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# Overrepresentation of African American Students in Exclusionary Discipline

## The Role of School Policy

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The overrepresentation of ethnic minority students, particularly African American males, in the exclusionary discipline consequences of suspension and expulsion has been consistently documented during the past three decades. Children of poverty and those with academic problems are also overrepresented in such discipline consequences. Sadly, a direct link between these exclusionary discipline consequences and entrance to prison has been documented and termed the *school-to-prison pipeline* for these most vulnerable students. In this article, the authors argue that ethnographic and interview data would support teachers' perceptions of loss of classroom control (and accompanying fear) as contributing to who is labeled and removed for discipline reasons (largely poor students of color). Exclusionary discipline consequences are the primary medium used once students are sent from the classroom. The authors recommend substantial revisions to discipline policies consistent with models of positive behavior support.

**Keywords:** *ethnic disproportionality; discipline policies; suspension; expulsion*

More than 30 years of research has consistently demonstrated the overrepresentation of African American youth in the exclusionary discipline consequences of suspension and expulsion (e.g., Children's Defense Fund, 1975; Gonzalez & Szecsy, 2004; Skiba, Michael, Nardo, & Peterson, 2000; Skiba & Peterson, 1999; Skiba & Rausch, 2006), with inconsistent findings for other minority groups, such as Hispanics (Gonzalez & Szecsy, 2004; Skiba et al., 2000). Other groups, such as children of poverty (Bowditch, 1993; Casella, 2003) and those with academic problems (Balfanz, Spiridakis, Neild, & Legters, 2003; Morrison & D'Incau, 1997), are also likely to be pushed out of school through exclusionary discipline consequences. Particularly for

ethnic minority students, a substantial body of research during the past three decades has focused on factors internal to the student (e.g., attempting to show that these individuals commit more serious offenses) or artifacts of the data (Harvard University, Advancement and Civil Rights Project, 2000; Skiba et al., 2000) as an explanation for these data.

We would counter that an alternative explanation for this disproportionate representation among these identified groups (particularly African American males) is that school personnel perceive such individuals as “not fitting into the norm of the school” (Casella, 2003). Coupled with an anxiety on the part of school personnel that they must always be in control of student behavior (Domenico, 1998; Noguera, 1995), those who are not perceived as fitting the social and behavioral norms of the school are subsequently labeled as “dangerous” (Casella, 2003) or as “troublemakers” (Bowditch, 1993). Once labeled in this manner, these identified groups of students (who are primarily poor ethnic minority students and those with academic problems) are removed primarily for nonviolent infractions found in the school discipline policy (Skiba et al., 2000). We would argue that a fear of losing control in the classroom on the part of educators, rather than an actual threat of dangerousness (Skiba & Peterson, 1999), sheds light on why our most vulnerable students fall into the web of exclusionary discipline consequences. Students of color are unfortunately targeted as part of this fear and anxiety and subsequently are more likely to be on the receiving end of our most punitive discipline consequences. Sadly, those who are not perceived to fit into the norm of school (because of race, academic problems, socioeconomic status [SES]) are unjustly targeted for removal. Once removed from school, those who require the greatest assistance are then placed in a direct link to the prison system (termed the school-to-prison pipeline; Wald & Losen, 2003).

We further assert that the requirement for schools to meet federally mandated requirements for academic achievement has heightened the pressure for administrators to remove children who do not fit into the norms of the general student population. These children are often identified by their apparent inability to acknowledge and follow the hidden curriculum of schools (Noguera, 1995; Sbarra & Pianta, 2001; Studley, 2002; Weinstein, Tomlinson-Clarke, & Curran, 2004) and their failure to acquire the skills necessary to successfully negotiate the school environment (Sbarra & Pianta, 2001). All children, irrespective of race, may occasionally seek relief from monotonous lessons through off-task behaviors such as daydreaming, note passing, and so on (Ferguson, 2001). Some children may even engage in

mildly disruptive behavior as a function of boredom or even as an assertion of power (Ferguson, 2001). However, we would argue that the teacher's perception of loss of control (Vavrus & Cole, 2002) determines whether the misdeed will be handled within the classroom or deteriorates into a heated exchange between student and teacher, leading to the student's removal from the classroom (Bowditch, 1993; Vavrus & Cole, 2002).

In this article, we review the relevant literature surrounding the disproportionate representation of minority groups (particularly related to African American males) and use it to provide evidence that school factors (the use of the school discipline policy and classroom exchanges marked by a teacher's perception of loss of control) are plausible explanations for the overrepresentation of our most underserved students (e.g., poor students of color and those with academic problems). Using school discipline policy and subsequent practice as a framework for understanding the overrepresentation issue, we will suggest that schools engage in the following activities to create more proactive and fair discipline policies and practices for all: (a) review of discipline data to determine what infractions result in suspension (e.g., whether minor nonviolent offenses result in suspension) and if certain groups are overrepresented in the most exclusionary discipline consequences, (b) the creation of a collaborative discipline team to create proactive discipline consequences that are fair to all, (c) the provision of schoolwide professional development to help promote cultural competence, particularly around issues of classroom management and teacher-to-student interchanges, and (d) the development of more proactive school discipline policies for all students, based on models of positive behavior support (PBS; Sugai & Horner, 2002). We argue throughout the article that punitive discipline practices need to be revised to reflect more proactive models that directly teach expected behaviors and are consistent with models of PBS to be effective for all students (Sugai & Horner, 2002).

