

Public Education in Boston, the Big Picture:
Dialogues Between the BPS Superintendent
and Elder Black Educators

Proceedings

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Office of Community Engagement and Circle of Promise

Introduction

In 2011 the (former) Deputy Superintendent Michael Goar for Boston Public Schools requested the BPS Office of Community Engagement and Circle of Promise (CECoP) to collaborate on designing a strategy to tap the voice of Boston's Black Elder leaders for conversation and exchange of ideas with the BPS Superintendent, Dr. Carol Johnson. The intention was to create an opportunity for dialogue and group discussions to share the historical context of school changes in Boston, as well as explore considerations for future improvements. Dr. James Jennings, Professor of Urban and Environmental Policy and Planning at Tufts University, and faculty advisor for its new Center for the Study of Race and Democracy, was approached to assist in the planning and structure of discussion topics and to identify higher education partners to co-host and support a convening of a series of seminars.

Dr. Jennings also participated in developing and contacting participants for the planned seminar series. (See Appendix A) He was assisted by Juan Evereteze, a BPS parent and someone with a long history of involvement in Boston's civic and education affairs. Based on numerous meetings a plan emerged to organize four seminar-style meetings, with invited guests, and facilitated by Dr. Jennings. The rationale for the seminar series was that Black elders, involved directly and indirectly with earlier struggles for expanding educational equity and opportunities in Boston, could serve as a resource in examining and responding to current challenges in public education.

The initial and subsequent planning meetings included Dr. Jennings; Juan Evereteze; Mary Ann Crayton, Executive Director of Community Engagement and Circle of Promise for the Boston Public Schools; Michael Goar; Dr. Barbara Lewis, Director of the William Monroe

Trotter Institute at the University of Massachusetts Boston; and Dr. Richard L. O'Bryant, Director of the John D. O'Bryant Institute at Northeastern University.

Background

Dr. Jennings had recently completed a report aimed at tapping the voices and expertise of long time and elderly Black leaders regarding the Black Church and its' role in community development, entitled, *Black Churches and neighborhood Empowerment in Boston, Massachusetts 1960s and 1970s: Lessons for Today*. This report was published by the William Monroe Trotter Institute at the University of Massachusetts Boston in June 2012. It helped to raise the fact that the voices of individuals involved with earlier education struggles for equal opportunity represented an untapped resource.

A number of individuals in Boston's Black and Latino communities who earlier may have spent much time on the 'frontlines' to ensure equal and quality education for all of Boston's children seem to be absent from recent s discourses about the issues and challenges facing Boston public schools. In general, this absence is reflected in the media's coverage of public school events and developments. Tapping the voice of elder activists and having conversations about the new and continuing challenges facing the children and youth of Boston can be productive.

Between December 2011 and November 2012 the Boston Public Schools Superintendent participated in four seminars facilitated by Dr. Jennings. The seminar series was titled, *Public Education in Boston, the Big Picture: Dialogues Between Dr. Carol Johnson and Elder Black Educators*, and had the aim of providing the Superintendent opportunities to meet with elder Black educators in Boston and to discuss a range of 'big picture' educational challenges facing Boston and other urban areas.

The first three seminars were co-sponsored by the William Monroe Trotter Institute at the University of Massachusetts Boston. Dr. Barbara Lewis, Director of the Trotter Institute opened each of the first three seminars welcoming guests and setting the context of the dialogue. She reminded participants of the importance of a community-based driven dialogue about the future of Black youth. At the very first seminar the Superintendent acknowledged that voices of Black elder educators are a resource not fully tapped.

The last seminar was hosted by the John D. O’Bryant Institute, Northeastern University, and Dr. Richard L. O’Bryant opened the meeting. Planners involved with the seminar series agreed that it would be symbolically important to hold the last seminar at a place where the memory of John D. O’Bryant (1932 – 1992), a former BPS school committee member and highly respected educator and mentor to many individuals could be invoked. In fact, many discussants at the last seminar who personally worked with John D. O’Bryant noted that the forum is exactly what John would have called for, as an advocate and educator insisting on equal education for all students regardless of race and ethnicity, or where they happen to live in Boston.

Organization and Facilitation of Four Seminars

This section begins with a brief summary of each of the seminars, followed with greater detail about specific points and issues raised by participants.

Equal Opportunity and Academic Excellence: Lessons from Earlier Periods (December 8, 2011)

The first topic/theme represented an opportunity for elder Black educators such as Jean McGuire, Ken Guscott, Doris Bunté, Hubie Jones, and others, to reflect about lessons learned based on their own involvement with earlier struggles for guaranteeing educational equality for all children.

