As in the previous six editions of Behavior Management: Positive Applications for Teachers, this seventh edition acknowledges the comments and suggestions of many reviewers and users and their input in updating and improving the previous editions, in their turn. The text continues to provide readers with both a technical and functional understanding of applied behavior analysis, as well as a discussion of the everyday applications of behavior management in classrooms and other educational settings. With a variety of features called Classroom Connections, Internet links, and discussion and reflection questions, we try to communicate this information in language that is understandable to professionals and paraprofessionals. As with the previous editions, readers will observe several major differences in this text compared with other behavior management or applied behavior management texts. These differences are based on specific values regarding the management of behavior and the recognition of current trends in society.

NEW TO THIS EDITION

- In this seventh edition, we continue to emphasize schoolwide, classroom-based, and individual strategies for positive behavior supports. Chapter 2, “Legal Considerations for Schools,” has been updated with the newest amendments to special education law. Chapter 8, “Formal Behavioral Assessment,” has been updated with the latest revisions to standardized assessments.
- Chapter 10 provides a greater focus on positive behavioral supports and reinforcement strategies. Chapters 12 and 13 provide strategies for schoolwide and individual positive behavior supports. All 14 chapters have been updated with the latest research and publications regarding specific behavior challenges and interventions.
- This text recognizes the growing preschool field as well as the expansion of day care and other services provided for infants, toddlers, and preschoolers. Although the basic principles of behavior management apply for all children, preschool teachers and day-care workers must understand that infants and young children have unique characteristics that demand special consideration. The growth of early childhood programs and the changing structure of family life require that we address this population directly, and so we acknowledge the special issues of early childhood behavior in Chapter 4.
- Adolescent issues are also a significant and growing concern to many educators. The number of adolescents referred to out-of-home treatment facilities is at an all-time high. Clearly, this population requires special attention in the field of behavior management, and we address these special issues directly in Chapter 5, “Issues in Adolescent Behavior,” which has been revised extensively.
- A person’s behavior is influenced by his or her ethnic background, gender, language, and culture. In a much improved and updated Chapter 3, we urge all educators to learn about and become sensitive to their own worldview and the worldview of their students, as well as the individual differences of their students and how these differences may influence students’ behavior. We have tried to avoid the trap of stereotyping and to recognize the uniqueness of all individuals, while at the same time acknowledging the influence of traditions and customs of those who share a common ethnic and cultural background.
- Finally, we recognize that the best and most effective behavior management strategy is the teaching and reinforcement of appropriate behaviors. This belief is integrated throughout the text, which includes the basic mechanics of applied behavior analysis. In many areas, however, the text breaks from traditional applied behavior analysis texts and includes current topics and issues in behavior management, as well as the concerns of special populations (e.g., diversity, early childhood, and adolescent issues). We hope our readers will find these additional chapters useful and informative. We also hope that our readers will share their thoughts
with us on how this seventh edition may be improved. We welcome and look forward to your comments. Please e-mail the author at tzirpoli@mcdaniel.edu with your comments and suggestions.

AUDIENCE

This text is designed for use in both undergraduate and graduate behavior management, classroom management, or applied behavior management courses. The text is appropriate for the preservice and inservice training of regular and special educators; preschool, elementary, and secondary educators; education administrators; counselors; psychologists; and social workers.

ACKNOWLEDGMENTS

Thank you to the individuals who made significant and important contributions to this project: Joel Macht, Davidson College, who contributed Chapter 9; Mitchell Yell, University of South Carolina, who contributed Chapters 2 and 11; Stephanie D. Madsen, McDaniel College, for Chapter 5; Daria Buese, McDaniel College, for Chapter 6; Victoria Russell for Chapter 8; Janet G. Medina, McDaniel College, who contributed Chapter 3; and Meagan Gregory, McDaniel College, who contributed to Chapters 10 and 14.

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Thomas J. Zirpoli
PART One

FOUNDATIONS FOR UNDERSTANDING AND MANAGING BEHAVIOR

Chapter 1
Basic Concepts of Behavior and Behavior Management

Chapter 2
Legal Considerations for Schools
Basic Concepts of Behavior and Behavior Management

Thomas J. Zirpoli

CHAPTER OUTCOMES

At the end of this chapter, students will:

- Understand the history and foundations of behavior and behavior management.
- Define the basic concepts of behavior and behavior management.
- Identify the basic assumptions about behavior and behavior management.
- Identify the myths and misconceptions about behavior and behavior management.

Understanding why individuals behave the way they do and how behavior may be taught, changed, or modified is the primary concern of this text. In this chapter, historical foundations, basic concepts, assumptions, and common misconceptions of behavior and behavior management are addressed.

HISTORICAL FOUNDATIONS FOR UNDERSTANDING BEHAVIOR AND BEHAVIOR ANALYSIS

There are many schools of thought regarding behavior and behavior management. Most of these theories have evolved over time, each building on the research of previous scholars and practitioners. Classical conditioning, operant conditioning, and social learning are the “general theoretical positions” forming the “basis of contemporary behavior modification approaches” (Morris, 1985, p. 4). These concepts, in addition to behavior therapy and applied behavior analysis, are the foundation of behavior management strategies employed in schools and classrooms today, and they are the focus of this introductory chapter.

Classical Conditioning

Classical conditioning (also called Pavlovian conditioning) refers to the relationship between stimuli and respondent behavior responses. Stimulus refers to any “condition, event, or change in the physical world” (Cooper, Heron, & Heward, 1987, p. 18). Stimuli include light, noise, touch, temperature, taste, smells, textures, and so on, that evoke (elicit) responses or respondent behavior.

Stimuli may be unconditioned or conditioned. An unconditioned stimulus (UCS) is naturally stimulating or unlearned. Examples include food and sex. A person does not have to learn that food and sex are reinforcing. A conditioned stimulus (CS), however, is one that has been learned or conditioned. For example, a child may learn to fear anyone wearing white clothing after spending months in a hospital that included painful treatments by medical personnel dressed in white.

Respondent behaviors are usually not controlled by the individual and are frequently referred to as involuntary, reflex behaviors or unconditioned responses. An unconditioned stimulus usually produces an unconditioned response. For example, a bright light (unconditioned stimulus) will
probably produce unconditioned responses such as closing the eyelids, covering the eyes, and turning away. These respondent behaviors are not learned; they occur automatically as a result of the stimulus (light).

IVAN P. PAVLOV: THE FATHER OF CLASSICAL CONDITIONING  Ivan P. Pavlov (1849–1936), a Russian physiologist and 1904 Nobel Prize winner, is commonly referred to as the father of classical conditioning. During his research on animal digestion, Pavlov studied how different foods placed in the digestive system elicited unconditioned reflexes such as the production of gastric secretions and saliva. More significantly, Pavlov discovered that these responses could be stimulated when certain stimuli associated with the presentation of food were also present in the environment. For example, Pavlov observed that his dogs began to produce saliva when his assistant merely opened the cage door at mealtime.

Pavlovian conditioning has expanded significantly since the days of Pavlov. Rescorla (1988) describes the modern understanding of classical conditioning this way:

Pavlovian conditioning is not a stupid process by which the organism willy-nilly forms associations between any two stimuli that happen to co-occur. Rather, the organism is better seen as an information seeker using logical and perceptual relations among events, along with its own preconceptions, to form a sophisticated representation of its world. (p. 154)
Rescorla and others have expanded the traditional understanding of classical conditioning. Balsam and Tomie (1985) note that learning must be understood beyond the identification of conditioned and unconditioned stimuli. The properties of the stimuli and the context in which these stimuli are presented not only become part of the stimulus (called a stimulus package) but play a role in the type of response forms that follow. A conditioned stimulus presented in one environment may elicit a different response in a second environment. For example, how a child responds to another child’s provocation within the classroom environment may be very different from how the child would respond to the same stimulus within the child’s neighborhood.

Indeed, behavior is far more complex than a simple understanding of the pairing of stimuli and associated responses; many other variables are involved. Pavlov, however, must be credited with providing the foundation for classical conditioning, which “continues to be an intellectually active area, full of new discoveries and information relevant to other areas of psychology” (Rescorla, 1988, p. 151). Classical conditioning provides the basis for many behavior therapy techniques used in modern-day clinical settings.

Pavlov was also noted for his precise scientific methods (Kazdin, 1989). He used precise methods that permitted careful observation and quantification of what he was studying. For example, in some of his studies, drops of saliva were counted to measure the conditioned reflex. His meticulous laboratory notes and his rigorous methods helped greatly to advance a scientific approach toward the study of behavior (p. 9).

**JOHN B. WATSON: THE FATHER OF BEHAVIORISM** Another psychologist who made significant contributions toward the understanding of human behavior and the advancement of the scientific method for psychological research was John B. Watson (1878–1958). Influenced by the work of Pavlov, Watson led the way in the study of behavior on the American front. He called himself a behaviorist (Watson, 1919) and advocated a different psychological approach to understanding behavior, which he referred to as behaviorism (Watson, 1925). Learning, according to Watson, could explain most behaviors.

Like Pavlov, Watson conducted experiments using the principles of classical conditioning. In a famous study with an 11-month-old baby named Albert, Watson and Rayner (1920) paired a startling loud noise with the touching of a white rat. While Albert was playing with the rat, the noise was sounded each time he touched the rat. After only seven pairings, Albert, who was startled by the loud noise (unconditioned stimulus), was conditioned also to fear the white rat (a previously neutral stimulus). Even without the loud noise, Albert cried when he was presented with the white rat. The rat had become a conditioned stimulus that elicited the conditioned response of fear.

Watson urged the psychological establishment to study observable or overt behavior rather than mental phenomena that could not be directly observed (e.g., emotions, feelings, thoughts, instinct). In his *Psychology from the Standpoint of a Behaviorist*, Watson (1924) criticized psychologists for their use of subjective and unproven interventions and the lack of a scientific methodology as modeled by Pavlov. Although, by his
own admission, he went “beyond [his] facts” (p. 104) and extended his research findings on conditioning and learning to explain all behavior, he nevertheless set the stage for a new psychology.

**Operant Conditioning**

An *operant* is a behavior or response that is controlled or at least influenced by events within the environment (Skinner, 1974). For example, as a result of environmental influences (a teacher’s request), students learn to talk quietly when visiting their school library. It is important to differentiate operant behavior from the previously described respondent behaviors, such as blinking in response to a bright light, which are involuntary or reflexive.

Operant conditioning refers to the relationship between overt events in the environment and changes in specific target behaviors. These events are classified as either antecedents or consequences.

**WHAT HAPPENS PRIOR TO THE BEHAVIOR?** *Antecedents* are events in the environment that precede a target behavior or operant. For example, when John hits Mike after Mike takes a toy from John, the antecedent for hitting is the action of Mike taking a toy away from John. An observant teacher could easily identify the antecedent to John’s hitting. However, the relationship between an antecedent and a behavior may not be so obvious. For example, when a child comes to school hungry and attends poorly to the teacher, hunger is an indirect antecedent to the poor attention. Unless a teacher is told that the child is hungry, he or she may not be able to identify hunger as the antecedent to the child’s poor attention in the classroom.

**WHAT HAPPENS AFTER THE BEHAVIOR?** A *consequence* refers to events in the environment that occur after a target behavior or response. For example, when a teacher pays attention to a child for disruptive classroom behavior (i.e., talking out, making noise), the attention serves as a consequence for the disruptive behavior. According to Donnellan, LaVigna, Negri-Shoults, and Fassbender (1988), “A consequence is defined as an environmental stimulus or event that contingently follows the occurrence of a particular response and, as a result of that contingent relationship, strengthens or weakens the future occurrence of that response” (p. 20).
In operant conditioning, the consequence is identified as reinforcing if the preceding behavior increases or is maintained at a current rate, duration, or intensity. The consequence is identified as a punisher if the preceding behavior decreases in rate, duration, or intensity. This relationship among antecedents, behaviors, and consequences serves as the foundation for operant conditioning as well as for most applications employed in applied behavior analysis. According to behaviorists, when this relationship is understood, the manipulation of antecedents and consequences may be used to teach new skills and modify current behaviors.

**EDWARD L. THORNDIKE: THE LAWS OF BEHAVIOR** Operant conditioning has its roots in animal research. Edward L. Thorndike (1874–1949) was one of the first researchers to apply basic operant conditioning principles and study the relationship between animal behavior (responses) and environmental conditions, especially the relationship between behavior and consequences. In his law of effect, Thorndike (1905) talked about the relationship between acts that produced “satisfaction” and the likelihood of those acts (behaviors) recurring (p. 203). In his law of exercise, Thorndike (1911) outlined how behaviors became associated with specific situations. The study of these associations between responses and consequences and between responses and situations is sometimes referred to as associationism. Thorndike’s work provided a solid foundation for future research on positive reinforcement (law of effect) and stimulus control (law of exercise).

Thorndike (1911) demonstrated that the provision of reinforcement as a consequence increased the rate of learning. In his famous cat experiments, Thorndike used food to reinforce cats when they learned how to remove a barrier and escape from a box. After repeated trials, he noted the time it took the cat to escape from the box to get to the food decreased.

**BURRUS FREDERIC SKINNER: THE FATHER OF OPERANT CONDITIONING** Thorndike’s research on reinforcement influenced the work of B. F. Skinner (1904–1990), whose name has become synonymous with operant conditioning and behavior modification. Skinner (1938) also conducted many of his early studies using laboratory animals such as rats and pigeons. He expanded on Thorndike’s research on the relationships between various consequences and behavior. Skinner also helped clarify the differences between operant conditioning and Pavlov’s classical conditioning (Kazdin, 1989): “The consequences which shape and maintain the behavior called an operant . . . have become part of the history of the organism. To alter a probability is not to elicit a response, as in a reflex” (Skinner, 1974, pp. 57–58).

Skinner (1974) described the concept of operant conditioning and the relationship between behavior and consequences as “simple enough”:

> When a bit of behavior has the kind of consequence called reinforcing, it is more likely to occur again. A positive reinforcer strengthens any behavior that produces it: a glass of water is positively reinforcing when we are thirsty, and if we draw and drink a glass of water, we are more likely to do so again on similar occasions. (p. 51)

Skinner is also noted for expanding his laboratory research to the promotion of operant conditioning as a method for improving societal conditions. His book *Walden Two* (1948) outlines how these principles could be used to develop a utopian society. His next book, *Science and Human Behavior* (1953), promotes the application of operant conditioning in education, government, law, and religion.

