Interrupting Inequitable Discipline Practices

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Introduction

Safety and school culture are both reinforced through a school's disciplinary system. However, when disciplinary action is decided, it would be remiss to assume that the choices made are always objective. A wide range of student needs and behaviors may present themselves in any given school classroom, and at times, the student or family perspective may conflict with the understanding of school staff or administrators.

Nationally and statewide, we see this conflict revealed in suspension data which show disproportionate penalties for children of color. A learning environment cannot be called equitable or truly multicultural when children of color are ejected from the classroom on a consistent basis. Moreover, the data are uncovering practices that conflict with California's constitutional guarantees to education for all.

Nonetheless, now is not the time to lose hope. As our education system shifts to promote critical thinking and student voice, the time has never been better to reform disciplinary practices. While data reveal a legacy of institutional bias, these patterns can be remedied through strategic communication and systematic cooperation

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Suspension Data and Indications

Data from schools in the United States consistently show disproportionate suspensions of African American students, especially males (U.S. Department of Education Office for Civil Rights [OCR], 2018). The most current data from the U.S. Department of Education's Civil Rights Data Collection (OCR, 2018) demonstrate that school climates do not consistently change by simply employing new initiatives.

The mind-set change necessary to heal this wound will require more than just a one-time professional development or documented vocabulary change. School districts should approach this problem with the willingness to act now and dig deep and, with time and resources, to thoughtfully address adjustment that is long overdue.

Complexity in a Pluralistic Environment

Constantly shifting legal parameters and widely varying stakeholder perspectives make policy creation extremely complex in the world of education. Decision makers must bear in mind that every school site is multifaceted in its composition and function. Indeed, in this way, the education system presents itself as a microcosm of the larger society. As soon as proper communication and collaboration fall to the wayside, our practices are open to subjective bias.

Although many possible solutions to the disproportionality of discipline have been proposed, finding one that fits each school and district can be quite complicated. It is for this very reason that even the California legislature and leading education researchers have at times recommended banning all suspensions until policies are firmly in place to guarantee equity. However, the ban alone has not successfully halted inequitable patterns revealed in the data. Although the ban is popular as a symbolic gesture of change, it in fact does nothing to target the root cause of the issue.

The research on student disengagement and institutionalized bias in the learning environment suggests that a profound mind-set change is required in society and in our schools. To truly and effectively tackle the problem, we must first understand why the phenomenon of racially-based disproportionality continues. Only by understanding the pluralistic microcosm in which this trend occurs can we attempt to communicate and collaborate around a solution.

Why Suspension Practices Persist

Suspensions are proven to lower academic success for students, and it is well documented that suspended students miss out on academic learning time and develop resentment that becomes a barrier to classroom engagement (Hammond & Jackson, 2015). Additionally, research has shown that suspension does not address persistent deeper issues at the root of student behavior (Hammond & Jackson, 2015; Tatum, 1997; Wood, Harris, & Howard, 2018). Educators and educational researchers agree that undesirable behavior in the classroom is most often a symptom of more profound needs for intervention, whether academic or social-emotional

(Hammond & Jackson, 2015; Washburn, 2018).

Considering such factors, why do suspensions still continue to be used regularly in our schools? Although suspension is not an effective academic, mental health, or special education intervention, it does persist as a critical safety intervention for removal of a student who substantially threatens or harms others. In fact, this measure of disciplinary action is so ingrained in our system that education law actually mandates suspension in certain situations (California Legislature, 1983). Ideally, a suspension should also trigger systematic steps toward other meaningful, long-term and short-term interventions as needed.

By enforcing a suspension ban without additional supports for students, administrators, and teachers, such as restorative practices, counseling, or special education measures, a "sink or swim" learning environment is created, compromising the best efforts of all parties involved (Washburn, 2018).

Disciplinary Practices and Implicit Bias

In the case of school policies, especially those related to culturally bound concepts such as behavior, their conceptual foundation is inextricably based on the perspective of a dominant group. Therefore it is important to understand that while practices and policies may be school tradition or precedent, they may also bring with them a legacy of implicit bias.

Ogbu and Simons researched cultural aspects of school engagement in 1998, and their findings have been replicated time and time again (Matusov, DePalma, & Smith, 2010). The studies differentiated between the experiences of *voluntary immigrants* who chose migration and the understandings of *involuntary immigrants*, such as descendants of conquered peoples or those forcibly displaced due to enslavement. In their study, Ogbu and Simons (1998) found that "some individuals feel that . . . adopting White ways or identity is a subtractive or replacement that threatens minority identity and is therefore resisted" (p. 173).