Business and Public Schools: How Do We Prepare Students for Jobs (January 31, 2012)

The second topic/theme was an opportunity to remind the audience of the rich history of the involvement of Black and neighborhood-based businesses in jobs development and youth mentoring in public education in Boston. This was something that participants like Joseph D. Feaster, Jr., Esq.; Melvin Miller, Ken Guscott, and others insisted as a key topic since it has become invisible in some ways.

Status of Black Boys: Retrospective Look with Elder Black Educators, and current initiatives to improve academic and social outcomes (May 22, 2012)

The third topic actually represented a stream of thought among participants throughout all the seminars. Elder Black educators expressed major concern that continuing academic achievement gaps are reflected in the schooling experiences of Black and Latino children. Participants, including State Representative Gloria Fox and Sarah Ann Shaw, recommended a follow-up seminar to focus on this challenge in order to highlight what worked earlier, and current challenges that need to be addressed.

Neighborhood Inequality and Neighborhood Schools: Implications and Challenges (November 27, 2012)

The last seminar was driven, in part, by Boston's leadership move towards neighborhood schools. Participants questioned the meaning of quality and equal opportunity for all children within a context of neighborhood inequalities. Black elders raised questions about appropriate strategies to ensure that children are not shortchanged in terms of quality schools regardless of where they might be living. One participant, the prominent architect David Lee noted that there may be opportunities for local schools and communities to reconnect as may have been the case in earlier periods.

The first seminar, *Equal Opportunity and Academic Excellence: Lessons from Earlier Periods*, was held on December 8, 2011 and focused on the retrospective thoughts of elder Black educators involved with earlier strategies to expand educational opportunities in Boston. There were approximately 20 participants in this session. The seminar started with brief introductions and then moved into a facilitated conversation with panelists, including Doris Buntè, Sarah Ann Shaw, Hubie Jones, Ken Guscott, and Jean McGuire. After a brief response on the part of the

Superintendent, Dr. Jennings then facilitated a discussion with the general audience. The focus of the conversation with the Superintendent revealed earlier examples of educational struggles on the part of Black parents both in terms of ongoing desegregation, but also racist practices inside many public schools.

The second seminar was held on January 31, 2012 where the topic was on the role and impacts of Black and neighborhood businesses on public schools. There were approximately 30 to 35 participants in this session. The format remained similar to the first one. Panelists included Kelly Chun, Joseph D. Feaster, Jr. Esq., David Lee, and Randall Davis. The conversation between panelists and the Superintendent touched upon potential connections, as well as earlier connections, between local Black businesses and public schools. As noted by one of the panelists, Black business leaders were intricately involved with public schools in earlier periods.

There was also some discussion about how this sector can have a greater presence inside public schools as a benefit for children and their parents. Such ideas included ideas like inviting Black business representatives into public schools for presentations. Utilizing Black business leaders as mentors for youth. Incorporating information about the history and impact of Black entrepreneurs and inventors into school curricular was also mentioned, and in particular, highlighting the work of historian Robert Hayden.

The third seminar was held on May 22, 2012. Here, the discussion focused the status of Black and Brown boys in the Boston's public schools. It was titled, *Status of Black Boys: Retrospective Look with Elder Black Educators*. There were approximately 35 participants in this session. In addition to elder Black educators, representatives of nonprofit organizations in Boston's neighborhoods were invited to attend and participate.

In preparation for this seminar Dr. Jennings commissioned two background papers/memos on the topic and which were distributed at the seminar. One policy memo was authored by Dr. Kimberly R. Moffitt, Associate Professor of American Studies and African-American Studies at the University of Maryland Baltimore County. (See, Appendix B) Dr. Moffitt's paper provided a summary of key findings in the germane literature describing the experiences of Black youth in schools. The other paper was authored by Melissa Colon, former Associate Director of the Gaston Institute at the University of Massachusetts Boston. (See, Appendix C) Her policy memo shed light on implications of school disciplinary policies and practices for Black and Latino boys in Massachusetts public education.

Major ideas and discussion raised at this seminar included explanations for a continuing Black and Latino achievement gap. The role of teacher quality and mentoring was raised. The need for greater linkages between schools and local communities was emphasized. Panelists and participants offered that communication and collaboration has to be increased and enhanced in terms of quality relationships between schools and local communities. Concern was expressed regarding rumors about the collection of information and analysis of data regarding the achievement gap of Black and Brown boys. A number of nonprofit representatives, along with some of the Black elders, noted that this is a challenge that would best be studied through a community-participatory process. The latter would help in discouraging deficit-model approaches to studies about race and the academic achievement gap. Furthermore, the lack of input from community sectors involved with Black and Brown youth could mean that potential and effective strategies for meeting this challenge are overlooked.

