

## “Zero Tolerance”: What Parents Should Know

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In recent years, school districts across the country have been developing stricter disciplinary guidelines around issues that are related to student and school safety or substance abuse. These stricter measures are designed to comply with the 1994 Gun-Free Schools Act (GFSA) that required all states to pass legislation to enforce federal gun-free-school laws and expel students who bring a firearm onto school property (Sinclair, 1999). Although the federal act specifically addressed issues related to the possession of a firearm, many states and individual school districts took the opportunity to broaden the scope of their existing guidelines and develop policies to include other types of infractions such as possession of a weapon, substance abuse, or aggressive behavior. The policies are frequently termed “zero tolerance” and require that school administrators and school board members consistently enforce certain infractions, such as possession of a weapon or illegal substance, with strong punitive measures. GFSA guidelines require that students be expelled for at least a year, although it is not unusual for individual school districts to expel students for a longer period of time. In some cases, the student may also face legal penalties from the justice system and possible incarceration.

Many parents and educators supported the move to stricter guidelines, hoping that administrators would have more discipline options available to gain control of unruly students and create a safer school environment. Although everyone can agree with the goal of developing safe, drug-free schools, the success or impact of zero-tolerance policies on certain students, the overall school climate, and the community has not yet been studied (Portner, 1997). Zero-tolerance policies may actually undermine the long-term goal of building a safe learning community. As noted by U.S. District Judge James H. Jarvis, “Zero hour has indeed arrived for the zero-tolerance policy” (Walsh, 1999).

Judge Jarvis was referring to a case involving a high school junior in Tennessee. The school board decided to expel the student after a knife was discovered in the glove compartment of the student’s car, despite the undisputed evidence that the student had no knowledge of the presence of the knife. Another student who had been riding in the vehicle had put the knife there. Judge Jarvis reversed the board’s decision, writing that “The board, in its zeal to implement the zero-tolerance policy, trampled upon the rights of a student who was simply in the presence of someone who probably violated the policy” (Walsh, 1999).

Other examples of excessively punitive action have also gained attention. In Louisiana, an 8-year-old girl was expelled for bringing her grandfather’s pocket watch to school because there was a small knife attached to the timepiece; and in Rhode Island, a 12-year-old was removed from school for flashing a toy gun in class (Portner, 1997).

Recently, a more serious incident made headlines after Jesse Jackson and the Rainbow/PUSH Coalition protested the 2-year expulsion of six students for fighting during a football game, even though there were no weapons involved or serious injuries reported (Johnston, 1999). Jackson’s Rainbow/PUSH Coalition filed a lawsuit on behalf of the Illinois students, but in this case, Judge Michael McCusky supported the decision of the school board and upheld the expulsion (Barnes, 2000). Educators, law enforcement officials, parents, and community members are clearly divided on the appropriateness of zero-tolerance policies to enforce school order and safety while attempting to build a learning community that serves all students.

The Gun-Free Schools Act (GFSA) does require that states file an annual report of all school expulsions related to the possession of a weapon. The

1997-98 report showed that nationwide, 3,930 students were expelled for bringing a weapon to school. This figure represents a decline from the 1996-97 report of 5,724 students expelled and suggests that the policy may have been helpful for deterring some students (Sinclair, 1999). However, neither figure includes expulsions nor suspensions for non-weapons-related infractions. Current figures reflecting “suspension, out-of-school” statistics are filed with the Office for Civil Rights (OCR) and are considered national and state estimates. OCR figures for the 1997 school year estimate that, nationwide, approximately 3 million students were suspended or out of school for 2 days or longer during the academic year (U.S. Department of Education, 1999).

What happens to the many students who are expelled or suspended? In most school districts, suspension or expulsion essentially bars the student from school property and a public education for a designated period of time. While some school districts have a limited number of alternative placements for disruptive youth, in most districts, suspension or expulsion leaves the student without benefit of an alternative educational placement. Of the 3,930 students expelled during the 1997-98 school year for weapons-related issues, only 43% were referred to an alternative educational placement (Sinclair, 1999).

Students who have a supportive family or teacher may be fortunate enough to transfer to another public or private school. Unfortunately, under GFSA, approximately 57% of the expelled students are left without access to public education or productive structured alternatives that would help keep them “off the streets” and out of any further trouble. As of this date, there are no publicly available statistics on the alternative placements of the total estimated 3 million suspended, out-of-school students for 1997.

Most educators, community members, and parents would agree that leaving disengaged, disruptive, or troubled youth to their own devices for a large part of the day is not a good idea, but this result is

essentially the impact of zero-tolerance policies throughout the country. Deborah Prothrow-Stith of Harvard University notes, “I don’t have a lot of patience for professionals who buy into this get-tough, kick-them-out mentality, because they know it doesn’t work.” She goes on to say that a policy that puts student offenders into the community may cause more havoc by relocating the problem to the criminal justice system, making suspensions more expensive in the long run (Portner, 1995; Cahir, 1999).

Dr. Prothrow’s concerns are shared by a growing number of people. Recently, a consortium of over 45 professional organizations representing the juvenile justice system, social advocacy groups, and education communities drafted a position statement calling for educational, psychological, mental health, or crisis intervention for all expelled students. The statement notes that in order to “prevent the behavior that leads to crime . . . and to improve the odds that children who exhibit violent behaviors will become responsible citizens, we need to provide adult supervision and programs, supports, and services that address behavioral problems through a variety of means” (Cardman, 2000, p. 1). (The position statement can be found at <http://www.cec.sped.org/pp/sssspos.html>.)

