

## **SURVEY OF KEY EDUCATION STAKEHOLDERS ON ZERO TOLERANCE STUDENT DISCIPLINE POLICIES**

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Newark, New Jersey  
(2002)

*Prepared under a grant from the Hamilton Fish Institute of the George Washington University, Project No. AE16200 (P/T/A/O No. 21790/1/CCNS01299B/161101) and Grant No.97-MU-FX-K012 from the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice. Points of view and opinions in this article are those of the author and do not necessarily represent the official position or policies of the Hamilton Fish Institute or the U.S. Department of Justice.*

### **Introduction**

In a survey commissioned by the Hamilton Fish Institute, Education Law Center (ELC), surveyed key national education stakeholder groups to determine their position on zero tolerance student discipline policies and school safety, and whether the organizations are involved in any work on zero tolerance policies. Implementation of these policies is causing an increase in exclusion of youth from educational opportunity. Research does not support the use of zero tolerance in promoting school safety and order, and zero tolerance has many negative consequences for students, schools, communities, and society at large.<sup>1</sup> Violence prevention experts, researchers, and education policy analysts have been critical of zero tolerance and have advocated for replacing these policies with more effective and comprehensive approaches to discipline.<sup>2</sup> One of the first steps in any reform effort is to determine the base of support for the status quo and the extent of support for change. This information is critical to developing reform strategies, including a public education campaign and coalition building among key stakeholder groups.

The survey was directed at a cross-section of national groups representing school governance, school administration, parents, teachers, student service personnel, and law enforcement. The groups surveyed can be organized around the following constituent groups:

*Teachers*

American Federation of Teachers  
National Education Association

*School Governance*

American Association of School Administrators  
National Association of Elementary School Principals  
National Association of Secondary School Principals  
National School Boards Association

*State Education Agencies*

Council of Chief State School Officers  
Education Commission of the States  
National Association of State Boards of Education

*Parents*

National PTA

*Student Service Groups*

National Association of School Psychologists  
American Academy of Child and Adolescent Psychology  
American Counseling Association  
American School Counselors Association  
National Association of Social Workers

*Law Enforcement*

Police Executive Research Forum  
National Organization of State Attorneys Generals

**Survey Methodology and Questions**

Organizations representing key education stakeholder groups were chosen for the survey. The survey was conducted in telephone interviews with each organization's spokesperson or public relations official. In addition to telephone interviews, the website

of each organization was visited to determine the group's written policies on zero tolerance and school safety.

The survey questions were as follows:

1. Does your organization support zero tolerance student discipline policies, as defined by the U.S. Department of Education: discipline policies intended to send a strong message that certain behaviors will not be tolerated by imposing predetermined punishment for specific offenses<sup>3</sup>
2. Does your organization's position on zero tolerance depend on the type of offense at issue? That is, do you support zero tolerance for some offenses, but not others?
3. If so, specify those offenses for which your organization supports zero tolerance?
4. Is your organization currently involved in any work or projects concerning zero tolerance student discipline policies? If yes, please specify.
5. Does your organization believe that schools should implement prevention and intervention programs and strategies to avoid or minimize student discipline infractions? Is there an organizational policy or position paper supporting this belief?
6. Does your organization have a position on the types of policies and programs that schools should implement in order to promote and achieve school safety and order?
7. Does your organization support the provision of alternative education to students who have been expelled or suspended long-term? Is there an organizational policy or position paper on the provision of alternative education to these students?

## **Survey Results**

Thirteen out of seventeen national organizations surveyed responded to interview questions regarding their position on zero tolerance school discipline policies. The websites of all seventeen organizations were searched for information on zero tolerance, as well as more general school safety issues. Of the thirteen organizations responding to the survey, eight have no official position on zero tolerance. Of the five that offered a position, most qualified their remarks as not necessarily an "official position," but rather the results of research in the area.