Skinner (1953) stated that behaviorists needed to be more concerned with the description of behavior and the antecedents and consequences related to behavior than with the explanation of behavior. He also emphasized the importance of the current situation regarding a specific behavior rather than the long-term history of the behavior problem. For example, Skinner was more interested in teaching a child to sit in his seat within a classroom environment (by reinforcing the child for sitting) than trying to explain or understand why the child frequently ran around the classroom.
Skinner did not totally reject the philosophy of cognitive psychology or, as he called it, “the world within the skin” (1974, p. 24). He did, however, seem to grow wary of the minimal progress made in understanding behavior under the traditional principles of cognitive psychology: “Behaviorism, on the other hand, has moved forward” (1974, p. 36). Operant conditioning clearly emphasizes the study of observable, overt behaviors that can be measured and studied by methods of direct observation.

**The Behavioral versus Psychoanalytic Approach**

The work of Pavlov, Watson, Thorndike, and Skinner represented a major shift from the work of Sigmund Freud (1856–1939) and others who promoted a more traditional psychoanalytic approach. Whereas the behavioral approach focuses on overt behaviors and environmental events related to those behaviors, the psychoanalytic approach focuses on psychological forces such as drives, impulses, needs, motives, conflicts, and personality traits existing within the individual. Whereas the behavioral approach views inappropriate behavior as conditioned or learned, the psychoanalytic approach views inappropriate behavior primarily as the result of some maladaptive psychological process or some underlying defect in the child’s personality.

Dissatisfaction with the psychoanalytic approach has revolved around several issues. First, assessment procedures commonly used in the psychoanalytic approach remove the child from the situation in which inappropriate behaviors occur. The psychiatrist or psychologist preparing the assessment may never observe the child within the environment (home or classroom) where the problem behaviors occur. Direct observations are usually limited to behaviors observed within the professional’s office where, according to Brown (1990), 85% of children with challenging behaviors behaved appropriately.

Second, the identification of underlying psychological causes of behavior yields little information that can be used in the development of an intervention plan, especially for classroom teachers. In fact, there is usually limited communication between therapists and teachers.

Third, the generalization of therapy or treatment (e.g., psychotherapy or psychoanalysis) effects to functional environments such as the home or classroom is challenging, and there are many barriers to demonstrating research effects from therapy room to classroom (Mufson, Pollack, Olfson, Weissman, & Hoagwood, 2004). Table 1.1 provides an outline of differences between the psychoanalytic and behavioral approaches.

**Social Learning Theory**

The student of social learning theory strives to understand how behavior is influenced by classical and operant conditioning principles, along with the influences of the child’s social environment and cognitive development. Human behavior, according to

<table>
<thead>
<tr>
<th>TABLE 1.1 Behavioral versus Psychoanalytic Approach</th>
</tr>
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<tbody>
<tr>
<td><strong>Variable</strong></td>
</tr>
<tr>
<td>Behavioral focus</td>
</tr>
<tr>
<td>Cause of inappropriate behavior</td>
</tr>
<tr>
<td>Assessment approach</td>
</tr>
<tr>
<td>Concern for environmental variables</td>
</tr>
<tr>
<td>Concern for psychological variables</td>
</tr>
<tr>
<td>Empirical support</td>
</tr>
<tr>
<td>Classroom applications</td>
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</table>
social learning theory, is much too complex to understand without this integrated approach.

**ALBERT BANDURA: THE FATHER OF SOCIAL LEARNING THEORY** Albert Bandura, a Canadian psychologist who received his Ph.D. training at the University of Iowa in 1952, studied aggression in adolescents and found behaviorism too simplistic (Boeree, 1998) to explain the behavior he observed. He proposed that a child’s behavior, environment, and cognitive processes “operated as interlocking determinants of each other” (Bandura, 1977, p. 9).

Bandura (1977) stressed that “personal and environmental factors do not function as independent determinants, rather they determine each other . . . in a reciprocal fashion” (p. 9). He refers to this integrated approach as a process of *reciprocal determinism*.

Bandura studied the importance of *observational learning* or *modeling* on the acquisition of behavior. According to Bandura (1977), an individual observes a behavior, cognitively retains the information observed, and performs the modeled behavior. He labeled these three steps attention, retention, and reproduction and added that reinforcement and motivational processes regulate the reproduction of behavior.

Bandura (1969) is most famous for his research on how children model aggressive behavior. He once testified before Congress that exposure to TV violence has four effects on children: First, TV violence teaches children how to be aggressive. Second, TV violence glamorizes violence. Third, frequent exposure to TV violence desensitizes children to cruelty and the effects violence has on others. Last, TV violence provides our children with a false reality of the world (Van De Velde, 2002).

In a text titled *Self-Efficacy: The Exercise of Control*, Bandura (1997) published a scholarly review of his own research on social learning theory, as well as the work of his students and colleagues. He defines *self-efficacy* as “people’s beliefs about their capabilities to produce designated levels of performance that exercise influence over events that affect their lives. Self-efficacy beliefs determine how people feel, think, motivate themselves, and behave” (Bandura, 1994, p. 71). People who have a strong sense of efficacy “look at challenges to be mastered rather than threats to be avoided” (p. 71). They bounce back after failure and increase their efforts in the face of failure. People with a weak sense of efficacy avoid challenges out of fear of failure. They dwell on their weaknesses and failures. A student’s self-efficacy influences how a student approaches classroom tasks and assignments and, ultimately, the student’s behavior. A history of success develops a strong self-efficacy; a history of failure develops a weak self-efficacy. Teachers can promote stronger self-efficacy in students by establishing classroom situations for students to be successful and then reinforcing that success.

**Behavior Therapy**

Rimm and Masters (1974) state that while behavior modification and *behavior therapy* share many of the same principles, behavior modification stresses operant conditioning, and behavior therapy stresses classical conditioning. Some say that behavior therapy is a practical application of classical conditioning. Whereas behavior modification and operant conditioning have been used primarily with overt behaviors that are observable and measurable, such as aggression and tantrums, behavior therapy and classical conditioning have been used primarily with covert behaviors, such as fears.

Several treatment strategies are frequently associated with behavior therapy. Three of them—systematic desensitization, modeling, and biofeedback—are discussed next.

**SYSTEMATIC DESENSITIZATION** Joseph Wolpe, a South African medical doctor, first developed *systematic desensitization* as a form of classical conditioning to reduce anxiety in cats. Building on Pavlov’s research, Wolpe (1958) demonstrated that the strength of anxiety-producing stimuli could be reduced when paired with non-anxiety-producing stimuli. First, Wolpe exposed cats to only a small amount of the anxiety-producing stimuli. He then exposed the cats to positive stimuli such as food. Eating food and engaging in
other positive behaviors in the presence of small amounts of the anxiety-producing stimuli reduced the anxiety response. Over time, Wolpe slowly increased the amount of anxiety-producing stimuli paired with the competing positive stimuli (eating food) until the anxiety response was eliminated.

Systematic desensitization has been used to reduce childhood phobias (King, Heyne, Gullone, & Molloy, 2001), speech anxiety (Ayres & Hopf, 2000), claustrophobia (Bernstein, 1999), and high school students’ math anxiety (Zyl & Lohr, 1994).

**MODELING**  
*Modeling* refers to the observation and learning of new behaviors from others. Within a therapeutic application, modeling may involve a child who is afraid of dogs watching other children play with dogs. This type of modeling application has been used successfully to “treat” other fears (e.g., snakes, heights, water) (Bandura, 1971).

**BIOFEEDBACK**  
*Biofeedback* involves providing an individual with immediate information (visual and/or auditory) about a physiological process (e.g., heart rate, pulse rate, blood pressure, skin temperature) and the use of operant conditioning (reinforcement and/or punishment) to modify the physiological process. The goal of biofeedback is to teach individuals how to control or manipulate involuntary physiological processes.

Biofeedback has been used with adults to treat a variety of conditions, including panic disorder (Meuret, Wilhelm, & Roth, 2001), poor health (Russoniello & Estes, 2001), sexual dysfunction (Araoz, 2001), and incontinence (Folkerts, 2001). With children, biofeedback has been used in the treatment of headaches and seizures (Womack, Smith, & Chen, 1988), incontinence (Duckro, Purcell, Gregory, & Schulz, 1985; Killam, Jefries, & Varni, 1985), constipation and enuresis (Lampe, Steffen, & Banez, 2001), pain (Allen & Shriver, 1998), anxiety (Wenck & Leu, 1996), and poor academic performance (Robbins, 2000).

**Applied Behavior Analysis**

The term *applied behavior analysis* refers to the direct application of behavior change principles in nonlaboratory, everyday situations and settings “to produce socially significant changes in behavior” (Horner, 1991, p. 607). Kazdin (1989) defines applied behavior analysis as an “extension of operant conditioning principles and methods of studying human behavior to clinical and socially important human behaviors” (p. 23). Using behavioral principles to improve on-task behaviors—number of math problems completed and following directions, for example—would be considered an applied use of behavior modification.

The use of operant or behavioral principles and techniques in applied settings began in the late 1950s and early 1960s (Kauffman, 1989). Early research using behavior modification strategies with people in applied settings employed persons living in institutional settings. This research included people with severe developmental and emotional disabilities.

**IVAR LOVASS: THE FATHER OF APPLIED BEHAVIOR ANALYSIS**  
Ivar Lovass was born in 1927 near Oslo, Norway. In 1952, he began working on his doctorate degree in psychology at the University of Washington. During his studies, Lovass worked as a psychiatric aide at a private hospital in Seattle that included children with autism.

In 1961, he became an assistant professor at UCLA and started the Lovass Institute for Early Intervention, where he served as director. In 1961, most researchers believed that children developed autism because their mothers did not show them enough affection. They were called “refrigerator moms.” Treatment included giving these children lots of love and affection. But Lovass observed that just loving the children did not change their behavior, and he was frustrated that researchers did not have data to support their treatment theories.

Lovass began to experiment with operant conditioning and Skinner’s use of rewards and punishments with his students with autism. Because these methods were used successfully to change the behavior of animals in the laboratory, Lovass wondered whether they could be employed with his students.

Lovass started by teaching his students to point to their body parts (nose, ears, mouth). When they responded correctly, he would give them an M&M (reinforcement). If they responded incorrectly, he would yell, “No!” (punishment).
Over time, Lovass was able to teach his students with autism many skills. But his methods were controversial, especially his use of “aversive” punishments that included yelling, slapping, and even electric shocks. After a lot of negative publicity and the introduction of human rights protections for the disabled, Lovass stopped using aversives (another term for “aversive punishment”). But the damage was already done; many people had developed negative, and frequently false, perceptions about using operant conditioning, or behavior modification, as was the common term.

As time passed, and as the successful use of behavior change strategies were documented, behavior modification techniques started to be used with people who had mild disabilities and with many nondisabled populations.

In the first issue of the Journal of Applied Behavior Analysis (founded by Montrose Wolf in 1968), Baer, Wolf, and Risley (1968) outlined several basic elements of applied behavior analysis that are still applicable today:

- While both applied and basic research ask “what controls the behavior under study,” applied research looks beyond variables that are convenient for study or important to theory (p. 91).
- Behaviors should be observed and studied within their natural environments (the real world) rather than in the laboratory.
- Applied research is interested in observable behaviors, not what an individual can be made to say or feel (p. 93).
- The real-world application of applied behavior analysis may not allow precise laboratory measurements, but “reliable quantification of behavior can be achieved” (p. 93).
- Behaviors and techniques used to modify behavior should be “completely identified and described” so that a “trained reader could replicate that procedure” and produce the same results (p. 95).
- A behavioral technique should be judged as having an application for society (applied) when it produces a behavior change that has “practical value” (p. 96).
- The generality or durability of behavioral change over time is an important concern that should “be programmed, rather than expected or lamented” (p. 97).

In a second review of the important elements of applied behavior analyses, Baer, Wolf, and Risley (1987) restate that applied behavior analysis ought to be applied, behavioral, analytic, technological, conceptual, effective, and capable of appropriate generalized outcomes (p. 313). These qualities are consistent with the dimensions of applied behavioral analysis outlined previously and listed by the same authors some 20 years earlier (Baer et al., 1968). According to the authors, these dimensions “remain functional” (p. 314).

Table 1.2 summarizes the general theoretical streams of behavior management that have been outlined in this chapter. Table 1.3 presents an overview of historical researchers discussed in this chapter and their important contributions to the understanding of behavior.

