

# Comparing Disciplinary Processes in North Carolina Charter and Traditional Public Schools

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## Abstract

In this paper, I utilized qualitative research methods to analyze North Carolina's middle and high school charter disciplinary policies with a focus on three particular research areas.

1. What differences, if any, exist between disciplinary processes in North Carolina charter and traditional public schools?
2. How does implementation differ from the stated policies in each type of school?
3. How do patterns of variation in stated policies and their implementation vary between charter and traditional schools?

There were two components to my study. The first involved an analysis of the disciplinary processes employed by charters and their traditional counterparts. In order to examine processes, I began by reading and coding student codes of conduct for all middle and high school charters in the state. I also read and code student codes of conduct for 4 traditional public school districts: Durham, Mecklenburg, Orange and Wake County.

The second component of my research involved an analysis of the implementation of the aforementioned processes. I conducted semi-structured interviews with select charter school and traditional public school administrators in the 4 counties. The interviews provided information on differences between processes and implementation and whether they varied across charters and traditional public schools.

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## Background

### Why Do School Discipline Policies Matter?

Student discipline has generally received a great deal of attention in both the popular press and academia. In particular, the relationship between student disciplinary issues and various outcomes has been carefully analyzed. The evidence for such a relationship is fairly strong. A literature review of relevant research, for example, concluded a strong link between student antisocial behavior and academic failure.<sup>1</sup> A 2004 study of Indiana schools also found that schools with high rates of out-of-school suspensions and expulsions had lower average passing rates on the state proficiency exam than schools with low rates.<sup>2</sup> Researchers reached this conclusion even after controlling for poverty rate, percentage of African American students, total school size, school type (elementary or secondary), and locale (urban, suburban, town, and rural).<sup>3</sup>

Students who are suspended are also more likely to have been involved with the legal system as measured through arrests, probation or parole.<sup>4</sup> A 2006 study in the Miami-Dade County school district found that suspended students had substantially less academic growth compared to students who were not suspended as well as higher drop-out rates.<sup>5</sup> Indeed, students

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<sup>1</sup> McEvoy, A., & Welker, R. (2000). Antisocial behavior, academic failure, and school climate: A critical review. *Journal of Emotional and Behavioral Disorders*, 8, 130–140

<sup>2</sup> Rausch, M. K., & Skiba, R. (2004).

Unplanned outcomes: Suspensions and expulsions in Indiana.

Bloomington, IN: Indiana University, Center for Evaluation and Education Policy.

<sup>3</sup> Ibid.

<sup>4</sup> Costenbader, Virginia, and Samia Markson. "School Suspension:: A Study with Secondary School Students." *Journal of School Psychology* 36, no. 1 (1998): 59-82.

<sup>5</sup> Arcia, E. (2006). "Achievement and Enrollment Status of Suspended Students: Outcomes in a Large, Multicultural School District." *Education and Urban Society* 38(3): 359-369.

who experience out-of-school suspension and expulsion are as much as ten times as likely to drop out of high school compared to their counterparts.<sup>6</sup>

Such detrimental outcomes are not limited to students. Some studies have shown, for example, that teacher attrition can be attributed, in part, to high numbers of disciplinary incidents in schools.<sup>7</sup> In a study that surveyed 345 teachers' beliefs about their general classroom management skills, secondary educators reported being significantly less able, willing, and ready to manage challenging student behaviors compared to their colleagues at lower grade levels.<sup>8</sup> Another survey of 320 teachers in Ohio found a link between student misbehavior and teacher burnout, which ultimately contributed to teachers leaving the field.<sup>9</sup>

### Discipline in North Carolina Public Schools

In 1993, the North Carolina General Assembly passed the Safe Schools Act, mandating that school districts report 16 offenses to the SBOE. These offenses include possession of a firearm, assault on school officials and possession of controlled substances. Schools also report other offenses in addition to the legally mandated 16 offenses. The Board compiles a list of all reported acts committed on school campuses and publishes an annual report on 'acts of violence' in public schools.<sup>10</sup>

#### *Key Facts About Reportable Offenses in North Carolina*

- One of seven North Carolina high school students receives at least one out-of-school

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<sup>6</sup> Lamont, J. e. a. (2013). "Out-of-School Suspension and Expulsion." *Pediatrics*  
Vol. 131 No. 3 pp. e1000 -e1007.

<sup>7</sup> Feng, Li. "Hire today, gone tomorrow: The determinants of attrition among public school teachers." (2005).

<sup>8</sup> Baker, Pamela. "Managing Student Behavior: How Ready are Teachers to Meet the Challenge?" *American Secondary Education* , Vol. 33, No. 3 (Summer 2005) , pp. 51-64

<sup>9</sup> Grayson, Jessica and Alvarez, Heather. "School climate factors relating to teacher burnout: A mediator model." *Teaching and Teacher Education: An International Journal of Research and Studies*, v24 n5 p1349-1363

<sup>10</sup> "Consolidated Data Reports." NC Department of Public Instruction.  
<http://www.ncpublicschools.org/research/discipline/reports/>

short-term suspension each year.

- There were 122,655 grade 9-13 short-term suspensions reported statewide in 2011-12, a decrease of 5.5% from the 2010-11 total of 129,817 suspensions.
- In 2011-12, there were 30 expulsions in North Carolina schools, down from 69 in 2010-11, representing a decrease of 56.5% from the previous year. High school students accounted for 24 of these expulsions.
- Alternative schools and programs (ALPs) reported 14,090 student placements in 2011-12, only three fewer than in 2010-11.
- Males were placed in ALPs at higher rates than females, and black students were placed at higher rates than other ethnic groups.

### *Disciplinary consequences*

The term ‘zero tolerance’ refers to policies that punish all offenses severely, regardless of the gravity of the offense. The passage of the Gun-Free Schools Act in 1994, which required all schools that receive federal aid to expel students caught with firearms on campus, is an example of the use of zero tolerance policies in schools today.<sup>11</sup>

In North Carolina, federally mandated yearlong suspensions related to weapons violations or false reports of bomb threats lead to student placement in an alternative learning program.<sup>12</sup> However, since 2011, local boards of education have been prohibited from imposing mandatory long-term suspensions or expulsions for other violations.<sup>13</sup> At the same time, superintendents and principals are also given some discretion to consider a student’s history before imposing a long-term suspension.<sup>14</sup> State statutes also outline the due process accorded to students, including opportunities for a hearing, written notice to parents, as well as procedures for appealing a disciplinary decision.<sup>15</sup>

While disciplinary consequences tend to be more punitive in nature, schools also adopt certain behavioral systems in order to promote a more positive school culture as well as facilitate

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<sup>11</sup> Shah, Nirvi. “Discipline Policies Shift With Views on What Works.” Education Week. January 4, 2013. <http://www.edweek.org/ew/articles/2013/01/10/16policies.h32.html>

<sup>12</sup>N.C. Gen. Stat. § 115C-391(d1), (d3)

<sup>13</sup> N.C. Gen. Stat. § 115C-390.2(e)

<sup>14</sup> N.C. Gen. Stat. § 115C-390.2(f)

<sup>15</sup> N.C. Gen. Stat. § 115C-390.6-115C-390.8

meaningful interventions. The most prominent example of this is the Positive Behavioral Intervention System (PBIS). PBIS is a school wide intervention approach that emphasizes the use of “evidence-based behavioral interventions into an integrated continuum.”<sup>16</sup> PBIS also focuses on preventative strategies and a consistent use of interventions in order to reduce disciplinary incidents within a school. At the end of the 2011-2012 school year, 1154 schools statewide were trained in or implementing PBIS, representing 46 percent of the state’s 2512 schools.<sup>17</sup> Schools with high fidelity to PBIS have demonstrated lower out-of-school suspension rates and higher graduation rates.<sup>18</sup> Other examples of behavior interventions include counseling sessions, peer mediation and restorative justice programs.

### *Due Process*

In 1975, the Supreme Court held that public school students were entitled to procedural due process rights (*Goss v. Lopez*). Specifically, the Court found that students facing suspension should be given notice and afforded some kind of hearing.<sup>19</sup> Additionally, the Court held that a due process hearing was required if a student was facing a long-term suspension (i.e., suspension of 10 days or more) or expulsion.<sup>20</sup> Academic literature around the implementation of due process is sparse and largely published in the 1970s, in the years preceding and following the *Goss v. Lopez* decision. For example, one study from 1978 studied the variation between stated policy and implementation of due process in an integrated high school in Chicago. Researchers found that the procedural rights afforded to students satisfied both the *Goss* requirements and

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<sup>16</sup> “PBIS Frequently Asked Questions.” PBIS Technical Assistance Center. <http://www.pbis.org/school/swpbis-for-beginners/pbis-faqs>

<sup>17</sup> “11-12 Evaluation Report.” NC Department of Public Instruction. [www.ncpublicschools.org/docs/positivebehavior/data/evaluation/2011-12/2012-eval-report.pdf](http://www.ncpublicschools.org/docs/positivebehavior/data/evaluation/2011-12/2012-eval-report.pdf)

<sup>18</sup> *Ibid.*

<sup>19</sup> *Goss v. Lopez*. 419 U.S. 565 (1975).

<sup>20</sup> *Ibid.*

school statutory requirements.<sup>21</sup> Researchers also concluded that there was a great deal of discretion in the handling of cases of alleged misconduct, which elevated the administration of discipline from a mechanical process to one that was more compassionate.<sup>22</sup>

## Charter Schools and Discipline

Charter schools originated as a form of school choice, particularly for families served by chronically low-performing schools. Charter schools, a type of public school, obtain a charter from an authorizing body, generally the State Board of Education, in order to operate for a specified amount of time, typically 3-5 years. At the end of the operating period, the school's performance is reviewed before determining whether the school's charter should be extended.

In return for operating a charter, schools receive more freedom to create tailored policies for their student populations. Examples of this include freedom to create a suitable academic curriculum as well as adoption of additional disciplinary policies. Staffing policy and the ability to hire fewer certified staff is another example of the autonomy accorded to charters. In sum, while charter schools must adopt a set of basic guidelines set forth by the state's governing body, schools can create additional policies, as they see fit. Many charter schools, for example, require students and their families to sign behavior contracts and parent agreements. Some students attending Noble Network charter schools in Illinois can even earn fines for demerits resulting from offenses as varied as dress code violations, chewing gum or possessing permanent markers.<sup>23</sup>

In recent years, charters have received scrutiny for application of their disciplinary

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<sup>21</sup> Manley-Casimir, Michael E. "Procedural due process in secondary school discipline." *Theory into Practice* 17, no. 4 (1978): 314-320.

<sup>22</sup> Ibid.

<sup>23</sup> "Student and Parent Handbook- 2012-2013." The Noble Network of Charter Schools.

