



Student Misbehaviour - Of No Meaningful Consequence

A PAPER FROM THE MANAWATU/WANGANUI REGION

1 Introduction

- 1.1 A number of papers have come to annual conference to address the concerns about student behaviour. Most recently the paper *No Silver Bullet* (2010) argued for the introduction of Positive Behaviour for Learning (PB4L).
- 1.2 Although these papers have acknowledged the problem of student behaviour, none have seriously addressed how teachers' authority in a classroom and in schools has been undermined, not by the student causing the behaviour, but in many schools by stripping teachers of the ability to effectively consequence behaviour. Rather than dealing with poor student behaviour, the attempts in some schools to deal with problematic behaviour have actually exacerbated problems for all parties involved. The Ombudsman's report into bullying at Hutt Valley High School is a significant official report that provides evidence for this view. (McGee, D. 2011)

2 The Ombudsman's Report into Bullying at Hutt Valley High School

- 2.1 As the result of a parental complaint the Ombudsman investigated a number of violent incidents that occurred at Hutt Valley High School in December 2007. Close reading of the report shows that it is not the actual violent incidents that were of concern, but a lack of action by the school and a lack of willingness to sufficiently consequence the unwanted behaviour.
- 2.2 Although teachers were held partly accountable by the Ombudsman, the report shows a school where staff appear to have lacked any meaningful power to prevent violent incidents, and when incidents were referred on to senior managers little was done.
- 2.3 Prior to these incidents an eliminating violence survey had been conducted by the Ministry of Education. The Ombudsman's report says:

A number of staff surveyed also suggested a need for harsher and more consistent punishments for bullying. Among the comments were: 'I think we need to be firmer on violent behaviour, not so many chances for repeat offenders'; 'the senior admin need to be more



consistent and tougher in dealing with things. If a student does something wrong of a bullying/threatening nature then it needs to be dealt with – not a chat between teacher and student to see what happens next ...'; 'More severe punishment for the bullies so that they understand it will not be tolerated, at the moment it is just a joke.' (McGee, 2011, p.7)

- 2.4 The report places a great deal of the blame on the school management for the events and response to them, noting that:

The results of the survey were potentially indicative of systemic problems with the management of the School (McGee, 2011, p.8).

- 2.5 Although the focus of the report was on specific incidents some of the underlying themes were:

- A weak response by school management to serious incidents;
- A failure to listen to staff concerns about student behaviour in general; and
- A call by staff for harsher and more consistent consequences.

- 2.6 Most New Zealanders would hope that what happened at Hutt Valley High was an isolated incident. The Ombudsman sustained the complaint that the school had developed a culture of minimising serious incidents (McGee, 2007, p.21). If that culture exists widely beyond this school then it is possible that the kind of incidents that occurred at Hutt Valley High in 2007 may be more widespread.

3 Teachers not trusted to use school consequences

- 3.1 Formal consequences do exist in most secondary schools in New Zealand. This paper refers to two: the formal school detention and withdrawal or time out rooms. However there is variation between schools about who can issue formal school consequences and how withdrawal from class is designed and used.
- 3.2 In 2009 Dr Kevin Knight¹ spoke to PPTA Manawatu/Wanganui region's annual conference about backup systems. He outlined how many schools subtly discouraged teachers from using backup systems, ie withdrawal rooms, and how teachers were often not trusted to use them. He gave some anecdotal examples of teachers being told to use backup systems "only when they really had to" and the management of some schools making comments to teachers such as "You can't expect us to do your discipline for you."

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- 3.3 Knight argued that for withdrawal rooms to be effective they must be seen as a consequence in their own right by everybody, teachers and students. Generally this would mean time out and phone contact home on the same day. He said for withdrawal rooms to be effective teachers must be trusted and encouraged to use them. This is consistent with PPTA's view that a high trust model should operate in schools.
- 3.4 Knight is not the only behavioural expert in New Zealand to express the view that consequences are lacking. Nigel Latta in an interview on TVNZ close up (2007) reiterated a similar point, arguing consequences for teenagers were lacking in NZ schools. Latta said:

Schools often find it difficult to deal with these kids' behaviour because, across the board, we are not holding kids accountable and what we do in this world that is obsessed with being nice and supporting kids is that if a kid does something bad we give them counselling and support and help them work out their problems, which is all good. But we don't give them a reason not to be bad. We give them reasons to be good, this is all this reinforcement and support. We don't give them a reason not to be bad and that's half the problem, these kids know nothing will happen to them.... What we are not good at is the punishment thing. Punishment has become an unfashionable word and you say it and people grimace and become concerned that the young person's self-esteem may be damaged but as part of a behaviour management plan, punishment works to change behaviour. (Valintine, 2007)

- 3.5 Latta further argued in the NZ Listener, July 18 2009, in an article on parenting, that he thought incentives for good behaviour were hugely important. However he also believed in punishing bad behaviour. He said that punishment was not about being punitive but about people doing the maths to work out the cost of bad behaviour.

