

Discussing the Elimination of School Discipline: The History, Implementation, Fallacy and Reactionary Response.

By: Sean M. Brooks, Ph.D.

Discipline in American K-12 schools is not new. Students who misbehave or break the rules of decorum are typically held accountable for their behavior through the methods of in-school suspension (ISS), out of school suspension (OSS) or detention. These methods are usually followed up with a phone call home to the legal parent or guardians, which may also include a writing assignment or an apology from the student. The legal system also comes into play when drugs, weapons or physical violence are variables in the equation. The only real “new” approach regarding discipline in American K-12 schools are the “preventative” games, gimmicks and state-wide legislation efforts that are used in an attempt to reduce or eliminate negative behavior—and now eliminate discipline altogether.

K-12 schools across America are held accountable for their discipline referral rates. If more discipline referrals are documented, schools can receive less money. If fewer discipline referrals are documented, schools and associated districts can receive more funds. Ever-changing discipline referral rates can also cause school-district officials to swap-out or trade administrators from building to building in an effort to “change a workplace culture.”

Many are now blaming—not the behaviors themselves, but racial or gender bias as the reason for school discipline being used within K-12 school-based settings. This has created an uptick in the discussion to remove school discipline as a remedy to this alleged problem. However, instead of examining specific behaviors and who perpetrates these suspension-related

behaviors, the “race and gender card” have been played as if bias is the primary motive as to why K-12 students are suspended.

In December of 2018, Education Secretary Betsy DeVos eliminated the Obama-era school-discipline policy that threatened schools to dramatically reduce, if not eliminate the suspensions of minority students. What is commonly left out of the public view, however, is that this Obama-era policy/suggestion was attached with a threat of blackmail. If schools did not dramatically reduce or eliminate their suspension rates for minority students, those states and school districts could be held legally accountable in federal court for accusations of discrimination. In a US News and World Report article titled, *Study Contradicts Betsy DeVos' Reason for Eliminating School Discipline Guidance*, author Lauren Camera conveniently leaves out how, why, and what threat was mandatory within the implementation of the Obama-era policy. The author quickly referenced how ‘new studies claim to show that removing the Obama-era policy will dramatically increase rates of student discipline, and unfairly so.’

Between the years of 2014 and 2016 when this Obama-era blackmail threat existed, schools were desperately trying to find new ways of disciplining students who broke the rules, or they were working on trying to find other methods of preventing such behaviors from occurring in the first place. As one might suspect, such methods are profitable to the very educational companies that create “violence prevention programs,” while schools are left to test out their viability by implementing them first, and then asking questions later. Many, if not all programs that seek to prevent reoccurring negative behaviors, tend to fail and they are not positively viewed by school-based faculty who are ultimately held accountable for their forced implementation (i.e., *Restorative Practices*, *PBIS* or *The PAX Good Behavior Game*).

Now, in response to failing behavior-modification programs, slanted and agenda-driven studies examining school discipline rates and disinformation related to previous federal policies; political critics and radical education organizations are requesting that schools eliminate school-based discipline for students—altogether. Some politicians and education think-tank’s are suggesting that American K-12 schools find new methods of holding students accountable, because in their eyes if those students who break the rules are not suspended and are immediately allowed back into a classroom—then those students will be more likely to academically achieve. This begs the questions: What about everyone else who doesn’t break the rules? After all, would someone let a criminal go free if a law had been broken, and then let that victimizer immediately re-enter the environment where the offense occurred? Is this the message we are sending to our law-abiding citizens, teachers, and students within school-based settings?

