

The Opportunity New York's Dignity Act Presents

by Mark Barth, Ph.D.

Introduction

In 2010, the Legislature passed New York's "anti-bullying" law,¹ The Dignity for All Students Act (DASA), and the Board of Regents issued school compliance guidelines. The law went into effect July 1, 2012 and aims to lessen hostility in school environments by raising school employees' and students' awareness of and sensitivity to "incidents of discrimination and harassment."

Requirements of The Dignity Act

Every school will

- designate and train one or more staff in every school as Dignity Act Coordinators (DAC) to ensure acts of intimidation, menacing, harassment, and discrimination are investigated and protect people who report incidents;
- update its code of conduct;
- incorporate sensitivity to harassment and discrimination in civility and character education;
- file annual incident reports with the State Education Department;
- develop guidelines for nondiscriminatory instructional and counseling methods;
- raise employee awareness and sensitivity to potential discrimination or harassment, and enable employees to prevent and respond to acts of discrimination or harassment or harassment.

DASA is the most recent of four laws focused on student behavior and school environment. In 2000, Safe Schools Against Violence in Education (SAVE) resulted in a series of regulations. In October, 2008, the New York State Education Department (NYSED) co-signed with eight child-serving state agencies "The Children's Mental Health Plan" in compliance with the Children's Mental Health Act 2006; and in July 2011, the Board of Regents adopted guidelines to school districts on how to incorporate Social-Emotional Development and Learning (SEDL) into elementary and secondary programs in compliance with amended education law.

SAVE directed administrators to confront disruptive behaviors that interfere with teachers teaching. DASA concentrates on the civil rights of students who are harassed, intimidated and menaced for their race, color, weight, national origin, sex, ethnic group, religion, disability, sexual orientation or gender identity. SAVE required schools to address and document incidents of "bullying;" DASA's data collection is more exacting. SEDL takes a complementary approach.

¹ Note: the word "bullying" does not appear in the legislation

The Guidelines prompts schools to recognize that the tensions and traumas students bring with them not only interfere with their ability to learn but, when ignored, manifest in unhealthy ways. Incorporating SEDL methodology to ensure the dignity of all students would balance a reliance on codes of conduct and consequences with evidence-based practices that raise children's social awareness and emotional intelligence through consciously designed school and classroom programs.

1. What DASA Means for New York's Schools

The legacy of school safety regulations requiring violent and disruptive incident reports put pressure on administrators to lower their numbers and one way was to isolate the most troubling students. One opportunity DASA presents invites schools and communities to re-examine the efficiency of disciplinary systems of the past decade in comparison to approaches that teach decision-making and self-regulation skills. Emerging evidence, particularly from neuroscience, finds that children and adults have more ability than originally thought to modify counterproductive emotional behavior patterns and form more fruitful ones.

Such effort requires effort beyond obligatory DASA compliance. School-based data collection on misbehaviors, as well as responses to intervention (RtI) screenings and school climate surveys can serve as formative feedback to start-up implementation. Dignity Act Coordinators can stretch their roles by sharing ideas from conferences and literature and leading faculty discussions with research summaries. The SEDL Guidelines offer a common vocabulary and principles to acquaint teachers and parents with elementary and secondary education programs that address child and adolescent *affective* as well as *cognitive development*.²

To contemplate such a shift in responding to dangerous and unwanted student behaviors, a case must be made for why the old approaches are not adequate. Below I briefly describe historical and contemporary political, social and cultural values in which public schools operate.

2. Historical-Cultural-Political Context

American educators have coped with challenging behaviors since the 1600s. Teaching reading and grammar was necessary but not sufficient to ensure children's salvation; wooden canes, switches and paddles were used to enforce classroom and social order. With 19th and 20th century industrialization and immigration, schools became instruments of socialization. In the 1900s, states passed law making attendance at public school mandatory which meant parental authority and direction of children was increasingly shared with educators. By mid-century public education in the United States took on an additional role as agent for social justice.³ In the mid 1980's New York's Regents Action Plan acknowledged the sobering reality facing the United States: dropping out of high school was a luxury America's economy and global competitiveness could not afford.

² Benjamin Bloom (1956) identified three domains of educational activities: Cognitive, mental skills (*knowledge*); Affective, growth in feelings or emotional areas (*attitude*) and Psychomotor, manual or physical skills (*skills*). The term "non-cognitive" substitutes for "affective" in a research study cited later in this paper.

³ Gradually, equal educational opportunity for children living in poverty and children with disabilities was legislated.

By the 21st century education policy took aim at schools that passed along high numbers of under-prepared, unready students. However, the focus on raising performance of discrete populations, based on social justice values widely shared in New York State, may have sidelined assessments of individual students' developmental strengths and other barriers to learning.

