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THE RACIAL GAP IN EXCLUSIONARY DISCIPLINE POLICIES

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Racial Disparities in Exclusionary Discipline

Imagine that you are a principal in a New York City (NYC) public high school. You catch two students getting into a physical altercation in the hallway. What do you do? A: Suspend both students. B: Expel the student who instigated the fight C: Refer to the school codebook to find the predetermined consequence for such altercations. The correct answer is D: None of the above. Although the other choices may sound ostensibly reasonable, a deeper look at corroborating data and historical nuance reveal not only the inefficacy of punitive repercussions but alarming racial disparities in school discipline (Hoffman, 2012). Punitive suspensions and expulsions fall into a category of school policy deemed as exclusionary discipline, which requires the removal of a student from their school, preventing their participation in social and educational activities (Mitchell & Bradshaw, 2013). In the past 30 years, the use of exclusionary discipline has surged, disproportionately impacting Black and Latinx students (Wald & Losen, 2003). According to a report by the U.S. Department of Education, 13.7% of Black students received an out-of-school suspension in 2013 to 2014 compared to just 3.4% of White students (Morgan, 2021). In the nation’s largest school district, NYC, Black and Latinx students were involved in 84% of suspensions during the 2018-2019 school year despite representing 67% of the student body (Fox, 2022). These sobering statistics fall into a larger phenomenon known as the racial discipline gap and are just a sliver of the detrimental magnitude of exclusionary discipline as multiple harmful racial discourse practices intersect to exacerbate its effects.
The Evolution of Exclusionary Discipline

On February 1, 2010, school safety officers from the New York City Police Department (NYPD) arrested twelve year old Alexa Gonzalez for doodling on her desk with an erasable marker, “I love my friends Abby and Faith” (Ofer, 2012). Unfortunately, the arrest of Gonzalez was not an isolated occurrence but a part of an increasing reliance on zero tolerance policies and the criminalization of quite ordinary adolescent behavior in NYC schools. In modeling itself after the criminal justice system, NYC schools began mirroring its inequities as well.

Exclusionary discipline is often a consequence of predetermined punishments for offenses
mandated as zero tolerance (Fenning & Rose, 2007). Skiba (2004) traces the origins of zero tolerance policies to the Reagan Era and the failed War on Drugs.

The Federal Anti-Drug Abuse Act of 1986 imposed mandatory minimum sentences for drug offenses. In 1994, congress passed the Gun-Free Schools Act which mandated states to expel students who bring weapons to schools. Rooted in the criminological theory of deterrence, zero tolerance policies implement severe punishments for first-time offenses in hopes of deterring the student from further problematic behavior (Pesta, 2021). Although zero tolerance policies were initially instituted to prevent gun violence in schools, it has morphed into a draconian response to even minor offenses such as dooling on a desk. Exclusionary discipline not only deprives students of instruction but imposes a school environment that is unnervingly similar to the nation’s prison industrial system through its criminological theory of deterrence and harsh zero tolerance policies. This evident juxtaposition should enwrap every single educational stakeholder including researchers, policy makers and teachers who all each bear responsibility to confront
these disparities as they unveil long standing patterns of inequity which have gone largely unaddressed.

**Intersectionality and Essentialism in Exclusionary Discipline**

Although widely implicated, zero tolerance policies are not all to blame for the racial disproportionality in exclusionary discipline. Disproportionality arises when one group is either overrepresented or underrepresented in data, compared to the actual percentage of the group in the general population (Skiba, et al., 2002). Invariably, patterns of disproportionality are complex and generative as illuminated by intersectionality. By honoring the complexities of individuals rather than narrowly considering racism as the sole factor of inequity, Ladson-Billings (2013) intersectionality suggests that diverse perceptions can converge and operate simultaneously in various settings. On the other side of intersectionality lies essentialism. Ladson-Billings (2013) defines essentialism as the idea that every individual in a single grouping holds similar beliefs and ideals. Sharing group identities such as belonging to the same school district should not require individuals to relinquish their individual cultures, perspectives and mannerisms. In 2019,
school administrators stopped Oumou Kaba as she entered her Bronx high School, claiming that her torn jeans violated the school’s dress code (Amin, 2020). Such incidents of discretionary discipline have unremittingly disadvantaged students of color for so long that a specific federal bill has been introduced to end the punitive push out of girls of color from schools in Massachusetts (Mosley & McMahon, 2021).

**Deficit-thinking and Stereotype Threat**

The convergence of deficit-thinking and race has caught the attention of various scholars as a magnifying factor of the racial discipline gap. Valencia (2010) defines deficit-thinking as the belief that students are to blame for their own deficiencies. The prevalence of the discipline gap across the nation substantiates that racial disparities are not simply an amalgam of individual cases. Deficit-thinking and essentialism are also closely related to individualism where the educational system deludes itself as a great equalizer and touts a student’s own merits as the
main agent of upward mobility, regardless of racial and socioeconomic factors. When racial disparities in exclusionary discipline are rationalized as purely individual rather than institutional, stereotypes run rampant and have disastrous effects on Black and Latinx students.

