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**AN EXAMINATION OF PUBLIC-SCHOOL DISCIPLINE POLICIES AND  
IMPLICATIONS FOR AFRICAN AMERICAN STUDENTS WITHIN A TEXAS  
SCHOOL DISTRICT**

DISSERTATION

Presented in Partial Fulfillment of the Requirements for  
the Degree Doctor of Philosophy in the Graduate School  
of Texas Southern University

By

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2022

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**AN EXAMINATION OF PUBLIC-SCHOOL DISCIPLINE POLICIES AND  
IMPLICATIONS FOR AFRICAN AMERICAN STUDENTS WITHIN A TEXAS  
SCHOOL DISTRICT**

Demeka Simmons, Ph.D.

Texas Southern University, 2022

Professor David Baker, Advisor

National data illustrates that the use of exclusionary discipline practices has resulted in disproportionality and overrepresentation in school discipline. Additionally, research also illustrates that African Americans have been overrepresented in exclusionary discipline at higher rates than their White counterparts. The purpose of this study was to determine if there was a statistically significant difference in the percent of exclusionary discipline practices between African American students and White students based on school district setting within Texas. The researcher analyzed archival data from 673 students in grades 3-12 enrolled in a Texas public school. The statistical tests used in the analysis of the research questions included Chi-Square and multinomial logistic regression analysis. The findings indicated that there was no significant relationship between student race and exclusionary disciplinary practices. Based on the results, a significant relationship was found to exist between student gender and exclusionary discipline practices. After controlling for gender, the findings revealed that there was no significant relationship between race and occurrences of exclusionary discipline practices of the school district in the study. However, in hypothesis three-part b controlling for

race, there was a significant relationship between gender and occurrences of exclusionary discipline practices.

Keywords: *exclusionary discipline, disciplinary alternative education program, zero tolerance*

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## VITA

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Major Field.....	Administration of Justice

## DEDICATION

I dedicate this dissertation to my strength, my bliss, my Lord and Savior, Jesus Christ. His unyielding grace and mercy over my life birthed tenacity and resilience to persevere in this journey through all the obstacles that have occurred during this journey we call life. I continue to give you all the honor and glory.

To the Simmons family, especially my virtuous grandmother Georgia Bell (McGowen) Simmons, who sacrificed her dreams, education, and so much more to commit her life to her children, grandchildren, and generations to come, this is for you. To my children and grandchildren, Jermicheal, La’Nia, Jalen, Bentley, and Bryliann, Mum, and Grandma MiMi love you all more than words could ever express. Thank all of you for sticking with me from the many miles traveled after completing my evening classes three times during the week. Now that we have completed this journey, you all have my word to be more intentional with my time of laughter and joy with each of you.

To my dad, Jeremiah, I want to thank you for being nothing short of the best dad a girl could ask for, although, you passed when I was 15, the lessons and time I had with you, my mum, and brother will never be forgotten. It is my prayer daily, although you all have passed away that I have made you, Mum (Brenda Faye), grandma (Georgia B.) grandma (Jessie Mae), and aunt (Aunt Linda Faye) proud!

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## **CHAPTER 1**

### **INTRODUCTION**

Historically, the idea of students of all backgrounds and walks of life receiving an equitable education has been a popular but false narrative in the United States. For example, although on May 17, 2019, the race and social justice community celebrated the 65th anniversary of *Brown v. Board of Education* (1954), arguably the most pivotal milestone in American education, school segregation continues to exist. Academic achievement data indicates that many African American children and youth are not the beneficiaries of changed educational practices. They continue to struggle to reap the benefits of the promises of the Brown decision (Anti-Defamation League, 2014).

Several researchers have examined how zero-tolerance policy and exclusionary discipline practices have created a pipeline between the school, juvenile, and criminal justice systems in the United States (Mowen & Brent, 2016; Cuellar & Markowitz, 2015; Maxine, 2018). In Texas for more than a decade school discipline served as a gateway to the criminal justice system in which one-third of all youth in a correctional facility had dropped out of school. Thus, many researchers noted that racial disparities in academic achievement and exclusionary school discipline have been persistent features of U.S. public schooling for decades (Curran, 2016; Gregory & Weinstein, 2008; Kinsler, 2011; Magnuson & Duncan, 2006). Texas Appleseed (2007) noted that more than 80 percent of Texas adult prison inmates are school dropouts with minority students disproportionately represented in exclusionary discipline practices. A consistent and much more openly discussed problem in American education is the academic performance gap between students of color and White students (Paige & Witty, 2010). African Americans and other

minorities have not experienced as much progress as their White counterparts, which is reflected by urban high school graduation rates and rates of disciplinary actions (Musu-Gillette et al., 2016). For instance, nationally the graduation rate for Black students decreased from 13 to 6 percent, and the White student graduation rate decreased from 7 to 5 percent (de Brey et al., 2019). In Texas, Black students comprise about 13% of the elementary school population and represented 47% of all pre-K through 5th-grade out-of-school suspensions (Craven, 2017). Consequently, a school-to-prison pipeline is possible with negative consequences for African American students' education and their communities (Kim, Losen, & Hewitt, 2010; Payne & Welch, 2010).

Do policy and practices in the educational and criminal justice systems work in a manner that results in a disproportionate number of African American students who are pushed out of school and into the prison system? Sixty-five years after *Brown v. Board of Education* (1954), the promise of equal access to quality education remains unfulfilled. Expulsion and suspensions in schools are one of the best predictors of who will drop out of high school, with African American students that are three times more likely to experience suspension or expulsion than their White peers. Moreover, Black students have a higher likelihood of experiencing both suspension and expulsion during their educational trajectory, than their White or Asian peers (Kewel et al., 2007). While *Brown vs. Board of Education* (1954) attempted to provide equitable access to schools for students of color, today it is often schools that act as gatekeepers to the successful matriculation of African American students. Zero-tolerance policy and exclusionary discipline practices have created structural inequality in the education sector, resulting in a decrease of African American students graduating and increasing the likelihood that

African American students will come into contact with the prison system. In the 1970s, suspension for minority students, more specifically, African American students, began to rise drastically. In 1975, The Children's Defense Fund published *School Suspension: Are They Helping Children?* a report that questioned disparities and the increase in in-school suspension and out-of-school suspensions (Skiba & Losen, 2016). Data from state and federal entities note a creditable trend of disproportionality in school discipline as it relates to African American students (Kim, Losen, & Hewitt, 2010; Skiba et al., 2011; Viadero, 2020). Smith (2009) described the school-to-prison pipeline as a prevalent trend of pushing marginalized students out-of-school and funneling them into the criminal justice system. For instance, youth who experienced a referral to juvenile probation from schools in 2015 included 25% Black, 53% Latino, 21% White, and 1% classified as others (Texas Appleseed and Texans Care for Children, 2016). Cardichon and Hammond (2019) and Texas Appleseed (2016) also noted that Black students comprised 40% of students suspended, however, they consist of only 16% of all public-school students with continued research and evidence illustrating that this is not because of worse behavior, but because of harsher treatment for minor offenses such as tardiness and disrespect, which has exacerbated racial disparities in Texas Public Schools.

The zero-tolerance policy is used to ensure that consequences are applied for all offenses regardless of how minor and or taken into consideration the rationale for the behavior. Zero tolerance became prevalent during the Reagan-Bush presidential years as the "war on drugs" became the nation's central focus and federal drug policy took a get-tough stance to raise awareness that certain behaviors would not be permissible. More specifically, the zero-tolerance policy became educational legislation through the efforts

of Democratic Senator Diane Feinstein in the early '90s and ultimately involved the Safe Schools Act and the Gun Free Act under President Clinton in 1993 (US S 854: Gun-Free Schools Act, 1993). The zero-tolerance policy was established as a policy that included expelling students who were found in possession of firearms on a school campus. Although it became evident that the zero-tolerance policy was ineffective as it relates to the “war on drugs,” the concept proliferated in public schools across the nation. Research has illustrated no significant rise in school violence in the late '80s, even though school districts throughout the country adopted zero tolerance to include infractions including weapons, drugs, gangs, classroom disruptions, smoking, and dress code violations (Skiba & Noam, 2001). In 1994, the federal government mandated a zero-tolerance policy nationally after the signing of President Clinton's Gun-Free Schools Act. The mandate included an expulsion to be one academic school year for possession of a weapon or a referral of students who violated the law to the criminal justice system (Cohen, 2016). The policy became the umbrella for many other discipline infractions that consisted of suspending and expelling students for absenteeism, disruptive classroom behavior, defiance, and fighting (Skiba et al., 2002; Mendez & Knoff, 2003; Reyes, 2006; Stahl, 2016).

A zero-tolerance policy that results in the use of exclusionary discipline practices that consisted of suspensions (in-school suspension or out-of-school suspension), expulsions, and district alternative education placement (DAEP) that removed students from the learning environment has lifelong implications on a student's trajectory. Research also suggests that students who are suspended or expelled suffer academically and are more likely to drop out and become involved in the criminal justice system later

in life. For instance, The Children's Defense Fund's report released in 1975, *Suspensions: Are They Helping Children* first brought the issue of racial disparities in discipline to national attention. Skiba and Williams (2014) noted that African American overrepresentation in out-of-school suspensions has progressively increased from the 1973 Office for Civil Rights data collection and estimates from the most recent release of the U.S. Department of Education's Office for Civil Rights that African Americans are about 3.5 times as likely to be suspended as White students. For instance, zero-tolerance policy and exclusionary discipline practices have been related to lower academic achievement (Beck & Muschkin, 2012; Mendez & Knoff et al., 2003; Skiba & Rausch, 2004), school dropout (American Academy of Pediatrics, 2013; American Psychological Association, 2008; Ekstrom et al., 1986), and involvement in the juvenile justice system (American Academy of Pediatrics, 2013; Balfanz et al., 2003; Fabelo et al., 2011; Nicholson-Crotty et al., 2009). Texas Education Agency Data for the 2018-2019 academic year noted that African American students accounted for 230,887 of the student population and White students were 260,119. However, 201 African American students accounted for Juvenile Justice Alternative Education Program enrollees as compared to 101 of their White counterparts (TEA-PEIMS, 2018-2019). Rafa (2019) noted in 2015-16 that approximately 2.7 million students in K-12 received one or more out-of-school suspensions, and over 120,000 students were expelled with or without educational services. This data, coupled with research illustrates substantial disparities in the application of suspension and expulsion based on race, gender, and disability. Meanwhile, in every state, Black students are more frequently pulled out of class, suspended, and/or violently arrested for vague and capricious reasons like "talking back"



or “having an attitude,” or are punished for what they look like or wear. Not only do these administrative actions rob students of their right to an education, but they also put them on a pathway to the criminal justice system. Black people account for 13% of the U.S. population, but they represent close to 40% of the combined state and federal prison population (Carson, 2020), and once Black youth have been pushed out-of-school several times for various discipline reasons, they often encounter the prison system where they become a part of more dismal statistics.

To make equal opportunity a reality, we must push our school districts and teacher education programs to ensure that all school employees and educators unpack their own biases and learn ways to build safe school communities rooted in restorative justice rather than harsh punishment and exclusion (Stevens & Evans, 2018). According to Townsend-Walker and Townsend (2014), racial disparities in suspension have resulted in discriminatory policies and practices in public schools and halted progress towards the fair, equal treatment of students that should have been a result of the Brown decision. Where can Black students feel safe, when the school system, prison system, and other entities view them as a potential threat? There is a distressing sociopolitical context that might contribute to the school-to-prison pipeline that results in discriminatory discipline practices, that in turn, have a direct connection to pushing students out-of-school into the criminal justice system.

### **Purpose of the Study**

This study explored factors that perpetuate the school-to-prison pipeline in a new outlook that contributes by providing an analysis of the implications of discipline practices within a Texas school district. Additionally, this analysis determined whether

and to what extent discipline and academic gaps adversely impact African American students within a Texas school district. Discipline practices are not new, although the national movement towards a zero-tolerance approach has negative implications for African American students and institutions (Morgan et al., 2014; Bland & Harwin, 2017). Bland and Harwin (2017) recently reported that data from the Department of Education's Civil Rights Database found a significant increase in racial disparities in arrests and referrals to police following the institution of zero-tolerance policies.

Scholars and advocacy leaders have responded to disciplinary practices and the school-to-prison pipeline. However, critical pedagogy research that examines race and disproportionate minority contact for juveniles within the criminal justice system is limited. The research questions that guide this study are designed to increase our understanding of the pipeline and how it shapes the life course of African American students.

### **Statement of the Problem**

Zero-tolerance policy and exclusionary discipline practices are not effective in promoting safer schools and have resulted in overzealous punishments that have caused more harm than good (Blackburn, 2016; Kang-Brown et al., 2013). Diliberti et al. (2019) conducted a recent report on crime, violence, discipline, and safety in U.S. Public Schools and found that, while discipline practices have become more punitive, they have not resulted in decreasing crimes or creating safer schools. Harsh punishments such as exclusionary discipline practices increase the likelihood of students dropping out and fuel the school-to-prison pipeline (Diliberti et al., 2019). For instance, Kang-Brown et al. (2013) pointed out that the zero-tolerance policy was created to discourage violence and

gun possession, however, Johnson and Williams (2020) found that only 5 percent of disciplinary actions in recent years involved the possession of a weapon. The increase in crime has been attributed mostly to Texas's most vulnerable students, who are unequally punished for disruptive, and unruly behavior (Johnson & Williams, 2020).

Types of exclusion include in-school suspension (ISS), out-of-school suspension (OSS), district education alternative placement (DEAP), and expulsions that result in the removal of students from instructional settings. From 2017 to 2018, black students made up 13% of the student population in Texas but received 33% of all out-of-school suspensions (Johnson & Williams, 2020). Additionally, it should be acknowledged that a school referral could potentially result in a student going from the classroom to the justice system as well as increase the likelihood of the student dropping out of school (U.S. Department of Education, 2015; American Psychological Association, 2008; Kang-Brown et al., 2013).