Global Economic Shifts

The American economy began to weaken in the 1970s when demand for labor in the United States shrank as a consequence of technological breakthroughs and outsourcing of jobs, among other factors. The U.S. had a labor surplus and “employers recognized that American wages were above levels in many other parts of the world and began to outsource” (Wolff, 2010). The confidence of previous generations of Americans that it would live better than the one before was slowly fading. Try to “imagine the trauma if ... that stops, never to resume” (Wolff, 2010). That trauma⁴ is compounded by three other observations about the American working class whose children fill the public schools:

- The average real wage earned in 2011 is about what it was in 1978;
- Americans work more hours per year (counting adults working two jobs, women going from part-time to full-time, teenagers after school or weekends) than any other working class in any advanced industrial country;
- Starting in the 1970s Americans began to accumulate serious debt.

What does this have to do with student behavior and school climate? With working-class jobs decimated, “many parents are too stressed to have the energy, time or money to devote to their children” (Brooks, 2012).

The Evolving American Family

In 2009, 59 % of American mothers of all ages were married when they had children. College graduates overwhelmingly marry before having children, but nearly two-thirds of children in the United States are born to single mothers under 30. Children born outside marriage face elevated risks of falling into poverty, failing in school, or suffering emotional and behavioral problems. Conversely, children born to married couples experience on average “better education, social, cognitive and behavioral outcomes” (DeParle & Tavernise, 2012).⁵

A Penchant for Imprisoning

The United States has less than 5 percent of the world's population but almost a quarter of the world's prisoners (Liptak 2008). America's “distinctive” approach to crime and punishment dates back to a “get tough on crime” campaign in the late 1970s. Lengthier sentences account for much of American incarceration rates. Does this political-cultural phenomena trickle down to schools?

At the close of the 2011-12 school year, four seventh grade boys famously ridiculed a grandmotherly bus monitor with cruel adolescent one-upmanship. They were remanded to an alternative learning center and barred from district and town transportation for 2012-13, and

⁴ Although the word “trauma” is more commonly used to describe physical injury here it refers to any experience that causes toxic stress

⁵ “New families” and their ecologies are not unique to the US. According to the Organization for Economic Cooperation and Development' almost 16% of children in rich countries live in single-parent - most likely female and working - households.

must complete 50 hours of community service and enroll in a bullying-prevention program. Reaction to the punishment (derived from online reader reactions to a local TV news report) serves as a reminder of a portion of the public's idea of *just deserts*⁶ and the pressure that school boards and administrators encounter:

“Good old fashioned punishment, unfortunately it doesn't exist anymore.”
“Send them to prison so they can meet some REAL bullies.”
“They should send those kids to the Russian black dolphin prison for year or 18 months [slightly edited]”
“Formal program in bullying prevention, respect and responsibility? What rot! Alternative program at the district's re-engagement center? More hot air and psychobabble.”

Zero tolerance may mirror American culture and society but it is worth noting that wide variation in incarceration rates exists among the states. New York ranked ninth lowest in the proportion of its residents that it incarcerates (Kaiser, 2010).

3. School and Student Conditions for Learning

As stated, American families have undergone radical structural change over the last 50 years. Economic pressures, violence and crime, and inadequate access to health care are significant factors in family stress.

A joint report in 1998 by the Centers for Disease Control and Prevention and the health management organization Kaiser Permanente examined the cumulative effects of multiple “adverse childhood experiences (ACEs)” and showed how that they correlate with and may predict physical and psychological problems in children. Chaotic, abusive, humiliating or neglectful family situations are linked to “decrements in mental health in dose-response fashion.” Children and adult service agencies deal with the consequences of ACEs and so do schools. Depression, one of the leading public health problems worldwide, is at least three times more prevalent in victims of child abuse than it is in the general population.

Kids who experience toxic stress⁷ in their homes (from alcoholism, drug use, violence and loss of a parent due to death, divorce or incarceration, etc.) are apt to develop personal solutions to their pain, distinguished as *internalized behaviors* that can be self-destructive (including suicide, eating disorders, headaches and avoidance behaviors like missing school) or *externalized behaviors* that victimize others (acts of aggression, including fighting, disrespecting adults, bullying, etc.). Both can have devastating consequences, particularly for learning. *When trauma launches kids into flight, fight or fright mode, they cannot learn. It is physiologically impossible* (ACEs study). As a high school principal in Washington State concluded, “punishing misbehavior adds trauma to an already traumatized kid. For some kids, erupting is a stress reflex response (ACES Too High, 2012).”

Angry youth are not exclusive to urban populations. Rural communities have seen a rise in “the shadow economy of drugs, gangs, crime” where poverty and social isolation, increased “screen time, sedentary lifestyles and poor nutrition, obesity, mental illness and

⁶ The expression is based an obsolete meaning of *desert*—namely, *something that is deserved or merited*. Accessed from <http://grammarist.com/spelling/just-deserts-just-desserts/> 9-1-12

⁷ Also known as *allostatic load*, the physiological consequences of repeated stress; it explains how frequent activation of the body's stress response, essential for managing acute threats, can in fact damage the body in the long run.

academic and social problems in school are likely” (Lawson, 2012). A recent portrait of a summer camp--something of a middle class rite--that reveals the many hurts visited upon “uncool” kids, is a reminder of how “peer culture rules” even where “it’s recess all day” (Kates, 2012).⁸

A continuum of need and desperation can exist in any youth community. Identified early, these problems can be minimized. Under DASA, schools and staff can take a more systematic approach in identifying and sensitively intervening on behalf of victims *and* on behalf of their bullying predators, both of whom may be experiencing larger-than-life feelings of hopelessness.

