



The persistent effect of race and the promise of alternatives to suspension in school discipline outcomes



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ABSTRACT

Demographic and student discipline data were used to examine the influence of multi-level risk and protective factors on exclusionary school discipline outcomes. Participants included all youth ($n = 87,997$) in grades K to 12 who were enrolled in Denver Public Schools ($n = 183$) in 2011–2012. The dataset included measures of risk and protective factors for exclusionary school discipline outcomes such as race, family poverty, special education status, emotional disability, participation in gifted and talented programs, homelessness, office referral reasons over the course of one school year, participation in in-school suspension, a behavior contract, or restorative approaches, and school composition. Multilevel logistic regression modeling was used to estimate students' likelihood of receiving one or more office disciplinary referrals, suspensions, expulsions, and/or law enforcement referrals. Findings indicate that student racial background and school racial composition are enduring risks across key decision points of the school discipline process. Conversely, participation in restorative interventions and in-school suspensions protects students from out-of-school suspensions. This study suggests that ongoing attention to issues of racial inequity in school discipline outcomes is warranted, and that restorative practices have potential as an inclusive strategy to improve school discipline outcomes without excluding students from the classroom.

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1. Introduction

The use of exclusionary school discipline practices, such as out-of-school suspension and expulsion, is a growing concern among researchers and youth service providers. Studies indicate that young people who are disciplined in school are at greater risk than other students to experience a host of academic and psychosocial problems across the lifespan (Hemphill et al., 2012; Rausch, Skiba, & Simmons, 2004; Sprague & Hill, 2000). Youth who have been suspended or expelled are more likely than other youth to be held back a grade level, leave school, or become involved in the juvenile justice system

(Fabelo et al., 2011; Rausch et al., 2004; Skiba et al., 2003). This negative trajectory, often referred to as the “school to prison pipeline” has increasingly been the target of youth and community organizing for educational justice (Ford et al., 2013; González, 2011).

Studies of school disciplinary practices also reveal troubling and persistent patterns of disparity. Low-income children, students with disabilities, and youth of color, particularly Black boys in special education, are significantly more likely than students of other backgrounds to be referred to school administrators for discipline problems and to receive out-of-school suspension, expulsion, or a referral to law enforcement as punishment (Hannon, DeFina, & Bruch, 2013; Hemphill, Plenty, Herrenkohl, Toumbourou, & Catalano, 2014; Krezmien, Leone, & Achilles, 2006; Payne & Welch, 2010; Skiba et al., 2011; Theriot, Craun, & Dupper, 2010; Wallace, Goodkind, Wallace, & Bachman, 2008). These students tend to be disciplined more harshly for the same behaviors that are committed by more advantaged students and are less likely to have access to opportunities to develop social and emotional skills valued by schools (Reyes, Elias, Parker, & Rosenblatt, 2013).

A growing number of scholars, school-based mental health professionals, and educators have therefore suggested that the goal of achieving educational equity for vulnerable youth cannot be realized without eliminating disparities in school discipline practices (Beck & Muschkin,

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2012; Eds, 2012; Gregory, Skiba, & Noguera, 2010; Pfleger & Wiley, 2012; Simpson, 2012). Most recently, the federal government identified school discipline policy as a national priority for education and juvenile justice reform, calling on localities to reduce out-of-school suspensions and expulsions, especially among students of color (US Department of Justice and US Department of Education, 2014). In the larger context of inequalities in academic achievement and incarceration, the need to develop effective, non-exclusionary strategies for responding to student misbehavior is clear (Reyes et al., 2013).

1.1. The role of race in school discipline outcomes

Disparities in exclusionary discipline sanctions are the result of complex interactions between risk and protective factors at different points in the school discipline process. These points typically include office referral, suspension, law enforcement referral, and expulsion. Characteristics of students, families, teachers, administrators, classroom environments, school climates, neighborhoods, district policies, and historical context all affect the way in which young people are disciplined (Ferguson, 2001; Morris, 2005; Vavrus & Cole, 2002). However, findings from numerous studies indicate that racial disparities in discipline outcomes persist after accounting for student behavior and confounding variables like poverty, disability, previous academic achievement, school composition, district dynamics, and neighborhood context (Bradshaw, Mitchell, O'Brennan, & Leaf, 2010; Eitle & Eitle, 2004; Fabelo et al., 2011; Skiba, Michael, Nardo, & Peterson, 2002; Skiba et al., 2013; Wallace et al., 2008). To explain this inequality, investigators have identified differential patterns of institutional decision-making at two key points in the discipline process: 1) the *differential selection* of students of color for office disciplinary referrals; and 2) the *differential processing* of racial minority students for discipline resolutions, particularly exclusionary sanctions like out of school suspension, law enforcement referrals, and expulsion (Gregory et al., 2010).

