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NO MORE PROLONGING STUDENTS’ SENSE OF BELONGING: A CONTENT ANALYSIS ON THE ISSUES AND RESOLUTIONS REGARDING DISCRIMINATORY SCHOOL DISCIPLINE OUTCOMES FOR STUDENTS OF COLOR

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Northern Illinois University, 2023
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Racial discrimination in school discipline for students of color is steeped within the history of educational institutions throughout the United States. Despite the federal law Title VI, which prohibits discrimination in schools based on race, color, or national origin, discriminatory school discipline outcomes persist and perpetuate educational inequities and continued marginalization of students of color. The issue of disparate school discipline is attributed to implicit and explicit adult biases, cultural dissonance between teachers and students, and systemic issues in school discipline policies, such as subjective and vague definitions for minor discipline infractions and wide-sweeping zero-tolerance policies. As a result of discriminatory discipline practices, students of color are being punished more frequently and harshly than their similarly situated white peers, thus decreasing students’ sense of belonging in school and contributing to the school-to-prison pipeline. This study analyzes themes from the U.S. Department of Education Office of Civil Rights complaints on race-based discrimination in student discipline outcomes. Additionally, the study guides school leaders in creating equitable frameworks for systematic policy change in school discipline.
The research for this study derives from a conceptual framework aligned with systemic discrimination theory and stereotype threat theory, providing a content analysis on the issues and resolutions regarding discriminatory school discipline outcomes for students of color. The results of this study indicate that African-American male students in high school are most likely to receive discrepant school discipline outcomes due to an overall lack of early-intervention supports, subjective discipline infraction definitions, educators’ difficulty in employing effective classroom management strategies, and a failure to reintegrate previously excluded students back into their school community. In the end, the study concludes that if schools want to achieve more equitable discipline outcomes for students of color, they will benefit from self-monitoring of disaggregated discipline data, revising school discipline policies, and providing ongoing staff training.
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BY
TAREN RENEE TURNER
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A DISSERTATION SUBMITTED TO THE GRADUATE SCHOOL IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE DOCTOR OF EDUCATION

DEPARTMENT OF LEADERSHIP, EDUCATIONAL PSYCHOLOGY AND FOUNDATIONS

Doctoral Director:
Tiffany Puckett
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To God: THANK YOU!

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To the haters: Thank you, but I’m not done yet.
DEDICATION

To my father and mother, Lenwood and Lillian Stubbs
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CHAPTER 1
INTRODUCTION

Sociologists have continuously aligned themes within social systems (Scott et al., 2017). Embedded within those systems are social constructs organized by hierarchy. Two ever-present measures within societal groups that illustrate individual positions on a hierarchical scale are race/ethnicity and socio-economic status. Historical and contemporary research indicates that racism has had a pervasive grip on where groups within society are situated (Scott et al., 2017). This trend naturally exists within the American education system and explains why there are parallels between who is most marginally impacted by unjust systems and poor outcomes (Gynter, 2003). One such example is funneling marginalized groups of students out of schools and into prisons, which has become known as the school-to-prison pipeline. Myriad caveats contribute to the school-to-prison pipeline, but one of the most pervasive has been excessive exclusionary student discipline practices that disproportionately impact students of color. “This system, presented as discipline, criminalizes youth not only by applying punitive and exclusionary disciplinary actions at alarming rates, but also by restricting their access to education and development of crucial social-emotional skills, in turn eliminating the path to upward mobility by means of juvenile justice referrals and increased dropout rates” (Dutil, 2020, p. 171).

The effects of exclusionary student discipline are significant and are predicted by the extent to which systemic oppression of marginalized groups exists. Ladson-Billings (2013)
states, “We have an obligation to point out the endemic racism that is extant in our schools, colleges, and other public spaces. We must deconstruct laws, ordinances, and policies that work to re-inscribe racism and deny people their full rights” (Ladson-Billings, p. 45, 2013).

Additionally, the decision-makers actions within school systems indicate that marginalized students from lower societal tracks do not belong. Data from the Civil Rights Data Collection demonstrate that starting as early as preschool, Black students are 3.6 times more likely to be suspended than their White peers and 3.8 times more likely in K-12 education (U.S. Department of Education, Office for Civil Rights, 2016). In addition, the U.S. The Department of Education reported that in 2014, students of color were suspended and expelled at a rate three times greater than their White peers and accounted for 70% of police referrals (U.S. Department of Education, Office of Civil Rights, 2014).