Finally, the fourth and last seminar was held on November 27, 2012 at the O'Bryant Institute at Northeastern University. Approximately 50 individuals attended this session. This

session focused on the meaning of current neighborhood inequalities for neighborhood schools in Boston. Dr. Jennings prepared a power point presentation illustrating how neighborhoods in Boston reflect inequality in the areas of poverty and income; food security; public health; and housing. The query presented to the panelists, including Doris Buntè, Mel King, Sarah Ann Shaw, Dr. Charles Desmond, and David Lee was: is neighborhood inequality relevant for education reform in Boston? Dr. Johnson then responded to the points raised; this was followed by Juan Evereteze facilitating a discussion with the audience.

At least three prominent issues emerged in the last seminar. First, as Boston moves towards neighborhood schools are there strategies for ensuring that individual schools are equipped with the resources to provide a quality education for all children. For example, regarding public health issues: how will schools in areas with relatively high asthma rates be provided resources or flexibility to consider this in how it educates its student body? The Superintendent noted that this would represent a very positive development and made reference to an initiative to increase the accessibility of health resources to children in the Boston public schools.

A second issue raised was the low number of Black teachers, especially Black male teachers. One person described this situation as a crisis in a school system where 85% of the children are Black or Brown. This was related to the third issue regarding pedagogy. Some of the elder Black participants and others suggested that there is almost a lack of respect for the cultures and contributions of communities of color. It was proposed that strategies for enhancing the quality of pedagogy, including better training of teachers, could have a positive impact on learning and closing the academic achievement gap. Actually, this was also a point raised in the

third seminar. The last session ended with a general call for continuing discussions and strategies about the issues raised throughout the year's deliberations.

Emerging Themes

Several broad themes emerged from the four sessions: *communication*; *accountability*; *role of community-based businesses*; *school-community linkages*; and, *youth leadership and capacity-building*.

Communication between the Superintendent and Black elders represents an important resource for the City. Some individuals were involved with education struggles which still resonate today in terms of the needs of children in many schools. For example, the presence of role models in earlier periods is something that may be missing today; yet this was identified as crucial for Black academic achievement by a number of participants.

Accountability on the part of teachers and staff regarding the academic well-being of students is very important. The absence of critical numbers of Black and Latino teachers committed to the success of children was raised at more than one seminar. But, it was pointed out at more than one seminar: it is not just critical numbers of Black and Latino teachers that is needed. BPS teachers must respect the cultures and histories of their students, families, and communities. It was emphasized that the training of teachers must include cultural competency standards to work in urban schools, and especially since it seems that new teachers have less exposure to cultural competency professional development than in earlier periods.

Role of community-based businesses can represent a remarkable resource for the Boston public schools. Black business representatives offered that they could be partners with the leadership at individual schools. In fact, there is a history of Black business leaders

working with schools and youth that has become invisible. The renowned Ken Guscott and his wife Jolin, for example, started the Mass Prep program in the 60's to help better prepare young Black graduates from the BPS for employment opportunities because they saw a role for business and entrepreneurship in the education of Black children. Over decades Black business leaders have provided internships to motivate, inspire and expose students to a professional work environment, as observed by business leaders Kelly Chunn, David Lee and Randall Davis. Here, too, there is an example of voices with important experiences and commitment to quality education absent from many of today's discourses and debates about which way forward regarding the future of public schools.

School-community linkages represented a key and consistent theme. School staff and teachers should be trained about potential resources for learning that are embedded in communities. This can include cultural organizations, or small businesses willing to assist with a range of school issues. Representatives of nonprofits requested more information about individual schools and how they can initiate and sustain partnerships on behalf of students and their parents. Neighborhoods have a range of resources and institutional infrastructure which could be tapped by school leadership.

Youth leadership and capacity-building also emerged as a theme. Participants suggested that the needs of Black and Latino boys should be addressed comprehensively. More information about the educational experiences of these youth should be generated and shared within community settings. There are not enough Black male role models for these youth. A few other comments called for greater collaboration between Black and Latino leadership around school issues, and in particular the critical importance of culturally-supportive approaches to learning. These ideas were reflected in a general call for emphasizing

youth leadership, and perhaps by beginning to aggressively involve youth directly in improving public schools.