[http://johnsoncollegeprep.noblenetwork.org/sites/johnsoncollegeprep.noblenetwork.org/files/images/handbook-student\\_and\\_parent\\_2012-13.pdf](http://johnsoncollegeprep.noblenetwork.org/sites/johnsoncollegeprep.noblenetwork.org/files/images/handbook-student_and_parent_2012-13.pdf)

policies, particularly as they relate to suspension and expulsion rates.<sup>24</sup> In June 2013, the Connecticut State Department of Education released a report highlighting disciplinary trends in district schools. The suspension/expulsion rate of students in elementary grades in public charter schools (14.2 percent) was greater than the state average of 3 percent.<sup>25</sup> This trend was also observed in middle and higher grades.<sup>26</sup> A Washington Post review of D.C. Public Schools data revealed that city charter schools expelled 676 students from 2009-2012 while the city's traditional public schools expelled just 24.<sup>27</sup>

Some criticism of charter schools has also revolved around the fact that the application of strict disciplinary policies typically pushes out low performing students, which could explain the high academic performance of some charter schools. Research in this area has been sparse and the results are mixed. For example, one study found that KIPP schools, a network of open-enrollment college preparatory charters around the country, do not replace students who leave and tend to be low performing, thus boosting KIPP's academic performance.<sup>28</sup> Data from North Carolina also indicates that student turnover is higher in charter schools than in traditional public schools, even after several years of operation.<sup>29</sup>

However, a 2005 study of Texas schools found that higher quality charter schools in the

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<sup>24</sup> Zubrzycki, Jaelyn et al. "Charter Schools' Discipline Policies Face Scrutiny." Education Week. February 19, 2013. [http://www.edweek.org/ew/articles/2013/02/20/21charters\\_ep.h32.html](http://www.edweek.org/ew/articles/2013/02/20/21charters_ep.h32.html)

<sup>25</sup> "Suspensions and Expulsions in Connecticut." Connecticut State Department of Education (CSDE). State Board of Education Meeting, June 5, 2013. <http://www.sde.ct.gov/sde/lib/sde/pdf/EvalResearch/suspensionsexpulsions.pdf>, pp. 26.

<sup>26</sup> Ibid.

<sup>27</sup> Brown, Emma. D.C. charter schools expel students at far higher rates than traditional public schools. Washington Post. January 5, 2013. [http://www.washingtonpost.com/local/education/dc-charter-schools-expel-students-at-far-higher-rates-than-traditional-public-schools/2013/01/05/e155e4bc-44a9-11e2-8061-253bccfc7532\\_story.html](http://www.washingtonpost.com/local/education/dc-charter-schools-expel-students-at-far-higher-rates-than-traditional-public-schools/2013/01/05/e155e4bc-44a9-11e2-8061-253bccfc7532_story.html)

<sup>28</sup> Miron, Gary, Jessica L. Urschel, and Nicholas Saxton. "What makes KIPP work? A study of student characteristics, attrition, and school finance." *Kalamazoo, MI: Western Michigan University* (2011).

<sup>29</sup> Bifulco, Robert, and Helen F. Ladd. "The impacts of charter schools on student achievement: Evidence from North Carolina." *Education* 1, no. 1 (2006): 50-90.

state had lower student attrition rates.<sup>30</sup> The study also found that low-income families are less responsive to quality than higher income families in the charter school sector. This could indicate that low performing students in some charter schools are simply leaving in hopes of attending a higher quality school.<sup>31</sup> A 2013 study also found no evidence for the claim that charter schools push out low-performing students.<sup>32</sup> The question of whether charter schools encourage “push out” of students is outside the scope of this research project. However, it is evident that more research needs to be conducted to explore the link between disciplinary policies and student attrition in charter schools.

### Charter Schools in North Carolina

The Charter School Advisory Board, part of the North Carolina State Board, is responsible for approving charter school applications across the state. Since the lifting of the charter school cap in 2012, the state has seen an increase in applications for upcoming academic years, from 63 schools in 2013 to 70 schools in 2014.<sup>33</sup> The Advisory Board approved 23 charter applications for the 2013-14 academic year and an additional 26 schools received preliminary approval to start operating in 2014-15.<sup>34</sup> Currently, there are 127 charter schools operating in the state with varying mission statements, including serving Title I students, and those that emphasize a fine arts curriculum. Figure 1, depicted on the following page, denotes the rapid growth in the number of charter schools across the state.

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<sup>30</sup> Hanushek et al. “Charter School Quality and Parental Decision Making with School Choice.” *NBER Working Paper No. 11252* (2005).

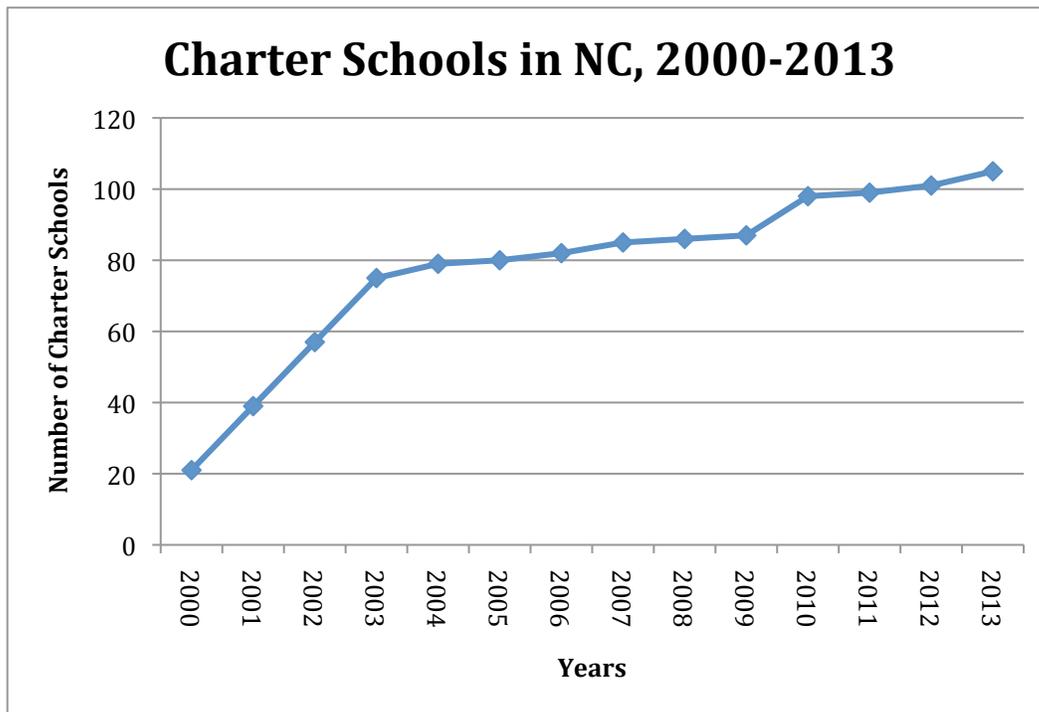
<sup>31</sup> Zimmer, Ron and Cassandra Guarino. “Is There Empirical Evidence Consistent with the Claim That Charter Schools “Push Out” Low Performing Students?” *Educational Evaluation and Policy Analysis*. December 2013; vol. 35, 4: pp. 461-480

<sup>32</sup> Zimmer, Ron and Cassandra Guarino. “Is There Empirical Evidence Consistent with the Claim That Charter Schools “Push Out” Low Performing Students?” *Educational Evaluation and Policy Analysis*. December 2013; vol. 35, 4: pp. 461-480

<sup>33</sup> “2013-2014 Applications.” NC Department of Public Instruction. Available at <http://www.ncpublicschools.org/charterschools/applications/2013-14/>

<sup>34</sup> “2014-2015 Applications.” NC Department of Public Instruction. Available at <http://www.dpi.state.nc.us/charterschools/applications/2014-15/>

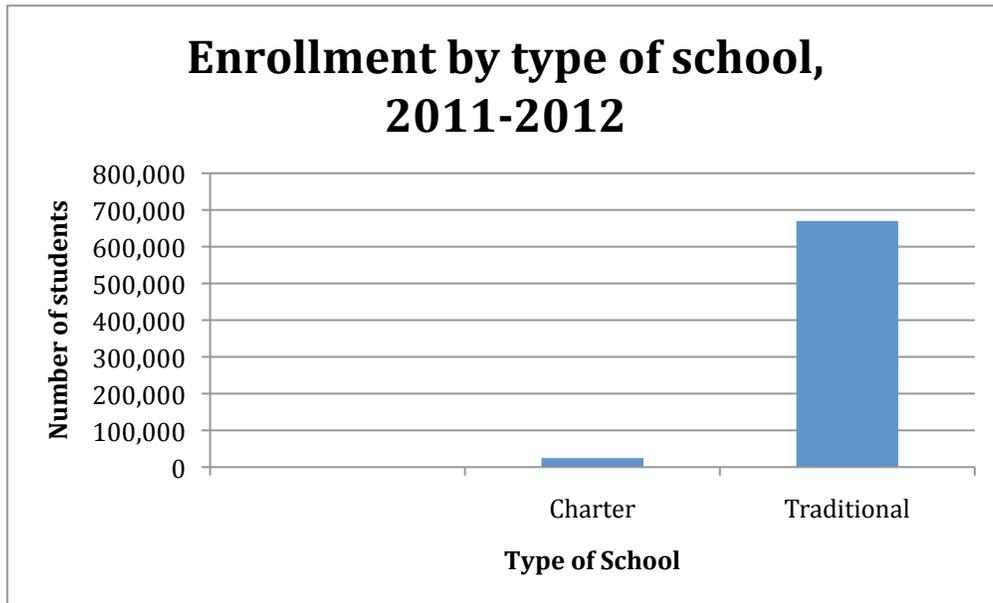
**Figure 1:**



Source: N.C. Department of Public Instruction

Enrollment in the state’s charter schools has also increased since the early 2000s. Figure 2 on the following page provides further information on enrollment figures in traditional public schools and charter schools in 2011-2012. From 2000-2012, charter school enrollment grew 135 percent, increasing from 12,739 students in 2000 to 30,047 students in 2012. In the same time period, enrollment in traditional public schools dropped by almost 3 percent.

