



February 2019

Shadow Discipline in Texas Schools

How Informal Discipline Impacts
Students and Families





Table of Contents

What is Shadow Discipline	2
Results of the Shadow Discipline Survey	3
Focus: Parent Pick-up	4
The Impact of Parent Pick-up on Students with Disabilities	6
Policy Recommendations	9

About Our Organizations

Easterseals Central Texas promotes independence and creates opportunities for people with disabilities to pursue their hopes and dreams.

Jolene Sanders, Advocacy Manager | jsanders@eastersealstx.org
www.easterseals.com/centraltx

Texas Appleseed promotes social and economic justice for all Texans by leveraging the skills and resources of volunteer lawyers and other professionals to identify practical solutions to difficult, systemic problems.

Deborah Fowler, Executive Director | dfowler@texasappleseed.net
www.texasappleseed.net

Disability Rights Texas helps people with disabilities understand and exercise their rights under the law, ensuring their full and equal participation in society.

Steven Aleman, Policy Specialist | saleman@disabilityrightstx.org
www.disabilityrightstx.org



What Is Shadow Discipline?

"I missed countless days of work. My son and I both had to seek counseling at our own cost. . . It also affected my marriage and my performance at work and impacted our relationship with school staff."

A parent describing the impact of shadow discipline.

For years, students, parents, educators, and advocates have shared stories about informal discipline in schools, including **unreported out-of-school suspensions** (also known as parent pick-up), **silent lunches**, and **exclusion from recess**. We call these punishments "shadow discipline."

Texas schools are required to report data about exclusionary school discipline, including in-school and out-of-school suspensions, placements in Disciplinary Alternative Education Programs (DAEPs), and expulsions. But information about the frequency and impact of shadow discipline is largely unknown. This can make it difficult to provide important services to students, identify campus needs, and ensure that school districts are not inappropriately relying on harmful and ineffective discipline techniques.

Just like more formal discipline, **shadow discipline can exclude children from the classroom** and from other important periods of academic and social interaction with teachers and peers. It can negatively impact families, cause schools to ignore serious underlying needs, **and funnel children into the school-to-prison pipeline.**

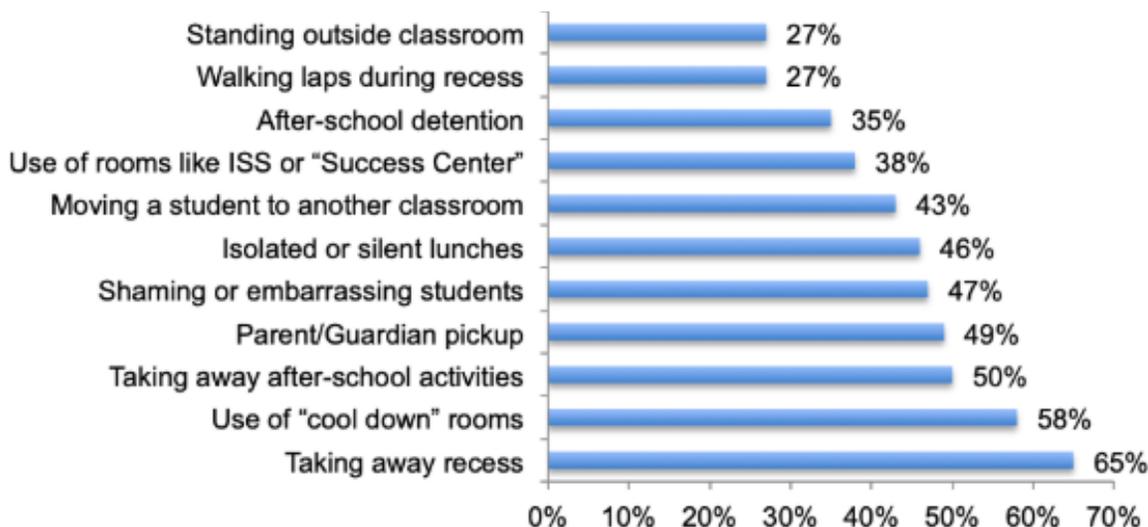


The Shadow Discipline Survey

In order to gain a better understanding of shadow discipline in schools, Texas Appleseed, Easterseals Central Texas, and Disability Rights Texas developed and distributed surveys to parents, teachers, and students. The surveys asked for information about the use of formal and shadow discipline in schools, the use of alternatives to exclusionary discipline, and how discipline methods impacted schools, students, and families. Though the sample size was small compared to the total Texas student population, the quantitative and qualitative results point to concerning trends.

