE DISCIPLINE

“I feel safe at my school and I feel like I am part of a community that looks out for each other and has a standard of caring for each other...Sure tempers flare, things happen, but it doesn’t challenge the fundamental sense of community.”

- Teacher of 6 years, small high school in Brooklyn (FG Participant 8)

When teachers talk about discipline and safety, they generally reject disciplinary systems that simply react to misbehavior and conflict by punishing and criminalizing students. Rather, teachers strongly believe that discipline must be an opportunity for learning and growth. To meet this goal, they call for:

- A. Building School Culture through Collaboration and Communication
- B. Strengthening Teaching and Learning
- C. Counseling and Support Services for Students
- D. Proactive Strategies to Prevent and Resolve Conflict
- E. Student Leadership in Discipline Practices

Together, these strategies represent a preventative and developmentally appropriate approach to improving school safety and discipline. Human rights law recognizes that this “holistic approach to education” is essential for ensuring the academic, social, and emotional development of students.

As stated by the UN Committee on the Rights of the Child, “schools should foster a humane atmosphere and allow children to develop according to their evolving capacities...to maximize the child’s ability and opportunity to participate fully and responsibly in a free society.”<sup>118</sup>

### A. BUILDING SCHOOL CULTURE THROUGH COLLABORATION AND COMMUNICATION

In order to improve discipline and safety, the entire school community must be part of developing and implementing a constructive approach to discipline. This begins with developing a shared vision and creating structures for staff and students to communicate with one another. Teachers feel that without this strong culture of collaboration and communication, no individual policy or program can succeed.

**Core values** – Teachers in schools with positive cultures stressed that it is essential for school staff, with participation from students, to develop a set of school norms, principles, or core values that everyone in the school agrees to uphold, such as respect for diversity and respect for honesty. Principals must ensure that these core values are communicated and discussed with all members of the school community, and integrated into classroom learning and extra-curricular activities so that everyone knows what is expected of them and why each core value is important.

**Staff meetings** – It may seem surprising, but teachers reported that in many schools there are no regular meetings where teachers come together to discuss discipline and safety, as well as other issues. When asked what would make their schools safer, 8% of teachers

said better communication among staff. In schools that do have regular methods of communication, teachers reported that it can make a huge difference. At staff meetings teachers discuss whether and how to introduce new programs to the school, such as mentoring or mediation programs, or what new strategies can be used to address particular sources of disruption, such as how to better manage the flow of students into the cafeteria during lunch to reduce conflict. Several teachers said that staff meetings can also be an opportunity to discuss any confrontations or tensions that a teacher has with a particular student to gain insight from other teachers about that students' interests and what strategies can be used to better engage him or her.

**Student Orientation**—Some schools run an orientation period at the beginning of the school year to introduce students to school norms and values and to build relationships between students and staff. One teacher explained “there are two or three days of orientation, and then a thematic workshop to orient kids to the school. They get to know all the teachers in the school that way and other students, and then they start their classes.”<sup>119</sup> A teacher in a different school described how an intensive three day orientation “sets a tone that we try to maintain throughout the year...we get kids to buy-in to the community, to the rules, the levels of discipline, the expectations.” During orientation, students discuss a wide range of issues that impact their school and their community, such as gang violence,

### The 100% RESPECT! Campaign at East Side Community High School

East Side Community High School<sup>120</sup> in Manhattan uses innovative strategies to involve students in developing school norms for behavior. The 100% RESPECT! Campaign involves students and staff in a process to discuss and define what respect means in their community. The program started 3 years ago when teachers expressed concern about cursing, sexism, and bullying of all varieties and decided: “We’ve got to do something about this.”

The process begins with a lesson that is carried out in each Advisory Class (a small group that meets regularly) during which students define what respect means. Students discuss different understandings of the term, given that there is diversity in age, gender, class, race, and ethnicity among students and staff. The Campaign aims to develop a common language for adults and teens to communicate with one another across these differences. During the lesson, each advisory group comes up with a list of guidelines defining student-to-student respect, student-to-teacher respect and teacher-to-student respect. After the lesson, student representatives from each advisory group come together to read through all the ideas and come up with a combined list. The guidelines for behavior are then presented to each grade in a town hall style meeting.

Initially, the school implemented the 100% RESPECT! Campaign in the middle school grades and in 6 months suspensions dropped 45%. The school is now implementing 100% RESPECT! in the high school as well.