The history of zero-tolerance policy discipline in Texas dates back to 1992 when the State Board of Education implemented a zero-tolerance policy designed to address drug and school violence (Johnson, Wilson, & Green, 2015). Since then, in Texas, African Americans have been more likely than other students to be disciplined during their seventh to twelfth-grade years (Fabelo et al., 2011). In Texas, data was collected as it relates to several types of disciplinary actions including in-school suspension (ISS), out-of-school suspension (OSS), district alternative education placement (DEAP), Juvenile Justice Alternative Education Program (JJAEP), and expulsion, all of which illustrated disproportionality (Johnson, 2016). County-level data illustrates that Texas led

the U.S. in days lost to suspension: 882,360 days of instruction were lost to out-of-school suspension per 100 students in 2015-16 (Austin, 2018).

Texas Appleseed (2016) and Craven (2017) acknowledged that Chapter 37 of the Texas Education Code mandates when students are removed from their classrooms for discipline violations, and the offenses, which require removal must include assault, drug use, weapons violations, and other offenses that threaten student or staff safety. Texas Appleseed (2016) and Craven (2017) acknowledged that the Department of Education found that although African American children were 18% of the national pre-school population, they accounted for 48% of the suspensions. In Houston ISD, 70% of out-of-school suspensions given to Kindergarten through 2nd graders were issued to African American boys (Craven, 2017).

Suspensions and expulsions are considered a key touchpoint in the school-to-prison pipeline because students who experience expulsion have a greater likelihood of encountering the criminal justice system. Heitzeg (2016) indicated that the government is failing youth, especially the youth of color in schools as a result of a zero-tolerance policy as the policy has caused more harm and resulted in more juveniles becoming a product of the juvenile and criminal justice system. Mansoor (2017) conducted a question and answer with Dr. Reyes from the University of Houston about school discipline and the criminal justice system. It was noted that thirty-five percent of black men younger than 35 who did not complete high school are likely to go to prison, and high school dropouts are 20 times more likely than college graduates to be in prison. Thus, African American students tend to have a greater likelihood of encountering either the juvenile or adult criminal justice system. Pearman et al. (2019) claimed that there is growing interest

in the relationship between the racial achievement gap and the racial discipline gap. This research examined the relationship between exclusionary discipline and a student's race and gender within a Texas public school district for students in 3<sup>rd</sup>-12<sup>th</sup> grade.

### **Significance of the Study**

Racial disparities in school discipline and the juvenile justice system in Texas resemble national trends that appear to value exclusionary discipline practices over student achievement. Even though African American students comprise a small percentage of students, their negative experiences often undermine their chances of achieving the American Dream. Research indicates that although African American students are disciplined more often and more severely, the infractions are no greater than those of their White counterparts. Craven (2017) acknowledged that these biases have caused educators in some cases to punish African American students more harshly and more frequently than others for the same behaviors. The problem is finding solutions to address the disparities and prevent the pipeline. The significance of this study is to encourage policymakers to consider revising and or replacing the existing zero-tolerance and discipline practices which may essentially benefit all students regardless of their race, especially when it relates to closing the discipline and achievement gap for African American students. Thus, the study provides a greater understanding and direction for future research into the implications of exclusionary discipline practices and zero-tolerance policy as it relates to African American students' achievement and discipline disparities in a Texas school district.

This study is timely due to the recent increase of widely publicized confrontations between African American students and White adults in their respective classroom

settings. The school-to-prison pipeline has been characterized as a disciplinary system that criminalizes students, exacerbates academic gaps, leads to students' exit from school, and increases the likelihood of students' involvement in the juvenile-adult criminal justice system. Existing evidence also suggests that the Black-White gap in high school graduation is approximately 8 to 9 percentage points for those born in the 1980s (Heckman & LaFontaine, 2010; Murnane, 2013). Closing high school graduation gaps across different racial and ethnic groups are of concern to researchers and policymakers because attainment disparities carry significant implications for African American students' future economic well-being (Tamborini et al., 2015).

Since the introduction of the zero-tolerance policy and exclusionary discipline practices, Texas school districts, like thousands of districts across the nation, have implemented these practices and policies without a thorough analysis of the implications. This quantitative study encourages policymakers to assess the zero-tolerance policy to include discipline practices in schools as well as contribute to the growing body of literature by attempting to comprehend and offer reasonable recommendations concerning exclusionary discipline practice's impact on the graduation rates of African American students.

In addition, the study explored the implications of the zero-tolerance policy and attempts to move from current research that focuses on the individuals as independent agents that are essentially responsible for the size of the school-to-prison pipeline. Instead, this examination will delve into the school-to-prison pipeline as an interconnected and highly developed system in which African American students become trapped. Further, the study offers policy implications that could provide school districts

with an evaluation of current discipline policy trends for the assessment of discipline effectiveness in their respective districts. The introduction of the zero-tolerance policy and exclusionary discipline practices in Texas school districts, like many thousands of districts across the nation, has not provided enough information about how these policies impact students and educators in specific locales.

### **Research Questions**

For this study, the examination of the relationship between exclusionary discipline and the school-to-prison pipeline was guided by the following research questions:

RQ 1: Is there a significant relationship between student race (Black or White) and exclusionary disciplinary practices within a Texas public school district?

RQ 2: Is there a significant relationship between student gender (Male or Female) and exclusionary disciplinary practices within a Texas public school district?

RQ 3: Is there a significant relationship between student race (Black or White), student gender (Male or Female), and exclusionary discipline practices within a Texas public school district?

### **Statement of Hypotheses**

The following research hypotheses were formulated for the present investigation:

H1: There is a significant relationship between student race and the exclusionary discipline practices of the school district in the study.

H2: There is a significant relationship between student gender and the exclusionary discipline practices of the school district in the study.

H3a: Controlling for gender, race affects the exclusionary discipline practices of the school district in the study.

H3b: Controlling for race, gender affects the exclusionary discipline practices of the school district in the study.

### **Operational Definitions of Key Terms**

The following variables and terms are operationally defined to provide clarity and understanding relative to the focus of the present research.

1. Achievement Gap: The achievement gap refers to the disparity in academic performance between minority and low-income students and their peers. (Rowley & Wright, 2011). Academic performance is measured by standardized-test scores, course selection, and high school graduation rates, often highlighted with substantial performance gaps between Black and Latino students, at the lower end of the scale, and their White peers. In addition to racial disparities, there are similar academic disparities between students from low-income families and students from higher-income families (Paige & Witty, 2010; Nasir, 2012).
2. Critical Race Theory: An academic discipline focused on a critical examination of society and culture, through the intersection of race, law, and power (Alexander, 2010; Ladson-Billings, 1998). "Race is a social construction that exists for separation and stratification of the dominant group" (Crichlow, 2015).



3. Disciplinary Alternative Education Programs (DAEP): The Disciplinary Alternative Education Program (DAEP) provides an educational placement for students who have been removed from the traditional school setting due to weapons, drugs, acts of violence, or at the administrator's discretion for repeated disruptive behavior, disrespect, truancy, etc. in the regular school setting (Booker & Mitchell, 2011).
4. Discipline Gap: The discipline gap refers to minority students and students with disabilities who receive discipline referrals and harsher consequences at a disproportionate rate when compared to their White peers (Skiba et al., 2011; Townsend, 2000; Welch, & Payne, 2010).
5. Exclusionary Discipline: "Creating practices that remove students from instruction such as suspensions and expulsions" (Texas Association of School Board, 2019).
6. Expulsion: banning a student for at least one calendar year (Gagnon et al., 2016).
7. Pushout: School pushout refers to harsh discipline policies that push students out of school with excessive out-of-school suspension and expulsion (Gregory, Skiba, & Noguera, 2010).
8. School to Prison Pipeline: The "school-to-prison pipeline" refers to the policies and practices that push students out of schools and into juvenile and criminal justice systems (Kim, Losen, & Hewitt, 2010). Factors involved with the school-to-prison pipeline include inadequate access to quality schools, disparate discipline practices, disciplinary alternative school settings, and

criminal justice system involvement that may act as barriers to returning to traditional public schools (Alexander, 2010; Fowler, 2011; Kim, Losen, & Hewitt, 2010; Smith, 2009).

9. Suspension (In-School Suspension-ISS & Out- of School Suspension-OSS):

The Texas Education Code (TEC) Chapter 37 outlines the circumstances under which a student may be removed from the classroom. TEC, Section 37.002 authorizes a principal to place a student in ISS or OSS, another disciplinary setting when removed from the classroom (Texas Association of School Board, 2019).

10. Zero Tolerance: Zero Tolerance policies were originally introduced to school districts as a means of ensuring safe campuses as it relates to weapons, drugs, and violent acts on school grounds (Skiba & Peterson, 2000). Over time, however, zero tolerance has come to refer to school or district-wide discipline policies that mandate predetermined, often harsh punishments (such as suspension and expulsion) for a wide range of school policy violations that go beyond weapons, drugs, and violence (Noguera, 2003; Skiba & Peterson, 2000).

### **Organization of the Study**

This dissertation is structured to introduce the study and illustrate the effects of discipline practices on African American students. Chapter 1 presents the development of the phenomenon of the academic performance gap between African American students and their White counterparts as it relates to the school-to-prison pipeline, and how disciplinary practices have permeated the American-Texas school system. The chapter

provides historical and contemporary information that is essential to understanding the intersectionality of race, disciplinary practices, and the school-to-prison pipeline. Chapter 2 provides a review of relevant disciplinary research and the theoretical framework that guides the study. It includes prior studies of the relationship between disciplinary practices and educational outcomes for African American students. Chapter two concludes with a summary of research about how the prison system has infiltrated the school in the form of policies, such as zero-tolerance policy and exclusionary practices. Chapter 3 presents the research methodology and includes the research questions, operational definitions of study variables, description of the sources of data, statistical analyses, as well as the strengths and limitations of the study. The dataset includes school achievement, school discipline, as well as the life outcomes for African American students in a Texas school district. Chapter 4 presents the study findings. This dissertation concludes with chapter 5 summarizing the study findings, and recommendations for policy, practice, and future research.

## **CHAPTER 2**

### **LITERATURE REVIEW**

Historically, the educational experience for African American students has been one of marginalization and racially fueled policies and practices that paved the way for the current educational status of African American students. The past several decades provide evidence of the potential negative implications of exclusionary discipline practices as they relate to African American students' achievement gaps, which have garnered increased attention from educational leaders, policymakers, and researchers (Losen & Martinez, 2013; Skiba et al., 2011; Steinberg & Lacoce, 2017). Additionally, there is a preponderance of evidence that exclusionary discipline approaches are used disproportionately across student race and gender (Blake et al., 2011; Brown & Tillio, 2013; Curran, 2016; Losen & Martinez, 2013; Losen & Skiba, 2010; Pearman et al., 2019). The Children's Defense Fund (1975) published one of the earliest reports documenting the overrepresentation of Black students' in-school suspensions. Since then, multiple studies have reported similar results. For example, Rocque (2010) found evidence of a Black-White disciplinary gap in disciplinary referrals, and Costenbaldler and Markson (1998), Gregory and Weinstein (2008), and Skiba et al. (2014) reported racial disparities concerning in and out of school suspensions.

This quantitative research study examined the intersection of race and disciplinary practices as it relates to the school-to-prison pipeline and the implications for African American students in a Texas public school. There is limited research as it relates to the correlation of race, critical pedagogy, and disproportionate minority contact for juveniles within the criminal justice system.

For instance, many scholars suggested how there is a critical need for more research on effective approaches to close academic gaps and readdress discipline practices that reify racism in schools and classrooms (Gregory et al., 2016). The present research study will incorporate the “zero tolerance policy” and the exclusionary disciplinary practices as they relate specifically to African American students. The present investigation will explore the demographics of African American students who experience exclusionary discipline and how this impacts their ability to succeed academically. Next, the school-to-prison pipeline demographic trends concerning the use of suspension and African American students who may have been “pushed-out” will be addressed as part of this study. Finally, the limitations of the extant research and the need for further investigation will be analyzed. Many studies have been developed to understand the rationale behind why students are not matriculating through high school graduation. The primary goal of this study was to raise awareness as it relates to the revisiting-eradicating zero-tolerance policy, and exclusionary disciplinary practices. In conclusion, this study will focus on a Texas Public School District and its possible implications as they relate to the criminal justice system.

### **Historical Background**

Research on school discipline practices, including exclusionary discipline, dates back to the early 1970s (Morgan et al., 2014). Nearly 40 years after the zero-tolerance mandates, Ladson- Billings (1998) noted that inequalities in educational attainment, school punishment, and discipline (e.g., zero-tolerance policy) are pipelining African American students to what has been referred to as the school-to-prison pipeline. Curtis (2014) and Busby, Lambert, and Lalongo (2013) criticized zero-tolerance policies for

their failure to curb violence in schools, the disproportionately adverse effects on minority students, and how the policy contributes to increased rates of recidivism. Despite being a small percentage of many school districts' populations' African American students accounted for the largest demographic experiencing exclusionary discipline for relatively minor infractions as well as the achievement gap (Kim, Losen, & Hewitt, 2010). Furthermore, the Anti-Defamation League (2014) and The U.S. Department of Education Civil Rights Division (2014) noted. that Black students are suspended and expelled at a rate three times greater than that of White students. Since the introduction of the zero-tolerance policy and exclusionary discipline practices, Texas school districts, like thousands of districts across the nation, have implemented these practices and policies without a thorough analysis of their implications. For instance, low academic achievements or unsupportive environments may lead to disciplinary referrals and push students out-of-school, which increases their likelihood of not embracing the pathway to graduating high school, attending college, and/or trade schools, but increases their chances of coming in contact with the criminal justice system.

### **Theoretical Framework**

Two theories were utilized in this investigation Critical Race Theory and Critical Pedagogy as it relates to the academic success of African American students in graduating high school. In addition, to critically examine the research, it is imperative to do so from the lens of analyzing policies in school and analyzing disciplinary gaps through the lens of Critical Race Theory and Critical Pedagogy. Operationalizing the research questions and analyzing data through two theoretical frameworks, will assist with the structure of the study.

## **Critical Race Theory**

Conceptualized by scholars and theorists Bell (1976) and Delgado (1989) Critical Race Theory (CRT) was developed in the 1980s by scholars of color who responded to critical legal studies and civil rights scholarship. Critical Race Theory, no longer restricted to the legal domain for scholars, encompasses a broad range of researchers and fields (Rabaka, 2006). DeCuir and Dixon (2004) affirmed CRT as a method of qualitative analysis when investigating the experiences of Black students in a predominantly White school. Ladson-Billings (1994) indicates that CRT is grounded in eradicating all forms of racism, racial subordination, and discrimination. Delgado and Stefancic (2001) posited that CRT emphasizes the socially constructed nature of race and asserts judicial conclusions to be the result of the workings of social phenomena but perceives race as an essential factor. As it relates to Critical Race Theory, Ladson-Billings and Tate “proposed that Critical Race Theory (CRT) is a framework that was developed by legal scholars, however, could be employed to examine the role of race and racism in education” (Dixson & Rousseau, 2005, p. 8), so this further informed the current use of Critical Race Theory with the research. The tenant of Critical Race Theory that describes racism as pervasive (Ladson- Billings, 1999) was the underpinning of the study. CRT regards racism as so deeply embedded in society that it is often overlooked and viewed as ordinary (Delgado, 2009).

