ALTERNATIVES TO ZERO TOLERANCE POLICIES IN HUMBOLDT COUNTY HIGH SCHOOLS: EDUCATORS’ PERCEPTIONS OF BENEFITS AND BARRIERS

By

Robert S. Bohrer

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Committee Membership

Dr. Ronald Swartz, Committee Chair

Serenity Bowen, LCSW, Committee Member

Jessica Whatcott, MA, Committee Member

Dr. Michael Yellow Bird, MSW Program Director

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ABSTRACT

ALTERNATIVES TO ZERO TOLERANCE POLICIES IN HUMBOLDT COUNTY HIGH SCHOOLS: EDUCATORS’ PERCEPTIONS OF BENEFITS AND BARRIERS

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Several schools in Humboldt County have implemented a “zero tolerance” policy directed at specific offenses committed by students while at school. School administrators have discretion in administering disciplinary action for offenses such as possession or use of alcohol or other drugs, or in determining what qualifies as a concealed weapon. Additionally, there is discretion in determining what exactly constitutes “willful defiance.” Although discretion exists in determining disciplinary action, often suspension or expulsion is used as the primary tool in administering discipline. Indeed, many students are failing in their education due to school pushouts. Many factors contribute to pushout including, but not necessarily limited to, bias aimed specifically at students because of their race, ethnicity, disability, sexual orientation, foster care, teen pregnancy, and teen parents. Much of the time the bias goes unnoticed by school officials, and can even be initiated by officials due to long-standing inequities in social and economic standing.

This project addressed the research question of: “Whether teachers and administrators believe that there are effective alternatives to a zero tolerance policy and what, if any, barriers are there to implementing alternative discipline in schools.”
This research evaluated teacher and administrator views on alternatives to a zero tolerance policy in order to help provide positive feedback on implementing alternatives to suspension and expulsion. It was discovered that many of the area educators felt that utilizing alternative disciplinary procedures in specific circumstances would be beneficial to students as well as help to maintain a safe and supportive school environment. The research also revealed the barriers that educators believed were in place to prevent implementation, the chief of which was a lack of resources followed by a lack of personnel to supervise such programs, and fear that such programs may not be supported by the administration, other teachers, or parents.
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INTRODUCTION

Several schools in Humboldt County, California have implemented “zero tolerance” policies that rely on suspension and expulsion as the preferred means of discipline for offenses committed by students while at school. California State law mandates that K-12 students be expelled for five specific offenses: causing serious injury to another person, except in self-defense; possession of a knife, explosive or other dangerous object of no reasonable use to the student; unlawful possession of any controlled substance specified in Health and Safety Code; and extortion, robbery, assault, or battery upon any school employee (Lockyear, 2000).

School administrators have discretion in administering disciplinary action for offenses such as possession or use of alcohol or other drugs, or in determining what qualifies as a concealed weapon. Additionally, there is discretion in determining what exactly constitutes “willful defiance.” Although there is discretion in determining disciplinary action, often suspension or expulsion is used as the primary tool in administering discipline. This is especially true when dispensing disciplinary actions to students of color, foster youth, and students who identify as gay, lesbian, bi-sexual, and transgender youth (Tate, 2008). Indeed, many students are failing in their education due to school bias and pushouts. Many factors contribute to this including, but not necessarily limited to, bias aimed specifically at students because of their race, ethnicity, disability, sexual orientation, foster care, teen pregnancy, and teen parents. Much of the
time the bias goes unnoticed by school officials, and can even be initiated by officials due to long-standing inequities in social and economic standing (Tate, 2008).

This research evaluated teacher and administrator views on alternatives to a zero tolerance policy in order to help provide positive feedback on implementing alternatives to suspension and expulsion. Many educators seem to believe that the use of diversion and restorative justice techniques, as opposed to indiscriminate use of zero tolerance policies will result in fewer suspensions and help to keep many youth out of the juvenile justice system (Tate, 2008). Previous research suggests overwhelmingly that alternatives to the use of zero tolerance are far more beneficial to students, schools, and communities (Sherer & Nickerson, 2010). The researcher anticipated that this research would yield results in favor of alternative and creative disciplinary actions. This is consistent with the growing trend in California to move away from a strictly punitive system of justice and to implement a more progressive, restorative justice approach to handling disciplinary actions in schools, more of a “let-the-punishment-fit-the-person/circumstances” as opposed to a “one-size-fits-all” approach (Tate, 2008).