The Dean of Students, Matthew Guldin, explained that the “100% RESPECT! Campaign has become part of the culture. We talk about it all the time, we have assemblies on it...the rules are made by the kids and we’re working towards having students enforce the rules themselves.” Still, the staff and students have to continually work to build buy-in and participation in the process. He explained, “there are always new challenges, sometimes not everyone buys in or does the lessons.” So everyone has “to be committed to a cultural change, it can’t be a top-down approach. The whole point of this is to foster communication between adults and teens. Once people are communicating with each other using a common language, the need for suspensions drops significantly.”<sup>121</sup>

If you want to learn more about the 100% RESPECT! Campaign you can reach Matthew at [matthewwg@eschs.org](mailto:matthewwg@eschs.org).

and why it is important for the school to be a safe space. The teacher explained how at the beginning you “see kids coming in real tough, scoping out the scene, and over the next three days you can see them open up and become more bright, and become involved, reaching out to this community, relaxing and realizing that this can work.”<sup>122</sup>

## B. STRENGTHENING TEACHING AND LEARNING

*Curriculum must be of direct relevance to the child’s social, cultural, environmental and economic context and to his or her present and future needs and take full account of the child’s evolving capacities; teaching methods should be tailored to the different needs of different children.*

*UN Committee on the Rights of the Child,  
General Comment 1*

Teachers make a direct link between engaging classes and extra-curricular activities, and fewer disciplinary problems. When students are interested in their classes and when they feel a sense of pride and belonging in their school, they are less likely to be distracted. One teacher explained, “When students are succeeding in school they are rarely disruptive, so we need to help them succeed more.”<sup>123</sup> The UN Committee on the Rights of the Child recognizes that education must be “inspiring and motivating” enabling students to tap into their individual interests, talents, abilities, and personalities.<sup>124</sup> This is essential for fostering an atmosphere where all members of the school community feel respected and appreciated and work together to promote a safe environment for learning.

**Curriculum and Class Size** - Teachers reported that interesting and engaging classes are needed to keep students focused on learning and reduce the likelihood that they will engage in disruptive behavior.<sup>125</sup> To better engage students, teachers described how they link their lesson plans to issues and topics that are relevant to students’ everyday lives and to the school community. One teacher described how in her school teachers link the curriculum to the school-wide norms or core values

that are taught and reinforced in all school activities. She explained, “I am an English teacher, so when I am teaching Frankenstein, I link it to one of our core values – respect for humanity.”<sup>126</sup>

Unfortunately, as schools become increasingly focused on test scores and budgets are cut, fewer and fewer course choices exist and teachers explain that “standardized tests make for boring curriculum and kids being frustrated...they are not interested in their education, and therefore feel no ownership over it.”<sup>127</sup> In a 2006 nation-wide survey of 16-24 year-olds who dropped out of high school, students said that “uninteresting classes,” more than any other reason, contributed to them leaving school before graduation. Among the improvements students suggested would have kept them in school, 81% proposed making classroom connections to real-world learning and finding ways to keep school more engaging and relevant.<sup>128</sup>

In survey responses, teachers called on policy-makers to increase diversity in the curriculum to include more arts, science, and service-learning to “capture students’ interests” and to engage students in hands-on, “productive activities that prepare them for life, challenge them and promote self esteem.”<sup>129</sup> Teachers also suggested giving students “more agency and choices in what they do and the classes they take from day to day” so they are “more interested and invested in their classes.”<sup>130</sup> In order for teachers to engage in these creative and productive activities, they also need “small classes and less of a class load so there is time to meet with students” and tailor teaching to their individual interests and personalities.<sup>131</sup>

**Extra-curricular activities** - Teachers also emphasized the importance of after school programs and extra-curricular activities for students to develop a sense of belonging towards school and to put their physical energy and social interactions towards productive outcomes. A teacher in a large high school in Brooklyn described a multicultural club at his school which offers “drumming and dancing in the afternoon” so that students have things to belong to in school. He said, “It’s good to see some kids doing something non-

academic and see how much discipline and care they can show in those settings.”<sup>132</sup>

Unfortunately, budget cuts are stripping schools of “clubs, school newspaper, band, arts, things to get involved in...There is nothing to look forward to and nothing to belong to...It’s only after school tutoring and remediation.”<sup>133</sup> As a result, students are less likely to feel connected to school and more likely to act out. Teachers called on schools to protect and create more after school programs so that students “come to see the value of socialization and the need for manners and good conduct in order to achieve one’s goals.” “Sanctioned ways to interact positively” outside of the classroom are important for students to be able to navigate relationships with others and develop constructive ways of resolving conflict.<sup>134</sup>

