

Zero Tolerance: Sending your Children Home without an Education

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Educators and school administrators strive to create effective schools with high-quality instruction. However, these efforts are stymied when they cannot maintain order because of disruptive, distracted and uncooperative students. There are two common approaches to managing student behaviour: reactive and *pro-active*. *Reactive approaches* involve imposing disciplinary measures after an event in school, punishing students accordingly. *Zero Tolerance* is a good example of a highly structured reactive disciplinary policy that imposes severe sanctions: often long-term suspension or expulsion. In a *pro-active* approach, educators attempt to anticipate the potential challenges students face before they occur, and ensure that positive expectations for their behaviour are clearly defined and supported in the school. This paper will examine the recent increase and often misuse of Zero Tolerance policies in schools from the theoretical perspective of hegemony and shifting though different theories of power/control. The premise of this paper is that the hallmark of Zero Tolerance policy, with little flexibility and no consideration of the students' intentions or circumstances of the individual's misbehaviour, violates democratic principles. One fundamental right that educators preach is the right to an education. Zero Tolerance policies in schools, effectively eliminate this right. Finally, this paper will argue that the use of pro-active and positive management strategies is more attuned to the structural and supportive needs of adolescent students, with a goal of decreasing disruptive behaviour and increasing achievement.

Reactive discipline is the most common form of discipline used in public schools (Ban, 1994). The disciplinary action the teacher takes may vary depending on the student involved, despite having similar behaviour which undermines their authority and credibility (Ban, 1994). However, Zero Tolerance discipline approaches are the opposite; punishment is given immediately regardless of the circumstances, assuring the automatic functioning of power and control. Almost every school in the U.S. has mandated the use of Zero Tolerance reactive approaches for a variety of infractions, infractions that individuals with power disapprove of, and it is the most widespread discipline used in schools today (Gregory & Cornell, 2009). Advocates claim the policy prevents school violence by removing dangerous students and deterring other students. However, evidence shows that suspension does not effectively 'change' students, because they often return to school displaying the same or more serious behaviours (Martinez, 2009).

Children have little status in the public arena, with few rights and few institutions protecting these rights compared to other groups (Giroux, 2003). When not portrayed in the media as a new fashion or talent, youth are often portrayed as a danger to adult society, chaotically out of control, and without scruples (Giroux, 2003). Schools are institutions for indoctrinating and imposing obedience of the dominant group's rules, beliefs and values. Increasingly, schools are emulating penal institutions; with

glorified rules (for example, no peanut butter allowed; permission slips for eating Oreo cookies, banning all physical contact; and no outside food); calls for ‘tougher enforcement’ with physical stamina punishments (e.g. standing) and censorship of free speech, books, and alternate thinking. Students are treated like criminal suspects with policies such as hate speech, random drug tests, electronic tracking devices, fines for bad behavior or Zero Tolerance policies. As a result, schools are becoming more undemocratic institutions of control and coercion. If schools were actually democratic, they would not suspend a student’s right to an education without any investigation by sending them home. They would not drill rules, enforce penal codes for minor infractions, and lecture propaganda about democracy. They would not enforce what students must eat for lunch, wear to school, or say in the halls. Schools would simply act and behave democratically. However, sadly, often they do not. Indoctrination in schools is necessary to support the interests of the dominant castes of society; if you do not learn, support, or act in accordance with those who have wealth, power, and control, you do not survive very well in school. Furthermore, additional behavioural incidents, for example, Zero Tolerance (sometimes for subjective reasons) added to various school districts, have given administrators permission to apply suspensions more frequently and freely over subordinate classes or groups, under the guise of serving hegemony.

