EXPLORING TWO DRUG AND ALCOHOL POLICIES:
WHERE ARE THE BEST INTERESTS OF THE STUDENT?

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by
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ABSTRACT

School exclusion is a common disciplinary technique in education. Although schools may differ on what actions warrant exclusion and for how long, most districts, in policy or in practice, exclude students for possession of drugs and alcohol. How schools weigh their response to students involved with drugs and alcohol against the needs of society, the school, and the student is a decision with implications that reach beyond the immediate issue of possession.

Beyond attempting to educate students on the dangers of drugs and abuse of alcohol, schools impose consequences on students for abusing drugs and alcohol. Gottfredson and Gottfredson (2001) found that 98% of schools surveyed had written policies regarding drug use. These policies are often zero tolerance; that is, they require mandatory exclusion from school. Such policies usually have a counseling component as well. Schools recognize the need to help students with a possible addiction, but they also see a need to punish the student and send a message to others that this behavior is not tolerated.

This researcher noted, as a former high school assistant principal and current district administrator, student drug and alcohol polices often result in contentious situations between desires of parents, community expectations, and immediate needs of the students. School district policy is written to provide direction amongst such competing interests. However, research indicates that such policies that favor school exclusion and minimal counseling are not serving the needs of the student.
Shapiro and Stefkovich (2005) and Stefkovich (2006) propose a model for making ethical decisions regarding the welfare of students in the midst of competing interests. *Best interests of the student*, emerging from the ethic of professionalism, is presented as a maxim for educational decisions. Stefkovich presents the pillars of rights, responsibility, and respect as a circular model to aid educational leaders to make decisions that keep the needs of the student at the center.

This research sought to explore the rationale for provisions of regional student drug and alcohol policies and determine to what extent they served the *best interests of the student*. The purpose was to expand the theoretical base for *best interests of the student* as defined by Stefkovich (2006). To that end the following research questions were posed: (a) how do different social actors representing individuals, the state, and the public define what constitutes *best interests of the student*; (b) how do these criteria differ across different institutional actors; and (c) what structural factors shape the criteria used by these different actors?

The qualitative research project utilized a multiple case study design. At the initial site, data was collected and analyzed to identify patterns and themes relative to the research questions. The second site was incorporated for a theoretical replication. Data revealed that social actors defined *best interests of the students* according to rule consistency, equality of consequences, and agency accountability. Although the concepts were suggested in the data, unless specifically asked there was little reference to terms such as rights, responsibility, and respect. Themes were consistent between sites with differences attributable to local conditions.
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CHAPTER 1

INTRODUCTION

“In educational administration, we believe that if there is a moral imperative for the profession, it is to serve the ‘best interests of the student’.”

Shapiro & Stefkovich, 2005, p. 25.

Destructive Decisions

Adolescent Drug Use and School/Community Response

School exclusion\(^1\) is a common disciplinary technique in education. Although schools may differ on what actions warrant exclusion and for how long, most districts, in policy or in practice, excluded students for possession of drugs and alcohol. Drug use is a prolific problem for America; its schools are no exception. How schools weigh their response to students involved with drugs and alcohol against the needs of society, the school, and the student is a decision with implications that reach beyond the immediate issue of possession.

The preferred drug choice by America’s youth changes over time, but the overall trends in usage remain above 20%. In 1980, 33.7% of all high school seniors reported using marijuana in the past month (National Center for Health Statistics, 2005). In 2004, a survey by the National Survey on Drug Use and Health reported that 10.6% of

\(^1\) School exclusion is defined as the removal of a student from school and school activities for at least 1 but not more than 10 school days. Exclusions greater than 10 consecutive school days constitute expulsion.
teenagers between the ages of 12 and 17 used illegal drugs in the past month, 21% in the past year, and 30% in their lifetime.

Beginning in the 1980s with America’s War on Drugs, the nation’s schools began to recognize their role in educating youth on the dangers of illegal drugs and the abuse of alcohol. Communities likewise look to schools to serve a role in protecting young people against destructive decisions. Schools are an integral part of the community often serving multiple educational functions such as academics and character development. Not surprisingly, parents accept the authority of the school over their children—*in loco parentis* - to play a role in drug and alcohol awareness and prevention. Consistent with the nation’s posture toward drugs, schools have taken a punitive approach as well.

*Educational Mandates*

The federal Drug Free Schools Act pushed states into adopting specific curricula that target illicit drug use among adolescents. For example, the Pennsylvania Department of Education Regulations under Chapter 4, Academic Standards and Assessment (1999), mandates at each grade level (i.e. elementary, middle, and high school) that schools provide education to prevent abuse of drugs and alcohol. This mandate is often fulfilled through school health curricula.

Schools reach beyond such curricular mandates and invite local law enforcement agencies to participate with the school to educate youth about the dangers of drugs and alcohol. Programs such as Drug Abuse Resistance Education (DARE) and Students Against Drunk Driving (SADD), now known as Students Against Destructive Decisions,
exist in slightly over 30% of schools nationwide (Gottfredson & Gottfredson, 2001). These programs link the school to the community in an attempt to specifically prevent abuse of drugs, alcohol, and destructive decisions in general by children and young adults. Schools, police, and parents attempt to form a united front sending a clear and simple message to their children.

_Drug and Alcohol Policies_

Beyond education, schools impose consequences on students for abusing drugs and alcohol. Gottfredson and Gottfredson (2001) found that 98% of schools surveyed had written policies regarding drug use. These policies are often zero tolerance; that is, they require mandatory exclusion from school. Such policies usually have a counseling component as well. Schools recognize the need to help students with a possible addiction, but they also see a need to punish the student and send a message to others that this behavior is not tolerated.

To better understand the use of such policies, the National Center for Educational Statistics (NCES, 1997) surveyed 1,415 public school principals. The NCES discovered that 27% of the principals reported taking action against students under their drug and alcohol policy. Of these, half were excluded from school for more than five days, and an additional 30% were expelled. Principals report that drug and alcohol related incidents are rare compared to other rule infractions that occur on a routine basis (Imich, 1994). Although few students are actually disciplined under a drug/alcohol policy, the literature
indicates that involvement in delinquent behavior compounds the effect of school exclusion.

Shapiro and Stefkovich (2005) and Stefkovich (2006) argue that administrators need an ethical standard to guide their decision making process in such situations. They advocate for the use of *best interests of the student* as such a guideline. The model proposes a three-tiered standard of rights, responsibility, and respect built on the foundation of an ethic of professionalism. Professionalism, as defined by Walker (1998), is an ethic that places the needs of the student above the teacher or the organization. What those needs are is largely determined by the specific contexts of time and place. The complexity of determining those needs is the inherent difficulty faced by school administrators. This dilemma is the foundation upon which the ethical standard of *best interests of the student* is constructed; not as a home for administrators to find refuge, but as a beacon to guide their actions among competing interests.

Stefkovich (2006) further bounded the model of *best interests of the student* around the pillars of rights, responsibility, and respect to guide administrative decisions. The model, however, is little known within school settings and lacks an empirical foundation. Stefkovich’s model is based on a holistic view of the child and her own background in jurisprudence. This project will test her supposition and seek to build a theoretical base for how *best interests of the student* are conceptualized in practice.
The School’s Response

Out-of-School Suspension

Out-of-school suspension is the most widely used form of punishment for students (Raffaele-Mendez, Knoff, & Ferron, 2002; Skiba, Peterson, & Williams, 1997). Defined, out-of-school suspension is the exclusion of a student from the school building and school related activities for a period of time not to exceed 10 consecutive days. In Pennsylvania, a suspension exceeding 10 consecutive days is considered an expulsion and requires board approval (22 Pa. Code § 12.6 b.1, 1949). For the purpose of this research, any disciplinary decision resulting in removal from school will be identified as an exclusion—no distinction is made between out-of-school suspension and expulsion.

In a survey of a large Midwestern school district, Skiba et al. (1997) found that 33% of disciplinary referrals resulted in school exclusion. A middle school student, the study concluded, had a one in four chance of being excluded from school between fifth and eighth grade. Less than 1% of these exclusions were for drugs and alcohol (1997). At the high school level, exclusion occurs for an average of five days (Raffaele-Mendez et al., 2002). In both cases, the exclusion removes the child from school support, and increases the likelihood of further disciplinary problems and withdrawal from school prior to graduation (Skiba, Michael, Nardo, & Peterson, 2002; Wu, Pink, Crain, & Moles 1982).

School drug and alcohol policies outline such consequences as exclusion, expulsion, and criminal prosecution for use or distribution on campus. Although existing
literature condemns exclusionary practices (Imich, 1994; Maag, 2001; Morrison & Skiba, 2001), schools choose this route more than any other form of discipline (Skiba et al., 1997; Raffaele-Mendez et al., 2002). Although in-school suspension is an alternative that is used in schools to avoid removing students from school supports, it was not presented as a disciplinary option in the drug and alcohol policies reviewed. The reasons are not clear, but nestled in the policies are references either explicitly or implied that refer to the *best interests of the student*.

**Punishment as Education**

Zero tolerance for drug activity on a school campus is central to the decision to exclude or unilaterally place students in an alternative educational setting. The purpose of exclusion is to teach a lesson that certain behavior will not be tolerated. Dupper (1994) observed that students with histories of disciplinary problems are excluded multiple times. The annual report from the North Carolina Department of Juvenile Justice (2003) found similar evidence. Their study reported that 58% of juvenile offenders had extensive histories of exclusions and behavioral problems in school. These studies indicate that exclusion is not acting as a deterrent.

Research on exclusion indicates a detrimental effect on students and disparity in its application. Disparities along racial lines indicate that black males are excluded disproportionately to their white and Hispanic peers (Christle, Nelson, & Jolivette, 2004; McFadden & Marsh, 1992). In their survey of West Virginia administrators, Butera, Klien, McMullen, and Wilson (1998) found that the educational rights of students with
disabilities are ignored in exclusion procedures. Students from low socioeconomic backgrounds are more frequent referrals to the office and, thus, more likely to be excluded than other students (Christle, Jolivette, Nelson, 2005; Raffaele-Mendez et al., 2002). Consequently, exclusion can fracture the student’s relationship with the school (Wehlage, 1986). These studies indicate that students who have the greatest need for educational supports are also the students most likely to be excluded from school.

There appears to be a substantial volume of information arguing against school exclusion especially for students demonstrating at-risk behaviors. However, the majority of drug and alcohol policies seem to favor exclusion, as opposed to in-school suspension, as a primary disciplinary technique. This apparent disparity between research and practice led this author to question how the social actors involved in the drug and alcohol policy rationalized the policy and their actions against the best interests of the student.

The Research Project

Purpose and Theory

The purpose of this study is to further the understanding of how different social actors conceptualize the best interests of the student, and broaden the empirical foundation of the best interests model as defined by Stefkovich (2006). Like the work by Frick (2006), this project will use Stefkovich’s framework of best interests of the student. However, where Frick posed hypothetical questions and focused exclusively on high school principals, this study utilized an existing policy and includes data from
participants outside high school administration but who are nonetheless involved with school district policy. The intent is to extrapolate how best interests are conceptualized in practice.

Frick (2006) utilized a snowball sampling technique to identify interview participants for his research. His approach provided data from one high school principal at nine different school districts. Although his study compared data sets from several sites, it was not designed to include data from individuals outside administration.

Walker contends that the complexity of the concept of best interests of the student is best illustrated by focusing on the interests surrounding the student. According to Walker, interests include: (a) individual (i.e. civil), (b) public (i.e. state), and (c) social (i.e. general morality) (1998). Frick’s (2006) study presented a linear comparison across several sites; all participants were high school principals. This project is a holistic design around a single case. The project assumed that each social actor represents a potentially different perspective of best interests of the student and each social actor impacts the decision making process.

Research Questions

In order to determine how best interests of the student is conceptualized and utilized by the various interests the following questions are posed: (a) how do different social and institutional actors representing individuals, the state, and the public define what constitutes best interests of the student; (b) how do these criteria differ across various types of institutional actors; and (c) what structural factors shape the criteria used
by these different actors? Answering these questions necessitates a holistic research design enabling a comprehensive analysis of various stakeholders.

Design.

This study employs a multiple case study design to collect data from each group representing the interests (i.e. individual, public, and social) of the child. The case is the development and implementation of the drug and alcohol policy at each site. The researcher seeks a comprehensive understanding of the best interests as defined by the various stakeholders around the policy. Their perceptions are then compared to the three pillars identified by Stefkovich (2006) in order to build a theoretical base to best interests of the student. A second site is used for theoretical replication and to further validate the empirical research (Yin, 2003).

The purpose of the first site is to build a theoretical model of how best interests of the student are defined among various social actors. Although the definition may change among social actors, it is hypothesized that certain structural factors frame those definitions. By better understanding those structural factors, school administrators can more readily understand how different social actors will define, act, and interpret what is in the best interests of a student.

The inclusion of the second site is not for literal replication of findings, but instead is seen as a theoretical replication. By demonstrating an ability to predict social constructions of reality based on specific structural factors strengthening internal validity (Yin, 2003).
The utilization of the drug and alcohol policy for the case is based on two considerations, (a) the practice of school exclusion for violation of the drug and alcohol policy is inconsistent with research as not being in the best interests of the student, and (b) research by Stefkovich and Begley (2007) that educators “retreat” to ethical postures in contentious decisions involving various groups with competing interests. Based on personal observations by the researcher who is also a public school administrator, the case presents competing interests where social actors may not necessarily “retreat” but certainly defend their decision from an ethical stance as indicated by Stefkovich and Begley. These two conditions enable the researcher to construct a theoretical base for how different social actors construct and act on an ethical concept of best interests of the student.

Conceptual Framework

Origins – Outside of Education

Best interests of the child have an established history in law. An electronic search of law reviews using the string, “best interests of the child” produced over 300 articles covering such topics as juvenile probation, adoption, and child custody settlements. Beginning with child custody, each of these topics will be discussed briefly to better understand their perspectives on best interests of the child.

The Uniform Marriage and Divorce Act of 1973 was approved by the American Bar Association to attempt to clarify best interests of the child (Xu, 2005). The Act established the following components as being in the best interests of the child: (a) the
wishes of the child’s parents; (b) the wishes of the child; (c) the interaction of the child with the child’s parents; (d) the child’s adjustment to home, community, and school, and (e) the mental and physical health of all those involved. These considerations appear straightforward for judges to follow as well as individuals who have time to deliberate and evaluate the circumstances of the child, the parents, and the larger issues facing the court. Unfortunately, reviews of the law produce no clear consensus on best interests of the child (Stefkovich & O’Brien, 2004; Xu, 2005).

Outside the courtroom, those involved in enforcing legal decisions also struggle with the concept. Selinske, Naughton, Flanagan, Fry, & Pickles (2001) illustrated the inconsistencies of the best interests principle in their review of social services for adopted children. Selinske et al. (1989) describe several scenarios where the welfare of the child was endangered due to the unethical practices of those charged with ensuring the safety of children. Like Stefkovich and O’Brien (2004), Xu (2005) and others, Selinske et al. saw potential in international laws such as the 1989 Hague Convention on the Rights of the Child also known as the Universal Declaration on the Rights of the Child.

The declaration cites specific details on the rights of children. To begin, Article 3, Section 1 states, “In all actions concerning children…the best interests of the child shall be a primary consideration.” The convention further attempts to clarify the expectations for the best interests of the child through asserting the rights of the parents and extended families as well (Article Five). Article Twelve asserts that the child also be heard in decisions that affect their future and that their opinions be given due weight. In specifically addressing education, the convention asserts the rights of children to a free
and appropriate education and, “…that school discipline is administered in a manner consistent with the child’s human dignity and in conformity with the present convention” (Article 28: Section 2).

In examining the frustration of parents, Garfinkel & Nelson (2004) described similar situations relating to parents dealing with school discipline issues. These scholars described parents’ frustration with the courts and probation officers for not developing partnerships with parents to determine what was in the best interests of the child. Consequently, parents did not perceive that the courts viewed them as partners in addressing the needs of the child. Garfinkel and Nelson concluded that the courts and probation officers needed to work together along with social service agencies as partners to identify and protect the best interests of the child.

Given the emphasis in the legal profession on what is implied in best interests, it is discouraging that this field known for deliberation and precedence has no clear standard such as the Lemon Test—the Supreme Court’s three-pronged test governing legislation and religion (Lemon v. Kurtzman, 1971)—for determining the child’s best interests. Likewise, the United States did not ratify the United Nation’s Declaration on the Rights of the Child. President Clinton submitted the treaty to the Senate for ratification but conservative opposition prevented its ratification. President G.W. Bush also asserted his opposition to the treaty citing problems with the language of entitlement based on economic, social, and cultural rights (Convention on the Rights of the Child, Wikipedia, 2007). Thus, the United States is not willing or able to commit to an explicit document designed to protect the legal and social needs of children, perhaps because of
the continued reliance on corporal punishment and states’ rights (Hyman et al., 1979). Even within the confines of existing legal precedence like the Uniform Marriage and Divorce Act (1973), which articulates specific steps to consider when determining the child’s best interests, the judicial process is unable to reach consensus. Given the complexity of *interests* surrounding the child, understanding how various stakeholders conceptualize and act on perceptions of what is in a child’s best interests is crucial whether in a courtroom or in a school house.

*Origins – Inside Education*

Prior to Stefkovich and O’Brien’s (2004) article, Walker (1998a & 1998b), a Canadian scholar from the University of Saskatchewan, explored the concept of best interests of children as a jurisprudential standard that was gaining momentum as educational nomenclature. Walker’s articles in the 1998 issue of *Interchange*, along with his contemporary, Dr. Stephen Smith, outline a conceptual framework for best interests that warrants examination.

Walker (year) like the authors mentioned previously, saw the inconsistency of application of the phrase as used by courts in juvenile and custody cases. But unlike the others, Walker expanded on the concept of interests as a complex term used to describe the competing interests of the: (a) individual (i.e. civil), (b) public (i.e. state), and (c) social (i.e. general morality). The term as Walker advised, is not a simple axiom. Instead, interests is a simple word that dramatically under-represents the complexity of the implication for its application. Walker noted specifically that the term should not be
used by educators as a colloquial phrase. By invoking best interests of the student to rationalize a decision, Walker seems to suggest that such decisions are not necessarily concerned about the individual student’s best interests, but rather as Stefkovich and Begley (2007) later noted, are used to rationalize other actions.

Shapiro and Stefkovich (2005), Stefkovich and O’Brien (2004), and Stefkovich (2006), do not elaborate on the complexity of the term interests and the competing forces masked by its colloquial use in education. For these authors the term is used primarily as a professionally relevant grounding for deliberation on problems of practice.

Walker (1998a & 1998b) elaborates on best interests of children from an ethical position different than Shapiro, Stefkovich, and O’Brien. To Walker, the ethics of the position are: (a) purpose, (b) principle, (c) probability, and (d) professionalism. The purpose of school to the community is to serve the best interests of the children. The school at its basic purpose according to Walker needs to be a home-away-from-home, a refuge where children grow mentally and emotionally. In principle, Walker contends that schools need to find a balance between the forces of community, family, curriculum, and the children. The ethic of probability is essentially a law of chance; it is the judgment of the administrator, based on past experience, that the decision will achieve the greatest benefit for the children. Probability, he explains, is necessary because the future cannot be predicted with certainty, but educational leaders should consider fully the impact of their decisions on a case-by-case basis. Walker concludes with professionalism as an ethic that defines the individual to the field of education—to put the needs of the children
above their own. Professionalism is setting aside one’s own interests for the interests of others willingly.

Smith (1998), in the same issue of Interchange, presented a response to Walker’s position on best interests of children. Smith, although agreeing with Walker on many points, differed on the use of the term children as opposed to child. Smith concluded that by viewing the interests of children solely from the perspective of an adult was denying the child’s best interests. Smith, more in line with the Convention on the Rights of the Child (1989), argues for the acceptance of the child’s voice and perspective. For example, the concept of in-school suspension may be punishment to an adult, but may be escape and reward for a child. This addition to Walker’s ethical constructs moves the concept of best interests of children closer to the needs of schools and the child. All too often, educational decisions are done in the name of the child’s best interests as perceived by adults.

Best Interests of the Student

In an attempt to formulate such an ethic for educational leaders, Shapiro and Stefkovich (2005) rely on the ethic of professionalism to build a conceptual framework, an ethic without compromise; the best interests of the student. Professionalism is an extension of the ethics of Justice, Care, and Critique. Professionalism, as an ethical construct, emerges from the clashing of codes, which occurs when an educational leader faces a dilemma. At the center of the model, the ethic of profession maintains the best interests of the student as central to the decision making process (Shapiro & Stefkovich,
2005). However, Shapiro and Stefkovich (2005) created a framework, which illuminated the conflicting ethical codes that gave rise to the ethic of professionalism. Lacking from their 2005 work was a process model enabling administrators to seek solutions among the conflicting codes and competing interests.