Several schools in Humboldt County have implemented suspension and expulsion policies, such as zero tolerance, directed at specific offenses, such as being under the influence of alcohol or other drugs while at school, or willful defiance directed at teachers. The intent of this research was to conduct a study in cooperation with school administrators and teachers in an effort to obtain information on their views on zero tolerance policies, their ideas on alternatives to zero tolerance, and what they perceive as barriers to implementing those alternatives.
In conducting this type of research it was assumed by the researcher that many teachers would be in favor of alternatives to suspension and expulsion while many administrators could potentially view the situation from a stance that carries on the status quo. This would be ironic because, generally speaking, teachers have to interact with students on a daily basis while administrators are more concerned about public opinion, student safety, and the inevitability of economic and funding issues that are part of the proliferate loss of revenue that accompanies non-attendance by students. Of course, it is also conceivable that attitudes on this topic are swayed by either a perception of fairness or by fear of retaliation involving in-school violence. The researcher has discovered that participation in this survey was primarily by teachers. Additionally, there was a significant belief that there would be a strong emphasis on student safety, both for individuals and the school as a community. Both of these assumptions proved to be true.

A review of available literature shows that progressive alternatives to suspensions and expulsions are preferable to continuing zero tolerance policies. By providing alternatives that keep schools safe, while addressing the needs of individuals exhibiting behaviors requiring some form of discipline schools can be safe, positive environments that take into consideration the needs of all students. Research has proven that zero tolerance policies do not work. In fact, it has been demonstrated that expulsion and suspension policies exacerbate negative behaviors in youth, especially in the case of youth who feel they have been retaliated against due to bias. This is especially true when students believe that bias against them is due to race, ethnicity, disability, sexual orientation, foster care, or teen pregnancy. Additionally, suspensions and other zero
tolerance disciplinary procedures have proved to have a detrimental effect on graduation rates and have also been linked with increased contact with the juvenile justice system. This, in turn, has been shown to have long-term effects including, but not limited to, homelessness, and continued involvement in the criminal justice system.

The researcher hopes that by providing educators’ perceptions on effectiveness of alternatives to suspension, expulsion and other zero tolerance disciplinary procedures, as well as perceived barriers to implementing those alternatives, school boards and administrators can more effectively evaluate their school disciplinary procedures. Additionally, as noted above, the belief is that once those evaluations are complete, school districts can work cooperatively and structure those procedures so that they are consistent throughout Humboldt County and are a benefit to students and the community.
REVIEW OF LITERATURE

Schools are generally thought of by communities as safe havens free from safety threats such as violence, drugs, and bullies. To ensure a safe environment in which students can fully benefit from the educational experience, school administrators need to understand the indicators of exactly what constitutes in-school crime (Robers, S., Zhzng, J., Truman, J., Snyder, T., 2010). This is to say that, although disciplinary actions may take one form or another, it needs to be understood by administrators that there is indeed a substantial difference in threats to students from fights and violent actions, than there is from insubordination. Yet a recent study on school safety found that there was no difference in the percentage of students who faced serious disciplinary action for fights and for insubordination (Robers, et. al, 2010).

California State law mandates that students be expelled for five specific offenses: causing serious injury to another person, except in self-defense; possession of a knife, explosive or other dangerous object of no reasonable use to the student; unlawful possession of any controlled substance specified in Health and Safety Code; and extortion, robbery, assault, or battery upon any school employee (Lockyear, 2000). However, school administrators have some discretion in administering disciplinary action for other offenses such as possession or use of alcohol or other drugs, or in determining what qualifies as a concealed weapon. Studies have shown that while there is discretion in determining discipline, for many of these offenses the preferred action is suspension or expulsion (Tate, 2008). Additionally, studies have indicated that persons of color are
almost twice as likely to receive suspension or expulsion as opposed to student of white ethnicity (Tate, 2008). Tate (2008) relates that many students are failing in their education due to school bias and pushouts. The author identifies many factors that contribute to this including, but not necessarily limited to, bias factors aimed specifically at children because of their race, ethnicity, disability, sexual orientation, foster care, teen pregnancy, and teen parents. Much of the time the bias goes unnoticed by school officials, and can even be initiated by officials due to long-standing inequities in social and economic standing (Tate, 2008).