The demographic divide between who is “doing” and who is having circumstances “done to” them within educational systems necessitates the intentionality of ensuring equity exists within the structures of all institutions. These approaches towards equitable outcomes must seek to dismantle what Tema Okun refers to as “White supremacy culture,” which is defined as “the widespread ideology baked into the beliefs, values, norms, and standards of our groups, our communities, our towns, our states, our nation, teaching us both overtly and covertly that whiteness holds [supreme] value, whiteness is value” (Okun & Jones, 2000). The standardized societal norm as a result of “White supremacy culture,” is therefore advantageous to those in the dominant majority, and therefore lacking inclusivity of minority groups, customs, and cultures.

This study will analyze exclusionary student discipline practices in U.S. schools from grades pre-K to 12 for students of color and the extent to which African-American students have been most adversely affected. The reasons for disproportionate school exclusion among African-
American students will be examined, such as racist practices, adult biases, and cultural dissonance between teachers and students resulting from systemically discriminatory practices (Scott et al., 2017). One recurring theme throughout the research was that the pervasive harsh and excessively exclusionary discipline outcomes for students of color resulted in a decreased sense of belonging in schools for students of color (Hussain & Jones, 2021). This study then analyzes the impact of decreased sense of belonging for adolescent students of color in schools. Specifically, it explains the extent to which a lack of belonging increases stereotype threat theory among students of color and details various mitigating factors to student belonging, such as systems redesign, culturally relevant pedagogy, and the actions of school personnel to improve the sense of belonging among students of color.

In the methodology for this study, I extracted themes from a content analysis of recent allegations of race-based discrimination in matters of student discipline throughout U.S. public schools. The data comes from the U.S. Department of Education’s Office of Civil Rights resolution Agreements within the past five years in which complaints were filed against school districts for the degree to which they discriminated against students of color in student discipline. The resolution agreement provisions are severe as a framework of lessons learned and actionable steps for redesigning student discipline practices within U.S. schools seeking fairness and equity.

Theoretical Framework

I applied two specific theories to this study. The first is the systemic discrimination theory, which maintains the belief that primary racial control is embedded within the operating norms of organizations, so by mere conformity with the status quo, institutionalized
discrimination is perpetuated (Gynter, 2003). The specific type of discrimination referenced in this framework is “direct institutionalized discrimination which refers to organizationally or community-prescribed actions which have an intentionally differential and negative impact on members of subordinate groups” (Gynter, 2003, p. 47).

According to Gynter (2003), the sum of the denial of the four R’s is the metric for determining the existence of systemic discrimination: rights, recognition, resources, and representation (Gynter, 2003). More specifically, the denial of rights refers to preventing individuals or groups of individuals from access to an entitled circumstance. In the interest of students in U.S. Schools in matters of student discipline, the Office for Civil Rights (OCR) upholds Title VI. “Title VI of the Civil Rights Act of 1964 (Title VI) prohibits discrimination based on race, color, and national origin by recipients of Federal financial assistance (FFA)” (U.S. Department of Education, 2017). The absence of recognition of the problem results in systemic discrimination when there is a lack of attention to the issue at hand and a failure on behalf of those responsible for carrying out such policies to disaggregate data, highlighting awareness of any discrepancies in data (Gynter, 2003). Denial of resources occurs when there is “a lack of gateways for all ethnic groups to different sources of knowledge” (Gynter, 2003, p. 52). A lack of resources also pertains to whether minority groups receive access to accurate, up-to-date, all-encompassing information (Gynter, 2003). Lastly, the final R is representation. Systemic discrimination exists when there is a lack of ethnic representation in decision-making (Gynter, 2003).

Specifically, for this research, systemic discrimination theory addresses inequitable student discipline policies, the lack of school policy in matters of student discipline, as well as the presence of subjectivity within policies that further marginalize and disproportionately
impact students of color. Coupled with faulty systems design is the addition of underlying biases embedded within the system held overwhelmingly by the adults responsible for such policies (Scott et al., 2017). In matters of the OCR discrimination violation letters to school districts regarding students of color in student discipline, the denial of the 4 R’s is present in each case, necessitating the equitable actions of system changes.

An additional theory applied to the context of this study is stereotype threat theory, which is the belief held by minority groups existing in majority spaces who have a propensity to feel a decreased sense of belonging based upon their knowledge of the stereotypes associated with their race. (Murphy & Zirkel, 2015). Research suggests that experiencing a sense of belonging among students from stigmatized groups may be linked to academic motivation (Murphy & Zirkel, 2015). Thus, the theoretical framework for the basis of this research is predicated upon the fact that “feeling a sense of belonging at school may be an important motivator for stigmatized students, reducing their concerns about negative group stereotypes when they have achieved a sense of fit within the academic context” (Murphy & Zirkel, 2015, p. 6).

