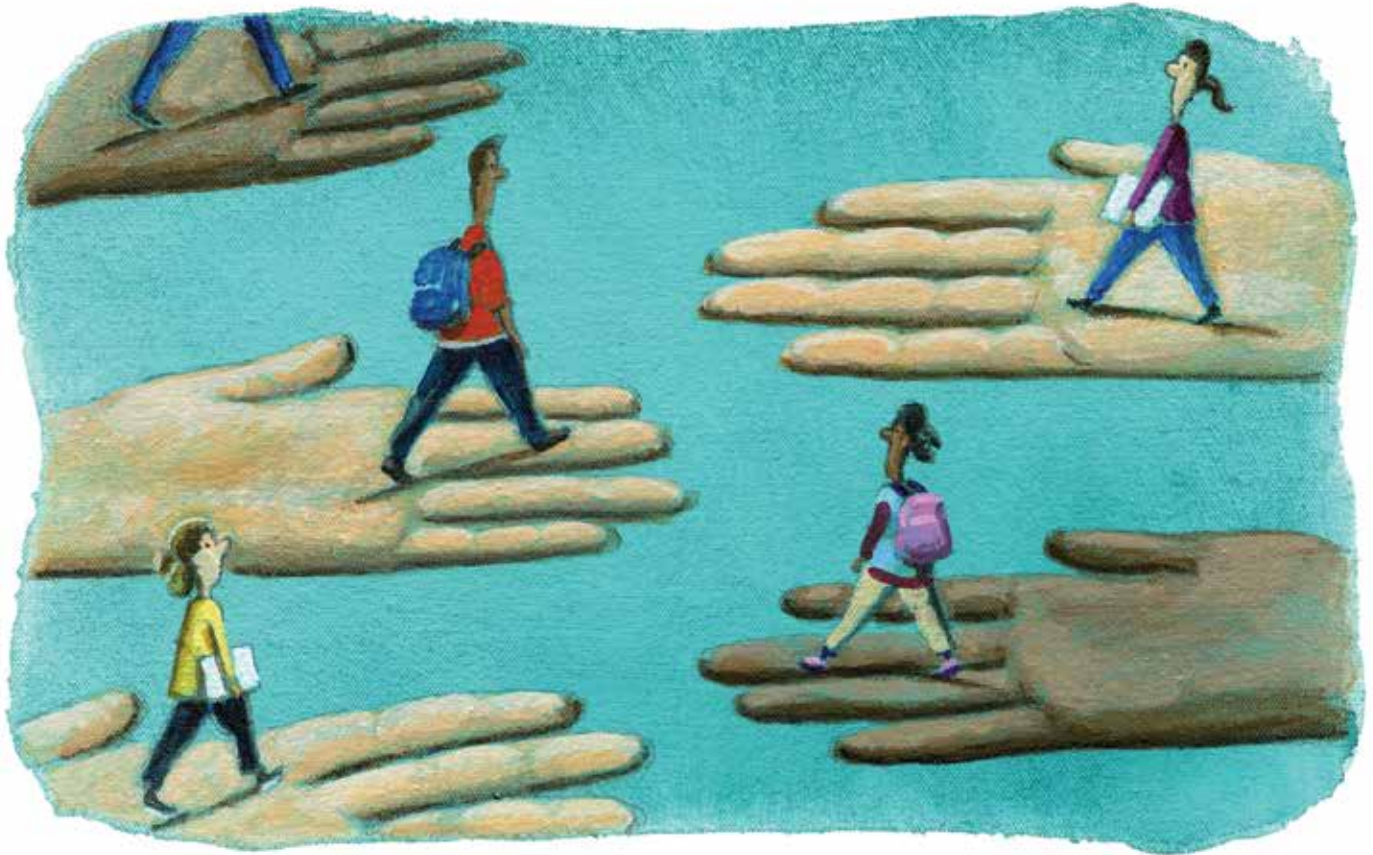


A Powerful Partner

Philanthropy's Role in Promoting Positive Approaches to School Discipline



BY KAVITHA MEDIRATTA

Last year, at the beginning of ninth grade, my son's friend Emmanuel was suspended from school for bringing a brick to class. Emmanuel had found the brick in the schoolyard, and with the satirical wit of a 14-year-old, named it "Softie" and placed it in a prominent position on his desk. Of course, bricks are not soft, and Emmanuel's display of irony got a laugh from his classmates as they settled into the lesson of the day. But a routine classroom visit by the school dean led to a trip to the principal's office, and thus began the trajectory to suspension when a warning would have sufficed.