PreK-12 Coping Stratagems

A Yale University survey of preschool programs in 40 states’ found expulsion rates were three times higher than national rates for grades K–12. Rates were higher for older preschoolers, African Americans, and boys. The likelihood of expulsion *decreased* significantly “with access to classroom–based behavioral consultants that provide teachers with assistance in behavior management.” Taking turns, sharing, having empathy and understanding the consequences of one’s actions on others do not come easily to every youngster (Gilliam, 2005).

Middle School teaching can be a test of wills, which may explain why, from 1999-2007, NYC middle school teachers accounted for 22% of the NYC teachers who left the school system, even though they made up only 17% of the overall teaching force (Gootman, 2007). In high schools, very challenging students may drop out, skip class or accept the remand to an alternative setting. School suspension was increasingly invoked after 1999, post Columbine. Dangerous and violent acts in school buildings or at school functions⁹ demanded of administrators and school boards to adopt a tougher stance in disciplinary policy often referred to as “zero tolerance.”

According to the American Civil Liberties Union, the student suspension rate in New York City schools more than doubled between 2003 and 2009. In the Buffalo city schools 1,800 students were suspended in 2010-11, “an average of one every 3 minutes” according to the Alliance for Quality Education (Eaglin, 2012). Across the U.S. “out-of-school suspensions have become the default punishment for not only drugs and fights but also for threats, displays of affection, dress code violations, truancy, tardiness, refusal to follow directions, even four-year-olds’ temper tantrums” and suspension rates “have more than doubled over the last three decades across all grade levels” (Carr, 2012).

Suspension is a costly gamble: it may not work for the suspended student but it buys some time and space for everyone else. Inaction has opportunity costs: seventeen percent of classroom teachers lose up to four hours of teaching time per week due to students' disruptive

⁸ A subsequent intervention found 85% of the campers report standing up for a victimized peer when they witnessed bullying. Studies on school playgrounds have found that only 17 to 25% of peers intervened during a bullying episode.

⁹ See below “**Selected National Trends**” from *Indicators of School Crime and Safety Report*, a national survey that examines student behaviors on school grounds, school buses, and places that hold school-sponsored activities before, during, or after normal school hours. It covers topics of direct concern to K-12 teachers, parents and students, based on data collected intermittently since in 1999

behaviors (Briesch & Chafouleas, 2009). However, “zero tolerance” doesn’t come cheap: “disciplinary matters occupy an enormous share of school resources” and are “the greatest source of workplace stress” (Osher et al, 2009; AERA, 2010).

Alternatively, SEDL Guidelines direct educators’ attention to the emotional state of children whose courage or ability to learn is impaired. Such children may be anxious, afraid, preoccupied, depressed, or alienated.

4. The Science

DASA’s focus is prejudice-related bullying however the law reiterates what is stipulated in SAVE Codes of Conduct: preventing and intervening in incidences of intimidation, harassment, menacing and discrimination of students is the job of every school employee. Why a new law was necessary may be due to inattention to child and adolescent cruelty or to the prospect of such behavior eluding code enforcers. SEDL, by focusing on “the whole child and the whole school,” develops students’ sensibility and emotional self-regulation not to participate in or excuse bullying; builds resilience in vulnerable kids; and upholds school environments where abusive treatment of others is everyone’s responsibility.

School safety statistics do not interpret for us why students sometimes struggle with self-control. Therefore, how school administrators and faculty understand children’s behaviors and explain them to each other shapes their beliefs about how to address them. The research compiled in New York’s SEDL Guidelines review of cognitive science, psychology, and neurochemistry provides a multidisciplinary understanding of brain science, children and adolescent behavior, and their consequences for student learning.

Emotional Intelligence and Positive Psychology

Social emotional development is founded upon Peter Salovey and John D. Mayer’s (1990) research on “emotional intelligence” or “EI,” later popularized by Daniel Goleman (1995). Emotional intelligence is the ability to perceive, control and evaluate emotions. Key to EI is “neuroplasticity” and “neurogenesis,” which refer to the capacity of the nervous system to develop new neuronal connections *and* prune unused connections (Davidson, 2007).¹⁰ Brains rewire themselves and establish new networks through in-depth learning in low-stress, creative environments.

Positive psychology blends traditional psychology’s exclusive focus on *pathology and weaknesses* (see Walker et al, 2003-04) with developing an individual’s personal strengths (Seligman and Csikszentmihalyi, 2000). The brain responds to the environment and produces experience-dependent changes in brain structure and function throughout our lifetime. When a student faces prolonged and intense threat, thinking is impaired but hopefulness can be taught. A healthy, prosocial school environment is vital to students’ cognitive growth.

