

# Discipline Disparities:

A Research-to-Practice Collaborative

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## How Educators Can Eradicate Disparities in School Discipline: A Briefing Paper on School-Based Interventions

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### Discipline Disparities Series: Interventions

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#### In the Series:

*Discipline Disparities Series: Overview*

*Interventions for Reducing Disparities*

*Policy Recommendations for Reducing Disparities*

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#### The Discipline Disparities Research to Practice Collaborative

Disparities in the use of school discipline by race, gender, and sexual orientation have been well-documented and continue to place large numbers of students at risk for short- and long-term negative outcomes. In order to improve the state of our knowledge and encourage effective interventions, the Discipline Disparities Research to Practice Collaborative, a group of 26 nationally known researchers, educators, advocates, and policy analysts, came together to address the problem of disciplinary disparities. Funded by Atlantic Philanthropies and Open Society Foundations, the Collaborative has spent nearly three years conducting a series of meetings with groups of stakeholders—advocates, educators, juvenile justice representatives, intervention agents, researchers, and policymakers—in order to increase the availability of interventions that are both practical and evidence-based, and to develop and support a policy agenda for reform to improve equity in school discipline. The project has funded 11 new research projects to expand the knowledge base, particularly in the area of intervention, and commissioned papers from noted researchers presented at the Closing the School Discipline Gap Conference. A culminating report of the Collaborative’s work is the formal release of the Discipline Disparities Briefing Paper Series, three papers on policy, practice, and new research summarizing the state of our knowledge and offering practical, evidence-based recommendations for reducing disparities in discipline in our nation’s schools.

#### Principles and Programs to Reduce Disparities in School Discipline

The number of students issued suspensions in U.S. schools continues to be extremely high, resulting in thousands of students missing school every day. Simultaneously, disparities in school suspension continue to worsen, indicating that students in some groups are missing school far more often and disproportionately (particularly, boys, African American students, students with disabilities, and in some regions, Latino and American Indian students). These disparities are also true of referrals to law enforcement and school-based arrests nationwide. According to recent data collected by the Department of Education’s Office for Civil Rights, students of color made up 75% of referrals to law enforcement and 79% of school-based arrests, even while students of color comprise 39% of the nation’s public school population.

Punitive school discipline matters tremendously to the educational opportunity of young people: New knowl-

edge on school discipline shows that even a single suspension or a single referral to the juvenile court system<sup>1</sup> increases the odds of low achievement and dropping out of school altogether.<sup>2</sup> Moreover, research shows that schools and educators—not just students themselves—make a difference in how discipline is meted out.

Research also shows that highly punitive discipline is often not as “necessary” as some might think: for example, the most common reasons for suspension and law enforcement referrals are for infractions seemingly unrelated to school safety.<sup>3</sup> Further, the same student behavior may be viewed differently depending on who exhibits it. Disparities in discipline are greatest in more “subjective” categories of infraction (some educators may see a student behavior as defiant and others as innocuous). More objectively determined indicators (e.g., a student either hit a peer or didn’t) tend to be applied more fairly.<sup>4</sup>

Regardless of its subjectivity or objectivity, effective school discipline is important in building school climates that are both safe and productive. This makes intervention to improve disciplinary conflicts and suspensions all the more important and possible.

The key question for educators is how to initiate change in school discipline so that more young people remain in school.

The Discipline Disparities Research to Practice Collaborative (Collaborative), supported by the Atlantic Philanthropies and the Open Society Foundation, has convened diverse stakeholders—advocates, educators, juvenile justice representatives, intervention agents, researchers, and policymakers—in a series of meetings from 2011 to 2013. Our goal was to address and reduce disparities in both discipline and juvenile justice system involvement by supporting educators in building academically rigorous and engaging schools strengthened by diversity, rooted in cooperation, committed to strong and sustained relationships, and attentive to bias or disparity across lines of race/ethnicity, gender, sexuality, disability and/or immigration status (see the Collaborative’s Discipline Disparities Series: Overview, 2014).

**Synthesizing what we have learned, we here provide starting points that educators—including teachers, administrators, paraprofessionals, and support personnel—might use to begin shifting disciplinary conflicts and consequences toward a less conflict-ridden school climate, benefiting both educators and students.**

Throughout, we offer interventions and solutions to help educators avoid the criminalization of child and adolescent behaviors and to literally keep students out of the juvenile justice system, with an eye toward supporting positive youth development. By criminalization we mean the tendency for adults to unjustifiably perceive student appearance, body language, or behavior as threatening or defiant of authority and rules, which then leads to adults issuing punitive sanctions including suspension and often, justice system referrals (rather than engaging the student in school-based prevention and intervention).

## Discipline Disparities in the Larger Context of Schooling

**Avoiding unnecessary or unfair discipline is often not just good school policy, but the law.** Recent guidance from the US Department of Justice and Education outlines ways in which discipline policies having “disparate impact” —students from some groups are subjected to discipline more often, or discipline for the same offense is harsher for some groups than others—may violate civil rights.<sup>5</sup> If the groups in question are protected by civil rights laws, this disparate

impact is potentially unlawful if either of the two following conditions is met: 1) The policy or practice is not educationally necessary; or 2) even when necessary, if other less discriminatory alternatives are available and could reasonably meet the objectives of the policy or practice in question.<sup>6</sup> Concerned about the possibility of civil rights violations, many schools and school districts have begun to change discipline policies that emphasize removal from instruction as the primary response to rule infractions.