The award-winning actress and playwright Anna Deavere Smith often poses the question: Whatever happened to mischief?*

Indeed. Over the past 30 years, growing numbers of children and youth have been excluded from school for disciplinary reasons.

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Today, nearly 3.5 million schoolchildren nationally are suspended from school every year. Put in perspective, 1 in 14 public school students is sent home for increasingly minor offenses, often without supervision at home or the supports necessary to reenter school successfully.

The widespread use of suspension and expulsion in schools reflects a national belief in "zero tolerance" to set a tone of academic focus and seriousness and to maintain order and safety. Yet the larger irony of Emmanuel's story is that this disciplinary approach undermines educational goals. The disrupted learning caused by suspensions does not improve student behavior or school climate. Instead, students like Emmanuel face substantially higher risk of alienation from school, failure to graduate, delinquency, and incarceration.¹ These risks are not only to those who are suspended. Zero-tolerance discipline in schools also is associated with higher levels of anxiety and disconnection among peers of suspended students.²

Even more alarming, this harsh disciplinary approach most often targets children of color, like Emmanuel, who is from Ecuador. National data indicate that, in 2012, 20 percent of black males

*For Anna Deavere Smith on discipline, see "A Conversation on Rethinking School Discipline," at www.youtube.com/watch?v=OW68f151E3A.

in the United States were suspended, more than three times the rate of their white counterparts; Native American and Latino students and black girls also were more likely than white students to receive harsher punishment for minor misbehavior.³ Gay, lesbian, and gender-nonconforming adolescents also were disproportionately punished, often at three times the rate of their heterosexual, gender-conforming peers.⁴

A growing number of studies show that these disparities in discipline are not the result of worse behavior. Rather, as researcher Robert Balfanz observes, “Students from these subgroups are often disproportionately suspended for what are minor and non-violent offences, ones which do not require out-of-school suspensions by any state mandates but rather are applied in a discretionary manner by school or district administrators, meaning that alternatives to out-of-school suspension could be employed.”⁵

I work at The Atlantic Philanthropies, an international foundation dedicated to advancing lasting change for those who are unfairly disadvantaged or vulnerable to life’s circumstances. At the heart of our work is the belief that all people have the right to opportunity, equity, and dignity. The urgency of school disciplinary exclusion—and its racially biased undertones and high economic and social costs to society—led us to launch a \$47 million initiative not just to change policy and practice but also to demonstrate that there is a better, more effective way to create safe, successful, and inclusive schools.⁶ To that end, Atlantic, working alongside young people, parents, civil rights advocates, judges, educators, academics, and government leaders, helped to bring school discipline to the forefront of education policy and discussion in the United States. In this article, I trace the efforts of this growing movement, its impacts to date, and the lessons learned about philanthropy’s role in education reform.

The Evolution of a Movement

The disproportionate use of suspensions for black children was first identified in a 1975 report by the Children’s Defense Fund.⁷ But it was not until the late 1990s that demands for reform began to build. High school students and parents of color began to document the increasing use of a get-tough approach to discipline in schools and coined the phrase “school-to-prison pipeline” to describe the cycle of harsh discipline and justice system involvement that they saw.⁸ These activists were soon joined by a small group of academics and civil rights advocates, who produced and disseminated research on the racially discriminatory impact of zero-tolerance school disciplinary policies on children.⁹

Despite growing concern, school discipline remained under the national radar screen, subsumed by other reform efforts. Grass-roots groups and civil rights organizations suffered from insufficient financial support, while the rates of out-of-school suspension—and their disparate impact on students of color—continued to grow.