¹⁰ Davidson (2012) co-authored *The Emotional Life of Your Brain* which describes his research since the mid-1970s. He describes six categories of emotional and social variations among people: resilience, outlook, social intuition, self-awareness, sensitivity to context, and attention.

School Climate and Brain Based Classrooms

School *environment* refers to every space students occupy: classrooms, hallways, auditorium, cafeteria, lockers, playground, campus, school bus. School *culture* refers to the extent that its members share purpose and belonging and make sense of new information and demands (Deal & Peterson, 1990). *School climate*, the quality and character of school life, “promotes or complicates student learning” (Cohen et al, 2009). Oklahoma Congressman Watts memorably defined character as “doing the right thing when nobody's looking.” Typically, intimidation, menacing and harassment thrive out of view of a caring adult.

A positive school climate is evidenced by high student attendance, participation in class and involvement in extra-curricular activities; and by a school discipline policy of consistent, restorative discipline that allows for optimal participation of all enrolled. Additional data from faculty and student meetings and student, staff, and parent surveys reveal perceived challenges and strengths of the school. When examined and discussed by building leadership teams (BLTs), these and related data help evaluate a school’s pro-social and anti-bullying interventions. **Appendix A** offers a few examples of classroom- and school-based programs from around New York.

5. With What Resources?

Ideally, districts and schools provide a three-tiered approach to building conditions for learning and capacities to teach efficiently.¹¹ The proportion of students who require early or intensive interventions will vary based on the extent of risk and protection they bring. In these times, there are few new fiscal resources in view.

Internal Resources

Districts and schools can look differently at their human resources and community capacity. One way superintendents have addressed *barriers to learning* is to re-evaluate how their central offices are organized. UCLA’s Howard Adelman and Linda Taylor (2011) observed the proclivity of districts to organize around:

School levels: elementary, secondary, early education;

Discipline affiliations: curriculum and instruction; assessment; student supports; special education; Title programs; gifted and talented; athletics, youth development, alternative schools; dropout prevention; adult education, and

Operations: finances and budget, payroll and business services, facilities, human resources, labor relations, enrollment services, information technology, security, transportation, food, emergency preparedness and response, grants and special programs, legal considerations.

The drawback of this design is that “activities related to addressing *barriers to learning* and teaching are dispersed, often in counterproductive ways, over several divisions or departments” (UCLA, 2011). UCLA’s researchers offer alternatives.

¹¹ Three-Tier Continuum K-12: promote healthy development, prevent problems; address problems as soon after onset as is feasible; have a system for assisting those with chronic and severe problems

Similarly, a “humanware” audit of the Cleveland School District that looked at staffing and how resources were deployed found “limited capacity to respond to warning signs, risk factors and mental health needs.” Neither counselors nor school psychologists were identified as “interventionists for behavioral discipline problems:” e.g., school psychologists limited to crisis interventions and testing and guidance counselors saddled with administrative tasks had little time for counseling or addressing student academic or behavioral issues (AIR, 2008).¹² Child study teams work effectively when viewed as more than a special education intervention and when mental health staff is available to participate. BLTs or other principal-directed school-wide teams that meet regularly evaluate and recommend behavioral and instructional practices more effectively.

External Resources

SUNY Chancellor Nancy Zimpher has outlined for New York State a cradle to career program based on Cincinnati’s STRIVE model: bringing together partners from across a community -- higher education, K-12 systems, not-for-profits, government, business and industry -- to work with moms from pre-natal stage and when kids are babies to enhance children’s development.” *Albany Promise* is a network of 75 organizations to improving student achievement, from cradle to career, in the city’s most challenged neighborhoods (Vielkind, 2011).

Service coordination and community partnerships take time and skill to develop: asset mapping, strengthening those connections, growing and adapting to evolving needs. The intention is “to reduce the level of need so that, over time, there will be less demand for more-intensive services and more opportunities to focus resources on learning and healthy youth development” (AIR, 2008).

Recommendations

Focusing singularly on DASA compliance will yield limited returns. For successful implementation of the Dignity Act in future years, the SEDL Guidelines recommends seven approaches, but that is still not enough: “Development occurs in nested contexts of family, school, neighborhood and the larger culture (Bronfenbrenner, 1979).” Successful implementation of DASA and SEDL requires concentric support from surrounding communities and organizations, businesses, universities, and government agencies.

To start, leaders need to take this conversation to the greater school community, which is the first of seven approaches a statewide SEDL focus group recommended in 2008. Help from traditional community partners and ones yet to emerge will be necessary. Similarly, school leaders cannot wait to provide in-service awareness training to staff on whole-child social emotional development and learning topics discussed above. This work over time entails a significant investment and requires careful planning and agreement. To take root, school leaders also need “concentric support.”