**Figure 2:**



Source: N.C. Department of Public Instruction

Figures 3 and 4 provide additional information on the demographics of student populations served by both types of schools. On average, charter schools in the state serve more African American students than their traditional school counterparts. This finding is aligned with research from other states which indicates that African American students are more likely to attend racially segregated charter schools.<sup>3536</sup> However, traditional public schools also enroll almost double the Hispanic student population, compared to charter schools. Similarly, traditional public schools in the state serve a significantly larger population of students receiving free and reduced lunch compared to charter schools. Interestingly, research from other states suggests that charter schools serve a larger population of free and reduced lunch students. For

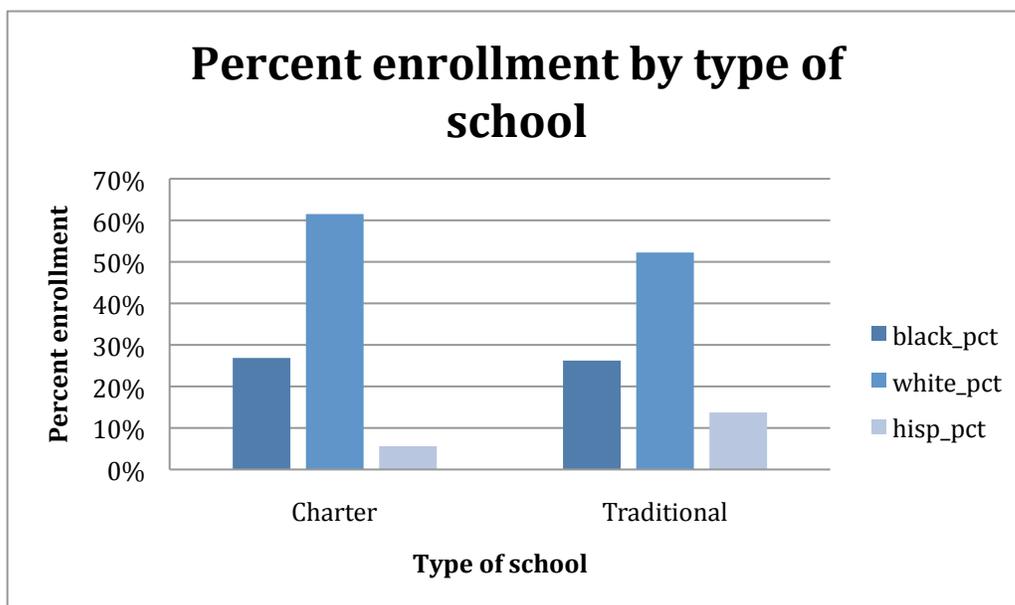
<sup>35</sup> Garcia, David R. "The impact of school choice on racial segregation in charter schools." *Educational Policy* 22, no. 6 (2008): 805-829.

<sup>36</sup> Booker, Kevin, Ron Zimmer, and Richard Buddin. "The effects of charter schools on school peer composition." (2005).

example, in Texas, 56 percent of free and reduced lunch students attend charter schools.<sup>37</sup>

Research on the relationship between student composition and disciplinary processes and outcomes is sparse. However, there is some evidence to suggest that schools with a larger percentage of black students are more likely to use punitive disciplinary responses.<sup>38</sup> There is also evidence to suggest that student composition, particularly socioeconomic status, can impact both advantaged and disadvantaged students. One study, for example, found that socioeconomic composition can influence four school-level characteristics: teacher expectations, the amount of homework that students do, the number of rigorous courses that students take, and students' feelings about safety.<sup>39</sup>

**Figure 3:**



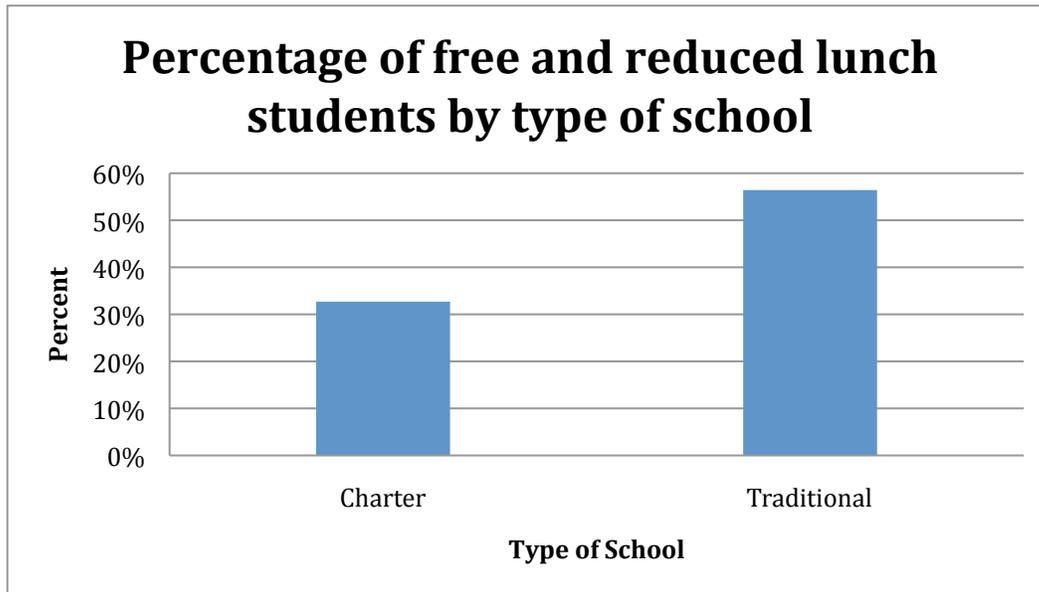
Source: NC School Report Card

<sup>37</sup> Ertas, Nevbahar. "Charter Schools and Student Compositions of Traditional Public Schools." *SAGE Open* 3, no. 2 (2013): 2158244013494207.

<sup>38</sup> Ann Payne, Allison & Kelly Welch. Modeling the Effects of Racial Threat on Punitive and Restorative School Discipline Practices. *Criminology*, 48, no. 4 (2010):1019-1062.

<sup>39</sup> Rumberger, Russell, and Gregory Palardy. "Does segregation still matter? The impact of student composition on academic achievement in high school." *The Teachers College Record* 107, no. 9 (2005): 1999-2045.

**Figure 4:**



Source: NC School Report Card

State statutes allow for some interpretation of the amount of discretion accorded to charter schools in devising disciplinary policy. For example, while Article 27 of Chapter 115C of the General Statutes requires charter schools to adopt disciplinary procedures as set forth by the SBOE, in some cases, a “charter school is exempt from statutes and rules applicable to a local board of education or local school administrative unit.”<sup>40</sup>

In order to address some of these discrepancies, the General Assembly recently passed SB 337, which made some important changes to charter school policy in the state. Most notably, the law authorized schools to “exclude a student from the charter school and return that student to another school in the local school administrative unit in accordance with the terms of its charter *after due process*.”<sup>41</sup> Previously, charter schools were not required to provide due process

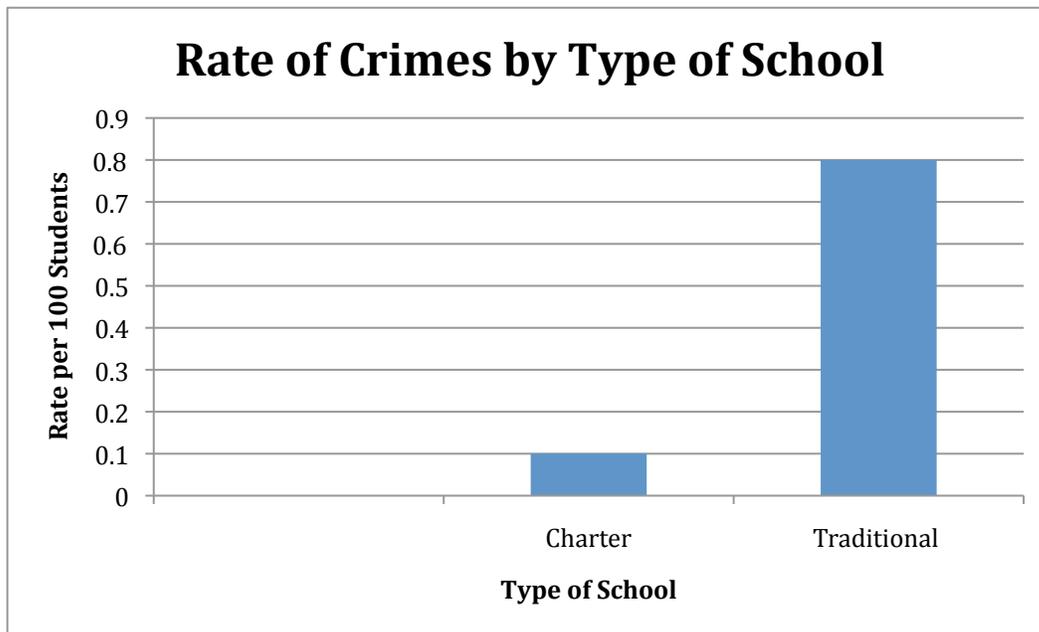
<sup>40</sup> N.C. Gen. Stat. § 115C-238.29E(f)

<sup>41</sup> Senate Bill 337. “ An Act to Create the North Carolina Public Charter Schools Board and Make Other Changes to Charter School Laws.” Session Law 2013-355.

rights to students before expelling them. The law also clarified that charter schools are not required to admit students that have been suspended or expelled from their assigned LEA.

Figure 5 contains general disciplinary data on all charter schools and traditional public schools in the state. Traditional public schools reported a crime rate of 0.8 in 2011-12, compared to 0.1 among charters in the state. A criminal act is classified as one of the 16 reportable acts of crime or violence occurring on school property.

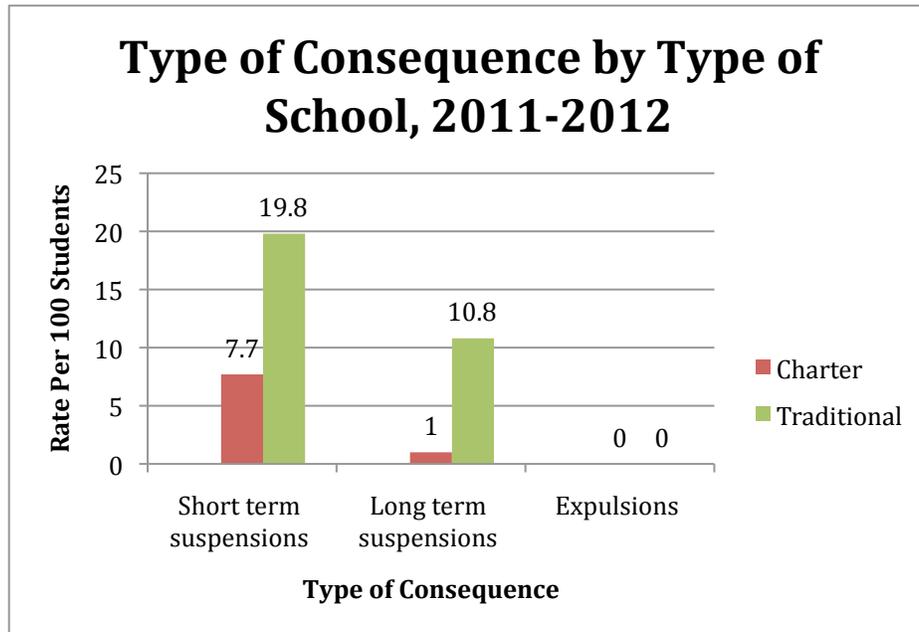
**Figure 5:**



Source: NC School Report Card

According to figure 6, the most common type of consequence for both types of schools was short-term suspensions. Specifically, the suspension rate per 100 students in traditional public schools was 19.8, compared to 7.7 among all charters. The long-term suspension rate among traditional public schools was also significantly higher- 10.8 compared to 1.0 among charter schools.