Professionalism is further defined by such documents as the Interstate School Leaders Licensure Consortium (1996) which includes in each of its five standards for professional conduct the phrase: a school administrator is an educational leader who promotes the success of all students. Begley (2005) challenged the framework developed by Shapiro and Stefkovich asking, “What is in the best interests of student? How do we define it” (Stefkovich, 2006 p. xi)? From this emerged a process model designed to enable educational leaders to manage the conflicts between ethics of justice, care, and critique while keeping the student at the center of the process. To this end, the model of best interests of the student rests on three pillars: rights, responsibility, and respect (Stefkovich, 2006). These pillars emerged from Stefkovich’s training and experience in law and ethics as well as a review of literature, rather than through field research with educational leaders. Her model is clearly presented as what should be, not necessarily what occurs.

Rights.

Rights may be defined in two ways: those granted as fundamental to humans and those granted through law. For purposes of this paper, those rights fundamental to humans shall mean those rights espoused in the United Nation’s Universal Declaration of
Human Rights (1948): (a) life, (b) liberty, and (c) security of person. Rights also include those granted by law through such documents as the Bill of Rights and, according to Shapiro and Stefkovich (2005), those granted under the United Nations Convention of the Rights of the Child (1990).

Article Three of the Convention specifically mandates that legislative bodies act on the best interests of the child as a primary consideration. The convention also stresses the education of the evolving rights of the child be at the center of decisions involving the child, and where appropriate, that the child have a voice in that education. It is noteworthy that the United States is not a signatory of this document and holding educational leaders in this nation to it as a standard is, although noble, difficult at best and inappropriate at worst.

*Responsibility.*

Responsibility, as the second pillar of best interests, is an integral component that cannot exist separate from rights. In its simplest form, responsibility is equated with the Golden Rule or duty. If one is old enough—never clearly defined—to exercise protection under rights of humanity or law, then one must accept the responsibility to honor those rights of others and the social contract between the individual and the institution. According to Stefkovich (2006), one cannot claim a protected right without accepting responsibility for the rights of others.
Respect.

Respect is the third pillar of best interests. Here, respect means to view the student as a person not as a process (Stefkovich, 2006). This supposition does not make decisions based on the actions of the student, but that the decision places equal weight on the rights of the student and on the responsibility to act in the best interests of the student as an individual. This supports the ethic of the profession by seeking to serve all students even those who have made destructive decisions.

Stefkovich (2006) argues that rights, responsibility, and respect form a platform from which educational leaders, in full knowledge of the role of schools in the lives of children, can evaluate decisions regarding the child, the child as an individual, and as an end unto itself. Using this framework, Stefkovich continues, the administrator examines the child at the moment and the future of the child in society. Regardless of the egregiousness of the situation or the destructiveness of the decision, the school’s first rule is to educate the child. Unwavering as the precept “do no harm” is to the patient, and a lawyer’s duty to provide a “zealous defense” for the client, “best interests of the student” seeks to be the keystone for educational decisions directly impacting the child (Stefkovich, 2006).

The model of best interests of the student is designed to challenge educational leaders to formulate their decisions from an ethical stance. As Stefkovich and Begley (2007), note:
...administrators tend to employ ethics as a guide to action at certain times – in situations of high stakes urgency, when consensus is impossible, when responding to unprecedented situations, and for hot-button social issues...where people seek refuge within an ethical posture. (p. 12)

Responding to drug/alcohol issues with students is an issue that presents competing interests where administrators defend their position from an ethical stance without employing an ethical framework to guide the decision process. This study will probe the concept of best interests of the student as held by different social actors involved in the development and enforcement of a drug and alcohol policy, how those conceptions differ among actors, and what structural factors shape the criteria used by these actors.

Setting

Franklin School District: Setting I

Both sites were selected from a group of seven Pennsylvania school districts bound together by geography and professional networks. Both sites are classified by the Pennsylvania State Department of Education (PDE) as metropolitan due to population per square mile and their proximity to a larger city.
Franklin School District was used as the primary site for construction of the theoretical model. The district population at Franklin is approximately 1400 students. The district employs three principals: an elementary principal for grades kindergarten through four, a middle school principal for grades five through eight, and a high school principal for grades nine through twelve. Both the middle school and high school principals are former teachers in the district. The middle school principal at the time of this study had been with the district for 18 years, serving eight as an administrator. For three years he served as the high school dean of students and two years as a principal. He has since left the district. The high school principal has been a high school administrator for 22 years—18 years as head-principal. The superintendent has 36 years of experience in public education. He is the only administrator who resides in the district and he has served as the district’s superintendent for the past five years. The current high school dean of students was not included in this study due to his lack of administrative certification.

The school and the community demographics are 98% White. Single parent homes constitute 22% of the community, and the median household income is $34,000. Average property for a single-family residence is $75,000 (City-data, 2007). At the time of this study, 16% of the children participate in a free and reduced school lunch program (Pennsylvania Department of Education – Title I Allocation, 2007).

*Hillside School District – Setting 2*

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2 This is a pseudonym assigned to the district to protect the anonymity of the research participants and the integrity of the research.
Hillside School District was selected as the site for a theoretical replication of the model constructed from the findings at Franklin School District. Hillside is located approximately 20 miles from Franklin School District and is also classified by the department of education as metropolitan. Although the town of Hillside School District has a population of 4370, the school district population is 18,380 (Pennsylvania Department of Education—Education Names and Addresses, 2007). The district encompasses 390 square miles and includes several municipalities from mountain villages to valley farms. The district’s current enrollment is 95% White and 3% Black. At the time of this study, 11% of Hillside School District’s students were considered economically disadvantaged (PDE – Title I Allocation, 2007).

Within the Hillside School District, the demographic figures change dramatically. However, the borough of Hillside has a median household income of $34,700 and a median home value of $79,000. The district is composed of four Elementary schools that feed into a central middle school for grades 5 – 8 and a comprehensive high school for grades 9 – 12. The district currently employs seven principals, two assistant principals and two central office administrators.

Although Hillside School District had more administrators to include in the study, the data pool size established as a necessity at Franklin School District was maintained at Hillside. Only the high school principal, assistant principal, and district superintendent were included in the study. The high school principal, Diane Packard, has been with the

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3 This is a pseudonym assigned to the district to protect the anonymity of the research participants and the integrity of the research.
4 Median household income for the state of Pennsylvania is $44,537 (City-data, 2007).
5 Median home value for state of Pennsylvania is $131,900 (City-data, 2007).
Hillside School District for 30 years—the last 6 as a high school administrator. She was raised in the community and currently resides in the borough of Hillside. The assistant principal, David Stackhouse, has been with the district for six years and has been a high school assistant principal for two years. He is not a resident of the community. The superintendent of schools, Eric Richard, has been with the district for 14 years. He was an elementary school principal, assistant superintendent, and for the past three years the superintendent. He also does not live in the district.

**Drug and Alcohol Policy**

Franklin School District adopted a drug and alcohol policy in 1983 to address the rising presence of illegal drug use among students. The policy had a mandatory exclusion component of five days for a first offense and required full exclusion (i.e. 10-days) or expulsion (i.e. greater than 10 consecutive school days) for subsequent offences. Use and distribution of drugs or alcohol on campus were treated equally in the original policy.

Subsequent revisions to the policy in 1993, 2001, 2003, and 2006, included these changes: (a) expansion of the policy to support removal from extracurricular activities (1993), (b) an incentive clause that allowed a student who admitted use of drugs or alcohol before being caught to avoid disciplinary action provided that the student follows the counseling requirement of the policy (2001), (c) expansion of the policy to non-curricular related activities such as athletic events and the prom (2001), and (d) a section related to performance enhancing steroids (2003). The current policy, revised in August
of 2006, has one main section: No. 227 Controlled Substances/Paraphernalia – Within School Parameters, and three subsections: (a) No. 227.1 Controlled Substances/Paraphernalia – Outside School Parameters, (b) No. 227.2 Incentive, and (c) No. 227.3 Anabolic Steroids.

**Conclusion**

The purpose of this project is to understand how different social actors conceptualize the *best interests of the student*. Lacking in Shapiro and Stefkovich’s (2005) and Stefkovich’s (2006) work are examples of how educational leaders and other social actors involved with the school conceptualize and act on their notions of *best interests of the student*. Their work offers vignettes for graduate students in educational administration to speculate and consider how *best interests* are served. This study utilizes the two existing drug and alcohol policies to build a theoretical base for how *best interests of the student* is conceptualized in practice. This research will enable educational leaders to better understand how other social actors conceive that the *best interests of the student* are served and illuminate those structural forces that shape such constructs and decision making outcomes.

The development and enforcement of Franklin School District’s drug and alcohol policy serves as the case where the interactions of key social actors representing the interests as defined by Walker (1998a) are analyzed. The holistic case study design
recognizes the impact of local conditions on policy and incorporates the perceptions of social actors to build and test a theoretical base for *best interests of the student*.

The drug and alcohol policy was selected based on findings by Stefkovich and Begley (2007) that tensions surrounding its enforcement will cause ethical posturing and that disciplinary provisions of the policy are inconsistent with research on school exclusion. Based on personal observations by the researcher, these tensions are present in issues relating to drug and alcohol policies at both locations. In short, the case is a means to analyze how administrators, school board members, and individuals in the community, each with varying personal, professional, and political perspectives, define and make decisions based on an ethical standard of *best interests of the student*. This study will help to illuminate the theorized relationship between the positioning of various social and institutional actors and the ways in which *best interests of the student* is conceptualized, negotiated, and ultimately operationalized within a public school setting.
CHAPTER 2
REVIEW OF LITERATURE

*Folly is bound up in the heart of a child, but the rod of discipline will drive it far from him.*
*Proverbs 22:19*

School Exclusion

**Discipline**

The concept of school discipline in Western thought traces its heritage to Judeo-Christian roots and Roman Law. As the proverb above illustrates, early Christians believed that children needed to be taught obedience to drive out evil thoughts. These ideas were extended through the Twelve Tables of Roman Law that identified children as property (Maag, 2001). As schools became a pronounced presence in the life of children and the community, English legal precedence extended the doctrine of *in loco parentis* to the classroom (Hyman et al., 1979). Corporal punishment was administered with support from parents to teach their children (Hyman et al. 1979; Maag, 2001).

Discipline is derived from the Latin *disciplina*, which means teaching and learning (University of Notre Dame, English to Latin Dictionary). Partly to assist in the raising of children and partly out of necessity to maintain order in the schoolhouse, discipline rules and regulations were codified in the public school system. Corporal punishment was largely accepted until the middle of the 20th century. By the 1970s, most
European nations and the Communist block nations had abandoned corporal punishment in schools (Hyman, et al. 1979). By the middle of the first decade of the 21st century, 28 states in the United States also banned corporal punishment (Facts about Corporal Punishment, Retrieved December 2006).

Opponents of corporal punishment forced the hand of many schools to move away from this practice fearing parental confrontations and legal actions (McFadden & Marsh, 1992). Schools began to prefer exclusion as a safer and more convenient means of discipline. The Supreme Court ruled that parents could not prevent the school from administering corporal punishment and that it was not cruel and unusual punishment for a child. The court viewed corporal punishment as a state issue and not a violation of the U.S. Constitution (Ingraham v. Wright, 1977). Exclusion, on the other hand, removes a child from their education, a legal right, and requires procedures to ensure that due process for the student and parents is maintained (Goss v. Lopez, 1975). Due process was established to protect the legal interests of the student and family; the best interests of the student were not part of the dialog.

Moving away from corporal punishment towards exclusion was considered legally safer for schools, but existing research indicates that it may not be in the best interests of the student. Maag (2001) argues that for most students, the current reliance on exclusion is effective because these students see a value in the school positively connected to their future. For the remaining students, who do not perceive education as a vehicle toward their future, exclusion unlike corporal punishment is a reward (Skiba & Peterson, 2003). Although exclusion is the most common form of punishment in
American schools (Dupper, 1994; Morrison & Skiba, 2001), there is limited evidence that it reduces students’ inappropriate behavior according to Imich (1994).

Exclusion from School

Exclusion is either categorized as in-school or out-of school. This research addresses only out-of-school exclusion as this is the minimum punishment under the drug and alcohol policies included in this research. As previously defined, exclusion is the removal of a student from the school and school related activities for one to ten consecutive school days.

The reliance on exclusion is partly due to an indirect effect. Exclusion removes a disruptive student from the school, thus, acting as a negative reward for the teacher and administration as they no longer have to deal with the issues created by the student (Maag, 2001). This theory of behavioral psychology is a possible explanation for guiding the nature of school discipline. In this atmosphere, Stefkovich (2006) seeks to challenge educators to formulate decisions based not on what is in the best interests of the adults as Smith (1998) alluded, but what is in the best interests of the student.

The central role of school is to prepare students for life and to be in loco parentis. There is a nurturing aspect of the school as a part of the community. Skiba and Peterson (2003) refer to this as the social curriculum. The social curriculum is the unspoken education that occurs through the actions of adults in the presence of children. Exclusion as a disciplinary technique indicated by these studies, does not teach a favorable social curriculum to the majority of students who need the school’s education.
For these students, policies that favor exclusion may teach negative models that do not prepare a student for life in a democracy or lead them to making better decisions. Pinnell (1985) concurs with Skiba and Peterson (2003) in that removing a student from school is counter to its role. Exclusion removes a student from the guidance and psychological supports that exist within the school in addition to the loss of instructional time and regression in academics. As will be discussed later, students most likely to be excluded (i.e. poor, black, and male) are taken out of the structure of the schoolhouse and placed on the streets; the argument espoused by Pinnell (1985) and Skiba & Peterson (2003) questions the practicality of exclusion as teachable punishment.

*Rationale for Exclusion*

*Middle School Students*

The existing body of literature does not address why schools pursue exclusion. What is apparent is that school exclusion is not only a common disciplinary technique in the United States but in England as well (Imich, 1994; Macrae, Maguire, & Milbourne, 2003). English school systems experience the same difficulties with school exclusion in terms of removing the student from school supports and loss of academic instructional time as does the United States.

In two comprehensive studies of middle school disciplinary incidents, Christle, Nelson, and Jolivette (2004) and Skiba et al. (1997) arrived at similar conclusions that middle schools have the highest proportion of exclusions per student population—greater
than elementary and high schools. Whether this is due to physiological development, middle school organizations, and/or student expectations, is not apparent. However, Skiba concluded that most disciplinary referrals originate in the classroom and as such are the source of most of the disparity concerning who gets suspended and why.

Likewise, Christle et al. (2005) concluded that exclusion of middle school students was negatively correlated to: (a) attendance, (b) achievement, and (c) race (i.e. white). In other words, as exclusion rates increased, there was a corresponding decrease in attendance of those excluded, academic achievement of those excluded, and those excluded were least likely to be white. These studies support earlier findings by Imich (1994) and McFadden and Marsh (1992) that exclusion has a negative impact on students and their relationship to the school.

Despite the evidence against exclusion, this practice persists in schools largely because schools serve a dual role to the individual student and the institution (Epp & Epp, 2001). School administrators struggle with limited resources and available options to exclusion. Many teachers and other school leaders lack the training to address serious behavioral issues outside punitive action. Teacher interventions prior to removing the student were minimal. Examples included changing the student’s seat, a personal conference with the student, and perhaps a phone call to parents (Skiba et al., 1997). Skiba also noted that policy rigidity determined the student’s fate before arriving at the office.
Psychological Perspective of Exclusion

Schools have traditionally relied on punitive measures to discipline students (Glasser, 1985). Changes in family structures and cultural backgrounds have changed the nature of the students in the classroom; education is one of the competing forces for a child’s attention, and as such, school discipline is restricted in its ability to act as a deterrent. Glasser argues that the stimulus response theory that guides school discipline models is mismatched to the student body. Stimulus response theory holds that the behavior is the best response to an environmental stimulus. For example, if one is cold one puts on a coat. Glasser contends that one does not put on the coat because it is cold, but because being warm is satisfying. He concludes that learning functions the same. If learning is desirable, whether in math class or in learning from a punishment such as an exclusion, then learning will occur. His argument is based on the premise that students need to value learning the lesson being taught. Although he does not test this hypothesis, other research demonstrates that since the same students are excluded multiple times, they are not learning the lessons the administration is seeking to teach (Raffaele-Mendez et al., 2002).

Skiba et al. (1997) concluded that exclusion accounted for 33% of all disciplinary actions as compared to 13% in McFadden and Marsh’s (1992) study when corporal punishment was more common. This is not to argue in favor of corporal punishment. Rather due to either lack of options available or options considered, exclusion has replaced corporal punishment as a consequence and students do not appear to be learning what schools are trying to teach. Likewise, Skiba et al. (1997) determined that although
harsher consequences such as referral to law enforcement and corporal punishment were not used by administrators frequently in his analysis, neither were less intrusive consequences such as behavioral contracts, apologies, and counseling.

To address such educational issues and establish a platform for training prospective educational leaders, the Council of Chief State School Officers published standards for educational leaders in 1996. These standards include such areas as: (a) knowledge, (b) community relations, (c) safety, and (d) ethics. Standard 5, states, “A school administrator is an educational leader who promotes the success of all students by acting with integrity, fairness, and in an ethical manner” (p. 18). The Council took the phrase further by elaborating in subsections that, “…in an ethical manner” (p.18) meant more than following the Golden Rule. The Council placed expectations on, “…knowledge and understanding of: various ethical frameworks and perspectives on ethics” (p. 18) and “…believes, values, and is committed to: bringing ethical principles to the decision making process” (p. 18). The Council, thus, raised the bar for principals and other school leaders from one of acting ethically—a standard to which virtually all could claim was being done—to one of knowledge and application of ethics (Council of Chief State School Officers, 1996). As such, a question for this study is: are practicing administrators making decisions derived from an ethical platform of the best interests of the student? Or, as Stefkovich and Begley (2007) indicate, are administrators invoking an ethical stance when the competing interests are too difficult to balance?
Disparities in Exclusion

Gender

The literature indicates that disparities occur among those excluded. These disparities appear in racial, gender, and age categories. Although the origins of such disparities are not always evident, the literature suggests a correlation between certain groups of students and the likelihood of exclusion.

Desegregation sought to create equal opportunities for black Americans and President Johnson sought to break the cycle of poverty. Research on exclusion trends indicates that neither concept reached fruition. Overall, the majority of students excluded from school are male, poor, and black.

Whether the cause is psychological or structural, is not the subject of this research, but males are excluded at a rate of 4:1 compared to females (Imich, 1994). The reasons for this are perhaps linked to the types of behaviors that result in school exclusion. For example, in a survey of trends in schools in Essex County, England by Imich (1994) and Skiba et al. (1997) in the United States, behaviors that resulted in exclusion were: verbal abuse of peers, fighting, and disruption or insubordination. Such behaviors are not socially acceptable in school or in society, but studies cited previously indicated the exclusion cannot account for the best interests of the student.
Adolescent Males

Statistics from the North Carolina Department of Juvenile Justice (2003) were similar to statistics on school exclusion. In North Carolina, for example, males constituted 73% of the referrals to the juvenile system and of that number 78% were between the ages of 13 and 15 (e.g. middle school age). Statistics from the Juvenile Offenders and Victims: 2006 Report (Snyder & Sickmund, 2006) demonstrate that the conclusions from the North Carolina study are consistent with national trends.

Imich (1994) also found that middle school students were excluded at a higher rate than their older peers. A parallel analysis of these findings show that that students of middle school age are suspended from school and are also involved in the juvenile justice system at a rate of 4:1 compared to older adolescent males.

School discipline policies can change between buildings, but disciplinary actions defined in district policies, such as mandatory suspension for drugs and alcohol, often do not make allowances for student age. In this environment, administrators will struggle with competing interests from not only the policy, but from the student, the school as an institution, and the community at large. Stefkovich (2006) argues that by using rights, responsibility, and respect, her model will enable more student-centered decisions. Walker (1998) argues that these interests are competing values with different forces that may be unable to harmonize. Thus, his perspective of best interests includes multiple ethics (i.e. purpose, principle, probability, and professionalism). The ethic of probability may be more applicable when facing existing policy as the administrator is unable to
predict the effect of competing interests neither on the student nor on the result of the disciplinary decision.

*Poverty*

The federal No Child Left Behind legislation requires school districts to disaggregate achievement data for specific sub groups of students. One such sub group is “economically disadvantaged”. This reporting requirement is in place because students from lower socioeconomic (SES) backgrounds have a greater probability of being educationally disadvantaged as well.

In the public school system, lower SES students are identified as those who receive free or reduced lunch prices. The federal free and reduced lunch program is correlated to regional poverty levels and is, therefore, a common and simple means for researchers to identify students from lower SES backgrounds. This process is limited in that as students get older, they often do not seek free or reduced lunches because of stigma among their groups.

Students in this group tend to be excluded more often than students who do not receive free and reduced lunches (Skiba et al., 1997). The problem is not one of bias, but as Christle et al. (2005) argued, academic problems lead to behavior problems and behavior problems eventually lead to school exclusion. Poverty alone is not sufficient to lead to exclusion.