Hegemony

Hegemony is a process through which the dominant culture exercises control over subordinate classes or groups. Not always by overt force, domination is reinforced through consensual social practices, social forms and social structures created in institutions such as schools (McLaren, 2007). An example of a social practice is the use of current Zero Tolerance policies, and the school boards that implement these policies are the social forms that provide and give legitimacy to its practice. In hegemony, “the subordinate class actively subscribes to the values of the dominant class without being aware of the source of those values or the interests which inform them” (McLaren, pg. 204, 2007). The dominant culture is able to mold adolescent lives by imposing rules the students are expected to follow hegemony without question or resistance. Those who become indoctrinated with the values of the dominant ideology and prove loyalty to the system can become a part of the dominant elite. Those who cannot, need to be kept in line and out of trouble, or even, out of school. “All youth are targets, especially those marginalized by class or color” (Giroux, pg. xvi, 2003).

Although these policies have been in effect for over 15 years, there is little evidence they curb violence and discipline problems (Martinez, 2009). Research has suggested that expulsion policies have a negative impact on students and no preventive effect (Gregory & Cornell, 2009) (Martinez, 2009). Data indicating Zero Tolerance as an effective deterrent would show a decrease in school suspensions. In reality, the results have been the opposite (Martinez, 2009). Chronically disruptive, primarily minority, students often experience excessive disciplinary action and further exclusion from education. For example, African American students are disproportionately streamed into lower ability classes; placed in behaviour disorder classes; punished more severely; and suspended from school more often (Cartledge, Sentelle, Loe, Lambert & Reed, 2001). This ensures that black subordinate groups continue to fail at

school, limiting their chances of success in the world of the elite and, as a result, continue hegemony. However, many subordinate groups, especially fatherless ones (57.6% black, 31.2 % Hispanic and 20% white: US Census Bureau, 2012 [The Extent of Fatherlessness, 2017]) may need that little extra guidance, and sending them home will do them little service at all if there is nobody home. For these groups, teachers and the school administration are better served at providing guidance. Consequently, Zero Tolerance policies have resulted in two major negative side effects: 1) school administrators misuse and abuse the policy for incidents not meant to be covered. Many schools have a wide array of infractions that initiate Zero Tolerance, (weapons, drugs, alcohol, fights, and more recently, swearing, truancy, disrespect and dress-code violations) and have been applied to students with no previous disciplinary problems (Martinez, 2009). 2) School administrators use the procedure to justify the overuse of suspension. The unintended consequences of the policy seem to benefit dominant groups, upholding hegemony, and exclude subordinates from their right to a fair education. Zero Tolerance is a one size fits all, quick-fix solution to handling students with disciplinary problems.

The struggle for hegemony involves school boards and administrators who win the consent of their students and parents who are oppressed. In cases of Zero Tolerance infractions, the policy conflicts with an individual's right to an education and to defend themselves (by telling their side of the story) How does this undemocratic policy become consensual? First, the moral panic towards the perceived violence in schools creates consensus. "[The] perception of violence in schools still continues and is exacerbated by extended media coverage" of isolated instances of school violence. (Martinez, pg. 153, 2009) The biggest impact of the moral panic after the shootings at Columbine High School occurred in schools. Jenkins (2000) described it as the "tyranny of the normal" (pg. 2). If a student was considered different, they were not only unhappy, but dangerous, and could possibly be suspended for their beliefs or interests (Jenkins, 2000). Another reason for consensus is the belief in the legitimacy of rules; i.e. the rules are there for a good reason and these students deserve to be expelled. Sending students home for a variety of reasons, both trivial and serious, without ascertaining the factors involved is rarely challenged because individuals often view it as a natural, commonsensical and unchangeable use of school power (McLaren, 2007). Through hegemony, the powerful win the consent of those disciplined by Zero Tolerance; without knowing, the oppressed participate in their own oppression. The unfair policy is an example of hegemony at work: the punishments are accepted by the individuals involved as beyond their control and administrators hide behind the rules and declare them legitimate. However, resistance does occur. The challenge is for individuals to recognize the undemocratic and oppressive features of hegemonic controls. Many oppositional groups, educators and parents struggle with the use of strict classroom management and Zero Tolerance policies used in schools.