PBS began as an intervention for students with disabilities to help increase the likelihood of their being educated with their nondisabled peers. Students with disabilities and minority students share a common experience of being marginalized within the school system. Their exclusion from mainstream education was primarily based on the perceived difficulties associated with educating these students. Within the past 10 years, PBS has been expanded to help address the needs of at-risk students (Walker & Horner, 1996). PBS was designed in recognition of the shortcomings of zero-tolerance policies and the application of generic and reactionary interventions that are doomed to failure (Walker & Horner, 1996). PBS espouses a comprehensive approach

to the standardization of discipline policies, the proactive teaching of expected behaviors, and development of positive teacher–student interaction that not only addresses the punitive discipline and alienation often experienced by minority students but also promotes a better school climate for all students.

Suspension and expulsion, the most common responses in discipline policies (Fenning & Bohanon, 2006), are not effective in meeting the needs of any student and, ironically, exacerbate the very problems they are attempting to reduce (Mayer, 1995; Sugai & Horner, 2002). Making already punitive and draconian discipline policies more equitably applied to all students is not the recommendation of this article because these reactive practices do not work for anyone (barring times when students need to be removed for the safety of all). That is, if we ultimately apply exclusionary discipline responses “equitably” (e.g., in equal amounts to all groups of students), then we have applied discipline consequences that are draconian, punitive, and not effective in addressing the behavior of any of our students (Skiba & Peterson, 1999). That being said, we believe that documenting the misuse of the most punitive discipline policies with our most vulnerable students (e.g., poor students of color with academic problems) is an important activity given the stakes on the lives of students who are already disenfranchised in the education system. We also argue that implementation of empirically validated PBS models that directly teach and acknowledge expected behaviors of all students is the framework that we need in drastically revising our draconian and punitive exclusionary policies.

## **Disproportionate Representation of Students of Color in Exclusionary Discipline**

The overrepresentation of ethnic minority students, particularly African American males, in the exclusionary discipline consequences of suspension and expulsion is not a new finding. It has been documented that ethnic minority students, particularly African American males, have been overrepresented in our most exclusionary discipline consequences since as early as 1975 (Children’s Defense Fund, 1975). More recent studies have consistently replicated these findings (e.g., Gonzalez & Szecsy, 2004; Skiba et al., 2000; Skiba & Peterson, 1999; Skiba & Rausch, 2006). Skiba and colleagues (2000) have taken the lead in examining the validity of three commonly offered explanations. These explanations all focus on factors related to the student or perceived miscalculations of the actual data. For example, one explanation is that socioeconomic differences among African American and

White students, rather than race itself, account for disproportionality in school discipline. The data do not support this, as disproportionate ethnic representation in discipline remains, even after controlling for SES (Skiba et al., 2000; Wu, Pink, Crain, & Moles, 1982). Second, it has been intimated that African American youth engage in more severe behaviors to warrant such severe discipline. To test this supposition, Skiba et al. reviewed 1994-1995 school discipline data in a large, urban, Midwest middle school. Their sample was primarily African American and White, with a large percentage of students qualifying for free or reduced lunch. African American youth did not receive more referrals for severe behaviors. On the contrary, they received disproportionately more referrals for subjective and nonviolent offenses, such as disrespect and excessive noise. Other research has corroborated these findings (e.g., Harvard University, Advancement and Civil Rights Project, 2000; McCarthy & Hoge, 1987; Skiba & Peterson, 1999; Studley, 2002; Townsend, 2000). Furthermore, African American students, especially males, are overrepresented in other punitive school consequences, such as corporal punishment, but not as a result of engaging in more severe behaviors (e.g., McFadden, Marsh, Price, & Hwang, 1992; Shaw & Braden, 1990).

Finally, the validity of the most common formulas used to calculate ethnic disproportionality in discipline has been challenged. The baseline ethnic distribution and the absolute proportion method, followed by the use of ratios, are the most prevalent methods used when calculating disproportionate representation in discipline and other categories, such as special education placement (Coutinho & Oswald, 2000; MacMillan & Reschly, 1998; Reschly, 1997; Reschly, Kicklighter, & McKee, 1988). The baseline ethnic distribution is a measure of the percentage of students in a category of interest (e.g., those who are suspended or expelled) by ethnic group (MacMillan & Reschly, 1998; Reschly, 1997). As an example, African American students in a school could receive 30% of all suspensions yet compose 15% of the total school population. Typically, if a group is represented in a particular category at a rate 10% or higher than their representation in the overall population, they are overrepresented in that category (Reschly, 1997). In this illustration, African American students would be overrepresented in exclusionary discipline consequences.