*“What works in our school is a YMCA program after school, some other after school activities... Unfortunately a lot of these programs will get cut because of the budget cuts. And as good as they are, these programs really only service less than 10% of the students. And the rest of the kids are just shouted out of the building at the end of the day, ‘Go home, get out of here.’ It really makes me sad because I remember when I was in high school, it was my school, we hung out... These kids are chased away. It’s not really their school at all. First you’re a prisoner, then the day is done: ‘Get out.’”*

*- Teacher of 20 years, large high school in Manhattan  
(FG Participant 3)*

## C. COUNSELING AND SUPPORT SERVICES FOR STUDENTS

*Education systems should...devote particular attention to...provision of positive emotional support to young persons and the avoidance of psychological maltreatment; [and] avoidance of harsh disciplinary measures.*

*- UN Guidelines on the Prevention of Juvenile Delinquency*

Research has shown that students in schools with comprehensive counseling programs report feeling safer and more connected to school and feel they are better prepared by school for future work.<sup>135</sup> Teachers’ day to day experience confirms these findings, and our focus group and survey participants overwhelmingly called for more of these supportive services for students.

**Guidance Counselors and Social Workers** – More than 85% of teachers surveyed said that guidance counseling was either effective or very effective for addressing safety and discipline. When students are being disruptive in the classroom or exhibiting patterns of misbehavior, teachers explained that they would prefer to send them to a counselor or social worker who could “listen to the problems that our students are going through to help them work through it.”<sup>136</sup> One teacher explained, “I would more often than not call a guidance counselor to deal with an issue in class if I could, rather than a safety officer or a Dean or even a parent, because they could sit down with the student and give them the care and the talking they need without the aggressiveness.”<sup>137</sup>

*“There should be a room with counselors or social workers where I could say to a kid, ‘Go now and talk to Mrs. So and So’...With certain kids, they need have a chance to walk it off, but I can’t say, ‘Go to guidance’...There are all these obstacles to getting them the help they need, and then I hear that next period the kid got suspended for yelling at a teacher, and I think, ‘Well, no wonder.’”*

*- Teacher of 3 years, large high school in Manhattan  
(FG Participant 10)*

Unfortunately, as documented earlier in this report, there are not enough counselors or social workers to help with discipline. Many teachers explained that the guidance offices in their schools were not only understaffed and overwhelmed by the sheer number of students that they were required to see, but also that their primary function was scheduling classes for students and helping seniors prepare for graduation. Several teachers expressed that schools should better

define the role of counselors and social workers and ensure that they have proper training.

There is also a vital leadership role for school counselors and social workers to play in creating and sustaining a safe school culture. They can engage teachers, administrators and district officials to assess whole-school climate needs and provide universal prevention programming. Counselors can help teachers and staff by aiding in identifying behavioral problems, modeling trust and respect and teaching both students and teachers empathy skills.<sup>138</sup> They can utilize community resources for mentoring, after-school programs, and referral services to strengthen the ties between schools, communities and families, and work proactively with parents to provide resources, training, and referrals as necessary.

**School aides** - Several teachers in focus groups also pointed to the important role that school aides and community workers can play in helping to maintain discipline and promote a positive school culture. School aides are often young adults who come from the same community as students and are available to monitor hallways and cafeterias and to respond to and de-escalate conflicts when they arise. A teacher at a large high school in the Bronx described school aides at her school as “gentle and sweet people... [who] talk to the students and so the place is calm.”<sup>139</sup> She explained that school aides are an effective alternative to a uniformed security presence because the school aides can handle many of the same functions of security without creating an aggressive presence. Another teacher explained that students have a familiarity and relationship with the school aides who are “much more part of the school community” than the SSAs.<sup>140</sup>

While only one teacher in focus groups explicitly raised the issue of the diversity of the teaching body in her school, teachers’ perspectives on how school aides play a particularly constructive role because they are often from the same community as students, does raise the question of whether teacher diversity may also be important. In New York City schools, only 14% of students are white, but 60% of teachers are white.<sup>141</sup>

Research has shown that students of color tend to have higher academic outcomes and fewer disciplinary referrals when taught by teachers from their own racial or ethnic groups.<sup>142</sup> This research also shows that teachers of color have higher performance expectations and may be more likely to use challenging curriculum with students of color, which increases academic performance.

## D. PROACTIVE STRATEGIES TO PREVENT AND RESOLVE CONFLICT

*Education must also be aimed at ensuring that essential life skills are learnt by every child...such as the ability to make well-balanced decisions; to resolve conflicts in a non-violent manner; and to develop a healthy lifestyle, good social relationships and responsibility.*

- UN Committee on the Rights of the Child,  
General Comment 1

One of the primary functions of education is providing students with the skills to resolve conflicts and build good social relationships.<sup>143</sup> The UN Committee on the Rights of Child recognizes that schools must teach students how “to resolve conflict in a non-violent manner” and promote supportive approaches to discipline that reinforce positive social interaction.<sup>144</sup> Good classroom management, conflict resolution, mediation and restorative practices in schools encourage students to take responsibility for their actions, consider the impact their behavior has on others, and work collaboratively with members of the school community to repair any harm done and prevent conflict from reoccurring.