Conclusion

The four seminars were covered in the *Bay State Banner* by journalist and former Pulitzer Prize winner Kenneth J. Cooper. This coverage was very much appreciated by many of the elder Black participants, some who opined that some news outlets generally do not cover events of Black civic discourses about public education in Boston. The first article is titled “Improving Boston’s public school system” (December, 15, 2011); this article was followed by “UMASS panel urges more black professionals at BPS” (February 9, 2012); the third article is “BPS Superintendent talks about closing the achievement gap” (May 31, 2012); and the last article is titled, “Solutions needed to combat inequality in Boston schools” (December 6, 2012).

The last seminar provided an opportunity for participants to reflect on the seminar series. The Superintendent endorsed the idea of continuing dialogues about a range of challenges facing Boston public schools. She noted that the seminars with Black elders could be a model for the involvement of parents and students, and community representatives, in thinking about how to improve the quality of education for all children.

At least three reasons were raised by Black elders for continuing dialogues that are also community-based and participatory. First, as was made obvious throughout the seminar series there is a wealth of experiences and insights embodied in the history of work and struggles represented by the City of Boston Black elders. It would be unfortunate for the City not to tap this key resource during this period of educational transition. Second, the involvement of Black elders in these discussions encourages others to participate in that these individuals represent role models for many, many people in Boston. And, third, there is a richness of ideas which can

enhance the quality of communication about effective strategies for ensuring that all children experience equal and rewarding education opportunities to excel.

Appendix A: Seminar Participants (partial list)

Bruce Bickerstaff
Donna Bivens
Tracy Brown
Doris Buntè,
Melissa Colon
Dr. Angela Paige Cook
Joe Cook
Kenneth J. Cooper
Kelly Chunn
Randall Davis
Dr. Charles Desmond
Joseph D. Feaster, Jr. Esq
Barbara Fields
State Rep. Gloria Fox
Elmer Freeman
Robert Gittens
Dr. Daphne Griffin
Ken Guscott
Herman Hemingway
State Rep. Carlos Henriquez
Hubie Jones
Mel and Joyce King
Dr. Winston Langley
David Lee
Suzanne Lee
Walter Little
Mel Miller
Dr. Jean McGuire
Yvette Modestin
Lillie Searcy
Sarah Ann Shaw
John Strodder
John Smith
Charles Titus
Joyce Wilkins
Dr. Russell Williams

Appendix B

RE: *State of Black Males and Public Education*

Dr. Kimberly Moffitt
University of Maryland, Baltimore County
May 10, 2012

In 1984, Kunjufu (1984) revealed a set of factors that continue to plague our understanding of Black male academic achievement in public school educational settings today. Although he impressed upon the various stakeholders the need to address social and emotional aspects of the child in order to enhance academic performance, the dismal statistics regarding Black males and public education show little effort to consider those recommendations. This matter has now soared into epidemic proportions. Even with attempts to enact legislation such as No Child Left Behind (2001) and other community-based programs, Black males “have higher dropout rates, lower grade point averages and lower subsequent enrollment in institutions of higher education when compared to black females and males of other races” (Scott, 2008, p. 2). Here, three key concerns impacting the academic success of Black males in public school education are shared.

Well-Being and Self-Esteem

Quality of life is seen as the most important factor predicting academic success. With increased rates of poverty, due to unemployment and/or underemployment, as well as disadvantaged surroundings/neighborhoods, lacking sufficient goods and services, Black males enter public school settings without the basic needs to focus on academics. Sharkey (2009) states, “more than three-fourths of Black children born between 1985 and 2000 grew up in” such living conditions. These conditions are further enhanced by the number of single-headed households in which the primary parent, often mother/female guardian, holds less than a high school diploma (13%) impeding ability to assist children with schoolwork (Aud, et al., 2010).

Often this limited quality of life directly affects the self-confidence and ability of Black male children entering public school settings. Although energetic to learn, Black males may find school a challenge as a result of living conditions, the spirit of competition among peers, and mediated representations that do not reify positive images of self and ability. Instead of addressing this specific concern, Black male students are more likely than other students to receive increased disciplinary actions and experience disparately excessive placement into special education classes.

Fourth Grade Failure Syndrome

A longitudinal study of school-aged Black males suggested that by the fourth grade, these young men have been cast into spaces of dark and bleak futures. Kunjufu (2007) coined the “fourth grade failure syndrome” to bring light to the poor transition occurring for this population between primary grade levels (Kindergarten-3rd) and the intermediate grade levels (4th and beyond). At the core of this transition is the shift of teachers’ mindsets and attitudes towards young Black males. Specifically, it is argued that teachers no longer view the children as sweet, adorable, and impressionable minds, but instead they become “the would be criminal, the oversexed, great athlete, and academically unsuccessful.” Teachers may not offer the same level of support and/or structure as performed in previous academic years for the students because of their perception of Black men, largely fostered by negative mediated representations. As a result, Black males represent disproportionate numbers of school suspensions and placement into special education and alternative school settings.

