

EXCLUSIONARY SCHOOL DISCIPLINE: RECOMMENDATIONS TO IMPROVE
OUTCOMES

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Abstract

Exclusionary Discipline: Recommendations to Improve Outcomes

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Purpose of Research

The purpose of this paper is to examine the effects of exclusionary discipline and recommend alternatives to prevent student misbehavior by pro-actively establishing structures, policies and relationships to improve the school climate, encourage positive behavior and implement targeted and intensive behavioral health strategies to address behavioral challenges.

Methods of Approach

A review of the literature related to both the criminal justice and the education profession was conducted in order to inform and improve practice in the area of effective discipline and positive outcomes in the K-12 school system. Particular attention was focused on students with individualized education plans (IEP) or identified disabilities. The research examines schools response to delinquent behavior and the criminalization of problematic behavior and impact on future criminal offending. A review the history of exclusionary discipline and factors that contributed to its use and misuse was conducted. A review was conducted regarding how exclusionary discipline is administered in the schools and the short and long term effects on youth outcomes. A summary of research findings and recommendations are offered to reduce the use of exclusionary discipline and offer tools and techniques to better address behavioral concerns within schools. Strain Theory, Social Bonding Theory, and Developmental Theories have been applied to reinforce and support recommendations made in this report.

Key Findings

The key findings of this paper indicate that exclusionary discipline programs do not offer an effective intervention to student behavioral concerns. Recommendations to improve school safety and improve student outcomes require creating a positive school climate which offers a more preventive and positive approach to student behavior. Creating this positive school climate includes establishing programming that offers positive behavioral interventions and supports that contribute to a positive school environment and encourages student success. In addition to this positive support, a focus must be placed on the identification and activities that impact the school climate. Students and staff must offer training and guidance in resolving conflict in an effective and non-violent manner. The creation of a positive school environment includes embracing connections and connectedness among students, parents, teachers and the community. As this environment is cultivated, a focus must be placed on the mental health needs of students and how to better support those with mental illness or emotional dysregulation. By offering these preventative approaches students can be offered an environment that is safe, supportive, and conducive to learning.

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Section I: Introduction

In the wake of numerous school tragedies politicians and school administrators have attempted to keep students safe by combating school violence through legislation. Much of this legislative response began in 1994 when President Clinton signed into law the Gun-Free Schools Act. Under this legislation public schools which receive supplemental federal education funding must demonstrate that they both have and enforce zero tolerance policies mandating that when a student brings a weapon to campus, he or she will be expelled for at least one year and referred to appropriate authorities in the justice system (Armstrong, 2013). Since the initial implementation of the Gun-Free Schools Act, school officials in many jurisdictions expanded upon these minimum standards, and adopted more expansive variations of these zero tolerance policies that cover numerous violations such as bullying and drug or alcohol use. Additionally, some schools have expanded policies to address nuisance offenses such as swearing, wearing “banned” types of clothing and other infractions (Skiba, 2008). Llorente (2014) found that ninety-five percent of schools suspensions are punishment for “nonviolent, minor disruptions.” In response to the various interpretations of zero tolerance legislation suspensions and expulsion rates have more than doubled since 1974 to more than 2.7 million suspensions and over 120,000 expulsions during the 2015-2016 school year (U.S. Department of Education, 2018).

In theory, zero tolerance policies should deter students from violent or illegal behavior because the punishment for such a violation is harsh and certain (Skiba & Rausch, 2006). However, evidence does not show that discipline practices that remove students from instruction, such as suspensions and expulsions, help to improve student behavior, safety, or school climate (Skiba, Shure, Middelberg, & Baker, 2011). Zero tolerance punishments do not deter disruptive

behavior, and do not improve student behavior or increase school safety (Mendez, 2003). The ineffectiveness of exclusionary discipline approaches on reducing school violence can be further supported by continued incidents of school shootings and violence. In 2018, there were 103 incidents of gun fire in our schools resulting in 60 deaths and 88 injuries (Everytown Research, 2019).

While zero tolerance policies impact all students, they can have a greater impact on the most vulnerable students. Nationally, during the 2009–2010 school year, 13 percent of students with disabilities were suspended in comparison to 7 percent of students without disabilities (Rodriguez, 2013). This disproportionate application of exclusionary discipline practices is significant as students with physical, developmental, and cognitive impairments receive additional and necessary therapeutic services through the public school system. Removing the student from the school environment prevents them from accessing or receiving benefit from these necessary services.

Educators have long recognized what research increasingly confirms: Students succeed in an environment where they feel safe, supported and connected to each other and the adults in the building. Likewise when students are actively engaged in learning, they have improved academic, social and health outcomes and fewer behavioral problems. The safest schools are marked with high levels of student engagement and strong relationships among students, parents and educators (Melvin, 2011).

Purpose of Research

The purpose of this paper is to examine the effects of exclusionary discipline and recommend alternatives to prevent student misbehavior by pro-actively establishing structures, policies and relationships to improve the school climate, encourage positive behavior and

implement targeted and intensive behavioral health strategies to address behavioral challenges. The research will provide a review of the literature related to both the criminal justice and the education profession in order to inform and improve practice in the area of effective discipline and positive outcomes in the K-12 school system. Particular attention will be focused on students with individualized education plans (IEP) or identified disabilities. The research will examine schools response to delinquent behavior and the criminalization of problematic behavior and impact on future criminal offending. This paper will look at the history of exclusionary discipline and what contributed to its rise in popularity and widespread use. This paper will also review how exclusionary discipline is administered in the schools and the short and long term effects on the youth. While addressing these issues, research will be reviewed in regards to the overall effectiveness of exclusionary discipline and recommendations will be made on programing, policies and responses that may prove more effective and offer better outcomes for students with disabilities.