Recognition by college and university teacher preparation programs will signal the importance of ongoing SEDL education. The University of British Columbia is conducting a

¹² New York State’s gradual shift from Committee on Special Education referrals to classroom Responses to Intervention (RtI) may enable school psychologists to assume a more active role as “mental health practitioners” that can guide parents and teachers.

scan of social-emotional learning coursework and requirements in pre-service teacher education programs in Canada and the United States. A scan of teacher certification requirements is near completion. In the U.S., the Morgan Family Foundation is supporting the San José State University “Collaborative for Reaching & Teaching the Whole Child” to embed the “social-emotional dimension of teaching and learning (SEDTL)” in pre-service teacher education courses. The field-experience portion of teacher preparation will include training for university supervisors and cooperating teachers on how to coach candidates for SEDTL. A Principals' Network Series is underway which will bring school leaders a “SEDTL lens” to coaching and conversing with teachers.

FIVE IDEAS

Here is how BOCES, the State Education Department’s Office of P12 Education and Office of Teaching Initiatives, and the Legislature and Governor can support 2.7 million young people attending NYS schools:

The 37 BOCES and NYCDoE

The SEDL website stores examples from around NY State of what social-emotional development and learning looks like. These vignettes were then incorporated into a web-based county map. See <http://www.p12.nysed.gov/sss/map/counties.html>. More of these examples are needed to “populate” every county. Educators from BOCES and the New York City Department of Education who routinely provide training and assistance to schools in their region can collect, vet and submit new vignettes and expand this digital learning community. NYSED’s Office of Student Support Services has a template for writing vignettes but it no longer has the capacity to read and edit submissions. Putting local stories “on the map,” particularly if they include evidence of effectiveness, will provide a public good.

Office of P12 Education

NYSED can offer training to regional network teams on “Creating school climates and cultures that actively support student engagement and achievement.” This training will fulfill a Race to the Top “invitational priority” outlined under “School-Level Conditions for Reform, Innovation, and Learning” in New York’s application and demonstrate the Regents’ and Commissioner’s sustained commitment to DASA and SEDL.

Office of Teaching Initiatives

NYSED can report to the Regents on current and projected course offerings in teacher preparation and advanced course work on emotional intelligence and its connection to student learning and teacher effectiveness.

Legislature and Governor

The New York State Legislature can wisely fund the Dignity for All Students mandate by reinstating a version of the Total Aidable Pupil Unit as an incentive to improve school attendance by requiring districts to disaggregate and analyze absentee data and employ best practices to reverse their school attendance trends; see Baltimore (Green, 2011) and NYC (DoE, 2010). This is a “give-to-get” proposition, not the traditional formula-driven TAPU budget line.

School Administrators

For those not familiar with social-emotional development literature, Daniel Goleman's article "What Makes a Leader?" published in 1998 in the *Harvard Business Review* is a natural introduction. Goleman describes research he conducted with executives which show emotional intelligence to be twice as important as other qualities, including technical knowledge and IQ, in predicting successful leadership and company performance.

Also, available on the *Edutopia* website, courtesy of the George Lucas Educational Foundation, are videos of social emotional learning examples from classrooms across the United States.

As a reintroduction to the connection of social emotional development to learning, I recommend "Child and Adolescent Development: The Critical Missing Focus in School Reform." James Comer's thesis is that the school culture must be in place first in order for new approaches to curriculum, instruction, and assessment to succeed (2005).

Conclusion

DASA must identify prejudice-based animosities that in the past may have gone undetected; confront menacing, intimidation and harassment; and sensitize young people and staff to its harmfulness. The SEDL Guidelines show educators and communities how to incorporate prevention and tiered intervention strategies in schools so that children feel safe, can mature socially and emotionally, concentrate better and learn.

When anti-social or disruptive events occur, they trigger fight, flight or freeze stress responses in aggressors, victims and bystanders. When individual or multiple amygdalae are hijacked, school becomes a hectic place and the imperative to manage a safety threat in quick decisive fashion is unarguable. But when incidents erupt, offenders are caught, and the educational objectives of victims and victimizers are interrupted, it warrants a closer look at the cost-benefit of prevention.

As James Comer of the Yale Child Study Center explained, "Emotion precedes attention which precedes learning. Information learning needs relationship; the quality and culture of the school environment matters." Comer understood that "there is strong resistance to accepting child and adolescent development as a central focus in school reform" but holds to his belief in "balance responses of controls and consequences with support and development" (2005).

The research collected in this paper points to a combination of preventative actions local governments, community organizations as well as state and local education agencies can take to better meet student cognitive and affective developmental needs. Schools cannot do this alone. School leaders, however, can lead.

DASA "*bullying prevention*" combined with SEDL "*developing social awareness and self-management*" offer researched-based approaches to counteract student non-cooperation, disengagement, cruelty, and self-harm. That is the opportunity DASA presents.