Raffaelel-Mendez et al. (2002) evaluated a large ethnically diverse school district. Among the schools in the district, the study found different rates of exclusion despite
commonalities in SES. Through observations, the research team noticed differences in the climate of the school that had an impact on exclusion rates among SES and other groups of students. If teachers and administrators held high expectations for students, the students arose to the challenge and were consequently referred to the office less and excluded from school less often.

The conclusion is that the prevalence of SES as correlated to exclusion is largely due to educational interest. This finding also tends to support the earlier mentioned study by Glasser (1985) that if students do not believe there is a value in education they will not learn.

Racial Disparity

Three decades after President Johnson’s war on poverty, race is still strongly correlated with poverty in America (Skiba et al., 2002). Analyzing the literature regarding the disproportionate number of black students excluded from school, it is easy to make the connection with low SES and racial disparity in exclusion. McFadden and Marsh (1992) addressed racial disparity by comparing the types of infractions committed by white and black students that resulted in corporal punishment. They concluded that although white students were referred for disciplinary infractions more often than black students, black students received corporal punishment more often than white students.

In a concurring study, Skiba et al. (2002) traced the origin of exclusion to the classroom referral process, not the administrative decision in the office. Racial disparity appeared when the research team assessed the reasons that the students were referred.
White students were usually referred for: smoking, leaving without permission, vandalism, and obscene language. Black students were more likely to be referred for: disrespect, excessive noise, threat, and loitering. These racial disparities remained even after controlling for SES.

In previous categories of disparity in exclusion, Raffaele-Mendez et al. (2002) identified racial indicators to be positively correlated with suspension. Their study also identified climate as a major factor that influenced suspension rates. If the school presented a welcoming atmosphere that respected students and challenged them academically, exclusion rates were low regardless of student demographics.

These findings indicating a racial disparity in some locations and not in others are critical to the analysis that those disciplinary issues are not necessarily inherent problems for schools. Again, the issue regarding exclusion returns to Glass’s (1985) argument that exclusion is the result of a lack of desire to value education specifically and the school generally. Stefkovich (2006) argues that the best interests model can enhance the decision making process in matters of student discipline by enabling school leaders to keep the student, not the behavior or other factors, at the center of the process.

Effect of Exclusion on Students

Discipline Approach

If this research is to analyze school exclusions for drug and alcohol infractions against the best interests of the student it is crucial that the literature explores answers to
issues such as the effect of exclusion on students in general and students at-risk specifically. A paper prepared for the National Center for Effective Secondary Schools by Wehlage (1986), argued that the school’s approach to solving problems with at-risk youth (i.e. suspension) was alienating these students from the institution attempting to mold their behavior. According to Maag (2001), schools use punishment because administrators believe that students are free to make better choices and that discipline, as a consequence for one’s actions, reduces inappropriate behavior and, thus, more disciplinary incidents. Smith (1998), in critiquing Walker’s (1998a) analysis of best interests of the children, argues that discipline dispensed from an adult-centered perspective does not necessarily address the best interests of the child.

The limitation of discipline is articulated by Glasser (1985) who stated that the student needs to value education in order to freely choose the school over the street. Noguero (2003) supports Glasser’s argument that when students no longer see the goal of school (i.e. job, college, etc.) as attainable, they no longer see a need to comply with the school’s rules. This situation contributes to continued disciplinary incidents and, as will be discussed, increases delinquent behavior and withdrawal from school prior to graduation.

Removal from School Supports

School district policies must address several audiences. Primary stakeholders are: the individual student, the student body as a whole, the administration, and the community. Epp and Epp (2001) in reviewing Canadian school discipline policies and
alternative programs concluded that the concept of exclusion is contradictory to the stated reason. They argue that the justification for exclusion is to force a student to behave and, thus, remain in the school. However, mounting evidence by Christle et al. (2004), Imich (1994), and Skiba et al. (1997), suggests that the exclusion is in itself driving students farther from the supports of the school, thus eroding their stake in the institution. These findings appear to directly challenge whether administrators are acting in the best interests of the student.

For those students who are disciplined at home when excluded and see the school as essential to their future, exclusion is effective (Morrison & Skiba, 2001). The Civil Rights Project (2000) concluded that not only does removing the student sever their connection to the support of the school environment, but it also hinders the ability of essential personnel to reach the student. These findings indicate that schools alter their approach to students who are not conforming to school rules.

Dupper (1994) and Knoff (2000) argue that alternatives to exclusion have yet to be adopted because of a reluctance to include other stakeholders in the process. For example, in a survey of school social workers, Dupper discovered that in those schools with social workers on site, just over 1/3 acknowledged that they were included in the discipline process of the school regarding exclusion. Knoff also argues that school psychologists are not fully utilized in the creation of alternatives to school exclusion. Their observations are important considering the frequency of exclusions—3.1 million in 1998 according to the Civil Rights Project (2000)—and the age of students who are typically excluded (i.e. middle school students).
School Withdrawal – Drop Out

Young adults who fail to complete high school are more likely to be unemployed or earn less than their peers who hold high school diplomas or a comparable General Education Degree (National Center for Educational Statistics, Labor Force Participation of Dropouts, 2005; Rojewski, 1999). School drop-out statistics for youth between the ages of 16 and 24 were 24% for Hispanics, 15% for Native Americans, 11% for Black Americans, 6% for White Americans, and 4% for Asian Americans (National Center for Educational Statistics, Dropout Rates, 2003). These figures, when compared with 82% of the adult prison population and 85% of the incarcerated juveniles who do not hold high school diplomas (Coalition for Juvenile Justice, 2001) indicate an alarming trend when held against the indirect effects of suspension. In other words, the principal in making disciplinary decisions is at times, a gatekeeper in the school to prison pipeline (Christle, Jolivette, & Nelson, 2005).

Skiba (2002) and others have illustrated that those referred from classroom teachers for disciplinary action are already at-risk given the propensity for disciplinary referrals to be poor, black, and adolescent boys. Baker et al. (2001) surveying school practices that lead to school withdrawal cited disciplinary measures—expulsion specifically—among other environmental forces that contributed to school withdrawal. The primary purpose of Christle’s et al. (2005) study was to identify those factors that the school could control in an attempt to break the school to prison pipeline; exclusion was one of those factors. In light of Christle’s findings, the better trained administrators are
in ethical decision making, the more likely they are to seek alternatives to enable students to make better choices; thus, identifying what is in the student’s best interests.

*Delinquency Risk*

Juvenile delinquency is a complicated issue involving communities, families, schools, and the courts. The problem, like drug use, is not new, as is the knowledge that the school is an agent that influences adolescent behavior. The North Carolina Department of Juvenile Justice and Delinquency Prevention (2003) found that of adjudicated youth, 78% were between 13 and 15 years old. Of those, 58% had serious disciplinary problems in school and slightly over one in every three had a history of substance abuse.

The central issue is not whether students will be delinquent, but how schools respond. The Civil Rights Project (2000) along with McFadden & Marsh (1992) contend that exclusion does not reduce disciplinary problems and excluding students from school enables them to engage in increased delinquent behavior (Out-of-school Suspension and Expulsion, Committee on School Health, 2006). In addition, students most likely to be excluded are going home without parental supervision.

The more obstacles placed in front of a child the less likely they are to see options. Children from low socio-economic backgrounds are likely to already suffer from a lack of emphasis on education and not see the value in school. As these students begin to struggle academically, they are more likely to break school rules and challenge authority (Costenbader & Markson, 1998). Given that exclusion is the primary means of
school discipline (Morrison & Skiba, 2001), these students will eventually find themselves on the outside of the school house and removed from school supports (Epp & Epp, 2001; Walker, 1998a & 1998b). Lacking parental supervision during the day and already demonstrating a willingness to break rules, delinquency is a risk factor (Out-of-School Suspension and Expulsion, Committee on School Health, 2006).

Alcohol, drugs, and other issues can appear further alienating the student from the school. Once students no longer see value in the school or in an education, they fail to learn the lesson the school is attempting to teach (Glasser, 1985). A process can be set in motion that reinforces the school’s action because the student is no longer a disruption to the classroom or the administration, thus, creating a perpetual problem of negative reinforcement. These studies argue that schools need to recognize the path that many students at-risk find themselves and how suspension impacts their future. Stefkovich’s (2006) attempt to establish best interests of the student as a maxim for educational leaders is premised on these same conclusions—schools are directly involved in a student’s life for an extended period of time and as such impact the child’s future.

Alternatives

The literature reviewed by this author supports Gottfredson & Gottfredson’s (2001) conclusion that there is little information to guide administrators to alternative disciplinary models. Other models do exist, including in-school suspension, but their results are mixed. Luiselli, Putman, Handler, and Feinberg (2005) present a whole school
positive behavior support program similar to one reviewed by Safron and Oswald (2003) on academic outcomes in an urban elementary setting. These scholars sought to evaluate a positive behavior support model that emphasized attention to constructive behaviors and reduced punitive/reactionary discipline measures. The authors hypothesized that their approach would result in an increase in student achievement as students were excluded less from the classroom and the school. Safron and Oswald’s findings were consistent with Luiselli’s et al. (2005) study regarding teacher satisfaction with the program. However, other findings were mixed. Although there was a decrease in office referrals and an increase in achievement scores during the study, students continued to be excluded from school at the same rate as prior to the program inception. Although the study did not explore this phenomenon, it appears that the program was able to positively impact student achievement but not reduce the frequency of student exclusions. It is also possible that the study did not sufficiently control external variables that may in themselves produce higher achievement scores.

In another study, Martin (1994) assessed the impact of an Assertive Discipline model in a London comprehensive high school. The program, which was borrowed from a California school district, had little impact on reducing student disciplinary incidents despite the concentrated effort of the administration to implement the program effectively. Similar results were found in California. Martin observed in the process that certain institutional factors in both locations might have limited the program’s effectiveness at each location. For example, due to staff changes during the summer, not all of the new teachers could be adequately trained. Secondly, the program at each
location could not be implemented in its entirety but needed altering to accommodate such issues as condensed training for new teachers who were hired late in the summer. Martin’s observations are indicative of many reforms in education—the inability to implement them in their entirety inhibits their effectiveness (Kennedy, 1997).

Like many issues in education, corrective action may not be in the adoption of a systematic program, but in changing the process and the perspectives of those involved. ISLLC standards for education administrators were formed in part, to address this issue of changing the perspectives of those involved. Stefkovich’s (2006) model of best interests also seeks this change.

For example, middle schools have found grade level teams (i.e. a core group of teachers who share the same students and have a common planning time) to have a major impact on student academic success. Perhaps discipline should be approached in the same manner. According to Dupper (1994) and Knoff (2000), in the case of discipline, teachers do not have the time or the expertise to address the complex issue facing at-risk youth. Dupper and Knoff’s contentions suggest limitations to the ethic of best interests as viable in contentious situations where a balance between competing interests is difficult if the administrator chooses to act alone. According to Dupper and Knoff, outside entities with specific expertise in adolescent behavior such as social welfare agencies and school psychologists need to be included in the decision making process regarding student discipline.

Dupper (1994) surveyed 160 school social workers for their input on school discipline. Considering the access administrators have to these individuals, one could
assume that they would readily be involved in the discipline of students. Dupper’s research revealed that just over one in three were involved in the school discipline process and his research does not specify the number of schools that do not have social workers on staff. One comment from the survey included the statement: discipline was the school’s prerogative. In other words, school social workers were relegated to an observation role. This trend indicates the rigidity of school discipline codes in some settings considering that the professional standards for school social workers states that they will advocate for children and their families. Such rigidity challenges the viability of Stefkovich’s (2006) best interests model as an applicable ethic for school administrators.

Knoff’s (2000) argument also illustrates the lack of expertise used in the school discipline process. He argues that school psychologists need to assert their role in the school and bring their expertise on student cognitive processes to the table. The programs presented by Luiselli et al. (2005), Martin (1994), and Saffron and Oswald (2003) present a synopsis of an increasingly large problem in public schools in America and elsewhere that the disciplinary decisions in general and exclusion specifically are unilateral decisions which profoundly impact children.

Conclusion

Although drug and alcohol incidents account for only a fraction of the disciplinary incidents in schools, the likelihood that these students will continue to engage in
delinquent behavior increases the possibility that they will lose further connections with the school and eventually withdraw from school. The school has control over several factors that lead to juvenile delinquency and the school to prison pipeline. Discipline is one of those factors. A review of the literature indicates reluctance on the part of administrators to include other individuals in the decision making process and as such are inhibited in the ability to find alternatives to exclusion.

Building a drug and alcohol policy that is able to balance the needs of various stakeholders such as parents, the student body, and the individual student, is difficult. Over reliance on the rigidity of zero tolerance—mandatory suspension—may serve more to satisfy the perception of the community that the school will not tolerate drugs on campus, than to fulfill of the mission of the school to educate the child. The research reviewed illustrates that exclusions fall disproportionately on specific groups of students who need school the most, and once on the outside of the school gate they are unlikely to see a value in returning.

Students appear to be learning from exclusion what schools ought not to teach—lack of empathy, dictatorial decisions, and exclusion—all elements contradictory to the best interests model. The Civil Rights Report (2005) found that 1.3 billion students were excluded from school in 2003. Alternative programs do not hold much promise for the same reasons that other educational models fail to achieve the promise of their proponents; schools are compartmentalized political bureaucracies.

Walker (1998a & 1998b) advocates that administrators need to understand the complexity of interests that assert influence over a child. Shapiro and Stefkovich (2005)
and Stefkovich (2006) provide a framework for enabling administrators to formulate decisions within those competing interests. The ISLLC standards urge administrators to seek a knowledge base that enables them to use ethics as a guide rather than as a refuge as Stefkovich and Begley (2007) argue often happens.

Research indicates that exclusion in general does not discourage inappropriate behavior and that exclusion of students involved in delinquent behavior compounds the negative impact of exclusion. However, as is shown in Chapter 4, drug and alcohol policies consistently require mandatory exclusion. By seeking answers to how the different social actors involved in the development and enforcement conceptualize best interests of the student, the differences of that perception across social actors, and the forces that shape their perception will further the understanding of what is sought to be accomplished through exclusion of students involved with drugs and alcohol.
CHAPTER 3

METHODOLOGY

“Reality is a multiple set of mental constructions… made by humans… accessible to the humans who make them.”

Research Design

Purpose of the Study

The purpose of this study is to extend the understanding of how different social actors conceptualize the best interests of students and explore the exclusionary practices of student drug and alcohol policies. Like the work by Frick (2006), this project utilized Stefkovich’s 2006 framework of best interests of the student. However, where Frick posed hypothetical questions this study used an existing policy. If best interests of the student is to be employed as an ethical standard for educational decisions, it is imperative to understand how various social actors involved in the decision making process perceive and act on their construction of best interests of the student.

The project is a multiple case study of the development and implementation of two drug and alcohol policies. Each case served as an arena where the researcher evaluated how social actors representing the administration, the school board, and the community defined best interests of the student and what structural factors contributed to those definitions. By illuminating these social constructs a theoretical base can be established to provide guidance to school officials when contentious educational
decisions are made concerning the welfare of a student. The initial site was used to construct theory. The second site functioned as a theoretical replication to evaluate and clarify initial findings (Yin, 2003).

Discourse and provisions of district drug and alcohol policies were evaluated to better understand how institutional actors defined and acted on best interests of the student. Discourse, as defined by Edwards and Nicoll (2001) is the totality of word choice, phrasing, and text organization that give meaning, both explicitly and that which can be inferred from the policy. Provisions are the actions that are derived from the discourse of the policy. These aspects facilitated an analysis of the definitions and use of best interests of the student in contentious educational decisions based on the work of Bolman and Deal (2003) and Edwards and Nicoll (2001) that policy content and structure are reflective of organizational values and conflicts between competing interests. Identifying these structural forces is a key consideration for illuminating how different social actors may define best interests of the student.

In order to determine how best interests of the student is conceptualized and utilized, the following questions are posed: (a) how do different social actors define what constitutes best interests of the student, (b) how do these criteria differ across different institutional actors, and (c) what structural factors shape the criteria used by these different actors?
Rationale for Design

The research design for this study consisted of several factors including the purpose of the study, the research questions being asked, and the data to be collected. Quantitative designs establish reliability and validity through the control of variables, this approach also assumes a value and neutral free reality. Understanding constructions of social phenomenon and their interconnectedness, necessitates a different type of design—a design that is willing to sacrifice statistical validity to better understand a value-laden reality (Merriam, 1998). This project necessitated a qualitative design.

Qualitative research focuses on the context of reality. Equal validity is assigned to individual perceptions under the premise that reality is a social construct based on environmental interaction (Merriam, 1998). Given the purpose of this study and the data collected to identify and clarify different constructs of social actors, a qualitative design was appropriate.

Delineation and Justification

Recognizing the impact of local values and political influences, an analysis of regional drug and alcohol policies was conducted to compare Franklin School District’s policy with other drug and alcohol policies in the local geographic region. The region was determined by the informal network of public schools in a historically confined, geographic region. Merriam (1998) notes however, that policy comparison represents the “…etic or outsider’s view” (p.7). In order to understand social constructs and interactions necessitates an “…emic, or insider’s perspective…” (p.6). A qualitative
research design will enable the extrapolation of constructs of best interests of the student by the social actors involved with the creation and implementation of the policy allowing the formation of a theoretical base beyond vignettes and conjecture. Findings from the initial site were also tested at a second location for theoretical replication. In both locations, the rationale for school exclusion under the drug and alcohol policy was explored.

In order to compare how key social actors construct best interests of the student, this project applied a holistic design for the case studies. The cases were studied within their own context in order to ascertain how individuals from representative groups construct best interests and what structural forces led to those constructs. The holistic design is appropriate given Yin’s (2003) criteria of the inability to readily distinguish the phenomenon being studied and its contextual influences.

Frick’s (2006) study presented a cross sectional comparison across several sites; all participants were secondary school administrators. Although his research illuminated how administrators perceive and act on best interests, his work did not include the perception of other social actors who also influence local school policy and decisions. This project applies a holistic design to each case to include those perceptions equally important to a student’s best interests.

Qualitative design allows the reality of each social actor to be interpreted from their perspective in the environment. Given that public school policies are constructed and implemented based on collective input, this design is appropriate. The structure and provisions of the drug and alcohol policies included in this study indicate a potential for
ethical positioning by individuals with a vested interest in the policies or the students. The policies have provisions that, based on research on school exclusion, are likely to be interpreted as not being in the best interests of the student.

Unit of Analysis

Social scientific study assumes that the researcher seeks to understand a social phenomenon. The selection of a case to analyze this phenomenon is purposeful. The criteria for the case can be determined based on location, time, or research questions (Merriam, 1998). By definition, phenomenon is a specific occurrence relative to place and time. Site selection is then driven by the purpose of the study and the needs of the researcher (McMillan & Schumacher, 2001).

The researcher sought a location for the initial case study to interpret the phenomenon of best interests of the student from individuals involved with school district policy and student disciplinary decisions. The focus of the research was narrowed to a drug and alcohol policy based on two criteria: (a) personal observations by the researcher, and (b) disciplinary provisions that appeared inconsistent with research. Drug and alcohol policies present a contentious arena where the social constructs of best interests of the student struggle for legitimacy among social actors. Once the arena for the research project was selected, the task was to identify an appropriate site for the initial research.
The researcher is currently a central office administrator at Franklin School District. The position of the researcher as program director enables him to observe and interact with all administrative staff but still remain disconnected from student disciplinary decisions. Based on personal time constraints and the researcher’s position in the district, Franklin was selected as the location for the initial study for empirical research to build a theoretical base for best interests of the student.

Recognizing the influence of local values and politics on schools, an analysis of drug and alcohol policies was conducted to create a comparison of other drug and alcohol policies in the county. Geographical features and informal professional networks bind the school districts in the county and administrators from these schools meet and consult on educational issues. School district policy is part of the public record. Drug and alcohol policies were collected from each district through email requests or directly from district web pages. Analysis of these policies is included in Chapter 4.

The policy analysis was based on two assumptions. First, that the level of formalization of policy or the extent of its operational language is reflective of organizational values (Bolman & Deal, 2003). Secondly, that policy language is purposeful, tactical, and reflective of power struggles within an organization and its environment (Edwards & Nicoll, 2001). These assumptions imply that competing interests in the development and implementation have led to policies that are highly organized and whose language is designed to protect specific provisions. Based on these observations, the drug and alcohol policy provides an opportunity to illuminate the
constructs of *best interests of the student* by social actors from various groups with a demonstrated interest in the school community.

*Research Strategies/Instrumentation*

*Access*

Each school superintendent signed a letter of agreement authorizing the study in his district (Appendix A). The request for approval includes the purpose of the study, the research questions addressed, the scope of the project, and a timeline for completion. Although both superintendents expressed a willingness to cooperate, they both were glad that the study did not involve students.

Data collection began with a review of archival records of policy and school board meeting minutes at Franklin School District to assess the comments that are part of the public record relating to the case. The documents were used to construct questions and guide discussion during the interview process. Other archival materials such as newspaper articles were considered, but due to the confidentiality surrounding student involvement with drug and alcohol, these resources proved of little use for this project.