Power and Control

Current Zero Tolerance policies in schools can also be viewed through various theories of power and control. Foucault (1972) postulates that power relations are created by discursive practices, which refer to the rules by which discourse are formed, rules that define behaviour in social and political institutions such

as schools (McLaren, 2007). Discourses produced by the dominant culture are considered “regimes of truth” grounded in power/knowledge and forms of constraint. The dominant educational discourses determine different factors in schools, for example, the textbooks studied and the choices of school policy. Schools perpetuate or reproduce the social relationships and attitudes needed to maintain the economic and class structures of the larger, capitalist society. (McLaren, 2007) In the examination of Zero Tolerance policies, the dominant culture would view certain behaviour as punishable based on its political, social and cultural views grounded in power/knowledge. The students who often fall victim to the policy may be simply resisting the indoctrination of the dominant culture’s power discourses that are contrary to their street-corner culture and beliefs. (McLaren, 2007) Certain behaviours that different youth subcultures regard as acceptable, such as clothing, language, fighting in defence, differing viewpoints on respect, stating alternate, possibly offensive opinions, and even defending oneself with a weapon would be punished immediately without a motivational situational investigation. Perhaps the student felt his teacher was being too biased? Perhaps the student left her earrings on from a lunch date with a friend? Perhaps the student brought the weapon to school because they have been tormented by bullies throughout the year. Zero Tolerance serves to instruct school children on acceptable behaviours and actions through a harsh means to an end: one that could inadvertently prevent constantly disciplined students or well behaved students from receiving an education, all in the course of ensuring dominant power discourses on discipline and control.

Zero Tolerance was originally developed, and eventually rejected, to target the booming drug trade in the 1980’s; shifted to schools during the Clinton administration; and now is used to impose discipline for a wide array of infractions across different states, districts and schools (Martinez, 2009). The policy has moved beyond its original intention and now is used as a method of power and control. Kozol (2005) states that many inner-city schools enforce direct command and absolute control, and “openly conceded emulation of the rigorous approaches of the military.” (pg. 15) Although these methods of classroom management are described as ‘school reform,’ they are often valued at schools with high proportions of poor black students, deep segregation and unequal schools (Kozol, 2005). Zero Tolerance policies involve mechanisms of power that closely resemble the ideal form of the ‘Panopticon’ described by Foucault (1977). “All that is needed, then, is to place a supervisor in a central tower and to shut up in each cell a madman, a patient, a condemned man, a worker or a school boy” (Foucault, pg. 200, 1977). Students must follow the rules without question or resistance, and their viewpoint is given no weight in behaviour violations. It is the perfect exercise of panoptic power; schools can intervene at any moment without question, spontaneously and without noise or complaint. Schools should be places for individuals to learn in interesting and satisfying environments. However, schools using these policies, effectively emulate penal institutions and drug-rehabilitation programs using the power of panopticism to enforce discipline. School administrators release responsibility of properly fostering development in their students by using this type of power and control behaviour management.

Solutions and Conclusion

Kincheloe (2005) argues that educators should embrace critical pedagogy when dealing with school matters such as classroom discipline. Critical teachers must not only understand a wide body of subject matter, but also the social, cultural, cognitive and political contexts when examining the reasons for the student's violent or rule-breaking behaviour. They should try to understand how the behaviour in question is influenced by a) different culture factors, such as, the media, TV, music and movies; b) school protocols that affect the lives of students from marginalized groups; c) power that operates to construct identities and oppress particular youth subcultures; and d) social regulation of how the school operates. Instead of depriving students' rights in Zero Tolerance policies, using the knowledge gained from examining different contexts of the incident in question, educators are more empowered to identify the underlying and motivational forces for students with serious disciplinary problems. Critical pedagogy mandates that schools do not hurt students; good educational institutions do not blame students for their all their failures. They work hard to understand the reasons for their problematic behaviour and ensure students continue to bring the knowledge they have into the classroom every day (Kincheloe, 2005).