**Discipline issues in schools both cause a denial of education opportunity and can reflect a need for opportunities to learn.**

Research shows that disparities arise from some student groups being treated differently than others: members of some groups are disciplined heavily for behaviors that others either don’t get disciplined for, or that they are disciplined less harshly, or receive non-punitive responses. Research also shows that disparities arise from differential access to opportunity. This means that some students have access to more exciting opportunities to learn than others—and students more engaged in exciting or supportive education projects are less likely to have disciplinary conflicts with educators.<sup>7</sup>

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*Interventions resolve and educate, rather than deport or discipline.*

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**School discipline cannot be viewed in isolation from the rest of schooling.** Clearly, some schools more than others face tremendous challenges. For example, many of the schools charged with educating a disproportionate share of students who are struggling learners are under-resourced in terms of financing and staffing. Even in these environments however, it is not possible to simply remove the “bad apple” student or the “bad apple” teacher; without a change in school climate more “bad apples” may arise that simply replace the old ones. Research shows that school discipline cannot be viewed in isolation from the rest of schooling. Instead,

behavior is produced throughout the school day as students and educators interact with one another in classrooms and hallways. To reduce disparities in discipline and decrease the time and energy put into punishing rule-breaking, effective schools move away from blaming individual educators for discipline disparities and consider the conditions for learning and the school climate more broadly.

Thus, we need sophisticated ways to think about school safety and discipline that can promote orderly and healthy instructional climates while reducing time out of school, inequitable discipline and criminalization. Research is showing that effective discipline creates a shift from a climate in which many students are suspended, expelled, overpoliced, or punished regularly, to a culture that promotes healthy relationships and academic success across classrooms, hallways, and lunchrooms. Interventions resolve and educate, rather than deport or discipline.

### Moving beyond Punitive Discipline to Conflict Prevention and Conflict Intervention

In this brief, we present research-based principles to support educators in moving toward a diverse community of highly engaged student and staff learners, grouped into the categories of “Conflict Prevention” and “Conflict Intervention.” The likelihood of conflict is reduced (prevention) when schools create diverse communities of motivated, invested, and engaged learners. As with all communities, some conflict is inevitable. When conflict happens, it can be addressed in a constructive and equitable manner (intervention). Such constructive responses to conflict reduce unnecessary discipline, teach students appropriate alternatives, and build a school climate that is ultimately stronger.

While the most persistent and well-documented school discipline disparities are for African American males and students with disabilities,<sup>8</sup> there is growing evidence that African American females, gender non-conforming youth, and sexual minorities (LGBT) are increasingly filling the ranks of those issued disciplinary exclusion<sup>9</sup> and excessive criminal sanctions. The increasing number of groups who are at-risk for school exclusion and arrest suggests that school discipline can be an inadvertent strategy for handling difference—differences that may fall along many lines (race, gender, social class, immigrant status, gender identity, sexual orientation, language status, disability).

Thus, this paper is based on an explicit equity orientation, guiding educators through the principles of prevention and intervention.

## Principles of Conflict Prevention

Research suggests that to prevent unnecessary discipline and to prevent the overrepresentation of particular groups of children and adolescents in school discipline, educators can equitably offer all students:

- Supportive Relationships (Forge authentic connections with all students)
- Academic Rigor (Promote the potential of all students, hold high expectations, and provide high-level learning opportunities)
- Culturally Relevant and Responsive Teaching (Teaching that responds respectfully to students' real lives)
- Bias-free Classrooms and Respectful School Environments (Create inclusive, positive classroom and school environments in which students feel fairly treated)

## Principles of Conflict Intervention

Research suggests that when discipline problems arise, educators can engage in equity-driven:

- Inquiry into the Causes of Conflicts
- Problem-solving Approaches to Discipline
- Recognition of Student and Family Voice and their Perspectives on Conflicts' Causes and Solutions
- Re-integration of Students after Conflict

Fulfilling the promise of schools as hubs for student development requires that a commitment to equity be in the forefront of efforts to reduce discipline and discipline disparities. Nor can it be assumed that new programming will, in and of itself, reduce differential treatment in discipline or change differential access to learning opportunity. Research has shown that it is possible to reduce suspension and expulsion<sup>10</sup> or the use of school-based ticketing and arrests without changing racial disparities in those outcomes.<sup>11</sup>

The equity-oriented principles of prevention and intervention are discussed in detail in the following pages. We describe how each principle relates to disparities in school discipline, and offer strategies and sample programs to help guide schools in enacting the principles.

## Principles of Conflict Prevention

### Offer Supportive Relationships

*What do supportive relationships have to do with racial and gender disparities in school discipline?*

Both research and practice show that trusting, supportive relationships between students and educators are key to preventing conflict.<sup>12</sup> Through caring relationships, school staff can communicate high expectations for student engagement in learning as well as

demonstrate their fair and consistent application of school rules.<sup>13</sup>

All too often, however, supportive relationships are not evenly distributed among student groups. Compared to White students, Black and Latino students believe fewer adults are supportive and fair,<sup>14</sup> which has real consequences for school outcomes. In a national sample of LGBT youth from over 3,000 school districts, almost half of surveyed youth reported that school staff did nothing when they heard homophobic remarks.<sup>15</sup>

From adults' perspectives, establishing relationships with students is not as simple as it might seem. Some educators worry about getting "too close," or about "crossing the line" from teacher to "social worker." Many educators now fear they will not be able to stay true to the role of "confidant" if they need to switch to the role of "mandated reporter" when they hear hints of victimization or bullying.

But educators who have supportive relationships with their students know much more about those students than just their academic performance. They are aware of major family events that are affecting a student's mood or focus in class. They read a student's subtle body language, which helps them identify the student's feelings or comfort level in a social setting. They identify student strengths outside of the classroom. Adults who know their students well tend to view behavior in context (e.g., "he's struggling right now at home and is taking it out on his

peers") and avoid rigid and global judgments about the student (e.g., "she is a bad seed").