*Interviews*

Purposeful sampling was used in the collection of data. Purposeful sampling can take many forms such as: comprehensive, maximum variation, and networking. The
format used must match the questions being asked and the purpose of the research

Given the purpose of this study, maximum variation enabled the social actors to be organized into groups that represent their role in the policy arena. Maximum variation is a purposeful sampling technique designed to, “…illuminate different aspects of the research problem” (McMillan & Schumacher, 2001, p. 402). The different aspects of this project are separate roles played by various individuals in the case.

Criteria for selection of participants in each group were based on attributes relative to the case: (a) substantive input into the creation / revision of the policy, (b) direct involvement in the implementation of the policy, and/or (c) prolonged commitment to the school—community environment as demonstrated through involvement in organizations such as Parent-Teacher Organizations, booster clubs, or other school-parent associations. These criteria were used to determine direct and substantive involvement in the development and implementation of the drug and alcohol policy.

Middle and high school principals handle the majority of incidents resulting in exclusion in general and exclusion for drugs and alcohol specifically (Christle, Nelson, Jolivette, 2004; Skiba, 1997). Thus, the recruitment of participants at both sites began with building principals at the secondary level. Through their recommendations, additional individuals were selected based on the criteria above.
Participant Recruitment.

Verbal contact was made with principals as initial interviewees. Each subject was provided a copy of the approval from the superintendent along with a summary of the project. The subject then signed an informed consent form explaining the procedures for the interview: how the interview would be documented and the procedural safeguards as defined by Penn State University’s Office of Research Protections (ORP) guidelines for Human Participants. These forms are maintained by the researcher, according to guidelines established by the ORP (Appendix B).

Initial interviews followed a semi-structured format. The semi-structured format allows the interviewer to pose certain necessary questions while still allowing the comments of the interviewee to provide unsolicited but relevant data. This format is consistent methodology for qualitative research assuming that the subject has a unique perception of the phenomenon of interest (Merriam, 1998). Understanding how different social actors conceptualize and legitimize their decisions about students will enable the researcher to illuminate how best interests of the student is conceptualized in practice.

Initial questions focused on information derived from archival records. Additional questions sought to understand the rationale behind the clauses in the policy and each individual’s conception of best interests of the student as well as the forces that shaped such perceptions.

Each administrative interview concluded with a request from the interviewer for persons who may provide relevant data for the study. This technique of networking is not the only means to identify subjects. However, it is assumed that the secondary principals,
due to their involvement with the case, will know other individuals who interact with them in the policy arena. The viability of each candidate was determined based on the criteria described earlier as: substantive input into the forming of the student drug and alcohol policy, direct involvement in discipline under that policy, or sustained commitment as those who have demonstrated interest in the school community through involvement in organizations such as Parent-Teacher Organization (PTO), Booster Clubs, etc. This process of networking enabled the researcher to determine what individuals had substantive information relative to the research questions. Each additional interviewee was approached with the steps identified earlier. No individuals contacted declined to be interviewed.

Sample Size.

Maximum variation has the potential to overwhelm the researcher with information. Critical information can quickly be lost among what is irrelevant, redundant, and erroneous. To prevent this situation, the study will rely on guidelines established by McMillan and Shumacher (2001). To begin, the purpose of the research project is to address perceptions of best interests of the student as it pertains to this case. Individuals who did not have information relevant to this purpose were not included in the study. Redundancy was also be used to control sample size. Once the premises of how different groups defined the best interests of the student were identified and ascertained, the respondent pool was closed. Care was given that the number of participants outside the administrative circle did not overwhelm the data collected from
school officials. The limited number of school administrators at Franklin School District (two principals and one superintendent) was used as a guide for participants at the second site. A total of 18 participants were included in this project.

**Document Analysis**

Document analysis and archival records were used in this study and selected through purposeful sampling techniques. Through the inclusion of document analysis in the sample group, the research will be able to draw “…converging lines of inquiry…” (Yin, 2003, p. 98). Triangulation of data, Yin argues, is particularly important in case studies. In order to provide clarity to individuals’ perceptions and attitudes, there needs to be additional layers of understanding. Analysis of policy and board meeting records provided additional layers of information to identify relevant data that might not be clearly articulated in the interview setting.

**Role of the Researcher**

The role of the researcher in this project presents opportunity and concern. The researcher is currently employed as the Director of Curriculum and Special Education at the initial site and was the assistant high school principal at the second site. Undoubtedly this presents a concern for bias. However, as Owens (1982) asserts, validity in qualitative research necessitates a personal and intimate relationship with the phenomenon being studied. Despite the pitfalls of being a current administrator on one
site and a former administrator on another, the experience and positioning also affords the level of intimacy that Owens argues is necessary for truthfulness in qualitative data rapport. In both locations the researcher has primary knowledge of drug and alcohol policy issues but is removed from direct decision making authority.

Interpretation of case study data is difficult at best as Yin (2003) cautions. However, he further notes that an essential skill of a case study researcher is a simultaneous ability to record and interpret data during collection. This occurs through a firm understanding of the case and issues being investigated. Although the potential for bias existed in this project, the familiarity of the researcher with drug and alcohol policies at both sites and his current role as a district administrator detached from student disciplinary decisions provided an opportunity for critical analysis of data throughout the project.

Data Collection Techniques/Justification

Interview Protocol

Semi-structured interviews are the primary data collection technique for this project. Although case studies can utilize a number of data collection techniques, this analysis does not lend itself to observation and participation. Thus, a carefully constructed interview protocol is required to ensure that sufficient and relevant data are recorded (Appendix C).
Merriam (1998) delineates effective interviews into the quality of the questions being asked, atmosphere of the interview, and effective data recording. Novice researchers struggle with asking effective questions that are able to extract appropriate data (Guba & Lincoln, 1981). Yin (2003) contends that all interviewers, especially novices, should conduct pilot studies in order to eliminate ineffective questions. The pilot not only allows the weeding out of poor questions, but also provides practice for the researcher on interview techniques without polluting the site.

The data collection process for this project began with a review of archival records including policy and school board minutes. Archival records were selected based on their relationship to the case. Analysis of archival records clarified the environment of the district and community at the time of the study. In addition, data collected from archival records provided information for crafting the interview protocol and triangulate data as is discussed later. Interview questions sought data that enabled the researcher to understand how each subject perceived best interests of the student as expressed through the drug and alcohol policy and how those perceptions interact in the arena of the case.

Prior to conducting the interviews, the interview protocol was field tested with a pilot study. The purpose of the pilot was to evaluate the interview protocol to collect relevant data. The pilot protocol was tested at another school district. Results of the pilot enabled the researcher to remove and rewrite questions that failed to provide sufficient information relative to the research questions. Changes included: (a) the addition of more open-ended questions to facilitate personal reflection by the participants, (b) incorporation of Stefkovich’s (2006) model of best interests of the student, and (c) a
separate section relating to student discipline in general. The revised protocol was again field tested and adopted in final form for the research project.

Each subject was presented with a copy of the district’s approval for the project. All guidelines established by the ORP for informed consent were observed. With subject permission, each interview was digitally recorded. All interviews were transcribed. Follow up interviews were scheduled as needed.

Data Analysis Strategies

Data analysis in qualitative studies is complex. However, Merriam (1998) believes that it is perhaps the only area of qualitative research where there is a right or wrong approach. Her conclusions are echoed by Yin (2003) who stresses that a common error among novice researchers is to begin the process without a clearly defined data analysis strategy. Data collection and analysis for qualitative research is a fluid process resulting in successive revisions of assumptions. The final product is not the result of a single controlled data analysis, but instead the culmination of an intuitive process after extensive reconstruction of original propositions based on emerging data. As such, before data collection begins, the process for analysis must be defined.

This project considers whether Stefkovich’s (2006) conceptual framework that best interests of the student is an appropriate and practical platform to guide administrative decisions. Frick (2006) also tested this framework. However, Frick’s use of curriculum-related vignettes represented a literary road test for the framework; this
project focused on contentious disciplinary decisions in practice, an authentic proving
ground for best interests of the student.

Stefkovich’s (2006) model for best interests of the student argues that educational
decisions that seek to serve the student’s best interests emerge from the ethic of
professionalism with rights, responsibility, and respect serving as guideposts within that
framework. This researcher suspected that in practice, best interests might not be defined
by those guideposts. It’s more that individual actors have different perceptions of what is
in the best interests of students. The project sought to illuminate those different
perceptions and the structural forces that shape them in the case study to influence and
form educational decisions about students relating to drugs and alcohol.

Given this approach, an explanatory building design was used in the analysis of
data. The general explanation stated above was evaluated against emerging data.
Revisions to the original proposition occurred at each stage of analysis. Explanatory
design relies on narrative data to compare and revise the original proposition (Yin, 2003).
Due to the nature of the research questions, interviews were the primary form of data
collection, thus, providing the thick narrative data best suiting the explanatory design.

Although each interview was recorded and transcribed, only summaries of
relevant information were quoted to support the study’s conclusions. Summation enables
effective management of data to remove distracting information and enable the researcher
to focus on the data relevant to the research questions (Merriam, 1998). To enable the
reader to develop an intimate understanding of the setting and case, quotations and
original wording were used in the summaries (Owens, 1982; Rist, 1977). By presenting
direct quotations as evidence, the researcher ensures accountability to the conclusions of the study that were extracted from the emerging data (Guba & Lincoln, 1981).

Analysis of interview transcriptions and post interview notes were used to identify emerging constructs of individual realities relative to the original proposition. Research notes along with interview comments were compiled to make adjustments. This technique enabled relevant information to be separated from the data set while maintaining the integrity of the subjects’ original comments (Merriam, 1998). After each interview, notes were reviewed forcing the researcher to continually reconsider initial assumptions. This cyclical process enabled the researcher to verify that the categories emerge from the data and not from the researcher (Owens, 1982). Allowing the subjects’ perceptions of best interests to emerge from the data and form the categories for analysis is the hallmark of inductive analysis that defines qualitative inquiry and illuminates the phenomenon of the case.

The researcher maintained a record of his assumptions and a pattern of conclusions through the process of data collection and analysis with an audit trail. Guba and Lincoln (1981) present the case for an audit trail as essential not only for the researcher to see the linkage between conclusions over time, but equally important for others evaluating the research or applying it to another case. The audit trail was maintained to document the researcher’s daily thought processes while analyzing the data sets.

Qualitative data analysis is fluid as it responds to different facts gathered from the emerging data. This does not imply that the data analysis strategy is unclear, but that it is
loosely constructed as a guide for analysis. The strategy of relying on conceptual
framework propositions with an explanatory building technique arises from the nature of
the project as a case study design, the research questions being asked, and the
predominance of narrative data from which conclusions were extracted.

Reliability and Validity

Reliability and validity are essential structural supports for all studies. However, the research project defines their meaning. Qualitative analysis seeks to understand a human phenomenon. In this case study, the phenomenon is the perception of reality and the interactions of these realities at two locations at a given point in time.

Qualitative research determines reliability and validity by the ability of the researcher to extract critical elements from the data and formulate reasonable conclusions (Wolcott, 1994). As stated earlier, qualitative research casts aside the notion of a static scientifically measurable validity and instead chooses to embrace a value-laden reality where understanding and truthfulness are the primary goals of the research (Merriam, 1998).

Reliability and validity are integral parts of any well-structured research project. Internal validity addresses the accuracy of the research conclusions to match reality. Lincoln and Guba (1985) define reality as a series of mental constructs relative to the individual. This project embraces that notion. Following Wolcott’s advice (1994) this researcher extrapolated reality as constructed by the subjects in the study. To ensure that
the conclusions of the study are trustworthy, the researcher relied on triangulation and member checks to validate conclusions drawn from the data.

Triangulation of data occurs when patterns of information can be authenticated among independent sources. Although Cresswell (2003), Merriam (1998), and Yin (2003) emphasize that triangulation is best done through observation, document analysis, and interview, they also conclude that use of all three techniques is not essential to triangulate data. This project, due to the sensitivity of drug and alcohol issues with juveniles, does not lend itself to observation. Triangulation occurred through multiple samples of interviews and document reviews.

An additional technique to measure internal validity used in this project was member checks. Member checking takes a piece of information garnered from a previous interview and asks if the current interviewee concurs (Cresswell, 2003; Merriam, 1998). Conclusions are not presented using this technique. The technique is only to control internal validity by reaffirming the trustworthiness of collected data.

These two techniques for monitoring the internal validity or trustworthiness of the data being collected were used to provide sufficient guides from which plausible conclusions were drawn. External validity, on the other hand, presents limitations to qualitative case study designs. External validity evaluates the ability of findings from one project to be consistently found at another location. This project assumes that reality is a self construct (Lincoln & Guba, 1985). Based on an assumption of reality as self determined, the study makes no attempt to generalize its findings to other locations.
Although others may see similar patterns elsewhere, it is not the purpose of this project to generalize findings to a larger population.

Likewise, reliability in qualitative research poses pitfalls for the researcher. Reliability measures the ability of the conclusions to be consistent over time and between researchers (Cresswell, 2003; Merriam, 1998; Yin, 2003). In other words, would another researcher arrive at the same conclusions using the same data? The limitations of this approach are considered on several fronts. The first limitation is that qualitative case study research seeks to understand others’ reality. Conclusions are drawn from another’s words. The path between data collection and conclusion is fraught with uncertainty. The second limitation acknowledges that reality is fluid.

Given the tendency for misinterpretation and changing reality, sufficient safeguards are built into this project. These safeguards include those mentioned earlier as triangulation and member checks, but also include thick description and an audit trail. Thick description is the depth of narrative that seeks to transport the reader to the location and time of the study. The more detailed the description of the case and the data, the more the reader is able to visualize the pathway between data and conclusion as seen by the researcher. Likewise, the audit trail offers narrative insight into the thought processes of the researcher as data are analyzed and conclusions drawn.

Although qualitative design does not seek the same standards of validity and reliability typically ascribed to these terms through quantitative research, there are controls built into the project that illuminate the path between data collection and conclusion. By relying on those directly involved with the case to verify meaning,
drawing converging lines among data sources, and diligently scribing the thought
processes of the researcher throughout collection and analysis, trustworthiness and
plausibility are established.

Limitations

Limitations are noted in the conceptual framework of best interests of the student
as defined by Stefkovich (2006). Stefkovich argues that the professional ethic of rights,
responsibility, and respect is a suitable guide for administrators in contentious
administrative decisions. This project assumes that social actors are motivated by some
notion of the best interests of students. Whether that notion is based on rights,
responsibility, and respect is a key question in this project.

A second limitation is noted in the role of the researcher for potential bias. The
researcher is a former high school assistant principal and current administrator in the
case’s district. Although potential bias for past experience with disciplining students
involved in drugs and alcohol exists, as mentioned previously, this was also an asset in
that it afforded the researcher a more intimate understanding of emotions and actions by
participants and their relationships to the school and each other. Sufficient controls in the
form of triangulation, member checks, and an audit trail ensured that bias remained
checked. In the current position, the researcher directs curriculum and instruction for the
district. He has no involvement in student discipline nor is he a supervisor to participants
in the study. Given these conditions, safeguards were built into the design to protect the data from researcher bias.

Conclusion

This project sought to understand how individuals involved in a contentious educational arena define *best interests of the student* and what structural forces shape such definitions. Although the case is built around two drug and alcohol policies, the purpose of the research was not only to better understand drug and alcohol policies but also to illuminate how different social actors define *best interests* and build a theoretical foundation for administrators to recognize specific structural factors that may shape such definitions which ultimately impact students. It was important to the research that there be a theoretical and practical outcome of this research.

A review of regional drug and alcohol policies showed, subtle differences in language, organization, and provisions. The two policies included in this research are not unique. In addition, by containing provisions that appear inconsistent with Stefkovich’s (2006) model of *best interests of the student* based on research of school exclusion, drug and alcohol policies are themselves worthy of a more thorough understanding of the perceptions and forces that led to their development and implementation. This project explored both.
CHAPTER 4
POLICY ANALYSIS

“…policies are seen as outcomes of struggles between contenders of competing objectives where language – or more specifically discourse – is used tactically.”


Analysis of Regional Drug and Alcohol Policies

Purpose

Although the selection of sites for each case was a sample of convenience, it is still necessary to understand to what extent the cases are similar to other drug and alcohol policies. To achieve this, an analysis of student drug and alcohol policies from school districts in the region was conducted. The boundaries of the region were determined by specific geographic features and the professional networking of administrators. These concepts are explained later in this chapter. Findings enabled each case to be appropriately placed among the other drug and alcohol policies from the group.

Impact of PSBA on Policy

Model policies provided through the Pennsylvania School Boards Association (PSBA) have an impact on education policies in the state. PSBA, as part of its service to school districts, provides a comprehensive policy service with common numbering, legal
research, and appropriate citations. Monthly, PSBA provides each member district a newsletter on policy changes based on new legislation or court decisions. In addition, PSBA also provides a model policy for districts to follow and two exemplary sample policies from school districts within the state. These services are also accessible to each member district through the PSBA web page. As such, most Pennsylvania school districts have policies with similar content and pagination making comparisons across districts more coherent. Although this group is not meant to represent drug and alcohol policies from across the state, the influence of a state level organization on these local policies is apparent.

A Process for Policy Analysis

The analysis was approached using a design presented by Edwards and Nicoll (2001) that focuses on rhetoric and metaphor. Edwards and Nicoll contend that policy verbiage is constructed to maintain power relations and reflects the values of the organization. Their framework consists of: (a) whole text organization, (b) clause combination, (c) grammatical and semantic features (e.g. transitivity, action, voice, mood, modality), and (d) words (e.g. vocabulary, collocations, use of metaphors, etc.). Each policy was viewed through these lenses in order to extrapolate structural or semantic differences that indicated values articulated through district policy.
Bounding of the Group

Only drug and alcohol policies from the region in which the two sites are located were considered for comparison. The decision is based on two factors: geographic connectedness, and administrative collaboration. PSBA supplies policy services to Pennsylvania school districts and as such, policies across the state have certain common characteristics. This analysis did not seek to identify large structural differences, but instead focused on the subtle differences in language that enabled a more thorough understanding of internal conflicts or organizational perspective in both cases.

The group was determined based on geographic boundaries and professional networks that have created a historical connection between districts. Geographically all seven districts are situated along a mountain ridge and a river that run parallel the length of the county. Since the Colonial Era, municipalities have developed and expanded along these prominent geographic features. In the late 1960s, intrastate transportation facilitated travel between the towns and boroughs. Consequently, although the localities have different governing bodies, they are united by natural and man-made features.

The connectedness has also permeated other community structures such as schools. The districts are part of the same intermediate unit. The intermediate unit hosts monthly meetings with district superintendents to facilitate dialog on issues of educational and regional significance. District principals also hold similar monthly meetings hosted by a different district each month on a topic of common concern. These types of meetings facilitate communication as one building principal remarked, “…it is

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6 Pennsylvania is divided into 29 Intermediate Units. Each Intermediate Units is a state educational entity that provides professional development services for local school districts in its region.
common practice for principals to consult other districts’ wording in student handbooks, dress codes, and policies” (Personal Conversation, February 13, 2007).

Both geographic features and professional networks established a historical connection through the regional municipalities and school districts. Comparing drug and alcohol policies along the framework outlined by Edwards and Nicoll (2001) enabled each policy to be placed along a continuum. This process enabled a clearer understanding of how Franklin School District and Hillside School District’s drug and alcohol policies compare to others in the sample.

School District Identifiers

Although school district policy is part of the public record, each school district’s name has been changed to a letter A – H to maintain the confidentiality of the study; Franklin School District is noted as District “F” and Hillside School District is noted as District “H”. The PSBA model policy is identified as such since it is generic and does not represent any specific district. The names of the districts are maintained in a confidential file in the possession of the researcher.

Organizational Policy

Policies are codified procedures that govern behavior, allocate resources, and transfer authority (Osher & Quinn, 2003). Bureaucracies, due to their complexity, organization, number of constituents, and organizational goals utilize written procedures
for consistency and guidance in making decisions (Bolman & Deal, 2003). As such, policies vary in length, complexity, and tone depending on the organization, audience, and purpose.

Policies derive meaning from operational statements. In other words, the policy itself needs to contain specific action statements or else additional legislation (e.g. rules) needs to be crafted to enforce policy directives. For example, a policy can contain specific action statements such as in the No Child Left Behind Act, which states that all children in grades 3 – 8, and 11 will be tested annually in reading and math. Policy can also be nebulous by using such statements as: student behavior that disrupts the school day will lead to disciplinary action. Such policy statements as the latter need to be operationalized through rules often defined in a building level student handbook. According to Edwards and Nicoll (2001), the wording of such policy phrases are used tactically and are reflective of the power struggles in an organization.