Contributions to the Field

The research will help parents, teachers, school administrators, law enforcement, and juvenile justice professionals learn the impact exclusionary discipline practices can have on a student's long-term success. This study will raise awareness on the application of exclusionary discipline techniques and empower agencies to make more informed and effective interventions regarding student discipline.

Methodology

A review of literature on the history and implementation of exclusionary discipline policies and procedures experiences will be conducted. Literature will be reviewed related to schools response to problematic behavioral concerns and the disproportionate use of

exclusionary discipline in students with disabilities. Literature will also be reviewed related to factors that contribute to undesirable behavior and delinquency and how they can be better addressed in our schools. The research findings will be summarized and recommendations will be made to reduce the use of exclusionary discipline and offer tools and techniques to better address behavioral concerns within schools. Strain Theory, Social Bonding Theory, and Developmental Theories will be used to reinforce and support recommendations made in this report.

Section II: Literature Review

The literature review will be divided into four sections. The first section addresses how evolving perceptions of the juvenile offender has impacted the systems response to delinquency and juvenile offending. This is followed by the introduction of zero-tolerance policies and exclusionary discipline practices in response to fears of violence in schools. These practices will be reviewed as to their impact on decreasing incidents of violence and how they impact student outcomes. Lastly, the factors that increase the likelihood of expulsion and suspension as well as the disproportionate application of exclusionary discipline are reviewed.

Evolution of Juvenile Justice

In order to examine the use of exclusionary discipline in K-12 schools one must understand the evolution of the juvenile justice system and the impact it has had on the education system and systematic responses to non-desirable juvenile behavior. The juvenile justice system has evolved through several distinct periods of change. The first significant period in the United States Juvenile Justice System is known as the Puritan Period, covering 1646-1824 (Scott & Steinberg, 2010). Much of the beliefs regarding children in the Puritan Period were taken directly from the Book of Deuteronomy in the Old Testament and religious beliefs of the time. The Massachusetts Stubborn Child Law of 1646 is nearly verbatim of the Old Testament (Weiner, 1987). The Stubborn Child Law urged parents of disobedient children to present their children before the court. The Stubborn Child Law affirmed that children should be held accountable and punished for crimes by recommending punitive sanctions for disobedience up to and including death (as cited in Lawrence & Hemmens, 2008). During the Puritan Period children were viewed as property or chattel. Due to this belief striking, killing, and selling children was viewed as acceptable, legal, and appropriate. Society perceived unruly children as

“evil” and that it is that parent’s right and responsibility to ensure that this “evil” behavior does not continue at any cost.

In England (1765-1769) there was a significant shift in how juvenile offenders and children are viewed in general (Grisso, 2006). Some of the earliest writings on the formal laws of England in regards to juvenile delinquency were from Sir William Blackstone. Blackstone identified people who were incapable of committing a crime. The first group of people Blackstone identified as incapable of committing a crime was “infants.” These were not infants in the modern sense of the word, but children too young to fully understand their actions. Blackstone and his contemporaries drew the line between “infant” and “adult” as the point where one could understand ones actions. Blackstone identifies all children under the age of 7 as “infants” who could not be guilty of a felonious or criminal act. Children over the age of 14 were considered liable to suffer as adults if found guilty of a crime. This created an obvious gray area between the ages of 7 and 14 years of age. A child in this age range would be presumed incapable of committing a crime except at which time it could be proven that the child understood the difference between right and wrong. If convicted, the child could suffer the full consequences as an adult including the death penalty. As such in order to be responsible for a crime according to Blackstone, the person had to have a vicious will (that is, the intent to commit a crime) and the person had to commit an unlawful act. If either the will or the act was lacking, no crime was committed.

In 1824, the United States began shifting its attitude towards juveniles in that they were no longer viewed as “evil” but instead as “helpless.” This period from 1824-1899 became known as the Refuge Period (Grisso, 2006). During this period the concept of rehabilitation was introduced through the use of reform schools or trade schools with a residential component.

These were known as houses of refuge at the time. In 1825 the New York House of Refuge for Delinquent and Dependent Children was established to give juveniles direction with the ultimate goal of helping them become contributing members of society (Miller, 1991).

In recognizing the difference between the juvenile and adult offender, the first juvenile specific courts began to appear in 1899. Illinois established the first separate legal system for juveniles. These juvenile courts were remarkably similar to the adult court system with one very significant difference; they lacked due process (McWhirter, 2013). This meant that juveniles were not given notice of trial or the allegations against them prior to court. In addition, there was no right to a hearing, counsel, and cross-examination. Essentially court was used for sentencing as opposed to determining guilt or proving innocence. This period also marked a period where juveniles were viewed as not being legally responsible for their actions. One of the foremost innovators in juvenile justice was Julian W. Mack (Miller, 1991). Mack presided over Chicago's juvenile court from 1904 to 1907. Mack believed that the proper work of the court depended on the judge, supported by probation officers, caseworkers, and psychologists. The juvenile court sought as much as possible to avoid using reformatories and tried to bring the expertise of social service professionals to the courts (McWhirter, 2013). Mack (1909) defined the role of the juvenile court as finding out why the child committed the crime instead of if the crime was committed. When this was answered, it was then the role of the court to balance the prospect of rehabilitation and deliver sanctions when appropriate.

In the 1960s there was an increased focus on the rights of the juvenile. This period from 1960-1980 became known as the Due Process Period for obvious reasons (McWhirter, 2013). This period also represented an age where the Supreme Court became increasingly involved in juvenile case law. One of the landmark court cases effecting due process for juveniles occurred

in 1967. In *Gault v. U.S.*, 387 U.S. 1,20 (1967), Gault's parents petitioned for their son's release arguing that he had been denied due process of the law and that his constitutional rights to a fair trial had been violated after his arrest for making prank calls. The case eventually made its way to the Supreme Court which ruled in favor of Gault. Because of this ruling, Juveniles were given the same procedural rights as adults. One of the biggest criticisms of the case is that the Supreme Court never addressed the disproportionately severe sentencing Gault had received from his offense, and instead ruled on the procedural discrepancies between the systems (Scott & Steinberg, 2010).