The absolute proportion is a comparison of the percentage of a particular ethnic group in a certain category in relation to that group's representation in the population (MacMillan & Reschly, 1998; Skiba et al., 2000). In this method, one would examine the percentage of African American students who are suspended or expelled compared to the percentage of African

American students in the school. The absolute proportion method is typically a more conservative estimate, as it tends to result in lower percentages (MacMillan & Reschly, 1998).

These calculations are fairly simple, yet there are a number of methodological questions that affect the findings obtained (Coutinho & Oswald, 2000; MacMillan & Reschly, 1998). These issues include decisions about the unit of analysis (e.g., an individual school or district vs. a sample of schools across a state or nation), whether a school is segregated (MacMillan & Reschly, 1998), and determining how students are classified into ethnic groups for analyses (Hosp & Reschly, 2004; MacMillan & Reschly, 1998). Finally, studies which have not controlled for SES have potentially confounding results because of the strong relationship between ethnicity and SES (MacMillan & Reschly). When SES status has been considered in studies of ethnic disproportionality in school discipline, it has typically been measured solely by the percentage of students qualifying for free or reduced lunch. Some have suggested that the use of this measure is limiting, as other factors highly critical to SES are not considered (Entwisle & Astone, 1994).

Despite the above-mentioned methodological concerns, every study included in arguably the most comprehensive literature review to date about the topic met or exceeded the disproportionality criteria for African American students using either the baseline ethnic distribution or absolute proportion method (Skiba et al., 2000). In their literature review, Skiba et al. (2000) reported the findings of eight studies published from 1979 to 2000. The vast majority of reviewed studies evaluated suspension rates only, with the exception of one study that focused on expulsion data as well (Gordon, Della Piana, & Keleher, 2000). Most of the studies utilized city, state, or regional data sets. Two early studies employed national data sets (Kaeser, 1979; Wu et al., 1982). The studies reviewed by Skiba et al. were all based on data collected prior to 2000 and showed a consistent pattern of African American overrepresentation in exclusionary discipline consequences, regardless of the formula used.

A review of the discipline disproportionality literature in the past 5 years continues to support the overrepresentation of African American youth in exclusionary discipline. Studley (2002) examined discipline data from four of the six largest school districts in California and found that African American students had the highest suspension rate of all ethnic groups across two years of data reviewed. Mendez, Knoff, and Ferron (2002) found similar results in their analysis of discipline data in the second largest school district in Florida. Based on 1996-1997 discipline data, African American males were

suspended at a rate higher than any other group at the elementary, middle, and high schools studied and at a much higher rate than their White peers. For instance, at the middle school level, nearly half of African American males experienced suspension, in comparison to 25% of White students. Finally, Nelson, Gonzalez, Epstein, and Benner (2003) reviewed the literature on administrative discipline contacts. Ethnicity was a student variable that affected discipline contacts, as African American students were found to be twice as likely than their White peers to receive a discipline referral.

In summary, a great deal of energy has been focused on continuing to document the existence of ethnic overrepresentation in exclusionary discipline and ruling out explanations that appear unrelated to this phenomenon (Children's Defense Fund, 1975; Gonzalez & Szecsy, 2004; Skiba & Peterson, 1999; Skiba & Rausch, 2006). Specifically, there is no current empirical support that factors internal to the student (e.g., severity of behavior), the sole contribution of SES (Wu et al., 1982), or methodological artifacts of the research explain these long-standing findings (Harvard University, Advancement and Civil Rights Project, 2000; McCarthy & Hoge, 1987; Skiba et al., 2000; Skiba & Peterson, 1999; Studley, 2002; Townsend, 2000).

We would argue that a shift in attention is needed to a focus on school factors (e.g., schoolwide discipline policies and procedures) as possible contributors to the long-standing and consistent disproportionality data. This argument is supported by two general lines of research: (a) ethnographic studies in classrooms and discipline offices and staff and student interviews in inner-city high schools and prisons that chronicle the ways in which schoolwide discipline policies and practices are used to target students of color (and children of poverty and those with academic problems) for classroom removal and subsequent suspension and expulsion (Balfanz et al., 2003; Bowditch, 1993; Casella, 2003; Wald & Losen, 2003) and (b) content analyses of discipline policies revealing their punitive quality for all students (e.g., emphasis on suspension; Fenning, Theodos, Benner, & Bohanon-Edmonson, 2004; Fenning et al., in press) and research showing that reliance on these punitive procedures is associated with minority overrepresentation in discipline (Skiba & Peterson, 1999). We first review the literature in each of these domains as it applies to ethnic minority overrepresentation in exclusionary discipline. Following this, we make some recommendations for schools to consider when creating more equitable discipline policies and procedures that will hopefully be more effective for all students, including poor students of color who have traditionally been the most likely to be caught in this web of exclusionary discipline.