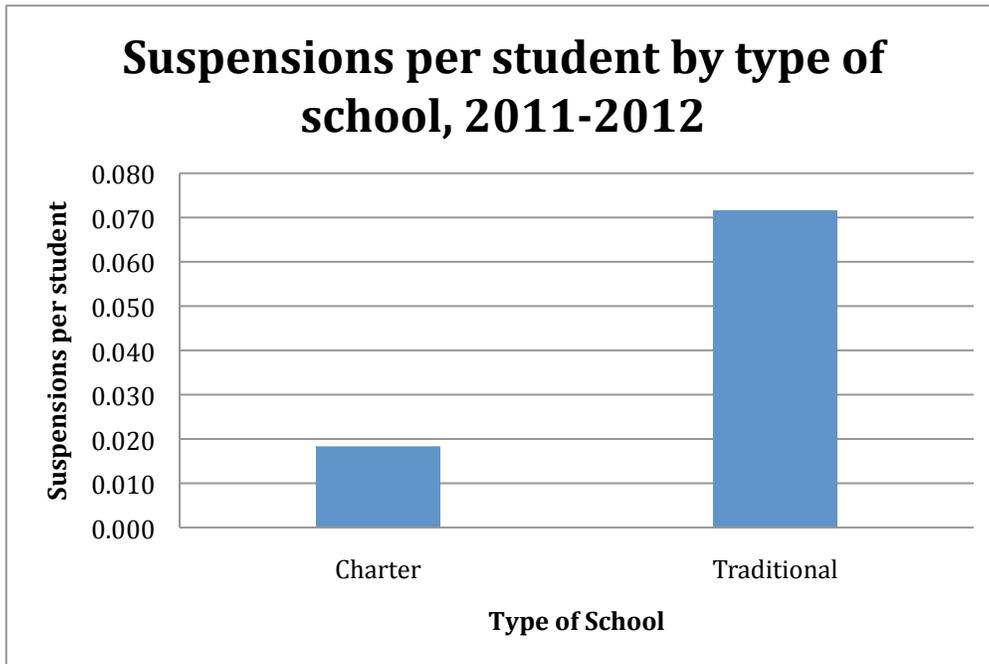
**Figure 6:**



Source: NC School Report Card

Traditional public schools also had higher total suspension rates, as measured by the number of suspensions per every student enrolled. This information is represented in figure 7. For example, while traditional public schools had 0.072 suspensions per student, the number of suspensions per student in charter schools was 0.018.

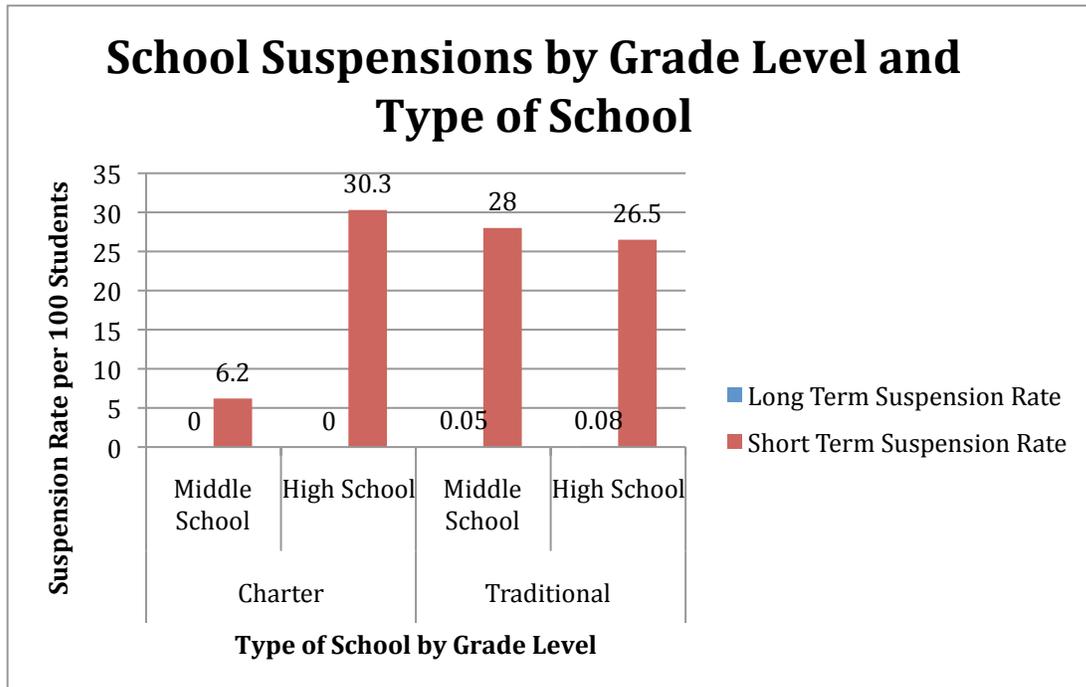
**Figure 7:**



Source: NC School Report Card

However, it is important to note that the pattern of differences between charter and traditional schools is quite different when we compare within grade levels. Figure 8 provides a more detailed description of school suspensions by grade level. Elementary schools are not included in this analysis since I chose to focus on disciplinary processes among middle and high schools in the state. The short-term suspension rate for traditional middle schools (28.0) is significantly higher than that of middle school charters (6.2). However, the short-term suspension rate for high school charters (30.3) is higher than the rate among traditional public high schools (26.5). Long-term suspension rates are fairly negligible across all grade levels for both types of schools.

**Figure 8:**



Source: NC School Report Card

### *Comparing Disciplinary Processes*

The data indicates significant differences in student composition between charter and traditional public schools in North Carolina. Specifically, traditional public schools in the state are more likely to serve economically disadvantaged students. These schools also report higher suspension rates compared to charters. Interestingly, though, the short-term suspension rate among high school charters is higher than traditional public high schools. These differences suggest that variations in disciplinary processes and implementation could depend on student composition.

## Methodology

The first part of this study involved qualitative analysis of student codes of conduct published by 14 North Carolina charter schools, all of which were accessible online. The study sample here was all middle and high school charter schools in North Carolina. I excluded elementary schools from the sample because their disciplinary codes would not have been as expansive or detailed compared to their middle and high school counterparts. I also obtained student handbooks published by schools districts in Durham, Wake, Mecklenburg and Orange counties. These handbooks provided an opportunity to compare stated disciplinary policies in charter schools with those in traditional public schools.

After obtaining the student codes, I uploaded the documents into NVivo, a qualitative analysis tool. Next, I created a codebook that contained 21 major “nodes.” These nodes refer to themes that were relevant to my three research questions, included below:

- 1) What is the school’s stated policy on suspensions, expulsions and other disciplinary consequences?
- 2) What is the procedure for due process?
- 3) Does the school require students and parents to sign a behavior contract?

Next, I read all student codes of conduct and coded sections relevant to my research questions. The codes I utilized are included in Appendix A. The coding process was fairly iterative and involved continually refining my codebook. As such, creating a new “node” involved recoding all the documents in order to ensure consistency. After coding the documents, I utilized the “query” function to identify major trends in the data. Further information about these trends can be found in the Analysis section.

The second stage of my research involved conducting one-on-one interviews with school administrators. This stage is directly relevant to my research question exploring differences between a school's stated disciplinary policy and implementation of such policies. I utilized a convenience sample in order to limit my travel to neighboring counties. My sampling frame was charter school administrators in Durham, Mecklenburg, Orange and Wake counties. I obtained a list of administrators from the N.C. Department of Public Instruction's website. My study sample consisted of all charter schools leaders in the 4 counties. The selection of the schools involved choosing every 2nd school from an alphabetically arranged list of schools yielding 23 schools that were contacted for interviews. Administrators at all 23 schools were initially contacted through email. A copy of the email sent to school leaders is included in Appendix B. Interviews were scheduled with 3 administrators from the following schools:

Casa Esperanza Montessori Charter School

The Scholars Academy

Kestrel Heights

After conducting interviews with the 3 listed school leaders, I determined the list of traditional public school administrators to be interviewed using a matching technique. Specifically, I attempted to match each charter school in the random sample to a traditional public school in the same county with similar demographics. The demographics I focused on were student populations by race as well as percent of students on free and reduced lunch. Based on these demographics, I attempted to choose a traditional public school with similar characteristics compared to the charter school. The rationale for matching schools is that since I'm drawing comparisons between charters and traditional schools, it is most useful to compare schools that serve similar student populations, especially since N.C. charter schools serve varied

student populations. However, one major obstacle I encountered was that my sampling frame yielded a list of schools whose administrators were either unable to consent to an interview or were unwilling to participate. I was also unable to match schools on the indicators discussed above (race and free and reduced lunch students). Thus, I expanded my sample size for traditional public schools and interviewed 3 traditional public school administrators, all in Durham County. While less than ideal, this sample is useful because the schools selected are generally representative of the large school population. Interviews were scheduled with 3 administrators from the following schools:

Githens Middle School

Roger-Herrs Middle School

Charles Jordan High School

In sum, the sample size for the analysis codes is 14 schools in 9 districts. My sample size for charter school leaders consisted of 3 principals. My sample size for traditional public school leaders also consisted of 3 individuals.

Descriptive information on the schools as well as the four districts included in the handbook sample is included in figure 9. Apart from a few outliers, the short-term suspension rates across charter schools in the sample were low, averaging 5.9 suspensions per 100 students. The average short-term suspension rate across the 4 districts was 22.0. Long-term suspension rates were negligible for both types of school systems. With the exception of 2 schools (Kestrel Heights and PACE Academy), white students made up the majority of the student population across all charters, with an average of 74.3 percent. The student composition across the 4 districts was far more diverse, with white students making up 42 percent of the population and African American students accounting for 34 percent of the student body. The percentage of

students receiving free and reduced lunches in the sample of handbook charter schools was also small (8.71) while the districts' average was 47.4 percent.