4 Ad hoc consequences - a health and safety hazard

- 4.1 In the Manawatu/Wanganui region we know of secondary schools that do not permit classroom teachers to issue formal school detentions and others that place significant restrictions on how classroom teachers can use them.
- 4.2 In some schools teachers can be pressured to run their own detention or implement some other form of punishment. In other schools a formal detention will not be issued unless the teacher has attempted to run their own detention and the student has failed to show. Sometimes it goes beyond that and written instructions are given to teachers to issue their own consequences to students.



- 4.3 These kinds of policies possibly arise from a misguided belief that it is important that students see the teacher issue the consequence themselves even though behavioural psychology is quite clear that a consequence should be associated with a behaviour not a person.
- 4.4 As a result in some schools you will see a litany of informal consequences being issued by teachers. The use of ad hoc consequences may be a health and safety concern for teachers and students. We know that the use of ad hoc consequences has resulted in serious complaints against teachers.

5 Increasing bureaucracy and paperwork

- 5.1 In the past where a teacher would write the name of a misbehaving student in a book for school detention, teachers now in many schools are required to write up the incident, explain “what they did to fix the problem”, and hope that school management issues a meaningful consequence.
- 5.2 Experience in our region suggests that excessive paperwork and delays associated with getting a school response put the teacher off reporting incidents. The situation can be worse for new or temporary staff in schools where there is uncertainty about what to do with misbehaving students. This is especially a problem with schools developing longer and more complicated behaviour management systems.

6 Manawatu/Wanganui concerns about recent initiatives

- 6.1 Two widespread initiatives in New Zealand schools are the Positive Behaviour for Learning (PB4L) and Restorative Practice.

6.1.1 PB4L

The Government is putting significant resources into PB4L and PPTA supports the program subject to two restrictions. They are:

- i. From the 2010 Annual Conference paper, *No Silver Bullet*, a recommendation was passed saying “THAT PPTA call on all schools implementing PB4L to properly consult with branches at least once annually”.
- ii. From the 2008 Annual Conference paper, *Disruptive Anti-social Behaviour in Secondary Schools*, in the aftermath of the difficulties at Hutt Valley High School, a recommendation was passed saying “THAT PPTA branches urge their Boards of Trustees to consult with them prior to the implementation of any pro social behaviour programmes in classrooms”.



6.1.2 Consultation with the branch is crucial because the branch is able to formulate a more honest opinion about the state of a school's discipline system rather than staff at a meeting run by the principal. We know that PB4L has been implemented properly in some schools, however we also know of other schools where branches have not been properly consulted. This is despite the PPTA President writing to principals in 2012 requesting branch consultation.

6.1.3 Although PB4L is described as "Building a sustainable culture of respect and competence in partnership with the whole school community" (Education Queensland, 2013) it would seem that despite conference remits and the President's letter many branches are not being formally consulted. Given that PB4L is built on partnership and consultation it seems strange that this would be an issue.

6.2.1 Restorative practices

The Ministry of Justice (2013) defines restorative justice as:

Restorative justice is a process for resolving crime that focuses on **redressing the harm done** to victims, while holding offenders to account and engaging the community in the resolution of conflict. It does this primarily through a meeting between the victim and the offender called a restorative justice conference. (emphasis added)

6.2.2 Restorative Justice Aotearoa (2013) defines restorative practices in schools as:

those methods of discipline which attempt to focus on the restoration of relationships and the creation of a culture of care and "responsible citizenship", instead of solely meting out punishment. Restorative practices could include a conference between the bully and the person bullied, involving staff, families and community contacts. Such practices usually involve the acknowledgement of wrongdoing, accountability for actions, the repair of harm or **some sort of reparation**, and a plan to support both bully and bullied, in collaboration with wider support networks. (emphasis added)

6.2.3 In the definition of restorative justice and restorative practice although not specifically stated, some form of consequence exists, in the form of restoration to the victim by the bully or perpetrator. However, in many schools the conference has denigrated into a conversation, often between teacher and student, with a plan of intended behaviour with no consequence or



restoration. Our region supports the use of restorative justice and practice but not the watered down version that now exists in many schools.

