



Crime & Punishment

James Alan Fox on criminal behavior and the justice system

CAMPUS CRIME

School discipline: Well-meaning but mean-spirited

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A new and fairly rigorous [study](#) of discipline practices in Texas public schools has uncovered a disturbing level of over-response and unfairness, particularly when minority students are involved. Moreover, it is a pattern of punitiveness for which the Lonestar State is hardly alone. Several published studies from various school districts around the country have repeatedly documented the increased use of formal sanctions, specifically invoking the juvenile and criminal justice systems, when confronting adolescent behaviors that would in an earlier era have been handled informally in the principal's office.

The string of school-based mass murders that took place between 1996 and 2001 became a national obsession, creating an unprecedented sense of urgency and alarm. By March 2001, following yet another multiple-victim shooting -- the venerable Dan Rather had declared school shootings to be an epidemic. □

Of course, the level of media hype and public hysteria was well out of proportion with the actual risk. Fewer than 1% of murders of children and adolescents occur in school, where the average student spends nearly 20% of his or her waking hours during a calendar year. Despite the safer reality, school systems around the country reacted aggressively to prevent another Columbine. □ As a result, the majority of middle and high schoolers' spend a large portion of their day in a locked building with armed guards, video surveillance, and random inspections of their possessions.

Zero tolerance disciplinary policies, first established by the 1994 Gun-Free Schools Act to keep gang-bangers guns out of schools, were later expanded to include drugs, alcohol, and tobacco, as well as common misbehaviors such as fighting, defiance, or disobedience of school rules. However, research evaluating the effectiveness of zero tolerance has failed to uncover measurable improvement in terms of enhancing school safety. In fact, these policies have been found to breed a hostile school climate and a decline in academic achievement in the face of increased school exclusions.

In addition, public schools increasingly relied upon law enforcement officials to provide routine safety functions, an approach championed by President Bill Clinton in response to the late-1990s classroom carnage, which included a mass shooting at a middle school in his home state of Arkansas. With funding support from the federal Cops in Schools program, the number of School Resource Officers increased by 50% between 1999 and 2005.

Having law enforcement personnel on campus has led to the criminalization of student misbehavior -- what the ACLU has termed the [school-to-prison pipeline](#). Youngsters who might otherwise have had only a school disciplinary record are now saddled with an official record or arrest.

Sociologists Aaron Kupchik and Torin Monahan have been particularly critical of the shifting emphasis of school discipline:

"With the presence of police officers instead of (or in addition to) hall monitors, school security guards and assistant principals" all individuals who traditionally have handled discipline and who are paid by schools and report to the school principals" it is more likely now than in years past that students will be formally prosecuted rather than simply punished in house."

The change in approach has been seen in other areas than just security and sanctions. Out of concern for protecting a vulnerable population from harm, the rules pertaining to search and seizure in the context of a school setting were gradually relaxed. When it comes to conducting student searches, the courts have applied lower standards, replacing probable cause with reasonable suspicion.

All these policies and practices designed to promote a safer school environment have inadvertently created disciplinary procedures that are capricious, exclusionary, and excessively punitive. Although undoubtedly well-meaning, our approach to school discipline has become decidedly mean-spirited.

Given the range of negative repercussions that derive from a decidedly punitive disciplinary approach, some schools have instead opted for a restorative justice framework to handling school-based infractions. Rather than focusing so much on the person who is responsible, the restorative justice model emphasizes the person(s) who have been impacted or harmed. Instead of seeking measures to deter and punish wrongdoing, it features strategies to repair the harm that was created.

Several evaluations of the effects of adopting a restorative justice approach in schools have been quite promising. Most important, this philosophy on discipline fosters a positive school climate based on connectedness and trust, rather a negative climate based on suspicion and disrespect. In the long run, the positive approach leads to healthy, safer school environments in which the both intellectual growth and social development are immovably center-stage. At minimum, restorative justice lays a path toward restoring justice in school discipline.