Additionally, Black male students make a shift of their own that impacts academic success in public school settings. By fourth grade, according to a Council of Great City Schools study (2010), only 12% of Black male students read at or below grade level. A loss of interest in school is considered a primary factor; however when further explored, mitigating factors such as limited learning styles, excessive assessments, lack of attention to relationship building, and more emphasis on independent reading also play a role. Although earnest attempts are made by schoolteachers and administrators to intervene, a constrained understanding of the male learner only exacerbates the concern and the struggling and poor readers continue to fall behind academically. Without the essential skills of reading and comprehension, the eventual path taken by many of these students is to express themselves negatively and then stigmatized as “bad,” or even worse, dropping out of school. A 2010 Schott Foundation report states that in large urban districts, more than 50% of Black males drop out of school, leaving without the necessary skill set for success and survival in life.

Juvenile Delinquency

Involvement in the juvenile justice system has significantly impacted the academic success of Black male students. Statistics show that Black males “are more likely to spend time in jail or a detention center than any other race...[and] are involved in the juvenile justice system at twice the rate of white males” (Toldson, 2008). A lack of fulfillment of a child’s emotional and personal needs often leads to disinterest in school and a lull into criminal activity such as drug distribution. Participation in this system creates academic disruption and hinders the learning process that fosters a space of despair and uncertainty for students. Such students find it difficult to re-enter the public school setting recognizing their life experiences are vastly different than their peers, academically and socially, and as a result, become increasingly frustrated and eventually leave public education completely.

Conclusion

The aforementioned factors shared offer compelling evidence pertaining to the challenges associated with the academic success of young Black males. These males face significant challenges that may have adverse effects on their loved ones, future aspirations, and productivity in society. As cited previously, this impending epidemic has been looming among the public education setting for over 25 years, and only recently, has the matter received the acknowledgement from funding organizations and advocacy groups. However, now that there is an emergent understanding of the primary factors affecting this population in the public school setting, work can begin to improve the conditions, while also laying the groundwork for innovative measures and best practices leading to academic excellence. Some questions to consider:

1. What legislative action(s) should be taken that might positively impact the academic success of young Black males?
2. Are there unique or specific learning strategies that may lend more to the success of the Black male learner?
3. What specific role(s) should higher education institutions have in educating and training future classroom teachers in urban settings?
4. How might community-based organizations partner with urban school districts to collaboratively address life challenges impacting this student population?

References

- Aud, S., Fox, M.A., and Kewal Ramani, A. (2010). Status and Trends in the Education of Racial and Ethnic Groups, U.S. Department of Education, National Center for Education Statistics, Washington, DC: U.S. Government Printing Office.
- Lewis, S., Simon, C., Uzzell, R., Horwitz, A., and Casserly, M. (2010). A Call for Change: The Social and Educational Factors Contributing to the Outcomes of Black Males in Urban Schools. Washington, DC: Council of Great City Schools.
- Kunjufu, J. (2004). Countering the Conspiracy to Destroy Black Boys. Chicago: African American Images.
- Kunjufu, J. (1984). Developing positive self-images and discipline in Black children. Chicago: African American Images.
- No Child Left Behind Act of 2001, 20 U.S.C. (2008).
- Schott Foundation for Public Education. (2010). Yes We can: The Schott 50 State Report on Public Education and Black Males.
- Scott, E.L. (2008). Foreword. In I.L. Toldson Breaking barriers: Plotting the path to academic success for school-age African-American males. Washington, DC: Congressional Black Caucus Foundation, Inc.

Sharkey, P. (2009). *Neighborhoods and the Black-White Mobility Gap*. Pew Charitable Trusts.

Toldson, I.L. (2008). *Breaking barriers: Plotting the path to academic success for school-age African-American males*. Washington, DC: Congressional Black Caucus Foundation, Inc.