## Ethnographic Studies and Interviews About Equity in Schoolwide Discipline Policies

In recent years, qualitative research methods (e.g., narrative observations and open-ended interviews) have been used to examine the impact of schoolwide discipline policies on students of color, primarily those with academic problems residing in high-poverty communities (Balfanz et al., 2003). Collectively, the data emanating from this work support a link between the use of school-based exclusionary discipline policies with the exclusion of students of color (through suspension and expulsion) and their entry into the juvenile justice system. In 2003, a joint research conference cosponsored by the Civil Rights Project and Northeastern University's Institute on Race and Justice was held to explore this issue. One of the resulting themes from the conference was the term *school-to-prison pipeline* (Wald & Losen, 2003). Essentially, schoolwide discipline data mirror juvenile justice and prison data in the overrepresentation of students of color (Wald & Losen, 2003). It is within the context of the school-to-prison pipeline that the use of schoolwide discipline policies in the removal of students of color from mainstreamed schools has been most recently explored. For example, Casella (2003) conducted an ethnographic study from August 1997 to May 2001 in two high schools (in Connecticut and New York) and one medium-security prison in Connecticut (more than 80% of inmates were African American or Latino). The student populations in both high schools were predominantly poor students of color (African American and Latino). The research involved intensive observations and follow-up interviews with school staff, parents, and students. Both schools were located in small cities with an increasingly diverse population. The Connecticut high school was about 38% Latino, 15% African American, and 40% Caucasian. The second school had experienced large increases in the percentage of African American students (roughly 50% African American and 50% White). Casella's findings suggested that infractions in the school discipline policy were used to label students (primarily African American and Latino) as potentially dangerous (termed *preventive detention*), which resulted in the removal of students to alternative self-contained school programs. The staff discussions resulting in students being labeled as dangerous were largely done in the absence of any actual dangerous behavior on the part of the students. Students who were thought to have the "potential" for being dangerous were removed (primarily African American and Latino boys). Once removed, students experienced significant difficulty being "readmitted" to the general school building after the exclusionary disciplinary response was invoked. The school-to-prison

pipeline research would support the argument that school discipline policies are used to push poor students of color out of school through the use of suspension and expulsion.

In earlier work, Bowditch (1993) videotaped discipline interchanges in an inner-city dean's office during the 1985-1986 academic year, which chronicled the overuse of exclusionary discipline policy with students of color. The population of students was primarily African American and in high poverty, with low rates of attendance and poor achievement. The vast majority of discipline was administered to students who were sent to the discipline office for nonviolent offenses, such as truancy and classroom defiance, which is consistent with other research (Keleher, 2000; Mendez et al., 2002). School staff found few options in the school discipline codes other than suspensions, which were invoked for behaviors seen as threatening the teacher's authority (e.g., defiance, disruptive behavior, and offensive use of language). Discipline exchanges were also used to identify students as troublemakers, who were targeted for removal from school. Follow-up interviews with school staff were conducted to further understand how students were labeled in this manner. Discipline staff rarely questioned students about the particular details of their misbehavior. Rather, they focused on student factors such as grades, attendance (e.g., academic achievement), past suspensions, and, in some cases, future plans for employment. The authors concluded that these factors (unrelated to the source of the current referral) differentially affected students of color, placing them at risk of being identified as troublemakers. The school staffs' perception of ethnic minority parents as powerless to prevent removal of their child for discipline reasons was seen as contributing to inequitable treatment of students of color. Bowditch concluded that the same behaviors and social ills that put ethnic minority students at risk for dropping out were the same variables that contributed to them being pushed out via school discipline policies and procedures. Based on this study and related research, we would further hypothesize that school personnel's fear of loss of control, exacerbated by public scrutiny of school safety in recent years (Casella, 2003; Noguera, 1995), contributes to an escalation of common classroom conflicts. This concomitant fear likely results in the overidentification of students who do not possess the social capital that allows them to fit into the classroom norm (e.g., poor students of color with academic problems). Once removed from the classroom, students of color are then likely to receive the most common discipline consequences offered (e.g., suspension and expulsion; Skiba & Peterson, 1999), setting off the chain reaction of the school-to-prison pipeline (Wald & Losen, 2003).

Vavrus and Cole (2002) further contributed to our understanding of how students with particular characteristics are removed from the classroom setting. They conducted a study focused on classroom interchanges, referred to as “disciplinary moments,” in a Midwestern urban high school mainly composed of Latino, Lao, and Hmong students experiencing a high degree of poverty. Two freshman-level science classes were observed during the fall of 1997. The ethnographic procedures consisted of videotaped recordings of interactions in the classrooms, field notes, and interviews conducted with teachers, administrators, safety personnel, and students. When disruptive events occurred, one African American or Latina student was typically “singled out” for removal and subsequent suspension. Those singled out tended to be the “spokespersons” for the class, and these interactions occurred in the midst of the teacher perceiving lack of control rather than an actual violent offense occurring. This is further evidence that rather than the actual event, it is the teacher’s fear of loss of control that contributes to some students being removed more frequently than others. Teachers evaluated responses that challenged their authority more harshly, which came more often from poor students of color in the classroom. The results were discussed in terms of the social context of the class being an important variable that contributes to the removal of ethnic minority students from the classroom. The process of singling out ethnic minority students through the use of the discipline policy was seen as contributing to ethnic minority overrepresentation in discipline.