Additionally, it should be noted that adolescence is a developmental and experimental period for youth. Casey & Jones (2010) note that during this period youth often engage in compulsive and often risky behaviors that generally are associated with environmental stimuli such as peer pressure. However, because of poor cognitive control, youth are often impulsive and not aware of the consequences of their actions. This is a distinct developmental period distinguishable from childhood and adulthood wherein youth are learning to control impulsive behaviors and critically analyze situations. Negative stimuli can adversely affect this process while it is known that positive motivation can help increase cognitive control (Casey & Jones, 2010). Thus, it seems rational that negative motivation may lead to impediments in development and block cognitive advancement. This suggests that alternatives to severe discipline such as expulsion and suspensions could help to motivate youth to avoid negative behavior and succeed in school.
Currently, under zero tolerance policies, those students disciplined are subject initially to suspension. Students that are caught a second time are generally expelled. Additionally, these students are generally turned over to law enforcement and have to go through the juvenile justice system, leading to a criminal record. This is generally done in the interest of school safety; however, it has been proven that the use of alternative disciplinary techniques is far more effective in behavior modification for troubled students (Sherer & Nickerson, 2010; Tate, 2008). Zero tolerance policies have had substantial detrimental outcomes for students and school (APA Zero Tolerance Task Force, 2008). Because of the implications that these zero tolerance policies may adversely impact relations between the education system and the juvenile justice system by creating a perceived school-to-jail effect for seemingly benign offenses, it is essential that some alternatives be considered (APA Zero Tolerance Task Force, 2008).

Previous research consulted suggests overwhelmingly that alternatives to the use of zero tolerance are far more beneficial to students, schools, and communities. It is believed that using diversion and restorative justice techniques will result in fewer suspensions and help to keep many youth out of the juvenile justice system (Martinez, 2003). This is consistent with the growing trend in California to move away from a strictly punitive system of justice and to implement a more progressive, restorative justice approach to handling disciplinary actions in schools, more of a “let-the-punishment-fit-the-person/circumstances” as opposed to a “one-size-fits-all” approach (Tate, D., 2008).
Many researchers currently believed that using diversionary techniques such as youth or peer courts and other alternative disciplinary techniques have far reaching effects beyond simply keeping youth in school. Peer courts across the country currently have significantly lower rates of repeat offenders for the same crimes as opposed to youth who progress through the juvenile justice system (Butts, Buck, & Coggeshell, 2002). This is significant in that youth are not re-offending and are believed to have received successful interventions rather than moving further in the criminal justice system.

Butts, Buck, and Coggeshell (2002) have shown that students who are processed through the juvenile justice system have lower success rates in all aspects of life and are likely to end up in the court system as adults far more frequently that are those youth who receive alternative disciplinary treatment. This is significant in that it has been demonstrated that those students who receive progressive discipline remain in school and reap the benefits associated with education and positive association with teachers and other students (Butts, Buck, Coggeshell, 2002).

A 2011 statewide report on schools in Texas found that policies on discipline varied from school district to district (Fabelo, T., Thompson, M. Plotkin, M., Charmichael, D., Marchbanks, M., Booth, E., 2011). While there was variation on disciplinary policy between the school districts, one factor remained constant; those students expelled or suspended were at increased risk of dropping out and coming into contact with the juvenile justice system, a phenomenon colloquially referred to as the “school-to-prison-pipeline” (Fabelo, et al, 2011). Fabelo, et. al (2011) suggest that to avoid the school to prison pipeline, administrators should carefully examine their
school’s disciplinary system to determine if it truly is functioning as intended, or, if in fact, it is more detrimental to students chances of succeeding at school.