Of the four organizations that can be said to actively support zero tolerance (American Federation of Teachers (AFT), National Education Association (NEA), National Association of Elementary School Principals (NAESP) and National Association of Secondary School Principals (NASSP), the general consensus is that there are significant problems in the way such policies are written and implemented. Zero tolerance policies are thought by those organizations to be appropriate only for serious offenses, such as lethal weapons, illegal drugs, or violent assaults, but their support for zero tolerance is not dependent on the nature of the offense.

Little work is being done by these national organizations on zero tolerance policies, but more is being done in the area of developing prevention and intervention programs to address school safety issues. Ten of the seventeen national organizations<sup>4</sup> are members of the Learning First Alliance, a national coalition of major education organizations working to improving elementary and secondary education in public schools. The Learning First Alliance actively promotes school safety and order through its paper entitled “Every Child Learning: Safe and Supportive Schools.”<sup>5</sup> The paper, which contains recommendations for approaches and programs for creating safe and supportive learning environments, focuses on school-wide prevention and intervention strategies. It does not discuss removal of students through suspension and expulsion as a means of achieving school safety and order.

In addition to support for proactive prevention and intervention school safety measures, there is unanimous support among the organizations surveyed for the provision of alternative education to students who have been removed from school on disciplinary grounds.

Teachers appear to be the strongest supporters of zero tolerance, as defined by the U. S. Department of Education (ED): discipline policies that send a strong message that certain behaviors will not be tolerated by imposing predetermined punishment for specific offenses.<sup>6</sup> The AFT is the only organization of those surveyed that has a written position paper on zero tolerance.<sup>7</sup> AFT's position is that students who bring lethal weapons or illegal drugs to school, or who commit violent assaults against others, should be suspended or expelled. Decisions about how long students should remain out of school and academic and intervention services provided during the period of time out of school should be left to states and districts. While AFT acknowledges that zero tolerance policies are often poorly written and administered, it does not feel that those problems significantly undermine the value of zero tolerance policies. AFT does not specifically delineate the offenses for which it thinks zero tolerance is appropriate, but it is concerned about its overbroad definition and application. AFT advocates that zero tolerance policies only be used in rare circumstances and that they represent only a small part of a broader school discipline policy. In addition, AFT strongly supports appropriate alternative education placements for students who have been removed from school. AFT is not currently working on zero tolerance policies, but is involved in the following school safety projects: (1) a training program for teachers on classroom management skills; (2) activities to promote the Learning First Alliance document "Every Child Learning: Safe and Supportive Schools;" (3) a project to determine indicators of what makes a school safe and supportive for use as a standard against which schools can evaluate themselves; (4) a proposal for a researcher to evaluate the quality of current alternative education options; and (5) producing publications on school safety.

The NEA has no formal policy statement or section in its handbook on zero tolerance policies but has conducted research on the topic. The NEA believes there is a need for standards and benchmarks for school safety, and that zero tolerance is a part of this framework,<sup>8</sup> but that zero tolerance policies need to be more “child friendly, constructive, and reasonable.”<sup>9</sup> In other words, in the NEA’s view sanctions must be related to the infraction, and children must be provided with meaningful alternatives. The NEA does not delineate the offenses for which it thinks zero tolerance policies are appropriate. It is not currently doing any work in the area but is conducting research on alternative education. The NEA has a more general resolution on safe and orderly schools that calls for written policies and procedures that are fair, equitable, and consistently enforced; preventive programs; and alternative education.

The school governance organizations appear to be less supportive of zero tolerance policies than the teacher organizations, although their membership is primarily bound by such policies. While they recognize the need to take a tough stand on school violence, they think zero tolerance policies need to be applied with greater flexibility. For example, the NAESP and the NASSP support zero tolerance, as defined by ED, but call for discretion in the implementation of zero tolerance policies.<sup>10</sup> They believe that schools and districts should send a clear message to students that certain acts will not be tolerated, but that disciplinary action (i.e., whether or not to suspend or expel a student) should be left to the discretion of school principals and local boards. They advocate the improvement of zero tolerance policies by: (1) giving consideration to age and grade level; (2) ensuring that the disciplinary sanction is commensurate with the infraction ; and (3) ensuring that educational services are not discontinued. Their position is not offense

specific. Neither organization is currently doing work in the area, but the NASSP may get involved in research on alternative education in the future. Both strongly support intervention and prevention programs (e.g., limiting school size to 600, providing an advocate for each student, and encouraging participation in co-curricular activities) and the provision of alternative education to students who have been removed from school on disciplinary grounds.