Survey Highlights

The most common form of shadow discipline reported by survey participants was taking away recess, followed by the use of "cool down" rooms, taking away after-school activities, parent pick-up, and shaming or embarrassing students. While some of these methods may be appropriate for a short period of time or as a consequence for challenging behavior, many survey participants report that they are used solely as a punitive response, not as a last resort after other interventions have been tried. Additionally, some of these methods may be inconsistent with the needs and behavior plans of students with disabilities, and may create more issues than they address.



Note: All responses were kept in the analysis, even if participants did not fully complete the survey. In total, 211 parents and 59 educators filled out at least part of the survey. Percentages were calculated out of the total number of responses for each question.



Other Highlights

Most parent survey participants (65%) reported that at least one form of shadow discipline was used at their child's school. On average, **respondents reported that 5 different types of shadow discipline were used.**

Respondents also reported that formal exclusionary discipline methods were used: **49% reported that their child had received an in-school suspension and 37% reported that their child had received an out-of-school suspension.**

The majority of educators who participated in the survey did not find shadow discipline methods to be effective:

77% of surveyed educators said that they disagree or strongly disagree that the shadow discipline methods permanently change student behavior.

76% of surveyed educators disagree or strongly disagree that shadow discipline improves academic outcomes.

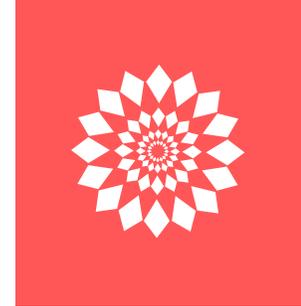
Some educators noted that other approaches, like engaging with parents, behavior contracts, and involving counselors were effective, but that **more support is needed for these and other effective approaches.**

47% of parents who responded to the survey indicated their child had been punished through shaming. Of those parents, 58% said this had happened more than four times.

Students are also punished by being sent to stand outside the classroom. **27% of parents** surveyed indicated their child had been disciplined this way. While this may seem innocuous, **of these parents, 33% indicated their child had lost the equivalent of a day or more of class time** to this punishment method.

70% of surveyed parents indicated their child had a disability.

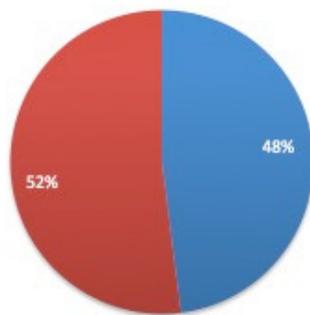
"It wasn't a matter of if I would be called to pick up each day. It was a matter of what time I would get the call."



FOCUS: Parent Pick-up

A quarter of parents (26%) who participated in the survey reported that they had been asked to pick up their child from school early, without the pick-up being recorded as an out-of-school suspension (OSS). A further eleven percent of parents who had reported being asked to pick up their child from school early reported that they were unsure whether the pick-up was recorded as an OSS. Many reported missing significant time at their jobs. Some parents have shared that school administrators told them that parent pick-ups were preferable to formal OSS because they would not appear on a child's discipline record.

But, there are significant problems with this form of shadow discipline. When suspensions are not recorded, they may become more frequent. Utilizing parent pick-ups may mean that schools are not asking the important questions to figure out the underlying needs of students and their families, leaving students at risk for more punishments, missed classroom and socialization time, and poor academic outcomes. Additionally, unrecorded parent pick-ups may allow schools to avoid federally-required evaluations and services for students with disabilities, which are triggered when students are removed from class for a certain number of days. Finally, not recording exclusions means that campus discipline data are inaccurate. Underreporting can mask real problems in schools and districts, including an over-reliance on exclusionary discipline and extreme disparities for children of color and students with disabilities.