**Knowing students well goes a long way.** Effective educators get to know their students well, especially those students whose lived experience differs substantially from their educators' experience. While race and class categories do not totally determine our lived experiences, they shape them. Given that America's teaching force is predominantly White and middle-class, differences in lived experience can be (or are perceived to be) pronounced for low-income students and students of color. Educators' connectedness to their individual students, as well as to ongoing events in students' communities, can bridge any "identity gulf" and stop misjudgments, unintentionally hurtful comments ("microaggressions"), or overly harsh reactions to child and adolescent misbehavior.<sup>16</sup> Getting to know the strengths in students' communities has similar effects. Administrators highlight how essential it is for them to regularly engage with families and community leaders outside of school in order to build trust and open lines of communication.

**Supportive relationships may reduce negative stereotyping and implicit bias (measurable bias that people don't even know they have).** When students and educators get to know each other well, understanding and trust are built.<sup>17</sup> Through trust and good will, students may feel accepted and honored for who they are, even if who they are differs radically from the teachers' own experience

and identity. And knowing who students actually are is what counteracting stereotypes is all about.

*How can schools engage in supportive relationships with youth?*

- Systematically integrate “getting to know you” activities into instruction: Regularly include instructional activities that help adults and students learn about one another. For instance, many teachers have daily morning circles or check-ins about students’ thoughts, feelings, and experiences. Teachers assign autobiographies<sup>18</sup> or portfolios of students’ interests, skills, and accomplishments, which can be developed, interactively, online, or using multimedia.<sup>19</sup> Teachers can also share about themselves in morning circles and present their own autobiographies.
- In addition to getting to know students individually, provide students opportunities to share any community-specific experiences and aspects of their identities, such as information about students’ country of origin, neighborhood affiliation, and encounters with racism and other forms of bias.

Identify student strengths and avoid defining students by their deficits:

- Provide consistent and positive feedback to students in the classroom,<sup>20</sup> including supportive critical feedback on how to reach high standards.<sup>21</sup>
- Send positive notes home and pursue positive interactions with the families of youth.
- Seek to regularly attend student events outside of the classroom.

Improve interactions among educators and students through professional development programs:

- Teachers can systematically reflect on how their actions create student reactions. In the My Teaching Partner-Secondary (MTP-S) program, teachers are paired with a coach for an entire school year, regularly reflect on video recordings of their classroom instruction, and carefully observe how they interact with students. A recent study of the program showed the Black-White gap in student discipline referral was eliminated for teachers in the program.<sup>22</sup>
- Restorative Practices (RP) are school-wide programs aiming to transform how peers and adults interact with one another. RP program components

include community-building activities in classrooms (circles) and a relationship-based process to resolve disputes (restorative conferences).<sup>23</sup> Recent research has shown evidence that RP has promise for reducing racial disparities in discipline (see [www.SaferSanerSchools.org](http://www.SaferSanerSchools.org)).<sup>24</sup>

- Increasing educator “cultural competence”—the ability to connect with and respond respectfully and skillfully to students’ actual lived experiences—has been shown to be a key to good school-student relationships.<sup>25</sup> Programs providing professional development in cultural responsiveness may explicitly help educators understand lived experiences outside of what is familiar to them given their own cultural identities and histories (e.g., learning about others’ experiences with immigration, poverty, English Language Learning, racism, homophobia).<sup>26</sup>

## Offer Academic Rigor

*What does rigor have to do with racial and gender gaps in school discipline?*

When students are deeply engaged in and excited about academic activities, school discipline referrals plummet.<sup>27</sup> Yet, we know academic rigor is not evenly distributed in our school system today.<sup>28</sup> Some groups have greater access to enriched and dynamic instruction than others. Within schools, remedial and honors levels are typically racially divided and norms of control can systematically differ.<sup>29</sup> In many lower-tracked classrooms, student and teacher boredom, shame, and frustration can contribute to student-teacher conflict. Contrast that with a high-achieving classroom, where lively teacher and student engagement and student autonomy, interactive teaching styles, and novel or enriching materials are prioritized over tight management of behavior. It is not surprising that students in the typical lower-tracked classroom, more often students of color and low-income students, become less engaged and less on task.<sup>30</sup>

Educators can inadvertently send messages that some groups will “make it” and other groups are destined for failure.<sup>31</sup> Students are astute at picking up these subtle (or not so subtle) messages,<sup>32</sup> which can be inferred from adults’ voice tone or body language. How groups of students are treated extends to school structure as well. Some student groups have access to a variety of supportive programs when they are off-track. Other groups are treated punitively when they are

off-track, with far less regard to their positive development. Students can internalize such differential messages and lose confidence in their own abilities for academic progress, and thereby become less invested in schooling.<sup>33</sup> Discipline struggles often result.

*How can schools provide academic rigor to historically underserved youth?*

**High expectations for all.** To avoid conflicts in schools, high expectations must be communicated through access to high-level and engaging instruction, which includes access to necessary learning supports.<sup>34</sup> Despite the current pressures in an era of high-stakes testing, many schools have successfully provided both flexible academic supports and high-level instruction. For instance, the Preuss School in San Diego has successfully offered single-track, college-preparatory curricula and created a college-bound culture for all students (all of whom are low income, and most students of color), offering flexible supports and remediation programming through expanded school days.<sup>35</sup> By doing so, Preuss systematically scaffolds struggling students back into the core instructional program. A partner school down the road, Gompers Preparatory Academy in San Diego, expects that 100% of its senior class graduate and be accepted to college. Gompers turned a high-suspension, chaotic campus into a college-prep school culture of high expectations for every single youth, through relentless attention to student struggles. Gompers has now met this 100/100 goal for two years running.<sup>36</sup>