A phenomenon known as stereotype threat intersects with deficit thinking and the myth of meritocracy to aggravate racial disparities in academic achievement and school discipline. Coined by social psychologist Claude Steele, Stereotype threat theory suggests that the fear of conforming to a stereotype can significantly divert cognitive energy, negatively impacting student achievement (Steele, 1997). Stereotype threat stems from the notion that lasting motivation flourishes when one identifies with academic achievement in the sense that it is a part of their self-understanding (Steele, 1997). This relationship to schooling and a sense of belonging is difficult to nurture in settings where the air is thick with negative stereotypes (Walton & Cohen, 2011). These threats cause a decline in student well-being by triggering distracting thoughts, cynicism and disruptive behavior (Maass & Cadinu, 2003). When students are evaluated as a perpetuation of a negative stereotype that is tied to the larger group in which they are associated with, they experience additional prejudice which exacerbates the racial discipline gap (Manzi et al., 2021).

**Harmful Racial Discourse Practices Endangered by Exclusionary Discipline**

Despite the widely held ideal that most educators and administrators implement fair and equal discipline to all students, regardless of race, disaggregated data on exclusionary discipline depicts a contrasting reality. Implicit bias is densely embroiled in the discipline gap. Referring to the stereotypes that unintentionally affect an individual’s actions, implicit bias dwells deep in one’s subconscious and holds an immense amount of power in decision making (Staats, 2016).
Research at Stanford University illustrates how implicit bias can manifest in classroom discipline. In a study published in the Association for Psychological Science, (Okonofua and Eberhardt, 2015) administered records of misbehavior by a student and asked teachers to respond. Half of the teachers were given records of a student with a stereotypical Black name such as “Darnell or Deshawn”. The remaining half were given records of a student with a stereotypically White name such as “Jake or Greg”. Despite all receiving the same record, the researchers found that teachers expressed a stronger inclination to harshly discipline students with the stereotypical Black name as opposed to ones with the stereotypical White name. Moreover, this racial disparity was rooted in the teachers’ belief that the students with the stereotypical black name were “troublemakers”. The injection of coded language such as “troublemaker” is within the bounds of explicitly acceptable behavior but works implicitly to disparage students of color.

**Fig. 1.** Results from Study 1: mean ratings of how troubled teachers felt by students’ misbehavior (left) and how severely they felt students should be disciplined (right) as a function of number of infractions and student race. Error bars represent standard errors.
Like many functions of white supremacy, exclusionary discipline bears a semblance of justice. Despite the supposed intent on school safety, the impact has been shown to be chiefly harmful to the student body. Liclsi et al. (2021) at the American Institute of Research found that suspensions not only failed to reduce future misconduct but did little to improve the safety and morale of the school. In fact, researchers found that the more severe the exclusionary discipline, the more damaging the effects were on a student’s future. So not only were the intended consequences unmet on the level of the institution, the impact on individual students led to the “school-to-prison pipeline”. A disturbingly yet accurately coined term, the “school-to-prison pipeline” refers to an unnerving national trend where youth are routed into the criminal justice system from school (Wald & Rosen, 2003). Currently, students in NYC can be suspended for up to 180 days which accounts for an entire school year (Sandwick et al., 2019). When students are pushed out of school for such extended periods of time, they are more likely to wind up in dire circumstances such as alternative centers and juvenile prisons (Nance, 2016).

**Adverse Impact of Exclusionary Discipline**

Students deprived of valuable classroom instruction also lose a sense of community and belonging. A sense of belonging is especially paramount in educational settings as it influences motivation, which is intimately linked to student achievement and well-being. Freeman et al. (2007) indicates that students with higher belonging achieved greater academic performance, experienced increased positive self-worth and felt more connected to their peers. Furthermore, a growing research base has been associating exclusionary discipline with not only academic decline but lifelong negative consequences as adults. In the National Longitudinal Study of Adolescent and Adult Health (Cave, 2018), a subset of 480 students identified as having been
suspended were compared to a subset of 1,193 students who were not suspended. The trajectories for the two subsets were compared and the results were incontrovertible. Compared to their non-suspended classmates, students who were suspended were 24% less likely to have graduated college, 23% more likely to have been incarcerated and 51% more likely to have been arrested two or more times. The momentary relief that educators might receive with the removal of a student is evidently fleeting. Oftentimes, students return to class behind academically and struggle to keep up with their peers. Feeling disparate, students may become more reactive with the racial discipline gap widening to ill effect (Anderson, et al., 2019). The lasting effect of exclusionary discipline is profoundly unsettling when compared to its minimal short-term effects.