*Authorities should promote the establishment of a wide system of in-service education, available free to all teachers...Courses and other appropriate facilities should be so designed as to enable teachers to improve their qualifications, to alter or enlarge the scope of their work...and to keep up to date with their subject and field of education as regards both content and method.*

- UNESCO/ILO Recommendations on the  
Status of Teachers

## The Intervention Team at Banana Kelly High School

At Banana Kelly High School<sup>145</sup> in the Bronx, an Intervention Team (I-Team) of five adults works to address the impact of poverty on the behavior, attendance and academic performance of students. The I-Team is made up of four Community Outreach Workers and the Dean, who goes by the title Director of Student Life. Throughout the day, I-Team members interact with students, building relationships and providing support. They are at the school entrance in the morning welcoming students and checking to see if any students seem “stressed” or upset and could use some support.

The I-Team seeks to intervene with troubled or disruptive students in a timely and pro-active manner. It encourages students to reveal and discuss the hidden issues that frequently compete with a teacher’s time and interfere with the best laid lesson plans.

The I-Team responds to a wide variety of conflicts that arise in school. In some cases the I-Team is called in to de-escalate a conflict and in other cases they follow-up after a teacher has reported difficulty with a student. For example, a teacher might write a log-entry, “Wally came into class 30 minutes late, refused to do the work, and talked during the whole class.” Someone from the I-Team will then follow up with that student, find out what led to that behavior, and develop an appropriate response. If a student displays problematic behavior a lot, they come up with a program to support that student over time.

The I-Team uses a range of methods to respond to conflict including mediation, crisis intervention, and a small-group peer support program. If, for example, a student has difficulty managing their anger and consistently has outbursts or confrontations with other students or teachers, the I-Team might utilize the Life Skills Crisis Intervention (LSCI). The team will work to find out what sets the student off, acknowledge the student’s feelings, help the student to recognize their behavior, and transfer skills that enable the student to manage behavior on their own. The I-Team aims to build trusting relationships with students and then to leverage those relationships to guide the students to do what is in their best interest.

The I-Team plays an invaluable role in the school for teachers, administrators, students, and parents. A member of the I-Team explained, “It gives teachers and principals the support they need and the space to work on the most important stuff in a school: teaching and learning. Parents also have someone to go to when they’re concerned about their child. The rumors about kids ‘who are going to get jumped’ fly all over the place. We have a team who can investigate that stuff. And students who need support have 5 extra adults in the school who they can turn to when they need it.”<sup>146</sup>

**Classroom management training** - Almost 82% of teachers surveyed felt that classroom management training was either an *effective* or *very effective* method for addressing discipline. Teachers reported that they need “better classroom management skills...a way to communicate clear consequences to students... and to know when it is ok to remove students from the classroom.”<sup>147</sup>

Overall, teachers emphasized that a one-size-fits-all model for either classroom management or academic success is out of touch with the realities of today’s classrooms and disadvantages all learners.<sup>148</sup> Thus, teachers talked about the need for creativity and flexibility in the type of training they receive so that they can become proficient in a wide range of both instructional and behavioral techniques. They called not only for traditional professional development

workshops, but for programs where teachers can share their strategies with one another and give encouragement, constructive feedback, and guided reflection to support them in developing their teaching practice and pedagogy. Indeed, participants in the survey and focus groups shared different techniques for classroom management, and several teachers talked about “positive systems and incentives that reward good behavior and promote caring and community among students.”<sup>149</sup> One teacher explained, “I have a reward system and I really try to emphasize the positive as much as possible. So I reward them when they’re doing the right thing, when they’re on task, when they’re working well.”<sup>150</sup> Finally, teachers called for university level teacher programs that provide hands-on strategies to address discipline and conflicts, complaining that an overemphasis on theory fails to prepare them to meet the full range of their students’ educational needs.

**Conflict resolution and mediation** – Over 84% of teachers surveyed said that conflict resolution and mediation are *effective* or *very effective* methods for improving safety and discipline. Teachers reported that they need more training so that they can be “the first layer for conflict resolution in any issues that come up with students.”<sup>151</sup> But teachers also said that schools need more intensive programs run by counselors, school aides, or other staff to use conflict resolution and mediation as an alternative to removal when conflicts arise. Research demonstrates that school-based conflict resolution programs significantly reduce antisocial behavior in participants and improve school climate.<sup>152</sup> In New York City schools, conflict resolution training and programs are available, but as documented in earlier sections of this report, not enough teachers and schools are receiving the resources and guidance to use them.