Critical Race Theory has been applied to determine the history of how race and racism have manifested with the Pre- K-12 pipeline, and most importantly, the work has enabled individuals to engage in often difficult challenges within the classroom as it relates to the context of the zero-tolerance policy as well as the community work

(Ledesma & Calderón, 2015). Additionally, Critical Race Theory offered tools that would allow one to engage these concerns in the framework of policy as well as highlight the prevalence of racism throughout education (Ledesma & Calderón, 2015). The tenets of the Critical Race Theory framework note that race should be the center of discussions as it relates to equity and justice. The tenants used for this analysis are 1) the intersectionality of race and racism with gender, class, sexuality, and other forms of subordination in maintaining educational inequality; 2) the challenges of the dominant ideology regarding culture and intelligence, language and capability, meritocracy and objectivity; 3) the commitment to social justice and the Freirean notion of critical consciousness; and 4) the utilization of any interdisciplinary approaches that analyze and articulate the linkage between social inequality and schooling (Solorzano & Yosso, 2002). Critical Race Theory informed the research because race, along with student gender, was a variable when determining the impact as it relates to exclusionary discipline. Delgado and Stefancic (2001) noted CRT regards racism as being deeply embedded in society that is often overlooked and viewed as ordinary and ingrained within the systems of American society.

Additionally, policies and practices may not necessarily target members of a race, but if they disproportionately impact members of a given race; they are viewed as functions of institutionalized racism. In addition, Critical Race Theory informed the research as it relates to analyzing policy in Pre-K-12<sup>th</sup> that impacts communities of color in disparaging ways. CRT was used to critique curricular practices, tracking procedures, teacher expectations, and intelligence testing (Solorzano & Yosso, 2002). Schools have policies and practices in place that are embedded in racism. However, it seems Critical



Race Theory has become an increasingly permanent solution for educational researchers aspiring to critically examine educational opportunities, school climate, representation, and pedagogy. For CRT to continue being fruitful as it relates to shifting the paradigm, it is recommended that enriched dialogues continue that will equalize the educational opportunities for students of color (Ledesma & Calderon, 2015). Institutional racism functions in a manner that is often considered subtle in contrast to the blatant bigotry of the past (Alexander, 2010). Therefore, Gilborne (2006) and Ladson-Billings (1999) asserted that racism is illustrated by the outcome of practices, and not evident by intent. Fundamentally, policies and practices may not have targeted members of a certain race; however, if they disproportionately impact members of a certain race, this is viewed as a function of institutionalized racism.

Through the lens of Critical Race Theory this could be powerful as one investigates the current state of public education today, 66 years after Brown, when schools are more segregated than ever before. Moreover, as we know from experience, a policy is fundamentally needed when it pertains to influencing the school climate; so, Critical Race Theory informed the research to analyze the impact of policies regarding Pre-K-12 education, especially when it relates to examining the impact of policies like zero-tolerance-policy. It should be noted that critical pedagogy has its roots within critical theory. One of the central figures that contributed to critical pedagogy is the Brazilian educationalist Paulo Freire. He contributed to both its theoretical and practical development. One of his significant contributions was a discussion about critical consciousness, *conscientizacao*, as consciousness beyond understanding which leads to action (Freire, 1970).

## **Critical Pedagogy**

A major factor of retention is student engagement in the classroom, which can be impacted by course design and instruction. As it relates to Black and Brown students, who experience exclusionary discipline at a higher rate than their White counterparts, previous research shows that the likelihood of suspensions for Black students declines when they are taught by a large population of Black teachers. Critical pedagogy aims to value all students' experiences through six elements of course design and instruction: decreasing teacher power, student self-reflection, dialogue, student voice, critical analysis, and action. Critical pedagogy is a theory regarding classroom practice. Critical education theorists have argued that: "School knowledge should have a more emancipatory goal than churning out workers...School knowledge should help create the conditions productive for student self-determination in the larger society that can only be achieved when class society is abolished" (McLaren, 2015, p. 211).

Critical Pedagogy notes the importance of students from marginalized communities having the ability to connect with teachers to be challenged about social inequalities that impact as well as enable them to become the agents of change in their respective communities. Critical Pedagogy informed the research because it notes the importance of marginalized communities-students successfully having the opportunity to engage in a learning environment that will enable them to become agents of change versus participants within special education assignments and exclusionary discipline consequences (Waitoller & King, 2016; Welsh & Little., 2018).

Ladson-Billings (1999) remarked critical pedagogy is concerned with transforming the power of education for individuals and society for the purpose to create

a more equitable and just society for everyone. Critical Pedagogy informed the research because it noted how reimagining the relationships between teachers, students, and the established knowledge that is being taught in the classroom could increase students' engagement and lessen defiance in the classroom. Moreover, Critical Pedagogy informed the research because when students are disengaged and defiant in the classroom, this results in referrals that essentially increase their risk of entering the school-to-prison pipeline (Rivers, 2020). Moreover, McLaren defines critical pedagogy as a way of thinking about, negotiating, and transforming the relationship between classroom teaching, the production of knowledge, the institutional structure of the school, and the social and material relations of the wider community, society, and nation-state (McLaren, 2014).

Additionally, Critical Pedagogy offers teachers practices and guidelines for countering existing conditions and achieving social transformation as critical agents of change. Student discipline is unique from academic achievement insofar as disciplinary referrals are about teachers' perception of student behavior and are thus strongly subject to the teachers' conscious and unconscious biases (Milner, 2013). Discipline referrals are as much, if not more grounded in teachers' and other school personnel's perspectives of the severity of the student's misbehavior as they are in the objective severity of the student's behaviors (Annamma et al., 2019). This will essentially allow students to participate in their learning as opposed to ultimately being problematic and later sent to the office for disruptive behavior, which often has consequences that include exclusionary discipline.

Fundamentally, students should have the full freedom to question and assert one's voice; this freedom is central to the purpose of education. Critical Pedagogy informed the research because, as Paula Freire noted, education can serve as a vehicle for social and economic transformation, which, as noted previously when students are sent to the office, they are missing invaluable classroom instruction. In addition to missing invaluable instructional hours, this increases their chances of experiencing exclusionary discipline, which also increases their chances of entering the school-to-prison pipeline (Jemal, 2017).

Critical Pedagogy further informed the research because the pioneer Paul Freire firmly believed that educational change must be accompanied by vital changes in the social and political structures in which education takes place. In the case at hand, it is vital to understand that the zero-tolerance policy that was designed to address violations such as bringing a firearm to school is now used to justify sending students to the office with referrals for being defiant. After so many defiant referrals a student will receive some form of exclusionary discipline, which increases the student's chances of entering the school-to-prison pipeline. Giroux (2013) recognized that Paulo Freire's work regarding critical pedagogy identifies the conditions in which students learn how to read and write as well as learn and master how to incorporate the basic concepts of literature, the arts, science, philosophy, social theory, and the applied disciplines.

Critical pedagogy offers and informs the research as it relates to teaching practices and guidelines for schools' maintenance of the status quo and for achieving social transformation in solidarity with historically marginalized communities. Frequently, Black children are negatively impacted in schools because of school staff that

typically have the power to label, classify, and define, who often do not always have marginalized children's best interests at heart. Foiles noted White teachers internalized racist beliefs they relate to Black and Latinx children. Moreover, researchers concluded that internalized racist beliefs held by White teachers are a primary contributor to the disproportionate rate at which Black and Brown students are disciplined as compared to their White counterparts (Hancock & Warren, 2017). In compassion to their White counterparts, Black students experienced the harshest and most exclusionary forms of school discipline (Carter, 2018; Gregory et al., 2010).

By using Critical Race Theory and Critical Pedagogy lenses to inform the research, this analysis focuses on the student experience as well as noting a historical and contextual account that analyzes the educational experiences and data trends of African American students in a Texas school district. Many students who have behavioral issues are acting out in response to stressful or unsafe conditions that may exist in their respective homes and/ or neighborhoods. Therefore, issuing exclusionary discipline such as OSS places them in the very environment(s) that may be problematic or unsupervised, and may cause more harm. For example, while the students are serving suspension or expulsion, they are more likely to engage with other students that may be removed for the same if not similar offense or engaged with individuals that may have already come in contact with the criminal justice system. With the application of the theory and teaching philosophy, the researcher will note institutional factors that impact African Americans being pushed out of public schools and essentially pipelined to the criminal justice system. The relationship between race can be explored through CRT and critical pedagogy (CP).

## **Race and Zero Tolerance Policies**

### **History of Zero Tolerance Policies**

Zero-tolerance policies as defined in the previous chapter were instituted in American public schools over 20 years ago to address discipline reforms in the 1990s. Since then, zero-tolerance policies have generated research, criticism, and discussion about their effectiveness in improving discipline, they are doing very little to deter violence in schools, and their adverse impact on minority students (Busby, Lambert & Lalongo 2013; Curtis, 2014). Bouchein (2015) and TABSE (2019) acknowledged the negative implications of zero-tolerance policies for public-school students, especially African American and special education students. Riddle and Sinclair (2019) found biased administrators or local voters often use their sociopolitical power to support policies (e.g., zero-tolerance policies or random drug sweeps) that disproportionately punish students of color. Zero tolerance has created what we have come to know as the pipeline between schools and the criminal justice system.

Zero tolerance policies adversely affect African American learners in school settings nationally. The use of this practice has been noted as the underlying cause of minority students and special education students being funneled through the criminal justice system. The Gun-Free Schools Act of 1994 embodied a framework that mandated states to expel students who bring firearms to school. Although initially intended as a response to serious offenses (e.g., selling drugs or engaging in gang-related fights on school grounds) to ensure safety at schools, in recent years zero-tolerance policies have been applied for minor offenses (e.g., being disrespectful or talking back (Flannery, 2015). Bouchein (2015) pointed out that numerous schools expanded their use of zero-

tolerance policies not only to include what was mandated by the law but also to apply this to other school infractions (e.g., student violence and drugs). Steinberg and Lacoé (2017) pointed out that the initial zero-tolerance policies were to remove disruptive students so that school campuses' climate, as well as safety concerns, would be addressed to allow teachers and students to have a safe learning environment. However, research has noted that the effect was otherwise. For instance, it was noted that middle school campuses expelled Black students at four times the rate of White students and Latino students at two times the rate (Loveless, 2017). The Civil Rights Data Collection Report for the 2015-2016 school year noted that African American students represented approximately 15% of the total students in the U.S. public schools; however, African Americans were 31% of those referred to law enforcement or arrested (CRDC, 2016; TABSE, 2019).

Steinberg and Lacoé (2017) revealed that students at campuses with high suspension rates reported feeling less safe than those on campuses with similar students' lower suspension rates. Steinberg and Lacoé (2017) avowed that research from the Association Zero Tolerance Task Force determined from 10 years of research that exclusionary discipline policies have not reduced school violence and have not had the wavering results of ensuring schools are safer.

Contrary to the negative implications as they relate to African American students and ZTP, some researchers believe ZTP is fulfilling the desired results just as it did when implemented in the 1990s. Ujifusa (2018) and Vara- Orta (2018) expressed that Betsy Devos, the former Secretary of Education believes rescinding the 2014 Obama Discipline Guidance will make it clear that the classroom teachers and local school leaders will have

the autonomy to discipline as they believe necessary without fearing costly civil rights investigations.

### **Zero Tolerance Policies and Discriminatory Practice**

As previously mentioned, the zero-tolerance policy is a systemic contributor to the sequence of events that many describe as the school-to-prison pipeline. In fact, many of the provisions noted under the zero-tolerance policies warrant suspension and expulsion of students who are found to have violated the policies, which often enable school districts to pursue criminal or juvenile justice involvement. Zero-tolerance policies were derived from the nationwide war on drugs. By the late 1990s, zero-tolerance policies emerged in the school system, with an intended focus on deterring the possession of weapons on campus. In addition, the myth of a class of genetic “super predators” can be said to have originated in 1965. The term “super predator,” which was coined by Princeton University professor John DiIulio (Bouchein, 2015; Boghani, 2015), evolved as a label for young Black males, DiIulio also claimed in 1995 and 1996 that America was facing a looming threat from a population of young Black boys who were “Godless” and “alien” and who can “kill or maim on impulse without any intelligible motive” (Bouchein, 2015; Boghani, 2015).

With a perceived notion that youth were becoming increasingly violent, many legislators concurred that something must be done; therefore, the Gun-Free Schools Act of 1994 was signed and passed into law (Cerrone, 1999). The passages mandated that all schools adopt zero-tolerance policies for infractions involving weapons present on school campuses. For instance, it was clearly articulated that school districts receiving Title 1 funding must adhere to the guidelines, with one of the non-negotiable guidelines being



expulsion for a minimum of one year as well as a referral to the juvenile or criminal justice system if a student was found in possession of a gun (Bouchein, 2015; Curtis, 2014).

Correspondingly, the adoption of the zero-tolerance policy by schools roughly began in the early 1990s with media overrepresentation and dramatization of youth violence. For instance, it was noted that media overrepresentation was a pressing concern that created an image of youth as “superpredators” (Bouchein, 2015; Boghani, 2015). According to Cardichon and Hammond (2019), exclusionary discipline because of zero-tolerance policies adopted at the local and state level was initially intended to deter students from engaging in violent or illegal behavior because of the consequences. Additionally, stringent zero-tolerance policies have been extended and applied to non-violent offenses as well as most subjective offenses (American Psychologist, 2008).