The Due Process Period also focused on alternative sanctions for juveniles other than correctional placements or reformatories (Zimring, 1998). It was no longer socially acceptable or economically feasible to simply send delinquent youth to a residential center and take them out of the community and their family of origin. One of the most significant examples of this practice was in 1969 when Jerome Miller was hired to take over the Massachusetts youth corrections system. Upon his appointment, Miller closed down virtually all of the state's reform schools and correction facilities and returned delinquent youth directly to the community. Community programming was offered instead of institutionalization. This move created much public fear and outrage. While this infuriated the public all of the fears were unfounded. There was no crime wave and the outcome of juvenile justice cases improved by offering extensive programming to the entire family (Miller, 1991).

There were additional legislative changes in how juvenile justice is administered, The Juvenile Justice and Delinquency Prevention Act of 1974 deinstitutionalized or decriminalized status offenders (Heitzig, 2009). Prior to this legislation, juvenile offenders could be placed in a correctional facility for status offenses. The most common status offenses include: Truancy,

running away, incorrigibility, curfew, and alcohol and tobacco violations. Prior to this legislation these offenses were categorized as criminal offenses and violations could result in placement in a correctional facility.

The 1980s until today have become known as the Crime Control or Punitive Period (McWhirter, 2013). The 1980s were an interesting time for juvenile justice with an emphasis on punishment of serious offenders and waiving serious offenses into adult court. During the 1980's there was a growing concern about crimes committed by young people further influenced by news media accounts of serious crimes committed by children and adolescents and criminologists' warnings of a coming tide of vicious juvenile sometimes referred to as super-predators that had encouraged a general belief that young people are becoming increasingly violent and uncontrollable and that the response of the juvenile justice system has been inadequate (Bennett, DiLulio, & Walters, 1996). Reacting to evidence of an increase in juvenile violence, state and federal legislators had proposed, and most states had passed, laws that make the juvenile system more punitive and that allow younger children and adolescents to be transferred to the adult system for a greater variety of offenses and in a greater variety of ways (McWhirter, 2013). In response to this increase in juvenile crime rates, the age of the judicial transfer was lowered to allow criminal prosecution of teens aged fourteen and younger (McWhirter, 2013). Some of the most dramatic changes came in the form of automatic transfer statutes, under which many juveniles were categorically treated as adults when charged with specific crimes. McWhirter (2013) highlighted that these legal reforms resulted in the wholesale transfer of youth into the adult criminal justice system at more than 250,000 a year by most estimates. During this same period juvenile court dispositions included more frequent incarceration and for longer periods of time, many times extending well into adulthood (Skiba,

2013). Through a variety of initiatives, the boundary of childhood had shifted dramatically in a relatively short period of time, so that youth who are legally minors for every other purpose are adults when it comes to their criminal conduct. In the 1980s while policymakers were passing new policies to “get tough,” other parts of the juvenile justice system were being reinvented, and researchers were finding support for the effectiveness of preventive and rehabilitative programs (Skiba, 2013). Numerous innovations were implemented to improve the quality of treatment programs and to ensure early intervention before young juveniles become further involved in crime. Other changes focused on the organization and methods of juvenile justice itself, such as the growth of new specialized courts, the increasing application of restorative justice principles, and enhanced coordination and collaboration among juvenile justice and social service agencies (Bennett, DiLulio, & Walters, 1996).

Many of the current trends involving juvenile justice take some of the past lessons learned through history to address juvenile justice and respond to juvenile crime. There is also a great deal of research that has been done involving juvenile crime and the ability to more accurately assess the risk of re-offending (Schwalbe, 2008). Currently over 86% of juvenile justice professionals use some form of risk assessment tool (McCafferty, 2016). These assessments allow juvenile justice professionals to more accurately focus their efforts and identify individual strengths and criminogenic needs. McWhiter (2013) states that the pendulum is beginning to shift and that the future may hold an emphasis on treatment of the individual and the family in an effort to facilitate lasting and meaningful change. Much of this shift has been based on emerging brain research that indicates that there are significant differences with the juvenile brain and the adult brain (Mendez, 2003). There are no guarantees on what the future will hold for the Juvenile Justice System. History has proven that despite the best attempts to

understand, control and modify human behavior; attempts have not been particularly effective and are now many times seen as barbaric and absurd.

Historical Response to School-based Delinquency

While there has been an evolution in how juveniles are viewed in the juvenile justice system there has also been an evolution in how schools and other partner agencies respond to behavioral concerns and delinquency. Until the 1960's corporal punishment was an acceptable and widespread method of discipline (Straus, 1997). As the juvenile justice system entered the Due Process Period of the 1960s there was an increased focus on the rights of the juvenile. In response to this movement, many school actions and policies were litigated in the court system. Supreme Court decisions such as *Baker v. Owen* (1975) ruled that while the use of corporal punishment without a hearing does not violate a juveniles due process rights as it is the expectation of schools to discipline students who violate school policy and keep order. *Baker v. Owen* also set guidelines indicating that while corporal punishment may be used in school it should be a method of last resort. While this ruling discouraged the use of corporal punishment it affirmed the importance and expectation of schools to have an active role in student discipline. Further litigation in *Ingraham v. Wright* (1977) ruled that the individual states should decide on the practice of corporal punishment. In response to this ruling the majority of states banned corporal punishment (Gershoff & Font, 2014). With the use of corporal punishment being taken off the table, states struggled with how to effectively discipline students and the role of schools in providing behavioral sanctions. One of the methods devised to discipline students who violated school policy and maintain order within the classroom was suspension and expulsion.