If teachers are to become more supportive of their students, they in turn need support and resources in offering motivating, relevant, and engaging instruction to classrooms that include diverse learners. Successful schools take professional development and teacher learning very seriously. One way to provide teacher support is through pairing teachers with coaches, who identify and expand specific ways teachers are already successfully motivating their students.<sup>37</sup>

## Offer Cultural Relevancy and Responsiveness in Instruction and Interactions with Students

*What do cultural relevancy and responsiveness have to do with racial and gender disparities in school discipline?*

**To create a climate where all students feel respected and engaged, educators can shape school practices and course material to reflect and welcome the diversity of the people in the school.** School curricula

and discipline practices can be more relevant and responsive to some student groups than others. All school practices have a cultural basis that aligns or misaligns with varying student communities; practices seen as valued and normal in one community might feel undervalued or atypical in another.<sup>38</sup> More effective schools integrate racial, ethnic, cultural, gender, and sexual identities and experiences of students and communities in school curricula, school-wide events, library resources, and other forums and activities.<sup>39</sup> When students' identities and cultures are reflected back to them, they feel safer and report less victimization and discrimination.<sup>40</sup> They also feel more connected to school<sup>41</sup> and report higher academic achievement.<sup>42</sup>

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*Knowing students well also helps adults see students as individuals—potentially breaking the link to an unconsciously held negative belief about the students' racial group.*

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*How can schools offer cultural relevancy and responsiveness to youth?*

- Classroom material and schoolwide events reflect diversity, including the range of racial, ethnic, cultural, gender, and sexual identities of the students themselves. Material and events (thoughtful literature, films, assemblies) can also demonstrate and prompt discussion over the complexity of any identity, rather than presenting stereotypical visions of “groups.”<sup>43</sup>
- Through a process of self-reflection and careful observation of their instructional style, educators can detect ways in which their practices understandably embody their own beliefs and customs, and ask themselves: Am I reacting negatively in an unfair way to a behavior that is simply unfamiliar to me? A teacher thinking this way might ask questions about the norms she sets around noise level in her classroom.<sup>44</sup>

or, stop and reflect for a moment before describing a typical “family,” recognizing that her diverse students might have varying household configurations (e.g., living with a single caregiver or with two dads).

- Relatedly, educators can acknowledge school staff's own personal and community histories, including racial/cultural histories, to consider how our backgrounds cause us all to make numerous assumptions about what behavior in school is normal and desirable (“personal autobiographies” can launch this inquiry).<sup>45</sup>
- Use book discussion groups to learn about the experiences of students who have commonalities with groups of students in the school; since no one automatically shares any group experience, always set up activities that help people in the school get to know one another personally, as well. Suggested reading includes Sonia Nieto's (2010) edited volume, *The Light in Their Eyes: Creating Multicultural Communities*. Nieto's work also suggests that teachers create “case studies” of complex individual students.
- Professional development programming could include the Double-Check program, which uses a framework to help teachers self-assess on their culturally responsive teaching. Teachers reflect on the following dimensions of their teaching: Sensitivity to Student's Cultural and Situational Messages, Reflective Thinking about Children and “Group Membership,” Effective Communication, and Connection to Curriculum.<sup>46</sup> Teachers have used the Double-Check framework in conjunction with input from instructional coaches to help them offer positive behavioral supports in a culturally competent manner in their classrooms (a manner that responds with respect to people's complex life experiences).<sup>47</sup>
- Educators could be trained in other culturally competent classroom management strategies. Weinstein and colleagues' model includes: (a) recognizing one's own ethnocentrism (the tendency to see one's own cultural norms as neutral, universal, normal, and correct); (b) developing knowledge of students' lived cultural and community backgrounds; (c) understanding broader social, economic, and political context; and (d) demonstrating a commitment to building caring classrooms.<sup>48</sup>

## Establish Bias-Free Classrooms and Respectful School Environments

When some student groups experience school as uncaring or, as culturally irrelevant and non-responsive, they may also be detecting unfair treatment driven by implicit bias—biases that all of us share without even being aware of them. Research on implicit bias shows that many people across race lines have an easier time associating faces that look “White” with words like “smart” and that “Black” faces are more likely associated with criminality.<sup>49</sup> Implicit bias operates outside of conscious awareness, yet it has a very real impact on decision-making. In juvenile justice, unconscious attitudes toward darker skin have been shown to influence more punitive responses to the behavior of darker-skinned youth.<sup>50</sup> These attitudes may fuel the harsher sanctions issued to students of color—a good example of what we above have called the “criminalization” of youth.<sup>51</sup> Implicit bias may also fuel negative reactions to students' hair, dress, speech, or even body language, in a way that can break students' positive relationships to school.

**Self-reflect – Avoid Snap Judgments.** Educators who become aware of the subtle ways implicit bias can affect decision-making can learn to slow down when they realize that they are perhaps making snap judgments, asking themselves whether they have considered the whole context when they respond to students.<sup>52</sup> Educators can also ask themselves tough questions about the potential of bias in discipline: Am I overreacting to youth from particular groups when I discipline my students? Knowing students well also helps adults see students as individuals—potentially breaking the link to an unconsciously held negative belief about the students' racial group.<sup>53</sup>

**Schools serving marginalized communities, or communities with whom educators are unfamiliar, may resort to a security infrastructure, including both police presence and technology, that can create barriers to developing trusting relationships between educators and students.** Although some schools and school districts may feel strongly that such approaches are necessary, it is unclear from the data whether such measures actually contribute to school safety. The overuse of security measures such as law enforcement presence, daily check-points, random searches, and drug-sniffing canines in many lower-income schools serving predominantly communities of color can lead to an increase in school-based referrals to the juvenile court; some studies have found

that such measures can also cause students to disengage from school, as they begin to see school as a hostile “prison-like” environment.<sup>54</sup> Recent guidance from the US Departments of Justice and Education stresses that, in cases where law enforcement officers are placed in schools, it is important that (a) their role be strictly defined as pertaining to law enforcement, rather than day-to-day discipline, (b) they be trained as thoroughly in conflict resolution and child development as all other staff, and (c) they abide by written memorandums of understanding (MOUs) between the school and law enforcement.<sup>55</sup>