The conceptual framework for this project can best be explained through the use of a “Systems Theory” perspective. One can view the individual at the micro systems level. At this level the school experience is personal and yet part of a larger system of school and ultimately, society. People learn to communicate and function generally through interactions within their family and community, including, for youth, their school. This micro-level system is part of the greater systems in which humanity exists (Longres, 2000). For each student, the school environment is much more than merely a place to gain knowledge; it is a place where the young human’s mind continues to develop and the individual gains a sense of identity and belonging in their certain niche. Once the individual is removed from this “comfort zone” due to disciplinary measures such as expulsion, breakdowns in the ability to successfully integrate into society and the ability to successfully communicate with others can occur; when the individual system begins to breakdown, other systems will follow (Longres, 2000). Thus, removing any person from their individual state of “normal” can have drastic consequences (Longres, 2000).

When the individual is removed from the school rather than given an opportunity to “fix” the undesirable behavior, the individual can have negative reactions to authority and the overall development within societal systems. This will necessarily change the way a person acts and reacts to stimuli within their environment. With a change in the makeup of the way a person reacts to his or her environment, the state of that individual’s
systems will change depending on their needs and the needs of the ecosystem in which they exist (Longres, 2000). This can be extremely disturbing for students who are given no options in discipline due to behaviors, or frequently due to inherent bias embedded in the system, causing negative reactions to people whose ethnicity, country of origin, or regional dialects differ from that used in the system that is educating the individual. At this level, the education system fails the individual and the person’s own internal systems can break down (Longres, 2000). The system failure can result in lowered school success and rates of graduation.

Generally, the understanding is that people coming from different backgrounds bring with them different experiences and perceptions of their environment. Part of those experiences and perceptions is how they communicate with others. Communication can vary from the verbal, to the subliminal, which are affected by a variety of factors including primary language, culture, regional dialects within the primary mode of communication and gender differences. These factors must be taken into consideration along with consideration of the specific offense in order to affect disciplinary measures and to avoid pushout based on bias.
METHOD

This research was a multi-faceted endeavor with a literature review and a survey instrument that was distributed to teachers and administrators in area high schools. The literature review included current and past journal articles on youth prevention, zero tolerance, youth diversion, restorative justice and a look at the functions of the Teen Court in Humboldt County, as well as the functions of other Teen Courts across the country. The survey instrument was distributed via the internet.

The research design was a cross-sectional survey consisting of 10 questions administered via the internet and should have taken the participants no longer than 20 minutes to complete. The research project was a non-experimental survey design project. There were neither risks nor benefits to the participants other than the possibility that this research may assist future policy changes. No personally identifiable information was collected from participants.

This research used virtually exclusively qualitative data due to the nature of the survey instrument. Responses were individual opinion and observation. These responses were then evaluated and generalized across the distribution of answers. Therefore analysis was essentially univariate in nature. Some questions did have multiple responses available and these were factored into the final analysis.

The survey instrument was distributed via the internet in a manner that protected respondents’ identities. All participants have self-identified as public school employees who participated voluntarily. An informational overview was included in the survey
instrument to insure voluntary participation as well as to provide individuals access to the researcher if they had concerns or questions regarding the study.

The research consisted of a cross-sectional survey designed to elicit primarily qualitative data that was used to inform community partners with information relating to views of Humboldt County educators regarding alternatives to zero tolerance policies as well as perceived barriers to implementation of those alternatives.

**Descriptive Statistics**

**Study Population**

Job roles of the sample population are displayed in Figure 1. Of the total sample population (N=15) the majority identified themselves as teachers (N=10; 66.7%). This was followed by those who self-identified as student support staff (N=2; 13.3%), other educators, including teacher assistants and clinicians (N=1; 6.7%), administrative personnel (N=1; 6.7%), and those who chose not to state their position (N=1; 6.7%). All respondents identified themselves as being at least eighteen years of age and it is assumed from the distribution of the survey instrument to Humboldt County high schools that all respondents are educators in Humboldt County high schools.
Figure 1: Survey Population Job Roles