It is notable that suspension, one of the most punitive forms of discipline, is used more often with children perceived or portrayed as nonconforming. Jane Adams (2017) of EdSource has reported that school staff define disruptive or defiant behavior inconsistently and, according to noted researcher Russell Skiba of Indiana University, studies have found no evidence that African-American students

misbehave more often or more intensely than their peers of other races, although they are far more likely to be suspended.

Judith Browne Dianis, the executive director of the National Office of the Advancement Project, states,

> This data clearly shows that black students are less safe, more restrained and pushed out of school more than other students. We need to see the Department of Education commit to the vigorous defense of students' right to be free from discriminatory school discipline. (Balingit, 2018)

Disproportionate suspensions reflect a legacy of racism and show modern-day reinforcement of a conformist double-standard rooted in colonialism and slavery. The defiance and disruption used to justify suspension can easily be defined subjectively by adults in power until a clear district equity policy is constructed to interrupt biased systems.

Renowned equity author Beverly Tatum (19997) described implicit bias as similar to an airport's moving walkway. She wrote,

> No overt effort is being made, but the conveyor belt moves the bystanders along to the same destination as those who are actively walking. . . . Unless they are walking actively in the opposite direction at a speed faster than the conveyor belt—unless they are actively antiracist—they will find themselves carried along with the others. (p. 12)

Although Tatum describes a painful truth about collective accountability and personal responsibility, nonetheless, the analogy implies hope that at any time, with purposeful effort, institutionalized bias can be stopped and the healing process can begin.

Interrupting Bias in Policy and Procedure

Precisely *because* of the depth of the challenge, there is no time to waste in stopping the inequitable patterns in student discipline in schools. A school's formal and informal policies, procedures, and vision statements should be reviewed and edited with issues of cultural relativity in mind. For example, policies that ask families to conform to antiquated or culturally bound norms (e.g., hairstyle and dress code policies or rules that implicitly demand stoic reaction to emotional situations) reinforce exclusionary systems of the past.

Bias can be a covert enemy to confront. District or site leaders may tacitly assume that staff have good intentions and a shared understanding of appropriateness. Unfortunately, bias seeps into

decision-making quite subconsciously, as research from the past and the present continues to demonstrate (Hammond & Jackson, 2015; Tatum, 1997; Wood et al., 2018). Considering the complexity of these causal factors, school districts confronting such data have some difficult questions to answer:

◆ Are administrators adequately trained and supported in determining when suspensions are appropriate or when alternatives should be employed?

◆ Are disproportionate suspensions a result of the systematic protocols in place or perhaps biased decisions on the part of staff and/or administrators?

◆ What loopholes exist in current policy that may allow for bias, and how might they be adjusted to ensure fair and balanced practices?

◆ Is policy communicated uniformly and clearly to all stakeholders, including administration, staff, students, and families?

◆ Are measures in place holding all parties accountable for interrupting bias?

Current research has confirmed that strategies which support student engagement lead to higher achievement even for traditionally disadvantaged groups. Matusov, DePalma, and Smith (2010) building on Ogbu's research, suggested that *involuntary immigrant* students may become engaged if a truly caring and communal learning environment is offered.

Schools that have encouraged student and family involvement, student leadership, and self-determination subsequently have observed higher academic success for all students (Matusov et al., 2010). This research has highlighted the potential for a positive outcome if communication and cooperation become a school district's focus. Meaningful action should be taken immediately to counter and minimize bias in suspensions and all aspects of district-wide initiatives.

Taking Action to Interrupt Bias

The complex societal microcosm of our school system does involve many perspectives with varying requirements and agendas. Leaders being pulled and pushed in different directions by such pluralities might find inspiration in the fact that solutions to issues can be as plentiful as voices in the discussion. Examining verbiage of district-level policy is a great first step, but it is just the beginning. All of the parties involved, from the district office to the students in the classroom, must be at

the table to mediate against bias and find long-term solutions.

Think and Plan Beyond Bans

In an effort to stop detrimental practices in their tracks, former California Governor Jerry Brown signed Assembly Bill 420 in the year 2015, legislation that became known as the *suspension ban*. Many district-level leaders interpreted the law to mean that no suspensions were allowed for students under third grade, even in cases of violence or school safety.

Following Governor Brown's lead, districts such as Oakland Unified and Los Angeles Unified instituted district-wide bans on suspensions (Adams, 2017). After four years of implementation, the number of suspensions statewide has decreased, and suspensions for defiance and disruption have been effectively lowered.