<table>
<thead>
<tr>
<th>TABLE 1.2 General Theoretical Streams of Behavior Management</th>
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<tbody>
<tr>
<td><strong>Theoretical Stream</strong></td>
</tr>
<tr>
<td>Classical conditioning</td>
</tr>
<tr>
<td>Operant conditioning</td>
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<tr>
<td>Social learning or cognitive theory</td>
</tr>
<tr>
<td>Behavior theory</td>
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<tr>
<td>Applied behavior analysis</td>
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</tbody>
</table>
**TABLE 1.3 Historical Figures in Behavioral Research and Important Contributions**

<table>
<thead>
<tr>
<th>Researcher</th>
<th>Important Contributions</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Pavlov</td>
<td>A Russian physiologist and Nobel Prize winner. Considered to be the father of classical conditioning. Conducted research on animal digestion and unconditional reflexes. Conditioned a dog to produce saliva in response to a bell by pairing the bell with the presentation of food. Promoted the use of precise scientific methods.</td>
</tr>
<tr>
<td>J. B. Watson</td>
<td>The father of behaviorism. Wrote <em>Psychology from the Standpoint of a Behaviorist</em> in 1919 and <em>Behaviorism</em> in 1925. Noted for his research in classical conditioning of fear responses. Urged the psychological establishment to study overt behavior rather than mental phenomena that could not be directly observed.</td>
</tr>
<tr>
<td>E. L. Thorndike</td>
<td>Applied operant conditioning to the study of animal behavior and studied the relationship between behavior and environmental consequences. Outlined his research on positive reinforcement and stimulus control in <em>Law of Effect</em> (1905) and <em>Law of Exercise</em> (1911).</td>
</tr>
<tr>
<td>B. F. Skinner</td>
<td>Considered to be the father of operant conditioning. Noted for his study of rat and pigeon behavior in his “Skinner Box.” Expanded on Thorndike’s research on the relationship between behavior and consequences. Promoted the use of operant conditioning as a method of improving social conditions in <em>Walden Two</em> (1948) and <em>Science and Human Behavior</em> (1953). Emphasized the study of observable, overt behaviors that could be measured.</td>
</tr>
<tr>
<td>J. Wolpe</td>
<td>A South African medical doctor noted for his research in classical conditioning and behavior therapy. Developed an anxiety reduction treatment called systematic desensitization still used today to reduce anxieties and phobias.</td>
</tr>
<tr>
<td>A. Bandura</td>
<td>The father of social learning theory. Noted for his research on the use of modeling to teach behavior. Promoted an integrated approach in which personal and environmental factors operate as interlocking determinants of each other. Warned of the social influences of mass media on behavior.</td>
</tr>
<tr>
<td>L. Lovass</td>
<td>The father of applied behavior analysis. One of the first researchers to apply the principles of operant conditioning, especially reinforcement and punishment, to children in applied settings. He is especially noted for his work with children with autism.</td>
</tr>
</tbody>
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**BASIC CONCEPTS OF BEHAVIOR AND BEHAVIOR MANAGEMENT**

When behaviorists talk about behavior and the management of behavior, they employ their own language and terminology. Understanding these basic concepts of behavior is critical to understanding the foundations of behavior management techniques.

**Behavior**

Behavior may refer to both *covert* responses (e.g., feelings and emotions) and *overt* responses (e.g., tantrums and aggression) (Rimm & Masters, 1974). Behaviorists are largely concerned with overt responses or behaviors that are observable and measurable. These are the behaviors that teachers and parents are able to observe and change. Baer et al. (1968) state that something must be observable and quantifiable to qualify as a behavior.

A behavior is considered *observable* when it can be seen and *measurable* when it can be counted in terms of frequency and/or duration. These two criteria must be met in order to make the direct observation of behavior meaningful and reliable.

Behaviors may be in the form of unconditioned reflexes (eye blinks) or purposeful intent (giving someone a kiss). Some behaviors are conditioned or learned (avoiding a hot stove), and some are simply the result of modeling (a young girl acting like her older sister). Behaviors may be as simple as body movements (touching) or very complex, involving the integration of many behaviors (telling a story). Our everyday lives are filled with many examples of behaviors that can be observed, measured, studied, and modified in some way.

**Responses**

A *response* is a behavior that is observable and measurable. Individuals are constantly responding as they move around and complete daily tasks. Many of these behaviors or responses are under stimulus control—for example, getting up in the morning in response to the alarm clock, following a schedule throughout the day, responding to others in a manner consistent with a previous history of knowing that person, and so on. Many
behaviors are in response to new stimuli that are added to the environment, such as a new student walking into the classroom or a sudden change in the schedule. Many behaviors are in response to internal feelings, such as being hungry and getting something to eat or feeling tired and taking a nap.

Response generalization refers to changes in behaviors other than the behavior(s) targeted for change or modification. For example, if a teacher turns the classroom lights on and off to get the students to look at her and pay attention, and the students also put their hands on their desk and sit up straight, these additional behaviors represent a response generalization from the target behaviors (looking at the teacher and paying attention).

Stimuli

Stimuli are events or activities within the environment that are capable of forming a relationship with behavior as either an antecedent or a consequence. In keeping with our previous example, when the teacher turns the classroom lights on and off, she wants this to become an antecedent stimulus for the students to look at her and pay attention. A pat on the back by a teacher is a stimulus that could be provided as a reinforcing consequence following a child’s outstanding performance.

A stimulus may become a discriminative stimulus for a specific behavior when it is repeatedly associated with that behavior. Again, turning the lights on and off may become a discriminative stimulus for looking at the teacher and paying attention (behavior). A bell in school may serve as a stimulus for students to change classes. Although the sound of a bell does not naturally prompt students to change classes, it may become a conditioned or learned stimulus after it is consistently used to signal students to change classes. When the relationship between the discriminative stimulus and behavior is firmly established, then the behavior is considered to be under stimulus control.

Stimulus generalization refers to the performance of a behavior following a stimulus (prompt or cue) not presented during the initial stimulus–response training. For example, if the teacher merely reached for the light switch and the children responded as they were taught to respond (looking and paying attention) to the lights being turned on and off, we would say that stimulus generalization had occurred from one stimulus (turning the lights on and off) to another stimulus (reaching for the light switch).

Antecedents

Antecedents are stimuli that occur prior to behaviors. In a classroom setting, antecedents are abundant and include the classroom curriculum, the classroom setting, the behavior of other students, and the teacher’s behavior, to name a few.

The study of behavior antecedents provides us with the opportunity to change behavior before it occurs. Clearly, certain environmental conditions are likely to elicit behaviors in individuals that may be avoided or prevented by means of simple environmental modifications. By making these changes, the antecedents to certain behaviors are removed, and the likelihood of observing certain behaviors is decreased or eliminated. For example, placing children within an environment containing few rules and little supervision is likely to promote the occurrence of many inappropriate behaviors.

When monitoring the antecedents to a target behavior, a long list of interrelated stimuli may be observed. For example, in Classroom Connection 1.1, antecedents related to Jill’s behavior (running out of the classroom) may include the onset of the reading lesson, the behavior of another child in her reading group, her general seating arrangement, or a combination of all these factors.

Consequences

Consequences are events or changes in the environment following a target behavior. Cooper et al. (1987) outline several forms of consequences. In the first form, a consequence is represented by the addition of a new stimulus to the environment. For example, a child’s asking for a snack in an appropriate polite manner (target behavior) may be followed by attention from the teacher and a snack (new stimulus). In Classroom Connection 1.1, Jill
Jennifer, an elementary schoolteacher, had a student, Jill, in her first-grade class who frequently ran out of the classroom and onto the playground. Unfortunately, Jennifer’s classroom, located on the first floor, had a direct-access door to the playground. Although Jennifer tried to keep the door locked, Jill had learned how to unlock the door and run onto the playground before anyone could stop her. Jennifer noticed that this behavior usually occurred shortly after the children were directed into their reading groups. Although Jill was progressing well with her reading, Jennifer also noticed that Jill did not get along well with the other members of her group.

Jennifer could not leave her students unsupervised. Thus, while monitoring Jill from the classroom window, she would call her principal, report that Jill had run onto the playground (again), and ask the principal to bring Jill back to the classroom. At this point, the principal would go to the playground, bring Jill back into the school’s main office, and talk to Jill about the dangers of running away from her classroom. The principal was a gentle man and was greatly admired by all the students in the school. After talking with Jill for about 5 minutes, the principal would provide her with a drink of juice and return her to Jennifer’s classroom. Upon returning to the classroom, Jennifer would thank the principal and direct Jill to rejoin her reading group.

General Reflection for Classroom Connection 1.1
What were the antecedents and consequences of Jill’s running-away behavior? Who provided the consequences for her behavior? In your opinion, were these consequences primarily reinforcing or punishing? Do you think Jill will want to run away again? What advice would you provide Jennifer, the classroom teacher, and the school principal?

**Reinforcement**

*Reinforcement*, discussed in greater detail in Chapter 10, is a type of stimulus that serves as a consequence for a response or behavior. By definition, however, a stimulus may not be considered a reinforcer unless it affects the preceding behavior in one of the ways outlined in the following list. Used appropriately, reinforcement has several potential effects on the response it follows, for example:

- Reinforcement may *maintain* the current rate, duration, or intensity of a response.
- Reinforcement may *raise the probability* that a new response will occur again.
- Reinforcement may *increase* the future rate, duration, or intensity of a response.
- Reinforcement may *strengthen* a response that is weak and inconsistent.
Because of these properties, behaviorists believe that reinforcement provides the key to understanding the etiology and management of behavior. Reinforcement is a powerful tool used to teach new behaviors and change current behaviors; it is the foundation of Skinner’s operant conditioning. It is the treatment of choice for today’s contemporary application of behavior modification and, specifically, applied behavior analysis.

An important property of reinforcement that teachers must understand is that the effects of reinforcement do not differentiate between appropriate and inappropriate behaviors. Reinforcement is under the control of the user who may, even unknowingly, apply it following any behavior, appropriate or inappropriate. Reinforcement may be, and frequently is, used to maintain or increase inappropriate as well as appropriate behaviors. The most common example of this is the child who has temper tantrums that are reinforced when teachers or parents give in to the child’s demands.

A primary objective of this text is to provide a greater understanding of how reinforcement may be used to increase appropriate behaviors and how the removal of reinforcement may be used to decrease inappropriate behaviors.

**Punishment**

Punishment (discussed in greater detail in Chapter 12), like reinforcement, is also a type of stimulus that may serve as a consequence for behavior. By definition, a stimulus may be classified as a punisher only if the preceding response/behavior changes in one of the following ways:

- The probability of a new behavior occurring again is decreased.
- The future rate, duration, and/or intensity of a current behavior is decreased or eliminated.
- Other dimensions of the behavior are weakened.

Like reinforcement, punishment does not differentiate between appropriate and inappropriate behaviors. Unknowingly, teachers may punish appropriate behaviors as well as behaviors perceived to be inappropriate. For example, when we become angry with young children for asking too many questions, we may be punishing age-appropriate behavior. In addition, punishment procedures tend to have many undesirable side effects.

**Prompts and Cues**

Although some consider cues to involve verbal guidance and prompts to involve physical guidance, in this text, we use the terms synonymously and use the term prompt to describe both terms. Prompts are antecedent stimuli that supplement discriminative stimuli in order to produce a specific target behavior. Donnellan et al. (1988) define a prompt as “the assistance provided to the learner after the presentation of the instructional stimulus but before the response. This procedure is used to assure a correct response” (p. 53). For example, a teacher may supplement ringing a bell (a discriminative stimulus for starting an activity) with the verbal prompt “Children, what are you supposed to do when you hear the bell?”

The use of prompts to supplement a discriminative stimulus is usually a temporary instructional aid and should be systematically phased out as soon as possible. In the previous example, the teacher does not want to use the additional verbal prompt for the whole school year. The goal is for students to respond to the discriminative stimulus (ringing the bell) without additional prompts. This is accomplished when the teacher slowly phases out the use of prompts and reinforces students for responding to the discriminative stimulus. Several different types of prompts are briefly described and discussed in the following sections.

**Natural Prompts** A natural prompt is an environmental stimulus that naturally occurs prior to target behaviors. Natural prompts are always preferable; unnatural or artificial prompts should be replaced with natural prompts whenever possible. For example, in Classroom Connection 1.2, the start of morning announcements becomes a natural prompt for the students to sit down, be quiet, and listen to the announcements. Susan can teach her students to exhibit these target behaviors without telling them (a verbal prompt)
Susan, an eighth-grade teacher, does not want to spend each morning instructing her homeroom students how to walk into her classroom; get their materials ready for their first class; sit down and listen to the morning announcements; wait for the bell; and, after the bell rings, leave her room in an orderly fashion for their first class. While verbal cues and prompts would work, she knows that she would resort to yelling over all the noise. Besides, she wants her students to follow the natural prompts of the homeroom routine without her daily guidance and verbal directions.

On the first day of school, Susan provides a verbal and visual overview of the homeroom routine. After the students walk into her room, she instructs them to look at the homeroom routine without her daily guidance and verbal directions.

- Walk into the classroom and directly to your desk.
- Prepare your materials for your first class.
- Remain seated and wait for the morning announcements.
- Listen to the announcements (no talking at this time).
- Remain in your seat while waiting for the first bell to ring.
- Raise your hand and wait to be recognized before asking questions.

After the first bell rings, walk to the door and directly to your first class.

Susan reviews the routine by reading each line and asking the students if they have any questions. For the first week of classes, she keeps the outline on the board and asks the students, “Remember the routine we talked about on the first day?” She verbally reinforces the students when they follow the routine and corrects them when they do not. After the first week, Susan no longer needs to prompt the students verbally. Instead, she can focus on individual students who are slow to learn the routine and need individual guidance, reinforcement, and consequences as they learn the natural prompts of the homeroom classroom.

**General Reflection for Classroom Connection 1.2**

What do you think of Susan’s morning routine, and how would that routine be modified for younger students who do not change classrooms and for older high school students? What kind of reinforcement and consequences would be appropriate for Susan to use with her homeroom group when they follow or don’t follow the morning routine? What would you recommend for younger and older students?

**CLASSROOM CONNECTION 1.2**

**Setting up Natural Prompts in the Classroom Routine**

Each and every day. Initially, a verbal prompt may be necessary (“The announcements are starting, so you must sit down, be quiet, and listen to the announcements”). When the target behavior is reinforced (“Thank you for sitting down, being quiet, and listening to the announcements”) as the artificial verbal prompt is phased out over time, the natural prompt (the start of the announcements) will soon serve as the discriminative stimulus for the target behavior.

Figure 1.2 provides a list of target behaviors and the natural prompts frequently associated with each. The less dependent the children are on artificial prompts, especially verbal prompts, and the more they are reinforced for responding appropriately to natural prompts, the easier behavior management becomes for teachers.

**VERBAL PROMPTS** Verbal prompts are the most common type of prompt used with children and include the following (Cuvo & Davis, 1980):

- Giving directions or instructions regarding a whole target behavior. This may serve as the stimulus for the expected appropriate behaviors (“Class, it’s time for lunch”).
- Specific prompts concerning expected behaviors within a task (“Line up by the door” or “Go to the bathroom and wash your hands”). These provide additional verbal prompts (instructional prompts) for the specific behaviors included within the whole target behavior—going to lunch.
- Asking questions (“What should you do now?”).