Survey Instrument

The survey instrument was a cross-sectional survey which consisted of nine questions intended to elicit narrative responses reflecting educator’s opinions on alternatives to zero tolerance disciplinary procedures as well as alternatives to zero tolerance procedures and barriers to implementing those alternatives. Additionally, an informational statement that gave contact information for the researcher as well as the faculty advisor and asked for verification of age and voluntary compliance was included.
and labeled as question #1. The survey was distributed via the internet through the commercial site Survey Monkey. The survey instrument was distributed to educators at Fortuna, Eureka, Arcata, McKinleyville and Hoopa High Schools in Humboldt County, California. Humboldt County is an extremely isolated rural county and is home to several Native American Tribes Indigenous to the area. Often times the area is referred to as being “behind the redwood curtain;” a reference to the giant redwood trees that are found there. Access to this remote area is through three narrow highways or by sea. The County is also home to Humboldt State University, the farthest north of the California State University System.

**Sampling Plan**

The sampling plan was intentionally flexible and left to the discretion of the school administration in order to elicit buy-in from the administration. It is unknown if surveys were distributed to all school personnel or to a selective group based on the administrator’s preferences. In the former option it would be a random sampling plan, in the latter it would be a non-probability sampling plan. The sampling plan was intended to have been non-probability and relied on school administrators to identify potential recipients and or to randomly distribute the survey instrument to staff. This technique will be further analyzed in the discussion section below.
RESULTS

Research Question

The question guiding this project was “Do teachers and administrators believe that there are effective alternatives to a zero tolerance policy and what, if any, barriers are there to implementing alternative discipline in schools?”

A noted in Figure 2, of those educators who responded to the survey, a majority (86%; N=13) responded that their school utilizes zero tolerance policies such as suspension and expulsion while only 6.7% (N=1) responded that their school did not utilize these policies, and 6.7% (N=1) stated that they did not know if there was a zero tolerance policy in effect.

Figure 2: Use of Zero Tolerance Policies
The research discovered that 60% (N=9) of the survey population noted that they felt that the use of zero tolerance policies such as suspension and expulsion were “somewhat effective” as a means of school discipline. This is in contrast to 20% (N=3) who felt such policies were “not effective at all,” 13% (N=2) responded that they felt that zero tolerance policies were “effective,” and 6.7% stated that a zero tolerance policy was “neither effective, nor ineffective” as a disciplinary measure. None of the respondents reported that they felt the use of zero tolerance policies such as suspension and discipline were “very effective” as a means of school discipline. One respondent additionally answered that they were “Not sure exactly what you mean by zero tolerance. We have progressive discipline and yet also do suspend for weapons and drugs.”

When asked if their school used alternatives to a zero tolerance policy 75% (N=9) responded that their school uses counseling, additionally, 66.7% responded that peer mediation was used, 33% (N=4) stated they use diversion techniques, and 16.7% (N=2) utilize the services of the Humboldt County Teen Court. Three respondents did not answer this question. These results are displayed in Figure 3.
When asked if they were interested in exploring alternatives to zero tolerance policies such as suspension and expulsion 88.7% (N=13) responded in the affirmative, while 13.3% (N=2) responded negatively. When asked if they felt that utilizing alternative to zero tolerance policies would be effective in raising graduation rates 20% (N=3) would be “very effective” in raising graduation rates, 33.3% (N=5) replied that they felt using alternatives would be “effective,” 33.3% felt it would be “somewhat effective,” and 13.3% believe that using alternatives to zero tolerance policies would be “neither effective nor ineffective.” Additionally, there were two narrative responses to this question: One respondent felt that “In some cases removing a student from school raises the chances of other students to graduate.” The second stated that “This question is
incredibly vague. Alternatives could be effective but they could also be detrimental to the graduation rates (especially if the student in question is hurting other students and is allowed to stay in school). It completely depends on the alternative option.”