1.1.1. Differential selection

School discipline processes generally begin with an office referral, most often made by a classroom teacher. Referrals tend to be driven by minor infractions and subjective categories of student misconduct, such as defiance and disrespectful behavior, rather than more objective and serious behaviors like bringing a weapon to school (Bradshaw et al., 2010; Skiba et al., 2002, 2011; Vavrus & Cole, 2002). Teachers typically initiate discipline referrals in response to disruptive externalizing behaviors or challenges to their authority (Bradshaw et al., 2010; Nichols, 2004; Skiba et al., 2002). This general pattern may exacerbate the problem of racial disparities in school discipline outcomes given prior findings suggesting that school staff members' perceptions of student behavior problems are often racially biased. Compared to White youth, school staff often perceive Black and Latino youth as aggressive, oppositional and threatening, whereas they expect Asian American youth to be anxious, perfectionistic and timid (Chang & Sue, 2003; Lau et al., 2004; Morris, 2005; Neal, McCray, Webb-Johnson, & Bridgest, 2003; Skiba et al., 2002). Such biases in perceptions of student behavior likely contribute to differential selection for office referrals and racial disproportionalities in the distribution of referral reasons.

1.1.2. Differential processing

Investigators have noted that administrative responses to discipline events are inconsistent and also prone to influence by racial stereotypes (Hannon et al., 2013; Morris, 2005; Shaw & Braden, 1990). Once an office disciplinary referral is made, administrators are largely responsible for decisions about the consequences for the misconduct reported in the referral. Decisions about serious and objective infractions, such as bringing a firearm to school, are often dictated by state, federal or district policy. However, consequences for more common forms of misconduct, such as disruptive behavior and defiance, are generally at the discretion of school district administrators and are rarely applied consistently,

even for the same behavior (Bradshaw et al., 2010; Nichols, 2004; Noguera & Wing, 2006; Skiba et al., 2011, 2002; Vavrus & Cole, 2002). Subjective discipline problems like these, in which students breach implicit norms among school staff, have the greatest potential for bias in processing, as administrators' behavioral expectations – like those of teachers' and students' – are shaped by perception, culture, and context (Monroe, 2006).

1.2. Alternatives to suspension

Evidence suggests that proactive and preventive behavioral interventions reduce discipline incidents and protect students from suspension and expulsion (Gregory, Allen, Mikami, Hafen, & Pianta, 2013; Monroe, 2006; Skiba et al., 2011). Skiba and colleagues found that Black students are less likely to experience an exclusionary discipline sanction in schools where the principal has a prevention orientation to student discipline and implements alternative consequences such as in-school suspension (Skiba et al., 2003). Indeed, a variety of high quality prevention programs that aim to increase students' social and emotional learning skills have demonstrated reductions in student behavior problems and suspension rates (Durlak, Weissberg, Dymnicki, Taylor, & Schellinger, 2011; Walker, Kerns, Lyon, Bruns, & Cosgrove, 2010; Wilson, Gottfredson, & Najaka, 2001). Emerging research suggests that restorative practices may be a particularly effective approach to preventing office discipline referrals and out-of-school suspensions (González, 2012; Morrison & Vaandering, 2012). Restorative approaches that focus on repairing the harm caused by a discipline incident through classroom circles (group dialogues) and conferencing (mediation) with victims and offenders appear to be particularly promising.

1.3. The policy context in Denver, Colorado

Policies designed to improve discipline practices in Denver, Colorado offer a unique opportunity to examine the influence of alternatives to out-of-school suspension and the effect of race on exclusionary school discipline outcomes. Efforts to reform school discipline practices in Denver have come from several sources. In the past ten years, a community-based organization called *Padres y Jovenes Unidos*, in cooperation with the Advancement Project and the national *Books Not Bars* movement, has led a grassroots effort to end the school-to-jail pipeline in Colorado (González, 2011). In response to concerns voiced through this campaign by community members, parents, and students, Denver Public Schools (DPS) reformed its discipline policy in 2008. The reforms aimed to reduce the use of suspensions, law enforcement referrals, and expulsions in response to student misbehavior and to eliminate racial disparities in discipline practices. Rather than relying on exclusionary sanctions, the 2008 policy requires schools to implement restorative and therapeutic interventions as resolutions to student misconduct and to only refer students to law enforcement when legally mandated to do so. The policy also granted district administrators more influence over expulsion decisions and created a centralized discipline process with increased checks and balances. Since the introduction of these policy changes, the district has lowered suspension and expulsion rates by nearly 40%, with reductions benefitting students of all backgrounds, particularly at the secondary school levels (see Tables 1–2). These trends are impressive because they have taken place during a time when the overall district population has increased by 14%, making DPS the fastest growing urban school district in the nation (Department of Planning and Analysis, 2013).

Despite these successes, recent DPS data reveal that Black, Latino and Native American youth are still more likely than their White or Asian peers to experience an exclusionary discipline sanction. As shown in Table 2, though all racial sub-groups of students have experienced a reduction in suspension rates since the 2008 policy reform, discipline gaps have not decreased substantially over time. Thus, school district

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