**Communicate Trust and Respect Throughout the School.** The data have consistently shown that positive climate and proactive prevention are more effective in promoting safe and productive schools. Not only does a positive and welcoming greeting at the front door of the school feel very different than a security officer checking bags for weapons, but research has shown that schools that build positive relationships among students, teachers, and administrators are actually judged as safer than those that rely heavily on security technology.<sup>56</sup> Many schools systematically aim to convey a general sense of adult support and fair and consistent application of rules. These schools tend to issue fewer suspensions across racial groups and foster a sense of safety and higher achievement.<sup>57</sup>

*How can schools pursue bias-free discipline and respectful interactions with youth?*

Educators can create opportunities for staff to critically reflect on how stereotyping and implicit bias can affect students in their schools:

- Through analysis of school discipline data, educators can identify whether students of varying races or other social groups routinely receive different sanctions for similar rule infractions.
- Educators can review typical disciplinary responses and ask tough questions about when and whether those responses are outsized, truly necessary, or effective, and whether they are applied equally to all students. They can use school discipline data to launch discussions on how educators’ reactions to students from various race, gender, disability, and sexual identity groups might be contributing to discipline disparities.<sup>58</sup>
- Educators can examine key discretionary decision points in discipline and, utilize a multi-step check and balance or screening procedure before issuing discipline referrals for more subjective

offenses, such as “insubordination” or “defiance.”

- Educators can learn about the structural nature and historical context of racism, in part to understand that racism is a historic creation rather than a personal flaw; they then can consider how implicit bias affects decision-making.<sup>59</sup> School staff might take the Implicit Association Tests (IAT) and discuss the results.

## Principles of Intervention

Some conflict in schools is inevitable. However, it is possible for schools to handle conflict in equitable ways—with clear, fair, and consistent enforcement of rules, a focus on helping both students and educators to learn skills in constructive resolution of conflict, and through re-engagement and reparation of trust and community for all those involved in disputes. When discipline problems arise, schools can engage in equity-driven approaches:

- *Inquiry into the Causes of Conflicts.* Use regular equity-focused inquiry to target “hot spots” of disciplinary conflict or of differential treatment for particular groups, and to identify remedies.
- *Problem-Solving Approaches to Discipline.* When discipline issues arise, aim to uncover what fuels the behavior or student-teacher conflict, and address the identified needs.
- *Recognition of Student and Family Voice.* Explicitly integrate student and family voice in resolving conflict, especially the perspectives of youth and their caregivers.
- *Re-integration after Conflict.* Systematically bring students back into a community of learners after conflict has occurred.

## Regular Inquiry into the Causes of Conflicts

*What does equity-driven inquiry have to do with racial and gender disparities in school discipline?*

All too often, schools simply examine their discipline records in the aggregate. They declare success when suspension rates go down. Obscured within the patterns of the whole school may be glaring disparities by subgroup. In fact, the promise of some widespread interventions such as School-Wide

Positive Behavioral Interventions and Supports (PBIS) has been tempered by new research showing the program may reduce the overall use of punitive discipline without reducing racial disparities.<sup>60</sup> Without equity-driven inquiry, schools may celebrate one-dimensional successes and overlook the fact that disparities remain entrenched. Also, without ongoing review of school data—including review of which specific infractions by whom are receiving which consequences—schools could replace one problem (e.g., overreliance on suspension) with another (e.g., letting students wander the hallways for long periods).

School discipline data can be used to help understand why and how discipline policies impact some student groups more than others. For instance, one middle school principal presented data on dress code violations and revealed to her staff that they were not enforcing rules against short skirts to the same degree they were against baggy pants, more typically worn by many of the male students of color.<sup>61</sup>

Communities and families also need access to information. Families, advocates, and students in Los Angeles took action when they identified the sheer number of students of color being disciplined under the subjective category, “Willful Defiance.” Through their organizing efforts to question why so many students of color were being deemed “defiant,” they changed school discipline policy for the whole district; their work helped to pass the School Climate Bill of Rights, which includes the abolition of the category “Willful Defiance” on the grounds that it is dangerously vague.<sup>62</sup> This now also motivates schools to consider methods to more effectively handle low-level conflict in the schools rather than lumping all negative interactions into the punishable “defiance” category.

Data can take many forms. Many schools are systematically collecting school climate surveys to understand student experiences of fairness, support, and school discipline. By disaggregating survey data by subgroups, schools ensure that the focus on equity also remains central. Disaggregated survey data can help answer questions such as, “Are certain groups particularly vulnerable to feeling unsupported and treated unfairly in schools?”; “How does school discipline affect students who are members of multiple groups (Black/Latino girls; ethnic minority students with a disability)?”; “How do students experience law enforcement and security measures such as metal detectors and surveillance?”; and “How do students who have had criminal justice involvement experience school?”