Neither the American Association of School Administrators (AASA) nor the National School Boards Association (NSBA) takes a position on zero tolerance. However, the AASA has an article on its web page that advocates a school-wide approach to discipline that goes beyond “get-tough policies” to address school climate<sup>11</sup> and a paper by Executive Director Paul Houston that argues that zero tolerance policies doom kids and take away educators’ professional judgment.<sup>12</sup> The NSBA has policies and/or issue papers on its web page supporting prevention and intervention programs, urging school boards to develop alternative education programs for dangerous and disruptive students, and supporting proactive efforts to eliminate violent and disruptive behaviors.

The state education organizations surveyed do not, for the most part, take a position on zero tolerance and related issues or work in the area. In particular, the Education Commission of the States provides information on zero tolerance but does not take a position, whereas the Council of Chief State School Officers does not even provide substantive information on school discipline and school safety on its web page. While the National Association of State Boards of Education (NASBE) does not take a position on zero tolerance per se, it advocates a holistic approach to youth violence. It proposes six

alternatives to expulsion and encourages state boards and state education agencies to take the lead on reform efforts. NASBE also believes the cessation of educational services is unacceptable.

None of the student service groups interviewed takes a position on zero tolerance. However, the National Association of School Psychologists (NASP) has materials on its web page that are highly critical of punishment-based approaches to school discipline, such as zero tolerance policies, and that suggest alternative approaches. NASP advocates positive behavioral supports and alternative education options and is currently involved in a Safe and Responsive Schools Project that seeks to develop a broader perspective on school safety, planning, prevention, and community involvement in ten schools in two states. The American Academy of Child and Adolescent Psychiatry and the American School Counselors Association provide more general information on the prevention of school violence on their web pages. The National Association of Social Workers stressed the need to provide in-school supports to children. The American Counseling Association did not respond to the survey.

The parent and law enforcement organizations did not respond to the survey questions. The information on the National PTA's web page does not specifically mention zero tolerance but supports violence prevention programs and alternative education. Neither the Police Executive Research Forum nor the National Organization of State Attorneys General has information on school safety issues on its web page.

## **Conclusion**

The survey revealed a number of significant findings. First, most education stakeholder groups do not have an official position either supporting or opposing zero

tolerance, and none are involved in work on the issue. This finding indicates that many of the groups that influence education policy may be amenable to rejecting the zero tolerance approach if presented with research and information about the benefits of alternative approaches to student discipline that do not rely on exclusion of youth from school. Since the support of key education organizations will be essential to an effort to change state and local student discipline policy, reform efforts must include a campaign to communicate to these groups the research and findings on the negative consequences of zero tolerance and the benefits of a comprehensive approach to school safety. Additionally, work must be done to bring these stakeholder groups together in a coalition to advocate for reform of zero tolerance policies.

Second, among the four organizations that can be said to actively support zero tolerance – AFT, NEA, NAESP and NASSP - the general consensus is that there are significant problems in the way such policies are written and implemented. These organizations think zero tolerance policies are most appropriate for serious offenses, such as lethal weapons, illegal drugs, and violent assaults, and that school officials should be allowed to exercise judgment and discretion in individual cases. However, these groups do not limit their support for zero tolerance to particular offenses. Further, they believe that any problems with zero tolerance lie in its application by individual school officials, not in the underlying approach. Reform of zero tolerance must include, therefore, an effort to convince these stakeholder groups that the negative impact of zero tolerance is due not to its misapplication by school officials, but to its very nature. A zero tolerance policy by definition calls for predetermined and severe consequences for particular offenses, without the exercise of professional judgment and discretion by school officials.