As schools struggled with how to effectively discipline students there was a widespread intolerance for minor offenses and juvenile disobedience that can be attributed to the "Broken

Windows” theory of crime (Kelling & Coles, 1997). This theory analogizes the spread of crime to a few broken windows in a building that go unrepaired and consequently attract vagrants who break more windows and soon become squatters. The squatters set fires inside the building, causing more damage or maybe destroy the entire building. The broken windows theory argues that communities should get tough on the minor offenses and clean up neighborhoods to deter serious crimes. Thus, it becomes necessary to punish minor offense violators before they can become far more serious. Much of this fear continues despite the juvenile crime rate peaking in the 1990s and continues to drop (Sickmund & Puzzanchera, 2014).

Legislation Regarding School Safety

The Safe School Act of 1993 was put into place requiring schools to report any occurrence of 16 behaviors immediately to law enforcement. Although many of the 16 are serious behaviors, they are relatively rare, comprising about 3 percent of all school-based offenses (Fabelo et al., 2011). The vast majority of school-based offenses (about 97 percent) are not mandatorily reported acts but instead tend to fall into one of five categories: (1) disrespect or insubordination, (2) affray, (3) disruptive behavior and disorderly conduct, (4) communicating threats, and (5) petit larceny (Fabelo et al., 2011). While well intended, this created an environment where what was once considered normal teenage behavior was criminalized (Teske & Huff, 2011). Policies such as this also created the impression that addressing behaviors such as disrespect or insubordination was now a police function instead of a learning opportunity. This was further supported by the passage of the Gun-Free Schools Act which requires public schools to expel students for bringing a weapon to campus. In addition to expulsion it also required schools to refer the juvenile to law enforcement for criminal charges (Armstrong, 2013).

In the 2011-12 school year these policies contributed to 249,752 students being referred to law enforcement (United States Department of Education, 2014).

Additional legislation created a “perfect storm” aimed at controlling student behavior. The No Child Left Behind Act (2001) created an environment where disruptive students were seen as creating a potential barrier to educational performance. As standardized testing created an environment where schools and educators were evaluated based upon students’ performance schools would push out students who had the potential of distracting from instructional time or drive down a school’s aggregate performance scores (Fuentes, 2003).

Despite efforts to increase school safety, incidents of school shootings continue to occur. Though violent deaths at school are rare, 53 schools associated violent deaths occurred from July 1, 2012 to June 30, 2013 (Musu-Gillette, Zhang, Wang, Zhang, & Oudekerk, 2017). This trend continues with 103 incidents of gun-fire in 2018 resulting in 60 deaths and 88 injuries in schools (Everytown Research, 2019). State legislatures have further responded by implementing the use of metal detectors, surveillance cameras, school resource officers in addition to the already present exclusionary discipline practices, and zero tolerance policies in schools (Monahan, VanDerhei, Bechtold, & Cauffman, 2014).

Zero Tolerance

Zero tolerance policies are put into place to mandate punishment and seclusion for certain dangerous offenses aimed at increasing school safety and the consistency of discipline, sending a clear message that violence will not be tolerated (Nicholson-Crotty, Birchmeier, & Valentine, 2009). These policies exist under the assumption that removing disruptive students will both deter other students from similar conduct and enhance the classroom environment. The concept of zero tolerance was first introduced in U.S. drug enforcement policies in the 1980s indicating a

consistent and firm response to drug involvement (Skiba & Knesting, 2001). This approach was soon abandoned after some controversial decisions and the ineffectiveness in controlling the sale and use of drugs. Despite this, by the late 1980s and early 1990s, the zero tolerance philosophy was adopted by schools (Insley, 2001). They have since been drastically modified to include behaviors that do not represent their original intent. Mallet (2017) found that while the use of zero tolerance policies in schools were originally meant to address firearms, they have been since expanded to address behaviors ranging from fighting, smoking, and creating a disturbance in class as infractions that could result in either suspension or expulsion. As an example, research in Minnesota indicates that in the 2016-17 school year 48 percent of all suspension and expulsions were for non-dangerous behavior: Computer misuse, attendance issues, verbal abuse, and other disruptive or disorderly behaviors (Jones, Margolius, Yan, Cole, & Zaff, 2018).

The use of an exclusionary discipline approach continues to be widespread throughout the United States. The United States Department of Education (2018) reported that more than 2.7 million suspensions and over 120,000 expulsions during the 2015-16 school year. It should be noted that although the federal government has made efforts to track discipline data nationally, prior to the 2009-2010 school year, most schools did not report data on discipline by race, gender, or SES. In 2012, for the first time, the Civil Rights Data Collection (CRDC) made public long unreported data about which students are suspended, expelled, and arrested in schools (U.S. Department of Education, 2012).

Zero tolerance policies have been hailed by its proponents as tough methods to ensure school safety that hold all wrong-doers accountable for their actions. Advocates further argue that suspensions and expulsions remove disorderly students and deter other students from misbehaving (Casella, 2001). An exclusionary discipline response attempts to improve the

school environment so that well-behaving students can learn without distraction (Ewing, 2000). Many of the advocates for zero tolerance policies fail to consider some of the negative impacts of a zero tolerance approach. The use of exclusionary discipline lends itself to questions such as: What exactly happens when a child is removed from the classroom? And perhaps more importantly, what is done to ensure that the academic progress and performance of the juvenile is continued or improved upon? Children who are suspended or expelled are often from a population that is the least likely to have supervision at home. According to the 2000 U.S census, children growing up in homes at or near the poverty level are more likely to be expelled. Children with single parents are between 2 and 4 times as likely to be suspended or expelled from school as are children with both parents at home, even when controlling for other social and demographic factors (Coggsal, Oshar, & Colombi, 2013). This data would suggest that one of two things likely happen when a child is expelled from school. Either the child spends the day at the home where they are offered little or no supervision or the adult must take off of work to provide supervision potentially creating further financial hardship or loss of income.