Need for Knowledge

As of late, the word “equity” has continued to resonate throughout U.S. school districts. In an attempt to establish equitable practices, many school leaders have had conversations about the necessary actions to ensure that schools provide inclusive environments for all students and that all students have an equal opportunity for success (Milner et al., 2018). However, historical and present-day data overall indicate significant differences in student outcomes depending on where they are situated in society, racially and socioeconomically (Scott et al., 2017). Therefore,
many more conversations must occur, and much more action must be taken by school district leaders and teachers to achieve the core value of equity (Kafele, 2021).

The research in this study begins with an analysis of student discipline outcomes that result in excessive days of school exclusion for students of color. In particular, African-American students are the most frequently referenced racial groups because research shows they are the most disproportionately impacted. Specifically, this section of the study provides reasons for the drastic variance in the treatment of students from marginalized racial groups, such as racism, systemic discrimination, and bias. Next, the study highlights the sentiment of decreased student sense of belonging and concludes with policy resolutions to apply for improved practice.

Statement of the Problem

Research suggests that excessive exclusionary discipline practices amongst African-American students are a direct contributor to the concept of the school-to-prison pipeline (Mallett, 2017). Pushing students out of school, who are from marginalized groups, results in the entirety of a demographic being at risk for social peril and thus more likely to have involvement with the justice system (Morris, 2016). An approach to mitigating the school-to-prison pipeline can be through the lens of contrast to exclusion, which is belonging. Therefore, understanding stereotype threat theory highlights ways that strengthening a student’s sense of belonging to school can break down adult biases and advance equity by transforming school culture and promoting teacher reflections that result in enhanced practices and improved student outcomes (Schmader, 2012). In the words of Kafele (2021), “Equity is a reflection of the educators’ humanity towards the students they serve” (p. 18).
“Black children make up about 15.2% of the students in U.S. public schools, while Black teachers make up about 6.7% and White teachers make up 79.3% of the total teaching staff in the United States” (Riser-Kositsky, 2020, p 3). As a result of Black students seeing few Black teachers that they can likely relate to and feel understood by due to cultural dissonance, many Black children in public schools remain misunderstood. Cultural dissonance and the assumption that students of color fail to conform to the norm established by the White majority can result in students feeling disconnected and having adverse school experiences. “African American youthful offenders are referred to the juvenile courts for delinquency adjudication at a rate 40% greater than Caucasian youthful offenders” (Puzzanchera & Robson, 2014, p. 2). This data indicates that students of color are being pushed out of school at alarming rates and placed on the fast track to a downward trajectory, including but not limited to juvenile delinquency, maltreatment, and poverty (Mallett, 2017).

Significance of the Problem

The impact of excessive school exclusion on African-American students results in a more significant societal problem. As Marchbanks et al. (2015) summarize, higher suspension rates are closely correlated with higher delinquency and high school dropout rates, which have tremendous economic costs for the suspended student, the school, and our larger society (Marchbanks et al., 2015). Therefore, receiving a quality public school K-12 education positively impacts one’s overall life success…increasing postsecondary enrollment and obtaining a college degree, increasing one’s future financial earning potential (Scott et al., 2017). Quality public K-12 educational experiences result in the reduction of generational poverty and a reduction in the disenfranchisement of marginalized groups, thus benefiting society overall.
Purpose of the Study

Excessive student discipline outcomes in U.S. schools have disproportionately impacted students of color. These students are often disciplined more harshly and frequently than their similarly situated White peers. These discipline outcomes for students of color have resulted in excessive and unjust days of school exclusion through in-school suspensions, out-of-school suspensions, and alternative school assignments. These incidents, often minor by definition, have also resulted in extensive and unnecessary referrals of students of color to law enforcement, specifically school resource officers (SROs). Referrals to SROs have caused students of color to become court-involved in many cases for incidents that were not illegal in scope but were mere violations of the school code of conduct.

This study aims to analyze themes from the OCR resolution agreements to understand how racial discrimination in student discipline occurs. The goal is to reduce the school-to-prison pipeline by redesigning school policy to be more transparent and inclusive and omitting subjectivity and harsh punitive consequences without progressive corrective strategies. As indicated in the resolution agreements from the U.S. Department of Education Office of Civil Rights complaints, there are multiple remedies to correct the wrongdoing and harm done to students of color through systematic discrimination in discipline matters. Those remedies all pertain to systems change. Specifically, the resolutions indicate that instances of pervasive discriminatory student discipline practices are indicative of a district’s overall culture and climate. The most sweeping Office of Civil Rights recommendations are in cases where the resolution agreement requires a district to hire a compliance officer or department to ensure equitable discipline practices. Additional requirements are to have more specific language
written into school board policies and district codes of conduct to clearly define subjective and ambiguous terms such as “disruptive behavior” or “defiance of authority” and in as many instances as possible, policy should seek to omit the subjective terms altogether. One key component to combatting the school-to-prison pipeline is to define the roles of SROs. In the district’s video of such clarity, it has been common practice to have students of color overly referred to the police for instances in which there was no legal violation, or it has been the case that the SROs have involved themselves in the administration of school discipline, which is a task to be executed by a certified school administrator. These are a few of many remedies. However, all of the actions taken to mitigate the issue of excessive discipline outcomes for students of color reduce the school-to-prison pipeline and increase student graduation rates, resulting in a future upward trajectory and, thus, overall enhanced positioning within society (Scott et al., 2017). While many factors contribute to discrimination in discipline outcomes for students of color, such as adult bias (Milner et al., 2018), this study is not intended to measure the extent or type of bias displayed by adults and its impact on specific discipline outcomes for students of color. Furthermore, this study is not intended to measure a scale for determining students’ sense of belonging in schools.