Striking similarities have been found in discipline studies of ethnic minority groups in settings outside of the United States. For example, Partington (1998) studied the suspension rates of Aboriginal students in Western Australia. Similar to African American students in the United States, Aboriginal students are overrepresented in exclusionary discipline consequences, such as suspension and expulsion (Gardiner, Evans, & Howell, 1995). Discipline codes of conduct became mandated and widespread in Australia in the 1980s, which was roughly when these same policies were institutionalized in the United States (Fenning & Bohanon, 2006; Lally, 1982). Partington interviewed both the student and teacher after an Aboriginal student was removed from the classroom for discipline reasons in a metropolitan school composed of approximately 15% Aboriginal students. A total of 22 separate incidents were examined. The most common themes identified by those interviewed were loss of classroom control and removal of students for minor and nonviolent offenses, such as talking in class or defiance (e.g., not following instructions). Similar to the work of Bowditch (1993) in the United States, students with a past history of behavioral problems or reputations were targeted

as troublemakers and subsequently treated more harshly and singled out for removal from the classroom. Another similar theme was teachers' fears of losing control, resulting in ethnic minority students being singled out as was found in the American studies (Vavrus & Cole, 2002). When students were interviewed, they viewed the teachers as at least part of the problem, stating that teachers were making unfair requests. Furthermore, if they were not concerned about the consequence (e.g., removal from the classroom), then the use of teacher power and control had no impact on the students. Perhaps it can be hypothesized that if students feel that they are being placed on a trajectory for removal, similar to that described in the school-to-prison pipeline research, then the consequences offered (e.g., removal from the classroom) may make little to no difference to them.

A related Canadian study focused on perceptions of differential treatment among ethnic minority students. In one of the largest studies of its kind, the Commission on Systematic Racism in the Ontario Criminal Justice System studied students' perceptions of the school discipline policy in 11 randomly selected racially and ethnically diverse high schools across Toronto (Ruck & Wortley, 2002). Students in Grades 10 and 12 ( $N = 1,870$ ) responded to a Likert-type survey and open-ended questions (65% return rate) about perceptions of differential treatment, including inequities as a result of removal from school through suspension. Black students, in general, were the most likely to perceive discriminatory treatment by teachers, followed by South Asian students. Males were more likely than females of their particular ethnic group to perceive that members of their ethnic group would be suspended, have the police called on them, and receive poor treatment by the police. In general, students born in Canada and those who immigrated at a young age were more likely to perceive differential treatment in terms of suspension, police involvement, and police contact toward their particular ethnic group. Students who felt that their school was unsafe were more likely to perceive unjust treatment of their ethnic group.

### **Punitive Nature of Written Discipline Policies and the Impact on Students of Color**

The qualitative research reviewed above illustrates the general targeting of those who do not fit within the school norms (e.g., poor students of color with academic problems). We would argue that coupled with the issue of overidentification of students of color at the classroom level as troublemakers or threatening "classroom control," are the limited proactive alternatives to

traditional punitive consequences once any student is removed from the classroom (Fenning & Bohanon, 2006; Fenning et al., 2004). It may be the case that overrepresentation of students of color is related to these individuals receiving significantly more referrals in the first place (Skiba et al., 2000). In this section, we will more closely examine the findings of content analyses of written discipline codes of conduct. Despite the important role of written policies, such as discipline codes of conduct mandated under the No Child Left Behind Act (NCLB, 2001), there has been relatively limited formal study of these documents. What began with good intentions as a way of making rules less arbitrary and more consistently enforced (National Institute of Education, 1978) may have inadvertently resulted in the opposite effect (Fenning & Bohanon, 2006). Content analyses of discipline codes of conduct provide further support that these written documents emphasize a few punitive responses, such as suspension and expulsion, to the exclusion of proactive alternatives (Fenning, Wilczynski, & Parraga, 2000; Fenning et al., in press). Recently, a content analysis of 64 secondary school discipline codes of conduct was completed using the Analysis of Discipline Codes Rating Scale, a coding system used to classify formal written responses to behaviors ranging from mild to severe. Reactive measures were the most commonly stated responses to code infractions, even for minor behaviors unrelated to school safety (Fenning et al., in press). For example, suspension was listed as an option in 33% of policies reviewed for tardy behavior. Reactive measures were defined as those that are punitive in nature without any direct teaching of behaviors. Reactive means, such as suspension and expulsion, were the most likely consequences offered, regardless of the problem behavior. Proactive consequences, those with the potential to directly teach alternative expected behaviors, were offered very infrequently, even for behaviors that were not violent in nature. When proactive consequences were offered, they tended to be global in nature (e.g., counseling) as opposed to focused on the direct teaching of the expected behavior.

Prior to this, a content analysis of secondary discipline codes of conduct was completed (Fenning et al., 2000). Suspension was the most commonly stated response for all types of behavioral infractions. A trend existed for suburban schools in higher socioeconomic areas to offer proactive alternatives to punitive responses (e.g., substance abuse intervention for drug or alcohol infractions as opposed to removal through suspension or expulsion) in comparison to those in urban high school environments, which are the most likely places in which students of color receive their education (Casella, 2003).