As the use of exclusionary discipline has increased, so too has police involvement within the school. As the public became increasingly concerned about the safety of students many districts responded by working with law enforcement to develop school liaison officers (Shuler-Ivey, 2012). The severity and punitive nature of zero tolerance policies escalated with the placement of police on school campuses, resulting in a considerable increase in the number of students referred to juvenile court for infractions once handled by school administration (Merkwae, 2015). As zero tolerance policies also require referrals to law enforcement as the use of exclusionary discipline increased there was also an increase in referrals to law enforcement (Nicholson-Crotty, Birchmeier, & Valentine, 2009). This increase of referrals to juvenile court

have often been interpreted as evidence that law enforcement was both needed at schools and was having a positive effect. The study of this occurrence has been referred to as the “school-to-prison pipeline” (Wald & Losen,2003). Research indicates that increasing juvenile referrals results in higher future rates of student misbehavior and discipline (Nicholson-Crotty, Birchmeier, & Valentine, 2009). As juvenile referrals to law enforcement increase there is also an increase in the prevalence of school alienation and drop-out rates (Gregory, Cornell, & Fan, 2011). Since the implementation of zero tolerance disciplinary policies and their application to mundane and non-violent misbehavior, there is no evidence that frequent reliance on removing misbehaving students improves school safety or student behavior (APA, 2008). The research supports that impact of exclusionary discipline actually creates more harm to the safety of the school and community than if students were not excluded (Finn & Servos, 2013).

While many schools argue that it is necessary to exclude disruptive students in order to improve outcomes of non-disruptive students, research indicates that schools with higher rates of suspension and expulsion also exhibit less satisfactory ratings of school climate, less satisfactory school governance structures, and also tend to spend a disproportionate amount of time on disciplinary matters (Skiba, 2008). During his research, Skiba (2008) also found a negative relationship between the use of school suspension and expulsion and school-wide academic achievement, even when controlling for demographics such as socio-economic class. Melvin (2011) found that the use exclusionary discipline often exacerbates behavioral issues among students, who then tend to be suspended more frequently in subsequent years. Research on the use of exclusionary discipline finds that it is not an effective deterrent and can actually contribute to the very behaviors they are trying to address. Research has indicated that the use of exclusionary discipline can actually increase school violence and contribute to further incidents

of violence. Some of this increase can be attributed to the feelings of alienation created by exclusionary practices. Models of youth violence and delinquency have identified school alienation or weak school bonding as being among the strongest variables or predicting juvenile delinquency (Catalano, Haggerty, Oesterle, Fleming, & Hawkins, 2004). Further research indicates that in addition to alienation, exclusionary practices can negatively impact the school climate. Chen (2008) found that the overuse of exclusionary punishments might actually result in a less inclusive social climate, and hence there is more student misconduct. Upon return, students also face challenges. Youth that have been expelled or suspended identify significant challenges re-integrating into the school environment (Weissman, 2015).

In addition to being ineffective in controlling behavior, exclusionary discipline impacts school achievement and future success. A single out-of-school suspension in ninth grade is associated with a 50% increase in dropping out of school and a 19% reduction in enrollment in postsecondary educational opportunities (Balfanz, Byrnes, & Fox, 2015). One of the largest impacts of exclusionary discipline practices is that out-of-school suspensions and expulsions resulting from the application of zero tolerance policies have removed an increasing number of students from the opportunity to learn (Wald & Losen, 2003). Taking away the opportunity for students to learn can have significant impact on criminal offending. Fabelo et al. (2011) found a correlation between a single suspension and increased involvement in the justice system. There are also negative outcomes associated with failure to complete high school. Western (2006) demonstrated a link between educational failure in high school and an increase in criminal offending as an adult. While this is significant, student success has broad economic and social consequences for adolescents and society alike (Vaughn, Beaver, Wexler, DeLisi, & Roberts, 2009). Students that drop out of school are at a significant risk for delinquency, criminal justice

system involvement, and welfare reliance, as well as an economic drain on society as a whole (Heckman & LaFontaine, 2008).

For students, the quality of the teacher-student relationship is one of the most important factors in school engagement, wellbeing, and academic success (Roorda, Koomen, Split, & Oort, 2011). Research further stresses the importance of relationships in determining student success including the teacher-parent relationship. Research has shown that the benefits of positive parental involvement in school contributes to increased engagement, better academic success, and increased interest in school that extends beyond the childhood years (Cheung & Pomerantz, 2011). The use of exclusionary discipline techniques damages the teacher-student relationship as well as the teacher-parent relationship and negatively impacts overall school performance (Losen & Martinez, 2013).

One of the most confusing applications of zero tolerance policies is the use of exclusionary discipline for truancy violations. Suspending a student who does not want to attend schools is illustrative of the inherent problems with zero tolerance policies and has led some to refer to zero tolerance as “zero intelligence: or “zero evidence” (Richardson, 2002). This pattern unfortunately has expanded nationwide as illustrated with the growing use of exclusionary discipline to 2.7 million suspensions and over 120,000 expulsions during the 2015-2016 school year (U.S. Department of Education, 2018).

The use and misuse of exclusionary discipline has created a wide variety of unintended consequences. One of the most significant impacts of exclusionary discipline techniques is that they criminalize “normal” behavior (Wald & Losen, 2003). One of the major criticisms regarding the use of exclusionary discipline is that as part of the learning process children learn by making mistakes. Not only do students learn by making and correcting errors the brain of

children functions differently than the adult brain. Brain research indicates that frontal lobe of the brain that filters emotion into logical responses and is not developed until age 25 (Mendez, 2003). Neurologically as the brain is under neurological construction the juvenile brain responds on emotion as opposed to logic. Due to this lapse in brain development youth under the age of 15 show significant immaturity in response to peer influence, impulse control, and attitude and perception of risk (Mendez, 2003). Due to the emerging science, the use of exclusionary discipline practices on juveniles who have not yet developed neurologically is inappropriate (Teske & Huff, 2011).