In the following example, a verbal direction serves as the stimulus for a student’s behavior:

- **Behavior:** Going to the lunchroom for lunch.
- **Discriminative stimulus:** A specific time, such as 12 noon, or a verbal stimulus such as “Class, it’s time for lunch.”
- **Additional instructional verbal prompts:**
  1. “Line up by the door.”
  2. “Walk to the bathroom and wash your hands.”
  3. “Walk to the lunchroom.”
Initially, a teacher may have to use the discriminative stimulus and additional instructional verbal prompts when teaching the child what is expected when the discriminative stimulus is given. Over time, the teacher should phase out the use of the additional verbal prompts and allow each step in the sequence of going to the cafeteria for lunch to act as the natural prompt for the next behavior. Thus, *lining up by the door at 12 noon* serves as a natural prompt for *walking to the bathroom to wash hands*, and so on.

When gestural, modeling, and physical prompts are necessary, teachers are encouraged to pair these prompts with verbal prompts. As the more intrusive prompts are relinquished, the verbal prompt serves as the discriminative stimulus for the appropriate behavior. Over time, even the verbal prompt may be phased out as still more natural prompts (environmental conditions, time of day, etc.) serve as the discriminative stimulus for the appropriate student behavior.

The effectiveness of verbal prompts alone, and verbal prompts used in combination with other prompts, has been studied with a variety of populations, including high-risk college students (Hodges, 2001), high school students (Houghton, 1993), and even elderly nursing home patients with dementia (Coyne & Hoskins, 1997).

### GESTURAL PROMPTS

A gestural prompt refers to a simple gesture, usually a pointing prompt, that visually directs an individual in a particular direction. For example, in addition to the verbal prompt “Line up by the door,” a teacher may also point in the direction of the door. In this case, the gestural prompt (pointing) is paired with the verbal prompt (“Line up by the door”). Over time, the gestural and verbal prompts should be phased out, and the students should receive reinforcement for completing the target behavior following the discriminative stimulus “Class, it’s time for lunch.”

### MODELING PROMPTS

Modeling prompts “consist of demonstrating part or all of the desired behavior to the student who imitates or repeats the action immediately” (Snell & Zirpoli, 1987, p. 126). As with gestural prompts, modeling should be paired with an appropriate verbal prompt or verbal discriminative stimulus that the child will be expected to respond to after the modeling prompt is phased out. For example, when instructing a group of students on expected behavior during story time, the teacher may model where and how the children should sit quietly, with their hands to themselves and without disturbing others. Then, following the verbal discriminative stimulus “Children, it is time to read a story,” the teacher may ask the children to imitate or practice this behavior while a story is being read to them. Appropriate behaviors are then reinforced (“Mario, I like the way you are listening!”). Sometimes the teacher may ask another student to model a particular behavior for the other students. Regardless of who is providing the model, Bandura (1971) recommends that:

- the children’s attention . . . be gained prior to the presentation of the model,
- the children readily imitate the model, and
- the modeled behavior be kept short and simple, especially for young children.
Kazdin (1989, p. 21) states that the imitation of a model by an observer is more likely when

- the model (child) is similar to the observer,
- the model is more prestigious than the observer, and
- several models perform the same behavior.

**PHYSICAL PROMPTS** A physical prompt consists of physically guiding a child in the performance of a target behavior. Obviously, physical prompts are the most intrusive prompt form and are recommended only as a last resort. They should be phased out as soon as possible because they are very unnatural and, when used to modify a student’s behavior, may promote hostility and defensiveness.

**BASIC ASSUMPTIONS ABOUT BEHAVIOR AND BEHAVIOR MANAGEMENT**

Beyond the basic concepts of behavior management discussed so far, some basic assumptions about behavior also guide a behaviorist’s thinking. These assumptions about behavior and how behavior is changed provide a foundation for understanding why a person behaves the way he or she does and how the person’s behavior may be modified.

For example, it is important to note that effective practices in behavior management place a primary emphasis on overt behaviors and current influences (antecedents and consequences) within the environment that are observed to be related to those behaviors. In other words, although most behaviorists do not deny the possible relationship between a student’s challenging behaviors and real psychological, physiological, or other emotional disturbances, they are more interested in assessing a person’s overt behaviors within a specific environment than a person’s mind. They are aware that a classroom teacher can be taught to modify classroom antecedents and consequences more easily than the thoughts within a student’s mind, if at all.

And while most behaviorists do not disregard the influences of heredity nor are they insensitive to a child’s developmental stage when evaluating a behavior problem, they understand that behavior is learned and that students must be taught appropriate social skills if they are to be successful adults in a social world.

A more complete outline of the basic assumptions of behavior and behavior management appears in the following sections. While most behaviorists believe that at least some of the following assumptions have exceptions, these assumptions do represent the philosophical foundations of current behavior management strategies.

**Assumption 1: Most Behaviors Are Learned**

Behaviorists believe that the majority of behaviors observed in children are learned. That is, children tend to exhibit behaviors that are reinforced and avoid behaviors that have not been previously reinforced or have been punished. Behaviorists believe that there is no difference between appropriate and inappropriate behaviors—both are learned in the same manner. The goal of behavior management is to provide learning experiences for individuals that promote appropriate prosocial behaviors.

**Assumption 2: Most Behaviors Are Stimulus-Specific**

Behaviorists believe that individuals behave differently within different environments. That is, the behavior shown by a child within a particular situation indicates only how the child typically behaves in that specific situation. This is because each environment contains its own set of antecedents (e.g., people, tasks, expectations) and consequences (reinforcers and punishers) for behavior. In addition, individuals have different histories of reinforcement and punishment within different environments.

For example, a child may have learned that within one environment (the home), tantrums are reinforced. In another environment (the school), however, tantrums are not reinforced. As a result, the child’s rate of tantrums is likely to be different in the home (frequent tantrum behaviors) compared with the school (little or no tantrum behaviors).
Chapter 1 • Basic Concepts of Behavior and Behavior Management

Assumption 3: Most Behaviors Can Be Taught, Modified, and Changed

Because most behaviors are learned, teachers can teach new behaviors and change or modify current behaviors. Behaviorists are quick to point to the many research studies that document the efficacy of behavioral techniques and the lack of evidence supporting the traditional psychoanalytic approach. Because the behavioral approach is effective in teaching new behaviors and modifying current behaviors, it serves as a functional approach for teachers in everyday situations.

Assumption 4: Behavior Change Goals Should Be Specific and Clearly Defined

Effective behavior management strategies are based on planned and systematic approaches. Behavior change goals are stated in specific terms, and they are clearly observable and measurable. Behaviorists talk about reducing specific behaviors such as “talking when the teacher is talking,” “hitting others,” and “getting out of one’s seat.” The strategies used in the behavioral approach are also very specific and must be applied systematically. Objectives, methods, reinforcement strategies, intervention strategies, and so on, are outlined in writing so that everyone who has contact with the student can apply the program consistently.

Assumption 5: Behavior Change Programs Should Be Individualized

Behaviorists believe that individuals function differently within different environments in which there are different antecedents and consequences. Each of us has developed many different associations among many different behaviors, antecedents, and consequences. Also, individuals respond differently to different types of environmental stimuli and responses. For example, what one student finds reinforcing, another may find punishing. Thus, behavior change programs must be individualized for each child and the child’s environment. The idea of using a single behavior management strategy for all students within a school or even a classroom is not congruent with the basic assumptions of behaviorism and effective behavior management.

Assumption 6: Behavior Change Programs Should Focus on the Here and Now

Unlike the psychoanalytic approach, in which a considerable amount of time and effort is invested by delving into an individual’s past experiences, the behaviorist is not overly concerned with past events. Instead, the behaviorist concentrates on current events within an individual’s environment in order to identify the influences on the person’s current behavior. The behaviorist looks at what is going on in the classroom environment and sees little benefit from identifying and discussing underlying causes of childhood fears, anxieties, relationships with others, and so on; these approaches have no role in changing current behaviors.

Assumption 7: Behavior Change Programs Should Focus on the Child’s Environment

While the psychoanalytic approach concentrates primarily on the individual and looks for an explanation of problem behaviors within the individual, the behaviorist concentrates on the individual’s environment and looks for an explanation of problem behaviors within that environment. Behaviorists are interested in environmental, situational, and social determinants of behavior. While the psychoanalytic approach views inappropriate behavior mainly as the result of a flawed personality and other internal attributes, the behavioral approach considers antecedents and consequences as the most significant factors related to appropriate and inappropriate behavior. It is not necessary for the child to have “insight” as to why he or she is behaving in a certain way for that behavior to be changed.

Assumption 8: Behavior Change Programs Should Focus on Reinforcement Strategies and Other Positive Behavior Supports

As stated in assumption 7 above, the behaviorist concentrates on the individual’s environment and looks for an explanation of problem behaviors within that environment. To that
end, the behaviorist also assumes that the development and use of reinforcement strategies (see Chapter 10) and other positive behavior supports (see Chapters 12 and 13) not only increase targeted and other appropriate social behavior but also decrease the frequency of inappropriate behaviors.

In addition to the basic concepts and assumptions of behavior and behavior management, behaviorists have had to defend themselves against many misconceptions about their field and the application of their research to the typical classroom teacher. In the next section, the myths and misconceptions about behavior and behavior management are discussed in light of the basic concepts and assumptions of behavior just discussed.

**MYTHS AND MISCONCEPTIONS ABOUT BEHAVIOR AND BEHAVIOR MANAGEMENT**

Myths and misconceptions associated with behavior management procedures have led to public and professional hostility toward behavioral principles, behavior modification in general (Martin & Pear, 2007), and the use of behavioral procedures in the classroom (see Akin-Little, Little, & Gresham, 2004). These misconceptions have developed over the long history of behavior management as the term *behavior modification* and the techniques associated with the term have been abused and misused. The association of behavior modification with nonbehavioral methods such as drug therapy, electroconvulsive therapy, psychosurgery, and sterilization provides an example of common errors made among the uninformed. According to Kazdin (1978):

> It cannot be overemphasized that these techniques are not a part of behavior modification. They are not derived from psychological research nor do they depend upon “reversible” alterations of social and environmental conditions to change behavior. (p. 341)

Although many of these medical interventions do change or modify behavior and thus may be confused with behavior modification, “clear differences exist between medical and behavioral interventions” (Kazdin, 1978, p. 341). Unfortunately, many educators do not understand these differences.

The perception of punishment as the primary strategy of behaviorists, especially during the early years of application by Lovass, has also led to negative reactions, even among professionals. Alberto and Troutman (1995) go so far as to discourage teachers from using the term *behavior modification* when communicating with others about behavior management techniques:

> We simply suggest that teachers avoid using the term with uninformed or misinformed people. In many cases, other professionals, including administrative staff and fellow teachers, may be as confused as parents and school board members. . . . It may be as necessary to educate these fellow professionals as it is to teach children. (p. 45)

Some suggest replacing the terminology used in behavior modification with more humanizing language (Saunders & Reppucci, 1978; Wilson & Evans, 1978). Kazdin and Cole (1981) found that individuals labeled identical intervention procedures as less acceptable when they were described in behavioral terms (reinforcement, punishment, contingencies) versus humanistic terms (personal growth and development).

In an interview with Coleman (1987), B. F. Skinner talked about the decline of behaviorism, blaming it on the association between behaviorism and punishment. Skinner was an opponent of punishing methods such as spanking and other aversive techniques used to control behavior. On numerous occasions before his death in 1990, Skinner encouraged caregivers to use positive behavior management approaches and to avoid the use of aversive interventions. Changing the negative image of many effective behavior management techniques will require a significant amount of education for professionals and the general public. An attempt to outline additional behavior management concerns and a brief discussion of each are provided next.
Myth 1: Changing Another Person’s Behavior Is Coercive

For some, trying to change another person’s behavior is a violation of that person’s freedom and other rights. For example, in Classroom Connection 1.3, Randy’s teacher does not believe that it is coercive to mandate that he wear a coat before going outside. To her, teaching Randy to wear a coat in the winter is both educational and a health-related concern.

To address this issue further, we must first consider what our responsibilities are regarding the children placed in our care. Do teachers have a responsibility to prepare students for their place within society; to teach them the social skills necessary to survive in the world; and to teach behaviors that will allow them to interact effectively and communicate with others within the home, school, workplace, and general community? Most teachers (and parents) would respond yes. The question then is not whether it is coercive to change a child’s behavior; we do this daily in our homes and schools. Rather, the significant questions are who decides whether a child’s behavior should be changed, what behaviors should be changed, and which techniques should be used to change the behavior (Gelfand & Hartmann, 1984).

Myth 2: The Use of Reinforcement to Change Behavior Is a Form of Bribery

Some teachers believe that reinforcing students for appropriate behavior is simply a form of bribery used to get them to behave appropriately. In a worst-case situation, the students may even turn the tables and try to bribe the teacher (e.g., “I’ll behave if you give me a cookie”). Kazdin (1975) states that people who confuse reinforcement with bribery do not understand the definition and intent of each. He describes the difference between bribery and reinforcement this way:

Bribery refers to the illicit use of rewards, gifts, or favors to pervert judgment or corrupt the conduct of someone. With bribery, reward is used for the purpose of changing behavior, but the behavior is corrupt, illegal, or immoral in some way. With reinforcement, as typically employed, events are delivered for behaviors [that] are generally agreed upon to benefit the client, society, or both. (p. 50)

Clearly, significant differences exist between bribery and giving students attention for appropriate behaviors. If students do not get our attention following appropriate behavior, they will try to get our attention by acting inappropriately. In Classroom Connection 1.3, Randy’s behavior was met with both punishing and reinforcing consequences. When he was noncompliant, he was not allowed to go outside with the other children; thus, his behavior was punished. When he did wear his coat, he was allowed to go outside; thus, his behavior was reinforced. Many teachers use consequences in this manner every day but will state that they do not believe in using reinforcement or other principles of behavior management.

Myth 3: Students Will Learn to Behave Appropriately Only for Reinforcement

The fear that using reinforcement will lead to manipulation by students is generally unsupported (Kazdin, 1975). Manipulative behavior, however, can be promoted in students. For example, if a teacher provides a reinforcer to a student for terminating disruptive behavior, the child is likely (a) to be disruptive more frequently and (b) to demand a reinforcer before terminating future disruptive behavior. However, if the teacher provides reinforcement to the student following a specific period of time during which disruptive behavior is not observed, the student is less likely to engage in disruptive behavior. In the first case, the student learned that disruptive behavior was reinforced. In the second case, the student learned that the absence of disruptive behavior was reinforced.