Figure 4 shows the percentage of responses for eight alternatives to zero tolerance policies. The survey asked educators which of these eight alternatives to suspension and expulsion policies they felt would be most effective to ensure school safety concerns as well as addressing the problematic behavior. The researcher also provided for narrative responses to this question. Ninety-three percent of respondents (N=13) chose progressive disciplinary techniques as being most effective, seventy-four percent (N=10) chose substance abuse programs, sixty-four percent (N=9) picked using peer mediation, fifty percent (N=7) selected peer court, and twenty-nine percent (N=4) felt that diversity clubs would be effective alternatives to using zero tolerance. Fourteen percent (N=2) of the survey population felt that using zero tolerance policies was an effective choice for school discipline. In addition to the above selections three educators chose to respond in the narrative. One felt that “Progressive (discipline) beyond the zero tolerance, if the behaviors are not modifying or changing. There is also the student who might be continually in trouble for a myriad of things.” Another responded that they felt that “In School Suspension” was an effective alternative, and another noted that “Students that participate in clubs in general and are active in extracurricular activities and sports tend to feel more included and tend to behave more respectfully.”
After asking about preferred disciplinary actions, respondents were asked whether there were specific barriers to implement those actions. Results are shown in Figure 5. Respondents were provided eight choices as well as provided space for additional comments. Not surprisingly, 100% (N=15) of the respondents felt that the fact that there were not enough resources to implement alternative disciplinary practices such as those mentioned above. The second largest perceived barrier to implementing alternative disciplinary techniques (60%;N=9) was that there is not enough school staff to implement alternatives. Nearly one third of respondents (26.7%;N=4) reported they had no discretion to change school policy, 26.7% (N=4) felt that other teachers wouldn’t support such changes to policy, 26.7% (N=4) responded it would not be safe for students to use alternatives to zero tolerance policies, 13.3% (2) did not think that the school administration would support utilizing alternatives, and 13.3% (N=2) felt that parents
would not support a policy change towards using alternatives to zero tolerance such as those noted above. Only one person responded that they believed utilizing such alternatives would not be effective.

![Figure 5: Perceived Barriers to Implementing Alternatives](image)

**Figure 5: Perceived Barriers to Implementing Alternatives**

The last question on the survey asked the respondents to add any additional comments or thoughts on the use of alternatives to zero tolerance policies. The responses are helpful in viewing how several (33.3%; N=5) of the survey population perceive discipline in their school and will be discussed further below. The actual responses follow:

“ I feel that the suspensions should be held on campus during the regular school day, this way ADA is not lost, the work that was to be done in class is done while serving the alternative.”
“Students who are suspended are often students that struggle in their classes. By missing an entire day (or multiple days) just gets them farther behind. Not allowing kids to come to school when they misbehave has become almost like a reward for many students. I think this is completely ineffective and think that discipline that focuses on bettering their school community is much more practical.”

“In regards to question 5: we used to have a substance abuse & anger management counselor who students were referred to every time they received any discipline, but he was cut. We also do have peer mediation, but it's more preventative - not an alternative option once an 'offense' has occurred. I don't think zero tolerance is effective because it is not restorative, plus it just keeps students out of school.”

“An alternative to sending students home, students often say that it is a vacation, they get to play video games or go on Facebook, thus it is not effective.”

“I am happy that you are taking this research on - please email us all if there is anything else we can do to help.”
DISCUSSION

As noted above, there are very few instances where California law requires the use of zero tolerance disciplinary techniques such as expulsion. These are considered to be the most egregious offenses with which a youth may be charged and it should come as no surprise that the law mandates expulsion for offenses such as assault or brandishing a firearm. However, for all offenses aside from the five offenses where there is a mandatory sentence of expulsion, educators have discretion to determine the seriousness of the offense and to dole out discipline as believed to be needed. Irrespective of this discretion, the survey results revealed that 86.7% of respondents to the survey reported that their school utilizes zero tolerance techniques such as suspension and expulsion, and that 14.3% feel that zero tolerance is the best choice for disciplinary action. However, even with these high numbers of schools utilizing zero tolerance policies, an astonishing 92.9% of those surveyed stated that they preferred to have a progressive disciplinary system in place for dealing with in-school offenses. Admittedly, the choices offered in the survey for alternative disciplinary policies were limited, but it appears that the majority clearly felt that using alternatives was the way to go. The survey responses also made it very clear very clear that these educators feel that the biggest obstacle to implementing alternative discipline is a lack of resources and staff available for implementation of those policies.

