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## NASP Communiqué, Vol. 37, #5 January/February 2009

### Zero Tolerance Policies and the Public Schools: When Suspension Is No Longer Effective

By Amber Evenson, Brooklyn Justinger, Elizabeth Pelischek, & Sarah Schulz

The emphasis in school discipline has shifted from a prevention and correction model to a reactive and punitive model in recent years (Bear, Cavalier, & Manning, 2002; Cohn & Canter, 2004). This major shift has occurred in response to fears among legislators and the public who are under the impression that school violence has increased. As a result, crisis response teams have been created and a zero tolerance approach to discipline has been adopted by many school districts (Bear et al., 2002). Specifically, zero tolerance can be defined as school-wide or district-wide policies that mandate typically harsh consequences or punishments such as suspensions and expulsions for a wide range of rule violations (Bear et al., 2002; Cohn & Canter, 2004). Contrary to popular belief, research indicates that zero tolerance policies are ineffective in the long run and are related to a number of negative outcomes. Some of these outcomes include elevated rates of school dropout, poor school climate, low academic achievement, and discriminatory school discipline practices. Zero tolerance policies typically fail to increase school safety and often restrict students from accessing education (Skiba, Cohn, & Canter, 2004). Furthermore, research shows that suspension negatively impacts the mental health and physical well being of students. According to the American Academy of Pediatrics (2003), suspension of school-aged youth with behavioral problems is associated with high rates of depression, drug addiction, and home life stresses. In addition, suspension may predispose these children to antisocial behavior and suicidal ideation (Sundius & Farneth, 2008). Therefore, educators should return to a prevention/correction model for deterring inappropriate behavior.

#### School Violence and Suspension

Clearly, severe acts of violence or illegal activity (e.g., possession of weapons, possession of drugs, robbery) should not be tolerated in the schools. Responding to these serious acts should be a high priority of school personnel and could be addressed through school removal. However, despite alarming suspension rates nationwide, which lead many to believe that violence in schools is on the rise, research demonstrates that about 90% of schools nationwide specify that no serious violent crimes were committed in a school year and that 99% of students do not commit serious crimes while in school (Bear et al., 2002). This research confirms the notion that suspensions are not given for serious or violent offenses but rather for minor infractions. Removing students from school can become problematic or unsafe for the students. In fact, research studies verify that upon removal from school, students appear to become more likely to engage in or become victims of violent crimes. The U.S. Departments of Justice and Education evaluated the 2003-2004 school year and the following data were published: Rates of serious violent crimes against school-aged youth including rape, sexual assault, robbery, and aggravated

assault are more than twice as high outside of the school as they are inside of the school (Sundius & Farneth, 2008). With this evidence in mind, schools are doing students a disservice by removing them for minor infractions that are neither violent nor illegal.

### Who Gets Suspended?

*Minority groups.* Racial disproportionality refers to when minority students receive more harsh punitive measures than their nonminority counterparts for the same violation. First, research has confirmed that depending on the student's race, his/her punishment will differ across the nation. For example, the Children Left Behind Project conducted by Indiana Youth Services Associations in 2004 revealed that African American students are 4 times more likely to be suspended than white students for the same violation; Hispanic students are twice as likely to be suspended as white students. The reasons behind this racial imbalance were suggested in Skiba, Michael, Nardo, and Peterson (2002). These researchers determined that when school personnel make subjective decisions for discipline issues, African American students are more likely to be suspended than their white classmates. Offenses requiring subjective decisions include disrespect, excessive noise, loitering, classroom disruption, chronic tardiness, and failure to follow school rules as opposed to more concrete infractions including smoking, leaving without permission, vandalism, and assault—which would undoubtedly result in suspension. Finally, the higher rate of repeated suspensions often found among African American students indicates that suspension is ineffective in changing challenging behavior in students (Indiana Youth Services Association, 2004). These unjust and inconsistent discipline practices result in racial injustice and need to be recognized and addressed through reliance on objective discipline procedures and elimination of subjective decision making for discipline issues.

*Students with disabilities.* Another group of students affected unfairly by zero tolerance policies are students in special education. Research demonstrates that students in special education are often more negatively impacted by zero tolerance policies than general education students. Although the Individuals with Disability Education Act (IDEA) includes certain protections for students with disabilities against frequent suspensions, higher rates of suspensions are still found in research (Sundius & Farneth, 2008; Indiana Youth Services Association, 2004; Cohn & Canter, 2004). For example, students with ADHD are 3 1/2 to 7 times more likely to be expelled, even when controlling against extraneous factors. Students with disabilities make up only about 11% of the school population in the U.S., while they account for almost 20% of school suspensions (Leone, Mayer, Malmgren, & Meisel, 2000). Zero tolerance policies restrict access to a Free and Appropriate Education (FAPE) to which all students are entitled. By restricting access to education, many students' problems will intensify, which increases the probability that students with disabilities will not complete high school (Indiana Youth Services Association, 2004). In sum, despite legal protections provided to students with disabilities, many continue to be suspended disproportionately.