President Clinton has also expressed his concern for providing alternatives for suspended or expelled students through a reauthorization proposal of the 1965 Elementary and Secondary Education Act (ESEA). The revision requires that school districts provide suspended or expelled students with appropriate counseling, education, or supervision to meet individual needs and to challenge students to continue with their education (Cahir, 1999). The American Association of School Administrators supports the plan, but because the mandate is not funded and insufficient funding is one of the main reasons that most districts currently lack alternative programs, it is unlikely that the revision will be included until new resources have been identified to support the development of new alternative programs.

In the meantime, parents play a critical role in guiding their children so that they will not be affected

by zero-tolerance policies. Parents can help their child by:

- Knowing what types of infractions in their child's school have been identified under the parameters of zero tolerance.
- Supporting teachers and administrators who are trying to maintain a healthy learning environment so that the child witnesses the parents' respectful example.
- Being aware of situations where a child may feel threatened by another student or where their child may be acting aggressively.
- Seeking more information, resources, or assistance from the teacher, principal, or counselor if there is ongoing concern about the behavior of a specific child or of a potentially harmful situation.
- Talking with their child about appropriate school behavior and about actions that are completely unacceptable.
- Learning about other approaches or preventive programs that could be implemented within their child's school that might help reduce discipline problems.
- Encouraging educational innovation to develop schools that respect all individuals in the school community and nurture students to excel.

To build a safe school environment and reduce the need for zero-tolerance policies, schools and educators are also implementing a variety of educational approaches and schoolwide behavior support systems.

For example, through "looping"—the practice of keeping students with the same teacher for successive years—schools are finding success with reducing the number of discipline problems. Advocates of looping believe that the practice creates a stronger school community because teachers know their students and the parents better. Students generally feel more confident in their familiar environment, settle down to learning, and are less likely to cause problems (Burke, 1997; Keller 1997).

Other schools are taking preventive measures by implementing approaches following a model called Positive Behavioral Interventions and Support (PBIS). PBIS-related programs are designed to create school environments that "improve lifestyle results (personal, health, social, family, work, recreation, etc.) for all children and youth by making problem behavior less effective . . . and desired behavior more functional" (see <http://www.pbis.org/What.html#FAQS> [Editor's Note (5-9-2000): this url is no longer maintained. Visit the main PBIS site at <http://www.pbis.org/english/index.html>]). Researchers Horner and Sugai from the University of Oregon have been working with more than 300 schools over the past 5 years to implement the system and have documented declines in discipline problems for all students but particularly for those students who might be considered at risk (Sack, 1999).

Although these educational approaches are not the only strategies that schools are using to build a safe school environment, they show how collaborative efforts can be successful. Working together, parents, teachers, and administrators can not only enhance the quality of the school community in ways that will prevent discipline problems, but they can also work to minimize the long-term detrimental effects on students who may be affected by zero-tolerance policies.

## Sources

- Barnes, Esmeralda. (2000, January 18). Judge upholds expulsion of students in football fight. *Education Daily*, p. 3.
- Burke, Daniel L. (1997). *Looping: Adding time, strengthening relationships*. ERIC Digest. Champaign, IL: ERIC Clearinghouse on Elementary and Early Childhood Education. (ERIC Document No. ED414098)
- Cahir, William J. (1999, June 2). ED would force schools to serve expelled kids. *Education Daily*, pp. 1-2.
- Cardman, Michael. (2000, January 5). Concern grows over zero-tolerance policy. *Education Daily*, pp. 1-3.

Johnston, Robert C. (1999, December 24). Decatur furor sparks wider policy debate. *Education Week*, pp. 1, 12-14.

Keller, Bess. (1997, October 15). Looping catches on as way to strengthen teacher-student ties. *Education Daily*, pp. 1, 18-19.

Portner, Jessica. (1995, April 19). Districts turn to expulsions to keep order. *Education Week on the Web* [Online]. Available: <http://www.edweek.org/ew/vol-14/30suspension.h14> [2000, February 15].

Portner, Jessica. (1997, March 26). Zero-tolerance laws getting a second look. *Education Week on the Web* [Online]. Available: <http://www.edweek.org/ew/vol-16/26expel.h16> [2000, February 15].

Sack, Joetta L. (1999, October 27). An ounce of prevention. *Education Week on the Web* [Online]. Available: <http://www.edweek.org/ew/story.cfm?slug=09research.h19&keywords=suspensions> [2000, February 15].

Sinclair, Beth. (1999, August). *Report on state implementation of the Gun-Free Schools Act: School year 1997-98. Final report* [Online]. Washington, DC: U.S. Department of Education. Available: <http://www.ed.gov/offices/OESE/SDFS/GFSA/> [2000, February 15].

U.S. Department of Education. Office for Civil Rights. (1999, December). *1997 Elementary and secondary school civil rights compliance report: National and state projections*. Washington, DC: Office of Civil Rights.

Walsh, Mark. (1999, February 10). Law update: Federal judge draws the line on district's zero-tolerance policy. *Education Week on the Web* [Online]. Available: <http://www.edweek.org/ew/vol-18/22law.h18> [2000, February 15].

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Robertson, Anne S. (2000). "Zero Tolerance": What Parents Should Know. *Parent News* [Online], 6(2). Available: <http://npin.org/pnews/2000/pnew300/feat300.html>