Myth 4: Students Should “Work” for Intrinsic Reinforcers

Although “doing the right thing” for its intrinsic value is certainly an admirable situation, extrinsic reinforcers are part of everyday life. People who say that extrinsic reinforcement
told her what happened. “We can never get Randy to wear a coat,” said his mother. “So we just let Randy decide if he needs to wear one or not.” “Not in this classroom,” Jill responded. “Our rule is that all the children must wear a coat before going outside in the cold. Those who don’t follow the rule will stay inside.”

The next day when Jill announced that it was time to go outside and everyone should put on their coats, Randy quickly put on his coat and joined his classmates on the playground. From that point on, Randy was seldom noncompliant about putting on his coat. Interestingly, his mom continued to complain about Randy’s inappropriate behavior, especially his temper tantrums, at home.

General Reflection on Classroom Connection 1.3

Why do you think that Randy no longer has temper tantrums in Jill’s classroom, but his mother continues to have problems with Randy’s behavior at home? How and why do some students behave differently for different teachers within the same school?

is inappropriate appear to have higher expectations for children than they do for adults. How many adults would continue going to work without an occasional paycheck? How many adults appreciate a pat on the back for a job well done? How many adults work harder at activities they find reinforcing? The behaviorist applies these simple principles to the management of behavior. As previously stated, extrinsic reinforcers are part of everyday life, and teachers should learn how to use these natural reinforcers to teach new skills and promote appropriate behaviors. As children grow older and become more mature, we hope that they will learn the value of intrinsic reinforcement.

Myth 5: All Students Should Be Treated in the Same Way

The issue here is whether one student should be singled out for a behavior program in which the student will receive a special reinforcer for learning a new behavior. For example, if John, one of 25 children in a classroom, frequently gets out of his seat, is it fair to reinforce him for staying in his seat? What about the other students who already stay in their seats and do not need a special program? These questions focus on the issue of fairness; teachers do not want their students to think that one child is receiving special attention. In fact, research shows that caregivers do interact differently with individual children (Bell & Harper, 1977; Zirpoli, 1990). All children have individual needs that call for individual attention. Some students need more individual attention than others. The idea of treating everyone the same is incongruent with effective educational practice.

Regarding our example about John, his teacher has a professional responsibility to identify John’s needs and to use the best method for him and his behavior. If reinforcement of in-seat behavior will increase John’s in-seat behavior, then John has the right to receive the most effective intervention. Although the other children who already have appropriate in-seat behavior do not need a systematic reinforcement program, good educational practice tells us that they should also receive attention for their appropriate behavior in order to maintain that behavior. The level of attention for in-seat behavior may vary because John’s needs are different from his classmates’. However, the other students are unlikely to have a problem with this difference; children are very sensitive to other children who have special needs. Research has shown that children recognize and accept these differences, frequently better than adults do (Casey-Black & Knoblock, 1989; Melloy, 1990).
Summary

Understand the History and Foundations of Behavior and Behavior Management

- **Classical Conditioning**: Refers to the relationship between various environmental stimuli and reflex responses. Classical conditioning was initially promoted by Pavlov, who demonstrated that he could condition a response (salivation) in a dog at the sound of a bell (conditioned stimulus).
- **Operant Conditioning**: Describes the relationship between environmental events and behavior. Antecedent events occur prior to the target behavior. Consequent events occur after a target behavior. A consequent event is considered a reinforcer if the preceding behavior increases or is maintained. A consequent event is defined as a punisher if the preceding behavior decreases in rate, duration, or intensity.
- **The Behavioral versus Psychoanalytic Approach**: The primary differences between the behavioral and psychoanalytic approaches include the focus on overt versus covert behaviors, a different understanding of inappropriate behavior, a different approach to assessment, and a different understanding of the importance of environmental and psychological influences on behavior. The behavioral approach provides teachers and parents with direct applications for classroom and home settings.
- **Social Learning Theory**: Expands the behavioral model and stresses the interdependence and integration of internal variables (thoughts and feelings) with environmental factors.
- **Behavior Therapy**: Considered a modern, practical application of classical conditioning involving several treatment strategies. These strategies include systematic desensitization, flooding, aversion therapy, covert conditioning, modeling, and biofeedback.
- **Applied Behavior Analysis**: Expanded laboratory principles of operant conditioning to everyday situations and settings. Baer et al. (1968, 1987) state that applied behavior analysis ought to be applied, behavioral, analytic, technological, conceptual, effective, and capable of generalized outcomes.

Define the Basic Concepts of Behavior and Behavior Management

- **Behavior**: Behavior may refer to both covert responses (feelings and emotions and overt responses (tantrums and aggression). Behaviorists are largely concerned with overt behaviors that are observable and measurable.
- **Responses**: Behavior that are observable and measurable. Many responses are under stimulus control.
- **Stimuli**: Events or activities within the environment that are capable of forming a relationship with behavior as either an antecedent or a consequence.

Identify the Basic Assumptions about Behavior and Behavior Management

- **Antecedents**: Stimuli that occur prior to behavior. The study of behavior antecedents provides us with the opportunity to change behavior before it occurs.
- **Consequences**: Events or changes in the environment following a target behavior. A consequence may be in the form of the addition of a new stimulus to the environment or the removal of a stimulus already present within the environment.
- **Reinforcement**: A type of stimulus that serves as a consequence for a response or behavior. Reinforcement may maintain, raise the probability, increase, or strengthen a response or behavior.
- **Punishment**: A type of stimulus that serves as a consequence for a response or behavior. Punishment may eliminate, decrease the probability of, decrease, or weaken a response or behavior.
- **Prompts and Cues**: Prompts are antecedent stimuli that supplement discriminative stimuli in order to produce a specific target behavior. Prompts may be natural, verbal, gestural, modeling, or physical.
supports (see Chapters 12 and 13) increase appropriate social behavior and decrease the frequency of inappropriate behaviors.

**Identify the Myths and Misconceptions about Behavior and Behavior Management**

- **Myth 1: Changing Another Person’s Behavior Is Coercive**: Teachers have a responsibility to prepare students for their place in society, to teach them the social skills necessary to survive in the world, and to teach them the behaviors they need to be successful in school.
- **Myth 2: The Use of Reinforcement to Change Behavior Is a Form of Bribery**: As stated by Kazdin (1975), “Bribery refers to the illicit use of rewards, gifts or favors to pervert judgment or corrupt the conduct of someone.” Reinforcing appropriate social skills is not a form of bribery but an effective teaching tool.
- **Myth 3: Students Will Learn to Behave Appropriately Only for Reinforcement**: This myth is not supported by research. In fact, extrinsic reinforcers are part of everyday life for children and adults.
- **Myth 4: Students Should “Work” for Intrinsic Reinforcers**: While this may be a worthy goal, teachers should use the power of reinforcement to help children learn appropriate social skills. Even adults enjoy and are motivated by extrinsic reinforcement.
- **Myth 5: All Students Should Be Treated in the Same Way**: Children have individual needs that call for individual attention. The idea of treating everyone the same within an educational setting is incongruent with effective educational practice.

**Discussion Questions**

1. What are the differences between classical and operant conditioning? Provide examples of each as observed in everyday situations.
2. Describe the primary differences between the psychoanalytic and behavioral approaches to understanding behavior.
3. Discuss and give examples of how some of the treatment strategies in behavior therapy are related to classical conditioning.
4. Discuss the treatment strategies frequently associated with behavior therapy. Could any of the treatment strategies be applied to the classroom setting? If so, how?
5. Discuss the relationship among antecedents, behavior, and consequences in operant conditioning. Give examples of this relationship as observed in everyday experiences.
6. List and give examples of the different types of prompts and cues that may be used as antecedent stimuli to teach new behaviors.
7. Discuss the basic concepts of behavior and behavior management.
8. What is behaviorism? Discuss the basic assumptions of behavior and behavior management.

**References**


Legal Considerations for Schools

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CHAPTER OUTCOMES
At the end of this chapter, students will be able to:

- Describe the basis of a teacher's legal duty to enforce discipline.
- Define the due process protections available to students.
- Identify the procedures that must be followed when disciplining students with disabilities.
- Describe the most important components of schoolwide discipline practices and procedures.
- Describe the implications of state and federal law regarding student behavior management and discipline for teachers and administrators.

Administrators and teachers have been challenged by student discipline problems since the beginning of public education in the United States. In fact, one of the earliest education textbooks published discussed classroom management and teachers' problems in disciplining students (Bagley, 1907). Recently, efforts to address the problem of student discipline have taken on a greater sense of urgency because of the increases in aggressive and violent behavior in our nation's schools.

Opinion polls of the general public as well as professional educators indicate that both groups believe that student behavior problems are the major issue facing our schools (Smith & Yell, 2013). These polls indicate that the public and teachers believe that schools are no longer able to discipline students effectively and that we are losing control of our schools.

Courts have recognized the crucial role of schools in maintaining a safe and orderly educational environment and have granted great latitude to teachers to exercise this control through the use of discipline. However, they have also recognized that students, while at school, have rights that must be respected. Such rights include the right to (a) reasonable expectations of privacy, (b) due process procedures, and (c) free expression. School officials and teachers, therefore, must balance these students' rights with the need to maintain safety and order in the school environment.

The purpose of this chapter is to examine teachers' rights and responsibilities with respect to disciplining students in public schools. First, I examine the basis of a teacher's authority over student behavior. Next, I provide a brief overview of the rights of students in public schools when they are disciplined. In this section, I will address disciplining students with disabilities separately from disciplining students without disabilities. There is very little federal law regarding disciplining nondisabled students, whereas federal law specifically addresses the discipline of students with disabilities in the Individuals with Disabilities Education Act (IDEA). In fact, students with disabilities must have proactive behavior programming included in their individual education plan (IEP). A brief discussion of schoolwide discipline follows. The chapter concludes with recommendations for teachers and school officials to follow when disciplining students.
TEACHERS’ DUTY TO ENFORCE DISCIPLINE

The courts recognize the importance of giving teachers and school administrators authority over student behavior. This authority originates from the English common law concept of in loco parentis (i.e., in place of the parent). According to this concept, parents grant school personnel a measure of control over their children when they place their children in school (Yell, 2012). The principal and the teacher have the authority not only to teach, therefore, but also to guide, correct, and discipline their students. Clearly, such control is necessary to accomplish the mission of schools. In loco parentis does not mean that the teacher has the same control over a child when at school as a parent would when the child is at home. It also means that school officials and teachers, acting with knowledge of appropriate laws and regulations, have a duty to maintain an orderly and effective learning environment through reasonable and prudent control of students. Although the concept does not have the importance it once did, it is nonetheless an active legal concept that helps to define the school–student relationship. Thus, with respect to the use of disciplinary procedures, in loco parentis implies that teachers have a duty to see that school order is maintained by requiring students to obey reasonable rules and commands, respect the rights of others, and behave in an orderly and safe manner when at school. This means that students should clearly know which behaviors are acceptable and which are prohibited. If students violate reasonable school rules by behaving in ways that are prohibited, they should be held accountable. Student accountability to rules usually implies that violators will be subject to disciplinary sanctions or consequences.

Court rulings have established the right of school administrators and teachers to establish and enforce reasonable standards for students’ behavior. Courts have also traditionally been very reluctant to interfere with school personnel’s management and discipline systems. In fact, students have seldom prevailed in challenging school or classroom discipline procedure because courts see a school district’s right to impose disciplinary policies and procedures as a right that is bestowed by the states (McCarty, Cambron-McCabe, & Eckes, 2014). In fact, the U.S. Supreme Court has repeatedly affirmed the comprehensive authority of the states and of school officials, consistent with fundamental constitutional safeguards, to prescribe and control conduct in the schools (McCarty et al., 2014).

Constitutional Law and Discipline

All students, with and without disabilities, have rights in disciplinary matters based on the due process clause of the Fifth and Fourteenth Amendments to the U.S. Constitution. Both the Fifth and Fourteenth Amendments prohibit states from depriving any person of life, liberty, or property without due process of law. This means that prior to taking an action that may lead to such a deprivation, individuals have the right, at a minimum, to be notified of the charges against them and to be able to attend a hearing in which they can tell their version of the facts. The next section addresses the rights of students in situations involving disciplinary actions by school officials.

State Laws and Discipline

Most laws that directly affect educational issues, including discipline, are state laws. The constitutions of all states include public education as a right granted to its citizens. States clearly have the right to require school districts to establish and enforce reasonable codes of student conduct to protect the rights and safety of students and to ensure that school environments are conducive to learning (McCarty et al., 2014). Many states have laws regarding disciplinary procedures that may be used with students. Teachers need to be aware of their state laws and regulations. All states include the unofficial versions of their laws on state legislative websites. Most of the state websites allow interested persons to search laws by keywords (e.g., education, discipline) and to locate laws by their titles (i.e., name of the law). Readers may access their state laws by looking on the websites of their state governments or by using the website of the National Conference of State Legislatures (www.pliol.org/pages/search.aspx) to locate their state legislative website. Additionally, readers may also find information on state laws on legal search engines such as FindLaw.com.
According to Rapp (2013) few state laws impose limits on school personnel when establishing school and classroom management systems. When state laws address such issues, they usually take the form of prohibiting certain disciplinary sanctions. For example, corporal punishment is currently illegal in 31 states and the District of Columbia (for a list of the states and their corresponding laws on corporal punishment go to The Center for Effective Discipline website at http://www.stophitting.com/index.php?page=statesbanning). Some states also prohibit the use of physical restraint and seclusion when disciplining students (Peterson, Ryan, & Rozalski, 2013). When administrators, teachers, or school staff members use procedures prohibited by state law, they may be subject to termination.

**Federal Laws and Discipline**

Because the U.S. Constitution does not grant the federal government the power to control education, legislation regarding education is actually a state prerogative. The federal government has played an important role in education, however, through categorical grants. Categorical grants provide supplementary assistance to the states' education system; they also influence educational policy in the states. States have the option of accepting or rejecting the categorical grants offered by the federal government. If a state accepts a categorical grant from the federal government, the state must abide by the federal guidelines for the use of any funds they receive through the grants. In this way, the federal government exerts influence on education in the states. An example of a federal law that exerts this type of influence on education in the states is the Individuals with Disabilities Education Act.

