

Zero-Tolerance Polices and a Call for More Humane Disciplinary Actions

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Abstract

Many students in our school system are being forced out of the classroom due to harsh discipline policies focused on rules rather than the child and the contextualized infraction. These policies punish them by taking away the very thing that could possibly change their lives, their education. The way we deal with behavior issues in the classroom has greatly changed over time and disciplinary actions have become rigid, devaluing the human process of growth and learning. Today, with the rise of violent acts spreading across the United States, the administration feels the need to implement harsh and rigid consequences that decontextualize the human being, rather than seeing the pupil as a whole. Recommendations for a more humane disciplinary code are noted.

Keywords: Discipline, Schools, Zero-Tolerance Policies, Victimization, Humanistic, U.S.

Policy Analysis

Many students in our school system are being forced out of the classroom due to discipline policies. These policies punish them by taking away the very thing that could possibly change their lives, their education. The way we deal with behavior issues in the classroom has greatly changed over time and disciplinary actions have become rigid, devaluing the human process of growth and learning. Today, most schools implement consequences that decontextualize the human being, rather than seeing the pupil as a whole.

In the United States with the rise of violent acts in schools, most administrators feel the need to clamp down on behavioral issues. In 1994 the federal government passed the Gun-Free School Act in response to the prevalent accessibility of weapons across the nation, which shortly thereafter led to zero-tolerance policies in

schools. *School to Prison Pipeline from Zero Tolerance Policies to Juvenile Justice Disposition* (Curtis, 2014), states that zero-tolerance became widespread around 1996-1997 with 94% of public schools reporting the enforcement of these policies. Then, in 1999, the country was hit with the Columbine High School Massacre and more recent, the Sandy Hook shootings in 2012. These senseless acts of violence have led to a wave of great fear in the public arena and have shuffled into the school system with zero-tolerance policies evolving into discipline actions that are harsh and unfair. The abuse of zero-tolerance policies gave people the sense that violent school crime was increasing at an alarming rate, generating an unrealistic understanding of imminent danger. In Dewey Cornell's commentary, *Our Schools Are Safe: Challenging the Misperception That Schools Are Dangerous Places*, he shares (2015), "massive public attention to school shootings has created the misperception that schools are dangerous places, even though crime statistics show that schools are one of the safest places in the United States." He goes on to point out that this false consciousness that has taken over has shifted disciplinary actions in schools towards the criminalization of student behavior and a zero-tolerance philosophy that fails to improve school safety in the end (p. 217, 2015). At the start, these policies were meant to ensure the safety of every child but soon, due to the anxiety felt across the nation, became a 'fast track' to do away with our most 'difficult' students, the ones in the greatest of need.

With such policies in place, more and more teachers began sending students out of the classroom for minor infractions rather than taking on the situation themselves and using it as a teachable moment. Clifford H. Edwards, a former professor of science education has focused his writings in the areas of curriculum and student discipline. He states,

It is critical that discipline procedures accentuate the social and psychological well-being of students and help them to fully satisfy their needs. [...], discipline should never be divorced from learning as if they are two different processes requiring different sets of principles for implementation. (Edwards 2011, p. 45)

As a result of this separation between discipline and learning, schools are missing the opportunity to educate our students socially, helping them acquire the appropriate skills to become responsible citizens for the future.

This is primarily affecting students of low socio-economic status, minorities, and those with disabilities. Many of these students are being sent out of the classroom, suspended, or expelled from school and are disenfranchised from an adequate academic experience. Consequently, many of these students are confronted with law enforcement at a very young age. In a recent article from Education Week (Adams, Robelen, & Shah, 2012), *Civil Rights Data Show Retention Disparities*, shares that "more than 70% of students arrested or referred to law enforcement were Hispanic or black" (p. 1). Because these groups have been targeted, it has created an achievement gap particularly among students with such backgrounds, making education out of reach. In the case of Miami-Dade County public schools it captures how these minority groups were targeted. Miami-Dade County public schools were fully aware of the fact that although zero-tolerance policies were meant to be racially-neutral, they began to be applied disproportionately. They noticed that "students with such background were being expelled for the same