Pro-active discipline is a system whereby teachers anticipate, prepare and maintain consistency for student misbehaviour. The best method of intervention is early identification and screening to prevent unwanted behaviour from happening in the first place. Students learn the rules and proper conduct through teaching, modeling and positive reinforcement. School administrators use different personnel, resource officers, counsellors, social workers, families and communities, to create a school-wide disciplinary plan within a positive school culture. This method reduces inconsistencies in teacher management techniques and leads to corroborative efforts to discipline students (Ban, 1994). Teachers should adopt a pro-active lesson plan approach, and if necessary, a pro-active individual approach, to discipline students. Some of the main techniques of pro-active strategies in the classroom are:

- 1) *Interesting Content* – The most essential management tool is an interesting and challenging curriculum. Change the workload when students experience difficulties and offer alternatives for students to experience mastery of the subject (Babkie, 2006).
- 2) *Clear Rules and Expectations* – Student instruction and discussion in the first week of school should focus on identifying behavioural problems, determining classroom rules and behaviour training. Students should be allowed to explore the reasons for the rules and discuss their reactions to them. When students are a part of the rule creation process, they become: a) more accountable b) more likely to open up about motivations for their actions and c) more willing to apply certain consequences to their behaviour. Effectively communicating classroom procedures for each activity throughout the year can reduce the number of disruptions (Kraft, 2010).
- 3) *Classroom Order* – Organized classrooms and materials, with consistent routines for classroom activities and transitional periods, are vital. The moment teachers do not follow their own guidelines, students will use this lapse to challenge every other rule into question. Students need to learn how to change from one activity/location to another; for example, assigning student jobs makes transitions smoother.

4) *Social Skills Training* – Students need to learn the social skills necessary to engage in pro-social behaviour, (such as, sharing, helping, and co-operation) and follow the school's code of conduct. This training effectively reduces the frequency of disruptive behaviour during the school day, (Ban, 1994) (Cartledge, Sentelle, Loe, Lambert & Reed, 2001). For example, students with violent tendencies often think violence is the best real-world response to their problems (Jenkins, 2000). Students must learn proper ways to control anger and conflict resolutions with a teacher or mediator, rather than be sent home to ponder their violent outbursts on their own. Take seriously what young people feel and think about the world, acknowledge the darker side of their lives, and try to help them understand it (Jenkins, 2000).

5) *Critical Examination of Disruption* – Teachers must evaluate the function of the disruptive action to determine how it benefits the student. Collect data using the critical pedagogy framework, and use the information to develop a plan to change the circumstances before the situation occurs. Through private meetings and behaviour contracts with students, teachers can examine the detrimental behaviour and determine how to correct it.

6) *Be Respectful to Students* – Respect your students, and they will give respect back. Respect is not innate, it is learned.

Reactive and Zero Tolerance policies create a highly structured, but overly restrictive environment and ignore student needs for support and understanding. Administrators of this approach reject exceptions or explanations while simultaneously expecting absolute obedience and compliance with school rules. The best way to learn the workings of democracy is to practice it. However, instead of giving students the benefit of trust, we search their lockers randomly for drugs; instead of providing equal education to marginalized groups, we make them take a standardized test; instead of giving them the right to an education, we send them home for wearing a black trench coat.

There is no place for Zero Tolerance policies in public schools. The question that remains is why does this policy continue to be used despite a) the U.S. customs agency phasing out its use because of ineffectiveness and b) its proven ineffectiveness in schools? (Martinez, 2009) One could possibly point to underlying processes involving methods that maintain power, control and hegemony. Zero Tolerance has become a cop-out for school administrators, a policy that allows them to prevent students from receiving an education. It is an example of how power and control are often used against subordinated groups in favour of supporting the hegemonic dominant culture's belief and value systems. However, critical pedagogy provides educators a method of examining student misbehaviour through many different contexts. Pro-active discipline teaches classroom rules, helps students learn pro-social behaviour, employs praise and sends out cues that the teacher cares. These disciplinary approaches promote fairness and responsibility for all students.

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