**Figure 9:**

School name	Total Enrollment	Short Term Suspension Rate (per 100 students)	Long Term Suspension Rate (per 100 students)	Percent White Students	Percent Black Students	Percent Hispanic Students	Percent Free and Reduced Lunch
Bethany Community Middle School	204	7.35	0	82.84	11.76	1.47	17.16
Charlotte Secondary School	234	20.51	0	50.00	38.89	9.40	20.51
Community School of Davidson	1070	0.65	0	74.67	2.99	3.64	4.77
Gray Stone Day School	349	2.29	0	90.83	2.29	1.15	3.15
Kestrel Heights	577	7.63	0.35	37.4	49.2	10.4	N/A
Lake Norman Charter	1579	3.36	0	80.30	9.12	3.99	0.38
Longleaf School of the Arts	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Scholars	338	0	0	53.8	7.9	2.6	4.4
Oxford Preparatory High School	N/A	N/A	N/A	N/A	N/A	N/A	N/A
PACE Academy	152	0	0	44.74	32.24	18.42	21.05
Raleigh Charter High School	553	3.8	0	70.89	5.61	3.44	
Research	144	26.39	0	N/A	N/A	N/A	N/A

Triangle High School*							
Roxboro Community School	599	0	0	87.48	10.52	1.84	4.34
The Hawbridge School	152	0	0.66	78.29	2.63	3.29	2.63
Charters' Average	495.9	5.99	0.08	68.29	15.74	5.42	8.71
Districts' Average	81,178	22.0	0.2	42.0	34.0	17.0	47.4

Sources: NC School Report Card 2011-2012, NCES

\* = Data only available for 2012-2013

Information on the schools included in the interview sample is provided in figure 10. Data is also provided for the four school districts included in the sampling frame. Generally, the traditional public schools included in the sample had higher percentage of students receiving free and reduced lunch. The traditional public schools surveyed also had significantly larger enrollments and higher suspension rates, both short and long term. It is important to note that this large variance between traditional and charter schools in the interview sample limits the generalizability of my findings.

**Figure 10:**

School name	Total Enrollment	Short Term Suspension Rate (per 100 students)	Long Term Suspension Rate (per 100 students)	Percent White Students	Percent Black Students	Percent Hispanic Students	Percent Free and Reduced Lunch
Rogers-Herr Middle	632	3.96	0	17.2	59.8	18	45.2
Jordan High	1,748	40.96	0.57	38.1	37.2	17.4	34.2
Githens Middle	970	47.94	0.41	20.1	48.5	21.6	67.6
Casa Esperanza	386	0.26	0	54.1	17.8	22.7	18.3
Kestrel Heights	577	7.63	0.35	37.4	49.2	10.4	N/A
Scholars Academy	338	0	0	53.8	7.9	2.6	4.4

Sources: NC School Report Card 2011-2012, NCES

**Figure 11:**

District Name	Total Enrollment	Short Term Suspension Rate (per 100 students)	Long Term Suspension Rate (per 100 students)	Percent White Students	Percent Black Students	Percent Hispanic Students	Percent Free and Reduced Lunch
CMS	138,012	37.7	0.06	32.4	42	17	54.4
Wake	146,687	15.5	0.7	49.3	24.7	15	33.3
Orange	7,340	8.2	0.05	65.6	16	13.9	40.08
Durham	32,671	26.8	0.2	20.6	51.3	22.3	61.9
Charters	433.66	2.63	0.1	48.43	24.9	11.9	11.3

Sources: NC School Report Card, District websites

Respondents were not offered any monetary benefits for participating in the study. Additionally, identities of school leaders are not kept confidential since the small number of charters in the states makes it easier to identify schools. Thus, I was unable to guarantee anonymity to participants. Additionally, I did not need Institutional Review Board approval since

I was working on a client-based project and utilizing only school-level data.

### *The Instrument*

On October 8<sup>th</sup> 2013, I met with Mr. Hill and we developed a series of interview questions that would be most useful to the Board. The primary purpose of my instrument was to determine discrepancies in processes and implementation of these processes at both charter schools and traditional public schools. Qualitative interviews are the most useful mechanism to assess these differences since they capture information that is not readily available in student codes of conduct or other mediums. Thus, while the text analysis provides information on stated school policies, it does not provide information on the nuances of implementing these policies. Interviewing administrators also seems most appropriate here since they are directly responsible for implementing school disciplinary policies.

The instrument contained 4 modules: disciplinary processes, disciplinary consequences, behavioral interventions and comparisons. Each module was developed based on the needs identified by the N.C. State Board of Education. The first 3 modules also corresponded to my research focus for the student codes of conduct. The intent of the disciplinary process module was to gather information about the policies surrounding suspension, expulsion and due process. I also wanted to understand the administrator's perception on areas of strength and improvement. The intent of the consequences module was to determine stated school policy on disciplinary consequences as well as to determine accommodations, if any, that the school utilized for students. The interventions module also served the purpose of determining differences in policy and enforcement. The comparisons module allowed respondents to reflect on how their school's processes differ from those at traditional public schools. The interview instrument is included in appendix C.

## Analysis

### Key Findings from Student Codes of Conduct

This section highlights major trends in both charter school and traditional public school (TPS) student handbooks. Additionally, I will examine whether there are any differences in stated disciplinary processes between charter and TPS handbooks.

#### *Disciplinary Consequences*

Generally speaking, both charter and TPS handbooks contained detailed information on stated disciplinary consequences. All 18 schools outlined the minor and major infractions that could result in disciplinary action. Of these, 11 (8 charter and 3 TPS) employed the use of a tiered consequence system. For example, the Community School of Davidson defined 3 levels of offenses including the procedure for reporting offenses. Below is a sample of the school's tiered consequence system.

#### **Level One Offenses**

Level One Offenses are relatively minor incidents of bullying or similar actions, such as open defiance of a teacher's request, intentional or repeated disruption of class, use of inappropriate or obscene language, lying to a teacher or staff member, or an isolated, minor incident of verbal bullying.

#### **Level Two Offenses**

Level Two Offenses are more significant incidents of bullying or inappropriate behavior, such as physical bullying, sexual bullying, or repeated or severe incidents of verbal or emotional bullying.

#### **Level Three Offenses**

Level Three Offenses are severe incidents or repeated incidents of bullying or inappropriate behavior.

Some schools were even more detailed. Charlotte Secondary School, for example, listed 31 reportable offenses, ranging from minor infractions like skipping class to more major infractions like involvement in gang activity.

It is important to note that while all school handbooks provided information on both short term and long term suspensions, information on expulsions was more varied. 11 school

handbooks (7 charter, 4 TPS) contained procedures related to expelling students. In several cases, schools just included the state statute pertaining to student expulsions in their handbooks without providing further information on the consequence. Below is a sample from the statute:

A local board of education may, upon recommendation of the principal and superintendent, expel any student 14 years of age or older whose continued presence in school constitutes a clear threat to the safety of other students or employees. (G.S. 115C-391)

While all 18 schools provided information on disciplinary consequences, few provided information on alternatives to suspension, detention and expulsion. Three schools (2 charters and 1 TPS), for example, provided information on service detention opportunities. For instance, Longleaf School of the Arts' handbook utilized service detention in situations where students have "violated minor rules or who have excessive tardies and/or undocumented absences." 2 charters provided information on the use of peer mediation to resolve disputes between students. Additionally, 3 of the TPS systems outlined more formal alternative disciplinary programs for students. The Charlotte Mecklenburg School System (CMS), for example, provides for the reassignment of students to "short-term or long-term alternatives to suspension centers." According to the handbook, each of these centers offers coursework to students in order to ensure "consistency of academic work." CMS was also the only school system that included information on formal support programs for students struggling with behavior issues. Examples of these programs are provided below.

- AWARE Program: a 15-day alternative learning program for first-time fighters who have qualified and received due process following the incident.
- Violence Is Preventable (VIP) Program: VIP is a support program for students who have been involved in serious violent behaviors at school or at a school activity and for whom this is a first offense. The parent/guardian is required to attend VIP with the student.
- Sexual Harassment Is Preventable (SHIP) Program: SHIP is a support program for students who have been involved in serious incidents of sexual harassment at school or at a school activity and for whom this is a first offense. The parent/guardian is required to attend SHIP with the student.

### *Behavior Contracts*

Only 4 charter schools employed the use of behavior contracts. However, none of these schools utilized contracts *prior to enrollment*. Rather, 2 of the 4 schools required students and parents to sign a behavior contract *prior to reentry* after completing a suspension for committing a major infraction. The remaining 2 schools provided optional behavior contracts for students. None of the TPS handbooks contained information on behavior contracts.

### *Due Process*

14 schools (10 charters and 4 TPS) provided information on due process rights for students. Generally speaking, charter handbooks provided minimal information on the rights accorded to students after a disciplinary consequence is meted out. PACE Academy's handbook, for example, contained the following reference to due process:

DUE PROCESS PROCEDURES SHALL APPLY IN ALL CASES OF DISCIPLINE. ANY CONSEQUENCE MAY BE APPEALED TO THE PRINCIPAL. PACE POLICIES AND PROCEDURES FALL UNDER THE UMBRELLA OF THE PACE ACADEMY BOARD OF DIRECTORS CODE OF BEHAVIOR.

The handbook did not provide further information on what these "due process procedures" were and how parents and/or students could access them. To be sure, there were a few exceptions. Kestrel Heights' handbook contained specific information regarding the appeal of a disciplinary consequence. While charters provided relatively sparse information on due process, TPS handbooks contained detailed information on appealing a disciplinary consequence. The Orange County Schools handbook, for instance, included a nearly 3-page description of due process rights for both short term and long term suspensions.

### **Accommodations**

Interestingly, with the exception of one charter school (Bethany Community School),

none of the schools explicitly provided guidelines for mitigating circumstances. Specifically, Bethany’s handbook contained the following criterion for determining appropriate disciplinary consequences.

- The seriousness of the offense
- Circumstances surrounding the infraction
- Information provided by faculty and staff, students, parents or other reliable individuals who may have witnessed or have knowledge of circumstances surrounding the infraction
- Previous disciplinary history

In contrast, 3 of the 4 TPS handbooks contained sections on aggravating factors that were similar in nature to the ones outlined by Bethany Community School. Below is a sample from the Durham Public School system’s handbook.

- The student's age
- The student's intent
- The student's disciplinary history, including number of infractions and prior discipline for the same violation
- The student's academic history
- Whether the conduct caused a threat to safety
- Whether school property or personal property was damaged
- Whether the conduct caused a substantial disruption of the educational environment
- Whether a weapon was involved and whether any injury resulted.

The figure below provides a summary of the various data characteristics and their frequency within charter and traditional public school handbooks.

<b>Data Characteristic</b>	<b>Charter School frequency (n=14)</b>	<b>Charter School relative frequency</b>	<b>TPS frequency (n=4)</b>	<b>TPS relative frequency</b>
Disciplinary Consequences	14	0.48	4	0.36
Behavior contracts	4	0.13	0	0
Due Process	10	0.34	4	0.36
Accommodations	1	0.03	3	0.27

## Key Findings from Administrator Interviews

This section highlights differences between a school's disciplinary policy and its implementation and whether that varies for charter and traditional public schools.

### *Levels of autonomy*

Perhaps most striking about both traditional public and charter schools is that school leaders in both types of schools are accorded a great deal of autonomy in determining consequences. This is largely because it is difficult for static documents like student handbooks to adapt to constantly changing acts of student misbehavior. Jerome Leathers, Principal at Charles Jordan High School, summarized this dilemma below.