On the contrary, Ujifusa (2018) avowed that President Trump created the School Safety Committee because of the Parkland Florida school incident in which the campus allegedly concealed many discipline infractions to prevent Civil Rights Investigations, and as a result, the shooter was given a Federal Commission on School safety report. Thus, the Trump administration officially rescinded the Obama-Era School Discipline as a direct result of the Parkland Florida shooting, with many civil rights advocates noting this was unrelated to the issue of exclusionary discipline and students of color (Rafa, 2019). It was further confirmed that superintendents feared they would lose federal funds in the pressure to adopt discipline policies that appear to undercut teacher authority and allow parents to note their perspectives as they relate to school discipline and school safety (Eden, 2018).

Balingit (2018) recognized that teachers and administrators have been unfairly blamed for the discipline disparities, whereas Eden (2018) asserted that the disparities are evidence of a much larger problem, such as a student's socioeconomic status and whether they reside in a two-parent household. Eden (2018) further acknowledged that, after the rescinding of Obama Discipline Guidance 2014 by the Trump administration, parents, teachers, and local school boards will be able to pursue sensible discipline policies.

Miller (2019) insisted a major reason for the rescinding of the Obama Discipline Guidelines that were implemented in 2014 was the desire to address the racial disparities that existed because of zero-tolerance policies that ultimately increased the use of exclusionary discipline practices. Additionally, Miller (2019) disclosed that the primary reason for the change was the result of researchers arguing that disparities in discipline existed between Black and White students. Moreover, many have observed the disproportionate application of school discipline and punitive policies to students of color as a step toward the cradle-to-prison pipeline (Bristol & Mentor, 2018; Britton, 2021a; Britton, 20201b).

### **History of Zero Tolerance Policies and Implemented Practices to Eradicate the Use of this Practice**

Pearman et al. (2019) maintained that the Civil Rights Data clearly illustrated discipline gaps and highlighted the adverse impact zero-tolerance policies have had as they relate to African American students and the criminalization of this student group. There is a considerable amount of research indicating that zero-tolerance policies and the use of exclusionary discipline for nonviolent behavior are ineffective in changing student behavior and creating a safe learning space for all students (Pearman et al., 2019).

According to Curtis (2014) and Bouchein (2015), during the academic school year 1996-1997, 79% of public schools had implemented zero-tolerance policies to address student violence. Additionally, 94% of policies or applications of those policies involved student possession of firearms, 91% for weapons pertaining to items other than guns, and 88% for drugs (Bouchein, 2015; Curtis, 2014). The study also revealed that after the implementation of zero tolerance this measure was also used for discretionary offenses such as insubordination, truancy, and disrupting class (Fowler et al., 2011). Consequently, as zero-tolerance policies were used in a manner that did not distinguish between nonviolent and violent offenses, the American Bar Association noted that schools somehow gained the ability to discipline and punish more students harshly (Bouchein, 2015).

Instead, Kamenetz (2018) suggested that the question is whether the government's decision to rescind Obama Discipline Guidance would bring back the days of zero tolerance. Correspondingly, Harper et al. (2018) performed an analysis for NPR of the federal data by Child Trends that illustrated suspension declined with the Obama Discipline Guidance of 2014, but Black high school students were still twice as likely to be suspended nationally. In the same way, many individuals fear that without federal government intervention there may be little to no pressure for change in states such as Texas, which experienced an increase each year as it relates to suspension from 2012 to 2016 (Harper, 2019).

Visibly, discipline practices have been a topic of research dating back to the early 1970s. However, the national movement is also known as the Superpredator scare, which involved criminologists in the 1990s predicting a coming wave of "superpredators."

Many researchers believe this frightening imagery was racially coded (Equal Justice Initiative, 2014), so it is vital to explore this new phenomenon in education. In the same way, Cardichon and Hammond, (Equal Justice Initiative, 2014) upheld that zero policies that apply strong punishments often consist of removing a student from campus with the consequence of suspension or expulsion. Thus, this prediction of students as young as those in elementary school carrying guns, as opposed to lunches, may have exacerbated the issue drastically, as an increase of African American students experienced more consequences associated with the exclusionary discipline (Kamenetz, 2018; Bornstein & Miller, 2019).

### **Race and Exclusionary Discipline**

Among the conspicuous unforeseen consequences of the use of exclusionary discipline practice is the notion that this practice mirrors the school-to-prison pipeline. Bland and Harwin (2017) reported data from the Department of Education's Civil Rights Database that illustrates a significant increase in racial disparities for Black student arrests and referrals to the police. Similarly, de Brey et al. (2019) recorded that Black children represented 15 percent of all students during the 2015–16 academic school year, while they represented 31 percent of students arrested or referred to police for their behavior on school campuses. Many other studies are illuminating the detrimental effects of school discipline policies and practices as they relate to African American students. Steinberg and Lacoé (2017) discerned those racial disparities in suspension begin as early as preschool, with Black students comprising 18% of enrollees in preschool, and they represent 48% of preschool children receiving one or more suspensions.

Comparably, Massar et al. (2015) realized out-of-school suspensions are used more often than any other consequence for various reasons in public schools within the United States. According to Nowick (2018) and Cardichon and Hammond (2019), it has been documented in the past three decades that African American students, especially African American males, are overrepresented among those subjected to exclusionary discipline, particularly, suspension and expulsion. For instance, it has been verified that children of poverty, as well as students with academic issues, are overrepresented as it relates to exclusionary discipline.

Equally, Steinberg and Lacoé (2017) asserted that Black and Hispanic students are more likely than White students to receive suspension or expulsion for minor offenses such as inappropriate verbal language. For example, the study illustrated that county-level estimates of racial bias were evident in data from approximately 1.6 million visitors to the Project Implicit website, which noted racial disciplinary disparities across approximately 96,000 schools in the United States covering around 32 million White and black students (Riddle & Sinclair, 2019).

Similarly, the U.S Department of Education Office for Civil Rights (2018) discovered that during the 2013–2014 school year, Black students from pre- k to 12<sup>th</sup> were 3.8 times as likely than White students to have one or more out-of-school suspensions. The data showed that among students from Pre-K to 12<sup>th</sup>, 6% received one or more out-of-school suspensions, however, the percentage differed by race and gender with 18% for Black boys, 10% for Black girls, 5% for White boys, and 2% for White girls. Furthermore, the data revealed that Black children constituted 19% of preschool

enrollment; however, they consisted of 47% of children receiving one or more out-of-school suspensions.

Likewise, the research reflected that the use of zero tolerance with strong punishment is overutilized because many districts and schools are applying these policies to nonviolent offenses and subjective offenses such as talking, excessive tardiness, or truancy. Cardichon and Hammond (2019) and Bouchein (2015) corroborated that after the implementation of zero-tolerance policies the suspension rate increased nationwide with 3.5 million students being suspended within the academic school year. Specifically, in 1974 1.7 million students were suspended annually from public schools in the United States, and by 2011-2013 that number had doubled, resulting in almost 3.5 million students (Bouchein, 2015).

Bouchein (2015) conducted a study comparing disciplinary approaches as they relate to zero-tolerance policies, which appear to be a direct reflection of exclusionary discipline in the Maryland and Texas Public Education Systems. Bouchein (2015) selected the two states of Maryland and Texas due to the states' recent revision of their discipline policies as well as the fact that both states have a diverse student population. It was discovered that suspension rates dropped for both states for all races; however, the racial disparities have increased and remained unchanged in both states. For instance, Black students' risk of facing exclusionary discipline compared to their White counterparts increased in Maryland from 2.4 to 3.0 and in Texas from 4.3 to 4.9 (Bouchein, 2015). The study found that Maryland and Texas implemented policies that reduced suspension rates but that continued disparities among Black students.

Conversely, Ujifusa (2018) noted AASA, the School of Superintendents surveyed 950 school districts leaders and found that only 16% of school districts had modified their discipline practices because of the 2014 Obama Discipline Guidance with less than 1% of the respondents noting a negative impact on school personal ability to administer discipline while 7% percent noted a positive impact. Vara-Orta (2018) claimed Betsy Devos, former Secretary of Education believed that every student has a right to attend a school that does not discriminate and one that does not treat them as statistics. However, she believed that the Obama discipline guidelines led to negative implications for campuses. For instance, she indicated that teachers and advocates felt the discipline guidance resulted in decisions based on a student's race, and statistics became more important than students' and teachers' safety (Vara- Orta, 2018).

Epstein (2014) agrees that the zero-tolerance policy may have led to punishments that fail to fit the violation and believes that it may be fair to ask if the zero-tolerance policy is logical in an educational context. Epstein (2014) further mentioned that the Department of Education may have erred in arguing against the policy merely based on disparate impact. Epstein (2014) concluded that zero-tolerance policies often prove conducive when the school setting is clear about the policies. For instance, if the policy embedded suspension for a student who is found in possession of a gun or drugs this allows students to note the consequences and encourages them to behave appropriately.

Additionally, Bouchein's (2015) study also predicted that one in three students from kindergarten through 12<sup>th</sup> grade would experience some type of exclusionary discipline. Bouchein (2015) found that when suspension was used, and the infraction did not involve a weapon (e.g., insubordination), the suspension tripled the student contact

with the juvenile justice system. In other words, when exclusionary discipline such as in-school suspension and out-of-school suspension was used for minor infractions, this action increased the students' chances of entering the juvenile justice system. Losen et al. (2015) deduced that with the increased use of exclusionary discipline 18 million days of instruction were lost annually.

### **Discriminatory Practices as They Relate to AA students**

Research regarding exclusionary discipline more specifically, suspensions among African American students have consistently found negative and unintended consequences for this subgroup. Actually, TABSE (2019) posited that African American students had a high attendance rate; however, their learning was compromised as it relates to ISS and OSS. For example, the student count for out-of-school suspension was 402,373; however, African American students consisted for 32% (131,474) of this number for the 2016-2017 academic school year compared to 14% (57,765) for White students. TABSE (2019) also asserted that younger African American learners' experience with exclusionary discipline was worse. In the United States, African American students represented 18% of preschool student enrollment; however, 48% of this age group experienced out-of-school suspension more than once. In Texas, African American children represented 14.9% of the total preschool student enrollment and accounted for 37.8% of students who received more than one out-of-school suspension. Similarly, Losen et al. (2015) disclosed that students of color are suspended from school for minor offenses that do not pose a serious threat to school safety, with several studies noting African American students receive suspensions for less serious violations in comparison to their White peers.



On July 3, 2018, the Trump administration chose to rescind the guidance despite the research and studies illustrating the effectiveness of these efforts. Gillette et al. (2018) noted that efforts to make schools safer based on the implementation of the Obama administration series of guidance proved conducive to the National Center for Education Statistics' Indicators of School Crime. Additionally, the 2017 survey illustrated that the nation's schools are becoming safer, with a reduction from 85-89% between 1999-2000 and 200-2010, which compares to a 2015 survey that notes a 79% reduction (Gillette et al., 2018).

Alternatively, Cardichon and Hammond (2019) reported on December 21, 2018, that the Trump administration rescinded this guidance despite a substantial body of research illustrating that zero-tolerance policies and exclusionary discipline practices for nonviolent behavior are largely ineffective as they relate to changing student behavior and creating safe learning spaces. Additionally, Cardichon and Hammond (2019) confirmed that there has been much research on discriminatory discipline practices and their negative implications as they relate to students of color. Cardichon and Hammond (2019) and TABSE (2019) also substantiated that African American youth are far more likely than other students to be suspended and expelled. For instance, African American males in Texas represent 6% of students enrolled in public school, but they represented 30% of students who were suspended. This is compared to White male Texas students who represented 24% of students enrolled in public school, but they represented 16% of those who were suspended.

In the same way, TABSE (2019) data collected from the Civil Rights Data Collection clearly illustrates a problem as it relates to exclusionary discipline and the

criminalization of African American students, which has resulted in the promise of education for this population becoming one that has no promise and is broken. Massar et al. (2015) conducted an evaluation of 1,840 public middle schools in the United States and found that exclusionary discipline practices continue to be used in response to student misbehavior. However, they found that suspension is unlikely to change the students' behavior. Their study discovered that 6.6% of students who received a suspension in a school year were 71.9% more likely to receive another suspension throughout the school year (Massar et al., 2015).

On the contrary, Vara-Orta (2018) asserted that the Federal Commission on School Safety reported from a survey of teachers that the 2014 Obama Discipline Guidance coerced teachers to lower their discipline to non-exclusionary methods that in some cases were most likely not in accordance with the infraction that the student committed. In addition, the faculty also recognized a significant increase in safety concerns for student and teacher safety (Vara-Orta, 2018).

Conversely, Miller (2019) reported findings from previous research conducted by lead researcher Paul Wright that suggest the use of suspensions by teachers and administrators may not have been biased, as some scholars suggest. Furthermore, the study accesses students of color and their families' lack of academic success and focuses on shifting Black students' behavior as the solution versus suggesting a shift in structures of policies that have systematically failed students of color (Miller, 2019).

## **Race and Pushout (Graduation and Dropout rates; Critical Race Theory; DMC) School-to-Prison Pipeline History**

Historically, students engaged in delinquency and were forcibly removed from the educational setting because of exclusionary discipline practices (e.g., the suspension was typically left unsupervised while the student was not in school, increasing their chances of involvement in deviant and criminal behavior during the suspension) (Losen & Martinez, 2013). Additionally, there is much research conducted on the negative behavioral implications, but there is also literature regarding exclusionary discipline and its negative implications as they relate to negative academic outcomes for African American students.

Obviously, arrests in school represent the most direct routine that pipelines students from school-to-prison. With systematic factors of zero-tolerance policies and exclusionary discipline, minority youth are at higher risk of coming in contact with the school-to-prison pipeline. It should be stressed that the “School-to-Prison Pipeline” (STPP) refers to the overrepresentation of minority students, particularly African American males, in the juvenile corrections system and, consequently, in the prison system (Children’s Defense Fund, 2009; Losen & Martinez, 2013; Skiba, 2011). Furthermore, Black students in the United States are subject to disciplinary action at rates much higher than their White counterparts.

## **Race and Disproportionate Minority Contact (DMC)**

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) defines DMC as an overrepresentation of minority youth who come in contact with the juvenile justice system (Slowikowski, 2009). Bouchein (2015) asserted that scholars recognized that the

initiation of the zero-tolerance policies in public school discipline policies such as (ISS, OSS, DAEP, and expulsions) have created the funneling of disadvantaged students into the juvenile and adult criminal justice system, more commonly known as, the school-to-prison pipeline. Bouchein (2015) and the American Civil Liberties Union (2019) stated that some scholars suggest the school-to-prison pipeline is “facilitated through many other factors such as police presence on school campuses, providing officers with more power to discipline students, criminalizing minor code of conduct infractions, failing schools that are highly segregated by race and income, poor resources, and the adoption of zero-tolerance policies” (ACLU, 2019; Heitzeg, 2009). Moreover, according to many scholars, the adoption and implementation of zero-tolerance policies have been cited as the primary factor in the furtherance of the school-to-prison pipeline.