Selected National Trends

In School Crime and Safety

From The 14th *Indicators of School Crime and Safety Report* (for 2011 -Feb 2012),
<http://nces.ed.gov/pubs2012/2012002.pdf>
National Center for Education Statistics (NCES) and Bureau of Justice Statistics (BJS)

Serious Disciplinary Actions

During the 2009–10 school year 39% of public schools took at least one serious disciplinary action against a student for specific offenses:

- 74% were suspensions for 5 days or more,
- 20% were transfers to specialized schools, and
- 6% were removals with no services for the remainder of the school year.

Bullying and Harassment

The percentage of public schools reporting incidents of bullying and harassment that “happen at least once a week” between 1999-00 and 2009-10 trended downward from 29% to 23%

In 2009, about 28% of students, ages 12–18 reported being bullied at school during the school year.

- 19% reported that they had been made fun of, called names, or insulted.
- 16% of students reported being the subject of rumors,
- 9% said they had been pushed, shoved, tripped, or spit on;
- 6% reported being threatened with harm.
- 5% of students reported being excluded from activities on purpose,
- 4% reported that others had tried to make them do things they did not want to do,
- 3% reported that their property had been destroyed by others on purpose.

Public schools reporting incidents that “happen at least once a week:”

- Student sexual harassment by other students (first measured in 2003-04) ranged from 4-3%;
- Student harassment of other students based on sexual orientation or gender identity, reported for the first time in 2009-10, was 2.5%

Student Racial and Ethnic Tension

In 2009, 9% of students ages 12–18 reported being **targets of hate-related words** at school

- 11% each of Black students and Hispanic students reported being **targets**
- 7% of White students reported being **targets**,

In 2009, 29% of students reported seeing **hate-related graffiti** at school during the school year.

- 32% of Hispanic students reported seeing **hate-related graffiti**
- 28% of White students reported seeing **hate-related graffiti**

Schools with an **enrollment size** of 1,000 or more reported higher percentages of student racial and ethnic tension (6%) than schools with an enrollment of 500–999 (3%) and 300–499 (3%).

Fighting and Carrying Weapons (in past 30 days)

Surveys of students in grades 9 through 12	1993	2009
Being in a physical fight at least once <i>anywhere</i>	42%	31%
Being in a physical fight at least once on <i>school property</i>	16%	11%
Carrying weapons at least one day <i>anywhere</i>	22%	17%
Carrying weapons at least one day on <i>school property</i>	12%	6%

A higher percentage of **students in 9th grade** reported being in fights than students in any other grade, both *anywhere* and *on school property*.

By race: Students that reported being in a physical fight during the previous 12 months

Student Race / Ethnicity	<i>Anywhere</i>	<i>On school property</i>
Asian	19%	8%
White	28%	9%
Hispanic	36%	14%
Black	41%	17%
American Indian / Alaska Native	42%	21%

Appendix A: Classroom and School Programs ¹³

Illustrations of Brain-based Teaching:

- *Smart Moves: Why Learning Is Not All in Your Head* (2010) by Carla Hannaford, describes how our physical state affects learning. Hannaford developed "*Brain Gym*" including a few simple exercises to use in class to revive overall concentration.
- *Deep belly breathing* exercises bring dopamine and serotonin into the neuro-system and reduce adrenaline and cortisol which shift the brain's attention from learning. Some teachers employ these "brain breaks" routinely.
- *Metacognition*, based on cognitive psychology, is where students think about their thinking when tackling a math or science problem or writing and revising a paragraph. It has a corollary to self-regulating, monitoring and adjusting one's emotional response so that young people and adults avoid being captive of their amygdala.
- "*Brainology*" is Stanford University psychology professor Carol Dweck's phrase to promote the idea of how mindsets can be communicated to students. A negative or *fixed mindset* believes "if you have to work at something, you must not be good at it." The *growth mindset* believes "effort is what ignites my ability and turns it into accomplishment" (2006).¹⁴
- *Student Strengths Assessment*, developed by the Devereux Center for Resilient Children, is designed for K-8 general or special education teachers (often with parents) to evaluate a child along 72 positive behaviors. The assessment identifies children's strengths and needs that in turn guide strategies to build a child's resilience and skills for school and life success.

Illustrations of the SEL Programs and Strategies

1. *Community-based Bullying Prevention Tips*

Although much bullying happens at school, it doesn't stop at the schoolhouse door. Bullying prevention messages can be more effective if they come from many adults in a community—not just from educators and parents. This four-page guide is geared toward community members to discuss and act on bullying prevention.

www.creducation.org/resources/SBN_Tip_25.pdf

2. *Class meetings* begin and organize the day in elementary school classrooms to discuss, implement and reinforce class rules, and develop students' citizenship and social and emotional skills. The meetings also help teachers learn to either attend to or refer students that are dealing emotional matters.

¹³ I offer a few examples neither as recommendations nor something to do now. See the SEDL Guidelines Part IV regarding "Implementation" and Appendix V "Planning Tools" to think about suitable interventions. Also, CASEL will soon issue its *2013 SEL Program Review* which updates its 2003 *Safe and Sound Guide*.