In 2009, however, the topic of school discipline reform emerged as a funding opportunity when Atlantic’s leaders sought to identify an issue on which the foundation could reasonably expect to make an impact. In December of that year, the director of Atlantic’s Children and Youth program, Donna Lawrence, persuaded the foundation’s leaders to prioritize an all-out effort to end the school-to-prison pipeline. A longtime children’s advocate and poverty expert, Lawrence argued that overly punitive school discipline resulted in deep negative consequences not only for chil-

dren and youth of color, but also for whole communities facing generational cycles of poverty and incarceration. A concerted focus over a five-year period could, she believed, raise the visibility of the issue and build the infrastructure of a long-term effort to reverse these trends. Equally important, it could expose and challenge the damaging racialized narrative of youth criminality that lay at the heart of these inequities.

From the beginning, it was clear that, in a nation of 16,000 school districts, each with the authority to determine its own discipline code, no measure of philanthropic resources would be sufficient to reach each and every school district directly. Instead, we hoped to use our resources and influence to advance, connect, accelerate, and amplify the collective efforts of others.¹⁰ Although no funder had previously taken on this issue at the scale Atlantic contemplated, investments by several had laid the groundwork

Working alongside others, The Atlantic Philanthropies helped to bring school discipline to the forefront of education policy and discussion.

for a national effort. The Edward W. Hazen Foundation and the Schott Foundation for Public Education, for example, were supporting youth, parent, and community organizing groups working on this issue. And the Open Society Foundations and one of their field offices, the Open Society Institute-Baltimore, were supporting a few national groups in addition to an intensive effort in Baltimore. As a result, districts such as Baltimore, Denver, and Los Angeles were already demonstrating the positive impact of alternatives to zero-tolerance discipline on student achievement, dropout rates, and juvenile justice involvement. The central question was how to leverage these districts’ successes to persuade others to move away from zero tolerance.

Much of the activism had focused on stimulating change from the bottom up—for instance, asserting pressure on local school boards and school system leaders to revise discipline codes and practices. All agreed, however, that federal action could dramatically accelerate reform by local districts. We hoped President Obama’s administration and members of Congress could be persuaded to put a national spotlight on the issue and provide resources and accountability pressure for positive approaches to discipline in schools.

National advocacy coalitions had formed in the latter part of the 2000s, including the Dignity in Schools Campaign[†] and the

[†]The Dignity in Schools Campaign is a national coalition of young people, parents, educators, grass-roots groups, and policy and legal advocacy groups dedicated to ending disciplinary practices that push students out of school and to supporting better alternatives.

Alliance for Educational Justice,* which gave parents, students, and civil rights activists new vehicles to connect and build more powerful campaigns for change.¹¹ Could we help advocates expand their reach to more places and players? How might top-down pressure on districts and states be built through federal action? What would it take to change public perceptions of the costs and benefits of zero-tolerance policies, making visible the little-known impacts on educational attainment and the underlying injustice for children of color? What could be done to help policymakers and educators become more knowledgeable about these issues and, perhaps, more receptive to the prospect of change? We explored these questions with advocates in the field; their answers shaped the four-part strategy that has guided our work these past five years.



Strategy 1: Build public demand for local and state reform.

Providing resources for grass-roots organizing by young people and parents was our first priority, given the crucial role these groups were playing not only in building awareness of the harms of zero-tolerance discipline but also in creating better educational environments for children’s success. It was important also to elevate the voices and leadership of young people to contest assumptions about who they are and what they can do and deserve. We initially supported grass-roots organizing in 16 states and subsequently funded efforts in a total of 22 states.¹²

Enhancing advocacy by civil rights groups and public interest law firms also was a priority, as these organizations provide essential analyses of data and policy as well as draft regulations and legislation, and pursue litigation when necessary. This work was funded through a new initiative called the Legal Strategies Collaborative, a national network of advocates convened by the NAACP Legal Defense and Educational Fund.

Strategy 2: Strengthen federal mandates and incentives for reform. National organizations that received Atlantic funding, such as the Advancement Project, the Dignity in Schools Cam-

paign, and the Alliance for Educational Justice, anchored the federal-level work by training local advocates to become national spokespeople and bringing them to Washington, D.C., to educate federal lawmakers and urge them to act. These organizations collectively convened Atlantic’s other grant recipients on a quarterly basis to learn about each other’s work and to identify strategic opportunities for joint action. This work was complemented by groundbreaking analyses of discipline data by the Center for Civil Rights Remedies at the Civil Rights Project and the Council of State Governments Justice Center that demonstrated the extent to which disciplinary suspensions were occurring in schools and highlighted the extreme disparities in these actions, particularly for black boys and girls. Concurrently, behind the scenes, Atlantic and other funders worked to inform agency staffers about the issues and to build strategic connections with grantees.