Appendix C

RE: *Race, Ethnicity and Disparate Effects of School Disciplinary Policies*

Ms. Melissa Colon
MPP candidate, Tufts University

Student Exclusions¹- A National Perspective

In 2011 the National Education Policy Center's published *Discipline Policies, Successful Schools, and Racial Justice*, a report that called attention to the nation's growing "discipline gap." According to the report, school suspensions have risen steadily since the early 1970s, with the most current data indicating that 7% of all students enrolled in public schools were estimated to have been suspended at least once.² This results in millions of children who are missing school on a consistent basis as a result of disciplinary action taken against them by schools. Students who are suspended miss important instructional time, have reduced educational opportunities, and are at greater risk of disengagement, dropping out, and being involved in the criminal justice system.³ Contrary to popular belief, the report debunks the myth that most student exclusions are for possession of guns, drugs or threat of school wide violence. In fact, the author reports that only 5% of all out-of-school suspensions in the states they studied were issued for serious or dangerous disciplinary incidents.

The national data also indicates that there has been a substantial increase in the use exclusionary practices towards particular subgroups (such as minority male students, and students with disabilities) which has raised serious questions regarding the application of disciplinary policies as it relates to disproportionate minority contact.⁴ The Black/White "disciple gap," a term often used to describe this disproportionately, has more than tripled since the 1970s. The rate of exclusions of Black students is so high that in 2006 more than one out of every seven Black students enrolled in public schools in the United States was suspended at least once.⁵ Ironically, despite the significant growth of the use of suspensions as disciplinary methods in the nation's schools, the report concludes that there is "no research base to support frequent suspension or expulsion in response to non-violent and mundane forms of adolescent misbehavior,"⁷ and that better alternative options are available.⁸

Given the prevalent use of exclusion to address student behavior, and that lack of scholarship that supports suspensions as strategy to improve student behavior, a key question in this policy debate is why do schools commonly use of out-of-school suspension to address disciplinary problems? The National Education Policy Center report mentions three major reasons. The first reason is that schools use suspensions to try to improve student behavior by getting parent's attention. The second reason commonly cited is that schools suspend students to deter other students from misbehaving. A final reason is that schools suspend students because they want to ensure that the school environment is conducive to teaching and learning.

It is important, however, to underscore that many leading education and policy scholars refute the justifications made by schools and instead believe that the rise of the use of exclusionary disciplinary methods is a direct response to a growing national policy climate that is firmly based on the "Zero Tolerance"⁹ paradigm.¹⁰

¹ Unless otherwise noted, in this report the term "exclusion" refers to the removal of a student from participating in regular school activities for disciplinary purposes permanently or temporarily.

² Losen, D.J. *Discipline Policies, Successful Schools, and Racial Justice* (National Education Policy Center, 2011), 2.

³ Losen, D.J. *Discipline Policies, Successful Schools, and Racial Justice*, 7

⁴ Gregory, Anne, Russell J. Skiba and Pedro A. Noguera, "*The Achievement Gap and the Discipline Gap: Two Sides of the Same Coin?*" (January 2010), 60.

⁵ Piquero, Alex R, "*Disproportionate Minority Contact*," (Fall 2008), 59-79

⁶ Losen, D.J. *Discipline Policies, Successful Schools, and Racial Justice*, 7

⁷ Losen, D.J. *Discipline Policies, Successful Schools, and Racial Justice*, 2

⁸ Fine, Michelle and Kersha Smith, "*Zero Tolerance: Reflections on a Failed Policy that Won't Die*" (2001), 256-264.

⁹ Zero tolerance typically refers to a disciplinary paradigm that demands the pre-determined punishment, regardless of the circumstances, for violations of a rule or law.

¹⁰ Skiba, Russell, *Zero Tolerance, Zero Evidence: An Analysis of School Disciplinary Practice* (Indiana Education Policy Center, 2000), 4.

The passing of the federal Gun-Free Schools Act of 1994 is often named as the original legitimization of Zero Tolerance policies in schools. This Act mandated that every state, as a condition of receiving federal funds, require school districts and other local educational agencies to expel from school for a period of not less than one year any student who was determined to have brought a firearm to school. In response to issues of public safety, schools across the nation used the Gun-Free Schools Act as an opportunity to revamp their school discipline codes and broaden the scope of the Zero Tolerance mandate to include other unwanted student behaviors such the use of drugs and alcohol, fighting, insubordination, and even to regulate swearing. By 1997, only three years after the passing of the Act, the National Center of Education Statistics reported that 94% schools had zero tolerance policies for weapons (largely defined) in place and that more than 85% has zero tolerance for other behaviors.¹¹ In a matter of year, the school based Zero Tolerance paradigm created school cultures nationwide where exclusionary disciplinary practices became normative.