Characteristics of Students Expelled

It is important to identify and review the populations that are being suspended and expelled from schools. Several studies indicate that students that are minorities, are from lower socioeconomic backgrounds, or are LGBTQ are overrepresented in the application of exclusionary discipline. According to a study by Aud and Fox (2010), 43 percent of Black students in grades 6 through 12 experienced suspensions compared with 22 percent Hispanic students and 16 percent White students. Data suggest students enrolled in free and reduced-price school lunch programs are also at greater risk of being suspended than their wealthier peers (Verdugo & Glenn, 2006). A recent national study also suggests that lesbian, gay, bisexual, transgender, and queer (LGBTQ) and gender nonconforming students are overrepresented in suspensions and expulsions (Kosciw, Greytak, Bartkiewicz, Boesen, & Palmer, 2012).

Exclusionary discipline practices are applied disproportionately to students with disabilities. Research has indicated that students with disabilities are almost 3 times as likely to be suspended or expelled as students without a disability (Cooley, 1995). In the 2015-2016 school year students with disabilities represented approximately 12% of the student body and yet

represented 28% of referrals to law enforcement and 24% of expulsions (U.S. Department of Education, 2018). Despite federal legislation protecting against expulsion and suspension, students that have an identified disability experience a greater risk of expulsion compared to students without an identified disability. Students with a disability are suspended twice as often and were 75 percent more likely to be expelled (Rauch, 2006). This disproportionate application of exclusionary discipline is also present in students with emotional disabilities. Students with emotional disabilities were more than 10 times more likely to be removed from school than other disabilities (Fabello et al., 2011).

Section III: Theory Review

In order to offer effective interventions to increase school safety and decrease the use of exclusionary discipline, theories must be explored. There are several theories that help explain factors that contribute to juvenile offending and the use of exclusionary discipline. A review of Strain, Social Bonding, and Developmental Theories will be offered along with a discussion of how they can be applied to discipline policies in the schools.

Strain Theory

All forms of strain theory share a common theory of frustration as a contributing factor in crime causation. Strain theories all trace their origin to Robert K. Merton's 1938 theoretical framework introducing structural strain as causing crime (Tibbetts & Hemmens, 2015). General strain theory proposes that three categories of strain (failure to achieve goals, noxious stimuli, and removal of positive stimuli) will lead to stress which results in a propensity to feel anger. These feelings of anger have a propensity to make an individual more likely to commit crime and deviance. Most studies find a link between the three categories of strain and higher rates of criminality, as well as a link between the source of strain and feelings of anger or other negative emotions (Baron, 2014). Agnew (2006) offers a revision of General Strain Theory arguing that strain can manifest differently in juveniles. While adults commit crime due to the inability to achieve goals through legitimate means, juveniles experience stress and strain due to the inability to escape from painful or aversive conditions.

Application of Strain Theory

In order to improve the schools climate and reduce the use of exclusionary discipline education and juvenile justice practitioners must acknowledge the role strain plays on behavior and take steps to minimize and address painful and aversive conditions. Students with

disabilities are more likely to experience strain associated with failure to achieve goals that their similar aged peers may be able to achieve. Students with disabilities may also be more likely to be exposed to painful or aversive conditions associated with their disabilities. Swanson (2005) found that youth with learning and behavior problems often have difficulty getting through their day, to a great extent because they have difficulty organizing themselves and understanding the organization of the environment around them resulting in frustration and stress. In addition to external stimuli, there is little that students can do to escape noxious stimuli that may be manifestation of their disability whether it presents as physical, mental, or emotional pain.

In order for an intervention to be effective it must acknowledge the role strain plays on behavior and offer supports and resources that minimize the painful or aversive conditions students' experience. This may include a more inclusive school environment or adaptations to minimize stress and strain. Effective interventions will also offer students opportunities to safely communicate frustrations and ability to remove themselves from environments that contribute to individual stress and frustration.

Social Bonding Theory

Travis Hirschi developed the Social Bonding Theory which is based upon the premise that individuals are predisposed to commit crime and that the conventional bond that is formed with the individual prevents or reduces their offending (Tibbetts & Hemmens, 2015). Hirschi identified four social bonds that promote socialization as attachment, commitment, involvement, and beliefs. Ideally an individual would find these qualities in a positive organization or activity. When these bonds are either not present or a viable option, individuals will look for social bonds through less than ideal outlets.

Application of Social Bonding Theory

In regards to school behavior, juveniles may pursue social bonds and connectedness by engaging in disruptive activities in an effort to create social bonds. In order to offer an effective response to disobedience and delinquency interventions must address the social bond and level of connectedness. In order to offer an effective intervention schools must embrace positive social bonds through programming including mentorships and embracing a supportive inclusive environment that promotes socialization through attachment, commitment, involvement, and beliefs. The most important aspect of the social bond is the attachment, which consists of an attachment between an individual and others. Without healthy attachment, the probability of acting inappropriately increases as there is no social construct that influences conformity or control of offending tendencies (Tibbetts & Hemmens, 2015).

Developmental Theory

Moffitt's developmental theory supports much of the research that has been done regarding juvenile justice and child welfare (Tibbetts & Hemmens, 2015). Moffitt (1993) proposes that there are two types of offender: adolescence-limited offenders and life-course-persistent offenders. Adolescent-limited offenders represent all persons who have committed an offense as a juvenile regardless of its seriousness. Tibbetts and Hemmens (2015) present that only 1-3% of the population have not offended in some way in adolescence. This offending is largely caused by association with peers and a desire to engage in activities exhibited by the adults that they are trying to be. About 4% of juvenile offenders will become life-course-persistent offenders. Life-course-persistent offenders began offending at a young age and continue to commit crime far into adulthood. Moffitt (1993) proposed that these serious antisocial, delinquent, and criminal behaviors are the result of neurophysiological deficits that

are inherited or acquired from disadvantage social environments. These deficits limit proper socialization resulting in antisocial behavior over the course of one's life. Adolescent-limited Individuals are properly socialized as children and grow up obeying the rules. Once these individuals reach adolescence they experience a gap in maturity which creates a sense of frustration. This frustration results in acts of rebellion as a way to alleviate perceived stain from this gap in maturity as a way to exert their independence (Moffitt, 1993).

