

# LIVES IN THE BALANCE

## **Facts Matter:**

### **Why Advocating for Punitive/Exclusionary Disciplinary Practices Doesn't Add Up:**

There are all kinds of “facts” and misinformation being spread about the advantages of punitive/exclusionary discipline in American public schools. It’s time to set the record straight.

Contention: States and local communities should create seclusion and restraint policies independent of the federal government.

The Reality: There is precedent for the federal government to set national policy when state policies and practices are harmful, as in the case of tobacco use, mandatory seatbelts, and fuel emissions.

Contention: In states that have laws restricting restraint and seclusion, students and teachers are not safer because students are permitted to create unsafe situations, for example destroying classrooms.

The Reality: There are no data indicating that restraint and seclusion improve safety for students or caregivers. There are unsafe situations even in classrooms where restraint and seclusion are employed. Removal of restraint and seclusion is only one of many components that are involved in improving safety in classrooms. Merely discontinuing the use of restraint and seclusion will not produce safer classrooms in the absence of evidence-based alternative practices.

Contention: According to state data, restricting punitive practices negatively impacts academic progress and school climate.

The Reality: We are not familiar with such data; in fact, the data that we are aware of points to the exact opposite conclusion.

Contention: Federal mandates will disempower teachers in using their own judgment on how to maintain a safe classroom when concerning behaviors occur.

The Reality: There are already many federal (and state) mandates governing expectations and practices for teachers. Many classroom teachers have very little knowledge of how to address concerning behaviors beyond traditional methodologies that may actually escalate many such students. The goal is to empower teachers with alternative, evidence-based, non-punitive, non-exclusionary practices.

Contention: Parents are the best people to decide if corporal punishment should be allowed in their childrens' schools.

The Reality: There are no data whatsoever to indicate that corporal punishment is an effective tool for accomplishing any behavioral or non-behavioral goals. By contrast, the harms of corporal punishment are well-established. Many parents are unaware of alternative, evidence-based, non-punitive, non-exclusionary practices.

Contention: Parents should decide all aspects of their child's health and safety in schools, including restraint, seclusion, and corporal punishment.

The Reality: There are no data whatsoever to indicate that restraint and seclusion are effective tools for accomplishing any behavioral or non-behavioral goals, including safety. By contrast, the harms of restraint and seclusion are well-established. Many parents are unaware of alternative, evidence-based, non-punitive, non-exclusionary practices.

Contention: Schools should work with parents to create local discipline policies as parents care the most about their children. The federal government should not parent our children.

The Reality: The federal government sets many guidelines related to the health, safety, and well-being of children. If both schools and parents are equally unaware of alternative, evidence-based, non-punitive, non-exclusionary practices, then together they will create policies that are still unnecessarily harmful and counterproductive.

Contention: This is a partisan issue as Democrats support one-size-fits all mandates and Republicans believe in local decision making.

The Reality: The goal is not to obliterate local decision-making, but since corporal punishment, restraint, seclusion, and other punitive exclusionary disciplinary practices are not helpful for any students – in other words, they fit no one – then intervention from the federal government is necessary to prevent ongoing harm.

Contention: The data regarding the use of restraint, seclusion and corporal punishment are not reflective of the true problem and misguides our solution. One true problem leading to restraint, seclusion, suspension, expulsion, and corporal punishment is single parent homes and the lack of discipline in homes without fathers.

The Reality: We are not familiar with such data; such statements are driven more by philosophy than science. Many students who come from single parent homes and homes without fathers are very well-behaved at school. Such stances also serve to tie the hands of educators and cause inertia – what can educators do about students' home situations? – when efforts could be devoted to helping educators be responsive to the needs of each student (as dictated by special education law).

Contention: Disproportionality in restraint and seclusion for Black and Brown students is deeply rooted in inequalities in family structure and poverty.

The Reality: Many Black and Brown students are very well-behaved at school, despite perceived inequalities in family structure and poverty. Such beliefs tie the hands of educators and cause inertia – what can educators do about students' family situations? – when efforts

could be devoted to helping educators be responsive to the needs of each student (as dictated by special education law).

Contention: Restraint and seclusion are necessary to keep students and teachers safe because deescalation strategies are not always effective.

The reality: There are no data indicating that restraint and seclusion keep students or their caregivers safer. The existing data indicate the exact opposite. Like restraint and seclusion, de-escalation is a crisis *management* strategy. Educators need training in practices that are oriented toward crisis *prevention*, not crisis management.

Contention: Limiting restraint and seclusion will put students and teachers in physical danger.

The Reality: Students and teachers are in physical danger *during* restraint and seclusion. Again, restraint and seclusion are crisis *management* procedures; educators need training in practices that are oriented toward crisis *prevention*, not crisis management.

Contention: When policies regarding punitive practices (such as suspensions) are restricted more school-based arrests occur. In addition, when students with concerning behaviors are not referred to law enforcement, unsafe behavior can escalate to the point of school shootings.

The Reality: We are aware of no data supporting any of these claims. The goal is to intervene with students in ways that not only prevent worsening behavior but prevent concerning behaviors in the first place. It's not a matter of choosing one counterproductive intervention over another.

Contention: If lower levels of punitive practice (i.e. suspensions) are banned, higher levels of punitive practices are used (i.e. arrests). Permitting suspensions is preventative of school-based arrests.

The Reality: Neither suspensions nor arrests are effective ways to intervene with students with concerning behaviors. The goal is not to replace one ineffective intervention with another, but rather to replace both with alternative interventions that are non-punitive, non-exclusionary, and effective.

Contention: Children need to be disciplined in school so they are taught to have control of themselves.

The Reality: Traditional discipline that causes students to be excluded or treated in ways that are unnecessarily punitive do not teach children to control themselves and only causes children to miss educational opportunities, which causes them to fall further behind. The majority of problems causing students' concerning behavior are related to academic frustrations.

Contention: We need to have classrooms without students creating chaos so other students can learn. Students who show concerning behaviors need to be removed from the classroom for the academic benefit, as well as the general well being, of other students.

The Reality: No one wants learning disrupted for any student. There is no need to remove students with concerning behaviors from classrooms if the factors contributing to their

concerning behaviors are addressed with evidence-based, non-punitive, non-exclusionary interventions.

Contention: Alternatives to punitive practices, such as social emotional learning models, cannot be trusted because they now include teaching ideologies such as Critical Race Theory and encourage young children to explore their gender identity.

The Reality: Neither Critical Race Theory nor discussion of gender identity are typically included in social-emotional learning curricula.

Contention: Teacher unions are the greatest threat to student health and safety because they often support Democratic views regarding limiting punitive practices.

The Reality: Teacher unions have historically been **opposed** to legislation aimed at severely restricting the use of restraint and seclusion. This reflects a lack of awareness of alternative, evidence-based, non-punitive, non-exclusionary disciplinary practices.

*Lives in the Balance ([livesinthebalance.org](http://livesinthebalance.org)) is a non-profit organization founded by Dr. Ross Greene that aims to advocate on behalf of kids with concerning behaviors and their caregivers, provide an unbiased, objective view of research related to punitive/exclusionary disciplinary practices, and helps caregivers help these kids in ways that are effective and compassionate.*