We hope that discipline won’t be a punitive process but rather an opportunity to teach skills of self-regulation and awareness.

Strategy 3: Engage educators and judicial leaders in promoting positive discipline. Prominent national players, such as teachers’ unions and professional associations, became key partners in building understanding and receptivity to reform. The American Federation of Teachers, the National Education Association, the American Association of School Administrators, and the National Association of State Boards of Education undertook crucial actions to inform and assist their constituents to develop positive, restorative alternatives to suspension.¹³ For example, the AFT hosted a national summit on restorative practices in 2014 and, with the National Education Association, the Advancement Project, and the National Opportunity to Learn Campaign, produced a guide for educators. (For more on this guide, see page 39.) Judicial leaders, such as Chief Judge Judith Kaye, who served on New York state’s high court for 25 years, organized a national symposium on the need to “keep kids in school and out of court.” That effort gave rise to a project by the National Council of Juvenile and Family Court Judges to train judges to convene diverse stakeholders in their communities to review data and develop new protocols and supports to reduce suspensions, expulsions, and arrests in schools.

Strategy 4: Spread knowledge about school discipline reform and disparity reduction. Highlighting examples of effective alternatives to zero tolerance, filling gaps in data and research about causes and interventions to reduce disparities, and spreading this information to key audiences was crucial. The Discipline Disparities Research-to-Practice Collaborative, a group of 26 expert researchers, educators, and advocates convened by Russell J. Skiba at Indiana University, worked to identify and disseminate research on disparity reduction interventions, such as restorative practices

*The Alliance for Educational Justice is a national coalition of youth organizing groups that work with policymakers to ensure that public education systems prepare all students for college, meaningful employment, and full participation in democracy.

and other community-building techniques. (For more on discipline disparities, see the article by Skiba and Losen on page 4.) Comprehensive recommendations were developed by the Council of State Governments Justice Center to provide a road map for districts, law enforcement officials, and policymakers. The American Institutes for Research developed the web-based National Clearinghouse on Supportive School Discipline to share information more widely. Other grants supported the development of a reporting beat on school discipline at *Education Week* and a new play on the school-to-prison pipeline by Anna Deavere Smith, as well as the expansion of media interest in school discipline reform and the creation of an education institute for journalists. These efforts helped to ensure a steady flow of coverage in the public eye.

Shifting Narratives, Policy, and Practice

In 2010, proponents of zero tolerance were framing it as a way to keep well-behaving children safe in school. The public, as did many educators, believed punitive school discipline was a necessary response to remove troublemakers from the classroom. Opponents of zero-tolerance discipline, meanwhile, positioned it as a racially biased, unjust practice that fed the school-to-prison pipeline.¹⁴ Five years later, a debate that once focused on outrageous cases of individual punishment has shifted to a discussion of how suspensions are counterproductive—for individual students' long-term outcomes and for the nation's overall high school graduation rate. The discussion now is part of the mainstream, linked to concerns about school climate and educational effectiveness, as well as to overincarceration in the justice arena.¹⁵

From President Obama's emphasis on school discipline in the My Brother's Keeper initiative to the 60 urban school districts that pledged to reduce discipline disparities for young males of color as part of an initiative by the Council of the Great City Schools, awareness of the need for change is spreading throughout cities, states, and the federal government.¹⁶ As part of a federal, joint-agency initiative on school discipline,¹⁷ the U.S. Department of Education released civil rights guidance on school discipline in partnership with the U.S. Department of Justice, warning school districts against overuse of suspension and expulsion as a disciplinary tool and providing guidance on alternative strategies. (To learn more about this guidance, see page 12.) Federal agencies have provided School Climate Transformation grants to more than 1,000 schools, are assisting judicial efforts by state and local courts to keep children in school, and are funding research on promising practices.