Application of Developmental Theory

Developmental Theory offers that in order to effectively reduce juvenile offending and the use of exclusionary discipline one must offer juveniles opportunities to exert their independence and offer guidance and support during these gaps in maturity. In order to offer an effective intervention one must acknowledge that the vast majority of offenders are adolescent-limited offenders which present lower risk of offending into adulthood or progressing into more serious offenses. Individuals that are identified as life-course-persistent offenders must be identified and services and programmatic resources must be put in place to address the neurological deficits present in the life-course persistent offender.

Section IV. Recommendations

Historically, school discipline practices including exclusionary discipline approaches have operated under a deterrence model of behavior management. This approach seeks to gain compliant behavior through the fear of punishment (Nowicki, 2018). Expulsion may serve as a deterrent for most students, however if the student does not enjoy the school environment or interactions with peers, an exclusionary punishment is unlikely to reduce unwanted behavior and may serve to reinforce it (Maag, 2001). While this approach has been widely embraced, interventions that use proactive, preventative approaches, address the underlying cause or purpose of the behavior, and reinforce positive behaviors, have been associated with increases in academic engagement, academic achievement, and reductions in suspensions, discipline referrals, and school dropouts (Bradshaw, Waasdorf, & Leaf, 2012; Eddy, Reid, & Curry, 2002). The American Academy of Pediatrics' (2013) recommendations for school disciplinary policies state it is pedagogically unsound to exclude students for school violations. Increasing time at school and student engagement improves students' educational outcomes (Greenwood, Horton, & Utley, 2002). In order to create a safe supportive learning environment, it is imperative to focus on prevention as opposed to reaction. In order to accomplish this task it is recommended that schools embrace evidence-based, multi-tiered behavioral frameworks, such as positive behavioral interventions and supports (PBIS), can help improve overall school climate and safety (Bradshaw, Koth, Thornton, & Leaf, 2009).

By exploring the research in regards to exclusionary discipline practices and their impact on safety and student success recommendations for improving school climate and response to behavioral concerns can be identified. In order to improve the response to problematic behaviors and school safety, eight improvements are proposed here: reducing the use of

exclusionary discipline, early identification and intervention, positive behavioral intervention and supports, bullying prevention and response, conflict resolution and life-skill training, increase connectedness, improvements in mental health response, and embracing a trauma informed approach. These suggestions are supported by research and theory to offer a more effective response to both behavioral and safety concerns.

Reduce use of Exclusionary Discipline

In order to improve educational outcomes and increase school safety the first step is to explore alternatives to, and elimination of, exclusionary discipline practices. Research has indicated that an exclusionary response is not effective and in most circumstances does more harm than good. While the research clearly indicates that exclusionary discipline is not effective there are scenarios where the use of exclusionary discipline may be necessary and appropriate after other alternatives have been exhausted. When students act out, the correct response is not to offer unsupervised isolation and lack of access to formal and informal supports. A more appropriate response would be to recognize the behavior as a symptom of much larger issues and an opportunity to offer support and instruction allow youth to learn lifelong skills and establish internal coping strategies.

Early Identification and Intervention

An environment is considered safe and supportive when its resources and services are aligned with the young person's strengths and needs. Youth need to feel safe, valued, and respected (Noltemeyer, Ward, & Mcloughin, 2015). In order to address school safety one must assume a more proactive approach. This involves developing relationships and identifying behaviors that lead to problematic behavior. For instance, truancy is often the first sign of trouble and the most powerful indicator of delinquent behavior (Dryfoos, 1990). In order to

effectively manage school safety additional services and resources should be put into place to reduce truancy and conditions that contribute to poor school attendance.

Positive Behavior Intervention and Supports

Positive Behavioral Interventions and Supports were developed as a systematic approach for establishing a pro-social culture and setting behavior expectations to create a safe and effective learning environment (Eddy, Reid, & Curry, 2002). This pro-social culture embraces the beliefs of social bonding theory by recognizing the role and importance of a pro-social culture. Schools that embrace a positive behavioral intervention system develop a set of core values that all are expected to adhere to. When these core values have been established behaviors are reinforced that support core values through positive recognition. Students that behave in a manner that does not support the core values are taught appropriate behaviors and supports students that struggle to meet expectations (Sugai & Horner, 2002). Positive behavioral interventions and supports have been associated with a decrease in disciplinary referrals suspensions, and expulsions (Bradshaw, Mitchel, & Leaf, 2010).

Bullying Prevention and Response

When discussing school safety and school shootings the topic of bullying appears frequently as a contributing factor. Bullying not only is widely prevalent but it also may cause short- and long-term harm to individuals (Alvarex-Garcia, Garcia, & Nunez, 2015). In reviewing past shooting incidents, some school shooters have a history of being bullied, while others do not (Langman. 2009). Notably, too, even if most shooters had a history of being bullied, nearly all bullied youth never engage in mass shootings. While the precise role of bullying, as well as other factors, in contributing to a specific shooting event is far from clear it must be addressed (Rocque, 2012). While researchers disagree (Newman, 2004; Vossekuil, Fein, Reddy, Borum, &

Modzeleski, 2004) on the impact of bullying or the role it plays in violent incidents at schools it is important to prevent bullying and the climate it creates to embrace a safer and connected school environment. In order to address bullying school personnel should receive training on bullying prevention and identification as a way to help prevent bullying and intervene when it occurs (Letendre, Ostrander, & Mickens, 2016).