However, though these results initially may seem successful, the California Teachers' Association has reported that the numbers may be deceptive (Washburn, 2018). A ban alone does nothing to solve the issues of disengaged students, nor does it cure institutional bias. Administrative involvement in behavior management was immediately diminished in general at many schools, but without viable alternatives in place.

Critical support services such as counseling and special education were not consistently provided at every school site. Teachers were left floundering for support with challenging behavior, while simultaneously facing critique, as they attempted to navigate serious safety and learning concerns singlehandedly (Washburn, 2018).

Eric Heins, then president of the California Teachers' Association, explained, "We call this gaming the numbers. [Administrators say] 'look, we've reduced suspensions,' but you really haven't helped the student succeed" (Washburn, 2018). Without additional supports, a ban ultimately places the burden of behavior management first and foremost on the classroom teacher.

Education research has certainly reinforced the powerful impact teachers can have working directly with students in the classroom (Killian, 2017). However, in today's schools, many teachers may find themselves as a lone adult in the room, supervising between 20 to 36 or more children at a time without assistance. Teachers are frequently expected to singlehandedly address the academic and social-emotional needs of multiple students simultaneously, and even proactively, and to combat violence *in locus parenti*.

Although teachers may certainly be exceptionally skilled at addressing the multifaceted needs of students, it is no surprise that teachers' unions are asking school districts to provide additional multi-tiered support in order for alternative discipline truly to succeed (California Teachers' Association, 2017). This process starts at the district level and should not be the burden of classroom teachers or site administrators alone.

The Role of District and Site Administration

Transformational leadership is required for any major cultural change to occur. Interrupting institutional bias begins with transforming the institution itself. Within an education system that consistently returns evidence of institutional bias, we must recognize that approximately 80% of school principals in the U.S. are Caucasian (U.S. Department of Education, 2016).

If it is determined that administrators in a district may have never personally experienced racially-based or institutionalized prejudice, a consulting organization should be invited to advise district leadership on objective analysis of practice and policy. It will be important that district-level administrators recognize the depth and history of institutionalized bias in order to purposefully interrupt the impact on certain sectors of the school community.

Establishment of departments and committees dedicated to promoting equity in the district will be essential for long-term change. This is a level of commitment that will require allocation of resources and possibly a close analysis of district hiring practices as well.

The district's human resources department, curriculum department, and professional development department should work closely with the equity department to analyze district staffing policies and workplace behavior policies related to promotion of equitable practices. Policies should apply to all levels, from the district offices to school sites. Conversely, checks and balances must be in place to ensure accountability for equitable practices district-wide.

The state constitution of California explicitly mandates "a general diffusion of knowledge and intelligence being essential to the preservation of the rights and liberties of the people" (California Constitution, Article XXX). The state's founders recognized that education and civic engagement of all citizens are a public benefit to society. By problem solving through community engagement and collaboration, administrators will be valuing diverse voices, recognizing pluralism as an asset. Resulting actions will reflect the best interests of both school districts and the larger community.

Communication and collaboration are critical as a district shifts to inclusive collective practices. To mediate for subjectivity, school districts and site-level administrators can open channels of dialogue between policy makers and community members, including families and students.

Although most California school administrators are aware of suspension disparities, it is notable that school staff, families, and students are not always consulted on this issue when district-level decisions are being made. It is natural for human beings to recoil from embarrassment or critique, and thus it is completely understandable that the topic may cast a shadow on administrators who already feel pressure from many sides.

Nonetheless, one might argue that school discipline is actually a whole-community issue and that responsibility should not be attributed solely to the site administrator. Policy never exists in isolation, and often it is reinforced by multiple parties at different levels of the system.

Disciplinary policies are meant to reinforce school culture, and thus the culture of the community. This is certainly true of school suspensions as well. Behavior interventions and discipline are requested directly from teachers and school staff, who also bear some responsibility for the ultimate result. By redefining district-supported policies and procedures with an equity lens, the expectations and criteria for inclusivity are communicated to and from all stakeholders.

Changes in equity policies and impetus behind the changes should be comprehensive and clear, reflecting collective responsibility and the intention for improved communication. The onus rests with district and school administrators to create multiple open forums for communication with all stakeholders, and then to create systems to maintain that collaboration long term.