**Restorative Practices** - While restorative practices are still a relatively new concept for some educators, 66% of teachers surveyed said that restorative practices are *effective* or *very effective* disciplinary methods (over 20% of teachers responded that they did not know). Restorative practices involve students and staff in a process to repair the harm resulting from conflicts or

misbehavior through fairness committees, community circles, and peer juries.

Fairness committees, for example, can be used as an alternative to suspension and other punitive responses. The committees are usually made up of several students and teachers or other staff members who are trained in restorative practices. Two teachers in our focus groups had fairness committees in their schools. One teacher described the fairness committee as a forum “where students can take other students, teachers can take students, students can even take teachers if they are violating the core values, to have humane conversations about how to interact in the schools. In the 9 years that I worked there, there were very few fights in the school.”<sup>153</sup> When students or teachers go to the committee, they discuss the reason for their behavior, the impact it had on the broader school community, and creative solutions for how to repair the harm done, which can include community service to the school, writing letters of apology, or participating in additional counseling or mediation.

In addition to these formal structures, the restorative philosophy should also be integrated into the daily practices and language of a school community. Training teachers, staff, and the administration in using language and questioning that provoke student reflection and responsibility are key components of a school-wide restorative culture.<sup>154</sup> These practices can be incorporated into the curriculum, town hall meetings, school clubs, and extra-curricular activities. Research by the International Institute for Restorative Practices has found that restorative practices create a “more positive relationship between staff and students” and contribute to decreases in disciplinary referrals, detentions, disruptive behavior, and out-of-school suspensions.<sup>155</sup>

In 2006, the Chicago Public Schools adopted a new student code of conduct incorporating restorative justice practices. Currently over 50 high schools in Chicago have peer juries. In an evaluation conducted by DePaul University in 2007, researchers found that “the peer jury program helped students who violated

## A Preventive and Restorative Approach to Discipline at James Baldwin School

At the James Baldwin School<sup>156</sup> in Manhattan, the school culture is infused with restorative principles and practices aimed at building a sense of community and preventing conflict. There are approximately 200 students in the school, many of whom are transfer students who have come from other schools where they faced disciplinary or academic difficulties. A central part of the school's mission is "to provide a haven for students who have previously experienced school as unresponsive to their needs... by personalizing our learning situations, by democratizing and humanizing the school environment, and by creating a 'talking culture.'"<sup>157</sup>

The school's approach to discipline begins with the modeling and teaching of seven core values which include respect for intellect, humanity, diversity and truth, and commitment to justice, peace and democracy. These core values are integrated into the school curriculum and students constantly discuss ways to better respect these values in their daily interactions. A key method for teaching and discussing these core values is through "Crew" or the Advisory Program at James Baldwin. A group of 10 to 15 students and a Crew Advisor (a teacher at the school) meet every morning to provide academic support and to discuss and resolve conflicts or tensions that arise. The teacher or Crew Advisor is the primary contact for their students regarding any academic, social or behavioral issues that come up and for regularly communicating with their students' families.

When students violate one of the core values or conflicts arise, there is a scale of constructive behavioral interventions focused on addressing the needs of students and the school community. Interventions start at informal conversation with the student and lead up to formal mediation, referral to the school's fairness committee, a meeting with parents, or a behavioral contract, which can include explicit consequences for future misbehavior, including any of the above mentioned responses, as well as suspension.

The school adopted the Fairness Committee model based on the restorative practices used at Humanities Preparatory Academy, the school which leaders at James Baldwin set out to replicate. The Committee usually convenes six people - a teacher facilitator, one teacher, and two student members, and the two people who are involved in a violation of a core value. Any teacher or student can take another to the fairness committee. The Fairness Committee utilizes restorative principles by 1) promoting self-reflection and empathy by confronting a member of the community with his or her actions and how they have effected others, 2) collectively deciding how best to restore and mend the community as a result of the actions, and 3) determining how to reintegrate the member who has violated the values back into the school community. The Committee can be the first, second or final step in any intervention.