Notwithstanding all the research concluding the negative implications, there is only a small proportion of states and cities that have deviated from the use of zero-tolerance policies to address student misbehavior (Bouchein, 2015). According to Bouchein (2015), schools with lowered suspension rates have better test scores, compared to those that have an alarming amount of use of suspension. Besse and Capatosto (2018) have shown that we must work to address the racial disparities evidenced across a variety of educational outcomes including academic achievement, school climate, and punitive discipline policies that have been cited as contributing factors to pushing students of color into the criminal justice system. Within the student population, a small number are most at risk of being captured within what has been ubiquitously called the “school-to-prison pipeline,” sometimes targeted by authority figures, and subject to recidivism.

Often discipline rules are established by school districts (e.g., student codes of conduct) which do not allow flexibility as it relates to discipline alternatives outside of suspensions and expulsions (Steinberg & Lacoë, 2017). For instance, during the 2015-16 school year, African American students represented 15% of student enrollment, and represented 31% of students referred to law enforcement were arrested. Correspondingly, across the five largest racial and ethnic groups in 2016-17, grades 7-12 dropout rate was highest for African American students (2.1%), followed by Hispanic (1.7%), multiracial (1.0%), White (0.8%), and Asian (0.4%) students (Steinberg & Lacoë, 2017).

Similarly, news headlines and videos posted online have reinforced the story told by the statistics. For example, a black high school student in South Carolina was thrown from her desk by a school resource officer for refusing to put away her phone (Ford, 2016); a 12-year-old Latina girl in Texas was body-slammed and nearly knocked unconscious by police following a verbal altercation with another student (Bever, 2016); a black middle-school boy in Virginia was arrested for allegedly "stealing" a free carton of milk (Wise, 2016). These stories have assisted in raising public awareness of the negative experience African Americans students encounter as a result of exclusionary practices and zero-tolerance policies.

Ford (2016) submitted that this problem is not new. However, since the early 1970s overlapping with the start of widespread desegregation efforts, the racial gap in suspensions has been trending upward. This trend has been caused in part by the adoption of zero-tolerance initiatives that demand heavy-handed approaches to the slightest disciplinary infractions. Zero tolerance has not proven effective as a preventative

measure; instead, it has contributed to increased truancy, dropout rates, and encounters with law enforcement (Harper, 2008; Skiba, 2001). Also, according to Steinberg and Lacoë (2017) students removed from school due to exclusionary discipline practices often have lower achievement on standardized exams and are more likely to repeat a grade, drop out of school, and eventually, encounter the juvenile justice system.

According to the U.S. Department of Education Office for Civil Rights (2018), in Texas, African American students represented approximately 12.7% of students enrolled, but 20% of students were referred to law enforcement and/or arrested. TABSE (2019) highlighted that these practices have ushered the criminal justice system into the school system causing the distinction between African American and African American criminals to become blurred. Additionally, TABSE (2019) proposed that African American learners are gravely impacted by the unforgiving legal system, and if not adequately addressed there will be a continued increase of African American students introduced to the pipeline to prison rather than the progress from cradle to college.

Admittedly, some scholars have even advanced the idea that such disparities are evidence of a “school-to-prison pipeline” that targets disadvantaged and minority youth (Wald & Losen, 2003). African American students are often faced with the risk of being held back, dropping out, or ending up in the criminal justice system. Epstien (2014) reported a New York Times argument that zero-tolerance policies have resulted in serious and lasting consequences for students who are suspended or expelled. According to Balingit (2018), Black students accounted for 15% of the student body during the 2015-2016 school year but accounted for 31% of arrests. Balingit (2018) further declared two

years earlier that Black students accounted for 16% of the student body and 27% of school arrests.

### **Gender and Exclusionary Disciplinary Practices**

School discipline literature has not given much attention to Black females compared with Black males. Studies on Black female discipline experiences have mostly examined discipline sanctions of Black boys compared to Black girls, with Black girls rarely being mentioned outside of descriptive statistics (Skiba et al., 2002). Instead of demonstrating how disproportionate discipline practices might also have detrimental effects on Black girls' school experiences, the literature appears to report Black females' discipline sanctions as a way to draw attention to the disparity between Black males' and Black females' discipline experiences. Beginning in elementary school and lasting through high school, disproportionate discipline appears to be a problem for Black girls. Black girls have a higher percentage of suspensions than Hispanic or White girls (Raffaele Mendez et al., 2002). A study published by Raffaele Mendez and Knoff (2003) replicated the research of Taylor and Foster (1986) and demonstrated that suspension rates for Black girls were higher than those for White and Hispanic girls in primary and secondary schools. The types of behavior infractions that result in disproportionate discipline of Black girls are not well understood due to the lack of research on the discipline experiences of girls.

Mixed results have been found regarding race/gender dynamics. Studies have found that African American males are suspended more frequently than other race/gender groups (Skiba et al., 2002), but this is not the only demographic experiencing race disparities (Annamma et al., 2019). Blake et al. (2011), for instance, found that African

American females were twice as likely to be suspended as Latinas and non-Latina White females. The categories of infractions also varied across races and ethnicities. Black women in that study were suspended for acting in ways that deviated from traditional female behaviors (Blake et al., 2011).

The purpose of a study by Blake et al. (2011) was to expand the school discipline literature by investigating whether Black girls in schools are disciplined disproportionately. Specifically, Blake et al. (2011) investigated whether African American girls experienced greater discipline infractions and sanctions than White and Hispanic girls. The study assessed female students from elementary and secondary schools in an urban school district in the Midwest with at least one discipline sanction. Data were gathered from a school-record database that identified 38 possible discipline sanctions ranging from a warning to expulsion. An examination of exclusionary discipline sanctions, such as in-school and out-of-school suspensions, was reported in the study. In all discipline sanctions, Black females were disproportionately affected. Researchers found that Black girls were twice as likely to be suspended in school and out of school as their same-gender peers based on exclusionary discipline practices. Comparing the results, the study revealed that Black female students received twice as many in-school suspensions as White female students and nearly four times as many out-of-school suspensions as White female students. Generally, Black females are involved in the school discipline system at rates similar to Black males. The Blake et al. (2011) study found that girls of color were more likely to receive exclusionary discipline sanctions and were twice as likely to be suspended at school and outside of school. Black girls,



therefore, have a much higher probability of experiencing exclusionary discipline than White girls.

Approximately double the suspension rate for Hispanic males (22%) and less than a quarter of the suspension rate for African American males (42%) can be found in national data from 1993 (National Center for Education Statistics, 2016). African American males in grades 6 through 12 were suspended at similar rates in 2012 when almost half of them, 48%, had been suspended. This was more than double the rate for non-Hispanic White males (21%) and Hispanic males (23%). Additionally, female students have reported race-based disparities. Female African American students enrolled in grades 6<sup>th</sup> through 12<sup>th</sup> had been suspended 29% more times than both White non-Hispanic and Hispanic students enrolled in grades 6<sup>th</sup> through 12<sup>th</sup>.

### **Intersection Between Race and Gender**

In a study of the intersection of race and gender, Haight, Kayama, and Gibson (2016) found that Black students with family support- involvement decreased their likelihood of experiencing exclusionary discipline. In 2016, Haight et al., criticized school-to-prison pipeline research for failing to account for Black girls' intersection of race and gender experiences. In 2014, Irby outlined several strategies to enforce discipline through consistency in rules enforcement, consistency in expectations, and the use of preset sanctions. The trust students have in rules and practices, according to Irby (2014), will motivate them to follow them. Studying the intersection of gender, race, and discipline contributes to the growing literature on how the school-to-prison pipeline impacts young people of color.

Black girls are statistically more likely to be suspended or expelled, according to Crenshaw, Nanda, and Ocen (2016). According to the researchers, policymakers should evaluate and revise policies that push girls into the juvenile justice system as well as develop best practices that ensure school personnel enforces each student's right to be free from sexual harassment and bullying. Racism is a factor that influences disproportionate disciplinary practices according to Bryan et al. (2012). In order to address disparities in school discipline, Bryan et al. (2012) suggest that systemic and gap-reducing interventions be examined.

A study conducted by Yale University researchers Gilliam et al. (2016) used data found in the National Prekindergarten Study (NPS). The study analyzed expulsion rates by school setting, gender, and race/ethnicity in public schools, Head Start, and private providers. The researchers found racial disparities in education in 2016 and identified several factors, including bias, discriminatory practices, school racial climates, and insufficient professional development for teachers. According to the study on implicit bias, racial, gender, and exclusionary discipline recommendations including suspension and expulsion are interconnected. Due to the lack of research on the interaction between gender and race disparities in suspensions, Gilliam et al. (2016) recommend that gender and race disparities in suspensions be explored.

### **Race and Push-Out (Critical Pedagogy)**

#### **History of Push-Out (Critical Pedagogy) as it relates to AA students**

The consistent racially biased and ineffective removal from the educational setting supports the funneling of numerous children of color from schools into the juvenile justice system. It has been well documented that Black students are not in the

classroom as often as their counterparts, and this is a result of discipline and further hinders their access to quality education. McIntosh et al. (2010) confirmed that the most negative discipline encounters originated in the classroom, and the referral procedure is often initiated in the student's classroom, with a teacher who often has not developed a positive rapport with African Americans students. For example, in some instances, teacher-issued discipline referrals resulted in students being sent to an administrator where they were typically assigned consequences such as in-school or out-of-school suspension (McIntosh et al., 2010). Although more research should be conducted to confirm the achievement gap and disciplinary gap for students in certain school districts, this analysis is timely due to the recent increase of widely publicized confrontations between African American students and White adults in their respective classroom settings.

Bouchein (2015) conducted a study involving a key component of zero tolerance that focused on removing disruptive students from the learning environment, and how this resulted in schools increasing their use of in and out-of-school suspension for both violent and minor infractions. Cardichon and Hammond's (2019) research has demonstrated that zero-tolerance policies have resulted in negative consequences for students to include attainment, academic achievement, and a student's welfare. In addition, the report further indicated that states other than Texas have adopted less punitive approaches and reduced the use of exclusionary practices to ensure a more inclusive learning environment for all students.

Musu-Gillette et al. (2018) confirmed that the National Center for Education Statistics' Indicators of School and Crime and Safety 2017 survey showed that push-out

is when a student is noted as at-risk. In this report, a student identified as at risk of dropping out of school is one who is under age 26 and who meets the following criteria: has been placed in an alternative education program under TEC §37.006 during the preceding or current school year.

Fortunately, many researchers, such as Skiba, Losen, and Blake, have applied an empirical analysis to the data. In *Closing the School Discipline Gap* (Losen et al., 2015) these researchers and others offer a more nuanced look at the discipline disparity phenomenon, bringing a few things to light. For example, various studies have found that students of color are more likely to be reprimanded for subjective offenses not specified by the school (insubordination, disrespect, excessive noise, and so on) and based on a judgment call of a teacher or administrator.

In contrast, White students' punishments are more likely to be for objective offenses for which the school requires a categorical sanction (drugs, weapons, obscene language, and so on). Students of color, black students, in particular, are more likely than White students to be referred to the office or suspended, even when the misbehavior is similar. This is not just a disproportionate representation; it is differential treatment by the system.

TABSE (2019) divulged that the Civil Rights Data Collection illustrates the disproportionate representation of African American students who are excluded from the instructional learning environment and placed in alternative environments that often do not support cultural competencies or academic excellence. Moreover, it was indicated that racial disparities exist at the elementary and secondary levels. Additionally, TABSE (2019) noted that African Americans are undoubtedly being pushed out of public schools

through forms of exclusionary discipline, which often are ISS and OSS, for infractions categorized as defiance of authority.

Researchers have concluded that students may not be willing to assimilate into cultural norms and practices that are foreign, unknown, or uncomfortable to them. So, rather than suspending the students, teachers should be trained in cultural competence so that African American students can transition from one culture to another one without compromising their identity.

Correspondingly, Jimenz and Flores (2019) clarified that the impact of exclusionary discipline practice varies. However, students suspended and expelled lose valuable instructional time, feel less connected to school, and tend more frequently to drop out. Vara-Orta (2018) examined the Obama Discipline Guidelines that were implemented in 2014 to adequately address the pushing out of students of color. For instance, the guidelines urged school leaders to seek other alternative suspensions and other consequences that would remove students from the classroom because Black and Hispanic students were suspended at a much higher rate in comparison to their counterparts. The suspension is correlated to increased dropout rates as well as lower academic achievements.

Vara-Orta (2018) reported that the National Association of School Psychologists guideline was vital in deterring systemic disparities, implicit biases, and discipline policies for minor and subjective offenses including insubordination or disrespect. Kamenetz (2018) identified a growing body of research that illustrates that being suspended, expelled, or arrested at school is correlated with a higher dropout rate as well as lifelong negative implications. In the same way, Kristen Harper, director of Child

Trends, exclaimed that one suspension can make a difference, and statistics illustrate a negative impact on students of color that is disproportionate to their actual behavior.

In the same way, Massar et al. (2015) conducted a brief examination of the use of suspensions in 1,840 public schools in the United States and noted that suspension is associated with a higher likelihood of academic failure, school dropout, and involvement in the juvenile justice system. According to Judith Browne Dianis, executive director of the national office of the Advancement Project, the data concerning the overrepresentation of Blacks in exclusionary discipline clearly illustrates racism is alive in our American school system and illustrates as well that Black students are less safe and more restrained and pushed out of school more than other student groups. Kaitom Nammer, an attorney with the Advancement Project, explained that studies noted that Black students have no discernible differences in the way they behave compared to their counterparts. She believes the disparities exist because of the way adults are responding to students' behavior.

Additionally, as noted by Bouchein (2015), a single suspension has negative implications as it relates to students' long term. Bouchein suggested that one suspension or expulsion doubles the likelihood that a student will repeat a grade and this experience has been one of the strongest predictors of students dropping out of school. Also, according to Bouchein (2015), when schools see an increase in police presence, students are also arrested and referred more often to juvenile justice (Curtis, 2014 (Curtis, 2014)).