- 6.2.4 Additionally we do not support the idea that restorative justice or restorative practice operates in isolation from other forms of justice and consequence. The Ministry of Justice (2013) further describes restorative justice as a voluntary process but as a region we are concerned about elements of compulsion that seem to be developing in schools.

7 Stand downs, suspensions, exclusions and expulsions

- 7.1 Of great concern to teachers and the community are the large number of stand downs, suspensions, exclusions and expulsions that occur in New Zealand schools. In 2011 there were 24.5 stand downs per 1000 students (Education Counts, 2013).
- 7.2 A question that our region asks is, is whether the high level of stand downs, suspensions and exclusions is related in part to a lack of other kinds of consequences in schools? We know that in our region some schools will stand down a student automatically for swearing at a teacher. Is this an appropriate consequence or would it be better dealt with by a time out room and parental contact? Where an incident is sufficient to warrant a board disciplinary hearing we believe it is important that any victim of the behaviour has an opportunity to present evidence which may include attending the suspension hearing. This was one of the Ombudsman's recommendations (McGee, 2013, p.40).

8 Summary

- 8.1 Teachers' power to issue formal school consequences has been significantly reduced in many schools by a combination of increasing bureaucracy, lack of trust, and the removal of the formal school consequence or the right to issue a formal school consequence. Additionally teachers are being pressured to issue their own informal consequences, sometimes placing both themselves and their students in unsafe situations. As a result, situations such as those dealt with by the Ombudsman may arise in schools more often than they need to. New Zealand behavioural experts, Latta and Knight, have argued for consequences in schools. Knight argues further that teachers should be empowered to issue the consequence (namely withdrawal from class for a period of time). This can occur alongside initiatives such as PB4L and restorative practice, however these initiatives should not replace or reduce the ability of teachers to issue formal consequences with relative ease.



9 Recommendation

1. That the report be received.

Recommendations that were passed at the 2013 Annual Conference – copied from the minutes:

1. THAT the report be received.
2. THAT PPTA branches be made aware of the existing resources available to evaluate behaviour management systems.
3. THAT PPTA establish a behavioural management taskforce to investigate the issues in this paper and report to 2014 annual conference.
4. THAT PPTA lobby the Ministry of Education for targeted funding, staffing and management units to be spent on behaviour management systems.



References

Duff, R. (2012, 1 May). Letter to School Principals re: PB4Lsw, NZPPTA, Wellington.

Education Counts. (2013). Indicators, Suspensions from Schools. Retrieved from <http://www.educationcounts.govt.nz/indicators/data/student-engagement-participation/3721>

Education Queensland. (2013). School Wide Positive Behaviour for Learning. Retrieved from <http://www.learningplace.com.au/deliver/content.asp?pid=47366>

McGee, D. (2011). Report of David McGee, Ombudsman, on Complaints Arising Out of Bullying at Hutt Valley High School in December 2007, NZ House of Representatives, Wellington, NZ. Retrieved from http://www.ombudsman.parliament.nz/system/paperclip/document_files/document_files/505/original/bullying_report.pdf?1355787360

Ministry of Justice. (2013). Retrieved from <http://www.justice.govt.nz/policy/criminal-justice/restorative-justice>

NZPPTA. (2008). Disruptive anti-social behaviour in secondary schools: A paper to the PPTA Annual Conference from the Hutt Valley Region, (2008 Conference paper), NZPPTA, Wellington, NZ.

NZPPTA. (2009). Report on Dr Kevin Knight's speech, (2009 Manawatu/Wanganui PPTA regional AGM), NZPPTA, Manawatu/Wanganui, NZ.

NZPPTA. (2010). No silver bullet: An update on issues relating to behaviour and engagement in secondary schools, (2010 Conference paper), NZPPTA, Wellington, NZ.

Restorative Justice Aotearoa. (2013). What is restorative justice? Retrieved from <http://www.restorativejusticeaotearoa.org.nz/node/281>

Valintine, M. (Executive Producer) (2007, December 4). Close Up, Auckland, NZ TVNZ. Retrieved from <https://www.youtube.com/watch?v=uHPHW9z8uC0>