Conflict Resolution and Life Skill Training

In order to enhance conflict resolution skills schools should embrace curriculum that teaches students how to effectively resolve conflict in an effective and non-violent or abusive manner. A majority of teachers (93%) and parents (88%) believe that one of the fundamental responsibilities of schooling is to “teach kids rules so they are ready to join society” (Public Agenda, 2018). Legislation should be introduced mandating that educational curriculum include life skills training focusing on the healthy expression of emotion as well as de-escalation and emotional regulation. Disagreements should be handled through mediation or restorative justice approaches with an emphasis on seeking resolution and understanding as opposed to punishment.

Connections and Connectedness

School connectedness refers to a student’s connection to school involved adults and the institution. Social Bonding theory stresses the importance of embracing positive social bonds that support an inclusive and environment. This includes bonding, attachment, support, and relationships. All of these include are dependent on a student’s feelings of care, concern, or respect from teachers and administrators (Libbey, 2004). The ability to connect to adults at school is shown to be positively associated with student academic performance, motivation, and college attendance: and negatively associated with delinquency, incidents requiring discipline, social-emotional maladjustment, and drop-out (Durlack, Weissberg, Dymnicki, Taylor, & Elder,

2011). In addition to improved school performance, school connectedness is linked to lower levels of substance abuse, violence, suicide ideation, pregnancy, and emotional distress (Libbey, 2004). Acknowledging the importance of the relationship between school personnel and the student, efforts must be made to improve connectedness. In order to accomplish this task positive opportunities for youth to become involved and connected to the school and the community must be developed. Examples of this can be observed by programs such as Youth Voice (2014) where youth are mentored by community organizers and law students to advocate for the elimination of zero tolerance policies. Through this mentorship students learn and help schools embrace restorative practices to resolve issues peacefully and productively. In the process mentors and youth develop partnerships and establish connectedness.

Mental Health Training and Assessment

As students with disabilities are disproportionately suspended and expelled it is necessary to increase staff training on developmental disabilities and mental health concerns. This will require strict adherence to Individualized Education Plans as they represent a personalized guide as to how staff is to respond to potential behavioral concerns. All school staff will receive training on effective de-escalation techniques to minimize.

In order to effectively address school safety and reduce the use of exclusionary discipline there will need to be an investment in trained mental health professionals within the schools. Gonzalez(2012) found 21% of high schools and approximately 850,000 high school students have no access to any school counselor or mental health support. Investing in trained mental health staff will assist in identifying the adolescent-limited offenders and life-course-persistent offenders identified in developmental theory. By making this distinction less intrusive

interventions can be offered to the lower risk adolescent-limited offender and more intensive interventions can be offered to the life-course-persistent offender.

Trauma Education and Response

Life experiences both positive and negative shape development and impact youth into adulthood. In the United States an estimated 702,000 children were victims of abuse and neglect in 2014 (USDHHS, 2016). This exposure to trauma can contribute to a variety of behavioral responses that may manifest themselves within the school environment as the impact of traumatic experiences differs for every individual (Cross & Ashley, 2004). Students who have been exposed to trauma are more likely to be negatively impacted by exclusionary discipline approaches and further contribute to feelings of seclusion (Petras, Masyn, Buckley, Lalongo, & Kellam, 2011). In order to respond to the impact of trauma, school staff should embrace a trauma informed approach and education must be offered to staff and students on resilience and proper self-care. By developing a set of protective resilience factors which can help buffer against trauma sequelae, bolster a sense of hope and optimism for the future, and interact with other, broader protective factors such as social support to prevent relapse (Brodhagen & Wise, 2008). There are many factors that contribute to an individual's resiliency. Resiliency can be social and environmental supports or individual factors. These key individual factors regarding resilience have been conceptualized to include a sense of control or mastery of one's environment, sense of relatedness to others, and emotional reactivity (Prince-Embury, 2013). Environmental and social supports can include having a readily available support system or a positive family environment.

Tracking and Evaluation

In order to effectively monitor the reduction in the use exclusionary discipline oversight should be provided by the Office of Civil Rights. Additional tracking measures should be put in place to present an accurate and thorough picture of populations being excluded and for what behaviors. Districts with high suspension and expulsion rates can be further evaluated and have the opportunity to receive grants and technical assistance to help schools adopt measures to reduce exclusionary discipline practices and improve school safety. By monitoring the use and effectiveness of exclusionary discipline practices additional changes to policy and practice can be made to better support students.

V. Conclusion

In order to create a positive and productive learning experience, students must be offered a climate that embraces their creativity and promotes a safe and supportive environment. In order to create this environment policies and legislation were implemented. After reviewing the literature in regards to the implementation, it is clear that exclusionary discipline and zero tolerance policies have failed to create a safe environment or to control student behavior.

Zero tolerance policies were enacted as a direct and necessary response to school violence. While zero tolerance policies appeared to offer deterrence by offering a swift and consistent response to school violence they have failed to deliver. Research indicates that zero tolerance policies and the use of exclusionary discipline are not an effective means of increasing school safety. The use of exclusion through the use of suspension and expulsion has not been shown to be effective in controlling or improving student behavior. The use of exclusionary discipline has been shown to be in direct conflict with brain science research as well as recommendations from mental health professionals. Research indicates that zero tolerance policies have the potential of contributing to the exact behavior they are attempting to address. Through a review of the research in regard to exclusionary discipline, a relationship has been identified between the use of exclusionary discipline and negative outcomes.

The research clearly illustrates the need to change how to address behavioral concerns within schools. Alternatives to exclusionary discipline are available and offer less intrusive yet more effective interventions to address school safety. An emphasis should be placed on preventing student misbehavior by pro-actively establishing structures and policies to improve school climate, encouraging positive student behavior and implementing targeted and intensive behavioral health strategies. There also needs to be a focus on addressing the needs of the

students beyond the standard education curriculum focusing on social interactions and conflict resolution. It is necessary to make significant changes in policy and practice to keep schools safe and provide youth an environment that is conducive to learning.

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