

“Zero Tolerance” in Schools: How Effective Is it?

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This past month I had the honor of giving the keynote at The First Annual Conference of The Massachusetts Appleseed Center for Law and Justice. My presentation was titled “The Power of Mindsets: Creating a Positive School Climate.” MA Appleseed is part of a non-profit network of 17 public interest justice centers in the United States and Mexico. MA Appleseed’s mission is “to promote equal rights and opportunities for Massachusetts residents by developing and advocating for social justice issues.”

The history of the Appleseed network, which was established in 1993, is noteworthy. It was founded by members of the Harvard Law School Class of 1958 who “sought to develop a new approach to pro bono legal organizations, one that focuses on broad systemic social initiatives rather than on the traditional provision of legal services to individuals.” A goal of the Appleseed centers is to identify and tackle issues of concern to a community and then collaborate with “private practice lawyers, corporate counsel, law schools, civic leaders, and other professionals to tackle these difficult social problems at their root causes.”

The MA Appleseed Center, headed by Executive Director and attorney Joan Meschino, has addressed such critical issues as improving access to education for homeless children, enabling caregivers to make educational and health decisions on behalf of the children in their care, and assessing inequities in funding that serve as obstacles to poorer school districts meeting student needs. A more detailed portrait of this impressive group may be found on its website, www.massappleseed.org.

Keep Kids in School

The Appleseed conference at which I spoke, titled “Keep Kids in School: Building Positive School Climates,” corresponded with the release of the organization’s thought-provoking report “Keep Kids in Class: New Approaches to School Discipline.” (The full report may be found by going to: http://www.massappleseed.org/resources/keep_kids.php). This document examines the impact of school discipline policies on students, noting that while current Massachusetts law permits school principals to suspend or expel children for serious offenses such as

possessing drugs or weapons in school, in some instances students have been excluded without consideration of all of the circumstances. Instead many school administrators adhere to the practice of “zero tolerance,” which unfortunately has exacerbated rather than ameliorated the situation.

The Center found that approximately 32,000 students or 3.6% of the school age population are excluded from schools in Massachusetts in any given year. The report observes, “Preschoolers as young as four years old, and sixth- and ninth-graders making the transition to middle and high school, are especially at risk.” Excluded students were most likely to be Latino or African-American, male, poor, or receiving special education services. Once excluded, a majority of the students eventually drop out of school and are at high risk for ending up in the prison system.

Zero tolerance essentially prohibits the use of discretion by school administrators when deciding upon consequences for certain student behaviors. One might argue that such firm guidelines are not only necessary but fair in today’s atmosphere of violence. However, is that a valid view? Having co-authored a book about discipline, *Raising a Self-Disciplined Child*, with my colleague Dr. Sam Goldstein, I am in full agreement that children and adolescents need clearly defined parameters and consequences for their behaviors. However, we must not forget that the word *discipline* is rooted in the word *disciple* and represents a teaching process. While we must insure that all students are safe in schools, we must also insure that our disciplinary practices contribute to the development of self-discipline, responsibility, and resilience rather than anger and resentment.

A Question of Fairness and Effectiveness of Zero Tolerance Practices

The Appleseed report addresses the issue of both the fairness and effectiveness of zero tolerance and provides a number of examples of its misuse. The following is such an illustration:

“Juan” is a ninth grade public school student without any prior disciplinary record. Juan spent the weekend camping with family and friends. Upon his return home, he emptied his backpack to use for school the next day. Without realizing it, Juan left in the backpack a small knife that he had brought on his camping trip. As Juan walked through the school’s metal detectors, the knife

triggered the alarm. When school officials searched the backpack, they discovered the knife. Juan explained that he had simply forgotten about the knife and that he did mean to hurt anyone. School officials believed him and found that he had not intended to harm anyone. Nonetheless, Juan was immediately suspended for four months from September to December.

Does zero tolerance actually serve as a model of fairness? According to the Appleseed report, “The end result can be unfair to the many more at-risk students whose infractions are minor under the circumstances, but who nevertheless get swept up in the zero tolerance net and pushed out the school doors.” Also, the report, citing research, notes, “Ironically, literature suggests that zero tolerance policies do not actually make schools safer as intended.”

This view is supported by the work of Dr. Jeffrey Sprague, an associate professor of special education and co-director of the University of Oregon Institute on Violence and Destructive Behavior. Sprague, an expert on school safety, writing for a Sopris West newsletter, observes, “Over the past 15 years, the use of ‘consequences’—such as office referrals, suspensions, and expulsions—has skyrocketed, particularly among poor and nonwhite students. Paradoxically, these practices actually *increase* aggressive behavior, truancy, vandalism, and school dropout/disengagement.”

Sprague advocates the adoption of a “restorative justice” approach in which “misbehaviors can result in sanctions, but within a context where the relationship damaged by the misbehavior is the priority and based on the premise that this damaged relationship can and should be repaired—and that the offending individual can and should be reintegrated, not only for the good of the individual but also for that community as a whole.”