Mirroring a local trend towards looking at exploring alternatives to expulsion at the local level, the California State Legislature recently enacted several school discipline
reform bills. The five new laws were specifically enacted to help reduce the number of youth expelled from school and also guarantee certain rights to those students who may be at risk of expulsion, or who are trying to re-enroll in school following an expulsion. Senate Bill 1088 is designed to help speed re-enrollment and prohibits schools from denying re-enrollment and “off the record” expulsions. Assembly Bill 2616 aligns truancy laws with best practices by giving schools greater discretion in determining truancy rather than having a ministerial duty to refer suspected truancy to Probation and the Juvenile Court. Additionally, the law provides for referral to a parent as opposed to police. Assembly Bill 2537 gives school officials additional discretion to not expel in certain circumstances and clarifies that medication for personal use is not a zero tolerance, mandatory offense that requires suspension or expulsion. Assembly Bill 1909 guarantees that, for foster youth at risk of expulsion, the youth’s attorney, social worker, and the pupil’s education rights holder are invited to all school disciplinary meetings involving the at-risk student.

Perhaps the most significant of the new laws in relation to this research project is Assembly Bill 1729. This piece of legislation lays out the legislature’s intent that expulsion should be avoided and that alternative forms of discipline should be utilized. It further makes note of the fact that vulnerable student populations, as noted above, are disproportionately targeted for disciplinary removal. AB1729 additionally requires that other means of correction must be used and prove to have failed prior to using in-school suspension as opposed to out-of-school suspension, and that all means of correction must be documented in the student’s permanent file. In addition to the above requirements, the
new law contains a comprehensive list of alternatives to zero tolerance, such as school-wide positive behavior support and the utilization of restorative justice techniques as a means to provide guidance to schools.

Locally, respondents to the survey distributed as part of this research noted that the primary obstacles to implementing alternatives to zero tolerance discipline were a lack of resources and school staff. Unfortunately, what this new legislation does not do is provide a funding mechanism for school to be able to acquire those resources and personnel. The individual districts will have to supply that part of the puzzle. One possible solution that might be beneficial for the affected students and school districts could be a new effort by the Teen Court to present their processes in light of the new laws. Alternatively, the Teen Court could assist in setting up pilot projects at each school staffed by youth trained through the Teen Court. The Teen Court might also wish to investigate a partnership with Humboldt State University; it might be possible to implement internships for students from Humboldt State University to work with the Teen Court to assist school districts or the Humboldt County Office of Education to develop programs that meet the state legislature’s intent. With students from the Education and Social Work Departments from HSU, there should be adequate support for those schools struggling with staffing and resource issues.
Limitations

As with any project of this type, there are certain limitations and difficulties involved in the process. Some of these can be anticipated such as low participation rates and buy-in from the survey population. One of the major limitations with this project was with the distribution of the survey instrument. The original distribution plan involved contacting the principals of five Humboldt County high schools and asking them to forward the survey instrument to their staff. In the event that they were unwilling or unable to forward to their staff, the researcher would ask permission from the principal so that the researcher could randomly distribute the survey instrument to the teachers’ publicly available e-addresses. Unfortunately, only two of the principals responded to repeated attempts by the researcher to contact them. When attempting to contact the other principals, the researcher was only able to reach certain staff who did not have the discretion to distribute the survey, or to authorize the researcher to independently contact school staff. Despite repeated efforts to confirm distribution of the survey at these schools, it is unknown if the survey was actually distributed. One of the targeted schools was only available via e-mail and the researcher never received a response despite numerous attempts at contact. After the initial contact, there was only one school which remained in contact with the researcher to offer continuing support for the research. In retrospect, better results may have been achieved by going through the Humboldt County Office of Education for distribution of the survey instrument. Alternatively, while buy-in and support from the schools’ administrations was deemed of utmost importance, and it
was desirable to have the research process remain transparent, there may have been better response through direct contact with school staff, where such contact information was publically available.