A teacher at James Baldwin explained how the fairness committee, the Crew advisory, and other preventive strategies help staff "figure out what is going on with students" and take steps to resolve conflicts "before things get too far or too physical... Giving students a space in which they can talk and in which they can deal with emotional situations is important."<sup>158</sup> As a result, suspension is used "very selectively." When used, suspension is part of a thoughtful process "to set clear limits on behavior that could be dangerous to self or others; to allow people time away from the community to reflect on the damage done to self or others... to give the community time to prepare for the re-acceptance of the persons suspended; [and] to broaden the student's (and school's) circle of accountability to include family."<sup>159</sup> Together, the different layers of support and constructive intervention at James Baldwin create a caring and supportive school environment where teachers and students are able to thrive.

various types of school rules avoid over 1,000 days of suspension, thereby keeping them in the learning environment, a major goal of the peer jury.<sup>160</sup>

## E. STUDENT LEADERSHIP IN DISCIPLINE PRACTICES

*The participation of children in school life, the creation of school communities and student councils, peer education and peer counseling, and the involvement of children in school disciplinary proceedings should be promoted as part of the process of learning and experiencing the realization of rights.*

- UN Committee on the Rights of the Child,  
General Comment 1

Enlisting students in the development of safety and discipline guidelines and procedures encourages broad student buy-in, mutual trust, and commitment to those policies. The UN Committee on the Rights of the Child recognizes the fundamental right of students to participate in school policies that impact their education, including in disciplinary proceedings.<sup>161</sup> As noted earlier in the report, 51% of teachers felt that students should have *a lot* or *the most influence* over discipline and safety policies. Another 37% said that students should have *some influence* over these policies. Teachers report that it is important for students to be included in decisions about discipline because “if they are invested and included in developing rules, they are more likely to follow them.”<sup>162</sup>

**Direct input into school policy** - Teachers felt that schools should create vehicles to ensure that students provide input into the creation of discipline policies. They had several suggestions for how to involve students, including asking students to give input into school handbooks, forming a student committee for discipline to discuss issues as they arise and give recommendations to the administration, as well as using traditional governance structures in schools such as school councils.

**Peer mediation and mentoring** – Teachers support involving students directly in shaping and facilitating disciplinary responses. In addition to training adults in conflict resolution and mediation, 83% of teachers felt that peer mediation is *effective* or *very effective* for improving discipline and safety. Peer mediation, intervention, and mentoring programs give students who are experiencing difficulties an opportunity to talk with other youth who are part of the same school community and experiencing many of the same struggles. Peer mediation and mentorship programs “utilize the leadership strengths of students to help one another resolve problems” and hold each other accountable for creating a safe learning environment.<sup>163</sup> One teacher explained that at her school they “created an advisory system where 9th graders actually have older students as advisors, have student-led meetings, and try to get students to support them in working out problems. Many students at our school help to defuse volatile situations... The experienced student members of our community are our best support in creating an environment that is safe for all.”<sup>164</sup> But teachers caution that for these programs to work, schools need time and resources to adequately train students and support them in carrying out these programs.

**School-wide meetings** – Teachers reported that town hall style meetings or other forums are important to get input from students about discipline and safety policies. Students can share their own ideas for how to improve the school environment and can ask questions of teachers, administrators, and school safety personnel. These meetings can be school-wide or can be broken down into smaller groups depending on the size of the school. Several teachers felt that town hall meetings can also be helpful after an incident occurs inside or outside of school, such as a serious fight or police incident, to give students a chance to talk about why it happened, how it affected them, and what can be done to prevent it from happening again. Teachers report that these meetings are most effective when students help to identify the topics for discussion and participate in facilitating the meeting themselves.

## A Schoolwide System for Positive Behavior Supports

Positive Behavior Interventions and Supports (PBIS) is a system that schools can use to build positive school cultures and approaches to discipline. Under PBIS, all stakeholders in the school community come together to establish norms and behavioral expectations for the school, create incentives for appropriate behavior, and determine constructive consequences and interventions for inappropriate behavior.<sup>165</sup> PBIS includes three levels of support and problem solving:

- Primary: rules, routines, and physical arrangements for all students to prevent initial problem behavior
- Secondary: small group or individual responses for students at risk of problem behaviors, such as mentoring programs, staff support teams for students, etc.
- Tertiary: more intensive interventions tailored to meet the specific needs of individual students with patterns of problem behaviors

At each level, schools can tailor the different strategies and programs they use to best meet the needs of their students and staff. PBIS also uses data gathering and evaluation for schools to review the effectiveness of disciplinary approaches and adjust their strategies as needed.

A growing number of schools and districts around the country have adopted PBIS in their discipline code, including the Los Angeles Unified School District. Research has shown that PBIS can reduce disciplinary incidents, improve the school environment and increase academic outcomes for students. In the state of Illinois, there are over 600 schools implementing PBIS. In 12 Chicago public schools, for example, the number of students who received six or more disciplinary referrals fell by more than 50% over three years after implementing PBIS.<sup>166</sup> At the federal level, the Positive Behavior for Effective Schools Act, currently before the Senate and House of Representatives, would allow school districts to use federal funds for PBIS and other preventive approaches to discipline.