Education researchers Hauserman and Stick (2013) found that

> [successful] principals worked collaboratively with staff to increase the level of personal and school support and to create a consistent vision. When policy or process questions arose, they sought to involve the persons affected and oftentimes engaged in personal research and reflection on important issues. Professional growth for personnel was deemed a priority, and

the principals themselves modeled such activities. (pp. 193–194)

A concerted effort to elicit school-community involvement should include regular feedback opportunities for each segment of the community and a clear timeline for actions. Parents should be able to speak directly to site or district administration if issues arise, and they certainly have power under the law to insist on equity. Parents, family resources, and community organizations should be invited to share their firsthand experiences and to be involved in problem-solving discussions.

This collaborative model may require a growth mind-set as it conflicts with the traditional top-down process in many school districts. Rather than facing an additional burden, site administrators should have assurances of district-level support for growing in an equity-focused approach. Coaching from equity consultants, equity department staff, administrator mentors, and/or equity-focused community organizations can provide crfitical support to administrators in making informed and wise choices within newly defined parameters. Although checks should be in place to interrupt inequitable practices, the overall emphasis in this professional development should not be on punitive measures for any one party but rather on growth and collective success.

Some school districts may cite budget struggles as a barrier to this level of commitment. However, one might counter that the imperative for students' academic success cannot be attained without investment in *all* students. Implementing new initiatives may require the district to allocate funds and time, seeking out coaching, grants, and financial support from community sources as needed. A new, improved level of investment in the future of all students is what this culture shift will require.

Valuing partnerships in the larger school community will mean that district policies contain clearly outlined referral procedures based on prioritizing student safety, academic progress, and engagement. They should contain safeguards against biased decision-making. Documented procedural agreements, such as a flow chart of responsibilities, clearly outline the actions that precede or follow any suspension. Actions should be based on the latest research-proven practices, including restoring classroom relationships and supports for students in crisis. Positive behavior interventions and supports (PBIS), trauma-informed teaching, and restorative justice strategies are further examples.

Regular, purposeful communications should be planned as part of the implementation timeline, facilitating predictable opportunities for feedback loops. The school district should plan for all stakeholders to receive training in culturally-responsive and trauma-sensitive practices, starting with district-level administrators and moving to site administrators, staff, and, finally, students and their families. By promoting the school as a microcosm of the larger community, and a welcoming home for all, a mind-set shift may begin that reinforces empathy over uniformity or punitive discipline.

Teachers and Staff

All school staff, and especially those who instruct and interact with students directly, need to be a part of the shift to equitable practices. In fact, studies have shown that teacher decisions have the power to create an engaging learning environment that can minimize or even eliminate systematic barriers to success (Killian, 2017; Matusov et al., 2010).

Teacher leaders or leadership teams can work in partnership with administrators to refine policy, professional development schedules, and timelines for action. It will be essential to establish a district-wide imperative for equity training. Each staff member should understand his or her own individual accountability for becoming knowledgeable and an active *interrupter* of bias.

Additionally, school staff play a critical role in healing any rift in the community (Hammond & Jackson, 2015). By regularly inviting family and student perspectives into the classroom learning experience, directly eliciting multiple perspectives and student ownership, teachers can help bridge the divide that is creating an exclusionary school culture (Hammond & Jackson, 2015). This will be especially important as each school strives to create an inclusive and engaging educational environment for Ogbu's *involuntary immigrant* groups (Matusov et al., 2010).

Surprisingly, despite the introduction of new critical thinking requirements in Common Core Social Studies and Science standards, purposeful integration of student voice and choice is not a priority in many currently mandated curricula, which continue to mirror scripted lessons of the past (Hammond & Jackson, 2015).

Therefore, as the shift to engage all students occurs, teachers may need additional curriculum development and pedagogical training in student-centered strategies.

Again, we encounter a major mind-set shift necessary for equitable practice, in this case on the part of teachers. However, practitioners need not flounder reinventing the wheel. Extensive research and curriculum are in fact available on the subjects of student-centered teaching and learning.

To approach the subject with an *equity lens*, we can seek guidance from Hammond and Jackson (2015) in their text *Culturally Responsive Teaching and the Brain*. The researchers lay out a step-by-step process for educators, aligning teaching practices with equity and student-centered learning:

◆ Rethink how you will organize time in your classroom to accommodate more information processing time, opportunities for formative assessments that provide some cognitive insight, and instructional conversation to share wise feedback.

◆ Revisit your lesson plans and begin to analyze and deconstruct them for culturally responsive elements shared in the book.

◆ Begin to write out your lesson plans if you hadn't made that a regular part of your practice so that you can refine your instructional "recipe" for building students' capacity to be independent learners.