Over the past five years, 14 states have passed legislation to curtail the overuse of suspensions, expulsions, and other exclusionary discipline in schools. Of these, six—Arkansas, Colorado, Georgia, Illinois, Louisiana, and Maryland—require school discipline data to be analyzed and reported to state education departments and boards. At least three states have passed comprehensive reforms (California, Colorado, and Maryland), and the federal guidelines are expected to accelerate similar changes in several more states (Massachusetts, New York, Oregon, Texas, and Virginia).¹⁸

Scores of school districts—including the four largest in the nation: Chicago, Los Angeles, Miami, and, most recently, New York City—have revised their discipline codes and are taking steps to discourage suspensions and help school administrators and staff use restorative practices and other positive strategies in schools.

(For more on the Positive Learning Collaborative, an Atlantic-funded effort underway in New York City, see the article on page 13.) As a result, the number of suspensions is dropping—in some cases by more than 53 percent.¹⁹

Philanthropy's Role in Public Education Reform

The role of philanthropy in education reform has been the subject of much debate, in part because of the outsized contributions of funders like the Bill & Melinda Gates Foundation and the increasing presence of newer, nontraditional hedge fund donors.²⁰ Both have operated with singular attention on achieving their goals, and Atlantic is no different. We also set a course for impact and proceeded with laser-like focus.

The principles guiding our actions may be helpful to others considering similar work. The first is the emphasis on collabora-



tion and partnership. A diverse group of people across multiple sectors built the foundation for change—developing new partnerships, creating examples of how schools could work differently, shaping new policy, and collaborating with schools to implement and sustain reform. Atlantic has sought to be a thought partner rather than a top-down funder, listening and learning from others, as codeveloper and persistent nudge, to help move these efforts forward, rather than assuming we know the answers and solutions to knotty questions and problems.

A second principle is the attention to roles, and to understanding our place in the larger movement for change. Like some other foundations, we have brought an activist agenda. But with that comes a deep appreciation of the primacy of our grant recipients' work in the field. Our role has been to activate Atlantic's convening power and access to high-level players to open the doors for our grantees and amplify their impact, rather than speaking in their stead.

A third guiding principle is the tactical approach of aligning strategy to goals, in this case by employing a multileveled strategy to create pressure and support for change. One way to think about levels is along a spectrum of activity, from changing a policy to implementing, monitoring, and enforcing it to make sure the changes translate into new practices. Another perspective is to view the strategy through the different lenses of local, state, and federal activity.²¹ Aligning work at all of these levels can advance solutions

more quickly than a sequential focus on one level at a time. And the work of advocates to apply pressure on the system can be more effective when those on the inside of the system understand what the problems are and what alternatives exist to address them.

And finally, we're guided by a commitment to building the infrastructure to fight for and sustain reforms over the long term, not just on the discrete issue of school discipline but toward the larger goals of high-quality schools for all children and dismantling structural racism and inequality in all its forms. The improvements to policies, practices, and outcomes achieved by our grantees on school discipline are important in their own right. But they also are significant because aligning sectors and constituencies to address any one issue creates an infrastructure of relationships, roles, and processes that can be mobilized to address other issues.²² Trust is a key building block to future joint action, and it

to develop discipline modules for its MyTeachingPartner program are examples of efforts to integrate school discipline and culturally inclusive pedagogy into the instructional core of schools, but much more needs to be done.

Last year, Emmanuel was suspended from school for behaving in ways that all adolescents do. This year, we hope that he and his peers will encounter a new approach to discipline in which curiosity, humor, and mistakes are met with patience and understanding. When students slip up, we hope that an adult will take the time to probe their reasons and to help them identify other, less disruptive ways of self-expression. Even for behavior that requires more serious intervention, we hope that discipline won't be a punitive process of sending a child out of school, but rather will be an opportunity to teach skills of self-regulation and awareness. In short, we hope that discipline in all schools will be viewed as it should be, as part of a journey of learning and reflection on the path to adulthood and maturity. □