Equity-driven inquiry goes beyond simple disaggregation of data by student subgroup. It is a mindset that shows determination to deeply understand the experience of historically marginalized groups in the school and beyond its walls. Actively engaging youth in the inquiry process itself can help reveal hidden or overlooked needs of subgroups of students.<sup>63</sup> School districts are beginning to unearth such needs by collecting student data on, for instance, the experience of LGBT students.<sup>64</sup> Once vulnerable groups are identified, schools may need group-specific programming, such as ongoing discussion and training of culturally responsive practice, or an anti-bias LGBT training for school staff.<sup>65</sup> Supportive groups such as Gay-Straight Alliances can also reduce anti-LGBT stigma in a school setting, improving the experience for students.<sup>66</sup>

*How can schools conduct equity-driven inquiry to intervene in discipline patterns involving youth?*

To intervene in existing discipline patterns as well as to prevent unnecessary discipline, educators can review discipline data regularly to conduct equity audits:

- At the school and district level, educators can track and disaggregate discipline data by offense type, teacher/school, location of offense, referral to law enforcement, and whether students receive a school-based ticket or arrest. Unnecessary referrals to law enforcement are a major contributor to the “school-to-prison pipeline,” the literal tracking of students (even if unintentionally) into the justice system.<sup>67</sup>
- Analyze discipline data intersectionally (meaning, consider students who belong to multiple subgroups simultaneously) to identify how school discipline is impacting subpopulations (for instance, research suggests gender non-conforming students of color are particularly over-disciplined, often after bullying).<sup>68</sup>
- As with preventative analysis, educators can investigate important discretionary points in the discipline process to figure how best to intervene. For instance, they can closely examine the specific reasons why students are being referred for “defiance,” “disrespect,” or “insubordination.” Then, educators can refine these more subjective categories by describing more specific behaviors regarding the nature of the offense (e.g., used inflammatory language toward adult). Then, educators can

consider which consequences for the specific “offense” are actually merited with exclusion from instruction being used as a last resort.

Educators can also create groups of youth participatory researchers who can analyze the disparities data, offer interpretations, and generate interventions with and for educators (see [www.publicscienceproject.org](http://www.publicscienceproject.org)). Groups including students have been shown to:

- Systematically include questions about gender identity, sexual identity, and gender non-conformity in school surveys. Note, however, that safeguarding student confidentiality in disclosing personal information is essential given the potential harm that can come from adult and peer misuse of such data.

*Educators can also identify and showcase what is working to reduce discipline interactions in their school:*

- Shine a spotlight on positive examples of what is working in the school. Frequently share the positive examples with parents, students, and school staff.

## Using Problem-Solving Approaches to Discipline

*What does problem-solving have to do with racial and gender disparities in school discipline?*

In contrast to a punitive, zero-tolerance approach to conflict, a problem-solving approach aims to identify contextual contributions to school discipline issues so that responses to conflict are sufficiently nuanced. A multi-faceted understanding of rule-breaking would incorporate multiple perspectives (disputants, supporters) and multiple sources of information.<sup>69</sup> A problem-solving approach helps people understand the greater context around any behavior or response, by inquiring in depth into the “why” of a student’s behavior or teacher’s response and eliciting relevant information (e.g., a student is angry or stressed because he is up at night caring for a younger sibling, a teacher is angry because she is in the midst of a divorce).<sup>70</sup> A problem-solving approach can also include an “environmental scan” of the student’s life including his or her experience of school safety, group membership, academic learning, sense of belonging, and adult support.<sup>71</sup>

Many schools do not engage in such systematic problem-solving when it comes to handling struggling students. Struggling students may have little adult support—they may feel

unfairly treated and react adversely when they feel educators single them out. Often, seemingly small disciplinary incidents pile up without sufficient response. Many students then find themselves ensnared with police and the courts—parts of the justice system which are increasingly linked to everyday disciplinary procedures in schools.

Small discipline decisions can have long-term, multiplicative effects over time.<sup>72</sup> There are collateral consequences of tickets, violations, and misdemeanor convictions. Many school-based tickets and arrests, in some cases a majority, occur as a result of relatively minor, non-safety threatening behavior such as property damage and student fighting, and status offenses such as possessing a marker, tobacco or a lighter, alcohol, or marijuana.<sup>73</sup> Further, referrals to the justice system are expensive, and they set up an ongoing legalized, adversarial process with perpetrator and victim that rarely changes the types of problem behaviors students exhibit in school.

*How can schools use problem-solving approaches to respond to conflict and support youth?*

Educators can learn problem-solving approaches to conflict:

- A problem-solving response includes the following: a) Inquiry into the “why” of the behavior or incident, b) Inquiry into family or situational issues that may be aggravating behavior, c) Provision of a period of reflection for student and school staff member, d) Facilitation of a restoration process that allows for student voicing of their experience (including disputants and those affected in the school community), e) Provision of appropriate services for those students suffering from traumatic events or other more serious mental health issues.
- One problem-solving program is the Virginia Threat Assessment Guidelines, which moves schools away from applying a fixed rule, regardless of circumstances. Staff are instead trained to conduct a systematic investigation into the circumstances and underlying problems that culminate in a student making threats. Research has shown schools using threat assessment issued fewer suspensions to both Black and White students who had issued threats, and have more favorable school environments (e.g., less bullying).<sup>74</sup>
- Restorative justice and restorative practice programs train staff to engage in a structured process of problem-solving to identify contributors to conflict and

harm, and to support participants to voice, explain, and (if appropriate) make amends for their actions.<sup>75</sup>

- Higher education credentialing programs for educators (e.g., for teachers, administrators, school counselors) can systematically integrate conflict resolution and problem-solving approaches to student behavior into their required courses. Pre-service training opportunities in classrooms and schools could also include supervised opportunities to implement these approaches with students.