One of the primary critiques of the use of exclusionary practices is that classroom management challenges become framed as criminal matters. Today, under the Zero Tolerance paradigm what were traditional classroom management matters, such as teenagers being “disrespectful” or fighting among each other, can suddenly become criminal matters by requiring that school officials file complaints with local police departments. Hundreds of cases exist in which students were suspended from school for circumstances that most members of the public would consider minor. Furthermore, when suspensions become standard, student misbehavior becomes solely attributed to students themselves. Yet researchers, has demonstrated that the same student can behave very differently in different classrooms and that student disruptions tend to increase or decrease with the skill of the teacher in providing engaging instruction.¹² Teachers themselves recognize the importance of classroom management skills and have identified improving their own classroom management practice as one of their greatest needs.¹³ Despite the apparent connections to classroom management, quality of instruction, and student behavior policymakers often treat student misbehavior as a problem originating solely with students and their parents that deserves punishment.

The “overuse” or “miss use” of exclusions has become part of the national education policy discourse; so much so that on September of 2010, Secretary of Education Arne Duncan and U.S. Attorney General Eric Holder affirmed their departments’ commitment civil rights enforcement in education, particularly as it related to the use of suspensions and expulsions in schools. In the following section I discuss how the national school discipline debate manifests itself in Massachusetts public policy.

Student Exclusions in Massachusetts

There are currently three primary pieces of legislation that govern school discipline policies in Massachusetts public schools.

Massachusetts General Laws, Chapter 71, Sections 37H: This regulation requires that every school district publish a code of conduct for their particular district which outlines expected conduct of both teachers and students for grade 9-12. Every school code must prohibit the use of any tobacco, alcohol, or narcotics in school facilities, groups, or school related events, prohibit bullying as defined of Section of 370 of Chapter 71, and inform students and families about Zero Tolerance policies regarding of the possession of a dangerous weapons and a controlled substances, which may include expulsions and the involvement of the police. Assaults to a Principal or any school Staff may also subject a student to expulsion. The section also provides details on disciplinary proceedings, standards, and procedures for suspension and expulsion. The most important part of the 37H is that it clearly states that once that once a student is expelled, no public school or public school district in Massachusetts is required to readmit the student.

Massachusetts General Laws, Chapter 71, Section 37H1/2: This section provides directives regarding the relationship between criminal activity committed by students and the school discipline policies. The regulation mandates that if a student has a criminal complaint against him or her the Principal has the right to immediately suspend him/her. If a student is convicted of a felony, a Principal may expel the student. A hearing, and appeal process are also outlined in the regulations.

Massachusetts General Laws, Chapter 71, Section 37L: This regulation mandates that school personnel must immediately report any incident involving a student’s possession or use of a dangerous weapon in school facilities, groups, or school related events to their immediate supervisors. Supervisors must report it to the

¹¹ Skiba, Russell, *Zero Tolerance, Zero Evidence: An Analysis of School Disciplinary Practice*, 8.

¹² Losen, D.J. *Discipline Policies, Successful Schools, and Racial Justice*,10

¹³ Losen, D.J. *Discipline Policies, Successful Schools, and Racial Justice*,5

Superintendent, who in turn must report it to the local Chief of Police, the Department of Children and Families, the Office of Student Services, and the Local School Committee.

Consistent to the national data, Massachusetts data reveals there has been a significant increase of the use of student exclusions¹⁶ since Massachusetts Department of Elementary and Secondary Education (MDESE) started to collect and report the data.¹⁷ In the last ten years, the overall out of school suspension rate has increased from 2% to 5.6% as reported for the last academic year. The data also suggests that these statewide regulations and local code of conducts have contributed to disproportionate expulsion of low income and minority youth. As noted on Table 1, in Massachusetts, the districts with the highest out of school suspensions rate are Holyoke, Fall River, Lynn, Brockton, and Springfield. These are also schools districts where the majority of the students are low income, minority, or both. Holyoke has an out school suspension rate is 28.1, which is five times higher than overall state rate. Although the state collects data from districts for disciplinary actions by race/ethnicity it has not issued a report on this topic in the last nine years.¹⁸ The last report on this issue, published in 2003, indicated that that African-American exclusion rate was 6.1%, the Latino exclusion was rate 5.5%, and the White student rate was significantly lower at 1%. The report also specified that Massachusetts public schools exclude students in every single grade including in Kindergarten.

The majority of students that are excluded from schools were also for non-weapon related violations. In the 2002-2003, most offenses reported where for possession of illegal substances (including alcohol) on school premises. Many of these disciplinary actions led to permanent expulsion from schools. As is the case nationally, despite the goal Zero Tolerance mandates to reduce inappropriate student behavior, what we can observe over time more and more students have been excluded from their schooling for behavior deemed unfitting.