◆ Pick one small thing from each of the four areas of the Ready for Rigor frame [Awareness, Learning Partnerships, Information Processing, Community of Learners and Learning Environment] and begin working them into your daily practice. (p. 153)

Teachers are in an exceptional position to offer students the freedom to determine their own learning and create personally meaningful experiences. The empowered learner is valued as a participating member of the classroom community and an active agent in his or her own learning (Hammond & Jackson, 2015). Optimal academic engagement will minimize behavioral issues as students actively practice questioning, research, critical thinking, and self-management, skills called for in Common Core, Next Generation Science, and California's new Social Studies standards.

Family Engagement

Ogbu and Simons (1998) proposed that "it is people's actual experience with education *and* with opportunity structure or rewards of education that influence[s]

their behavior much more than abstract beliefs about the importance of education" (p. 173). Direct invitations to participate and opportunities for agency are critical indicators that the school community values the perspectives of its parents and their children.

School district equity teams should create multiple communication formats and events to inform the school community members about pertinent data and to encourage further conversations that may fuel decision-making. After the first contact, multiple opportunities for ongoing feedback should be scheduled and publicized. Discussions must include consideration of culturally relevant factors, including the use of students' home language for communications.

Parent liaisons and school–parent organizations (e.g., PTA) should be informed and involved in the communications. Families and students should leave meetings knowing that school policies will keep their students engaged and safe. If concerns arise, procedures should be in place for addressing parent or student questions. Engaging and informing all parties will additionally create an organic system of mutual accountability to ensure the long-term success of the policy changes.

As part of this equity mind-set shift, the opportunity for collaboration should be welcomed, as it brings exponentially more benefit than long-term risk and also heightens the likelihood of any program's success. True dialogue requires a pluralistic view in which all community members are valued partners in children's educational experience, thus celebrating the school as a microcosm of the larger pluralistic society.

This paradighn shift would create a natural accountability process to solidify equity-based practices over time. While respecting perspectives of everyone in the school community, administrators at every level will gain valuable feedback that can be used to create the most effective action plan. It can be the beginning of a long-term commitment to clear demonstration of an inclusive school culture.

Student Engagement

Students themselves are often overlooked as stakeholders, but their critical feedback can and should be integrated into policy writing. The new 21st-century skills called out in Common Core, Next Generation Science, and revised Social Science standards will be abundantly supported when students have the opportunity for

real, meaningful leadership in their own education (Hammond & Jackson, 2015; Matusov et al., 2010). As with adult members of the school community, regularly scheduled feedback loops with students should be part of planned engagement strategies.

Additionally, engaging students in restorative justice conversations around school discipline will organically allow student interest to become the central guiding force in the learning environment (Smith, Frey, & Fisher, 2018). Student involvement will support the success of equity-based initiatives on campus. As students take on a leadership role in their own learning environment, this sense of responsibility to self and others will create strongly connected classroom communities with shared understandings of expectations for both behavior and discipline (Matusov et al., 2010).

In schools where students are valued, student voice and choice should be a part of teaching and learning at every academic level. Learning modules should include frequent opportunities to extend research and exploration based on student wants, needs, and interests. To achieve this level of teaching and learning, educators must be flexible with teaching modalities to allow both individual work to develop personal interests and group interaction to foster social skills and a sense of belonging (Hammond & Jackson, 2015; Matusov et al., 2010).

Programs that have been developed to provide equity in discipline, such as PBIS and restorative justice, are excellent for cultivating positive teacher–student relationships as well as supporting the culture shift to a student-centered pedagogy (Smith et al., 2018). The connection to academics and principled behavior habits are simultaneously strengthened when discipline is reformed democratically using an equity lens.

Planning for the Future

Inequities in student discipline are directly linked to the implicit bias in our educational institutions. Although the legacy of these issues runs deep, the solution is close to home: cooperation and communication in our own school communities.

Extreme measures like suspension bans have not changed the suspension data in the meaningful ways once hoped. Equity issues certainly must be addressed immediately, but it is erroneous to rashly enact any policy that takes place at the expense of safety. Instead, dedicated analysis of the underlying issues is needed to provide all

students equal access to educational opportunities and a sense of belonging in the school community. The deeper inequities maintained by systems from the past must be thoroughly examined and reformed.

In this effort, a new pluralistic and collectivist leadership model is required. System-wide financial and logistical supports must also be available and allocated for long-term maintenance of such initiatives. Taking on this growth mind-set is challenging, but correspondingly necessary, absolutely possible, and long overdue.

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