Very few federal laws address the discipline of nondisabled students in public schools; however, this is not the case with students who have disabilities. In a later section of this chapter, I will address the discipline of students in special education. It is extremely important that teachers and school officials understand their rights and responsibilities in this area.

**STUDENTS’ DUE PROCESS PROTECTIONS**

The Supreme Court in *Goss v. Lopez* (1975; hereafter *Goss*) held that students have constitutional protection in the form of due process rights when school officials use disciplinary procedures such as suspension. The due process protections afforded students are limited, however, by the state’s interest in maintaining order and discipline in the schools. The courts therefore have had to strike a balance between student rights and the legitimate needs and interests of the schools.

The two general areas of due process rights afforded students are procedural and substantive. In terms of discipline, **procedural due process** involves the fairness of methods and procedures used by the schools; **substantive due process** refers to the protection of student rights from violation by school officials and involves the reasonableness of the disciplinary processes (Valente & Valente, 2005). School authorities, however, are vested with broad authority for establishing rules and procedures to maintain order and discipline. Unless students can show that they are deprived of a liberty or property interest, there is no student right to due process. According to a federal district court in Tennessee, "teachers should be free to impose minor forms of classroom discipline, such as admonishing students, requiring special assignments, restricting activities, and denying certain privileges, without being subjected to strictures of due process" (*Dickens v. Johnson Board of Education*, 1987, p. 157).

**Procedural Due Process: The Right to Fair Procedures**

In perhaps the most important and influential educational case of the 20th century, the U.S. Supreme Court wrote that

> it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where a state has undertaken to provide it, is a right that must be made available to all on equal terms. (*Brown v. Board of Education*, 1954, p. 493)
The importance of education to a student’s future certainly requires that disciplinary actions that result in the student being deprived of an education (e.g., suspension, expulsion) be subjected to the standards of due process. The purpose of due process procedures is to ensure that official decisions are made in a fair manner. Due process procedures in school settings do not require the full range of protections that a person would get in a formal court trial (e.g., representation by counsel, cross-examination of witnesses). They do include the basic protections such as notice and hearing.

The U.S. Supreme Court in *Goss* outlined the due process protections that must be extended to all students. This case involved nine high school students who had been suspended from school without a hearing. The students filed a lawsuit claiming that they had been denied due process of law under the Fourteenth Amendment. The Supreme Court agreed, ruling that the students had the right to at least minimal due process protections in cases of suspension. It stated, “Having chosen to extend the right to an education . . . [the state] may not withdraw the right on grounds of misconduct absent fundamentally fair procedures to determine whether the misconduct had occurred” (p. 574).

The Court noted that schools have broad authority to prescribe and enforce standards of behavior. However, in its decision, the Supreme Court held that students are entitled to public education as a property interest, which is protected by the Fourteenth Amendment. Because education is protected, it may not be taken away without adhering to the due process procedures required by the Constitution. The school’s lawyers had argued that a 10-day suspension was only a minor and temporary interference with the student’s education; the Court disagreed, stating that a 10-day suspension was a serious event in the life of the suspended child. When school officials impose 10-day suspensions, therefore, they must grant the suspended student the fundamental requisite of due process of law, the opportunity to be heard.

The opportunity to be heard, when applied to the school setting, involves the right to notice and hearing. The right to notice and hearing requires that students are presented with the charges against them and have an opportunity to state their case (Schimmel, Stellman, & Fisher, 2011). These protections do not shield students from properly imposed suspensions, but they do protect them from an unfair or mistaken suspension. The Court in *Goss* recognized the necessity of order and discipline and the need for immediate and effective action, stating that suspension is a “necessary tool to maintain order [and] a valuable educational device” (p. 572). The prospect of imposing lengthy and cumbersome hearing requirements on every suspension case was a concern to the Court. However, the majority believed that school officials should not have the power to act unilaterally, free
of notice and hearing requirements. The Court held that when students are suspended for a period of 10 days or less, therefore, the school must give them oral or written notice of the charges, an explanation of the reasons for the suspension, and an opportunity to present their side of the story.

The notice and hearing requirement does not mean that a formal notice to a student and a meeting must always precede suspension. It is permissible to have a reasonable delay between the time the notice is given and the student’s hearing. For example, if the behavior poses a threat to other students or the academic process, a student can be immediately removed from school. The notice and hearing should then follow within 24 to 72 hours. A teacher or an administrator who is disciplining the student could also informally discuss the misconduct with the student immediately after the behavior occurred. This would give the student notice and an opportunity to explain his or her version of the facts before the teacher or administrator carried out the disciplinary sanction. In this case, the notice and hearing would precede the discipline.

It is important to remember that the basic due process protections outlined by the Supreme Court in *Goss* apply only to short suspensions of under 10 school days. According to the Court, longer suspensions, or expulsions, require more extensive and formal notices and hearings. Disciplinary procedures such as time-out, detention, response cost, and overcorrection do not require that due process procedures be extended to students. It is a reasonable assumption that when using in-school suspension, the notice and hearing procedures should be followed. Table 2.1 lists the due process protections that teachers and administrators must follow when using short-term suspensions and expulsions. These procedures apply to all students, disabled and nondisabled alike.

### Substantive Due Process: The Right to Reasonableness

The courts have tended to give great authority to teachers and school officials to write rules that govern student behavior in school. Courts have also granted school officials the authority to develop and impose consequences on students who break their rules. This power has a limit, however. These rules and consequences must not violate students’ constitutional principles, as discussed earlier (e.g., privacy, due process, expression). Generally, rules and consequences will not violate students’ constitutional rights when they are reasonable. Reasonable rules and consequences have a carefully considered rationale and a school-related purpose. Schools may not prohibit or punish behavior that has no adverse effect on the school environment. Schools cannot use disciplinary penalties or restraints that are unnecessary or excessive to achieve safety and order in school. In other words, reasonable rules and consequences are rational and fair, and they are not excessive for a school environment.

### TABLE 2.1 Students’ Due Process Protections

<table>
<thead>
<tr>
<th>Short-Term Suspension (May Be a Formal or Informal Meeting)</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Written or oral notice of charges</td>
</tr>
<tr>
<td>• Opportunity to respond to charges</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Long-Term Suspension and Expulsion (Must Be a Formal Meeting)</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Written notice specifying charges</td>
</tr>
<tr>
<td>• Notice of evidence, witnesses, and substance of testimony</td>
</tr>
<tr>
<td>• Hearing (advance notice of time, place, and procedures)</td>
</tr>
<tr>
<td>• Right to confront witnesses and present their own witnesses</td>
</tr>
<tr>
<td>• Right to a written or recorded version of the proceedings</td>
</tr>
<tr>
<td>• Right of appeal</td>
</tr>
<tr>
<td>• Brief in-school sanctions do not require a due process hearing</td>
</tr>
<tr>
<td>• Dangerous students may be immediately removed</td>
</tr>
</tbody>
</table>

Rules must be sufficiently clear and specific to allow students to distinguish permissible from prohibited behavior. School rules that are too vague or general may result in the violation of students’ rights because students will not have a clear understanding of them. Appropriate school rules are specific and definitive. They provide students with information regarding behavioral expectations.

A federal district court in Indiana addressed the issue of the reasonableness of a school’s use of discipline in *Cole v. Greenfield-Central Community Schools* (1986). The plaintiff, Christopher Bruce Cole, was diagnosed as emotionally disturbed under Indiana state law and exhibited management and adjustment problems. The school had attempted, and documented, numerous positive behavioral procedures that it had used to improve Christopher’s behavior. When these procedures failed, school officials decided to use behavior reduction strategies. The student’s teacher began to use time-out, response cost, and corporal punishment. The plaintiff sued the school, contending that in using these procedures, the school had violated his civil rights.

The court recognized that Christopher, although he had a disability covered by the IDEA, was not immune from the school’s disciplinary procedures. The court held that the validity of the plaintiff’s claim, therefore, rested on the “reasonableness” of the disciplinary procedures used by the school in attempting to manage Christopher’s behavior. The court analyzed four elements to determine whether the rules and consequences were reasonable: (a) Did the teacher have the authority under state and local laws to discipline the student? (b) Was the rule violated within the scope of the educational function? (c) Was the rule violator the one who was disciplined? and (d) Was the discipline in proportion to the gravity of the offense? Finding that all four elements of reasonableness were satisfied, the court held for the school district.

**Summary of Due Process Protections and Discipline**

All students in public schools, with and without disabilities, have constitutional rights. However, students in public schools do not possess the same rights as people do in the community setting because educators must maintain a safe and orderly environment. To maintain such an environment, school officials and teachers need to impose rules of conduct on their students. If students break these rules, teachers may apply consequences in the form of disciplinary sanctions on the students.

Teachers and school officials must adhere to two fundamental prerequisites in developing rules and imposing disciplinary procedures. First, the rules must be clear to all students and their parents. Furthermore, the rules must have a school-based rationale. Similarly, disciplinary procedures that will serve as consequences for rule violation must be clearly stated and understood by all students and their parents. Consequences must be applied on a fair and consistent basis. Furthermore, if the disciplinary sanctions involve suspension, students must be given notice of the offenses they committed and have an opportunity to tell their side of the story.

**DISCIPLINING STUDENTS WITH DISABILITIES**

Since the passage of the Education of All Handicapped Children Act in 1975, disciplining students with disabilities has been a very controversial and confusing issue. This law, renamed the IDEA in 1990, created a detailed set of rules and guidelines to ensure the appropriate education of students who were eligible for special education programs. However, it contained no specific federal requirements regarding discipline. Administrators and teachers, therefore, have had little guidance with respect to their rights and responsibilities when having to discipline students with disabilities.

Because of this lack of federal guidance, the discipline of students with disabilities has been governed by the rulings in numerous court cases that examined this issue, including rulings by the U.S. Supreme Court. The rulings in these cases have resulted in the formation of a body of case law that has brought some clarity to this issue. Generally, this case law indicated that disciplinary sanctions when used with students who have disabilities were subject to different rules and limitations than the
same disciplinary procedures when used with students who were not disabled (Yell, 2012).

One area of difference was that the courts viewed suspensions and expulsions of students with disabilities as changes in placement, even in instances of dangerous behavior, if these suspensions exceeded 10 days. Because such procedures were changes in placement, they had to be conducted in accordance through the IEP procedures of the law (Huefner & Herr, 2012). Courts also created a rule that became known as the manifestation determination. Prior to considering expulsion, a group of persons knowledgeable about the student and the student’s disability had to determine whether the student’s misbehavior was related to his or her disability. If no relationship was found, a student could be expelled. However, courts differed in their rulings regarding the provision of educational services following an expulsion. These rulings provide some guidance regarding discipline; however, many believed a federal standard was needed.

In hearings that preceded the reauthorization of the IDEA, Congress heard testimony regarding the difficulties educators faced when having to use disciplinary sanctions with students in special education. Seeking to strike a balance between educators’ duty to maintain safe classrooms and schools and special education students’ right to receive a free appropriate public education, Congress included provisions regarding discipline in the Individuals with Disabilities Education Act (IDEA) of 1997 (IDEA 1997). The disciplinary provisions clarified a number of the issues previously considered by the courts. In 2004, President George W. Bush signed into law the Individuals with Disabilities Act Regulations (IDEA 2004), which reauthorized and amended the IDEA, including altering some of the discipline provisions of IDEA 1997.

**Disciplinary Provisions of IDEA 1997 and 2004**

Prior to discussing the IDEA 1997 and the IDEA 2004, it is important that we understand two major points regarding the discipline sections of the law. First, the IDEA emphasizes the use of positive behavior programming for students with disabilities to increase the likelihood of success in school and in postschool life. Congress was clearly concerned about preserving safety and order in the school environment, yet it also stressed including this proactive behavioral programming in students’ IEPs. The purpose of proactive programming is to teach appropriate behaviors rather than merely eliminate inappropriate behaviors. Second, school officials may discipline a student with disabilities in the same manner as they discipline students without disabilities, with a few notable exceptions. For example, procedures such as verbal reprimands; warnings; contingent observation; exclusionary time-out; response cost; detention; in-school suspension; and the temporary delay or withdrawal of goods, services, or activities (e.g., recess, lunch) are permitted as long as these procedures do not interfere significantly with the student’s IEP goals and are not applied in a discriminatory manner (Yell, 2012). The disciplinary provisions of the IDEA 1997 and the IDEA 2004 only address suspensions and expulsions in excess of 10 school days. The remainder of this section addresses specific issues in more detail.

**Suspensions and Expulsions**

**SHORT-TERM SUSPENSIONS** The IDEA authorizes school officials to suspend students with disabilities to the extent that suspensions are used with students without disabilities. There is no specific amount of time that school officials must adhere to in suspending students with disabilities. However, when a student is suspended for more than 10 school days, educational services must be provided.

A comment to the regulations further clarifies this issue (Individuals with Disabilities Education Act Regulations, 1997). The comment provides the example of a student with disabilities who is suspended for two 5-day suspensions in the fall term. If that student is then suspended for a third time in the spring term, educational services must be provided from the first day of the third suspension. Therefore, school officials may implement additional short-term suspensions for separate incidents of misconduct as long as the school provides educational services. If a student is suspended for fewer
CLASSROOM CONNECTION 2.1
Keeping Records of Student Suspensions

Teachers of students with disabilities should keep thorough records of the number of days in which their students have been suspended from school. Although keeping suspension records may seem like an administrative duty, principals are often unaware of their responsibilities when they suspend students with disabilities. When administrators do not adhere to the procedural requirements of the IDEA when suspending students from school, they may inadvertently violate the law. By keeping suspension records, the teacher can keep track of his or her students and ensure that such violations do not occur (e.g., inform the principal that a violation will occur if a student is suspended for 10 consecutive days).