“I don't think anything in print gives flexibility. So, I think that it's up for the administrator or the adult to really use that handbook as a tool and not as a weapon, if that makes sense. I'll use it as a tool to let's say, ok, according to this, mom, child, we're supposed to suspend them for 5 days, but this is what I'm gonna do if you can promise that we can work together and you can promise me that you're not gonna do this again.”

Indeed, all the school leaders interviewed acknowledged that they made several behavioral accommodations for students based on a host of factors including prior student behavior and mental health. Richie Mitchell, Principal of Kestrel Heights Charter School in Durham, described his school's approach to enforcement of disciplinary policies as one that looked at student misbehavior through a holistic lens.

“We look at every situation individually and we really try to handle the situation in the best interest of the student as well as the school. So, there's obviously policies in place that say, if you commit this infraction, this is the consequence. We scale that back often because again, we are dealing with children. Children make mistakes. We go through a thorough investigation process with issues that arise...to make sure we are not just slapping a punishment or consequence on a child that doesn't really deserve it because their intent and their demeanor were not black and white as it's obviously written on paper. So, we try to make sure the consequences are appropriate to teach the student, again, to make a better decision in the future.”

Lance Scott, Assistant Principal at Rogers-Herr Middle School, a traditional public school in

Durham, also acknowledged the use of “mitigating circumstances” when administering consequences to students. Specifically, according to Scott, Durham Public School district’s move away from zero tolerance policies allowed him to be more flexible when assessing student misbehavior.

“...We have mitigating circumstances. So, when there’s a fight, once I do the investigation, that gives me the flexibility to look at the situation, to determine whether there were mitigating circumstances...zero tolerance says, no, he was fighting. He needs to go home. Well, we had that policy. And I had a hard time with it, trying to explain to parents why your child was attacked but he needs to be suspended because of zero tolerance. It didn’t make sense to me. Durham now has the mitigating circumstances where it gives me the flexibility to do an investigation and then determine, were there circumstances where the student, you know, didn’t participate but coz of what happened, we can say, he shouldn't be suspended.”

The notion that traditional public school administrators possess a great deal of flexibility is interesting given that there is a common perception that administrator autonomy is often limited by district wide policy. For example, Anthony Yodice, a former teacher in the Charlotte Mecklenburg Public School system and current Executive Director at the Metrolina Regional Scholars Academy, a charter school in Charlotte, described the difference between the two types of school systems below:

“In our (Metrolina Regional Scholars Academy) situation, the Board is mostly parents. The staff has a lot of input on everything so the discipline policy has been developed and amended over the years to fit our students and our situation. So, everybody buys in more and it's specifically written to allow for that flexibility. Whereas, in a large school district, they have this policy that comes from the central office and they just have to follow that policy.”

Other charter school administrators echoed this sentiment as well. However, based on the interviews I conducted, it is apparent that traditional public school leaders also receive a great deal of latitude when administering discipline policies. There were two important exceptions for this flexibility. The first was district policy surrounding weapons on campus. For example, students possessing a gun on campus automatically receive a 365-day out of school suspension. However, both traditional and charter public schools claimed that they implemented this “zero

tolerance” policy surrounding weapon possession. The second exception was policies surrounding due process. All administrators interviewed stated that they provided all procedural rights to students facing suspension and expulsion, as outlined in either the school or district handbook.

### **School Size**

Charter school administrators also spoke about the small student population at their respective charters and the advantages it posed for cultivating positive student behavior. Diana Bush, Principal at Casa Esperanza Montessori, a charter school in Raleigh, described specific interventions that the school implements, largely due to its small size.

“...if we see a chronic behavior, we do go back and see what has been done to help, what strategies have been working in the classroom and what haven’t and stuff like that. And then we may even create a what we call a SST team, a Student Support Team, in where the parent and teacher come together with administration to sit down together to discuss a child’s behavior and find out what’s going on at the house, what’s working at the house that maybe we can implement here or what’s working here that the parents can continue at the house so that we have a continuous dialogue.”

This type of individualized attention was less likely to occur in traditional public schools, owing to the large size of the student population. One administrator even described how he often lost track of which students he had suspended and was only reminded of their suspension after the student returned to school. At the same time, traditional public school administrators acknowledged that the size of the student population should not be used to justify the lack of personal relationships between staff and students. Mr. Leathers, the principal of a high school with nearly 1800 students, discussed how even small steps can help build meaningful relationships with students.

“Sure, the larger your school, the more of a disadvantage you are at with forming relationships. But, it’s nothing, sometimes no more than speaking to a group of kids as you’re walking down the hall, smiling, maybe a high-five here and there. A lot of times, you know, when I come into

the school, I try to make eye contact with most of my kids and that way, I can already tell you what's going on.”

### **Positive Behavioral Intervention System (PBIS)**

While none of the charter schools included in the study sample utilized PBIS, all three traditional public schools incorporated the system into their disciplinary policy, with varying levels of intensity. Tonya Williams, Principal at Githens Middle School described the positive impact of PBIS on her school's culture:

“Well, we've seen a decrease in suspensions. We've had a decrease in inappropriate behaviors overall...a decrease in skipping coz they feel like they have relationships coz we worked on relationship building with the teachers and the students. So we definitely have less skipping. It's rare that students will use profanities towards teachers whereas that was commonplace when I got here last year.”

The primary determinant in evaluating the success of PBIS was the people involved in administering the system. Specifically, teacher buy-in was noted as the most important factor in successfully implementing PBIS. Mr. Scott, Assistant Principal at Rogers-Herr, strongly endorsed the system with an important caveat.

“I think the idea of PBIS is wonderful because you should have positive support systems in place. I think it's really, really important to do that and yes, I think it's a great idea. Sometimes, people get rid of programs not because the programs weren't good, just that people don't work it. You have to work a program...and I think it works for certain places and certain schools.”

Perhaps in recognition of the importance of stakeholder buy-in, the State of North Carolina has allocated funding for employing PBIS coaches at certain schools and increasing the number of implementation trainings for teachers and administrators.<sup>42</sup>

### **Alternative disciplinary consequences**

There was a great deal of variation in the use of alternative disciplinary consequences, in addition to out of school suspensions and expulsions. Generally, traditional public schools tended

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<sup>42</sup> “Program Budget Information.” NC Department of Public Instruction. Available at <http://www.dpi.state.nc.us/positivebehavior/implementation/budget/>

to have more formal alternate consequences. For example, Githens Middle School in Durham utilized options like lunch detention, peer mediation, truancy court and an alternative-learning academy. Some of the schools also administered In School Suspensions (ISS), depending on the severity of the situation. The use of ISS varied across schools. Further, the school administrators interviewed also had markedly different perceptions about the usefulness of ISS in mediating student misbehavior. Richie Mitchell, Principal of Kestrel Heights Charter School in Durham described how ISS could often unfairly punish students for minor infractions.

“We do not have a big ISS program and I don’t believe in ISS. I believe that if you feel the student needs to be removed from the classroom for a period of time, that is a classroom issue that has caused the disruption that is so great that is preventing other students from learning. But the penalty isn’t preventing this student from learning. They made a mistake, they made bad choices. I understand that. But, if you’re saying ISS and you don’t feel like the student needs to be home and removed from the building, you’re saying, it’s not major enough that we can’t continue to educate this child while they are learning a lesson.”

Certainly, it is possible that removing a student from the classroom and placing them in ISS could lead to future behavior issues since students are often responsible for catching up on work missed. In order to address this issue, several of the school leaders interviewed claimed that they provided class work to students who were placed in ISS. The students were then responsible for meeting with the relevant classroom teacher, if needed, and completing the assignment.

Other school leaders viewed ISS as a temporary (and perhaps quick) solution to dealing with isolated student misbehavior. Lance Scott, Assistant Principal at Rogers-Herr Middle School in Durham, described how ISS allowed his school’s teachers to temporarily remove students for minor infractions.

“Sometimes, we use PAS [or ISS] for like a day or period detention. Like, students are in the class and teachers are kind of fed up and need a break and like, ‘you need to go, you know’...and I’ll put them in PAS for that class period. Sometimes, teachers are fine with it and are like, ok, let’s start off tomorrow. But it’s kind of like a period detention, which is great, you know.”

In sum, the varying purposes of ISS across schools has largely developed in response to each

school's unique needs.

## Discussion

### *Differences in disciplinary processes between charter and traditional public schools*

The use of accommodations or mitigating circumstances when administering consequences was perhaps the most significant difference in *stated* disciplinary processes between charters and traditional public schools. Only one charter school in the study sample incorporated a section on student accommodations based on factors like seriousness of the offense and circumstances surrounding the infraction. However, three of the four traditional public school district handbooks included information on mitigating circumstances. One reason for the difference in the inclusion of accommodations could be that the student populations served by each type of school is quite different. For example, the percentage of students receiving free and reduced lunches among the charter sample was 8.71, compared to 47.4 percent across traditional public schools. Thus, it is quite likely that differences in disciplinary processes relating to accommodations between charters and traditional public schools are largely due to significant variations in student composition.

Charter schools were also more likely to incorporate the use of behavior contracts and informal alternate disciplinary consequences into their student handbooks when compared to traditional public schools. At the same time, only traditional public school handbooks included information on formal alternative disciplinary programs for students. The Charlotte Mecklenburg School System (CMS), for example, provided for the reassignment of students to “short-term or long-term alternatives to suspension centers.” Differences in the use of formal disciplinary programs is likely due to the fact that unlike charters, traditional schools in the state have been in

operation for a longer period of time, allowing school leaders to create suitable disciplinary processes.

### **Differences in implementation between charter and traditional public schools**

The use of PBIS was a major difference between charter and traditional public schools when considering the *implementation* of disciplinary processes. Specifically, none of the charters in the interview sample utilized PBIS while all the traditional public schools surveyed incorporated PBIS into their discipline system with varying levels of intensity. Traditional public schools were also more likely to implement both formal and informal alternatives to out of school suspensions and expulsions. This was largely due to the fact that traditional public schools had larger staff populations who could administer alternatives like in school suspensions and lunch detentions.

To be sure, there were also some important similarities in implementing disciplinary processes between charters and traditional public schools. For example, all school administrators in the interview sample acknowledged evaluating each act of student misbehavior on a case-by-case basis before administering consequences. There were two exceptions to this level of autonomy accorded to school leaders. The first was federal or state mandated disciplinary consequences around possessing weapons on campus while the second was due process rights accorded to students facing suspensions or expulsions. The impetus for the even application of due process rights for students is largely due to legal requirements. Specifically, state statutes dictate that each student be afforded certain rights, including the right to present witnesses on their behalf. Administrators are also required to keep documentation that these due process rights were provided to students, which further encourage schools to comply with due process requirements.