48% of parents who experienced parent pick-up reported being told to pick up their child early **4 or more times**.

38% of parents who experienced parent pick-up said that the pick-up was **recorded as an unexcused absence**. 14% of parents were not sure how the pick-up was recorded.



Parent Pick-up:

Implications for students with disabilities and their families.

Of the surveyed parents who had been asked to pick up their child, 95 percent indicated their child had a disability. State and federal law guarantee students with disabilities the right to a free and appropriate public education. For this reason, if the student's behavior requires ten consecutive or cumulative days of exclusionary discipline, the Individuals with Disabilities Education Act (IDEA) requires schools to conduct a Manifestation Determination Review (MDR) to determine whether the behavior is a manifestation of the student's disability. Schools must also determine whether the student requires additional assessments and/or behavior supports prior to being disciplined, and may put a "Behavior Intervention Plan" (BIP) into place to help educators find positive ways to address problem behavior. If a BIP is created, educators are supposed to look to the plan before using another type of discipline.

Because informal parent pickups are not recorded as formal out-of-school-suspensions (OSS), schools are not conducting MDRs. In fact, 60 percent of surveyed parents of a child with a disability who experienced informal parent pickups more than ten times reported the school did not conduct a MDR. Moreover, 79 percent of all the surveyed parents indicated their student had a Behavior Intervention Plan (BIP) in place, which should have been used to guide any response to behavior related to the child's disability.

Although not all pickups for students with disabilities are disciplinary in nature, informal parent pickups push students out of school and have socioemotional implications for students with disabilities and their families. Parents report various non-disciplinary reasons for which school officials contact them to pick up their students, including:

- school staff not having knowledge of how to support the student's disability;
- the student not paying attention; or
- because the student was trying to make others laugh.



Parent Pick-up:

What else do we know?

Parents reported a myriad of increased levels of stress and significant mental health effects due to missed time at work, escalation of unaddressed behaviors, and truancy notices that involve threats of punishment to parents.

Parents also expressed that informal pickups reinforce challenging behaviors in instances when the goal of the student's behavior is to escape academic and social demands. Students who experience higher rates of exclusionary discipline, both formal and informal, are more likely to have poor grades, experience additional negative emotional and mental health effects, engage in further misbehavior, and drop out of school. Effective and transparent school discipline procedures should support students and teachers to improve long-term outcomes that decrease the need for more restrictive placements or more costly services.

40% of surveyed parents who had been asked to pick up their child indicated their student was an English Language Learner (ELL)

43% of surveyed parents who had been called to pick up their child indicated the student was in elementary school.

7% of parents who had been called to pick up their child indicated their student had had contact with the foster care system, suggesting the child may have suffered significant trauma at some point.



Policy Recommendations



1. The 86th Texas Legislature should pass **House Bill 2183 (Allen)**, which creates important protections for Texas students by:

- Requiring documentation of school-initiated early pickups that are not recorded as official out-of-school suspensions
- Ensuring that parents have access to documentation of their child's early pickup upon request
- Creating a requirement that each school district and open-enrollment charter school report early pickups annually through the Public Education Information Management System (PEIMS)
- Requiring that information collected and reported through PEIMS is made available to the public in a manner that does not identify students.

2. The Texas Education Agency should provide easily-accessible, research-based resources to schools so that administrators and educators are trained in approaches that address individual needs and improve school climates, like Positive Behavioral Interventions and Supports (PBIS), restorative practices, and Social Emotional Learning (SEL).

3. In order to better understand shadow discipline and the needs of students, the Texas Education Agency and Texas school districts should distribute a shadow discipline survey and provide rules and guidance to limit the use and address the impact of harmful practices.