Bolman and Deal (2003) contend that the level of formalization in policy or the extent of its operational language is reflective of the values of the organization. Organizations that are more goal-orientated tend to have highly operationalized policies whereas policies that defer specific rules to other entities such as student handbooks may have a different organizational perspective. This argument enables the analysis of policy along the framework by Edwards and Nicoll (2001) as policy language is purposeful, tactical, and reflective of power struggles within the organization and its environment.
Whole Text Organization

Whole text organization is defined as major document categories and sub categories. The influence of PSBA is apparent especially on the smaller school districts in the sample. Four of the seven school districts followed virtually identical organization of the whole text of the policy. PSBA model policy included: (a) Purpose, (b) Definition, (c) Authority, (d) Delegation of Authority, and (e) Guidelines with sub categories Steroids and Reasonable Suspicion/Testing. Franklin School District and the two largest districts in the group G and H have different whole text organization.

The policies for Districts G and H are similar. Collaboration at some level between the two districts is apparent. Each district has a comprehensive matrix that governs administrative action in drug/alcohol related incidents. The matrices are identical and absent from any other policies in the group. In addition, these policies also include additional categories not included in the PSBA model policy. These identical matrices support the above observation of the professional networking among districts.

An earlier version of Franklin School District’s policy was similar in the organization of the whole text relative to the PSBA model like the other four districts. However, the policy as revised in February of 2006 contains three nested policies. Drug and Alcohol policies are Number 227 according to PSBA schema. Franklin School District is the only district in the county to have a #227 Within Schools Parameters, #227.1 Outside School Parameters, #227.2 Incentive, and #227.3 Anabolic Steroids. The
other policies include a section on Anabolic Steroids, and most include clauses for inside and outside school parameters, as will be discussed later. Only Franklin School District sets these aside as separate policies within its #227 Drug and Alcohol Policy.

According to Bolman and Deal (2003), elaborate delineation of rules is indicative of an organization that adheres to a Structural Frame perspective placing goal attainment above the needs of organizational members. Although this single indicator does not necessarily reflect the organizational mindset at Franklin School District, it does begin to shape the perspective of this case’s relevance to other policies in the sample that Franklin School District or their administration appears to place considerable importance on clearly-defined rules and consequences that are applied equally to all students. Based on these considerations it also appears that Franklin School District operates from an adult-centered perspective rather than a child or student-centered perspective (Smith, 1998; Stefkovich, 2006; Walker, 1998a & 1998b).

Clause Combination

School Exclusion.

Expanding the policy analysis through clause combination and word usage assisted in understanding the tactical approach of the policy as indicated by Edwards and Nicoll (2001). The research project focused on specific aspects of the drug and alcohol policy including school exclusion and counseling. As such, four clauses were analyzed in each of the seven policies (see Figure 1, Appendix D). A general review of the figure shows that the districts fell into two categories: those that articulate specific
consequences for violating the policy, and those—like the PSBA model—that delegate the authority to the building level. Of all seven districts, Franklin has the longest school exclusion requirement. Franklin mandates a minimum 10-day exclusion for the first offence and a 10-day exclusion and/or expulsion for subsequent offences. Subsequent interviews with administrators at Hillside School District revealed that they also practice 10-day school exclusion even though it is not codified in policy.

_Off Campus Incidents._

As to off-campus incidents, the policies fall into several groups. Although Franklin School District is not alone in disciplining students for incidents that occur outside school parameters, the districts differ on how they perceive their role in exerting authority outside the schoolhouse. The drug and alcohol policies at Franklin and Hillside are enforced if the student participates in an extracurricular or co-curricular activity and is involved in drug or alcohol incident outside the school day. The U.S. Supreme Court, in two separate decisions, gave Local Education Agencies (LEAs) greater authority over students participating in extracurricular and co-curricular activities citing arguments that these students volunteer to participate in such activities and, thus, tacitly agree to greater scrutiny by the district (Vernonia School District v. Acton, 1995; Board of Education v. Earls, 2002).

Both districts policies specifically mention events such as dances, musical performances, prom, and commencement. However, Hillside School District’s policy (unlike that of the Franklin School District), states that: students must be found guilty
before they can be disciplined at school for a drug/alcohol related incident that occurred outside the school. Franklin appears to take a more assertive position and adheres to the lesser standard of reasonableness. In other words, Franklin utilizes the same standard of reasonableness as it does for on-campus incidents. For off campus incidents, Hillside requires the higher standard of probable cause.

The assertion of the lesser standard of reasonableness to incidents that occur off-school property is an indicator of the assertive approach of Franklin School District towards students involved with drugs or alcohol inside or outside the schoolhouse. Although it cannot be inferred from this analysis if this is a punitive measure to control student behavior, it can be assumed that the district perceives its authority as reaching beyond the schoolhouse and a necessity to act more quickly than the judicial process.

Counseling.

A counseling requirement is the final area of clause analysis. Franklin School District’s policy is also different from others in the sample. All the policies mention counseling, but two of the policies mandate counseling and two of the policies, Hillside included, require a drug and alcohol assessment. In the latter, counseling is not required. Franklin is different in that it mandates a referral to the school-based student assistance program and 12 hours of counseling. Like the PSBA model and the other policies, Franklin incorporates the school-based assistance program, but unlike other policies the district mandates a specific period of counseling (i.e. 12 hours). Hillside and other
policies defer to the local drug and alcohol agencies for counseling requirements using phrases such as, completion of counseling as recommended by a specific agency.

This is a striking clause in that Franklin School District’s drug and alcohol policy appears to defer to the student assistance program, but then stipulates its own counseling requirement of 12 hours for all students in violation of the policy. The policy stops short of establishing standards for counseling as well enabling the service to be provided by a wide range of professionals and programs. In addition, the 12 hours of counseling is consistent whether the incident is the first offence or the third offence for the student.

Only District A has a similar clause that mandates specific counseling requirements. However, District A requires any student disciplined under the policy to complete an education and treatment program called STOP. STOP is a program managed by a local drug and alcohol agency that employs a scripted program of discussion topics for goal setting. The student must also participate in a school-based student intervention group. There is no specific time requirement for the student intervention group. Franklin School District contains no such stipulations beyond the 12-hour requirement.

Semantics and Word Choice

The effect of PSBA on school policy is apparent when comparing semantics and word choice. A tertiary review of the mood between indicative, subjunctive, and imperative verb tense in each policy found only minor differences. One exception was noted in the policy for District G. District G is the largest district in the sample group with a student population of twice that of any other school. The ethic make-up is also
different in that 18% of its student population is non-white (Pennsylvania Department of Education, Enrollment Figures by Race, 2005). The policy for District G includes a lengthy section of the rationale for the policy based on national commentary and a local survey conducted in May 1996. None of the other policies in the sample contain such a narrative.

Despite differences in the policies as assessed through the other two perspectives, there do not appear to be any meaningful semantic differences in the sample group relative to the issues of school exclusion and counseling. The impact of the PSBA model in structure, semantics, and word choice is apparent in the uniformly neutral tone of the individual policies. Such commonalities in word choice are more likely the result of legal guidance through PSBA than informal administrative networks.

Conclusion

Rationale for Policy Comparison

Policy analysis using word choice and organization is valuable in illuminating the politics of discourse in policy arenas and in exploring the relationship between policy texts and their historical, political, social, and cultural contexts (Taylor, 2004). On the surface, policy provides a framework for an organization to function. According to Osher and Quinn (2003), policies enable activities to occur, determine the distribution of scarce resources, and enable the transfer of authority. A more critical analysis of policy can illuminate the intricacies of distribution of power and political struggles within an
organization. Dissecting the policy and comparing it to similar examples can also reveal organizational characteristics and the perspectives of people who create and enforce the policy.

This research project sought to understand the perspectives of best interests of the student by different social actors involved in the development and implementation of two drug and alcohol policies (i.e. the cases), the forces that shape those perspectives, and the differences between those perspectives and other social actors. By analyzing regional drug and alcohol policies, the researcher was able to identify specific pieces of Franklin School District and Hillside School District’s policies that illustrate organizational perspective or administrative values.

Results

Whole Text Organization.

The group of district policies yielded both similarities and differences. Information such as monthly inter-district administrative meetings along with frequent sharing of policies by district administrators as indicated in an interview with one district administrator, and the matching matrices in two districts validate the bounding of the group. Comparison of the sample policies provided indicators of potential power and political struggles in the each case.

Although Franklin School District and Hillside School District’s drug and alcohol policy shares common provisions with others in the sample, presumably as a result of PSBA, Franklin’s policy has subtle differences in language and tone. First, Franklin is
the only policy to deviate from the PSBA model by creating three sub policies for: incidents inside school parameters, incidents outside school parameters, and an incentive component. The differences can be interpreted two ways. One is to interpret it as the result of linear thinking and clear organization on the part of a focused superintendent or building principal to organize a large and expansive policy. The other interpretation follows reasoning by Bolman and Deal (2003) that such highly structured policies are indicative of organizations that adhere to a Structural Frame perspective, which values goal completion above the needs of constituents and employees. An analysis of policies cannot ferret out such meaning from text, but interviews with social actors directly involved with the policy might.

*School Exclusion.*

The second difference separating the case from the sample group was the mandatory 10-day exclusion for first offence of the policy. Other policies mandated exclusions from three to five days and Hillside practices 10-day exclusion, but none codifies a full suspension (i.e. 10-day exclusion) from school on the first offense. Such measures appear not to recognize the research cited in Chapter 2 indicating the limited potential of school exclusion to prevent delinquent behavior. Why this clause is in five of the seven policies cannot be determined from this analysis, but one can conjecture that it is the impact of several forces such as school culture, community expectations, and a punitive societal model. Again, interviews with key social actors indicated why this component existed explicitly at Franklin and in practice at Hillside.
Off-Campus Incidents.

The third difference noted between Franklin and the others in the sample is the extension of the policy to include incidents outside the school day. Although Districts G and H also discipline students for off-campus behavior, G and H adopt the more stringent standard of “guilty” as determined by a court before imposing school sanctions. Franklin maintains the lesser standard of reasonableness. The information to determine reasonableness can be obtained from a variety of sources not specified in the policy presumably to enable the district to act more swiftly than the judicial system. Again, whether this is punitive or simply more efficient cannot be determined from a document analysis.

Counseling.

The final distinction separating Franklin from the group is the mandatory 12 hours of counseling. Like other policies, Franklin’s drug and alcohol policy includes the involvement of the school-based student assistance committee, but it does not defer to their judgment or to the judgment of an outside evaluation for appropriate counseling. It appears that this is a tactical clause designed to show tertiary respect to the student assistance program while maintaining the decision-making power in the administrative circle. It also indicates a lack of cooperation and perhaps even trust between private drug and alcohol agencies and the school.

These differences provide information regarding policies in the group. Franklin School District’s policy, although structurally similar, has notable differences in student
discipline and counseling requirements. Edwards and Nicoll (2001) argue that such discourse analysis is reflective of the environment in which the policy emerged and continues to operate.
CHAPTER 5

FINDINGS

School is not just academics. We also have to teach them the other parts of society. Total child.

Secondary Principal
Franklin School District

Introduction

Purpose of the Study

The purpose of this study was twofold. The first purpose was to test the framework of best interests of the student as defined by Stefkovich (2007) by comparing the pillars of rights, responsibility, and respect with the definitions used by other social actors involved in the education of children. In doing so, the project sought to expand the work by Frick (2006) to social actors outside building administrators and include those who traditionally have a vested interest in educational decisions that directly impact the welfare of students. The second purpose was to explore the rationale behind exclusionary practices in student drug and alcohol policies. This dual purpose was designed to expand the theoretical framework for best interests of the student beyond the conjecture of seminar settings and provide a practical district level use for the research.

The initial site was used to identify patterns indicating how different social actors define best interests of the student and what structural factors shape the criteria used by
different social actors to form their definitions (Yin, 2003). A second site was used as a theoretical replication. Findings enabled the researcher to construct a theoretical foundation for the definition of best interests of the student by multiple social actors and identify situational factors that shape such definitions.

Relating to the model of best interests of the student, findings indicate a disparity between Stefkovich’s three-part model of rights, responsibility, and respect and perceptions of social actors when making disciplinary decisions under a student drug and alcohol policy. Stefkovich’s model is constructed from a legal perspective whereas educational administrators, board members, and parents appear to use determinants of fairness, equality, and at some point equity to legitimize rules, consequences, and courses of action. These findings are consistent with those espoused by Frick (2006), which focused exclusively on secondary principals.

In regards to the issues of school exclusion as being inconsistent with research, data revealed that social actors involved with the school did not support exclusionary practices, but as Dupper (1994) and Knoff (2000) found, administrators seldom sought alternative courses of actions or consulted other expertise prior to exclusion. Concerns about whether the disciplinary action of exclusion for 10-school days was effectively teaching the students to avoid drugs or alcohol were revised by participants inside and outside the schoolhouse. Desires to change the existing drug and alcohol policies differed between the two locations, as was attributable to structural factors in the school and community.
Core Themes for Defining Best Interests

Regarding how social actors define best interests of student three dominant patterns emerged from the analysis of data from all three groups (i.e. administrators, board members, and community members). Although perspective differences exist between sites, groups within sites and individuals, similar terminology and perceptions were consistent across groups.

The first pattern emphasized rules and punishment or more aptly boundaries and consequences. Respondents expressed a belief that boundaries provide structure and consistency. Although respondents indiscriminately exchange the terms consistency and fairness, they appear to mean uniformity of consequences. However, their perception of uniformity centers on the supposition that the more clearly defined and uniformly enforced, the more stability is provided to the student. One can reasonably deduce from this perspective a historical basis from ideas such as, “Folly is bound up in the heart of the child, but the rod of discipline will drive it far from him” (Proverbs 22:19).

Although school discipline provisions seek to teach the child to avoid undesirable behavior, they often are counterproductive (Epp & Epp, 2001). Exclusionary practices remove students from school and school supports, and contribute to juvenile delinquency (Pinnell, 1985; Skiba & Peterson, 2003). In cases of drugs and alcohol, such a scenario contributes to the school to prison pipeline (Christle, Nelson, & Jolivette, 2004).

The second pattern that emerged was a recognized need to make child-centered decisions. Shapiro and Stefkovich (2005) also noted this, “…paradox between equality versus equity” (p. 104). This paradox as Shapiro and Stefkovich note is not new. Strike
and Soltis (1992) cite work by Aristotle that, “…justice consists of treating equals equally and unequals unequally” (p. 46). The dilemma then shifts to establishing the criteria upon which individuals are classified as unequal. Again, Strike and Soltis (1992) provide insight from Aristotle “…when people differ on some relevant characteristic they should be treated differently” (p. 46). Shapiro and Stefkovich (2005) and Frick (2007) cite examples of children with disabilities who are recognized as unequal and, therefore, deserving of unequal treatment as defined under the Individuals with Disability in Education Act (IDEA). Under the drug and alcohol policies of Franklin School District and District H, however, no such distinction is provided for inequality among students although many participants identified the need for consideration of such circumstances as family background, delinquency risk, and access to education.

Although this seems to be at odds with previous conceptions of consistency, the social actors included in this study, as also noted by Frick (2006), spoke openly about rule consistency (i.e. equality) but in application insisted that they considered the unique needs of the child (i.e. equity). Indeed, the Superintendent of Franklin School District confirmed this observation in a follow up interview stating, “It has been my observation that principals speak publicly of consistently treating all children the same, but in practice look at each child individually.” This dichotomy was noted in data collected from each group at both sites. Questions remain as to why the student drug and alcohol policies at these two sites do not allow for such discretion.

The final pattern that emerged was more closely related to Walker’s (1998) definition of interests as a complex interconnectedness of various groups with a direct
relationship to the child. This final theme is one of collective accountability. Each participant noted that the *best interests of the student* are served when parents and the school work collectively. However, in absence of such cooperation, usually expressed as a deficiency on the part of the parent, the school has a preeminent responsibility to the child that extends beyond established policy. This notion, on the surface, appears consistent with Stefkovich’s (2006) model which advocates keeping the student at the center of the decision, but it also illustrates the pitfalls noted by Walker (1998a & 1998b) that adults often make such decisions from an adult perspective of children rather than “…acting pedagogically and passionately in the child’s best interests” (Smith, 1998, p. 309). Administrators seldom seek the advice of outside agencies in regards to student disciplinary issues (Dupper, 1994; Knoff, 2000). Data from both sites found a similar reluctance for substantial collaboration with outside agencies.

From the arena of student discipline and school exclusion as examined in two student drug and alcohol policies, the research revealed a clashing of beliefs between what participants believed was the effectiveness of their current policy and what they believed was in the best interests of the student. In addition, despite the role of the social actor in the school district, definitions of the *best interests of the student* are more closely aligned with notions of rules, consequences, and collaborative accountability, rather than legal nomenclature of rights, responsibility, and respect. Considerations of such differences are discussed later.
Defining Best Interests of the Student

Boundaries and Consequences

Administration.

Educational administrators included in this study vary in terms of years of experience on the job. In addition to the two superintendents, the study included two high school principals, one assistant high school principal, and one middle school principal. Administrative tenure ranged from three to twenty-seven years. Despite these differences, five of the six administrators have all their experience in a single district. None of the principals interviewed held administrative experiences in a different district and only one, John Arp, was a principal at a different school in the same district. It is notable, however, that his previous assignment was as an assistant principal to Dean Johnson, the 18-year veteran principal also included in this study. Whether the two men have similar moral codes is not explored, but their answers to interview questions are similar.

Jim Street, Superintendent of Franklin School District was an anomaly in the study. With over 35 years experience in public education, he has 27 years of administration in four different schools districts. His responses differed from other administrators at Franklin School District. As such, they provided important insights into the structural factors that shaped the definitions of best interests by social actors at Franklin and contributed to the broader understanding of the structural factors at Hillside as well.
This point is salient in that each participating administrator used similar terms and concepts to construct their model of best interests of the student. Despite the uniformity of terminology, their answers presented a dichotomous relationship between sites. Participants from Franklin spoke of satisfaction in that the current drug and alcohol policy served the personal needs of students and the greater needs of the school to maintain order and safety, whereas those from Hillside School District unanimously agreed that the current drug and alcohol policy needed to be revised and that it failed to serve the personal needs of students and the safety and educational needs of the school district. In short, although each administrator defined best interests of the student similarly at both sites, their answers also reflected differing levels of satisfaction with the student drug and alcohol policy.

Among the building level administrators there was a consensus that the drug and alcohol policy could best serve the interests of the student through clearly defined boundaries and consequences. But again, the differences are noted in their belief that the policy was effectively meeting that standard. As John Arp, middle school principal at Franklin School District expressed:

I think I’m working for the best superintendent in the state right now. And he has told us many times fair is not always equal. But when it comes to discipline, I believe there is much more gray matter when you’re dealing with kids and their disabilities, than you are with discipline. Even in [the legal] system, once they’re
18, there is not a whole lot of gray matter. I mean some things just have to be black and white.

Dean Johnson, also from Franklin School District and the veteran principal in the study, summarized his perspective on boundaries established through policy this way:

Zero tolerance means it doesn’t matter who you are, or who you know, it’s exactly the same penalty with the same consequence for the same item and zero means that there are no exceptions. And that’s the hard part—there are no exceptions. It means if you do it no matter how . . . to what degree you do it, if you did it the penalty applies.

These perspectives on rules and consequences were consistent between districts as well. At Hillside School District, the administration was openly opposed to the current drug and alcohol policy but expressed similar ideas of rules and consequences. Eric Richard, superintendent of Hillside, expressed concern that the district policy “carries no weight” for those outside extracurricular activities. His concern that the drug and alcohol policy does not treat all students equally was illustrated by how he defined the term “consistent.” Consistent means trying to treat anyone who breaks that rule similar to how we’ve treated or disciplined the individual who broke the rule prior, and the one that will break the rule after.”
Of the six administrators interviewed, each utilized terminology of “consistency” and “fairness” to describe how they enforced rules to serve the best interests of the student. Although there is perhaps a utilitarian purpose for ensuring the safety and security of hundreds of adolescents in a confined space, as David Stackhouse, assistant high school principal at Hillside, noted “The bottom line is you have to be consistent…if you are not, what happens is you open a huge Pandora’s Box.” Yet, there was a clear indication that consequences taught children about responding appropriately in society and that the consequences had to be predictable and certain.

*Board of Directors.*

Board members, community members, and administrators placed equal weight on consistency and fairness for management of the student body, but also to teach lessons for adulthood. This perspective of lessons for adulthood is similar to Stefkovich’s (2006) pillar of responsibility but as noted earlier, participants avoid such legal terminology as “responsibility.” Stefkovich builds her model from work by Kant (1966) emphasizing an individual’s duty in the larger society, and from Starratt’s (2005) position that responsibility is based on accountability toward other individuals and towards the larger society as well. The participants representing school board members appear to hold similar ideas as Stefkovich (2006) but supplant “responsibility” for ideas of consequences as education despite the common legalistic perspective.
The sentiment from Franklin School District was structured similarly on rules and consequences from board members as from administrators at the same site. David Eck, President of the Franklin School District Board, stated bluntly:

In my own house we have rules. And if the kids don’t follow the rules, they lose privileges. I think the same thing should be done at the school. If the kids don’t follow the rules, the principal should be taking away privileges. And if parents understand parenting at all, they should be doing the same things at home.

