Chapter 57
Racial Disproportionalities in Discipline:
The Role of Zero Tolerance Policies

F. Chris Curran
University of Maryland – Baltimore County, USA

ABSTRACT

Student safety represents an important goal for schools; however, policies designed to facilitate school safety may have unintended negative consequences. Zero tolerance policies, those that mandate severe punitive measures, have been widely implemented by school leaders over the last several decades; however, recent research suggests that such policies may contribute to racial disparities in the use of discipline. This chapter reviews the history of zero tolerance policies in schools and, through descriptive analysis of data from the Civil Rights Data Collection of 2011-2012, documents racial disparities in the use of expulsions. Findings suggest that while zero tolerance policies may contribute to such disparities, the racial disparities are more pronounced for non-zero tolerance expulsions. Implications for policy and practice are discussed.

INTRODUCTION

Student safety in the school environment represents not only a minimal expectation of parents and students but also a necessary component for a productive learning environment. While many schools achieve such an expectation, the unfortunate reality is that schools are not entirely immune from violence. Acts of extreme violence, such as the shootings at Columbine and Sandy Hook, capture national attention; however, many students experience less extreme exposure to weapons, drugs, physical violence, and other threats to safety on a more regular basis (Bowen, Bowen, & Richman, 1998). In fact, middle and high school aged students report experiencing more theft and violent crime victimizations per year in the school environment than outside of school, though incidences both in and out of school have been declining over the last two decades (Truman et al., 2013).

Exposure to violent and unsafe school environments has important implications for the emotional, social, and academic development of students. Exposure to school violence has been found to be predictive of psychological trauma and violent behavior (Flannery, Wester, & Singer, 2004). Additionally, such exposure is predictive of decreased attendance and lower grades (Bowen & Bowen, 1999). Consequently, limiting the occurrence of violent incidences and improving the safety of schools represents an important priority for policymakers, school leaders, parents, and students.

Over the last several decades, zero tolerance discipline policies have emerged as a common approach for dealing with student misbehavior and for mitigating threats to student safety. Zero tolerance discipline policies are generally considered to be those policies that respond to student misbehavior in a manner that is both severe and certain. For instance, such policies may require that a school principal expel a student and provide little leeway for consideration of extenuating circumstances or the student's prior disciplinary record. The United States Department of Education's Office of Civil Rights defines a zero tolerance discipline policy as "a policy that results in mandatory expulsion of any student who commits one or more specified offenses" (U.S. Department of Education, 2015, p. 38) while others use the term "zero tolerance" to refer to disciplinary policies that include lesser punishments such as suspension.

The foundational assumption of zero tolerance policies is that certain and severe punishment will serve to deter students from engaging in behavior that violates the rules of the school, thereby leading to a safer learning environment. Furthermore, the clear cut nature of the policies suggests that discipline will be implemented in a fair and equitable manner. Recent evidence questions both of these assumptions, finding that severe punishment and zero tolerance policies do not significantly improve student behavior (Matjasko, 2011) and that such policies may contribute to racial disproportionalities in the use of exclusionary discipline such as expulsions and suspensions (Hoffman, 2014).

The potential connection between zero tolerance policies and racial disparities has received considerable attention from policymakers and educational pundits, prompting many to call for the removal of severe or zero tolerance discipline policies (U.S. Department of Justice & U.S. Department of Education, 2014). Evidence suggests that minority students, especially African Americans, experience suspensions and expulsions at a rate that is over twice that of their White counterparts (Rocque, 2010; Skiba, Michael, Nardo, & Peterson, 2002). Such exclusionary discipline has been linked to a number of negative educational outcomes such as decreased academic achievement, increases in future misbehavior, and an increased probability of interacting with the juvenile justice system (Arcia, 2006; Costenbader & Markson, 1998; Rafaelle-Mendez, 2013).

The purpose of this chapter is to provide a foundation on the development of zero tolerance discipline policies, an overview of the research on such policies and their implications for racially equitable discipline, and, through the use of original descriptive data analysis, to document the racial gaps in the use of zero tolerance discipline. With the descriptive data analysis, I address the following questions:

1. What proportion of students are expelled under zero tolerance discipline policies?
2. How do the proportions of students expelled under zero tolerance discipline policies vary by categories of student race?
3. To what extent do expulsions under zero tolerance policies account for total rates and gaps of all expulsions?
4. How do the proportions of students expelled under zero tolerance discipline policies vary by school racial demographic characteristics?

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