*Secondary and preschool students.* As one might imagine, current research indicates that secondary schools have higher rates of suspension compared to elementary school rates. For example, a review of statistics for the 2006-2007 school year from one large urban school district served by one of the authors indicated that the percentage of suspensions increased sharply after fifth grade, with close to 50% of ninth graders in this urban district being suspended at least once during the course of the school year. What may be surprising is that a national study (Gulliam, 2005) found that the expulsion rate for prekindergarten students is more than 3 times higher than for their K-12 counterparts. Finally, findings from the Open Society Institute-Baltimore (Sandius & Farneth, 2008) indicate that of those students suspended in a given school year, at least 40% will be suspended repeatedly. These data suggest that for some students suspension is not a deterrent, but actually may

be an incentive to avoid challenging work and other difficulties often experienced in the school environment. In all of these cases, such high rates of suspension suggest that the problem may lie in discipline practices or school climate rather than within the students themselves.

*Students in urban schools.* It is generally established that schools in urban locations have significantly high rates of suspension in comparison to more rural or suburban areas. Nonetheless, the use of suspension varies considerably from school to school, even within urban areas. For example, in the same large urban district mentioned above, more than a third of the elementary schools had a suspension rate of 3% or less, but a sixth of the schools had rates of 20% or more. At the middle school level, approximately one third of the schools had suspension rates in which 50% or more of the student body were suspended, while nearly half had suspension rates of 30% or less. When examining the high schools in the urban district, half of the schools had suspensions rates under 30%, but nearly one third of the schools reported suspension rates higher than 60%. Thus, suspension rates may be linked to school policies and possibly factors such as school climate or administrative practices. The variable suspension dispositions of schools call for reform in how classroom and school behavior issues are handled. Furthermore, the disturbing statistics on suspension incidence levels across all developmental levels demonstrate a need for change, especially within an urban setting where suspension rates are soaring.

### **Change from Reactive to Responsive**

To maintain school discipline and maximize educational opportunities for students, various researchers have developed recommendations including: early intervention and prevention strategies, social skills training, positive behavioral supports, restorative justice and violence prevention, community agency involvement, professional development, function-based assessment leading to altered and differentiated approaches to instruction, increased counseling, creation of alternatives within schools for misbehaving students, greater parental involvement, clear and specific expectations and philosophy of discipline, mentoring, anger management training, leadership opportunities, rewarding appropriate student behavior, lower student-teacher ratios, high-quality academic instruction, promoting a positive school climate, a focus on teacher-student relationships, effective school governance committees, and well-defined and consistently applied disciplinary codes (Cohn & Canter, 2004; Gettinger & Stoiber, 2006; McNamara, 2002; Skiba et al., 2004; Indiana Youth Services Association, 2004; Sandius & Farneth, 2008; Ysseldyke & Christenson, 2002). Such a long list of recommendations may appear overwhelming, but school districts and school psychologists should adopt as many of these strategies as possible to remediate school disciplinary issues quickly.

A step-by-step plan, which could be facilitated by school psychologists who work within a district, is offered as a proactive procedure for altering “zero tolerance” suspension policies. First, in an attempt to lower suspension rates, all rules and expectations should be clearly stated and consistently reinforced. This would entail a consensus among the school staff regarding the basic purpose of the disciplinary policy. Specifically, the purpose of the disciplinary policy should shift from a reactive and punitive model to one that places an emphasis on prevention, teaching competence, and altered response (Stoiber, 2004). Next, schools need to specify expectations and include examples of positive and negative behaviors across all settings. More importantly, potentially problematic settings such as buses, cafeterias, and libraries should be identified as the focus of these efforts. Third, students need to be directly taught these expectations through a variety of methods including practice opportunities, direct instruction, modeling, and role playing, as well as through supervision and feedback. Finally, school personnel need to develop specific procedures for response to problematic behavior by designating behaviors as minor infractions, serious violations, or illegal behaviors. Rather than dealing with

minor infractions through suspensions, such behaviors should be managed by staff through immediate consequences. These immediate actions could include the following: removal of attention; redirection, prompts or cueing to alter behavior; methods for de-escalating, reinforcement for appropriate behavior; warnings with choice; and loss of privileges (Stoiber, 2004). Research also suggests that all of these minor infractions should be documented along with the interventions attempted because if these minor infractions persist, a Problem Solving Team meeting should be conducted so a formal intervention plan can be created using the documented data (Stoiber & Kratochwill, 2002; McNamara, 2002).

Once expectations and procedures are established, early intervention strategies and an emphasis on prevention techniques are crucial in minimizing suspensions due to minor infractions. These techniques target low levels of inappropriate behavior prior to escalation, which significantly reduces the need for harsh consequences such as suspensions. Examples of these research-based strategies include: social skills training, school-based mental health services, violence prevention, positive behavioral support, and a focus on increasing students' school connectedness.