Eck was not the only board member to express this sentiment. The two other board members included in this study from Franklin echoed a similar legal tone in their perceptions of rules. In describing the effectiveness of a football coach at enforcing rules and expectations of athletes, board member Steven Hart stated:

[The coach] was real hard on them. This team was headed to state finals, biggest game of the season, and there sat our star center on the bench. He was real tough on the boys. No screwing around…and the boys knew it.

This concept of rules, expectations, and accountability was presented as a clear expectation at Franklin School District and a facet that lent credibility to the district and its programs.
However, Hillside School District presented a different model of boundaries and consequences. As at Franklin School District, the perception was articulated that the needs of the child were best served by enforcing rules and consequences, but the notion of consistency was not as pronounced. Board members at Hillside School District approached rules and their consequences more from a position of concern for the child than adherence to rigid policy. Board member, Janice Raup based her responses from the position not only of a board member but also from her three decades as a school nurse at Hillside School District:

I sometimes was the only one who might have had the best interests at heart in that a teacher would come down on a kid and I knew that that kid came from a home, a bad home. I had kids that lived in tree houses. Okay. A teacher doesn’t see that part of it. So you have to share that with them.

Her perception was that the rules need to be enforced, but for the sake of the child, the disciplinarian, be it the teacher or principal, needs to consider the totality of the situation. For this retired school nurse and current board member, equity and individual differences needed to be at the center of the decision for the child rather than equality in this instance. This perception was also stated by another member of the board in that, “You have to teach discipline…and yes it’s a teaching experience and [it’s] projected to other students.”
Consistent with research by Epp and Epp (2001), the notion of discipline as education was evident from all respondents. Board members from each site approached rules and consequences from a legal perspective as does Stefkovich’s (2006) model of *best interests*. Stated differently, rules are part of society, and parents and the school have a responsibility to teach children how to respond to rules and accept consequences.

Community Members.

This research sought to create a separate category for members of the community who may not be involved in day-to-day operations of the school, but who nonetheless have demonstrated a vested interest in the school community through involvement in organizations such as Parent Teacher Organizations (PTO) or Booster Clubs. This group spoke from a parental perspective. Their perceptions of what was in the *best interests* of the child were markedly consistent with others interviewed from their school districts.

In considering how consequences and boundaries are established similarly between home and school, Jane Smith a seven-year past president of the PTO stated, “I use this approach at home…you are not going to get away with things that are unacceptable. There’s zero tolerance.” Discussing the school’s role she said:

…if two different students do the same thing two years apart, for example, or if I have a child and she does something now, I expect my child three years down the line to be treated the same way and have the same type of punishment.
The theme of consistency as well as fairness was echoed through each community members’ response at Franklin School District. When considered in conjunction with responses by administrators and board members discussed previously, the clashing of moral codes between equality and equity is more apparent. However, an analysis of the responses at Hillside School District demonstrated a different perspective on consistency and fairness (i.e. equality and equity). Again, a difference that was consistent within that school district.

Community members from Hillside School District consisted of two females and one male. One female was a mother of two children at the secondary level and owner of a retail store in the borough. The two other parents were employees of the school district, one as a classroom aide and one as a teacher. Both had children currently in the secondary system and who had graduated. Like the community members at Franklin School District, the interviews were done separately and at least, unbeknownst to the researcher, these individuals had no specific relationship with each other. Their responses were strikingly similar.

When community member and teacher, Greg Smith, stated, “I don’t like to think that everything is so carved in stone that you can’t look at each individual situation” a notion of equity, he was also quick to add that, “But I am firm, as a parent, with my kid…” At Hillside School District, there was a notion that rules need to be firm but flexible; that there were extenuating circumstances that needed to be considered in the interests of the student. This idea is more closely aligned with Stefkovich’s (2006) model of best interests than at Franklin School District where equity was favored over equality.
Another school employee and parent, Susan Miller, made a similar statement to Smith’s in that the dichotomy of flexibility for other students but firmness for their own child when she stated, “I’ll tell you from my standpoint if my child gets in trouble at school, he or she knows when they get home there’s automatically punishment. There are consequences for what was done.” Yet when asked about the school’s role in discipline she stated that,

When there is a disciplinary problem I think you have to look at everything in general. And I know sometimes that’s hard because a lot of times you know we might not know what kind of background the child comes from [and it has to depend] on how much [the student’s] parents get involved too.

From each of the community respondents, there was a notion that consistency was in the best interests of the student, or at least in their student. Where consistency between the home and school was lacking however, it was up to the school to act on behalf of the child.

From each site, the idea that children are best served by establishing clear and consistent boundaries was espoused by school administrators, board members, and community members. As stated, there is undoubtedly a utilitarian purpose of management. On the other hand, the notion of the Judeo-Christian dogma of “spare the rod and spoil the child,” is clearly evident as a maxim that instills self-discipline in the child and prepares them for the world beyond the schoolhouse. Stefkovich expresses this
as the pillar of responsibility, but the participants in this research did not use the term specifically. This is a semantic difference. The ideas by the participants and Stefkovich (2006) are structurally similar in that “…persons capable of making decisions are moral agents and, therefore, are responsible and worthy of being praised or blamed” (p. 23). Although degrees of rigidity are noted, the data demonstrated a belief that structure, discipline, and consequences that are predictable and certain are in the best interests of the student.

Child Centered Decisions

The second theme that emerged from the data was a notion that despite the need for consistency, children needed to be looked at as individuals. This notion is at the center of Shapiro and Stefkovich’s (2005) ethic of professionalism and Stefkovich’s (2006) model of best interests of the student, which is built on that ethic. However, Smith (1998) cautioned that there is a distinct, “…difference between working procedurally and professionally in the best interests of children and acting pedagogically and passionately in the child’s best interests” (p. 309).

From Hillside School District, the former school nurse and now board member stated it this way, “There was this girl crying in my office. She did not know how she was going to pay the heating bill this winter. These are things a teenager should not have to worry about.” This same individual started her interview by pronouncing that she was “…old school…” and felt there needed to be firm, consistent consequences when a rule was broken. Her definition of best interests of the student at first asserted itself from an
ethic of justice, but the majority of her responses reflected more of an ethic of care. This
dichotomy of responses did not appear to cause personal conflict or angst, but was
instead rationalized in a manner to manage a large population of students in general and
individual students specifically. However, between districts there was a different notion
of how this dichotomy was applied.

Although the intent and the effect of an individual’s perception is difficult to
separate, evidence of both, “…professional concern for children…” and, “…passionate
concern for the interests of a child…” (Smith, 1998, p. 309) can both be seen in the
respondent’s comments. Smith (1998) and Stefkovich (2006) also agree that the interests
of a child should be viewed, at some level, from the perspective of the child rather than
from an adult. In the data collected in this study, it does not appear that type of empathy
occurs in disciplinary issues in general and in drug and alcohol issues specifically.

*Administration.*

Franklin School District’s Principal Johnson was a key developer of the current
student drug and alcohol policy. The administrators, board members, and parents believe
that the policy is well-written, consistently addresses the needs of the students, and is
equally applied. Within that seemingly rigid policy, Principal Johnson rationalizes how
its uniformity of consequences serves the individual needs of the student. He states:

There are a number of kids that have gone through the policy and one of the
things that people don’t realize is that the drinking is only the tip of the iceberg.
There’s a reason why that student drank or did drugs. It could be something as . .
. self-esteem, it could be the inability to make their own decisions, it could be
mom and dad are bickering, it could be hundreds of possibilities. And if
counseling finds and identifies that problem and then helps the student deal with
that problem, then they never drink again. And therefore it’s very, very
worthwhile.

Johnson’s former assistant principal and now the middle school Principal John Arp,
agreed with his former supervisor but stated the point differently “…if a kid comes and
tells the truth, admits what they did. We can deal with it at the minimum.” Underlying
the comments by administrators at Franklin School District is a belief that the drug and
alcohol policy is well-written and able to address the individual needs of the child as
necessary; a sense of rigid compassion. Their perspective, as stated earlier, is more
professional concern for children than a passionate concern for the child. In this instance,
the administrators from Franklin School District are at odds with Stefkovich’s (2006)
model of best interests of the student.

The administrators at Hillside School District held similar positions but again,
stated that their drug and alcohol policy needed revised—that it was inconsistent and
failed to serve the needs of the students. Assistant High School Principal, David
Stackhouse noted:
…are we doing the students justice to suspend them for 10 days? I think it could be better served in some other area [such as] getting them help in some fashion. Whether it’s counseling [or something]? Why are they doing drugs and so forth? Is a 10-day suspension helping them? I don’t think so. I think [first], is that in 10 days they’re missing valuable academic learning time, [second] they’re falling behind, and [finally] is that they’re out running around and we’re not getting them help.

Franklin School District’s policy also suspends students for 10 school days. Only the superintendent expressed concern over this move, but he never expressed a desire to attempt to change the policy. At Franklin, there was an overriding sense that the policy was thoroughly scrutinized, clearly defined, and served the needs of students.

*Board of Directors.*

Individuals interviewed from Franklin’s Board of Directors expressed similar ideas on how the drug and alcohol policy served the needs of students. However, unlike the administration, they did not advocate for individual child-centered decisions, but that a well-written policy, uniformly applied, served the needs of students. Consistency was a dominant theme even in their discussions of child-centered decisions. Board President David Eck stated perhaps the strongest case in saying that:
I think [Dean] does that from what I understand, from what I know of [Dean] I think that he [enforces the idea], this is the rule, you broke the rule, you pay . . . these are the consequences and . . . he does a decent job of that. And . . . that’s the way I think it should be done.

Following on Eck’s comments, another board member, Steven Hart expressed a similar sentiment, “You can allow a discipline officer some discretion, but rules are rules.”

Despite their support for the drug and alcohol policy at Franklin, the policy has been revised several times in the last decade. When asked why those revisions had occurred, Board Member Todd Hammer, stated, “to close a loophole…there are these attorneys and they will find a way around the policy…so the last two times at least it was revised to close a loophole.” The sentiment from the board and administration is consistent. The policy serves the interests of students. This sentiment from the board members interviewed is consistent with a public position by principals. As the superintendent noted, in public the principals tend to speak of consistency, but in private they are more apt to consider the individual needs of the student. The board members would be more familiar with the public statements and positions of its administration and as such, be influenced by those ideas.

At Hillside School District, the board members interviewed presented a markedly different perspective than those from Franklin School District. From discussions on zero tolerance to the drug and alcohol policy, the participants commented that disciplinary
decisions had to be made with the individual student in mind rather than enforcing the rigidity of a policy. For example, Board President Keith King stated:

There are exceptions and things that don’t fit or things that judgment has to be made. A second grader does not deserve the same zero tolerance as a senior. I do not believe personally in zero tolerance at all. [It’s] nonsense. Things are not always black and white. Sometimes they are but you have to be able to know [and] respond to ones that are gray.

Of the three board members interviewed at Hillside School District, each expressed the sentiment that at the board level discretion was necessary to interpret policy and student intent in order to serve the needs of the student. This position contrasted with the board members at Franklin School District who argued that policy rigidity and uniformity in application was in the best interests of the student. Differences were largely attributable to local differences in school culture and community perspective of the capacity of the schools to educate and raise children. These structural differences are discussed later.

Community Members.

The parents from Franklin School District expressed concerns about the rigidity of the drug and alcohol policy that were different from other disciplinary policies. Their perceptions of making child-centered decisions was more in line with those held by board members and parents at Hillside School District; a notion that each child should be
considered and that the rigidity of the current policy was not truly serving the needs of the student.

One parent whose child had been disciplined under the drug and alcohol policy felt that the mandatory counseling requirement of 12 hours imposed by the district was ineffective at addressing the needs of the student. Lisa Waldman, a parent and former PTO president for 12 years, made a similar comment about the 12 hours of counseling, “I think that a more appropriate timeframe would be when the counselor felt that the [child] had fulfilled the requirements.” Contrary to the ideas expressed by the board and the administration at Franklin School District, the members of the community described a model of equity over equality that better served the needs of the student.

At Hillside School District, this theme continued. Parent and teacher, Greg Hill stated, “…just to instantly have a 10-day suspension some of those kids aren’t even going to view it as punishment…There needs to be more than that.” Likewise parent and classroom aide Susan Miller stated, “I don’t think it’s black and white to say….this is what you did and this is what’s going to happen…” Of the parents included in the study, each expressed a perception that the individual interests of the child needed to be considered and the policy should enable such discretion.

Collective Accountability to the Child

Administration.

The final theme for how these social actors defined best interests of the student indirectly addresses the term interests. Interests, according to Walker (1994), is “…the
realm of assessing realities, social processes, and competing interests” (p. 288). Walker argues that many fail to recognize the complexity of the interests that surround the child. However, there is concern for this theme as expressed by participants and directly cautioned by Walker, who warned of the “…need for ethical competence in the exercise of discretion, and of the dangers of statism and potential tyranny of the expert” (p. 293). It was evident that each group recognized a need for the multiple agencies (i.e. parent, school, self) to act to protect the child, but that in absence of these other interests, the school has a preeminent responsibility to the child. Hence, the door is open for potential abuse of by the tyranny of the expert as Walker states.

Individuals in both sites included in this study voiced a perception that the best interests of a child was served or at least protected by the collaborative involvement of those interests (i.e. individual, state, and communal) that surrounded the child. For instance, in the absence of parental involvement, the school has a preeminent responsibility to ensure that the welfare of the child is ensured. The danger this creates, as Walker (1998) warned, is for the discretion of the school administrator to become the only voice in the child’s interests.

School officials at Franklin School District present a supporting sentiment relative to the school acting in loco parentis. Dean Johnson spoke to this position when commenting about parent involvement:

What frustrates you is when you know a student is going downhill, going the wrong way, and you can’t get the parent to do what is necessary to turn that
student around. They’ll just tell you that they can’t control them, that they don’t
know what to do and they’re not willing to fight the fight as a parent.

Dean Johnson’s long time assistant and current middle school principal had a similar
insight into lack of collective involvement:

The part that’s frustrating is there’s been 5% of the time you might have parents,
and I call them the white horse parents. We are taking care of things [for the
student] and we’re dealing with things, we’re feeding their kid breakfast, we’re
feeding them lunch, you know, they’re accepting detentions…the kid’s coming
along. But he makes a really dumb choice and we have to discipline the young
man and find something progressive with him. And the parent at that time is
having some problems with their child. And they decide to [ride] right in on the
white horse and fight the school and the system that’s been put in place by a lot of
good people like colleges, guidance counselors, principals, lawyers. I mean they
write a lot of these policies. [In] most of these policies, they try to be kid friendly,
but that white horse syndrome I call it or that parent all of a sudden hasn’t been
involved. They let us do everything. I can think of the 12 students involved in
that [drug and alcohol incident in May] I think it was seven or eight of them [the
parents] trusted us impeccably. We were the best things since sliced bread. But
when it came to that [incident] they came in on that white horse. It is that white
horse syndrome that drives me crazy.
The idea of collective accountability is one that the administrators at Franklin School District see as valuable, but are also willing to act on the child’s behalf in the absence of such collaboration. As Principal Johnson stated, “School is not just academics. We also have to teach them other parts of society. Total child.”

Hillside School District presented a similar scenario, but again believed that their current policy did not provide the means to make independent decisions effectively on behalf of the child. They clearly desired such a position, however. Hillside’s superintendent presented his perspective on serving the best interests of the child without the collective support of other agencies:

You know coming from the elementary background that I have I know when we’ve suspended kids out of school the concern was lunches and things like that. They’re missing some things that weren’t going to be provided in certain homes. Yeah I, I think that is scary. At the high school level if you really have a disturbed student and you out-of-school suspend him or her I don’t know how that’s going to create a safer environment for that student.

His assistant high school principal made a similar observation when commenting on the 10-day exclusion currently practiced under Hillside School District’s drug and alcohol policy, “…I’d rather have the kids in school where we can sit on them…getting their academics….than out running around unsupervised.” Whether these opinions ultimately serve the best interests of the student requires the ability to know the future of the child.
That is not possible here. However, there is a stated belief that an omnipotent school official is acting in this child’s best interests, a unilateral decision, if not the tyrannical situation of which Walker (1998) warned. Whether this action is harmful or not cannot be determined, but collective accountability to the child of multiple interests is not ensured.

*Board of Directors.*

As was noted in the previous two themes, the school administration and the board of directors have similar perceptions of how the *best interests of the student* are served. Their perceptions, not surprisingly, arise from the role of the school in the life of the child. The board president at Franklin School District commented that regarding the 10-days of suspension under the drug and alcohol policy, “We give them 10-days, what are they going to do? So yes, I guess I worry about what they are doing outside of school.” His colleague, board member Todd Hammer had a similar observation, “I’m not big at all on suspending out-of-school because….probably there is no one at home and they have all that time on their hands…”.

This idea that the school has a responsibility for the child is representative of the role of the school in the community. Whether or not this is a value imposed on the school or one the school administration has assumed is not explored in this research. That argument withstanding, the drug and alcohol policy for Franklin School District asserts its influence over students inside and outside the schoolhouse. Although its origins are not known, the role of the school as a benevolent parent is not debated openly
by Franklin’s administration, school board, or community members who participated in this study.

At Hillside School District, the comments were consistent with those at Franklin School District. The school has a responsibility to act on the child’s behalf in the absence of other social entities. Board member Donald Brewer believed that the school had a larger responsibility beyond a blanket suspension stating:

…something that made it so that they weren’t just sitting at home waiting for the 10-days to be up because at that point the district doesn’t have any control over whether their parents are truly taking this as a serious situation trying to get them help.

These community members acting in the official capacity of board members speak with sentiments that are more akin to the parents they represent than the administrators whom they hire. In this vein though, they agree with administration on the ultimate responsibility of the school. They openly suggest that the disciplinary provisions of the drug and alcohol policies they otherwise support, may not serve those ends.

Community Members.

At Franklin School District and Hillside School District the community members described the ways in which they felt school exclusion was not serving the needs of students. All three community participants from Franklin School District made similar
statements. Jane Smith stated, “I really feel those students should be coming to school for those 10-days…where they could be monitored.” Diane Mertes stated “…sitting at home would be just like a vacation…” Finally, Lisa Waldman also stated “…if they could have been in school [supervised] it would have meant more to them.” Although these three individuals were interviewed separately, they echoed almost identical sentiments on the responsibility of the school to act in and be protective of the best interests of the child in the absence of other interests.

Hillside School District held similar positions in that there was little benefit in students being suspended out of school where they were presumably unsupervised. The idea that a child’s best interests are protected by collective involvement and, in the absence of such collaboration, the school is the benevolent expert was consistent in both districts.

This research sought to first identify how different institutional actors defined best interests of the student and how those definitions differed among the social actors. The second site was used as a validation study for the purpose of theoretical replication (Yin, 2003). Data were analyzed for patterns in terminology and participant perspectives. Patterns from the first site were used to construct an empirical model for each group (i.e. administrators, board members, and community members) relative to the research questions posed. The second site was used to validate the initial findings. The intent was never to find an identical site, but that differences in how social actors constructed their perceptions of best interests of the student could be attributed to structural factors that varied between locations.
Pattern Analysis and Summary

Administration.

The first site demonstrated consistent patterns in respondents’ data based on their role in the school community. Building administrators focused on an overriding idea that the best interests of the student was served through articulation of boundaries and predictable consequences that were equally applied. Although it could not be determined to what extent this was a management necessity, it is clear through personal conversations between the administration and the researcher, and observations at board meetings, that these two administrators view clarity, consistency, and consequences as necessary conditions for raising children, inside or outside the school house. They spoke publicly about this virtue but also stated that they sought to examine all of the information and make a decision based on the facts and apply the policy appropriately; to make child-centered decisions. The possibility that this was a professional rather than a pedagogical response as Smith (1998) warned is evident.

Upon initial review this seems to imply that administrators at Franklin School District are willing to bend the rules, but in fact as the middle school principal noted it was that they felt the policy allowed sufficient leeway to assign minimum or maximum consequences to the students depending on the totality of the situation. The model identifies a final pattern in collective accountability. Perhaps more simply stated as, it takes a village to raise a child. Thus the administration recognized a need for the school and parents to work collectively for the interests of the student.
Administrators at the second location held similar perspectives but expressed them as what they wanted not what they had achieved. From the superintendent to the building principals, they articulated ideas that they needed to be consistent with students, but also expressed a desire that they had not yet achieved a level they found acceptable. Against the patterns identified in participant responses from Franklin School District, the differences at Hillside School District were attributed to school culture, community climate, and local school history as is discussed later.

Board of Directors.

School board members served multiple roles in this study. All were obviously members of their communities with a vested interest in the school, but all were also parents of current or former students. The researcher did not explicitly ask them to speak from the position of a board member exclusively, but most did. Their roles as parents, however, were often cited as examples and it can reasonably be inferred that these roles influenced their perspectives. With that noted, how they defined *best interests of the student* differed from both the administration with whom they closely worked and the parents whom they represented.