Sprague explains that in workshops and consultations he conducts for teachers he places restorative practices within positive behavioral interventions and supports (PBIS). That includes among other ingredients reframing the misbehaviors of students as possibly emerging from of a lack of skills in significant areas such as impulse control, problem solving, and empathy, rather than from intentional actions. To view problematic student behaviors as a skills deficit rather than as purposeful behavior can serve to lessen anger

and punitive actions towards the student and instead invite interventions to develop and fortify these skills.

Effective Alternative Approaches to School Discipline

The Appleseed report cites alternatives to zero tolerance and other harsh, ineffective interventions. As examples, there is a description of programs used nationally such as PBIS, Restorative Justice, Safe and Responsive Schools (SRS), and Social and Emotional Learning (SEL), as well as a Massachusetts program developed for children who have experienced trauma titled The Trauma and Learning Policy Initiative (TLPI).

Of special interest to me were detailed accounts of the efforts of two high schools and two middle schools in Massachusetts to adopt these alternative approaches. The practices applied by these schools paralleled several of the main points I made during my keynote at the Appleseed conference as well as in many of my writings, including:

1. A primary goal of any school is to create a positive school climate that includes feelings of safety, clear expectations for behavior, supportive relationships, effective teaching practices, and a welcoming physical environment.
2. All members of the school community—administrators, faculty, parents, staff, and students—must be involved in the process of nurturing a caring, respectful school milieu. If any or all of these constituents feel they are being ignored or minimized, then feelings of anger, blame, and alienation will prevail with little chance for cooperation and collaboration. Alienation serves to weaken the foundation for a positive school climate and all parties will suffer as a result.
3. Discipline is most effective in the context of a positive student-teacher/school administrator relationship. Students are less likely to misbehave if they feel there is at least one adult at their school who cares about and believes in them.
4. A main goal of discipline is to promote self-discipline. To facilitate this goal students should be enlisted to help create, within reason, some of the rules and consequences that govern the school. I have found that students are more likely to remember and follow rules if they feel a sense of ownership for these rules.
5. There must be a shift from a zero tolerance stance to a more flexible approach that adheres to the goal of keeping all members of the school safe, assesses the intentions

of the student, and asks, “What consequences make the most sense in this particular situation?” Such a shift will increase the probability of having a caring, secure school.

6. We must refrain from punishing students for skills they lack that contribute to misbehaviors and/or uncooperative behaviors. My colleague Dr. Ross Greene emphasizes this position, a position similar to that advanced by Jeffrey Sprague. Rather, as I noted earlier, we must focus on implementing strategies to reinforce these skills so that students will be better equipped to engage in pro-social, acceptable behaviors. This position should not be interpreted to imply that there not be consequences for dangerous behaviors. Rather, it suggests that such behaviors be addressed through constructive disciplinary approaches that insure safety and provide opportunities for students to learn new skills that will minimize the re-occurrence of negative actions.

Perceived Obstacles to Positive Practices

When I have presented these ideas at my workshops, some participants have questioned how realistic they are. One teacher commented, “I’d love to practice a more positive approach, but the students are so negative that they don’t allow me to do so.” Another asserted, “If the students came to school more motivated to learn and less inclined to misbehave, then discipline would be easier and more effective.”

These statements contain some truth, namely, that it is easier to teach students who are more disciplined and motivated. However, as I discussed in last month’s article as well as in several previous writings, they represent the absence of what I call *personal control*, which is a major component of accomplishment and resilience. We must learn to focus our time, energy, and resources in areas over which we have some control or influence. Rather than waiting for the students to be more cooperative and motivated, we must ask, “What is it that I can do differently to create a school environment in which students will be more respectful, self-disciplined, and self-motivated?” Such a question promotes a sense of empowerment and moves us away from blaming others or ourselves.

It is true that creating a positive school climate and close connections with students take time. Yet, the time involved is very small when compared with the inordinate amount of time that is wasted in educational settings permeated with negative emotions and a lack of trust and respect. What is also wasted are the futures of many students who begin to go down a path that eventually ends in dropping out and an

unfulfilled, troubled life. We cannot avoid the significant negative consequences that these alienated, angry students will face in the future if we fail to act constructively in the present.

For those interested in the themes I have addressed in this article, I would urge you to read the Appleseed report. I should like to end with a statement taken from this report, one that deserves much reflection by all of us involved in the education and upbringing of children.

A supportive school climate is a key component of replacing a punitive model of discipline with one that fosters teaching and learning, instead of exclusion and intolerance. We believe that the key message from our findings is not to be distracted by discipline but to focus on prevention. To accomplish such a change, schools need to organize internally to support the school climate that they seek to put in place. Numerous alternatives to zero tolerance policies exist. . . . The underlying theme of each of these approaches is to cultivate a school climate that engages students and incorporates teaching positive, pro-social behavior into the education and learning process. Change starts with a choice.

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