Effective programs designed to increase social competencies have the potential to significantly improve school-wide behavior and safety. Successful violence prevention programs also should be implemented that incorporate a prevention curriculum, services from school personnel, and the implementation of school-wide discipline practices. Potential research-based programs include Promoting Positive Thinking Strategies, Second Step, Steps to Respect, Let's Get Real, Life Skills, and Woven Word (Skiba et al., 2004; Cohn & Canter, 2004). Through systematic implementation of prevention programs, more serious problems can be avoided while giving students the skills they need to become more successful in the school environment. If this occurs, suspension rates are expected to drop, especially for minor infractions.

In conclusion, the original intention of zero tolerance policies was to ensure appropriate consequences for serious and illegal behaviors. However, these policies have been implemented too broadly and too often for minor incidents, resulting in negative outcomes and demonstrating little benefit for students, schools, or the surrounding community. The current implementation practices of zero tolerance policies have led to indiscriminate suspensions for all infractions, which disproportionately affects minority students and those with disabilities. More effective strategies are available such as violence prevention programs, social skills training and competency-based approaches, and positive behavioral supports. Research provides evidence that these alternatives will lead to higher academic achievement, improved mental health, an increase in student engagement, a reduction in dropout rate, and a decrease in serious offenses in the school and community environment. Therefore, school districts need to adopt a prevention/correction model to discipline instead of the current reactive/punitive model to remediate this troubling situation.

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## References

- American Academy of Pediatrics. (2003). Out-of-school suspension and expulsion. *Pediatrics*, 112(5), 1206-1209.
- Bear, G. G., Cavalier, A. R., & Manning, M. A. (2002). Best practices in school discipline. In A. Thomas & J. Grimes (Eds.), *Best practices in school psychology IV*, (pp. 977-991), Bethesda, MD: National Association of School Psychologists.

Cohn, A. M., & Canter, A. (2004). Discipline strategies that work: Fair and effective strategies for all students. In A. S. Canter, L. Z. Paige, M. D. Roth, I. Romero, & S. A. Carroll (Eds.), *Helping children at home and school II: Handouts for family and educators* (pp. S4: 53-56). Bethesda, MD: National Association of School Psychologists.

Gettinger, M., & Stoiber, K. C. (2006). Functional assessment, collaboration, and evidence-based treatment: An experimental analysis of a team approach for addressing challenging behavior. *Journal of School Psychology, 231-252*.

Gulliam, W. S. (2005). Prekindergarteners left behind: Expulsion rates in state prekindergarten systems. New Haven, CT: Yale University Child Study Center.

Indiana Youth Services Association (2004). *Education policy briefs: Children left behind*. Retrieved November 23, 2008, from <http://www.iub.edu/~safeschl/ChildrenLeftBehind/papers.html>

Leone, P. E., Mayer, M. J., Malmgren, K., & Meisel, S. M. (2000). School violence and disruption: Rhetoric, reality, and reasonable balance. *Focus on Exceptional Children, 33*(1), 1-20.

McNamara, K. (2002). Best practices in promotion of social competence in the schools. In A. Thomas & J. Grimes (Eds.), *Best Practices in School Psychology IV*, (pp. 911-923), Bethesda, MD: National Association of School Psychologists.

Sundius, J., & Farneth, M. (2008). *Putting kids out of school: What's causing high suspension rates and why they are detrimental to students, schools, and communities*. Open Society Institute, Baltimore. Retrieved November 25, 2008, from [http://www.soros.org/initiatives/baltimore/articles\\_publications/articles/suspension\\_20080123](http://www.soros.org/initiatives/baltimore/articles_publications/articles/suspension_20080123)

Skiba, R. J., Cohn, A. M., & Canter, A. (2004). Zero tolerance and alternative strategies. In A. S. Canter, L. Z. Paige, M. D. Roth, I. Romero, & S. A. Carroll (Eds.), *Helping children at home and school II: Handouts for family and educators* (pp. S4: 103-106). Bethesda, MD: National Association of School Psychologists.

Skiba, R. J., Michael, R. S., Nardo, A. C., & Peterson, R. L. (2002). The color of discipline: Sources of racial and gender disproportionality in school punishment. *The Urban Review, 34*, 317-342.

Stoiber, K. C. (2004). *Functional assessment and intervention system*. San Antonio, TX: Pearson.

Stoiber, K. C., & Kratochwill, T. R. (2002). *Outcomes PME: Planning, monitoring, evaluating*. San Antonio, TX: Pearson.

Ysseldyke, J. E., & Christenson, S. L. (2002). *Functional assessment of academic behavior: Creating successful learning environments*. Frederick, CO: Sopris West.

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