¹⁴ See **Appendix B** for a critical review of two kinds of social-emotional development applications in school and classroom settings: "Mindsets" and "Social Skills."

3. *Emotional Literacy in the Classroom* a program developed by Marc Brackett, Deputy Director of Yale University’s Health, Emotion and Behavior Laboratory, concentrates on learning and applying five social, emotional and academic “*RULER*” skills: recognizing, understanding, labeling, expressing, and regulating emotions. Students and teachers from NYC District 75¹⁵ displayed and demonstrated in its 2012 “Effective Practices Conference” how *RULER* skills are taught and understood in Pre-K –12 classrooms. As an example, poster displays described through writing and drawings students’ “Meta-Moments” over six stages. This example comes from a seventh grade girl in the Bronx:

Something happened	“They called me names like ugly.”
Sense	“My heart is thumping and my mind says ‘I’m Angry’”
Stop	Draws a STOP sign and to the side a thought balloon says “think.”
See your best self	Head held high wearing a crown she chooses to “act like a Queen.”
Strategize	Six steps included “breathing, walking away and talking to friends.”
Succeed	“I kept my cool”

4. *Cultivating Teacher Awareness and Resilience in Education* was created by Penn State University professors Marc Greenberg and Patricia Jennings. C.A.R.E. concerns itself with teacher self-care so that teachers may respond to stressful class and school situations in healthy, constructive and supportive ways. The training acknowledges the “burnout cascade”: emotional exhaustion, de-personalization, and lack of accomplishment inherent in teaching (NEA, 2006); and that increasing demands of teaching require new skills. The training emphasizes techniques to build resilience and has been likened to “putting the oxygen mask on ourselves first.”¹⁶

5. *School Connect* is designed for high school students to examine underlying beliefs, thinking patterns, and emotions that affect their decisions and behaviors. The modules address being a member of a school community, developing self-awareness and self-management, building academic strengths and self-efficacy, practicing problem-solving negotiation, refusal and persuasion skills, and apologizing and forgiving others. The 40-lesson curriculum can be covered in a semester or over a year and as a Freshman Seminar, or integrated into health education, or in selected 9th grade English literature lessons.

6. *Second Step* is a violence prevention/social and emotional learning curriculum to increase children’s higher order social skills and decrease aggressive behavior on the playground. The curriculum provides structured, sequenced lessons for grades K–8 and is designed to be delivered over the course of a school year. The curriculum includes lessons on anger management, problem solving (e.g., dealing with bullies, rumors), and empathy.

¹⁵ New York City’s District 75 enrolls and teaches students who are on the autism spectrum, have significant cognitive delays, are severely emotionally challenged, sensory impaired and/or multiply disabled.

¹⁶ An area of research argues that “personal attributes of developing teachers, the stages of professional development that teachers go through as they learn to teach, and the progression of concerns that teachers typically experience” is also important to gauging teacher quality: “(T)he social and cognitive complexity of teachers and teaching, and teacher interactions with their students” the researchers suggest, needs to be systematically tied to the larger body of work on teacher effects on student achievement (Rimm-Kaufman and Hamre, 2010).

7. *Mind Up*, supported by the Hawn Foundation and guided by the principles of Martin Seligman’s work in positive psychology, utilizes a spiral curriculum for grades K-2, 3-5 and 6-8. The program is organized around four units that aim to develop students’ skills in: focusing attention by quieting the mind; sharpening awareness of their environment; understanding the perspectives of others and developing capacity for optimism; and learning to be empathic and helpful. Children learn about their brains and how stress interferes with thinking clearly.

8. *Six Seconds* trains teachers in “self-science” that translate into class lessons, conscious daily interactions with students, inviting communications with parents and a means for teachers develop their social and emotional intelligence. As a “restorative” discipline model, self-science takes a child through a sequence of questions to practice his or her “consequential thinking.” Have them describe what happened and recall their thoughts and feelings, then ask: “What made you feel you needed to act? Is it a pattern for you? Does it usually work? How did your behavior affect the class or school community? What might work better next time? The process concludes with a plan of action.”¹⁷

9. *Advisories* are a secondary school counterpart to “class meetings” (described above). Advisories work—especially for students in transition—to ensure a personal connection with at least one adult, which is important to social and academic success and academic personalization especially for students in transition. Related strategies are cited below.¹⁸

10. *Character Education* often addresses emotional intelligence. *Smart and Good High Schools*, co-authored by SUNY Cortland psychologist and professor Thomas Lickona (2005) lists eight strengths of character including “socially and emotional skilled, ethical thinker, respectful & responsible moral agent, self-disciplined, and crafting a noble purpose.” Author Paul Tough (2012) distinguishes between “moral character” traits related to honesty, piety, chastity, generosity and “performance character” traits related to self-control, persistence, grit, optimism, which schools may be best poised to teach (Ferlazzo, 2012). Maurice Elias, professor of psychology and education at Rutgers University, incorporated emotional intelligence and social skills education into New Jersey’s Social-Emotional and Character Development (SECD) programs.¹⁹

¹⁷ This exercise demonstrates a restorative justice approach to school discipline and can be presented at parent meetings.