In December of 2019, Democrat Rep. Ayanna Pressley (D-Mass.) proposed legislation to “tackle the problem of students of color, particularly Black girls facing disproportionately punitive discipline in school.” According to Rep. Pressley’s proposed *Ending Pushout Act*, she is “aiming to stop discriminatory punishment practices that criminalize black and brown students, push them out of school and exacerbate the school to prison pipeline.” This is the first bill to come out of the congresswoman’s criminal justice reform proposals. Her initial report states;

“Black students in the U.S. are significantly more likely than white students to be suspended, expelled, arrested at school, or referred to outside law enforcement agencies. While Black children make up about 16% of all U.S. public school students, they account for about 40% of school suspensions, according to a 2018 Government Accountability Office report. Black girls in particular face harsher treatment in school than their peers.

They are over five times more likely to be suspended than white girls, according to a 2017 report from the National Women's Law Center, which used data from the U.S. Department of Education's Office for Civil Rights from 2013-2014."

Pressley's legislation, also co-sponsored by Democrat Rep. Ilhan Omar (D-Minn.), would establish \$2.5 billion in new grants for states and schools to provide educators with "implicit bias training, invest in counselors and social workers, and adjust school discipline policies specifically regarding 'appearance and grooming' for students, with input from families and community members." Now here's the kicker. The reported Act also states; "To be eligible for the funds, schools would have to ban suspensions and expulsions in all grades for being late or chronically absent and for 'minor infractions.' The schools would also have to ban corporal punishment, isolation and restraining students." Democrat Rep. Ayanna Pressley (D-Mass.) continued in stating; "Not only are our girls carrying trauma from their personal lives when they enter school, but for far too many, schools have become a place that criminalizes and harms girls of color."

These sweeping broad-brush strokes couldn't be more blatant. I'm not a lawyer, but conspiracy to commit bribery, I believe, is against the law. Notice how the behaviors themselves are not specifically addressed, but are instead vaguely referenced. Nor are the preventative measures that parents themselves could take ever mentioned in order to help ensure such behaviors don't exist within school-based environments. Furthermore, any proposed professional development to curb unfair practices among school staff would almost certainly require an entire school's staff, in particular white staff members, to be viewed as bias by default, thereby making a sweeping judgment that teachers are bigoted, so now let's train them to not be. Now, as in the past, government is playing the role of the parent. Bribing and

blackmailing schools with the promise of millions of dollars has now become the preferred method to achieve compliance.

Eliminating school discipline or in-school or out-of-school suspension programs are not the answer, nor are forced behavior modification programs implemented by teachers and administrators for a student populous. Instead, the simplest answer tends to be the correct one. True compliance comes from teacher and administrative organization on the first day of school to teach the policies and procedures to students, while never overlooking the consequences for those who fail to comply. Always being calm but stern, being consistent and fair, alerting parents and guardians to disruptive behaviors upon immediate referral, and keeping thorough documentation of each and every episode—should be the preferred playbook regardless of a student's gender or race.

Finally, accountability for negative behaviors can only reach a logical conclusion if a face-to-face apology occurs. Without a face-to-face apology from the wrongdoer to the individual or group for whom they wronged, reoccurring negative behaviors will only persist, regardless of government intervention. Any lapse in this process tends to create a ripple effect, leading teachers and administrators to fish for the next flashy discipline procedure that typically creates more work or ultimately motivates politicians to force legislation that bribes or blackmails American K-12 school districts.

Case in point, in 2019 the State of California passed a law, that goes into effect in all California schools in 2020, officially outlawing discipline for students who openly defy teachers and administrators. Therefore, if local and State Governments become more radicle then they already are, chaos and laws such as this may be coming to a K-12 school district near you. With hundreds of thousands of citizens leaving California each year, due to crime, lawlessness,

poverty, high taxes and State-Government control—you can bet that teachers and administrators are among those who are leaving.

Dr. Sean M. Brooks has spoken nationally and internationally on the topics of conflict and violence in school, teacher education, teacher leadership, curriculum and instruction, classroom management, and freedom and independence in education.

Dr. Brooks is the author of the books; *Where the Finger Points*, *Violence Among Students and School Staff*, *The Mental and Emotional State of School-Aged Students*, *The Origins of School Violence*, and *Purposeful Deception*.