When a student’s out-of-school suspension approaches 10 cumulative days, the teacher can convene the student’s IEP team to (a) conduct a functional behavioral assessment if needed, (b) develop or revise a behavior intervention plan, (c) determine whether a student’s placement has been changed by the out-of-school suspensions, (d) determine educational services that will be provided to the student when suspensions exceed 11 days, and (e) conduct a manifestation determination. The records that a student’s teachers keep should include the following information:

- Name of the student
- Conduct that led to the suspension
- Days of removal, including the date in which the students was removed and returned
- Running total of days removed

General Reflection for Classroom Connection 2.1

What are the requirements of the IDEA with respect to suspending students with disabilities from school? Why is it important that teachers keep records when their students are suspended from school? What information should you keep in these records?

SERIAL SUSPENSIONS

When using suspension, school officials may not remove a student for a series of short-term suspensions if these suspensions constitute a pattern of exclusion. Such a pattern constitutes a unilateral change of placement and is illegal under the IDEA 1997. However, not all suspensions in excess of 10 days constitute a change in placement. The law and regulations are not clear regarding when suspensions in excess of 10 days become a change in placement. To determine whether a series of suspensions constitute such a change, school officials must evaluate the circumstances surrounding the suspension. As noted in Classroom Connection 2.1, the team should consider factors such as length of each removal, the total amount of time that the student is removed, and the proximity of the removals to one another (IDEA Regulations, §300.520, Note 1). Thus, determination of when a series of suspensions become a change in placement can only be decided on a case-by-case basis. The IEP team, therefore, is the most qualified team to conduct this inquiry.

LONG-TERM SUSPENSIONS AND EXPULSIONS

School officials may unilaterally place a student with disabilities in an appropriate interim alternative educational setting for up to 45 calendar days if the student (a) carries or possesses a weapon to or at school, on school premises, or at a school function (a weapon is defined as a “weapon, device, instrument, material, or substance . . . that is used for, or is readily capable of, causing death or serious bodily injury”; 20 U.S.C. §615[k][10][D]); (b) knowingly possesses, uses, or sells illegal drugs or sells a controlled substance at school or a school function (a controlled substance refers to a legally prescribed medication, such as Ritalin, that is illegally sold by a student); or (c) inflicts serious bodily injury on another person while at school, on school premises, or at a school function (serious bodily injury involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss.
or impairment of the function of a bodily member, organ, or mental faculty; 20 U.S.C. §1415[k][7][D].

Until the passage of the IDEA 1997, school districts had to seek a temporary restraining order from a court to remove a student with disabilities who presented a danger to him- or herself or others. The IDEA now authorizes school officials to seek temporary removal of a dangerous student by requesting that a hearing officer order the student removed to an interim alternative educational setting for 45 days (IDEA 20 U.S.C. §1415[k][2]). Therefore, if school officials believe that a student may present a danger to self or others and seek to have the student removed from school, they must convince a hearing officer that (a) should the student remain in the current placement, he or she is substantially likely to injure him- or herself or others; (b) the school district has attempted to minimize the risk of harm; (c) the student’s current IEP and placement were appropriate; and (d) the school’s interim alternative educational setting is appropriate. The hearing officer may then change the student’s placement to the interim alternative educational setting for up to 45 days. During this time, the IEP team should meet to determine what actions will be taken regarding the situation (e.g., change placement, rewrite the IEP, move to expel the student).

**The Manifestation Determination**

The IDEA 1997 first clarified a procedure, long required by the courts, referred to as the manifestation determination. A *manifestation determination* is a review of the relationship between a student’s disability and misconduct. It must be conducted when school officials seek a change of placement, including suspension or expulsion in excess of 10 school days. In situations in which a student has been suspended in excess of 10 days, the review should take place no later than 10 days following the disciplinary action. The IDEA 2004 changed and simplified the procedures required in a manifestation determination.

The manifestation determination must be conducted by a student’s IEP team, his or her parents, and other qualified personnel. When conducting the review, the IEP team must consider all relevant information regarding the misbehavior, including evaluation and diagnostic results, observations, and the student’s IEP and placement. The team’s task is then to determine whether the misconduct was caused by or had a direct and substantial relationship to a student’s disability. The specific questions the team must answer are listed in Table 2.2.

If the team determines there is no relationship between the misconduct and disability, the same disciplinary procedures as would be used with students who do not have disabilities may be imposed on a student with disabilities, including long-term suspension and expulsion. Educational services, however, must be continued. The student’s parents may request an expedited due process hearing if they disagree with the results of the manifestation determination. The student’s placement during the hearing will be in the interim alternative educational setting. If the team determines that a relationship did exist, however, the student may not be suspended or expelled. Change of placement procedures, however, may still be initiated using the IEP process.

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**TABLE 2.2 The Manifestation Determination**

1. **Was the conduct in question the direct result of a school’s failure to implement a student’s IEP?**
   
   If the answer is yes, the behavior is considered a manifestation of the disability, and the determination ends. If the answer is no, the team must answer the second and final question.

2. **Was the conduct in question caused by, or did it have a direct and substantial relationship to, a student’s disability?**
   
   If the answer is no, then there is no manifestation between the disability and the misconduct, and the student may be disciplined in the same manner as would a child without disabilities. If the answer is yes, the behavior is considered a manifestation of the disability, and the determination ends.
Determining Educational Services When a Student Is Placed in an IAES

When a principal places a student with disabilities in an IAES for an offense as described in the text, the student’s IEP must convey to plan his or her instructional services. Because the student must continue to work on his or her goals, the team must ensure that the IEP is implemented in the IAES. Any related services (e.g., speech therapy, physical therapy), supplementary aids, or program modifications that the student receives through the IEP must also be provided in the new setting. The IDEA also requires that the student continue to be involved in the general curriculum, although in a different setting. Thus, the student should continue to receive the school district’s general curriculum that he or she received in the previous setting (e.g., social studies, science). During the time that the student is in the IAES, the IEP team should meet to determine whether the IEP should be changed.

General Reflection for Classroom Connection 2.2
When can a principal unilaterally place a student with disabilities in an IAES? What are the requirements of an IAES? During the time when a student is in an IAES, what should the school district be doing?

The Interim Alternative Educational Setting

When a student is suspended in excess of 10 cumulative days in a school year or expelled, the school district must continue to provide a free appropriate public education. That is, educational services must continue in an interim alternative educational setting (IAES; IDEA, 20 U.S.C. §1415(k)(3)). As noted in Classroom Connection 2.2, the IEP team determines the IAES. Although the IAES is usually not in the current educational setting, the student must be able to continue to participate in the general education curriculum and continue to receive the services and modifications listed in the IEP. In this placement, students must continue to work toward the IEP’s goals and objectives, including those that address the behavior problems that led to the placement.

Using homebound instruction or tutoring as an IAES is not specifically prohibited by the IDEA; nevertheless, homebound placements are problematic. School districts must continue to provide the special education and related services listed in a student’s IEP while he or she is in the IAES. This would include access to all special education and related services as well as access to the general education curriculum. Clearly, providing these services in a homebound setting would be difficult. Furthermore, a comment in the proposed regulations suggests that a homebound placement is usually appropriate only for a limited number of students, such as those who are medically fragile and not able to participate in a school setting (IDEA Regulations, §300.551, Note 1). In answer to a series of questions regarding discipline, the Office of Special Education and Rehabilitative Services (OSERS) noted that in most circumstances homebound instruction is inappropriate as a disciplinary measure; however, appropriateness would have to be determined on a case-by-case basis (Department of Education Answers Questions, 1997).

Proactively Addressing Behavior Problems of Students with Disabilities

The IDEA 1997 and the IDEA 2004 require that if a student with disabilities has behavior problems (regardless of the student’s disability category) that impede his or her learning or the learning of others, the team that writes the IEP shall consider strategies to address these problems (IDEA, 20 U.S.C. §1414 [d][3][B][I]). This includes (a) conducting an assessment of the problem behavior; (b) writing measurable annual goals and benchmarks or short-term objectives to address the problem behaviors; and (c) providing the appropriate special education and related services, including supplementary aids and services, that are required to allow the student to meet the goals and objectives. For such students, a proactive behavioral intervention plan (BIP) may be developed and included with the IEP.

The purpose of the BIP is to address the behavior problems through the consideration of strategies, including positive behavioral interventions, strategies, and supports to ameliorate the problems. This plan is clearly more than a management plan delineating disciplinary procedures to be used with a student. The BIP should be based on a functional behavioral assessment and developed with the intent of positively intervening to
ameliorate the problem behavior and of teaching appropriate behavior (Senate Report, 1997). When a student is suspended for more than 10 school days or when a manifestation determination is conducted, a functional assessment of behavior must be conducted, and the BIP must be revised or developed if it does not exist.

Neither the IDEA 1997 nor the IDEA 2004 delineate the components of a functional behavioral assessment (FBA) beyond stating that when conducting an FBA following a 10-day suspension or 45-day removal, the assessment team must address the behavior that led to the removal. Failure to comply with the FBA requirement has led to hearing officers overturning school districts’ disciplinary actions because they violated IDEA 1997 (Board of Education of the Akron Central School District, 1998).

**Summary of Disciplining Students with Disabilities**

The disciplinary provisions of the IDEA 1997 and IDEA 2004 have been the subject of much controversy. While some have argued that the law makes the task of schools more difficult in disciplining students with disabilities, others assert that it merely codifies much of the existing case law (Understanding Discipline, 1997). It is certain, however, that these provisions will lead to increased litigation. Until the courts begin to clarify some of the ambiguities and gaps within the law, the discipline of students with disabilities will remain unclear. Administrators and teachers should consult state laws and regulations prior to developing discipline policies. States will be required to bring their statutes and regulations into compliance with the IDEA amendments, but they may be more prescriptive than the federal law. In such cases, educators must adhere to the laws and guidelines of their states.

Both the IDEA 1997 and the IDEA 2004 are consistent in that they emphasize proactive, positive behavioral supports and interventions for students experiencing behavioral challenges. This text describes the procedures that teachers should use to effect behavior change. Educators must understand that the intent of law is to address and ameliorate behavior that impedes student learning and teach socially appropriate replacement behaviors.

**SCHOOLWIDE DISCIPLINE**

One approach to reducing discipline problems in school is to adopt schoolwide discipline plans that focus on teaching appropriate behavior while preventing misbehavior from occurring. These efforts are aimed at the prevention of both disruptive (e.g., non-compliance) and violent behavior (e.g., physical assault) through using schoolwide discipline programs rather than through merely focusing on reacting to discipline problems after they have occurred (Horner, Sugai, & Horner, 2000; Walker & Epstein, 2001). Schoolwide discipline programs refer to strategies that schools develop both to prevent and to respond to problem behavior. Such programs have been shown to have great promise as an effective way to define, teach, and support appropriate behaviors and address disruptive behavior in the schools.

One such effort was the U.S. Department of Education’s publication *Early Warning, Timely Response: A Guide to Safe Schools* (Dwyer, Osher, & Warger, 1998). In late 1998, every school administrator in the United States received a copy of this report. The purpose of the guide was to help school districts develop comprehensive violence prevention plans. The guide summarized the research on violence prevention, interventions, and crisis response in schools. According to the guide, well-functioning schools had a strong focus on learning and achievement, safety, and socially appropriate behaviors (Dwyer et al., 1998). Horner and others (2000) noted that if schools are to be safe, effective environments, proactive behavior support must become a priority.

Although no single model of schoolwide discipline is used in schools, three basic practices are often followed in effective disciplinary systems (Horner et al., 2000; Walker, Colvin, & Ramsey, 1995). First, schools with effective policies invest in preventing problem behavior by defining, teaching, and supporting student behavior. This means that...
school personnel develop important expectations or rules about student behavior and clearly communicate these expectations to students. School officials recognize students who adhere to these expectations and respond effectively when students do not. Second, effective schoolwide discipline systems have rapid, effective support systems for identifying and addressing the needs of students who are at risk of developing problem behavior. According to Lewis and Sugai (1999), these procedures often involve increased adult monitoring and group behavior support. Third, schools using effective discipline systems have support for high-intensity problem behavior. Such systems focus on a small number of students who display high rates of disruptive behavior and include specialized individual behavior programs (e.g., FBAs and BIPs).

Developing Schoolwide Discipline Policies

According to Sugai, Sprague, Horner, and Walker (2000), from 85% to 90% of students begin school having already learned the social skills necessary to be an effective learner. That is, they (a) pay attention, (b) are actively engaged in learning, and (c) follow school rules and procedures. The most important part of any schoolwide discipline procedure is to ensure that these skills become part of the school’s culture (Horner et al., 2000). One way for schools to ensure that such behaviors become ingrained in a school’s culture is through the development and systematic use of universal interventions. The key idea behind universal interventions is reducing the number of new cases of problem behavior. Sugai and others (2000) refer to universal interventions as systemic interventions in which school personnel develop a system of rules and consequences that focus on improving the overall level of appropriate behavior of most students in a school. The most important components of universal interventions are that (a) behavioral expectations in the form of rules are defined and taught to all students and (b) inappropriate behaviors are corrected through the systematic application of consequences.

Rules and Consequences

When developing universal interventions, school personnel must define, teach, and support expected student behaviors. To maintain discipline and to operate efficiently and effectively, schools must have rules that regulate student conduct. This means that students should clearly know which behaviors are acceptable and which behaviors are prohibited. Schools recognize and reinforce students who follow the rules regarding acceptable behaviors. If students violate reasonable school rules by behaving in ways that are prohibited, they should be held accountable.

Student accountability to rules implies that violators will be subject to disciplinary sanctions or consequences. School officials have long known that students are more likely to conduct themselves appropriately when they understand (a) the types of behavior that are expected of them when they are in school, (b) the consequences of engaging in behaviors that meet these expectations, and (c) the consequences of engaging in prohibited behavior. A number of courts have addressed the issue of schoolwide discipline policies, tending to give great authority to teachers and school officials to write rules that govern student behavior when they are in school (Yell, 2012).

When developing school policies regulating student conduct, rules and consequences should have a carefully considered rationale and a school-related purpose. This means that rules should be clear enough to allow students to distinguish permissible from prohibited behavior. Appropriate school rules are specific and definitive. School rules that are too vague or general may result in the violation of students’ rights because students will not have a clear understanding of them. In fact, if a court finds that a school rule is so vague that students may not understand what behavior is prohibited, it is likely that that rule would be legally invalid (Gorn, 1999). Thus, teachers and administrators must take care that their school rules are sufficiently clear and are communicated to students. Rules must also be school related; in other words, school officials may not prohibit or punish conduct that is not related to their school’s educational purposes.