Through problem-solving, educators can identify needs for vulnerable groups in the school:

- A thorough understanding of the common underlying reasons driving behavior can lead to comprehensive and effective interventions to change behavior. Some rule-breaking behavior may be a consequence of traumatic experiences, for example. Schools that identify such needs can provide services to address the consequences of trauma. For example, if LGBT students feel unsafe and are skipping school (and receiving truancy suspensions), the school might provide targeted mentorship.<sup>76</sup> Other programming may reach vulnerable groups through a strength-based, culturally affirming approach to their development.<sup>77</sup>

Through problem-solving, the school might identify school-wide student and staff needs in social and emotional learning:

- Students can learn to effectively navigate the social and emotional demands of school. This requires skills in self-awareness, self-management, social awareness, relationship skills, and responsible decision-making.<sup>78</sup> Students with these abilities more effectively manage conflict with adults and peers. In addition, programs might support students to acquire and incorporate skills needed to navigate bicultural contexts and implicit rules of power.<sup>79</sup> Students might also be taught to engage in effective self-advocacy.<sup>80</sup>
- Programs might include a focus on the social, emotional, and cultural literacy skills and needs of school staff.<sup>81</sup> Given the frequent stressors in daily school life, school staff may need support to manage emotions (their own and that of the students), to address cultural differences, and to constructively resolve conflict.<sup>82</sup>

## Recognizing Student and Family Voice

*What does recognizing student and family voice have to do with racial and gender disparities in school discipline?*

Seldom are students given an authentic opportunity to participate in “righting wrongs.” Typically, students and staff who are affected by a rule infraction do not have a forum to discuss their experience of the events. The offended parties rarely have the opportunity to face the person who harmed them.<sup>83</sup> By formally integrating into procedures a habit of tapping into both student and staff experience after a rule infraction, all parties involved can learn essential social and emotional skills, such as perspective-taking, empathy, and problem-solving—skills which are also essential for life-long success in work settings.<sup>84</sup> Further, when students feel they are granted appropriate autonomy, they tend to be more engaged and invested.<sup>85</sup>

Whose voices are heard after a conflict has occurred is a matter of equity. The families and students with the most influence are typically the ones who are heard in the administrator’s office—not only heard, but attended to in a manner that can soften the blow of a disciplinary consequence. Thus, schools need to mindfully bring in the voices of students and families who have less influence on policies and practices in the school setting.

*How do schools integrate student and family voice into school discipline?*

Educators can explicitly integrate student and parent voice in resolving conflict:

- Conflict resolution programs and restorative justice programs systematically integrate student and family voice after an incident has occurred. Student accountability is achieved when students and all parties involved take responsibility for their actions, recognize the impact of their actions on others, and offer ways to repair the harm.<sup>86</sup> By implementing conflict resolution or restorative justice programming, schools stay attuned to whether the programming systematically includes the voices of marginalized students and their families.<sup>87</sup>

Educators can establish forums with community organizing groups and families:

- Across the nation, community organizing, such as the work of *Padres y Jovenes Unidos* in Denver or *CADRE*

in Los Angeles, has helped place the discipline experiences of families and students “at the table.”<sup>88</sup> Schools can proactively reach out to such groups in their own communities to better understand the needs and concerns of students who are issued discipline sanctions at disproportionate rates.

- Youth organizing has been documented as a powerful approach to youth development and community change. Young people learn how to identify problems in their campuses or communities and determine solutions to address them—becoming critical thinkers and developing their own voice in the process. At the core of many of the important reforms on school discipline across the nation are youth- and parent-led movements. Many such activists partner directly with educators. Educators and schools can reach out to such organizations for youth organizing trainings or to host a chapter/student club on their campus.<sup>89</sup>
- Student-led movements are present throughout the nation and lead major changes in some of the worst documented school-to-prison-pipeline areas, including, for example, in Broward County, Florida, and throughout the state of Texas. Sometimes, such organizing simply removes the option of law enforcement tickets or arrests for behaviors that can be handled within the schools.<sup>90</sup>

## Reintegrating Students after Conflict

*What does reintegration of students after conflict and absences have to do with racial and gender disparities in school discipline?*

After receiving a punitive disciplinary action, students can become increasingly alienated from the school community. Schools often do not systematically help students re-integrate into courses and re-establish positive relationships with school staff and peers. For instance, students re-entering school from a 10-day suspension or from juvenile detention can be placed back into school with little guidance on how to reconnect. Students need to be re-engaged in the process of learning and in the school community after an incident has occurred.

For example, imagine a student being initially suspended for slapping another student. Upon return, the student can be stigmatized by the suspending instructor or other adults



at the school. The young person, on his or her own, is left to figure out how to repair the harm. Feeling shamed and alienated, the young person may cope by lashing out at others.<sup>91</sup> Many young people need support to develop the social and emotional skills necessary for renegotiating a new social contract with all those affected by the incident.

Similarly, the burden to make up instructional time often falls on the returning student. For example, students are often the ones expected to compile days and days of make-up homework, which is essential for keeping up with coursework. If the young person is engaged with the justice system while on probation or is facing current charges because of school behavior, the problem of school absence and its effects is exacerbated. In most jurisdictions, young people are not entitled to bail; therefore, if school resource officers refer them to juvenile court, they are most likely to be detained between 23 to 40 days. Regaining lost instructional time is particularly difficult in this circumstance because young people become overwhelmed negotiating two systems. With lost instructional time accruing, students can fall seemingly irrevocably behind in their academics. This is one way racial and gender gaps in school discipline fuel the gaps in school achievement.<sup>92</sup>

#### *How do schools reintegrate students?*

Schools need to develop reintegration rituals and connect support services to students, both after short absences and after long-term absences due to suspension or juvenile detention:

- One approach is to have a “transition center” that involves collaboration between the probation departments, mental health/child welfare services, and school districts.<sup>93</sup> Such collaboration offers wraparound support services to young people exiting juvenile hall. For example, a transition manager from the school district may enroll a re-entering youth in his or her former school or another appropriate educational setting. Community-based organizations provide case management and advocacy for the young person at the school. Case managers can also provide critical referrals to other community support services, family support, and after-school employment programs. Additionally, the case manager works with the probation officer to support positive behaviors in the community. As in this example, it is important for professionals to assist youth and parents by helping the youth justice and educational systems work together

in an efficient manner, using a positive youth development framework.