Certainly, the lack of school responses found in policies that proactively teach alternative expected behaviors and the reliance on suspension and

expulsion are troubling for all students. The limited efficacy of suspension and expulsion is well documented (Skiba & Rausch, 2006). Therefore, changing the punitive nature of discipline policies and finding more proactive responses to address behavioral concerns of all students are of paramount importance. By definition, these exclusionary procedures result in loss of instructional minutes (Farmer, 1996) and, ironically, are associated with increases in antisocial behavior (Mayer, 1995). Although suspension is the most widely used discipline strategy (Skiba & Rausch, 2006; Suarez, 1992), they tend to be used repeatedly with the same students, suggesting that they do not work (Suarez, 1992). What may be particularly troubling for students of color is that they tend to be referred more frequently than their White peers (Skiba et al., 2000). Once a referral is made to the office, it appears that there are very limited options in policies other than suspension. Related research suggests that schools that rely on the punitive procedures that populate discipline policies (e.g., suspension) are more likely to have minority overrepresentation in these exclusionary consequences (Skiba & Peterson, 1999).

### **Summary of Research Findings to Date Related to School Discipline Policies and Ethnic Overrepresentation in Discipline Consequences**

The consistency of qualitative research previously reviewed in and outside of the United States, and content analyses of discipline codes of conduct, is compelling evidence for the need to examine the ways in which school personnel invoke discipline procedures for students perceived as troublemakers or as threatening classroom control. These labeled students are most likely to be poor students of color and those with academic problems (Morrison & D'Incau, 1997; Skiba et al., 2000). Once removed from the classroom because of fear of control and being labeled in this manner, there are relatively limited responses in the schoolwide discipline policy other than suspension and expulsion. With the emerging line of research that increasingly is documenting the school-to-prison pipeline, we believe that we cannot ignore the contribution that these school variables make to the overidentification of students of color as troublemakers and the resulting exclusionary discipline administered to them. Rather than continuing to look at factors internal to the students or trying to disprove more than 30 years of consistent research findings about ethnic disproportionality in discipline, we need to consider how school factors may be contributing to this long-standing problem.

In particular, it would seem that classroom management and interaction procedures that target students of color for removal from the classroom and the limited available alternatives to suspension and expulsion in policies are two general areas to address.

We would suggest that, more specifically, schools consider the following as we hopefully shift our focus to equitable application of schoolwide discipline policies and procedures for all students: (a) review discipline data to drive decisions about schoolwide discipline consistent with models of PBS (Sugai & Horner, 2002), particularly with disenfranchised groups, (b) create a collaborative discipline team supported by the school administrator and composed of multiple stakeholders to examine discipline practices and decisions made for all students, (c) provide schoolwide professional development to help promote cultural competence, based on this data and the recommendations of the team, and (d) create more proactive school discipline policies for all students, consistent with models of PBS (Sugai et al., 1999; Sugai & Horner, 2002).

Furthermore, we recognize that the characteristics of these schools may exacerbate the process of instituting the necessary reforms. The bureaucratic organization of schools in large, urban districts where students of color are more likely to be may be one barrier to creating collaborative discipline processes that involve school personnel and the larger community (Weiner, 2003). Additional factors, such as limited funding and the pressure to meet NCLB (2001) requirements, leave scarce resources and concern for addressing the underlying issues behind the overrepresentation of minorities in discipline consequences. Therefore, our recommendations approach the need to reform the current policies balanced against the constraints of restricted financial and human resources.

## **Collection and Review of Discipline Data**

To achieve the goal of creating equitable discipline policies and practices, the collection of data is critical to evaluate progress. Similar to conducting a functional analysis of behavior for individual students, schoolwide data can be examined to evaluate discipline policies and to determine whether these policies are appropriate for the student body in general, consistent with PBS models described earlier (Sugai et al., 1999). Recent special education legislation, such as the Individuals with Disabilities Education Improvement Act (IDEIA, 2004), mandates the collection of suspension and expulsion data for those in special education. We would suggest that this information be collected by behavioral infraction to determine the types of school responses

that result in the most severe consequences and if any particular group is overrepresented in these consequences. In addition, the pioneering work on PBS provides an excellent model for using data to drive decisions about needed supports at the schoolwide, group, and individual student levels (Crone, Horner, & Hawken, 2004; Sugai & Horner, 2002; Turnbull et al., 2002) and consistent with IDEIA (2004) regulations for considering PBS for all students, not necessarily those in special education.