offences white students commit” (Thompson, 2016, p. 332). This is a major concern, considering the fact that minorities now make up almost half of the United States population. This indicates that nearly half of our country is being repressed through our educational system. These reactionary disciplinary strategies in schools have had a large, debilitating effect on minority students and have become the culprit in creating a vicious cycle that today serves to maintain them in complete subjugation. Zero-tolerance policies are examples of guidelines which give way to fear, human judgment, and the creation of a culture based on retribution.

This very issue highlights the treatment of human beings in academia, the most important tool for change. Education is the one resource that America should use as a way to elevate the human being, helping students develop socially and emotionally in turn helping them become individuals that can contribute to social change in their respective communities. Discarding this punitive approach and turning to more restorative practices will help move things in a positive direction, creating a foundation for education that will better serve humanity as a whole. Miami-Dade County Public School District took a stand against the abuse of zero-tolerance policies by first amending the language of their policies, making it clear that severe punishment for minor offenses should not happen. They made it a point to define what exactly constitutes a serious offense versus a petty one, minimized the victimization and the steps needed to protect against it, and established clear procedures to best deal with discipline (Thompson, 2016). Positive discipline policies based on principles that are humane, clear and detailed support students, faculty, and administration in the implementation of best practices.

In David Perkins’ (2009) book, *Making Learning Whole*, he discusses how we must learn how to approach complexity. Although his book focuses on the learning taking place in the classroom, he raises important points regarding the acknowledgement of the whole child. When it comes to classroom management and leadership, sustaining good relationships with other people and social responsibility, it is crucial to keep in mind the complexity at hand. We cannot isolate different elements of behavior, instead we should consider all the factors at play and how they influence one another. In a dialogue between Jim Garrison, Larry Hickman and Daisaku Ikeda in *Living as Learning* (2014), we learn of the importance of appropriate intervention in terms of mediation by peers, faculty, staff, and administrators. Garrison, Hickman and Ikeda (2014) believe that children mirror adult society. Ikeda specifically states, “their problems are the problems of the grown-up community. No fundamental solutions are possible as long as we fail to solve those problems” (Garrison, Hickman, & Ikeda, 2014, p. 100). Here Ikeda (Garrison, Hickman, & Ikeda 2014) urges us as adults, who assume a lead role in schools, to take responsibility and do our best to reflect best practices through our own behavior, so that our students can learn in an environment where they are surrounded by great role models that uphold humanistic ideals.

Policy Recommendations

1. All school districts across the United States should revisit their zero-tolerance policies to:

- a. Clearly outline the criteria for reporting behavior issues to law enforcement;
 - b. Explain what constitutes a serious threat to the school environment; and,
 - c. Explain what constitutes a minor act of delinquency.
2. All schools should set up a leadership team focused on the culture of discipline and behavior of the school.
- a. Leadership team should be comprised of individuals who can serve as experts in restorative justice practices and developing positive behavior support systems. This team should be made up of student leaders, faculty, and administrators.
 - b. Through the power of dialogue this team should facilitate on-going reflection at all levels regarding the effectiveness of discipline policies and help narrow the achievement gap of students of low socio-economic status, minorities and those with disabilities. "Without dialogue, humans are fated to walk in the darkness of their own dogmatic self-righteousness. Dialogue is the lamp by which we dispel that darkness, lighting for each other our steps and the path ahead" (Ikeda, 2002, p. 4)
 - c. Track necessary data to help inform changes that need to be made in order to create a school environment that is fair. Data should therefore, be reviewed under a social lens of the 'isms,' such as: race, gender, class, etc. Discipline will therefore be looked at as a tool for learning, to help all students advance and grow, rather than as a force for criminalization.

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