Another limitation was the lack of clearly defined zero tolerance policies such as suspension and expulsion as applied to specific offenses. Apparently, there was some confusion among the respondents as to whether the survey was related to drugs, violence, or seemingly innocuous offenses such as texting in class, or passing notes. It perhaps would have been better to ask about distinct behaviors and actions as opposed to asking about zero tolerance policies of suspension and exclusion. If the survey could have linked the options for alternative forms of discipline to identified offenses it probably would have been better understood and provided better information so schools could focus on appropriate discipline keyed to behaviors and individual students/ circumstances.

An additional limitation is that there was no verification process by which to analyze the responses. Theoretically, the survey could have been answered several times by the same individual. Another noticeable limitation is that there was no way to verify that the respondents were, in fact, educators. Because of the anonymous distribution and response method it would have been possible for a very few to skew the results one way or the other. Of course, the low participation could reflect the reality that educators are overwhelmed by their duties and simply do not have the time for surveys. Either way this brings up an interesting theory that perhaps these administrators and educators are not giving much thought to their schools’ disciplinary processes and are comfortable with the status quo; this is certainly reflected in the survey results. In that instance, it is even
more likely that presentations by the Teen Court on legislative intent with the new laws, and presentations on alternatives to zero tolerance policies may be desirable to Humboldt County School Districts.

Implications for Social Work

The Social Work profession is ideally suited to take on the role and responsibility for implementing alternative and progressive forms of discipline in schools by utilizing a strengths-based and solution-focused approach towards the disciplinary process. Additionally, social workers are trained in recognizing bias, especially towards those groups traditionally marginalized by society. This is especially important in considering school discipline when applied to minority groups of students. Youth of color, GLBT youth, and foster youth are just an example of some of these minority groups that are often the focus of discrimination. This needs to be recognized and addressed prior to enacting any form of discipline regardless of whether that discrimination is intentional or, as is often the case with administrative personnel, at a sub-conscious level. Displaying empathy for the students and focusing on restorative justice techniques and positive interventions designed to help youth succeed in school is likely to result in higher retention rates and greater success in school for these students.

Summary and Recommendations

The research has shown that the majority of respondents to the survey are clearly in favor of exploring alternatives to zero tolerance policies such as suspension and
expulsion. Most seemed to indicate that some form of progressive discipline would be effective, followed by substance abuse programs, peer mediation, and peer court. Very few chose zero tolerance as the preferred means of school discipline. Unfortunately, there was a universal response that there were not enough resources to effect changes in policy and begin to utilize alternatives to zero tolerance policies such as suspension and expulsion.

Perhaps, future research may include direct contact with school district boards, surveying affected youth, and experimental implementation of alternative disciplinary techniques. As noted above, if training and alternatives were presented in a non-threatening fashion that would in no way impinge on the authority of the administration, many educators seem to be willing to at least try some alternatives. Indeed, with the recent legislation, schools are mandated to at least attempt some other form of remediation prior to suspending or expelling students. In all likelihood, it will be necessary to examine individual circumstances as well as codified offenses in order to determine appropriate disciplinary action.

Lastly, some research should be made into what resources are available to schools that they can use towards the development of effective disciplinary policies. With the new legislation in California mandating compliance with enacting alternatives to zero tolerance policies, there needs to be some mechanism by which to develop efficient tools to implement legislative intent.
Conclusions

Although the survey population was not as large as originally intended the research has yielded a great deal of information nonetheless. It is apparent from the survey results that the majority of respondents are in favor of at least exploring alternatives to zero tolerance policies for administering school discipline. Additional support will be needed to assist schools in this transition from zero tolerance policies. Such support may have to be developed locally or at the state level and this will need to be researched.

The term zero tolerance will need to be defined more accurately as applied in any given situation so that educators have a clearer understanding of what exactly is meant by the use of that term. This will also require that specific offenses be somehow coded for better analysis of the situation. Individual student circumstances should also be examined in order to recommend personalized discipline that meets the individual student’s needs.

Additionally, more research will be needed in order to determine effective alternatives that work for Humboldt County schools and youth. This work should be done in close partnership with all parties involved including, but not necessarily limited to, schools, the Teen Court, the Office of Education, Juvenile Justice Prevention and Delinquency Commission, and Humboldt State University, to insure that all available resources are utilized.
REFERENCES