### *Patterns of variation between charters and traditional public schools*

There were two significant patterns of variation in stated policies and their implementation between charter and traditional public schools. Specifically, while most charters in the sample did not include information on mitigating circumstances in their respective handbooks, school leaders acknowledged the use of such circumstances when administering consequences. Conversely, three of the four school districts' handbooks provided information on the use of mitigating circumstances when assessing student behavior. It is not entirely surprising then that the traditional public school leaders interviewed utilized accommodations. As previously discussed, this pattern of variation is likely due to the differences in student composition between each type of school system. Specifically, traditional public schools in my sample enrolled significantly more economically disadvantaged students as well as African American and Hispanic students. Thus, it is possible that traditional public schools have adapted their disciplinary processes in order to accommodate the unique needs of their student population.

Another pattern of variation was in the use of PBIS. While none of the charters in the interview sample utilized PBIS, all traditional public schools incorporated at least some elements of PBIS in their disciplinary systems. The differing use of PBIS between charters and traditional public schools stems from the fact that the Durham school district requires all traditional school in the district to adopt PBIS.

There were also elements of commonality between charters and traditional schools when considering differences in stated policies and implementation. For example, the use of "mitigating circumstances" in order to evaluate student misbehavior, particularly in charter schools, is interesting considering that only one of the charter school handbooks contained

information on aggravating circumstances. This indicates that student administrators, regardless of the type of school, are given a great deal of flexibility when administering consequences. Indeed, all administrators cited the level of autonomy accorded to them when dealing with student misbehavior as one of the highlights of their respective school's discipline systems.

### *Study limitations*

There are some important caveats to my research findings. First, my study sample was extremely small since I interviewed 6 administrators. Thus, my findings are not generalizable to the general public school population in North Carolina. Second, it could be that there are some unobservable characteristics that are common for the administrators I interviewed. Specifically, it could be that schools with well functioning discipline systems were more likely to speak with an outside researcher, compared to schools that were struggling with disciplinary issues. This could skew my analytical findings, especially when considering the effectiveness of PBIS and the use of alternate disciplinary consequences. Finally, I was unable to match traditional public schools and charter schools in my study sample, leading to some important differences between the two types of schools. First, the charter schools included in my sample were located in Wake and Durham county while all the traditional public schools included were in Durham county. An example of how this could impact my research relates to my findings on the use of PBIS. As stated in the discussion, all Durham Public Schools are required to utilize PBIS in their disciplinary processes. Interviews with school administrators in other districts could have provided useful information on whether the use of PBIS depends on student composition within districts. Second, there were also significant variation in the demographics of the student populations served by both charters and traditional public schools in my interview sample. Generally, the charters in my sample had extremely low suspension rates as well as fewer

economically disadvantaged students. This could suggest that variations in disciplinary processes and implementation are largely due to differences in student compositions. Interviewing charter schools with higher suspension rates would have helped mediate some of these limitations. However, there were two reasons why I was unable to interview schools leaders of such schools. As discussed in the Methodology section, my selection of schools to be included in the interview sample involved choosing every 2nd school from an alphabetically arranged list of schools. This yielded 23 schools, 19 of which had low suspension rates. None of the remaining schools in the list were willing to participate in the study.

## **Policy Recommendations**

### *Mental health services*

One theme that was fairly common across both charter and traditional schools was the lack of resources, particularly mental health professionals at the school. Several administrators voiced concern that they were often sharing social workers and counselors with other schools, which greatly limited the amount of individualized attention these individuals could provide to students. Administrators discussed how certain students often “fall through the cracks,” particularly after they reenter the school after an out of school suspension. Increasing funding for mental health personnel for students with chronic behavior problems could help mediate some of the challenges experienced by these students. Indeed, most of the administrators interviewed discussed how the lack of behavioral resources for special education students limits their ability to effectively manage student behavior.

Of course, the biggest barrier to this recommendation is that cuts in public school funding have been accompanied by similar cuts in wraparound services for students. Thus, some

traditional public school leaders expressed frustration that they were expected to do more with decreased levels of funding. Charter schools in my interview sample faced a different barrier. Since the number of students with special needs or chronic behavior problems at all three schools was very small, school leaders believed that it was difficult to justify directing significant resources to mental health initiatives when there were other pressing issues on their agendas, including improving test scores and dealing with limited school space. However, since research indicates that providing mental health services to students can lower suspension rates as well as decrease emotional and behavioral problems, resources should be directed towards these services.<sup>43</sup>

Schools should also be encouraged to create alternative behavioral interventions for students with chronic behavior problems. Githens Middle School, for example, implemented a peer mediation program in order to promote student leadership in managing behavior. The school also created a program called Young Men of Honor, which targets male students of color who struggle with behavior issues. The program encourages participants to set goals around behavior and brainstorm strategies for improving one's behavior. Initiatives like these demonstrate that interventions for students do not necessarily have to be formal or expensive to implement.

#### *Collaboration between charters and traditional public schools*

Another useful finding that emerged from my analysis was the lack of communication between traditional and charter public school leaders in the four counties. Each type of school administrator admitted that they had little to no interaction with other administrators outside of their respective school systems. This lack of communication greatly limits the potential for

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<sup>43</sup> Ballard, Kristin L., Mark A. Sander, and Bonnie Klimes-Dougan. "School-Related and Social-Emotional Outcomes of Providing Mental Health Services in Schools." *Community mental health journal* 50, no. 2 (2014): 145-149.

innovative practices to be replicated across schools. It could also create deep misunderstandings between the two types of schools since my conversations with administrators revealed some general misinformation about how charters and traditional public schools operate.

Increased communication between school leaders can also help facilitate the sharing of best practices. For example, traditional public school leaders could learn about ways to improve teacher fidelity to disciplinary processes, a clear strength of charter schools, as observed in my sample. Similarly, charter school leaders could learn about PBIS strategies that could be easily implemented at their schools.

There has been some general discussion among Durham School Board members to “foster greater collaboration” between charters and traditional public schools in the district.<sup>44</sup> However, no formal mechanisms are in place to encourage such collaboration. One strategy to increase communication between the two types of school leaders is to create a type of “District-Charter Compact” in Durham. Such compacts, funded in part by the Bill and Melinda Gates Foundation, are currently operating in cities such as Nashville and New Orleans.<sup>45</sup> As part of the Compact, the school district and interested charter schools commit to the implementation of select strategies. I recommend that charter school leaders and District leaders in Durham create such a compact with a focus on two strategies: sharing best instructional practices and recruiting high quality teachers. While neither of these strategies are directly related to disciplinary processes, improving the quality of instruction across all schools could improve academic outcomes for students. Additionally, the existence of such a formal compact would also help school leaders within both types of schools build meaningful professional relationships. After

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<sup>44</sup> Ashley, Jamica. “Public, charter school collaboration in the future?” The Herald-Sun. Available at <http://www.heraldsun.com/news/x147185075/Public-charter-school-collaboration-in-the-future>

<sup>45</sup> Yatsko, Sarah et al. “District-Charter Collaboration Compact: Interim Report.” Center on Reinventing Public Education. Available at <http://www.crpe.org/publications/district-charter-collaboration-compact-interim-report>

evaluating the success of the compact in Durham, the initiative could be expanded to other school districts as well.

### *The use of in-school suspensions*

Based on interview findings, it is evident that there is wide variation in the use of in-school suspensions (ISS) as well as perceptions about its overall effectiveness. However, schools in the sample that committed resources (school space and certified instructors) to the use of ISS noted fewer chronic behavior issues among students. This finding is confirmed by broader research on the effectiveness of ISS, especially compared to out of school suspensions.<sup>46</sup> It is hypothesized that ISS keeps students in the classroom environment and ensures that they receive some type of positive intervention.<sup>47</sup> A program evaluation of ISS in Iowa middle and high schools, for example, found that out of school suspensions decreased significantly as a result of ISS.<sup>48</sup> Another study from Michigan found that schools with a trained ISS instructor noted a drop in the number of violent acts when compared with schools that did not utilize ISS.<sup>49</sup>

As such, I would recommend that schools incorporate a more formal type of ISS within their disciplinary systems. Specifically, licensed instructors should provide supervision of students in ISS and offer positive interventions including assistance with course work. These licensed instructors should ideally not be employed in another role at the school, such as a testing coordinator, as a few of the schools in my interview sample noted. This is because interviewed school leaders acknowledged that they were less likely to implement ISS if it created additional work responsibilities for the testing coordinator at their schools.

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<sup>46</sup> Bloomberg, N. "Effective discipline for misbehavior: In school vs. out of school suspension." *Department of Education and Human Services, Villanova University* (2004): 3.

<sup>47</sup> Ibid.

<sup>48</sup> Prior, L. M., and R. Tuller. "In school suspension: Des Moines Middle and High Schools." *Program evaluation. ED 337* (1991): 869.

<sup>49</sup> Tomczyk, Karen. "Prevention, Not Punishment." *American School Board Journal* 187, no. 5 (2000): 60-61.

## Conclusion

In this paper, I utilized qualitative research methods to analyze North Carolina's middle and high school charter disciplinary policies with a focus on three particular research areas. First, I focused on differences, if any, that exist between disciplinary processes in North Carolina charter and traditional public schools. Second, I analyzed differences in implementation of the stated policies in each type of school. Third, I determined if there were patterns of variation in stated policies and their implementation between charter and traditional public schools.

Based on results from the interview sample, I found that the use of accommodations or mitigating circumstances when administering consequences was perhaps the most significant difference in *stated* disciplinary processes between charters and traditional public schools. Charter schools were less likely to include information on behavioral accommodations in their handbooks, compared to traditional public schools. However, both charter and traditional public schools were equally likely to incorporate the use of mitigating circumstances when *implementing* disciplinary procedures. The variation in stated disciplinary processes was likely due to differences in student composition between charters and traditional public schools. Specifically, the percentage of disadvantaged students as well as African American and Hispanic students in charter schools in my sample was significantly smaller compared to traditional public schools. Thus, it could be that differences in disciplinary policies are largely a function of different student compositions between charters and traditional public schools.

The use of PBIS was another difference between charters and traditional public schools. Specifically, none of the charters in the sample utilized PBIS while all traditional public schools incorporated PBIS into their disciplinary system with varying levels of intensity. Further, traditional public schools in the sample were more likely to utilize both formal and informal

alternatives to out of school suspensions and expulsions. This is likely due to the fact that traditional public schools have access to more resources, including school staff, compared to charters. Additionally, traditional public schools in the state have been in operation for a longer period of time, allowing school leaders to create suitable disciplinary processes.

With respect to disciplinary actions, the charters in my sample also had markedly lower suspension rates compared to traditional public schools. For example, the suspension rate among charters in my interview sample was extremely low- 2.63- while the rate among traditional public schools was 22.0. One reason for the disparity in these numbers could be that traditional public schools in my sample tended to serve far more disadvantaged students compared to charters. However, without interviewing school leaders in high suspension charters, I am unable to make conclusive remarks on this point. However, the most interesting finding from my research is that the level of autonomy accorded to administrators did not vary by the type of school. Indeed, both charter and traditional public school leaders claimed that they possessed a great deal of flexibility when administering disciplinary consequences. These findings indicate that each type of school, regardless of district policy, modifies school policies to fit the unique needs of their respective student populations.