In New York City, the Office of Positive Behavior Support provides technical assistance for schools in implementing PBIS, in particular for schools in District 75 that serve Special Education students. The office provides professional development workshops for teachers in classroom management techniques, conflict resolution, and functional behavior assessments.<sup>167</sup>

## ACTION STEPS FOR THE MAYOR AND DEPARTMENT OF EDUCATION

To protect the human right to education and safety with dignity for all students, we call on the Mayor of the City of New York and the Department of Education to:

1. Support schools in creating their own positive cultures based on a collaborative process involving teachers, students and parents, administrators, staff, and School Safety Agents. The Department of Education should provide technical assistance and support for schools to access systems such as Positive Behavior Interventions and Supports (PBIS) and restorative practices which can be used to develop positive cultures for safety and discipline policies, and the flexibility to share with and learn from colleagues around the city to develop best practices.
2. Reduce class size and overcrowding in schools and provide appropriate facilities for a positive educational experience for students and teachers.
3. Increase funding to hire well-trained guidance counselors, social workers, school aides, community outreach workers, and other support staff.
4. Provide more professional development in conflict resolution and classroom management for teachers, deans, counselors, and administrators, and in leadership development for principals.
5. Provide staff and technical assistance for schools to implement conflict resolution, mediation, mentoring, and restorative justice programs as alternatives to suspension.
6. Support student voice and innovative approaches to discipline and college readiness/access by supporting the maintenance and expansion of Urban Youth Collaborative Student Success Centers, which both look to students to design school-tailored programs that enhance and support progressive, non-punative solutions to conflict, and support college access for all.
7. Revise the discipline code to reserve suspensions for only the most serious infractions.
8. Support passage of the Student Safety Act as a first step towards providing greater transparency and accountability over citywide discipline and safety practices. The Act includes data reporting requirements on suspensions, expulsions, and police incidents in schools and gives students the right to file complaints against School Safety Agents before the Civilian Complaint Review Board (CCRB).
9. Remove armed police officers as a regular presence in schools.
10. Provide better training for School Safety Agents and establish clear guidelines for when they should be involved in discipline, including reserving arrest for major crimes.<sup>168</sup>
11. Pass “Immigrant Safe Zones” which will ensure enforcement of city and Department of Education laws that protect immigration status information of students and their families. Fear of school authorities asking for or compiling immigration status is a major obstacle to undocumented immigrant students accessing education services.
12. Reduce the use of metal detectors in schools and hold annual assessments, informed by students, parents, teachers, and administrators, of how they are being used and whether they should be removed.
13. Establish clear rules about governance over school safety giving principals and educational staff authority over School Safety Agents. The Department of Education should provide guidance, but ultimately each school community must develop and approve its own procedures.
14. Increase student, parent and teacher participation in developing and implementing discipline and safety policies at the school and district level.

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# APPENDIX A: TEACHER SURVEY

1. Name of school where you teach: \_\_\_\_\_ Grade(s) you teach: \_\_\_\_\_  
 Subject(s) you teach: \_\_\_\_\_ Years teaching: \_\_\_\_\_ Years at this school: \_\_\_\_\_

2. Which of the following best describe your race/ethnicity? (please circle all that apply)  
 Black      Latino      Asian American      Native American      White      Other \_\_\_\_\_

3. Size of school where you teach (please circle one):  
 Small (Up to 500 students)      Medium (501 to 1,500)      Large (More than 1,500)

4. Is your school (please circle one):      Free-standing      or      On a larger campus

**5. What type of safety personnel and equipment do you have at your school? (please circle *Yes* or *No*)**

- |   |     |    |
|---|-----|----|
| a. School safety agents (uniformed, but unarmed police personnel assigned solely to work in schools)          | Yes | No |
| b. Armed police officers (some armed NYPD officers are also assigned to schools)                              | Yes | No |
| c. Permanent metal detectors  | Yes | No |
| d. Temporary walk-through metal detectors from the NYPD (under the DOE's Mobile Unannounced Scanning Program) | Yes | No |