These stakeholder groups must be convinced that school officials can have the firm and consistent discipline policies they need without sacrificing judgment and discretion.

The third notable survey finding is that teachers are the biggest supporters of zero tolerance. The AFT is unequivocal in its support. The NEA, on the other hand, supports zero tolerance, yet believes these policies should be applied sparingly and that all disciplinary sanctions should be calibrated to the particular offense. This finding is significant since teachers' unions devote substantial resources to lobbying lawmakers and are very influential in shaping educational policy.<sup>13</sup> Initiatives to reform state and local student discipline policies, then, must include a targeted effort to reach the teachers' unions through information, research and coalition building. Further, this finding indicates a need for improvements in teacher training and professional development so teachers are better equipped to manage their classrooms and teach to students with a range of behavioral needs, without relying on exclusion of students as a means of controlling the classroom environment. Accordingly, an initiative to reform state and local student discipline policy must include advocacy directed at the state for increased funding and support for teacher training.

Finally, the survey revealed that that no major stakeholder group supports the cessation of educational services to students who have been removed from school through expulsion or long-term suspension. Every organization surveyed supports the provision of alternative education programs to such students. This finding indicates that the opportunity exists to build coalitions and influence state and local policy to require alternative programs for all students removed from school on disciplinary grounds.

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<sup>1</sup> Education Law Center. (2002). *Advocating for Reform of Zero Tolerance School Discipline Policies*.

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<sup>2</sup> Kingery, Paul, M. (2002). *Zero Tolerance: The Alternative is Education*. Washington, DC: Hamilton Fish Institute, available at <http://hamfish.org/pub/susexp.html>; Skiba, Russel J., and Noam, Gil, G. (Eds), *New Directions for Youth Development, Zero Tolerance: Can Suspension and Expulsion Keep Schools Safe*. No. 92, Winter 2001, p. 73.

<sup>3</sup> Heaviside, S., Rowand, C., Williams, C., & Farris, E. (1998). *Violence and Discipline Problems in U.S. Public Schools: 1996-1997*. NCEES 98-030. Washington, DC: U.S. Department of Education.

<sup>4</sup> American Association of School Administrators, American Federation of Teachers, Council of Chief State School Officers, Education Commission of the States, National Association of Elementary School Principals, National Association of Secondary School Principals, National Association of State Boards of Education, National Education Association, National PTA and National School Boards Association are members of The Learning First Alliance.

<sup>5</sup> *Every Child Learning: Safe and Supportive Schools* is available on the website for The Learning First Alliance: <http://www.learningfirst.org/pdfs/safe-schools-summary.pdf>

<sup>6</sup> Heaviside, S., et al.

<sup>7</sup> American Federation of Teachers. *Where We Stand: Zero Tolerance*. (1997), available at <http://www.aft.org/stand/previous/1997/012697.html>; *Let's Stay the Course*. (2000), available at <http://www.aft.org/stand/previous/2000/022000.html>

<sup>8</sup> National Education Association. *School Safety Facts*, available at <http://www.nea.org/schoolsafety/ssfacts.html>

<sup>9</sup> NEA spokesperson Richard Verdugo.

<sup>10</sup> Ferrandino, Vincent, L. & Tirozzi, Gerald, N., *Zero Tolerance: A Win-Lose Policy*. EDUCATION WEEK, January 26, 2000.

<sup>11</sup> Horner, Robert, H., et al. *A Schoolwide Approach to Student Discipline*. (2000). Available at [http://www.aasa.org/publications/sa/2000\\_02/horner.htm](http://www.aasa.org/publications/sa/2000_02/horner.htm)

<sup>12</sup> Houston, Paul D., *Be Mindful What You Wish For*. (2000), available at [http://www.aasa.org/publications/sa/2000\\_03/execperspec\\_2000\\_03.htm](http://www.aasa.org/publications/sa/2000_03/execperspec_2000_03.htm)

<sup>13</sup> Diegmuller, Karen, *Unions Labor to Shape Education Policy*. EDUCATION WEEK, October 30, 2002.