Based on Steinberg and Laco'e's (2017) research, as of May 2015, 22 states and the District of Columbia revised their laws to encourage schools to limit their use of exclusionary discipline practices, implement support that is non-punitive and provide

counseling support as well as dropout prevention for students at risk. Moreover, during the 2015-2016 school year, 23 of the 100 largest school districts nationwide implemented policy reforms that mandated non-punitive discipline strategies or the limited use of suspensions.

### **Summary of the Research Literature**

Diverse student populations have increased, prompting a shift towards educational policies that move beyond curriculum and instruction and improve academic outcomes in learning institutions (Johnson, 2002). Disproportionality could occur due to a variety of factors, including behavioral differences, classroom referral bias, or disciplinary prejudices. Research on zero-tolerance policies and exclusionary discipline impact on African American students has illustrated no academic benefits in the use of these policies (Gordon, 2018). The policies and practices are strongly associated with low achievement, a heightened risk of dropping out, and a greater likelihood of criminal justice involvement (Miner & Blake, 2018). Research has not yielded the alignment between disciplinary reforms recommended at higher levels of governance, such as the state, and policies implemented by leadership at the local school district level. For example, a study of zero-tolerance policies found that school districts expanded the list of offenses to which exclusionary policies applied beyond those required by state law (Pearman et al., 2019). Disciplinary disparities have been documented but revisiting or eradicating exclusionary practices and policies because of the implications for African American students has not been fully examined. Furthermore, this issue has not been addressed since the advent of zero-tolerance policies and exclusionary discipline practices in the 1990s. As we know, education is the key to success.

Moreover, it could be argued that suspension from school places at-risk students at a higher risk for academic failure because it limits their connection to teachers and positive educational outcomes. Students who experience exclusionary discipline suffer a greater likelihood of suffering academically, dropping out, and engaging in delinquent behavior (Skiba et al., 2014). As Skiba et al. (2014) pointed out, the American Psychological Association evaluated zero-tolerance policies and concluded that such policies do not make schools safer. Additionally, the study declared that such practices are disproportionately applied to students of color and those with disabilities, and the consequences are not developmentally appropriate for children and adolescents (Skiba et al., 2012).

Schools suspend and expel students at a disproportionate rate based on race. The ostensible purpose of exclusionary discipline is to prevent the student from dropping out of school or entering a juvenile or adult facility. Due to statistical data, which shows that African American males are more likely to be suspended than other population groups, prior research on the school to prison pipeline focused on African American males. The majority of pipeline studies fail to consider African American girls. This study provides a comprehensive review of empirical evidence and the need for consistent reviews of school-wide discipline plans and the effectiveness of revisiting or eradicating exclusionary school discipline practices and policies on the state and federal levels.



## **CHAPTER 3**

### **DESIGN OF THE STUDY**

The primary purpose of this study was to determine if exclusionary discipline practices and policies in the educational and criminal justice system work in a manner that adversely impacts Black students (race or gender), and to what magnitude in a Texas public school district. The phenomena that are investigated in this examination are the intersection of zero-tolerance policies, exclusionary discipline practices, race, gender, and the implications for African American students within a Texas Public School District. Chapter 3 includes the type of design, data source, data collection, identification of dependent and independent variables, data analysis, and summary.

#### **Type of Design**

A quantitative, ex post facto design was used because the numerical data collected was gathered from a public archival data source. Basler (2012) stated, “Ex post facto is a Latin phrase meaning ‘from after the fact’ and relies on observation of relationships among phenomena as they occur naturally without intervention from the researcher” (p. 49). The ex post facto design allows for the comparison of two or more groups of individuals with similar backgrounds who were exposed to different conditions as a result of their natural histories. This type of research will be the most appropriate design for this study because both the dependent and the independent variables have already occurred (Gay et al., 2016).

Moreover, through secondary analysis of data from a Texas Public School District, the researcher measured the institutional and individual mechanisms that disproportionately pull and push students of color into the "school-to-prison pipeline."

The examination explored the predictors of school discipline contact and the resulting consequences of encountering this discipline. The examination proceeded to explore the relationship between school severity and various educational and juvenile justice outcomes. The "school-to-prison pipeline" (Wald & Losen, 2003) described an "increasingly punitive and isolating" path through the education system for African Americans and other at-risk students. Specifically, this chapter details the data source, data collection, identification of independent and dependent variables, data analysis, and summary.

### **Data Source**

The data source used to compile records for the population of interest was an archival set from a Texas Public School District PEIMS Department, which is data that must be submitted annually by all school districts to the Texas Education Agency. The Public Education Information Management System (PEIMS) databases served as the primary source of instrumentation for this analysis. The Texas Education Code §37.001 (2002) outlined the rules and procedures for enacting an exclusionary discipline consequence. In-school suspension is established under Texas Education Code §37.002 and is an action taken by an administrator that removes a student from his or her assigned classroom. Assignment of this consequence may not exceed 10 school days. Out-of-school suspension is established under Texas Education Code §37.005 and is an action taken by an administrator that temporarily removes a student from his or her home campus. Assignment to this consequence may not exceed 3 school days.

The Disciplinary Alternative Education Program (DAEP) is established under Texas Education Code §37.0051 and is an action taken by an administrator against a

student who is temporarily removed and placed in a disciplinary alternative education program under Section 37.008, and the juvenile justice alternative education program under Section 37.011. The database encompasses all data received by TEA as it relates to public education, including student demographic and academic performance, personnel, financial, and other organizational information (Texas Education Agency, 2006).

### **Identification of Dependent and Independent Variables**

**Dependent variable.** In this study, the dependent variable was disciplinary actions for acts of disobedience and sanctions ranging in severity from ISS to Expulsion. Exclusionary discipline such as out-of-school suspension and expulsion is the focus of this analysis. The key variables consisted of African American ethnicity and disciplinary infractions. Disciplinary infraction was a key factor in this analysis. The entire analysis focused on the frequency and proportion of African American disciplinary infractions.

**Independent variable.** In this study, the independent variables were race and gender. The first variable is race, which was measured by the official record data of the participants who were identified as either White or African American. For this analysis, White and African American students were analyzed.

### **Data Collection Procedures**

The researcher accessed raw data regarding in-school suspension, out-of-school suspension, DAEP placement, and expulsion, all of which were secured via the secondary data retrieved from a Texas Public School District. The student information secured was in relation to his or her (race and gender, by student count), and assignment (with action to ISS, OSS, DEAP, Expulsion)

**Data Analysis**

For statistical purposes, the researcher used the applications of the Statistical Package for the Social Sciences (SPSS) to treat the data. Multiple regression analysis is appropriate for this study because it allows for examining a relationship between two or more variables and determining predictability among those variables. The hypotheses were tested at the .05 level of significance or better in this empirical investigation.

**Summary**

The discourse in this chapter included the selected research methodology and the appropriateness of its design for the research study. The analysis should encourage future researchers to examine more closely school discipline disparities, especially as they relate to African American students. With an increased number of African American students being excluded and/or pushed out of school classroom instruction (i.e., as a result of exclusionary discipline for subjective offenses that are often viewed as minor offenses) further studies should be explored.

## CHAPTER 4

### RESULTS

#### Introduction

An underlying assumption of this study was that the zero-tolerance discipline policy disparately impacts students of color. The primary purpose of this study was to determine if exclusionary discipline practices and policies in the educational and criminal justice system work in a manner that adversely impacts Black students (race or gender), and to what magnitude in a Texas public school district. The study was guided by the following research questions:

RQ 1: Is there a significant relationship between student race (Black and White) and exclusionary disciplinary practices within a Texas public school district.

RQ 2: Is there a significant relationship between student gender (Male or Female) and exclusionary disciplinary practices within a Texas public school district?

RQ 3: Is there a significant relationship between student race (Black and White), student gender (Male or Female), and exclusionary discipline practices within a Texas public school district.

This chapter summarizes the results of the analysis of the data. The statistical tests used in the analysis of the research questions included Chi-Square and multinomial logistic regression analysis. A descriptive analysis was performed to better understand the demographic characteristics of the study participants. Variables in the three research questions proposed by the study were tested. Chapter 4 is presented in the following

sections: descriptive characteristics of participants, examination of hypotheses, analysis, and assumptions. Finally, the last section analyzed the three statistical (null) hypotheses formulated for the study. All three hypotheses were tested at the .05 level of significance or better.

### **Demographic Characteristics of Participants**

Participants in this study were students from grade 3 through grade 12, who received an exclusionary discipline (i.e., in-school or out-of-school suspension, expulsion, and DAEP) during the 2016-2017 school year. There were four hundred seventy (69.8%) African American and 248 (36.8%) White students for a total of 673 students. Regarding gender, there were 203 (30.2%) females and 470 (69.8%) males. See Table 1.

**Table 1**

*Frequency Characteristics by Gender and Race*

Variables	Frequency	Percent
Female	203	30.2
Male	470	69.8
African American	425	63.2
White	248	36.8

Table 2 reflects discipline types and frequency. Discipline types were divided into three categories: DAEP, ISS, and OSS. There were 34 (5.1%) District Alternative Placements (DAEP), 466 (69.2%) In-School Suspensions (ISS), and 173 (25.7%) Out-of-School Suspensions (OSS). See Table 2 for these results.

**Table 2***Discipline Type*

Discipline Type	Frequency	Percent	Cumulative Percent
DAEP	34	5.1	5.1
ISS	466	69.2	69.2
OSS	173	25.7	25.7
Total	673		100.0

The results for exclusionary discipline practice by race are presented in the table below. There were 17 African American students representing 50 percent of all students placed in DAEP, while 17 White students representing 50 percent were the remaining students placed in DAEP. In contrast, 337 (72.3%) African Americans students received ISS, as opposed to 129 (27.7%) White students. Finally, 112 (64.7%) African Americans students were placed in OSS and 61 (35.3%) White students. See Table 3.

**Table 3***Number and Percent of Exclusionary Discipline Practice by Race*

Exclusionary Discipline Practice	African Americans		Whites		Total	
	n	%	n	%	n	%
DAEP	17	50	17	50	34	5.0
In School Suspension	337	72.3	129	27.7	466	69.3
Out of School Suspension	112	64.7	61	35.3	173	25.7

**Examination of Hypotheses**

Ho<sub>1</sub>: There is no statistically significant relationship between student race (Black or White) and exclusionary disciplinary practices.

Race was categorized into Black and White because this was the selected group of students for this study. Each race was grouped into three discipline types. Blacks 17 or

50.0 percent were assigned to DAEP, of the total population, similarly, 17 Whites (50.0%) were also placed in DAEP. Placement for Blacks in ISS was 337 (72.3%), and 129 (27.7%) Whites. Furthermore, 112 (64.7%) of Blacks were put in OSS, as opposed to 61 (35.3%) of Whites.

**Table 4**

*Crosstabulation for Race versus Exclusionary Discipline Practices*

	Discipline Type* Race Crosstabulation							
	DAEP		ISS		OSS		Total	
	n	%	n	%	n	%	n	%
Black	17	50.0	337	72.3	112	64.7	425	100
White	17	50.0	129	27.7	61	35.3	248	100
Total	34	100.0	466	100.0	173	100.0	673	100

In Table 5 are the Chi-square test analysis results regarding race and exclusionary disciplinary practices. The value of the chi square statistic is 3.509,  $df = 4$ , p-value is (.477). Since the p-value is greater than the .05 alpha level, the  $H_{01}$  hypothesis is accepted. Therefore, the data suggests that there is no statistically significant relationship between student race (Black or White) and exclusionary disciplinary practices. See Table 5.

**Table 5**

*Chi-square test for Race versus Exclusionary Discipline Practices*

	Value	df	Significance (2-sided)
Pearson Chi-Square	3.509	4	.477
Likelihood Ratio	3.334	4	.504
N of Valid Cases	673		

Chi-Square = 3.509,  $df = 4$ ,  $p = .477$



Ho<sub>2</sub>: There is no statistically significant relationship between student gender and the exclusionary discipline practices of the school district in the study.

Regarding the variable exclusionary discipline by gender in DAEP, 1 or 0.1 percent were identified as female, and 33 (4.9%) were male. In contrast, 148 or 22.0 percent of females were identified as placed in ISS, while, 318 (47.3%) were male. On the contrary, there were 52 or 7.7 percent of females in OSS and 121 (18.0%) males. See Table 6.

**Table 6**

*Number and Percent of Exclusionary Discipline Practice by Gender*

Exclusionary Discipline Practice	Female		Male		Total	
	N	%	n	%	n	%
DAEP	1	0.5	33	7.0	34	5.1
In School Suspension	148	72.9	316	67.7	466	69.2
Out of School Suspension	54	26.6	121	25.3	173	25.7

The Cross-tabulation was computed to assess the count and expected relationship between the demographic factors of gender and exclusionary discipline practices. As revealed in Table 7, the actual count for females sent to DAEP was 1 and the expected was 10.3. In contrast, 33 males were assigned to DAEP, and the expected count was 23.7. The number of female occurrences in ISS was 148 and the expected count was 140.6. Ascribed for males ISS count was 318 and was expected to be 325.4. Regarding placement in OSS, females accounted for 54, and the expected count was 52.2. In contrast, the number of males counted in OSS was 119, whereas, the expected count was 10.8. See the results in Table 7 below.

**Table 7***Cross-tabulation for Gender versus Exclusionary Discipline Practices*

		Discipline			
		DAEP	ISS	OSS	Total
Female	Count	1	148	54	203
	Expected Count	10.3	140.6	52.2	203.0
Male	Count	33	318	119	470
	Expected Count	23.7	325.4	120.8	470.0
Total	Count	34	466	173	673
	Expected Count	34.0	466.0	173.0	673.0

Revealed in Table 8 are the Chi-square test analysis results regarding gender and exclusionary disciplinary practices. The value of the chi square statistic is 12.615,  $df = 2$ ,  $p$ -value is .002. A significant relationship was found to exist between student gender and exclusionary discipline practices. Consequently,  $H_{02}$  was rejected. See Table 8.

**Table 8***Chi-square test for Gender versus Discipline*

	Value	df	Significance (2-sided)
Pearson Chi-Square	12.615	2	.002
Likelihood Ratio	17.717	2	.000
N of Valid Cases	673		

Chi-Square = 12.615,  $df = 2$ ,  $p = .002$

Ho<sub>3a</sub>: Controlling for gender, race does not affect the exclusionary discipline practices of the school district in the study.