The model created at Franklin School District represented a pattern supporting the belief that the student benefited from clearly articulated boundaries and predictable consequences uniformly applied. The board members related how this approach or definition of *best interests of the student* was effective by citing examples from the athletic field to their own homes. They did not relate the student drug and alcohol policy
to this scenario but they did note that each revision to the policy was done to close
loopholes and make its consequences more predictable and equally applied.

Like the administrators, the board also expressed the need for child-centered
decisions. On this point they deviated from the district policy on two fronts. First, that
suspension was not in the *best interests of the student*; and second, that the mandatory 12
hours of counseling was arbitrary. One board member spoke personally from the position
of a recovering alcoholic stating that 12 hours is grossly insufficient to address issues of
addiction. However, not one board member interviewed expressed a desire to change this
part of the policy. The final pattern that emerged from this group was also the notion of
agency accountability. The idea was consistent with administrators that the school had a
paramount responsibility to the child in the absence of parental influence.

Findings from the second site demonstrated similar patterns for constructions of
*best interests of the student*. However, as with the administrators from this second
location, the board members indicated a desire for what they wanted in their district drug
and alcohol policy and administrative decisions, not what they felt they had achieved.
Again, these differences are attributable to local conditions such as frequent changes in
administration and community distrust. These issues are discussed in more depth later.

*Community Members.*

The community members at both sites represented a mix of individuals with
children at different ages and holding different careers. At times, it was difficult to
identify a consistent pattern of constructs for *best interests* but secondary analysis and
follow-up interviews clarified the overall analysis. Like the administration and members of the school board, community members’ constructs of how the best interests of students were served was consistent with other adults involved in the school community. They espoused ideas that children are best served through boundaries and consistent consequences. However, this group of participants was more inclined to stress the need for child-centered decisions rather than standardized reactions codified in policy. Likely this is the result of their etic perspective rather than their emic perspective to the school.

In the absence of collective agency involvement, this group also recognized the need for the school to serve as the benevolent parent or in loco parentis. Curiously, none of the participants spoke to this as it pertained to their own child, but only for the child of another parent. These patterns emerged at both locations. And again, differences in respondent answers could be attributed to local conditions.

The model of how different social actors define best interests of the student was constructed at the initial location for each group and was analyzed against respondent data from the second location. Size restricted the number of participants at Franklin School District and as such the same participant numbers were maintained at the second location even though it is a larger school district. The models were not identical in perception of what was, but they were similar in desire for what should exist for the best interests of the student. Differences could be attributed to local factors as discussed below.
During data analysis, it became readily apparent that certain structural factors were influencing participant responses. Edwards and Nicoll (2001) argue that policy verbiage is indicative of the values of the organization and is reflective of power struggles within that organization. Bolman and Deal (2003) also contend that such hierarchy is an indicator of highly structured organization. Although the researcher is an administrator at the initial site, the researcher was unprepared for the uniformity of responses to the first set of interview questions.

The first two interview questions asked: *What brings you the most satisfaction in working with the school community?* and *What frustrates you the most in working with the school community?* These questions were designed to set the tone and pace of the interview. Of nine participants at Franklin School District, seven stated some form of child growth as bringing them the most satisfaction. When asked what frustrated them the most, six respondents stated simply, ”parents” (see Figure 2, Appendix E). It is necessary to note for clarity, that these interviews were conducted one-on-one. Participants were not aware of the names or other participants, and to the knowledge of the researcher, none of the community respondents had social contact with each other. The uniformity of responses among administrators, board members, and members of the community indicated a specific structural factor or set of factors shaping their perception of the school and the community.
Data collected from the superintendent at Franklin School District demonstrated that he did not hold many of the same views as other participants. This finding is not surprising considering he was not a native to the district and, at the time of the interview, had only lived in the district for four months. In a follow up interview he indicated that his perception of the parents and community was that “…the school did a good job raising and educating students. If a student wasn’t making it [in school] then it was the fault of the parents not the school.” According to Superintendent Street, this issue was largely created “by the fact that the high school has had only two principals in the past 30 years.” The current principal was an assistant to the first and according to Street “…their personalities and management styles are identical.” Board president David Eck corroborated this perspective stating that:

I think [Dean] does that from what I understand, from what I know of [Dean]. I think that he, this is the rule, you broke the rule, you pay . . . these are the consequences and I think he does a decent job of that. And I thought that’s the way it should be done.

This perspective of established boundaries and consequences permeated participant responses and emerged as a dominant pattern in the study at Franklin School District. Combined with the uniformity of responses supporting rules and consequences and the superintendent’s comments regarding community support for the school, the impact of
longevity of like-minded administrators was apparent in how these social actors defined what was in the best interests of the student.

When the model was evaluated against results from a second site, the extent of this characteristic to influence respondents’ perceptions of best interests of the student was striking. Using the same protocol the participants were asked the same questions. Of the nine interviews, five stated some form of child growth as giving them the most satisfaction, while, unlike the initial site, only one stated “parents” as the most frustrating. Other answers included: “lack of trust,” “paper work,” and “financial issues.” No pattern of responses for these two questions emerged from the second site.

As noted previously, the participants from Hillside School District indicated a desire to have clear and consistent boundaries and consequences applied equally. However, different from Franklin School District was that these were goals not yet achieved and they were never articulated with the clarity as they were at Franklin.

Although one could deduce based on work by Bolman and Deal (2003) that from the highly organized drug and alcohol policy at Hillside School District that the district adheres to a structural frame organizational style. However, it was apparent that the current administration and board were not satisfied with the policy and they plan to re-write the policy. Edwards and Nicoll (2003) indicated that a desire to rewrite policy may be symptomatic of larger power struggles within the organization or changes in leadership styles. Hillside School District was clearly in the midst of a process of reorganization based on comments from administration, board members, and recent school board election results.
Again, the local history at Hillside School District offers reasons for the discrepancy in the initial findings from Franklin School District. Hillside School District had a previous superintendent for eight years during which time the district accumulated substantial financial burdens. When the new superintendent was appointed, taxes were raised 21%, programs were eliminated, and staff positions were reduced in order to balance the budget. In the following general election for the school board, three members lost their seats to write-in opponents. Since this upheaval three years ago, votes by the board are usually divided 5 to 4. The superintendent and board members interviewed stated that “lack of trust from the community and from other board members as their biggest frustration.”

Unlike Franklin School District, the community and its board of directors at Hillside School District do not present a model of respect and commitment to the school or its leadership. The structural factors that appear to shape the perception of best interests of the student by the social actors’ interviews is adversarial (see Figure 3, Appendix F). Although structurally, the answers of the participants at Hillside School District fit patterns common to Franklin School District, there were more irregularities in their position to such issues as boundaries, consequences, child-centered decisions, and collective accountability. At Franklin the model is one of uniformity and acceptance of a communal responsibility to the school through shared values (see Figure 4, Appendix G). On the surface, it appears that this lack of trust in the school and its leadership is detrimental to the best interests of the student. However, as Walker (1998a) cautioned
the lack of accountability to the collective interests of the child allows for the potential tyranny of the expert.

Rights, Responsibility, Respect

Conceptual Framework

The conceptual framework for this research was the best interests of the student as articulated by Shapiro and Stefkovich (2005) and Stefkovich (2006). The framework consisting of the three pillars of rights, responsibility, and respect, represents an attempt to create a maxim for guiding educational decisions built on the ethic of professionalism. The model pulls in previous research by Shapiro and Stefkovich (2005), Smith (1998), Stefkovich and O’Brien (2004), and Walker (1998a & 1998b). In his unpublished doctoral dissertation, Frick (2006) conducted a series of interviews with secondary administrators to begin building a theoretical foundation for the best interests of the student that moved beyond seminar classrooms. Frick concluded that, “…secondary school principals did not define the expression best interests of the students in such a way that mirrored the Ethic of the Profession’s model” (p. 202). Instead, he found that administrators invoked phrases such as “…a check among many checks…” (p. 204). In an attempt to balance the needs of individual student, student body in general, school policy, and community expectations. Incorporating other social actors outside administration, this study found similar clashing of ideas as social actors such as board
members and community representatives struggled to offer seemingly conflicting definitions of best interests of the student.

This project sought to expand that work to include other social actors involved in the educational decisions of children. However, unlike Frick (2006), this project utilized existing drug and alcohol policies at two sites as opposed to a curriculum-based vignette. This approach was adopted based on work by Stefkovich and Begley (2007) that educational administrators retreat to ethical stances in situations of high stakes urgency or conflict. Observations from this researcher as a former assistant high school principal and as a current central office administrator illustrated that drug and alcohol policies present such an arena for administrators, board members, and parents.

Best Interests in Practice

The interview protocol contained a specific section addressed to best interests of the student as defined by Stefkovich (2006). This was added after a pilot study showed that respondents did not automatically use terms such as rights, responsibility, and respect. The protocol incorporated the diagram from Stefkovich’s (2006) book Best Interests of the Students (see Figure 1, Appendix C). Participants were asked open-ended questions relating to their perceptions of the model and to what extent students possessed or used rights, responsibility, and respect.

The study found that educational administrators were more articulate about student rights but were also openly frustrated with the lack of responsibility demonstrated by youth regarding those rights. Principal Dean Johnson stated:
Well, number one, there are students who they have the rights for everything. And the world owes them everything and everything should be given to them. And, therefore, they don’t take responsibility. You have to take responsibility for your actions and what you do. And then make sure that if it isn’t right that you take care of the consequences that come with that by accepting the responsibility for your behavior. And respect is when you respect the rights of others and you take the responsibility of achieving that. So to me they all go hand-in-hand.

Although stating what the model implies, without the benefit of training with the model, Principal Johnson never mentioned student rights, either constitutional or otherwise, when discussing school discipline or the drug and alcohol policy. His comments were typical of other administrators like Diane Packard, High School Principal at Hillside School District, when she said: “Probably responsibility and respect play a bigger role for me. But students let you know their rights.” Packard also did not mention student rights when discussing disciplinary issues or the drug and alcohol policy. Their comments here indicate that they were apprehensive about attributing “rights” to students in disciplinary situations.

School board members, with their involvement in the school policies and legal discussions, were predicated to have a broader appreciation for rights, responsibility, and respect. Their answers covered extremes. Hillside School District board president
stated, “All humans have rights, fundamental and constitutional.” Whereas Franklin School District’s board president said:

Well there is a job to be done in this building. And kids need to fall in line. I’ve listened to some parents where they actually think about their kids’ rights as individuals, as people. You know like [my children’s] rights. They have a right to listen and do what I tell them to do.

The structural factors that shaped the definitions of best interests of the student as mentioned previously seem to permeate perceptions of students’ “rights” as well. Again, like the administration, the board members did not use terms such as rights and responsibility, or even respect when discussing student disciplinary issues, instead favoring terms like discipline and accountability. Despite semantic differences, the implication in these terms was consistent with Stefkovich’s (2006) model in that the implication was based on a legal notion of universal expectations and individual accountability.

Community members expressed opinions similar to board members. Parent and teacher Greg Hill stated:

In school? I can tell you [at] home [that] I tell my kids no, they really don’t have much of a right in my opinion. You’re in my house, I’m your parent, you
know…that’s how I am as a father. And to a certain degree I guess I feel that way in school too.

Other community participants from Hillside School District held similar perspectives. Susan Miller, classroom aide and mother of three teenagers stated, “…I don’t know if I would have ever looked at it as a right…I kind of try to lean more towards privileges so to speak than I would say rights.”

Whether or not student rights were assumed to be part of the policy, or simply not part of the decision-making process could not be determined from this research. However, terminology was not part of the open dialog and respondents outside the school administration stated they did not believe students possessed rights—constitutional or otherwise. Responsibility and respect, too, were absent terms from the responses regardless of their role in the research or the district of residence. Again, one can reasonably assume based on other statements that participants assumed respect for authority was part of the lesson the school taught or should teach, but as a topic was not openly discussed. Structural factors did not appear to impact the extent to which an individual involved in the interests of the student reflected on rights, responsibility, and respect.

**Conclusion**

In order to expand the theoretical foundation for best interests of the student, the purpose of this project was to identify how best interests of the student is defined by
social actors involved in the education community and what structural factors influenced those definitions. The research was then compared to Stefkovich’s (2006) model based on the pillars of rights, responsibility, and respect.

In practice those on the front lines of education do not exclusively use a decision-making model as Stefkovich (2006) hypothesized. Stefkovich advocates a maxim for educational leaders to determine if decisions are in the *best interests of the student*. However, this research, as Frick’s (2006), found that administrators, board members, and community members, tend to define the *best interests of the student* more broadly as a balance between competing interests and community expectations. Through clearly articulated boundaries, predictable consequences, child-centered decisions, and collective accountability, members of the educational community perceive that the *best interests of the child* are served.

From the patterns which emerged at Franklin, structural factors could be identified that contributed to different perceptions of the *best interests of the student* by different social actors. Some of those factors were related to the role of the individual such as building principals who have stronger notions of student rights. Others were related to community climate such as leadership turmoil and taxation at Hillside School District. In short, the patterns showed that differences in perception of *best interests of the student* by different social actors and across sites were, to some extent, more readily understood against extenuating structural differences.

Unless specifically asked, there was little discussion or comment on student rights, responsibility, or respect. When directly asked, administrators acknowledge, if not
begrudgingly, that students had rights but not as many as the students often perceived. Board members and community members on the other hand, were more likely to argue that children did not have rights. Instead these actors acknowledged that they tended to think more of privileges that the child earned by following those boundaries and accepting consequences for wrong decisions. Rights, from their perspective, were not innate, but earned as one met the expectations of parents, teachers, and principals.
CHAPTER 6
DISCUSSION

There is a difference between working ...professionally
in the best interests of children and ...pedagogically
in the best interests of a child.

Smith (1998, p. 309)

The purpose of this research was to add to the theoretical foundation of how best
interests of the student were conceptualized in practice. In order to do this, the researcher
focused on two student drug and alcohol policies. Both policies contained provisions that
were inconsistent with current research on school exclusion and intervention for
delinquent youth. Also, the policies tended to elicit emotional responses from the
educational community, causing administrators and other social actors to retreat to ethical
stances. Thus, the bounding of the research served both a theoretical and a utilitarian
purpose: how were best interests defined and why were the drug and alcohol policies
constructed in such a way to favor school exclusion and limited treatment?

From this, three research questions were constructed: (a) how do different social
actors representing individual, state, and public define what constitutes best interests of
the student, (b) how do these criteria differ across different institutional actors, and (c)
what structural factors shape the criteria used by these different actors? A multiple case
study design was adopted to provide a holistic model of how the social actors involved in
the school community defined best interests of the student. The first site was used to
identify emerging patterns from the data and draw conclusions relative to the research
questions posed. The second site was used as theoretical replication to evaluate the
conclusions from the initial site.

Patterns that emerged from the data demonstrated that social actors inside and
outside the school did not use the *best interests* model as a maxim as described by
Shapiro and Stefkovich (2005) and Stefkovich (2006). Instead of seeing the *best interests
of the student* from a legal perspective, the social actors interviewed for this research saw
*best interests* more balanced between competing interests representing the needs of the
student, the school, and the community at large. Their model tended to be more
adult/community centered, rather than child-centered as illustrated by concepts like:
boundaries clearly defined, consequences that were enforced equally, child-centered
decisions, and collective accountability. These findings were consistent with the research
by Frick (2006) that *best interests of the student* was often combined with *best interests
of the community, best interests of the students as a group, along with what adults
perceived was best for all the students and children.

Frick (2006) also noted the indiscriminate use of the terms consistency and
fairness. This research also encountered these terms that were used in multiple instances
by administrators, board members, and parents. Although the inclination is to attribute
this to equity, that is not wholly accurate. Equity implies appropriateness to the child
(Shapiro & Stefkovich, 2005; Stefkovich, 2006) whereas the terms consistency and
fairness seemed more to imply equality—even-handedness in applying the rule or
establishing the boundary. Although this research did not seek to identify the
implications of the terms, it was apparent that consistency and fairness or consequences uniformly applied was in the best interests of the child from the perspective of participants.

The model of best interests that emerged was more consistent with Magg’s (2001) model of the Judeo-Christian heritage of communities that transcended into the American education system in the form of in loco parentis (Hyman et. al., 1979). Unless specifically asked, participants did not include terminology such as rights, responsibility, nor even respect in their dialog about school exclusion, the drug and alcohol policy, or even discipline in general. Although administrators admitted that students had rights, it was not until specifically presented with Stefkovich’s (2006) model of best interests of the student did they reflect on rights as a factor in making decisions about the best interests of students.

At the initial site, all but three participants acknowledge that “parents” were their biggest frustration in working effectively with the school. Superintendent of Schools, Jim Street, a relative outsider to the district, acknowledged that this was largely due to a shared community value that the schools were effectively educating and preparing students for life. From Street’s observation, the community tended to see a student failing as not the fault of the school, but as the result of a lapse in parenting.

Based on this phenomenon, another pattern emerged from the data—collective accountability. The administration, the board, and the parents, recognized that the best interests of the child were served by a collective involvement of all interests in the life of the child as Walker (1998a & 1998b) and Smith (1998) cautioned. In the absence of such
collective involvement, the board and members of the community stated that the school had a paternal obligation to ensure the welfare of the child. The drug and alcohol policy at Franklin School District and Hillside School District embraced this notion by mandating specific exclusionary guidelines and counseling expectations. On the surface, this perception of the school as a dominant and benevolent force in the life of a child is acceptable among the general population; however, as Walker (1998a & 1998b) warned, this is also an opportunity for misguided wisdom.

Walker (1998a & 1998b) warns that courts struggle to determine what is in the best interests of the child in that their ability is limited in predicting the future impact of present decisions and that the voice of an individual as an expert may supplant the collective interests of the child. Walker (1998a) refers to this as the, “tyranny of the expert” (p. 293), a paternalistic notion that the school is acting in the best interests of the child when, in fact, the voice of the school is the ethical or moral position of an individual. Data revealed that participants, excluding the principals at Franklin School District, believed that excluding a student from school offered marginal benefits in general, and for a student who had already demonstrated at-risk behavior, placed the student at greater risk of delinquency and academic failure. Wehlage (1986), Maag (2001), and Noguero (2003), among others, noted the potential of school exclusion to fracture the relationship between the student and the school placing them further at risk of academic failure and withdrawal.

Despite the concern of board members, parents, and even the superintendent of schools at Franklin School District, not one participant from that site expressed a desire
to change the existing drug and alcohol policy. Although school exclusion for at-risk youth, even those caught for possession or distribution of drugs/alcohol on campus, was not desirable; their responses indicated that it served the best interests of students, not as Stefkovich proposed as child-centered, but as a balance among the needs of the student, the needs of the student body and the community at large.

Analysis of data demonstrated that structural factors influence the perceptions of social actors towards their school community and its ability to serve the best interests of the child. At Franklin School District, those structural factors were the longevity of like-minded administration that had, for over three decades, shaped the culture and climate of the high school, if not even the community to some extent. At Hillside School District, political turmoil over taxation, and mistrust of the current leadership influenced the manner in which social actors defined best interests of the student and the perception of the school to protect those interests.

Implications for Policy and Practice

Stefkovich (2005) presents a model of best interests of the student that is focused on three pillars: rights, responsibility, and respect. The model is postulated as a maxim for educational leaders as do no harm is to medical practitioners, and zealous defense is to lawyers. As the data revealed however, the social actors in this study do not “…pedagogically and passionately…” (Smith, 1998, p. 309) keep the individual child at the center of the decision-making process nor do they tend to base their decisions on the
pillars of rights, responsibility, and respect as clearly as Stefkovich (2005) articulates. In fact, the participants did not use those terms in their discussion of students, student discipline, or even when discussing self-destructive behaviors associated with drugs and alcohol.

Instead, they utilized terms that more closely related to their perception of children, the school, and how together they work to raise a child. When presented directly with the best interests model, they tended to prefer the term “privileges” to the term “rights,” and agreed that children needed to show respect and demonstrate responsibility. Their perspective on rights was more paternalistic and links to the Judeo-Christian heritage that perceives children as property and not independent, moral agents. Although parents and school officials may not see children directly as “property”, they did articulate a belief that rights are something that are bestowed on children through demonstration of responsibility and respect and are not innate.

The student drug and alcohol policies at both sites use school exclusion as the primary disciplinary approach. Pinnell (1985) and Skiba and Peterson (2003) warn that school exclusion removes a child from school support and potentially alienates that child from the school environment. In addition, those most likely to be excluded from school are least likely to have support at home during the period of exclusion (Out of School Suspension and Expulsion, Committee on School Health, 2006). In a follow-up interview, Principal Johnson noted that the majority of students disciplined under Franklin School District’s drug and alcohol policy tended to be “…young males, struggling for attention, having difficulty in school, and coming from [a] dysfunctional
home.” His observations are consistent with research nationally (Snyder & Sickmund, 2006) that those excluded from school tend to be young adolescents (Christle, Nelson, and Jolivette, 2004; Skiba et al., 1997), male (Imich, 1994), and from at-risk home environments (Raffaele-Mendez et al., 2002).