Students are not the only ones who bear the damaging repercussions of exclusionary discipline. A 2016 report by UCLA’s Civil Rights Project estimates that just high school suspensions alone cost the nation $35 billion dollars annually (Miller, 2017). This colossal price tag was quantified by calculating the increased probability that a suspended student will drop out of school along with the cost of these dropouts. For instance, during the 2001-2002 school year, just 71% of sophomores who were suspended graduated from high school, compared to 94% of students who were never suspended (Belfield, 2014). According to Kamenetz (2016), the civic cost of students who drop out of high school is well acknowledged as those who do not graduate earn less income, reply on public services at higher rates and pay less taxes. They are also less likely to have access to quality health care and health insurance leading to greater reliance on taxpayer dollars. Despite these grim statistics, there is hope. On the bright side, education
stakeholders hold a significant amount of jurisdiction on who receives exclusionary discipline and how often.

**Alternatives to Exclusionary Discipline**

Now, let us revisit the scenario posed in the beginning of this analysis. If the correct answer is D: None of the Above, then what should be the best course of action for student discipline? Substantial research reveals restorative justice as a more effective and less costly alternative to exclusionary discipline. Rooted in practices of Indigenous peoples in the Americas, restorative justice attends to underlying causes of conflict, nurtures relationships, emphasizes compassionate conversations and promotes community accountability (Hand et al., 2012). In March 2022, Ayoub, et al. (2016) conducted a randomized control trial involving 10 high schools in NYC’s District 18 and evaluated the effects of restorative justice implementation. The main goal of these efforts were to facilitate empathic conversations, strengthen social and emotional skills, and promote interconnectedness. Student voices were prioritized as ad hoc topics were welcomed and integrated. These circles were effective in reducing power dynamics as teachers were encouraged to converse more collaboratively rather than authoritatively. This distribution of leadership among students, teachers and administrators is critical in the move away from exclusionary discipline (Lodi, et al., 2021).

Correspondingly, a pilot program at the Brooklyn Community Foundation has shown promising results as an alternative to exclusionary discipline. The Brooklyn Restorative Justice Project launched in the fall of 2015, working with a cohort of secondary schools in Brooklyn. In addition to community circles, the project utilized other forms of restorative practices such as Social Emotional Learning (SEL) and cultural responsiveness. These efforts resulted in a 53%
reduction in suspensions with two schools reducing the average number of suspensions by 73% (Gregory et al., 2016). The aim of SEL is to mindfully process emotions, express empathy for others and make responsible decisions (Conley, 2015). Research has shown that when schools utilize SEL, students report feeling safer, hold more positive emotions towards others and experience fewer conduct issues (Durlak, 2011). SEL is also closely linked to culturally affirming classroom practices which reduce misunderstandings that may escalate. Cultural responsiveness promotes cross-cultural understanding which is instrumental in reducing behavioral issues as students feel more seen and respected (Vincent, et al., 2011).

Recommendations and Future Considerations

Exclusionary Discipline is not only ineffective but disaggregated data has consistently indicated that it may be in violation of federal civil rights protections (Heriot, 2019). Reviewing disaggregated data highlights patterns that can be masked by large swaths of information common in districts as large as NYC. While NYC has made some important progress in mitigating inequity in schools, more work is required to guarantee that students are granted equal protection of their right to an education as provided by the Fourteenth Amendment of the U.S. Constitution and under federal civil rights law (Heriot, 2019). The racial discipline gap not only undermines America's constitution but has prevailing detrimental effects on its students. The sheer magnitude of the gap requires a deeply human approach that encompasses not only student conduct but the behaviors of every single stakeholder in the education system. Disrupting entrenched inequality entails not only collective buy-in but ongoing professional development for school staff. (Gregory et al., 2016) contends that leaders should build a capacity for continuous growth in their staff as sustainable change will require unabating programming.
Furthermore, a culture of challenging dominant narratives through counter storytelling is recommended to narrow the racial discipline gap. Counter storytelling pushes against narratives that prioritize white bodies (Ladson-Billings, 2013). This dynamic approach aims to unveil seemingly innocent narratives, revealing how racism can stealthily function to broaden racial gaps. By standing in direct opposition to essentialism and white dominant narratives, counter storytelling can expose truths that accurately reflect the diversity of the United States. Pa’lante, a transformative justice organization based in Holyoke, MA, centers around an indigenous
storytelling practice and youth-led initiatives. Youth leaders organize sharing circles to support their communities in order to address harm, grieve, solve problems, heal from trauma and oppression, as well as to celebrate victories. In order to collectively forge forward with the students it serves, the education system must commit to these forms of self-inventory and abandon antiquated policies that continue to perpetuate inequity. I recommend that all education stakeholders reconsider defaulting to exclusionary discipline practices as they run counter to providing every student, regardless of their race, the opportunity to attend schools that are enlightening, nurturing and safe.
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