Data similar to those commonly reported by the Office for Civil Rights (U.S. Department of Education, 2002) could be routinely used in schools to review discipline responses by ethnicity and to track, in general, the most common issues faced in the school building. Basic frequency counts and percentages of the types of school responses for infractions by ethnicity should be routinely calculated and reviewed by the discipline team. This information, coupled with information about the ethnic representation of students in the school, will help determine whether ethnic minority youth are overrepresented in discipline consequences. It would be critical to know, by discipline infraction and ethnicity, the percentage of cases that result in exclusionary consequences (e.g., suspension or expulsion), which is already mandated under IDEIA (2004) for students in special education. Furthermore, the percentage of school responses that are proactive in nature could be tracked and evaluated in terms of reductions in discipline referrals and the prevention of future issues. If a disproportionate percentage of students of color receive punitive responses for minor offenses, then the classroom procedures that result in discipline referrals and decisions made in the discipline office could be reviewed by the discipline team. These data would inform the types of professional development needed and facilitate decisions for revising current practice. For example, if students of color receive significantly more referrals (based on their representation in the population) and subsequent school exclusion for classroom disruption, then the types of interchanges that result in these referrals should be examined to inform changes in practice and training for school personnel. These data will be critical to inform needed professional development (discussed below). The collection of data, in general, is critical, for revising school discipline policy for all students. As previously articulated, suspension and expulsion are not effective means of managing behavior for any student (Mayer, 1995). Therefore, schools need to use data to track whether these consequences are being used for relatively minor offenses or are reserved for situations in which students are clearly committing unsafe behaviors that warrant removal.

Routine and consistent review of data (e.g., quarterly) is similar to recommendations made within PBS (Sugai et al., 1999). An excellent



data-monitoring system that incorporates schoolwide data to make decisions and drives interventions under PBS is the School-Wide Information System (SWIS), which was developed by May et al. (2000). SWIS has the capability to monitor office discipline referrals by student ethnicity (Horner & Todd, 2000). If it determined that ethnic minority students are, in fact, receiving a higher number of discipline referrals in comparison to their representation in the school, then the types of referrals made and school decisions could be tracked and evaluated. Based on this review, ongoing training focused on the direct teaching and management of behaviors in the classroom that are the main sources of referrals could be one outcome of reviewing such data. In addition, proactive alternatives to traditional discipline (e.g., suspension and expulsion) can be evaluated and modified using schoolwide sources of data. Evidence-based interventions should be designed to address skill deficits based on the most common sources of discipline referrals. Reactive procedures are not effective for any of our students, and the discipline team can have the important task of designing proactive alternatives to traditional consequences. There are times when removal of a student is necessary for the safety of the student and others. However, in the long run, these procedures are not effective in modifying student behavior or providing alternative ways of responding.

The review of schoolwide discipline data is critical to evaluate the efficacy of school discipline procedures, potentially measured by the number and type of office disciplinary referrals and the impact of discipline policy on discipline outcomes for ethnic minority students. The data can be continually fed back to the system to drive discipline policy decisions that are equitable, are proactive, and result in positive changes in behavior.

## **Development of a Diverse Discipline Team**

To ensure continued implementation and attention to professional development around issues of equity in discipline, a diverse discipline team could be formed. The establishment of an active discipline team that is responsible for teaching and acknowledging students for engaging in expected behaviors is consistent with models of PBS described throughout this article (Sugai & Horner, 2002). It has been suggested that the overrepresentation of African American youth in discipline consequences is partially attributed to the creation of discipline policies by White educators who do not see their privileged place in society (Studley, 2002). The discipline team should be composed of individuals from cultures and ethnicities that represent the diversity of students found in the school. The administrator could facilitate the team

meetings and send the message that proactive discipline, that which directly teaches behavior as opposed to severely punishing misdeeds, is a focus of the school. The team should represent the larger school community, including mental health professionals, general and special educators, related service staff (e.g., security guards, office personnel), those living in the community, parents, and the students themselves. Discipline policies are more proactive and less punitive if created in a collaborative manner (Noonan, Tunney, Fogal, & Sarich, 1999). The charge of the discipline team would be to consider the context under which discipline responses are invoked, particularly as it results in the removal of students from the educational setting, with a special focus on exclusionary discipline with students of color.

### **Schoolwide Professional Development to Foster Cultural Competence**

The classroom interchanges between students of color and educators that lead to removal from the classroom (and ultimately suspension) seem to be rooted in a fear of loss of control and identification of these individuals as troublemakers (Bowditch, 1993). Furthermore, the majority of educators are European Americans who have not had significant contact with individuals outside of their own racial group (Milner, 2006). As Milner (2006) and Tatum (2001) have observed, it is essential to raise awareness of institutional racism through professional development. The goals of such training would be to spark critical reflection about one's own ethnic identity and the influence of cultural upbringing on attitudes toward other ethnic and racial groups. Ultimately, the desired outcome is a sense of responsibility for actively attending to racial inequities across all areas related to students (e.g., instructional and discipline policies). Acknowledgement of racial identity and racism is a critical first step to promoting racial equity within the school setting (Tatum, 2001) as part of culturally competent discipline practices.

Once a general awareness of racism is promoted, professional development could focus on cultural misunderstandings that arise from different styles of communication among the predominantly White educators in schools and their African American students. For example, it would be important to raise an awareness of how student comments in the classroom may be misinterpreted and escalated into a "discipline exchange" (Vavrus & Cole, 2002). Such misunderstandings may help to explain the overrepresentation of African American youth in subjective offenses, such as classroom disrespect, and issues surrounding teacher perceptions of loss of control (Skiba et al., 2000; Vavrus & Cole, 2002). As noted by Brown (2003) and Lee (2001), when

educators, particularly classroom teachers, understand the unique social interaction styles of African American youth (e.g., “call response” and “multiparty talk”), fear and perceived loss of control will be replaced by more culturally responsive approaches from teachers.