As previously noted, an important legal requirement for developing schoolwide discipline policies is that rules and consequences must be reasonable. From a legal
perspective, this means that the rules should be rational and fair. Rules that are vague and consequences that are excessive and unsuitable to the particular circumstances may be legally invalid. Disciplinary procedures that are harsh or excessive are also likely to be ruled legally invalid if they are challenged in court. This means that school officials must use reasonable means to achieve compliance with a school’s rules. Reasonable rules and consequences are rational and fair and not excessive or unsuitable to the educational setting.

When schools focus on improving the overall level of appropriate behavior by developing schoolwide rules and consequences, they can expect that problem behavior will be prevented in 80% to 90% of all students (Sugai et al., 2000). However, 10% to 20% of students will not respond to such interventions. For these students, more intensive interventions are required.

**Programming for Students with Serious Behavior Problems**

Lewis and Sugai (1999) found that the level and intensity of interventions must be increased for students at risk for developing serious problem behavior (5% to 15% of the student population) and for students who already have chronic and intense problem behavior (1% to 7% of the student population). Unfortunately, for many students who may fall into these categories, there are no legal guidelines for school districts in developing these more intensive and individualized interventions for problem behavior. Although federal laws and programs fund the development of violence prevention programs in schools (e.g., the Safe and Drug Free Schools and Communities Act of 1994), unless students have a disability, laws address only reactive and exclusionary practices (e.g., zero tolerance policies, searches of students and their property; for a review of these laws, see Yell & Rozalski, 2000). For students with disabilities, however, the IDEA is very specific and exact when directing schools to address problem behavior (see the previous discussion on students with disabilities).

**IMPLICATIONS FOR TEACHERS AND ADMINISTRATORS**

Maintaining a safe and orderly education environment is one of the most important duties teachers face. Certainly it is one of the most difficult. If our schools are to be places where students can learn, we have to adopt rules to indicate which behaviors will be rewarded and which behaviors will not be tolerated. When we have to use disciplinary procedures, it is important that we understand our rights and responsibilities as well as those of our students. Those who teach students in special education face an even more complex situation when applying disciplinary procedures. It is also important that school officials fashion school district policies and procedures that comport with the law. Following are suggested guidelines for ensuring that administrators and teachers meet federal, state, and court requirements when using discipline with public school students.

**Develop School District Disciplinary Policies and Procedures**

School district administrators should develop written policies and procedures for teaching appropriate behavior and disciplining students when they violate school rules. These policies and procedures must ensure that schools maintain safe and orderly environments while continuing to provide students with an appropriate public education. These policies should include rules of student conduct and disciplinary sanctions when those rules are broken. Developing the policies with the participation of administrators, teachers, parents, and students helps to ensure that they are reasonable and related to a legitimate educational function. Teachers, administrators, staff members, and parents should have access to and understand information in the school district’s discipline policy. Methods for ensuring parental access include mailing discipline policy brochures to district parents and having teachers explain the procedures in parent–teacher conferences. It is important that policies and procedures apply equally to all students and that they be administered fairly and consistently.
When a student is in special education, the teacher should inform the parents of the district policies and procedures. The district’s discipline policies should also be appended to the IEP. This will ensure that they are discussed and understood by all parties. If there are any changes to this policy (e.g., teachers use in-school suspension instead of out-of-school suspension), the changes should be noted in the IEP.

**Proactively Address Problem Behavior**

We must remember that the purpose of discipline is to teach. As educators, our goal should not be solely the elimination of problem behavior. Rather, it should be the elimination of problem behavior and the teaching of positive prosocial behaviors. Positive behavioral programming (e.g., conflict-resolution training, anger control training) should be an important part of our school district practices.

In the case of students with disabilities who have a history of misbehavior, the problem behavior must be addressed in their IEPs. The IDEA requires that “in the case of a child whose behavior impedes his or her learning or that of others [the IEP team must] consider, where appropriate, strategies, including positive behavioral interventions, and supports to address that behavior.” In an Office of Special Education Programs (OSEP) memorandum (OSEP Discipline Guidance, 1997), Judith Huemann, the assistant secretary of the OSERS in the Department of Education, states that, as part of the IEP process, teams have a responsibility to consider a child’s behavior. She also writes that school districts should take prompt steps to address misconduct when it first appears. She suggests that when a student exhibits problem behavior, the IEP team should conduct a functional behavioral assessment and determine the needed programming to address the behavior properly. This requirement applies to all students in special education, regardless of their disability category. Because these elements will be discussed at an IEP meeting, the plan would have an increased probability of success because of parental support and participation. The plan is also less likely to be legally challenged (Hartwig & Ruesch, 2000). Clearly, positive behavior intervention should be used. If behavior reduction strategies are part of the student’s program, they should also be included in the IEP.

**Provide Training in Behavioral Interventions to Teachers**

Teachers must be trained in the use of positive behavioral programming (e.g., developing rules and consequences reinforcing appropriate behavior) and consequences when students violate rules (e.g., time-out, response cost). Special education teachers should receive intensive training in (a) conducting functional behavioral assessments, (b) writing behavioral goals and objectives, and (c) developing behavioral intervention plans. Such training should include the appropriate use of disciplinary procedures as well as legal ramifications of these procedures. A policy letter from the Department of Education notes the importance of training teachers and staff members in the effective use of behavior management strategies, indicating that the appropriate use of these strategies is essential to ensure the success of interventions to ameliorate problem behavior (OSEP Discipline Guidance, 1997).

According to Drasgow and Yell (2002), appropriate training is especially important for school personnel who conduct FBAs and develop BIPs because failure of IEP teams to translate the law’s requirements to students’ educational programs will likely result in inappropriate IEPs and thus the denial of a free appropriate public education (FAPE). The denial of a FAPE may, in turn, lead to due process hearings, litigation, and application of the law’s sanctions against the offending school districts. Preservice and inservice educational opportunities should be provided, therefore, to ensure that members of IEP teams thoroughly understand their responsibilities under the IDEA 1997 and have the skills to carry them out. Public schools must ensure that personnel involved in implementing FBAs and BIPs have the necessary training and expertise. Public schools will be well served if these are implemented in a proactive manner to address serious and chronic maladaptive behaviors.
Document Disciplinary Actions

When using disciplinary procedures with students with and without disabilities, teachers must keep thorough written records of all disciplinary actions taken. An examination of court cases and administrative rulings in disciplinary matters indicates that, in many instances, decisions turned on the quality of the school’s records (Yell, 2012). That is, when a school district is sued over a particular disciplinary incident, the court will examine the school’s rules and consequences to determine whether they are fair and reasonable. Often they will also examine the records that were kept, if any, on the particular behavior incident. Records on emergency disciplinary actions are also important. Such records should contain an adequate description of the incident, disciplinary action taken, and the signatures of witnesses present.

Evaluate the Effectiveness of Interventions

It is crucial that school officials and teachers evaluate the effectiveness of the schoolwide policies and procedures and individual students’ discipline plans. If schoolwide discipline plans, classroom rules and consequences, and individualized student programs are to be effective, school personnel should develop and implement a set of procedures for monitoring program effectiveness (Drasgow & Yell, 2002). The collection of meaningful data allows school officials and teachers to determine the efficacy of the schoolwide policies and to maintain effective components of the program while eliminating the ineffective components.

There are a number of reasons for collecting data on an ongoing basis. To make decisions about whether an intervention is reducing target behaviors in the school or in a student, teachers need data collected during the course of the intervention. If formative data are not collected, school officials and teachers will not know with certainty whether the procedures they use are actually achieving the desired results (Yell, 2012).

Teachers and administrators are accountable to supervisors, parents, and communities; data collection is useful for informing these groups. From a legal standpoint, it is imperative that school officials and teachers collect such data. Courts may not readily accept anecdotal information, but they certainly view data-based decisions much more favorably (Yell & Drasgow, 2001).

Summary

Describe the Basis of a Teacher’s Legal Duty to Enforce Discipline

- Constitutional Law and Discipline: All students have constitutional rights based on the Fifth and Fourteenth Amendments to the U.S. Constitution.
- State Law and Discipline: Most laws that directly affect educational issues, including discipline, are state laws. States have the right to require school districts to establish and enforce reasonable codes of student conduct to protect the rights and safety of students and to ensure that school environments are conducive to learning.
- Federal Laws and Discipline: Because the U.S. Constitution does not grant the federal government the power to control education, legislation regarding education is actually a state prerogative. Nonetheless, the federal government has played a large part in education through categorical grants.

Define the Due Process Protections Available to Students

- Procedural Due Process: The Right to Fair Procedures: The importance of education to a student’s future certainly requires that disciplinary actions that result in the student being deprived of an education (e.g., suspension, expulsion) be subjected to the standards of due process. The right to procedural protections includes the right to notice and hearing when suspended or expelled. These protections require that students are presented with the charges against them and have an opportunity to state their case.
- Substantive Due Process: The Right to Reasonableness: School and classroom rules and consequences must not violate students’ constitutional principles (e.g., privacy, due process, expression). Generally, rules and consequences will not violate students’ constitutional rights when they are reasonable. Reasonable
rules and consequences have a carefully considered rationale and a school-related purpose.

**Identify the Procedures That Must Be Followed When Disciplining Students with Disabilities**

- **Disciplinary Provisions of IDEA 1997 and 2004:** The IDEA was reauthorized and amended in 1997 and 2004. Both the 1997 and 2004 amendments address disciplining students with disabilities. The IDEA now allows school officials to discipline students with disabilities in the same manner as they discipline students without disabilities, with a few notable exceptions.

- **Suspensions and Expulsions:** The IDEA authorizes school officials to suspend students with disabilities to the extent that suspensions are used with students without disabilities. There is no specific amount of time that school officials must adhere to in suspending students with disabilities. However, when a student is suspended for more than 10 school days, educational services must be provided.

- **The Manifestation Determination:** A manifestation determination is a review of the relationship between a student’s disability and misconduct. It must be conducted when school officials seek a change of placement, including suspension or expulsion in excess of 10 school days. The manifestation determination must be conducted by a student’s IEP team, his or her parents, and other qualified personnel.

- **The Interim Alternative Educational Setting:** When a student with disabilities is suspended in excess of 10 cumulative days in a school year or expelled, the school district must continue to provide a free appropriate public education. That is, educational services must continue, often in an IAES.

- **Proactively Addressing Behavior Problems of Students with Disabilities:** The IDEA requires that if a student with disabilities has behavior problems (regardless of the student’s disability category) that impede his or her learning or the learning of others, the team that writes the IEP shall consider positive behavioral strategies, supports, and interventions to address these problems.

**Describe the Most Important Components of Schoolwide Discipline Practices and Procedures**

- **Developing Schoolwide Discipline Policies:** An approach to reducing discipline problems in school is to adopt and implement schoolwide discipline plans that focus on teaching appropriate behavior while preventing misbehavior from occurring. A way for school personnel to ensure that such behaviors become ingrained in a school’s culture is through the development and systematic use of universal interventions, which are systemic interventions in which school personnel develop a system of rules and consequences that focus on improving the overall level of appropriate behavior of most students in a school.

- **Rules and Consequences:** School personnel must define, teach, and support expected student behaviors. To maintain discipline and to operate efficiently and effectively, schools must have rules that regulate student conduct. This means that students should know clearly which behaviors are acceptable and which behaviors are prohibited.

- **Programming for Students with Serious Behavior Problems:** The level and intensity of behavioral interventions must be increased for students at risk for developing serious problem behavior (5% to 15% of the student population) and for students who already have chronic and intense problem behavior (1% to 7% of the student population).

**Describe the Implications of State and Federal Law Regarding Student Behavior Management and Discipline for Teachers and Administrators**

- **Develop School District Disciplinary Policies and Procedures:** School district administrators should develop written policies and procedures for teaching appropriate behavior and disciplining students when they violate school rules. These policies and procedures must ensure that schools maintain safe and orderly environments while continuing to provide students with an appropriate public education.

- **Proactively Address Problem Behavior:** The goal of behavioral interventions should be to teach positive prosocial behaviors while also reducing or eliminating problem behavior. Positive behavioral programming such as conflict-resolution training, anger control training, and problem-solving training should be an important component of behavioral programming.

- **Provide Training in Behavioral Interventions to Teachers:** Teachers should be trained in the use of positive behavioral programming (e.g., developing rules and consequences reinforcing appropriate behavior) and consequences when students violate rules (e.g., time-out, response cost).

- **Document Disciplinary Actions:** When using disciplinary procedures with students with and without disabilities, teachers must keep thorough written records of all disciplinary actions taken. An examination of court cases and administrative rulings in disciplinary matters indicates that, in many instances, decisions turned on the quality of the school’s records.

- **Evaluate the Effectiveness of Interventions:** School officials and teachers should evaluate the effectiveness of the schoolwide policies and procedures and individual students’ discipline plans. If schoolwide discipline plans, classroom rules and consequences, and individualized student programs are to be effective, school personnel should develop and implement a set of
procedures for monitoring program effectiveness. The collection of meaningful data allows school officials and teachers to determine the efficacy of the procedures and to improve educational programs. Schoolwide policies and to maintain effective components of the program while eliminating the ineffective components.

**Discussion Questions**

1. The Individuals with Disabilities Education Act Amendments of 1997 and the Individuals with Disabilities Education Improvement Act (IDEA) of 2004 require school-based teams to use positive behavior interventions and supports, and to move away from reliance on punishment when addressing problem behavior. What are behavior interventions and supports, and why does the law encourage their use?
2. What are the due process protections for students? How can schools ensure that due process protections are available to all students?
3. What does the IDEA require when using short-term suspensions with students who are receiving special education services?
4. What discipline procedures can schools use for students receiving special education services? Specifically, what actions can a school take when a student receiving special education services brings a weapon to school?
5. What is an interim alternative educational setting? What must schools do to ensure these settings are appropriate?
6. What is a manifestation determination?

**References**


OSEP Discipline Guidance, 26 IDELR 923 (OSEP 1997).