Endnotes

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3. U.S. Department of Education Office for Civil Rights, "Data Snapshot: School Discipline," Civil Rights Data Collection, issue brief no. 1 (Washington, DC: Department of Education, 2014).
4. Kathryn E. W. Himmelstein and Hannah Brückner, "Criminal-Justice and School Sanctions against Nonheterosexual Youth: A National Longitudinal Study," *Pediatrics* 127 (2011): 49–57.
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6. For a cost estimate of the negative economic and social impacts of suspensions, see Miner P. Marchbanks III, Jamilia J. Blake, Eric A. Booth, et al., "The Economic Effects of Exclusionary Discipline on Grade Retention and High School Dropout" (paper, Closing the School Discipline Gap Conference, Washington, DC, January 2013); and Aaron Kupchik and Thomas J. Catlaw, "Discipline and Participation: The Long-Term Effects of Suspension and School Security on the Political and Civic Engagement of Youth" (paper, Closing the School Discipline Gap Conference, Washington, DC, January 2013).
7. Children's Defense Fund, *School Suspensions: Are They Helping Children?* (Washington, DC: Washington Research Project, 1975).
8. Kavitha Mediratta, "Grassroots Organizing and the School-to-Prison Pipeline: The Emerging National Movement to Roll Back Zero Tolerance Discipline Policies in the U.S. Public Schools," in *Disrupting the School-to-Prison Pipeline*, ed. Sofia Bahena, North Cooc, Rachel Currie-Rubin, et al. (Cambridge, MA: Harvard Educational Review, 2012), 211–213.
9. Leading players included the Civil Rights Project, the Advancement Project, the American Civil Liberties Union, the NAACP's Legal Defense and Educational Fund, and the Southern Poverty Law Center, as well as prominent researchers such as Russell J. Skiba, Daniel J. Losen, Tia Elena Martinez, Anne Gregory, and Pedro Noguera.
10. For a longer discussion of The Atlantic Philanthropies' grantmaking strategy and its development, see Leila Fiester, *Tilling the Field: Lessons About Philanthropy's Role in School Discipline Reform* (New York: The Atlantic Philanthropies, 2015).
11. Mediratta, "Grassroots Organizing," 222.
12. Atlantic launched the Just and Fair Schools Fund at what was then known as Public Interest Projects to resource grass-roots organizing groups. In 2015, the fund moved to the New Venture Fund under a new name, the Communities for Just Schools Fund.
13. The American Federation of Teachers, National Education Association, Council of Chief State School Officers, National Association of State Boards of Education, and University of Chicago Consortium on Chicago School Research have all declared that suspensions, expulsions, and school-based arrests for minor infractions are undesirable and have urged their constituencies to work together to reform disciplinary policies and practices.
14. For a discussion of how zero-tolerance policies were perceived, see Mediratta, "Grassroots Organizing."
15. Fiester, *Tilling the Field*, 35.
16. Fiester, *Tilling the Field*, 35.
17. For a summary of the federal joint-agency Supportive School Discipline Initiative, see "Supportive School Discipline Initiative," U.S. Department of Education, accessed September 10, 2015, www.ed.gov/policy/gen/guid/school-discipline/appendix-3-overview.pdf.
18. Fiester, *Tilling the Field*, 37.
19. See, for example, Howard Blume, "Big Drop in Number of California Students Who Are Suspended or Expelled," *Los Angeles Times*, January 15, 2015.
20. Joanne Barkan, "Got Dough? How Billionaires Rule Our Schools," *Dissent*, Winter 2011.
21. Fiester, *Tilling the Field*, 43.
22. Fiester, *Tilling the Field*, 46.



must develop in ways that are organic and authentic to those engaged in the movement, not on a funder's timeline or at a funder's discretion.

Looking forward, despite the tremendous progress to date, it would be a mistake to think the work is finished. The nation is only at the beginning stages of awareness and policy change, and shifting practice and culture in schools will take more time, resources, and commitment to achieve. And as the issue evolves from reforming school discipline to advocating for a healthy school climate for all students, those engaged in this work will have to make sure that the goal of confronting racial bias and disparities remains at the forefront.

A key step will be to better incorporate knowledge and training on school discipline into higher education programs for teachers and principals and to expand opportunities for in-service professional development. Two decades of high-stakes test-based accountability have reduced the time and supports for professional collaboration and relationship building between adults and students in schools and classrooms. Now, as interest grows in alternative approaches to school discipline, examples are needed of what it looks like to manage behavior differently and how educators can address implicit bias and foster candid classroom discussion about the impact of racism and other forms of prejudice. Tools like restorative practices and the work by the Center for Advanced Teaching and Learning at the University of Virginia