¹⁸ Assemblies; student opportunities to help others; small groups meetings for managing divorce, anger, relationships, loss; individual family counseling; and collaborating with community service providers.

¹⁹ See also “Kindred Educational Movements” in Appendix D of the SEDL Guidelines and a section called “SEDL in Action” with an accompanying NYS Map.

Appendix B: A Review of Recent SEDL-related Research

Like all the social sciences, there is a degree of uncertainty and unpredictability in education research. The Consortium on Chicago School Research (CCSR) reviewed the methodological strength of the “affective domain” of student learning in a report called “The Role of Noncognitive Factors²⁰ in Shaping School Performance: A Critical Literature Review” (2012). Two of the five non-cognitive factors CCSR studied are highlighted below: *Mindsets* and *Social* (and Emotional) *Skills*.

Evidence on *Mindsets*

CCSR lists impressive findings from five “psycho-social” intervention studies where “growth mind sets” were tested. Each study had control and treatment groups and in one case, a one-year follow-up. Two studies involved college students, and the other two separately involved ninth graders and seventh graders, respectively. The results suggested that “changing students’ mindsets can result in improvements in academic performance as measured by grades” concluding that “academic mindsets are malleable.” The evaluation noted also that classroom conditions “have powerful influences on students’ feelings of belonging, self-efficacy, and valuation of schoolwork and can also reinforce or undermine a growth mindset.” CCSR cautioned against overgeneralizing from limited research findings saying “a broader evidence base would strengthen the claims,” and they raised other questions.

What about students who identify with others for whom academic achievement is not the norm? In cases that involve racial or ethnic minority students a *stereotype threat* may give rise to “self-doubt and undermine minority students’ commitment to education and achievement.” Further, that anxiety about stereotypes interferes with minority students’ cognitive processing. Researchers Perry, Steele, and Hilliard (2003) suggest that school adults need to take an extra step in “redefining both the content and import of the messages minority students receive about the relationships among belonging, ability, effort, success, and, ultimately, value.” Finally, CCSR agrees with concerns cited in in the national data that students are particularly vulnerable across school transitions.

Bottom line: a gap persists “between research findings and teachers’ intentional use of strategies to promote positive student mindsets. Because academic mindsets are so critical to strong student performance, figuring out how to bridge this research/practice gap seems to be a prudent avenue for future work.” The CCSR research “challenges the notion that hard work and effort are *character traits* of individual students, instead suggesting that the amount of effort a student puts in to academic work can depend, in large part, on *instructional and contextual factors in the classroom*” (emphases added).

²⁰ The CCSR authors admit the word choice reinforces a false dichotomy between what comes to be seen as weightier, more academic “cognitive” factors and what by comparison is perceived as “fluffier” or “soft” non-cognitive skills. Both factors continually interact and “changes in cognition are unlikely to happen in the absence of this interaction.” Benjamin Bloom’s taxonomy (1956) distinguishes between the “affective,” “cognitive” and “psychomotor” domains.

Evidence on *Social Skills* ²¹

A meta-analysis of school-based interventions to enhance students' social and emotional learning (SEL) in 2011 concluded that social-emotional interventions also had a positive effect on academic achievement "translating to a percentile difference of 11 percent" on achievement test scores. However, the analysis "cannot disentangle the effect of 'social skills' from myriad other social-emotional development concepts."

CCSR offers thoughtful critiques of SEL studies:

- a link between social skills and academic performance cannot show "evidence of the direction of the association" between the two;
- most SEL studies are at the elementary school level;
- extensive research on social skills training programs found to be "generally effective interventions" had varying "methodological strength;"
- programs led by well-trained professionals "more likely produce change;" and
- outcomes are lower for "children who exhibit clinically significant deficits."

The scarcity of SEL programs for high school students and the absence of measures for racial, ethnic, or gender differences are a concern. The SEL research gives no guidance for one of the most pressing public education issues in the US: the disproportionate number of minority students and African American males specifically, "who experience disciplinary action in school because of behavioral infractions."

Social skills are important because they prepare adolescents for adulthood, yet in high schools "social skills are less utilized in the way classrooms are currently structured where independent tasks and assignments largely determine a student's individual grade." CCSR makes an argument for more project-based learning across the upper grades.

The CSSR research is limited to sequenced, scripted intervention programs. It gives little direction for classroom teachers wanting to support the positive development of social skills in their students outside of a formal program.

To achieve success in subsequent years of DASA implementation, school administrators, teachers, counselors, psychologists and school boards will benefit from high quality courses and training on social-emotional intelligence and applying its principles to creating school environments and affirming classrooms.

²¹ Teaching social skills is one of seven approaches recommended in NYS' SEDL Guidelines to incorporating social emotional development in elementary and secondary education programs.

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