## Appendix A

### *Process*

Behavior contract  
Dress code  
Community service  
Due process  
Major infraction  
Minor infraction

### *Support*

Parental participation  
Behavior intervention  
Special Education Modifications  
Counseling

### *Consequences*

Detention  
Promotion  
Retention  
In-school suspension  
Long-term suspension  
Expulsion  
Saturday school

## Appendix B

Copy of email sent to charter and traditional public school leaders requesting interviews:

Dear [name of school leader]:

I hope this message finds you well! I am a graduate student at Duke University studying Public Policy. As part of my coursework, I am working on a capstone that looks at disciplinary processes in both charter schools and traditional public schools. As part of my study, I'm looking to interview school leaders in both types of schools in order to gain a better understanding of whether a school's disciplinary policies differ from the implementation of such policies.

As a [type of school] leader, I was wondering if you would be available for a 30-45 minute in-person or phone interview sometime this month. Highlights from this interview would be included in my study. I would greatly appreciate it if you would be willing to participate in my study, particularly since it would enrich existing research on school discipline. Please let me know at your earliest convenience if you are available for an interview or need additional information on the study.

## Appendix C

### Charter School Instrument

Introduction: Let me begin by first thanking you for taking the time to speak with me. I really appreciate it! I'm a graduate student at the Duke Sanford School of Public Policy and I am conducting this interview as part of my master's project. I am working with the N.C. State Board of Education to determine charter policy around discipline as well as behavioral interventions used by schools. Our discussion will last about 45 minutes and will be recorded. Do you have any questions before we begin? Great, let's get started!

### Warm-up Questions

Can you tell me a little bit about how you came to work at [insert name of charter school]?

What is your school's educational philosophy?

Have you ever worked at a traditional public school?

### Module 1: Disciplinary Process

**I'm going to start by asking you about the disciplinary policies at your school and your perceptions of them. One of the questions is about due process. For the purposes of this interview, due process is defined as the rights given to students before they are punished or dismissed from school for disciplinary reasons. At any point, if you need me to repeat the definition of due process, please let me know.**

1) What is your school's approach to discipline?

*Intent: To determine the school's leadership attitudes towards disciplinary processes.*

2) Who handles disciplinary infractions at your school?

*Intent: To determine how disciplinary responsibilities are shared at the school.*

3) Does your school require students and parents to sign a behavior contract prior to enrollment?

*Intent: For this question, **the probes** attempt to determine if there is a difference between the school's stated policy on behavior contracts and the actual enforcement of the contracts.*

#### Possible probes

If R answered Y: How binding is the contract?

If R answered N: Is there a reason for not including a behavior contract?

4) What accommodations, if any, do you make for students that are different from your school's stated disciplinary policy?

*Intent: To determine if there are discrepancies between the school's stated policy on disciplinary processes and the actual enforcement of these policies.*

5) How does due process work at your school [refer them to definition of due process from introduction, if necessary]?

6) Can you give me an example of what your school does well in terms of dealing with student misbehavior?

*Intent: To determine the administrator's personal perception of an area of strength with respect to disciplinary processes.*

7) Conversely, what is one area for improvement with respect to dealing with student misbehavior?

*Intent: To determine the administrator's personal perception of an area of improvement with respect to disciplinary processes. This question could also provide further insight on the tension (if any) between process and implementation at the school.*

8) If there is one change that you could make to your school's disciplinary policy, what would it be and why?

*Intent: To determine the administrator's personal perception of an area of improvement with respect to disciplinary processes. Similar to the question above, this question could also provide further insight on the tension (if any) between process and implementation at the school.*

9) Based on your experience, do you think your school's disciplinary policy allows you to be flexible when dealing with student misbehavior?

*Intent: To determine if there are differences stated disciplinary policy and implementation*

## **Module 2: Consequences**

Great, thank you for your responses! Now, we are going to shift gears slightly and talk about disciplinary consequences at your school.

10) Besides out of school suspensions and expulsions, are there any other disciplinary consequences administered at your school?

*Intent: This question is particularly useful in cases where schools are implementing consequences not outlined in the student code of conduct.*

### Possible probes

Can you give me specific examples of alternate disciplinary consequences?

11) Does your school utilize in-school suspensions?

Possible probes

Compared to an out-of-school suspension, in what cases do you use in-school suspensions?

12) What is the most common reason that students leave your school?

*Intent: To determine if student attrition could be an outcome for disciplinary processes.*

**Module 3: Interventions**

13) Does your school use Positive Behavioral Interventions and Supports (PBIS)?

If R answered Y:

14) How long has your school been using PBIS?

15) Based on your school's experience, do you see a connection between faithfully implementing PBIS and its impact on reducing student misbehavior?

16) What are your perceptions about PBIS and its effectiveness?

*Intent: To determine the respondent's opinion about the behavioral intervention*

17) What other types of behavioral interventions, if any, does your school provide to students?

*Intent: To determine if a school implements behavioral interventions, in addition to the ones detailed in the school's student code of conduct.*

18) How invested are teachers in implementing behavioral interventions at your school?

*Intent: To determine if there is teacher buy-in for behavioral interventions at the school.*

19) What are your perceptions about (insert above-mentioned intervention) and its effectiveness?

*Intent: To determine the respondent's opinion about the behavioral intervention*

**Module 4: Comparisons**

20) How you think your school's overall disciplinary philosophy differs from that of a traditional public school's?

*Intent: To determine if there are differences between disciplinary approach employed by a traditional public school and a charter school.*

21) In your opinion, is your school's due process similar to a traditional public school's?

*Intent: To determine if there are differences between disciplinary approach employed by a traditional public school and a charter school.*

Possible probes

Can you give me an example of how due process at your school is similar (or different?)

**Wrap up question**

22) In your experience, are there any factors that lead to a difference between a school's discipline policy and the actual enforcement of the policy?

All right, thank you, again, for taking the time to speak with me. Our conversation was very informative and will help me greatly with my project. If you think of any other comments you would like to share, you can reach me via email at [ipd2@duke.edu](mailto:ipd2@duke.edu). Thank you!

## **Traditional Public School Instrument**

Introduction: Let me begin by first thanking you for taking the time to speak with me. I really appreciate it! I'm a graduate student at the Duke Sanford School of Public Policy and I am conducting this interview as part of my master's project. I am working with the N.C. State Board of Education to determine charter and traditional public school policy around discipline as well as behavioral interventions used by schools. Our discussion will last about 45 minutes and will be recorded. Do you have any questions before we begin? Great, let's get started!

### **Warm-up Questions**

Can you tell me a little bit about how you came to work at [insert name of traditional public school]?

What is your school's educational philosophy?

Have you ever worked at a charter school?

### **Module 1: Disciplinary Process**

**I'm going to start by asking you about the disciplinary policies at your school and your perceptions of them. One of the questions is about due process. For the purposes of this interview, due process is defined as the rights given to students before they are punished or dismissed from school for disciplinary reasons. At any point, if you need me to repeat the definition of due process, please let me know.**

1) What is your school's approach to discipline?

*Intent: To determine the school's leadership attitudes towards disciplinary processes.*

2) Who handles disciplinary infractions at your school?

*Intent: To determine how disciplinary responsibilities are shared at the school.*

3) What accommodations, if any, do you make for students that are different from your school's stated disciplinary policy?

*Intent: To determine if there are discrepancies between the school's stated policy on disciplinary processes and the actual enforcement of these policies.*

4) What does due process at your school look like? (refer them to definition of due process from introduction, if necessary)

5) Can you give me an example of what your school does well in terms of dealing with student misbehavior?

*Intent: To determine the administrator's personal perception of an area of strength with respect to disciplinary processes.*

6) Conversely, what is one area for improvement with respect to dealing with student misbehavior?

*Intent: To determine the administrator's personal perception of an area of improvement with respect to disciplinary processes. This question could also provide further insight on the tension (if any) between process and implementation at the school.*

7) If there is one change that you could make to your school's disciplinary policy, what would it be and why?

*Intent: To determine the administrator's personal perception of an area of improvement with respect to disciplinary processes. Similar to the question above, this question could also provide further insight on the tension (if any) between process and implementation at the school.*

8) Based on your experience, do you think your school's disciplinary policy allows you to be flexible when dealing with student misbehavior?

*Intent: To determine if there are differences stated disciplinary policy and implementation*

## **Module 2: Consequences**

Great, thank you for your responses! Now, we are going to shift gears slightly and talk about disciplinary consequences at your school.

9) Besides out of school suspensions and expulsions, are there any other disciplinary consequences administered at your school?

*Intent: This question is particularly useful in cases where schools are implementing consequences not outlined in the student code of conduct.*

### Possible probes

Can you give me specific examples of alternate disciplinary consequences?

10) Does your school utilize in-school suspensions?

### Possible probes

Compared to an out-of-school suspension, in what cases do you use in-school suspensions?

11) What is the most common reason that students leave your school?

*Intent: To determine if student attrition could be an outcome for disciplinary processes.*

### **Module 3: Interventions**

12) Does your school use Positive Behavioral Interventions and Supports (PBIS)?

If R answered Y:

13) How long has your school been using PBIS?

14) Based on your school's experience, do you see a connection between faithfully implementing PBIS and its impact on reducing student misbehavior?

15) What are your perceptions about PBIS and its effectiveness?

*Intent: To determine the respondent's opinion about the behavioral intervention*

16) What other types of behavioral interventions, if any, does your school provide to students?

*Intent: To determine if a school implements behavioral interventions, in addition to the ones detailed in the school's student code of conduct.*

17) How invested are teachers in implementing behavioral interventions at your school?

*Intent: To determine if there is teacher buy-in for behavioral interventions at the school.*

18) What are your perceptions about (insert above-mentioned intervention) and its effectiveness?

*Intent: To determine the respondent's opinion about the behavioral intervention*

### **Module 4: Comparisons**

19) How you think your school's overall disciplinary philosophy differs from that of a charter school's?

*Intent: To determine if there are differences between disciplinary approach employed by a traditional public school and a charter school.*

20) In your opinion, is your school's due process similar to a charter school's?

*Intent: To determine if there are differences between disciplinary approach employed by a traditional public school and a charter school.*

#### Possible probes

Can you give me an example of how due process at your school is similar (or different?)

### **Wrap up question**

21) In your experience, are there any factors that lead to a difference between a school's discipline policy and the actual enforcement of the policy?

All right, thank you, again, for taking the time to speak with me. Our conversation was very informative and will help me greatly with my project. If you think of any other comments you would like to share, you can reach me via email at [ipd2@duke.edu](mailto:ipd2@duke.edu). Thank you!

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