	Never	Rarely	Sometimes	Always	N/A
<b>6a. Do school safety agents make you feel safe in school?</b>	-	-	-	-	-
b. Do you believe school safety agents make students feel safe?	-	-	-	-	-
c. Do school safety agents treat students with respect?	-	-	-	-	-
<b>7a. Do armed police officers make you feel safe in school?</b>	-	-	-	-	-
b. Do you believe armed police make students feel safe?	-	-	-	-	-
c. Do armed police officers treat students with respect?	-	-	-	-	-
<b>8a. Do metal detectors make you feel safe in school?</b>	-	-	-	-	-
b. Do you believe metal detectors make students feel safe?	-	-	-	-	-
c. Are students treated with respect when they go through detectors?	-	-	-	-	-
d. Are students late to first period class because of detectors?	-	-	-	-	-

**9. How often do you believe the intervention of school safety agents is warranted in these situations at your school?**

	Never	Rarely	Sometimes	All the time	N/A
a. Student fights	-	-	-	-	-
b. Verbally disruptive behavior in hallways	-	-	-	-	-
c. Verbally disruptive behavior in class	-	-	-	-	-
d. Clothing/items prohibited by rules	-	-	-	-	-
e. Lateness to class or school	-	-	-	-	-
f. Students gathering out of class (ie. near the cafeteria, after school, etc.)	-	-	-	-	-
g. Other _____	-	-	-	-	-

**10. Have you ever intervened in an incident between students and school safety agents or armed police? (please circle)**

Yes      No      If so, please describe what happened:



11. Of the following people, who has the most influence over safety and discipline policies in your school?

	No influence	Some influence	A lot of influence	The most influence	N/A
a. Teachers	-	-	-	-	-
b. School administrators	-	-	-	-	-
c. Students	-	-	-	-	-
d. Parents	-	-	-	-	-
e. School safety agents	-	-	-	-	-
f. Armed police officers	-	-	-	-	-
g. Dept. of Education administrators	-	-	-	-	-

12. Of the following people, who should have the most influence over safety and discipline policies in your school?

	No influence	Some influence	A lot of influence	The most influence	N/A
a. Teachers	-	-	-	-	-
b. School administrators	-	-	-	-	-
c. Students	-	-	-	-	-
d. Parents	-	-	-	-	-
e. School safety agents	-	-	-	-	-
f. Armed police officers	-	-	-	-	-
g. Dept. of Education administrators	-	-	-	-	-

13. How effective do you believe the following methods are for improving safety and discipline?

	Very ineffective	Ineffective	Effective	Very effective	Don't know
a. Adult mediation	-	-	-	-	-
b. Peer mediation	-	-	-	-	-
c. Guidance counseling	-	-	-	-	-
d. Conflict resolution for students	-	-	-	-	-
e. Conflict resolution training for teachers	-	-	-	-	-
f. Classroom management training for teachers	-	-	-	-	-
g. Restorative justice practices (ie. fairness committees, community circles, peer juries)	-	-	-	-	-
h. In-school suspension	-	-	-	-	-
i. Out-of-school suspension	-	-	-	-	-
j. Arrest	-	-	-	-	-
k. Other _____	-	-	-	-	-

14. What do you believe is the largest threat to safety in your school? (please write)

15. What do you believe is needed to make your school safer? (please write)

## APPENDIX B : TEACHER FOCUS GROUP GUIDE

1. Do you feel safe at your school and why or why not?
    - What do you believe is the largest threat to safety in your school?
  
  2. Do you have school safety agents and police officers in your school? How many? How does their presence effect the environment in school?
  
  3. What role do safety agents and police officers play in disciplinary issues in your school?
    - When do they intervene with students, for what types of incidents?
    - What happens when they intervene? What are the consequences? Can you give us an example? Is that typical?
    - Do you believe it is warranted when they intervene?
    - Do you ever call on police or safety agents? Why or why not? Can you give an example and describe what happened?
    - Have you asked them to enter your classroom? What happened?
    - Have they ever entered your without you asking? Why? Can you give an example of what happened?
  
  4. Does their intervention positively or negatively impact student behavior? How?
    - Can you give us an example of each?
  
  5. In addition to the role of police and safety agents, what are the discipline policies and strategies that are used in your school?
    - How often is suspension or expulsion used and for what types of incidents?
    - Does your school offer adult mediation, peer mediation or conflict resolution for students?
    - Are guidance counselors available to meet with students on disciplinary issues?
    - Are there any restorative justice practices used in your school?
  
  6. What strategies do you use in your classroom?
  
  7. What policies or strategies do you believe are most effective?
    - What would you like to see more of?
    - What would you like to see less of?
    - What do teachers need to help promote discipline and safety in the classroom?
  
  8. Who in your school participates in planning and decision-making about discipline and safety policies?
    - How are safety and discipline policies communicated to teachers?
  
  9. What role do you think teachers should play in determining discipline and safety policies?
  
  10. What role should students play in determining discipline and safety policies?
-

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