A multinomial logistic regression analysis was conducted to assess whether race and gender had a significant effect on the likelihood of observing each response classification of exclusionary discipline practices. Multinomial logistic regression was performed to model the relationship between the predictors and membership in the three groups (race, gender, and exclusionary discipline), with the disciplinary infractions being the dependent variable. The traditional .05 criterion of statistical significance was employed for all tests. The addition of the predictors to a model that contained only the intercept significantly improved the fit between model and data,  $\chi^2$  (df=6, N=673)=20.018, Nagelkerke R<sup>2</sup> = .038 p = .003). McFadden's R-squared was calculated to assess the model fit, where values greater than .2 are indicative of models with an admirable fit (Louviere et al., 2000). The McFadden R-squared value calculated for this model was 0.02. As shown in Table 9, significant unique contributions were made by gender, but not by race. Therefore, Ho<sub>3a</sub> is accepted.

**Table 9**

*Model Fitting Information and Pseudo R-Square*

Model	Model Fitting Criteria -2 Log Likelihood	Likelihood Ratio Tests		
		Chi-Square	df	Sig.
Intercept Only	69.222			
Final	49.204	20.018	6	.003
Pseudo R-Square				
Cox and Snell			.029	
Nagelkerke			.038	
McFadden			.020	

Ho<sub>3b</sub>: Controlling for race, gender does not affect the exclusionary discipline practices of the school district in the study.

Indicated in Table 10 are the results of Likelihood Ratio Tests that assessed the goodness of fit of two competing statistical models based on the ratio of their likelihoods. Only one predictor had a significant parameter for comparing the ISS group with the DAEP group. The value of the chi-square statistic for gender is 16.684,  $df = 2$ , p-value is .000. For gender, the likelihood of a female being in the ISS group rather than the DEAP multiplicatively increased by 2.695. One of the predictors had significant parameters for comparing the OSS group with the DAEP group. The likelihood of being in the OSS group rather than the DAEP group was multiplicatively increased by 2.721 for females. Thus, hypothesis Ho<sub>3b</sub>: was rejected. The multinomial logistic regression analysis was used because it would allow the researcher to see ISS, OSS, and DAEP simultaneously to determine if a student's race or gender and any impact and if so to what magnitude it relates to this particular school district. This statistical analysis was selected because the exclusionary discipline is comprised of ISS, OSS, DAEP, and expulsion, hence, the statistical analysis would be used to determine from the view of all exclusionary disciplines being tested simultaneously to determine what impact the students' race and gender would have on the categories of ISS, OSS, DAEP, and expulsion.

**Table 10***Likelihood Ratio Tests*

Effect	-2 Log Likelihood of Reduced Model	Likelihood Ratio Tests		
		Chi-Square	df	Sig.
Intercept	49.204	.000	0	
Gender	65.888	16.684	2	.000**
Race	51.504	2.301	4	.681

\*\* Significant at the .01 level.

Furthermore, as it relates to the multinomial logistic regression coefficients, the Wald Statistics was used to measure the contribution of gender and race to the exclusionary discipline types. The regression coefficient for the female category of gender in response category ISS of Discipline was significant ( $B = 2.69$ ,  $\chi^2 = 6.93$ ,  $p = .008$ ), suggesting that observing the female category of gender will increase the likelihood of observing the ISS category of discipline comparative to the DAEP category by 1380.12% to the male category of gender. Moreover, African American regression coefficient for ISS was ( $B=.266$ ,  $\chi^2 = .371$ ,  $P < .05$ ), indicating that observing the African American category of race did not have a significant effect on the likelihood of discipline. Furthermore, the regression coefficient for Whites in ISS was ( $B=.463$ ,  $\chi^2 = .822$ ,  $p = .365$ ). Finally, the regression coefficient for the female category of gender in response category OSS of Discipline was significant, ( $B = 2.72$ ,  $\chi^2 = 6.95$ ,  $p = .008$ ), suggesting that observing the female category of gender will increase the likelihood of observing the OSS category of discipline relative to the DAEP category by 1420.23% compared to the male category of gender.

The regression coefficient for the African American category of race in response category OSS of discipline was not significant, ( $B = -0.48$ ,  $\chi^2 = 0.11$ ,  $p = .918$ ),

suggesting that observing the African American category of race did not have a significant impact on the likelihood of observing the OSS category of discipline relative to the DAEP category. See Table 11 for results. The overall R-squared for model 1 was .039. The results indicate that gender explains approximately 4% of the variance in the dependent variable. In model 2 the overall R-squared was .041. The results indicate that gender explains approximately 4% of the variance in the dependent variable.

**Table 11**

*Parameter Estimates for the Multinomial Logistic Regression Model*

Discipline <sup>a</sup>	B	Std. Error	Wald	df	Sig.	Exp(B)	95% Confidence Interval for Exp(B)		
							Lower Bound	Upper Bound	
Intercept	2.011	.354	32.237	1	.000				
Female	2.695	1.023	6.932	1	.008	14.801	1.991	110.018	
Male	0 <sup>b</sup>	.	.	0	.	.	.	.	
ISS	African American	.266	.437	.371	1	.542	1.305	.554	3.072
	White	.463	.510	.822	1	.365	1.588	.584	4.317
						.	.	.	.
OSS	Intercept	1.261	.375	11.323	1	.001			
	Female	2.721	1.032	6.950	1	.008	15.202	2.010	114.969
	Male	0 <sup>b</sup>	.	.	0	.	.	.	.
	African American	-.048	.463	.011	1	.918	.954	.385	2.362
	White	.174	.538	.105	1	.746	1.190	.415	3.418
						.	.	.	

Note:

- a. Nagelkerke R- Squared- Model 1 (ISS) is .039 and Model 2 (OSS) is .041
- b. The reference category is: DAEP
- c. This parameter is set to zero because it is redundant

### **Assumptions**

Based on research question three for this study required logistic regression. Hence, for this study to be valid assuming one is the dependent variable it should be measured at the nominal level. For assumption two, there are one or more independent variables that are continuous, ordinal, or nominal. Additionally, for assumption two it should be independent of observations and the dependent variable should have mutually exclusive and exhaustive categories. With assumption four there is no multicollinearity among the independent variables, and in assumption five the logistic regression assumes linearity of independent variables and concludes with assumption six noting there should be no outliers, high leverage values, or highly influential points.

For this study all assumptions were met with the dependent variable having three categories: 1) DAEP, 2) In-School Suspension, and 3) Out-of-School Suspension. These were measured at the nominal level. The independent variables of Gender and Race are nominal.

### **Summary of Hypotheses Tested**

Three statistical (null) hypotheses were tested in this empirical study. Of the three hypotheses, two of them were found to be statistically significant. All three hypotheses were tested for the relationship between the variables gender, race, and exclusionary discipline types of District Alternative Placements (DAEP), In-School Suspension (ISS), and Out-of-School Suspension (OSS).

Hypothesis one revealed that there was no significant relationship between student race and occurrences of exclusionary discipline practices of the school district in

the study. The variable race was composed of African American and White students, while, exclusionary disciplines were divided into three categories: DAEP, ISS, and OSS.

Furthermore, hypothesis two indicated that there was a significant relationship between gender and occurrences of exclusionary discipline practices of the school district in the study. The variable gender included female and male students.

Finally, hypothesis three was divided into two parts, a and b. Part a controlling for gender revealed that there was no significant relationship between race and occurrences of exclusionary discipline practices of the school district in the study. However, in hypothesis three, part b controlling for race, there was a significant relationship between gender and occurrences of exclusionary discipline practices of the school district in the study. The results and their relationship to the research hypotheses are presented below (See Table 11).

**Table 12**

*Summary of All Hypotheses Tested*

Hypotheses	Value	df	P	Conclusion
Ho <sub>1</sub> : There is no significant relationship between student race and the exclusionary discipline practices of the school district in the study.	3.509	4	.477	Non-Significant
Ho <sub>2</sub> : There is no significant relationship between student gender and the exclusionary discipline practices of the school district in the study.	12.615	2	.002**	Significant



**Table 12 continued**

Ho <sub>3a</sub> : Controlling for gender, race does not affect on the exclusionary discipline practices of the school district in the study.	2.301	4	.681	Non-Significant
Ho <sub>3b</sub> : Controlling for race, gender does not affect the exclusionary discipline practices of the school district in the study.	16.684	2	.000**	Significant

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\*\*Significant at the .01 level

## **CHAPTER 5**

### **DISCUSSION**

#### **Summary**

The primary purpose of this study was to determine if exclusionary discipline practices and policies in the educational and criminal justice system work in a manner that adversely impacts Black students (race or gender), and to what magnitude in a Texas public school district. This chapter summarizes and discusses the overall findings of the analysis concerning a student's race, gender, and exclusionary discipline practices in a Texas public K-12 school district.

A quantitative, ex post facto research design was used in the present investigation. Archival data was retrieved for six hundred seventy-three students from a local Pre-K-12<sup>th</sup> public Texas school district. The data encompassed exclusionary discipline types (ISS, OSS, and DAEP) that were categorized by race and gender during the 2016-2017 school year. Finally, the data were analyzed using Multinomial Logistic Regression to assess whether race and gender had a significant effect on the likelihood of observing each response classification of discipline to DAEP. Multinomial logistic regression was also performed to model the relationship between the predictors and membership in the three groups (race, gender, and exclusionary discipline), with the disciplinary infractions being the dependent variable.

The study was guided by the following research questions:

RQ 1: Is there a significant relationship between student race (Black and White) and exclusionary disciplinary practices within a Texas public school district?

RQ 2: Is there a significant relationship between student gender (Male or Female) and exclusionary disciplinary practices within a Texas public school district?

RQ 3: Is there a significant relationship between student race (Black and White), student gender (Male or Female), and exclusionary discipline practices within a Texas public school district?

In addition, the following null hypotheses were formulated and tested in this study:

Ho<sub>1</sub>: There is no statistically significant relationship between student race (Black or White) and exclusionary disciplinary practices.

Ho<sub>2</sub>: There is no statistically significant relationship between student gender and the exclusionary discipline practices of the school district in the study.

Ho<sub>3a</sub>: Controlling for gender, race does not affect the exclusionary discipline practices of the school district in the study.

Ho<sub>3b</sub>: Controlling for race, gender does not affect the exclusionary discipline practices of the school district in the study.

## **Findings**

The following findings were generated from the results of this investigation:

1. No significant relationship between student race and exclusionary disciplinary practices was found. While Black students in total receive more exclusionary disciplinary actions, the number is not disproportionate to what would be expected from the ratio of Black students to White students in the analysis.
2. A relationship was found to exist between student gender and exclusionary discipline practices.
3. Race does not affect the exclusionary discipline practices when gender is controlled for the school district in the study.
4. Significant unique contributions were made by gender, but not for race. For gender, the likelihood of a female being in the ISS group rather than the exclusionary discipline practices increased, and the likelihood of females being in the OSS group rather than the exclusionary discipline practices group also increased.

## **Discussion**

One of the most significant findings of the present study was that there was no relationship between race and exclusionary disciplinary practices of the school district in the study. This finding was inconsistent with those of Nowick (2018) and Cardichon and Hammond (2019), who documented in the past three decades that African American students, especially African American males are, overrepresented when it involves exclusionary discipline, particularly in suspension and expulsion. Similarly, the U.S

Department of Education Office for Civil Rights (2018) discovered during the 2013–2014 school year, that Black students from pre-K to 12th were 3.8 times more likely to have one or more out-of-school suspensions than White students. According to a study by Skiba et al. (2008), exclusionary discipline practices are disproportionately applied to students of color. In addition, Losen (2015) found that students of color are suspended from school for minor offenses that do not pose a serious threat to school safety. African American students receive suspensions for less serious violations in comparison to their White peers. Equally, Steinberg and Lacoé (2017) asserted that Black students are more likely than White students to receive suspension or expulsion for minor offenses.

Literature involving discipline disparities has existed for many decades from Bland and Harwin (2017) reporting data from the Department of Education’s Civil Rights Database regarding significant increases in racial disparities for Black student arrests and referrals to the police. Bouchein (2015) to TABSE (2019) noted the negative implications of zero-tolerance policies for public-school students, especially African American and special education students. Moreover, Rausch and Skiba (2004) discovered that schools with higher rates of suspension reported a drop in scores related to academic achievement when controlling for poverty and race. Steinberg and Lacoé (2017) claimed racial disparities in suspension begin as early as preschool with Black students. The aforementioned studies reject the results of the present study. A plausible explanation of this finding is that states other than Texas have adopted less punitive approaches as well as reduced the use of exclusionary practices to ensure a more inclusive learning environment for all students.

Another finding of the present study was a significant relationship between gender and exclusionary discipline practices. Consistent with the findings of Raffaele Mendez et al. (2002), Black girls have a higher percentage of suspensions than Hispanic or White girls. An examination of exclusionary discipline sanctions, such as in-school and out-of-school suspensions, was reported in a study by Bale et al. (2011). In all discipline sanctions, Black females were disproportionately affected. Blake and colleagues found that Black girls were twice as likely to receive an in-school suspension and out-of-school suspension as their same-gender peers. According to Skiba et al. (2002), studies on Black female discipline experiences have mostly examined discipline sanctions of Black boys compared to Black girls, with Black girls rarely being mentioned outside of descriptive statistics.

Intriguingly, the narrative involving gender disproportions was drastically dissimilar from the narrative concerning racial disparities for this analysis. The body of literature suggests that there are exclusionary discipline disparities across gender lines that involve boys experiencing disciplinary action far more frequently than girls (Gregory, 1997; McFadden et al., 1992; Shaw and Braden, 1990). The National Center for Education Statistics (2016) reported that female African American students enrolled in grades 6 through 12 had been suspended 29% more times than White students enrolled in grades 6 through 12. The results of the present study extend what is already known regarding gender and exclusionary disciplinary practices. This research study adds to existing research, which acknowledges that gender disparities exist but does not propose solutions to decrease African American exposure to the juvenile justice system.

An explanation for the gender finding may be that the literature appears to report Black females' discipline sanctions as a way to draw attention to the disparity between Black males' and Black females' discipline experiences. School discipline literature has given limited attention to Black females compared with Black males.

