

Texas Classroom Teachers Association

P.O. Box 1489
Austin, TX 78767

512-477-9415
1-888-879-8282
Fax 512-469-9527

<http://www.tcta.org/>



**Testimony of Lonnie F. Hollingsworth, Jr., Director of Governmental Relations
Texas Classroom Teachers Association
Before the Joint Hearing of the Senate Education Committee and Criminal Justice Committee
October 30, 2012**

Thank you for the opportunity to testify before you today representing the Texas Classroom Teachers Association. Our membership is limited to classroom teachers and those who work directly with students, including teacher aides, counselors, diagnosticians, and librarians, so we are acutely aware of the impact disciplinary problems have on the learning environment.

There are a few points I would like to emphasize here today.

When teachers leave the profession, a significant percentage cites working conditions as the reason. Among the top working conditions causing teachers to leave is the lack of discipline or administrative support in attempting to address disciplinary problems.

A great number of the calls from our members to our Legal Department are regarding disciplinary problems, starting even at the kindergarten level.

Our primary message to you today is that if you take away a disciplinary tool from teachers, it must be replaced with another equally or more effective tool.

In recent years, we have seen an increasing impetus to eliminate disciplinary options for teachers. Many schools have done away with corporal punishment, an issue on which our members were split when we last polled them many years ago. There has been a push to limit removals from the classroom, and teachers have been cautioned against using restraint or time out. All of these revisions had a reasonable rationale, but they limited the options for teachers to deal with students who can be unimaginably difficult to control.

We are not persuaded that early encounters with school discipline suggest a life of crime in the future. Correlation is not causation. It is also difficult to draw the line on what should be punishable – do we stop enforcing truancy and other laws to avoid those early encounters with law enforcement?

Here are some suggestions we'd like to make for your consideration:

Consider requiring that someone other than a teacher be designated as the campus disciplinary officer at each campus. We would very much like to see responsibility for discipline become an administrative, not a teacher, duty. We are fine with teachers being responsible for classroom management, and teachers are already evaluated on that skill under the PDAS. But teachers should be able to focus on teaching and to refer those students who are disrupting the learning environment for everyone to an administrator for action.

The current provision in law providing that a teacher may send a student to the principal for appropriate disciplinary action is not, on most campuses, working effectively. When a student is simply returned to the classroom with no meaningful action taken, this option serves only to demonstrate to students that there are no real consequences.

We suggest that the disciplinary officer be required to take progressively more stringent steps when students are referred to him or her, and that these steps be documented. For example, the first step might be for the disciplinary officer to call the parents. If another referral became necessary, a meeting with parents or guardians and the disciplinary officer might be required. Further consequences could be developed.

Our organization thinks that distance learning has some potential for students who are disciplinary problems. If a student disrupts a class to the extent that other students' ability to learn is impaired, it may be appropriate to provide the disruptive student's education, at least for a while, through technology, either on or off campus.

Three sessions ago, you fixed the problem of elementary students being ticketed in some districts for relatively minor offenses that violated the student code of conduct, like chewing gum or running in the halls. Last session, you decriminalized disruption of classes by an elementary student and made that conduct ineligible for ticketing. Our organization has not taken a position on ticketing of students by campus police forces. However, we remain concerned that more serious offenses, such as disorderly conduct or assault, should remain subject to penalties through the criminal justice system. Should you consider eliminating the ability of campus police officers to issue such tickets, which we are not advocating, we would ask that you not decriminalize the offense in general. There should always be an option in the case of offenses like disorderly conduct or assault for the municipal police to be contacted and to issue tickets regardless of the ability or lack thereof of campus police to do so.

Disciplinary alternative education programs were originally envisioned as programs where students with significant disciplinary issues could receive special attention and intensive, low teacher to pupil ratio classes. They were an alternative to the practice of suspending or expelling students to the streets, where there is a clear path to further involvement in criminal activity. We urge you not to change the provisions of Chapter 37 that empower teachers to remove seriously disruptive students from class or to restrict the authority of districts to remove students to disciplinary alternative education programs.

Finally, we need some way to get the attention of the parents or guardians of students who are disruptive. Our primary concern is not the gum chewers or the talkers, but the small but incredibly difficult group of students who are threats to others and who truly do disrupt the learning environment to the point that it is no longer an atmosphere conducive to teaching. These students must be dealt with swiftly, consistently, and in such a manner that it is clear to all students that discipline will be enforced and they are in a safe environment.

Thank you for your attention to our perspective and our concerns. We urge you not to just react to those who are critics, but to be proactive in providing teachers the environment they need to instruct those students who are at school to learn. We look forward to working with you in that process.