- Schools can link with youth advocate and mentoring programs that provide support for youth as they re-enter communities after they have been detained in the justice system. Well-trained and matched mentors can help youth navigate the stressors and demands that occur for youth who have missed instruction from their local schools for extended periods of time.<sup>94</sup>

## Conclusion

Districts and schools across the nation are engaging in long-term change to transform their approaches to school discipline. Equity-oriented principles and examples of conflict prevention and intervention can help guide the change. Schools that prevent punitive discipline responses increase children and adolescents’ access to supportive relationships, academic rigor, and culturally relevant and responsive teaching. They teach students and educators social and emotional skills and coping strategies, and they improve relationships between educators, students, and parents. When conflict and rule-breaking arise, effective schools intervene by engaging in problem-solving to identify underlying contributors to the problem, while integrating student and family perspectives on how to repair the harm. When students are excluded from school, schools systematically reintegrate them back into the community and back into their coursework. Schools enacting equity-oriented principles also regularly use data, such as school disciplinary records and student surveys, to track their progress in resolving conflict and educating young people rather than ejecting or punishing them excessively.

Reducing unnecessary or unequal discipline requires transforming instruction and school practice overall to promote all students’ academic, social-emotional, and behavioral development. It requires educators rethinking how staff members interact with youth and how youth treat each other. It requires new interactions between schools and other agencies, including juvenile justice—interactions focused on supporting youth development rather than punishing students primarily through exclusion. All constituencies, including school staff, students, parents, community-based organizations, police, and juvenile justice, need to meaningfully engage in such changes, creating sustainable routines and embedded practices that have staying power as school personnel come and go.

The prospect of undertaking an equity-oriented transformation in school discipline may seem daunting. But, efforts across the nation are already underway. States are considering new legislation to reduce the overuse of school suspension for non-safety related student misbehavior.<sup>95</sup> Districts are rewriting student codes of conduct to undo numerous zero tolerance policies that mandate rigid, exclusionary responses to student behavior.<sup>96</sup> Urban districts are implementing restorative approaches to school discipline and thereby reducing their use of suspension.<sup>97</sup> A recent national report highlighted over 7,500 secondary schools without gaps in suspension across racial groups, English learners, and students with disabilities.<sup>98</sup> Parents, students, and advocates are joining together to support the positive development of youth.<sup>99</sup> These national efforts reflect the growing recognition that educators can disrupt discipline disparities, which for too long have been seen as inevitable and unchangeable, and replace them with strategies and programs that build a safe and healthy school climate for all students.

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is an Associate Professor in the school psychology program at Rutgers University's Graduate School of Applied and Professional Psychology. For over a decade, Dr. Gregory has investigated the persistent trend that African American students are issued school suspension and expulsion at higher rates than adolescents from other racial and ethnic groups. Her research has focused on best teacher practices in classrooms as well as optimal school-level practices that disrupt racial disparities in school discipline. Her recent evaluation of teacher professional development programs shows that coaching and support can help teachers increase engagement and achievement, while also reducing their use of exclusionary discipline referrals. Dr. Gregory also develops tools to support high quality implementation of restorative practices in classrooms and schools. In related work, she examines the potential for restorative practices to reduce the racial discipline gap. Dr. Gregory has published her research in journals such as the *Journal of School Psychology*, *American Journal of Community Psychology*, *School Psychology Review*, and *Journal of Educational Psychology*.

### **James Bell, J.D.**

is spearheading a national movement to address racial and ethnic disparities in the youth justice system. The BI, which is named after civil rights pioneer W. Haywood Burns, was recently awarded the prestigious MacArthur Award for Creative and Effective Institutions. The award is presented to select organizations worldwide that have made a "remarkable impact in their fields." Mr. Bell and his colleagues at the BI work with juvenile justice systems across the country to reduce the disproportionality of youth of color. Mr. Bell guides the BI's Community Justice Network for Youth (CJNY), a national network of programs as alternatives to confinement working successfully with young people of color. Mr. Bell also works closely with the Casey Foundation's JDAI jurisdictions and the MacArthur Foundation's Models for Change Initiative. Mr. Bell is being recognized this year for his "profound contribution to human rights," by the American Education Research Association Human Rights Award Committee, which has selected him to receive the second annual Ella Baker/Septima Clark Human Rights Award.

### **Mica Pollock, Ph.D.**

is an anthropologist of education and Professor of Education Studies at the University of California, San Diego. She currently leads UC San Diego's Center for Research on Equity, Assessment, and Teaching Excellence (CREATE) as Director. Pollock's own work explores how diverse communities can come together in student support efforts. To date, Pollock has studied communications that support student success in diverse schools and education communities. In multiple projects based in schools, districts, cities, community organizations, and the government, Pollock has asked how people might communicate so they can work together to support every young person's talent development. Pollock's first book, *Colormute: Race Talk Dilemmas in an American School* (winner of the 2005 AERA Outstanding Book Award), helped readers navigate six core U.S. struggles over talking (and not talking) in racial terms in schools. Because of *Race: How Americans Debate Harm and Opportunity in Our Schools* (2008) examined the U.S. Department of Education's Office for Civil Rights as the background for common debates over improving the everyday school experiences of students and families of color. In *Everyday Antiracism: Getting Real about Race in School* (2008), Pollock organized 70 scholars to write short essays supporting teachers to consider everyday issues of race, opportunity and diversity in their work. Winner of a 2008 Outstanding Book Award from the Gustavus Myers Center, "EAR" is being used to spark educator inquiry in schools and districts across the country.

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