Moreover, the most surprising finding of the present study was the lack of evidence suggests race is a more significant predictor of disciplinary outcomes than gender (Skiba, Chung, et al., 2014). Skiba, Chung, et al. (2014) found that race was a significant predictor of OSS and expulsion regardless of gender. Contrary to the findings of this study, Steinberg and Lacoé (2017) also asserted that Black and Hispanic students are more likely than White students to receive suspension or expulsion for minor offenses. Similarly, the U.S Department of Education Office for Civil Rights (2018) discovered during the 2013–2014 school year that Black students from pre- k to 12th were 3.8 times more likely to have one or more out-of-school suspensions as White students were.

Likewise, Rocque (2010) found evidence of a Black-White disciplinary gap in disciplinary referrals. Gregory and Weinstein (2008) and Skiba et al. (2014) reported racial disparities concerning ISS and OSS suspensions.

As it relates to research question 3, it was discovered that disparities existed with females receiving a higher rate of ISS and OSS than males, and the likelihood of a female being assigned to ISS and OSS was greater for this particular school district. Although race was not significantly associated with the exclusionary disciplinary practices of the school district when controlling for gender, gender was significantly associated with the exclusionary disciplinary practices of the school district when controlling for race. To

forge one's thinking and extend to previous research as it relates to the literature review for this analysis, it would be conducive to explore why for this particular school district females receive the lesser consequences of exclusionary discipline in comparison to their male counterparts, and why females received a higher rate of suspension than their male counterparts.

An explanation of why this particular school district's findings did not align with other studies and researchers could be: what does this school district consider an offense that warrants an office referral, most importantly the question is, what is the reported data not informing us as researchers or what circumstances arise on campus that does not automatically warrant a discipline referral, which could inform us about approaches which could create similar outcomes for other school districts that mirror this school districts.

### **Limitations**

In any research design, there are risks to internal and external validity. Internal validity refers to the degree to which changes in the dependent variable are directly connected to the independent variable. Risks to external validity consist of the ability to create generalizations from the outcomes of the analysis. The limited population of the analysis and sample size could be instances of a risk to the external validity. The sampling structure consisted of students in Grades 3rd to 12th grade within one Texas public school district for the 2016-2017 academic school year. Therefore, the findings and outcomes may not be relevant to the other 1029 Texas public school districts. Another limitation is that the analysis was limited to one Texas public district, which results may not be generalizable to other districts or states.



More than likely, some students in the sample are represented more than once in the dataset. For example, some students had repeat offenses that are not accounted for in the analysis. Since the number of repeated offenses was not controlled, the impact that this repetition might have on disciplinary actions taken is unclear. For example, if a student receives five disciplinary referrals for the same offense, he or she may receive a more severe consequence than a student whose first offense is that offense. Additionally, because I did not control for the offense that led to the disciplinary action, I am not confident in saying that the severity of offense with the same disciplinary actions is equivalent.

Last, school district administrators are responsible for assigning discipline and also responsible for issuing exclusionary discipline (ISS, OSS, DAEP) consequences to students are guided by outside factors, including state guidelines, district expectations, and personal bias. The race of the teachers and administrators was not noted, which limited analysis of its influence on the use of exclusionary discipline within this Texas public school district. This study was intended for state legislators, school districts, and campuses in addition to adding to the literature as it relates to the adverse impact of exclusionary discipline practices.

### **Implications**

The purpose of this study is not to categorize exclusionary discipline practices as effective or ineffective as they relate to student referrals. The findings raise awareness about exclusionary discipline practices and their relationship to a student's race and gender. The findings in chapter 4 have implications for exclusionary discipline practices

and policies within this and perhaps other Texas school districts. Further, my analysis of the data is as follows:

1. Findings from this study could increase awareness among school leaders of the harmful effects any level of exclusionary discipline may have on the academic achievement of specific demographic and ethnic groups. From this current study campus leaders should consider addressing the impact that exclusionary discipline practices, such as ISS and OSS have on females and the impact DAEP has on males (See table 9 and 13).
2. Limit administrators' discretion in exclusionary discipline (OSS and ISS) actions-consequences for this school district. As noted above, the analysis discovered that female students received exclusionary discipline practice of ISS or OSS at a higher rate than their male counterparts, and male students received exclusionary discipline practice of DAEP at an alarming rate in comparison to their female counterparts for this particular school district. Exclusionary Discipline practices should be broadened to include a discontinuance or other alternatives concerning the application of ISS and OSS for a violation involving discretionary referrals. An alternative could include eradicating the use of ISS and OSS for lower-level student code of conduct infractions such as disrespect towards adults or violating school rules (causing a disruption during instructional time or dress code violation). An option to ISS and OSS could include non-exclusionary prevention measures such as referral to a behavioral specialist and or a counselor. For certain circumstances, it may warrant before or after-school detention.

3. To minimize the effects of exclusionary discipline practices on this population researchers adamantly favor implementing restorative discipline practices. The analysis is consistent with Pavelka's (2013) application for further research regarding the use of restorative justice as a principle-based model. The restorative discipline model seeks to determine the impact of the behavior and establish a mutual, prescriptive agreement for repairing the harm caused by the wrongdoing (p. 15). Restorative justice is based on three core principles [which include] Repair harm. Restorative justice requires that victims and communities are healed of the harm which resulted from the wrongful occurrence. Wrongdoers are held accountable for their actions and encouraged to make positive changes in their behavior. Reduce risk. Community safety requires practices that reduce risk and promote the community's capacity to manage behavior. Citizens feel safe and can live in peace when wrongful behavior is prevented and controlled.

Empower community. Schools, along with the external community, must take an active role in and responsibility for the restorative response by collectively addressing the impact of the wrongdoing and the reparation. Students are empowered as active participants in the resolution process (Pavelka, 2013, p. 15).

### **Suggestions for Future Practice**

The results of this analysis support existing research related to exclusionary discipline practices and gender as it relates to males' overrepresentation in DAEP and girls' overrepresentation in ISS and OSS. Additionally, the analysis contributed to the

body of knowledge by seeking to understand the variance in the exclusionary discipline practices within a small Texas school district and to determine if there is an association between exclusionary discipline and students' race and gender at a local school district. Moreover, the present analysis examined the percentage of exclusionary discipline assignments as it relates to African American students and the combination of another race and gender to determine if there was a statistically significant variance. This analysis had the potential to serve as a beginning stage in addressing ways to decrease the use of exclusionary discipline practices of DAEP when it relates to male students, and reduce the application of ISS and OSS for females at this particular school district.

In addition, as many are aware, schools are responsible for ensuring that many things transpire throughout the school day. Creating a safe environment that does not encompass disruptive behaviors and one that does not impede the learning process is paramount to the success of all students. Educators also are held responsible for creating a supportive campus atmosphere, all while cultivating a positive learning environment for all students. The restorative discipline approach allows students to make a mistake and learn from it, remain in the learning environment, and actively engage in the instructional content presented in the classroom. I recommend that this practice be incorporated into this school district. Additionally, previous research has noted the favorable outcomes of the use of the restorative discipline model as it is rooted in building positive relationships with students and others within the school community (Colombi & David, 2015).

Future research in this field of study should also consider the effects of being excluded from the educational environment as well as the impact of the amount of time students are away from the educational environment. For example, do two days of OSS

or ISS have more or less adverse impact as it relates to a student's educational outcome? In fact, some states tend to establish suspension limits capriciously; in Texas, OSS may not exceed three instructional days (Texas Education Code Sec. 37.005(b)), whereas in California the limit is 20 days over a school year (California Education Code Sec. 48903), and in Florida suspension may not exceed 10 instructional days (Florida Education Code Sec. 1003.01 5(a)). Moreover, the research needs to be completed concerning the length of exclusion from the educational environment to more intentionally establish state- and district-level exclusion guidelines and boundaries.

Furthermore, future research should closely examine the relationship between exclusionary discipline and the use of this practice application based on categories of race and gender in both small and large school districts. Research advises that exclusionary disciplinary practices have adversely impacted students in ways that essentially cause the student to enter into the juvenile and or criminal justice system. In addition, another recommendation includes conducting a study looking into discipline practices at the campus level and interviewing campus administrators regarding their exclusionary discipline practices. As such, a mixed method analysis may provide further understanding as it relates to why male students are sent to DAEPs at a higher rate than their female counterparts.

Future recommendations should also include and focus on the educational experiences of female students who have experienced exclusionary discipline at a rate alarmingly higher than their male counterparts. It was noted that nationally Black girls often experience exclusionary discipline outcomes more than their male counterparts,

which is a trend that is aligned within the criminal justice system (Chesney-Lind, 2010; Tate et al., 2014).

As it relates to recommended analysis, this should include longitudinal data examination of students' exact discipline data. Student exact data would permit analysis of the usefulness of suspensions through the occurrence of recurring suspendable infractions. Longitudinal data that follow students through their years in the school district would permit analysis of the future impact of suspension and possibly assist in identifying predictive influences regarding younger students. Secondly, an analysis should be conducted to determine if a student's grade level impacts exclusionary discipline practices. In addition to these specific research intentions, it can be safely noted that there remains much to be learned about disciplining within this Texas public school district and, across the U.S.

Last, although not analyzed in this study, a meaningful topic for examination is the suspension percentage of students in the categories of race and gender as it relates to their respective grade levels. There are extremely too many schools relying on exclusionary discipline that are a result of ZTPSs that have essentially caused long-lasting consequences. Further studies that would more closely examine exclusionary practices in conjunction with the gender of students would greatly benefit current and future educators. Although there was no report of expulsions in this analysis, it is suggested that the analysis be duplicated in a school district that is larger than the district analyzed in this study and one that has a large number of expulsions. With the suggested approach, this is the only way the scientific community can decide the differences in

suspensions related to a student's race and the combination of gender to determine if this is consistent with expulsions.

### **Recommendation for Policy and Practice**

**Implementation of Data Driven Decisions.** Districts should place limits on the use of exclusionary discipline practices as it relates to a student's first discretionary infraction, especially given that the referral significantly increases the student's risk of future offenses. Other non-exclusionary best practices should be implemented as they relate to disciplinary practices for first referrals. Another policy recommendation is to eradicate and or revisit the use of zero-tolerance policy and exclusionary discipline practices in Texas public schools. The overall goal is for state and local officials to eradicate or revisit the use of overly harsh discipline policies such as OSS, ISS, and DAEP for minor or repeated behaviors (e.g., being disrespectful, chewing gum, and skipping class.) State and local officials should strive to offer restorative discipline approaches that restore a student's behavior as opposed to utilizing practices that will increase a scholar's chances of coming in contact with the juvenile or adult legal system.

Implement an alternative restorative approach to decrease student misconduct. It does not follow from these findings; neither was it the intent of the present analysis to classify exclusionary discipline as an "advantage" or "disadvantage" practice as it relates to students' particular violations. Instead, the purpose of this study was to enlighten all of the relationships between exclusionary discipline practices regarding their application based on the categories of race and gender within a Texas school district. As it relates to placing limits on the exclusionary discipline practices of OSS, ISS, and DAEP removals, campuses and school districts should consider implementing campus- and district-wide

approaches to school discipline that improve the overall educational outcomes for students that have been identified as at-risk. Moreover, the purpose of this study was to shed light that would guide educators and administrators to be more thoughtful and suitable in their referral and processing of discipline infractions.

**Practice Recommendation.** Colleges, teacher alternative certification programs, and public-charter schools should create a partnership to construct a required curriculum. With that, the curriculum should be centered around cultural awareness and competency modules for their respective training courses for teachers and school leaders using the critical pedagogy framework to enhance the learning experiences of all learners, with a special focus on African American scholars. Addressing cultural biases within the educational setting will essentially attempt to resolve the overreliance on exclusionary discipline practices. In addition to addressing the overreliance on exclusionary discipline, this could also serve in building positive relationships with students that result in increasing their time in the class as opposed to the office for a referral.

### **Conclusion**

Existing research on disproportionality in the assignments of exclusionary discipline has a variety of emphases. Some are concerned with corroborating the existence of disproportions across a multitude of settings. Frequently, this analysis exemplifies large-scale quantitative studies that make assumptions from large exclusionary discipline data. Numerous school districts frequently compile this kind of data and many states including Texas mandate school districts to report this data. There is an overabundance of research that notes the adverse consequences of exclusionary



discipline practices from a state standpoint but not necessarily from a local school district stance.

This study intended to identify the disparities that occur in a single school district, and to investigate if a student's race or gender has any impact on exclusionary discipline practices. This analysis' research questions exemplify its focus 1. Does race have an impact when it relates to exclusionary discipline in one Texas public school district? 2. Does race have an impact when it relates to exclusionary discipline in one Texas public school district? 3. Does a student's race or gender have an impact on exclusionary discipline practice in a Texas public school district? The analyses conducted assumed the outcomes in the district would be the representation of national trends. The analysis research questions rest firmly on the intended purpose.

Moreover, the outcome of the study contributes to the body of knowledge by recognizing the variables of race and gender in one Texas public district. Future studies should look deeply at males' overrepresentation in DAEP and females' overrepresentation in the discipline categories of ISS and OSS, especially for this school district. Educators appear to believe that sustaining exclusionary discipline practices in school is critical to ensuring a safe learning environment. However, the disaster of punitive school discipline policies such as ZTPs has negatively impacted all to a significant degree across the state and nation.

With other disciplinary best practices, campuses and school districts can leverage the necessity of a safe, cultivating, and fruitful learning environment with the main focus of educating students. All students deserve a chance to obtain a high-quality education, so it is essential that educators and policymakers guarantee that academic achievement is the

main objective for all students. The school-to-prison pipeline remains a significant issue in the United States. Existing research has established a strong framework upon which future studies for this social phenomenon can be conducted. Also, findings from the present study suggest that school districts should adopt practices to decrease the use of exclusionary discipline for females as well as conduct further note future research to track the use of non-exclusionary discipline and the particular infractions to determine if there are any disparities. Educational leaders and local and state leaders would benefit from implementing a universal method of teacher preparation, which should include culturally responsive instruction as well as aggressively monitoring and revising the zero-tolerance policies.

One cannot overlook what is apparent, and that is young scholars are suspended and expelled at alarming rates, which essentially does not always support their academic success. With unconventional disciplinary strategies, schools can balance the need for a safe, caring, and positive learning environment with the primary goal of educating youth. All young people deserve an opportunity to receive a high-quality education. It is crucial that educators and policymakers assure that academic success is the main goal for all students.

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