Ladson-Billings (1994) has furthered our understanding of how social interchanges in the classroom can be structured to be more culturally responsive. She interviewed teachers (both White and African American) nominated by parents and administrators as highly effective teachers who provided culturally relevant teaching with African American students. These culturally relevant teachers were those who connected with their students as part of a focus on giving back to the community and fostering a learning community versus competitive achievement. Discussions about structuring classrooms to create a comfortable environment for all and discussions about classroom structure and pedagogy would be important topics for professional interchanges.

Furthermore, African American students, typically not from the same culture as their White middle-class teachers, may lack understanding of the subtle nuances of classroom expectations that are highly defined by one’s culture (Noguera, 1995; Studley, 2002; Weinstein et al., 2004). Therefore, professional development focused on procedures for clearly defining and overtly teaching schoolwide and classroom expectations for behavior, consistent with models of PBS, is an important area of focus (Cartledge & Loe, 2001; Sugai et al., 1999).

The concept of culturally responsive classroom management proposed by Weinstein et al. (2004) may also inform the design of professional development that is focused on addressing the overidentification of students of color for exclusionary discipline. For example, discussing the cultural backgrounds of youth who represent the school would be an important ongoing topic for discussion when discipline decisions are made. In a school where the authors served as consultants, a student of Hispanic descent was referred for an expulsion hearing because his speech and behavior were seen as threatening. The teacher was most concerned that the student did not apologize to her for his behavior. However, when she learned that the student’s mother told her son to “stay away from the teacher” and “not to approach her” to show respect after offending the teacher, she had a better understanding that the student failed to apologize because he was trying to save face and show respect. As a result, she supported an alternative consequence to expulsion from school. Having discussions about the cultural meanings of behavior would be critical in preventing and responding to common sources of discipline referrals that ultimately lead to the removal of students of color from the school setting. It would be important to address what is perhaps underlying

teachers' fear of loss of control when interpreting these statements on the part of students.

## **Developing Proactive Written Discipline Policies**

The literature previously reviewed would indicate that written discipline policies need to be considered as culturally responsive approaches to student behavior (Schwartz, 2001). The definitions of behaviors and resulting consequences that are placed in the policy should be reviewed by a diverse team of stakeholders for clarity and shared understanding by all. For example, if school staff cannot clearly define and consistently agree on the definition of a behavior, such as "classroom disruption," then a high probability exists that the behavior will be interpreted very differently by school personnel. If there is subjectivity in determining if a behavioral infraction has occurred, then it is possible that ethnic minority students will be negatively affected because they are the most likely to be referred for nonviolent offenses that are open to interpretation (Skiba et al., 2000). Again, a major task of PBS models is the definition of a set of expectations that are clear to all in the school community.

Rather than relying on punishment, the integration into policy of proactive approaches that directly teach and acknowledge expected behavior is paramount (Fenning et al., 2004). Empirically validated alternatives to suspension and expulsion are emerging at the high school level (Breunlin, Cimmarusti, Bryant-Edwards, & Hetherington, 2002; U.S. Department of Health and Human Services, 2001). For example, secondary students who participated in a conflict-resolution skills training program as an alternative to suspension were less likely to receive an out-of-school suspension for fighting compared to a no-treatment control group (Breunlin et al., 2002). Students from the treatment group were also less likely to be expelled compared to the no-treatment controls.

## **Overall Summary**

Ethnic minority overrepresentation in exclusionary discipline is a pressing social justice issue. In this article, we advocate for a shift from issues related to the student (e.g., severity of offense, SES) to a focus on using data to create proactive school discipline policies and practices that will be beneficial to all. In this article, we emphasize the need for professional development around ways that students are identified in the classroom for removal (relating to classroom control and teachers' fears of losing it) and awareness of racism

and educator interpretations of social exchanges involving students who are not seen as fitting into the norms of the school (of which poor students of color with academic problems are overrepresented). We advocate for the formation of a diverse discipline team consistent with proactive models of PBS to address the equitable support of all students' behavioral concerns (Sugai & Horner, 2002). The team would utilize data to inform decisions about schoolwide discipline that would lead to modifications in discipline policy and practice and professional development activities. The rewriting of the written discipline policy to reflect proactive content consistent with models of PBS (Sugai & Horner, 2002) and a clear description of behaviors would be an essential task of this group. Certainly, future study of the role of the discipline team in creating equitable discipline practices is paramount. However, we would suggest that the empirical data should lead us to a critical examination of the very schoolwide discipline policies and practices that result in disproportionate removal of ethnic minority students from the classroom and ultimately their removal from school and their placement into the school-to-prison pipeline (Wald & Losen, 2003). We are hopeful that we can design more proactive discipline policies and procedures that are ethically and proactively delivered to all of our children, regardless of racial background, social capital, or individualized needs.

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