Both districts also did not incorporate substantive outside resources, aside from lawyers, to develop policies or disciplinary strategies that served the best interest of the student. Participants at Hillside School District expressed a desire to change their existing policy, but not in a way that actively sought outside interests in the life of children to ensure their safety and welfare. Dupper (1994) and Knoff (2000) acknowledged this reluctance by school officials to seek the advice of outside agencies but preferred to rely on their own expertise. As Walker (1998a & 1998b) notes, the potential for single-minded decisions places the child at greatest risk.

Recommendations for Further Research

Interviews with administrators at both Franklin and Hillside School District revealed that children most likely to be involved with a drug and alcohol policy were upper middle school age, often having some academic difficulties in school, and whose family background was troubled. This research did not include students as participants. Although the research project did not seek to include students due to ethical concerns relating to adolescents and drugs and alcohol, both superintendents expressed pleasure that the project did not include students. Unfortunately, this research then fails to include
the participation of those it seeks to protect. Future research into both best interests of the student and drug and alcohol policies should include the students as participants.

In addition, neither Frick (2006) nor this researcher included elementary school principals in their research. Elementary principals, perhaps, view the role of education and student behavior through a different perspective than colleagues who work with older children. Their values and moral codes on what is in the best interests of the child may likely differ from those in middle or high school environments. Frick is currently conducting a study of Oklahoma elementary school principals to address this gap in information.

Further research is also needed in different geographic issues facing different perspectives on student drug and alcohol use. For example, some urban areas face a majority of student issues with drugs/alcohol whereas in this study the student population involved in incidents under the policy was minimal. The population differences may produce a different approach than those experienced at Franklin and Hillside School Districts.

Finally, future research should include community participants who are disconnected from the school. This project included those who invest personal time and resources into improving and maintaining the school environment. Some parents perhaps simply choose not to be actively involved on school committees or offices; others may feel they are not welcome. However, their children are also students subject to the same policies and district administrative decisions. Understanding how these parents interpret best interests of the student is equally important to educational leaders.
Conclusion

In 1910, Abraham Flexner published a critical review of the medical profession in the United States. His article and passion led to the closing of most medical schools in the nation and reform of the medical standards and ethos of the profession (Flexner, 1910). The maxim postulated by Stefkovich (2006) needs to have a similar impact on educational institutions at the local level and at the collegiate level where future educational leaders are trained. Substantive change, for the sake of children, will not come incrementally in a system of entrenched local control where community norms and local culture fashion and direct district policies.

Based on this research, I do not see the probability of altering the perspective of laypersons who serve on PTO councils and school boards. They will undoubtedly still view best interests of the student from the paternalistic perspective of adherence to rules, and support the notions that acceptance of consequences builds respect and responsibility. Once those values are demonstrated, one earns rights as an adult. In the training, as a child, they are privileges, granted, supervised, and easily withdrawn. Local control of educational systems will undoubtedly inhibit the adoption of a uniform maxim for guiding educational decisions.

Yet this project served two purposes. One was to add to the theoretical knowledge base of best interests of the student in practice. The other was to explore the rationale behind exclusionary practices of the student drug and alcohol policies. These practices as denoted by Imich (1994), Skiba et al. (1997), Raffaele-Mendez (2002),
Christle et al. (2005), and others are inherently destructive to children and place them further at risk of delinquent behavior. Why do schools choose to suspend these students in the face of such evidence? Are they willing to sacrifice a child to protect others or to send a message of zero tolerance for drugs and alcohol?

Participants, without exception, noted that school exclusion served little benefit in cases of drugs and alcohol. Those outside administration preferred the students to be kept in school, monitored, and attending to their academics rather than unattended on the streets. The practice continues because of a sentiment that drugs and alcohol are not tolerated in the school setting, but as one principal noted, it only impacts those who get caught. The ability of the disciplinary and counseling provisions to deter others from using illegal drugs is never assessed.

Perhaps more alarming is the extent that an individual can impact the welfare of the child in the absence of interests. At Franklin School District, the majority of respondents voiced concern that lack of parental support caused the educational system to fail a child. In the absence of those interests the other parents were willing to allow the district policy and administration to act on the child’s behalf. This is not to argue that the administration was negligent, but that this approach inherently lacks a system of checks and balances created by collective agency involvement of the interests of a child.

Educational leadership should never stop attempting to achieve a higher standard for ethical decisions in determining the welfare of a child. However, as a maxim for educational leadership decisions, Stefkovich’s (2006) model of best interests of the student needs to acknowledge that administrators are not the only voices involved in
educational decisions. Finally, the role of the school to act as a benevolent protector of the welfare of children is noble, but prone to abuse. The child needs to be protected by the collective *interests* from parents, community officials, and school leaders to ensure that the child and not the ethical or moral suppositions of an individual are foremost.
REFERENCES


Appendix A

School Board Approval

Letter of Agreement

Title of Project: Exploring a Drug and Alcohol Policy: Where are the best interests of the student?

Investigator: Mark E. Stamm
623 Washington Ave.
Jersey Shore PA 17740
(570) 398-3714
mstamm@mounties.k12.pa.us

Advisor: Dr. Jacqueline Stefkovich
Educational Policy Studies
0311 Rackely Building
University Park, PA 16802
(814) 863-0619
jas71@psu.edu

1. Purpose of the Study: The purpose of this research is to...

The purpose of this study is to further the understanding of how different social actors conceptualize the best interests of students. Like the work by Frick (2006), this project will utilize Stefkovich’s 2006 framework of best interests of the student. However, where Frick posed hypothetical questions this study will use an existing policy. The intent is to extrapolate how best interests is conceptualized in practice rather than conjecture.

The project is designed around a single case study of a drug and alcohol policy. The case serves as an arena where the researcher can evaluate how social actors representing the administration, the school board, and the community interact based on their perspective of what is in the best interests of the student.

2. Procedures to be followed:

This project focuses on the development and implementation of the drug and alcohol policy as the case. It will not use incidents under the policy or include any information on students.
Each participant will be asked to participate in a semi-structured interview. Open ended questions will ask the participant to discuss their perceptions of the best interests of the student as expressed through the drug and alcohol policy. The interview will be recorded to enable the researcher to review comments for clarity and comparison at a later date. The audio recordings will be retained in a locked cabinet in a secure location outside the district. The audio recordings will be retained for 3 years. The audio recordings will be physically destroyed by 2010.

3. **Benefits:**

   The district main gain a clearer understanding of how different social actors in the district conceptualize what is in the best interests of the student. This information may be beneficial as policies are developed in the future. There is no financial gain for the district.

4. **Duration/Time:**

   There will be approximately 6 interviews. Each interview will last approximately 90 minutes. Data collection in the district will conclude by September 2007.

5. **Statement of Confidentiality:**

   Each participant in this research is will be kept confidential. The data will be stored and secured at the home office of the researcher in a locked file. In the event of a publication or presentation resulting from the research, no personally identifiable information will be shared including the name of participants or the location of the district being studied.

   Each participant will be assigned a pseudonym. Additional measures to protect the identity of the participants may include changing their status in the community or their role in the district.

   Only the principal researcher, Mark Stamm, will have access to the recordings.

6. **Right to Ask Questions:**

   You can ask questions about this research. Contact Mark Stamm at (570) 398-3714 with questions. You can also call this number if you have complaints or concerns about this research.

7. **Voluntary Participation:**

   The district’s willingness to participate in this project is voluntary and can be cancelled at any time. Refusal to take part in or withdrawing from this study will involve no penalty or loss of benefits you would receive otherwise.
All participants in this study are over the age of 18. No students will be involved in the study.

If you agree to this research study and the information outlined above, please sign your name and indicate the date below.

_______________________________________  _____________________
Superintendent of Schools       Date

_______________________________________  _____________________
Researcher          Date
Appendix B

Informed Consent Sample

Informed Consent Form for Social Science Research
The Pennsylvania State University

Title of Project: Exploring a Drug and Alcohol Policy: Where are the best interests of the student?

Investigator:  Mark E. Stamm
               623 Washington Ave.
               Jersey Shore PA  17740
               (570) 398-3714
               mstamm@mounties.k12.pa.us

Advisor:  Dr. Jacqueline Stefkovich
          Educational Policy Studies
          0311 Rackely Building
          University Park, PA 16802
          (814) 863-0619
          Jas71@psu.edu

1. Purpose of the Study:

   The purpose of this research is to understand how each participant perceives that the drug and alcohol policy meets the best interests of the student. The study will seek to understand how those perceptions differ among different groups of people involved with the drug and alcohol policy and how those groups interact with each other.

2. Procedures to be followed:

   You will be asked to participate in an interview. Questions will ask you to discuss your perceptions of the best interests of the student as expressed in the drug and alcohol policy. The interview will be recorded to enable the researcher to review your comments for clarity and comparison at a later date. The audio recordings will be retained in a lock cabinet in a secure location. The audio recordings will be retained for 3 years. The audio recordings will be physically destroyed by 2010.

3. Benefits:

   You might learn more about yourself by participating in this research. You may learn more about the school district’s drug and alcohol policy in the process.
4. **Duration/Time:**

   The interview will last approximately 90 minutes.

5. **Statement of Confidentiality:** Your participation in this research is confidential. The data will be stored and secured at the home office in a locked file. In the event of a publication or presentation resulting from the research, no personally identifiable information will be shared.

   You will be assigned a pseudonym. Additional measures to protect your identity may include changing your status in the community or your role in the district.

   Only the principal researcher, Mark Stamm, will have access to the recordings.

6. **Right to Ask Questions:** You can ask questions about this research. Contact Mark Stamm at (570) 398-3714 with questions. You can also call this number if you have complaints or concerns about this research.

7. **Voluntary Participation:** Your decision to be in this research is voluntary. You can stop at any time. You do not have to answer any questions you do not want to answer. Refusal to take part in or withdrawing from this study will involve no penalty or loss of benefits you would receive otherwise.

   You must be 18 years of age or older to consent to take part in this research study. If you agree to take part in this research study and the information outlined above, please sign your name and indicate the date below.

   You will be given a copy of this signed and dated consent form for your records.

   ___________________________________________  ________________
   Participant Signature       Date

   Address:
   ___________________________________________
   ___________________________________________
   ___________________________________________

   ___________________________________________  ________________
   Person Obtaining Consent       Date
Appendix C

Interview Protocol

Hello. I appreciate your willingness to meet with me today. As you know, we are meeting to discuss the student drug and alcohol policy and how it serves the best interests of the students. This feedback will be used as part of a research project to better understand how different people in the school and community interact on matters of policy and student discipline. This interview will last approximately 90 minutes.

I want to remind you that your identity is confidential. Neither the names of the people interviewed nor the location of the study will be disclosed, so I am truly seeking your honest opinion. Your participation is voluntary and you may end this interview at anytime.

Set 1: General Background

Please tell me about yourself and the role you have played with the school or community.

Set 2: School – Parents - Students

_Lets first talk about the school, students, and parents in general:_

What do you see as the school’s responsibility when a student makes a bad decision?
  ➢ What is the parents’ responsibility?

Consider the student handbook for a moment; specifically sections that deal with behavior and consequences. How do you explain the purpose of these rules?

How do you define zero tolerance?

What are the benefits and drawbacks to a zero tolerance rule?

In a courtroom, a judge will make a decision based on the defendant and the situation. It what ways is the role of the principal in disciplining a student similar or not similar to a judge?

If a student breaks a school rule and the principal and the parent disagree on the consequences. How do you act in such a situation?

Who benefits when a student is suspended from school?
Best interests of the student

Respect

Responsibility

Rights
Set 3: Best Interests Diagram

Next, I want to discuss this diagram for a moment:

This diagram attempts to explain a model for making decisions about students.

What do you think is the meaning behind those three terms:
- Rights?
- Responsibility?
- Respect?

If you notice the term interests is plural. Why is that?

Please explain how you agree or disagree with what it seems to be implying.

Set 4: Drug and Alcohol Policy

Now I would like to discuss the drug and alcohol policy specifically:

What can you tell me about your school’s drug and alcohol policy?

What is the purpose of a school drug and alcohol policy?

Is it effective in that purpose?

What is the rationale behind a drug and alcohol policy that treats all students the same?

What is the purpose of suspending a student involved in a drug or alcohol incident?
- Why is that suspension for 10-days?
- What do students do while they are suspended?

The district has a Student Assistance Team composed of teachers, guidance counselors, and a representative from a community counseling agency. The policy requires that a student involved in a drug or alcohol incident be referred to the team. What is the purpose of that referral?
- How would you characterize the effectiveness of the team in dealing with drug and alcohol incidents among students?

What is the purpose for drug and alcohol counseling as part of a school policy?
- How was the 12 hours determined?

This policy has been revised several times. What prompted the most recent revision?
- What has prompted revisions in the past?
What does a student do when they are suspended?

In looking back at the drug and alcohol policy, what does it do for students?

**Closing:**
I am done at this point with the questions I have. Is there anything you would like to add?

As a final question, who else would you recommend that I speak to about the drug and alcohol policy?
Appendix D

Figure 1

**Drug and Alcohol Policy Comparison**

<table>
<thead>
<tr>
<th></th>
<th>Adopted</th>
<th>Revised</th>
<th>School Exclusion</th>
<th>Length of Exclusion</th>
<th>Assessment or Counseling Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>2/16/1981</td>
<td>8/19/2008</td>
<td>yes</td>
<td>5 First Offense - 10 Second Offense</td>
<td>STOP Program or similar program through West Branch Drug/Alcohol and attend school based staff intervention group. Additional counseling.</td>
</tr>
<tr>
<td>B</td>
<td>10/14/1995</td>
<td>7/19/2004</td>
<td>no</td>
<td>NA</td>
<td>No</td>
</tr>
<tr>
<td>C</td>
<td>5/13/1987</td>
<td>8/19/2004</td>
<td>no</td>
<td>May be excluded from school</td>
<td>Counseling documentation may need to be provided.</td>
</tr>
<tr>
<td>D</td>
<td>10/10/2004</td>
<td>2/22/2005</td>
<td>no</td>
<td>NA</td>
<td>Counseling documentation may need to be provided.</td>
</tr>
<tr>
<td>E</td>
<td>NA</td>
<td>7/19/2008</td>
<td>yes</td>
<td>5 Min. First Offense - 10 Min. Second Offense</td>
<td>Counseling required as recommended by a DA agency.</td>
</tr>
<tr>
<td>F</td>
<td>11/14/1983</td>
<td>8/7/2006</td>
<td>yes</td>
<td>10 Min. First Offense - 10 Min. Second Offense or Expulsion</td>
<td>12 hours of counseling meeting at least 1 time per week. Confirmation of counseling arrangements must be provided in 7 days to principal.</td>
</tr>
<tr>
<td>G</td>
<td>1/17/1996</td>
<td>7/11/1996</td>
<td>Yes</td>
<td>Not specified for First Offense - 10 and Expulsion Hearing before Board</td>
<td>Community referral for drug and alcohol assessment with 7 days. Refer to SAP team.</td>
</tr>
<tr>
<td>H</td>
<td>11/21/1993</td>
<td>2/26/2002</td>
<td>Yes</td>
<td>Not specified for First Offense - 10 and Expulsion Hearing before Board</td>
<td>Community referral for drug and alcohol assessment with 7 days. Refer to SAP team.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Adopted</th>
<th>Revised</th>
<th>Off School Property</th>
<th>Days Removed from Activities</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>2/16/1981</td>
<td>8/19/2008</td>
<td>Applies only to students involved in extracurricular activities and/or students with a history of discipline and/or students with a history of truancy.</td>
<td>80 Days First Violation - 365 Days Second Violation. Permanent Third Violation</td>
</tr>
<tr>
<td>B</td>
<td>10/14/1995</td>
<td>7/19/2004</td>
<td>Direct Bans for students involved in extracurricular activities.</td>
<td>NA</td>
</tr>
<tr>
<td>C</td>
<td>5/13/1987</td>
<td>8/19/2004</td>
<td>No. Policy states that it applies only while under school jurisdiction.</td>
<td>NA</td>
</tr>
<tr>
<td>D</td>
<td>10/10/2004</td>
<td>2/22/2005</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>E</td>
<td>NA</td>
<td>7/19/2008</td>
<td>No. Policy states that it applies only while under school jurisdiction.</td>
<td>25 Days First Offense - 90 Days or balance of season second offense. Permanent Third Violation.</td>
</tr>
<tr>
<td>F</td>
<td>11/14/1983</td>
<td>8/7/2006</td>
<td>All students involved in extracurricular activities including athletics / dances /</td>
<td>4 Week Probation (except only). 365 days for second offense. Permanent for Third Offense.</td>
</tr>
<tr>
<td>G</td>
<td>1/17/1996</td>
<td>7/11/1996</td>
<td>Yes for students involved in extracurricular activities. Must be found guilty of the offense.</td>
<td>80 days from the day reported to school personnel. Permanent for subsequent offenses of 3 years.</td>
</tr>
<tr>
<td>H</td>
<td>11/21/1993</td>
<td>2/26/2002</td>
<td>Yes for students involved in extracurricular activities. Must be found guilty of the offense.</td>
<td>80 days from the day reported to school personnel. Permanent for subsequent offenses of 3 years.</td>
</tr>
</tbody>
</table>
Appendix E

Figure 2

*Participant Responses to Questions 1 and 2*

<table>
<thead>
<tr>
<th>Participant</th>
<th>Category of Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street</td>
<td>Child Growth</td>
</tr>
<tr>
<td></td>
<td>Lack of Community Vision</td>
</tr>
<tr>
<td>Johnson</td>
<td>Child Growth</td>
</tr>
<tr>
<td></td>
<td>Lack of Parental Support</td>
</tr>
<tr>
<td>Ap</td>
<td>Child Growth</td>
</tr>
<tr>
<td></td>
<td>Lack of Parental Support</td>
</tr>
<tr>
<td>Eck</td>
<td>Child Growth</td>
</tr>
<tr>
<td></td>
<td>Lack of Parental Support</td>
</tr>
<tr>
<td>Hammer</td>
<td>Education</td>
</tr>
<tr>
<td></td>
<td>Financial Issues</td>
</tr>
<tr>
<td>Hart</td>
<td>Education</td>
</tr>
<tr>
<td></td>
<td>NA</td>
</tr>
<tr>
<td>Smith</td>
<td>Child Growth</td>
</tr>
<tr>
<td></td>
<td>Lack of Parental Support</td>
</tr>
<tr>
<td>Stopper</td>
<td>Child Growth</td>
</tr>
<tr>
<td></td>
<td>Lack of Parental Support</td>
</tr>
<tr>
<td>Mettes</td>
<td>Child Growth</td>
</tr>
<tr>
<td></td>
<td>Lack of Parental Support</td>
</tr>
<tr>
<td>Richard</td>
<td>Child Growth</td>
</tr>
<tr>
<td></td>
<td>Lack of School / Community Trust</td>
</tr>
<tr>
<td>Packard</td>
<td>Child Growth</td>
</tr>
<tr>
<td></td>
<td>Paperwork</td>
</tr>
<tr>
<td>Stackhouse</td>
<td>NA</td>
</tr>
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Appendix F

Figure 3

_Hillside School District: Relationship Diagram_

Community
- Shared Responsibility for discipline
- Punishment as deterrence
- Rules teach responsibility
- Child Centered Decisions
- Agency Accountability

School Board
- Parent / School Collaboration
- Consistency
- Child Centered Decisions

Administration
- Equitable Consequences
- Agency Accountability
- Safety is Paramount
Appendix G

Figure 4

Franklin School District: Relationship Diagram

It takes a village

Agency Accountability

Consequences as Education

Clear Boundaries

Child Centered Decisions

Consistency & Fairness

Predictable

Rules
Appendix H

Data Display for Deductive Categories and Corresponding Codes

Define *Best interests of the student*

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## Appendix I

### Consideration of Rights/Responsibility/Respect

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How schools weigh their response to students involved with drugs and alcohol against the needs of society, the school, and the student is a decision with implications that reach beyond the immediate issue of possession.

Shapiro and Stefkovich (2005) and Stefkovich (2006) propose a model for making ethical decisions regarding the welfare of students in the midst of competing interests. *Best interests of the student*, emerging from the ethic of professionalism, is presented as a maxim for educational decisions. This qualitative multiple case study sought to explore the rationale for provisions of regional student drug and alcohol policies and determine to what extent they served the *best interests of the student*. To that end the following research questions were posed: (a) how do different social actors representing individuals, the state, and the public define what constitutes *best interests of the student*, (b) how do these criteria differ across different institutional actors, and (c) what structural factors shape the criteria used by these different actors?

At the initial site, data was collected and analyzed to identify patterns and themes relative to the research questions. The second site was incorporated for a theoretical replication. Data revealed that social actors defined *best interests of the students* according to rule consistency, equality of consequences, and agency accountability. Although the concepts were suggested in the data, unless specifically asked there was little reference to terms such as rights, responsibility, and respect. Themes were consistent between sites with differences attributable to local conditions.