The increase of student exclusions, the “discipline gap,” and the school to prison pipeline are crisis that are confronting public schooling in the United States and in the Commonwealth. The Zero Tolerance paradigm and existing school disciplinary practices have not been effective at improving student behavior, evident by the increases in exclusionary rates. There are compelling alternatives that can increase student engagement, improve school culture, and decrease the number of students who drop out. As Massachusetts joins the national school discipline debate, the Commonwealth is well poised to become a leader and move discourse beyond simple administrative changes. By focusing on creating a new disciplinary paradigm, rather than focus on punishing student behavior, Massachusetts can improve schools a whole- a most necessary endeavor to keep children in school.

Table 1: Top Five School Districts for Use of Out of School Suspension (2011-2012)¹⁴

<i>Districts</i>	<i>Out of School Suspensions Rate¹⁵</i>	<i>% Low Income</i>	<i>%Nonwhite</i>
<i>Massachusetts</i>	5.6	35.2%	33%
1. Holyoke	28.1	83.4%	82.5%
2. Fall River	18.1	78.3%	34.7%
3. Lynn	18	82.4%	76.9%
4. Brockton	16.6	70.8%	74%
5. Springfield	14.2	85.6%	86.3%

¹⁴ Excludes Charter Schools and Regional Schools which are considered independent school districts in Massachusetts.

¹⁵ School Year 2010-2011

¹⁶ MDESE defines exclusions as “the removal of a student from participation in regular school activities for disciplinary purposes for more than ten consecutive school days. The removal could be permanent or indefinite.”

¹⁷ Massachusetts Department of Education, *Student Exclusions in Massachusetts Public Schools: 2002-03*. (MDESE, June 2004), 4.

¹⁸ This data is available through a special request.

References

- Boston Private Industry Council. *Summary of The Dropout Prevention and Recovery Act (S. 2173)*. Boston, MA: Boston PIC, 2012. Accessed on April 30, 2012.
http://www.bostonpic.org/sites/default/files/S2173_bill_summary.pdf
- Commonwealth of Massachusetts. *An Act relative to dropout prevention and recovery. S.2173*. Boston, MA: Commonwealth of Massachusetts, 2012. Accessed on April 15, 2012.
<http://www.malegislature.gov/Bills/187/Senate/S02173>.
- Fine, Michelle and Kersha Smith. "Zero Tolerance: Reflections on a Failed Policy that Won't Die." In *Zero Tolerance : Resisting the Drive for Punishment in our Schools : A Handbook for Parents, Students, Educators, and Citizens* eds. by William Ayers, Bernardine Dohrn, and Rick Ayers, 256-264. New York: New Press, 2001.
- Gregory, Anne, Russell J. Skiba and Pedro A. Noguera. "The Achievement Gap and the Discipline Gap: Two Sides of the Same Coin?." *Educational Researcher* 39 (January 2010): 59-68.
- Kupchik, Aaron. "Conclusion: Undoing the Harm." In *Homeroom Security: School Discipline in an Age of Fear* by Aaron Kupchik, 193-219. New York: New York University Press, 2010.
- Losen, D.J. *Discipline Policies, Successful Schools, and Racial Justice*. Boulder, CO: National Education Policy Center, 2011. Accessed on April 15, 2012 <http://nepc.colorado.edu/publication/discipline-policies>
- Massachusetts (Commonwealth of). Policies relative to conduct of teachers or students; student handbooks. *Massachusetts General Laws (M.G.L. c. 71, section 37H)*.
- Massachusetts (Commonwealth of). Felony complaint or conviction of student; suspension; expulsion; right to appeal. *Massachusetts General Laws (M.G.L. c. 71, section 37H1/2)*.
- Massachusetts (Commonwealth of). Notification to school personnel of reporting requirements for child abuse and neglect and fires; reports of students possessing or using dangerous weapons on school premises; transferred students' school records. *Massachusetts General Laws (M.G.L. c. 71, section 37L)*.
- Massachusetts Department of Education. *Student Exclusions in Massachusetts Public Schools: 2002-03*. Malden, Massachusetts, June 2004.
- Massachusetts Department of Elementary and Secondary Education "School District Profiles" Accessed April 27, 2012. <http://profiles.doe.mass.edu/>.
- Piquero, Alex R. "Disproportionate Minority Contact." *The Future of Children*, Vol.18, Number 2, Fall 2008, 59-79.
- Skiba, Russell. *Zero Tolerance, Zero Evidence: An Analysis of School Disciplinary Practice*. Indiana Education Policy Center, 2000.