Significance of the Study

The practice of racial discrimination towards students of color in matters of student discipline within U.S. Schools is pervasive nationwide (Skiba et al., 2000). As a result of this issue not being isolated to a select few schools in a concentrated area, the lessons learned from the Office of Civil Rights resolution agreements can serve as an actionable framework for equity in student discipline. This study is significant due to the fact that solving the issue of systemic
racism, adult biases, and decreased belonging for marginalized student groups means that by taking action around what we know, we can eradicate the woes faced by not only students but for specific societal groups. Addressing this issue impacts other situations sought to be solved in schools, such as decreasing student discipline incidents, increasing student attendance, and thus academic outcomes and graduation rates (Smith & Harper, 2015). It also can serve as a relief to the adults in school who will carry out the practices that increase students’ sense of belonging. The study outcomes will support adult understanding, require their reflection, and provide a blueprint of actionable steps toward creating equitable learning environments that achieve the essential function of formal education: providing quality teaching and successful outcomes for all students.

Organization of the Study

I begin my study by providing an overview of the school-to-prison pipeline as the umbrella under which the more specific issues exist in three ways:

1. Defining the school-to-prison pipeline,
2. Analyzing the causes and contributors to the school-to-prison pipeline, and
3. Highlighting the impact of the school-to-prison pipeline on marginalized students of color.

Next, I cite research on the disproportionality of students of color impacted by disparaging student discipline outcomes. The three most impacted ethnic groups for this research are Black/African-American, LatinX, and Native American students (Skiba, 2000). I then dissect contributors to the disproportionality in student discipline for students of color, thus exacerbating the school-to-prison pipeline. I found the disproportionality in student discipline outcomes to be
primarily related to zero tolerance policies, the criminalization of schools as an institution perpetuated by surveillance culture and the presence of police in schools, and cultural dissonance between students and teachers (Heitzeg, 2009; Lewis, 2006; Milner et al., 2018; Skiba et al., 2014). The cultural dissonance is a result of some teachers holding biases against students of color as a result of lacking cultural understanding and imposing the view of the majority as the norm, therefore deeming the ethnic and often urban environments in which they work as devoid of the elements of societal righteousness (Milner et al., 2018).

Then I discuss additional harm caused by discriminatory practices in student discipline, which is a decreased student sense of belonging. I not only define the meaning of student sense of belonging in schools but also emphasizes the significance for adolescents to belong (Booker, 2018). The period of adolescence is crucial because it is within this time when students undergo a transitional phase during their secondary schooling years, in which they are seeking self-identity and beginning to make sense of who they are and whom they want to be in the context of their world (Booker, 2018). I then provide an example for educators of how belonging is instilled within the learning environments for students of color using Muhammad’s (2020) four-part framework for equitable teaching. This section on student belonging concludes with a research study on Black and White students’ perceived equity, belonging, and adjustment problems in schools.

The next part of my literature review details my theoretical framework for the research, of which there are two. First, I explain how the actions under the umbrella of the school-to-prison pipeline, namely disparaging discipline outcomes for students of color and their contributors, result from systemic discrimination theory. The research defines systemic discrimination theory as follows: When social processes put large groups of persons under
systemic threat of domination or deprivation of the means to develop and exercise their capacities, at the same time, these processes enable others to dominate or to have a wide range of opportunities for developing and exercising capabilities available to them (Rahman, 2018, p. 104).

The second theoretical framework for this research is the stereotype threat theory. Stereotype threat theory pertains to the effect of marginalized students having a decreased sense of belonging in schools due to not only systemic discrimination but also to the internalization of being an “other” as a result of knowing the stereotypes held against individuals of their specified minority group (Murphy & Zirkel, 2015). To support the belonging research, an analysis of a study by Murphy & Zirkel, in which African-American students, when compared to their White peers on their perceptions of belonging in schools as a result of peer relationships in an equally mixed-race school and their sense of belonging impacted their educational efficacy.

The literature review begins its conclusion with I cite more studies on student sense of belonging in schools and how to enhance its existence. I dissect implications for the future related to disproportionate student discipline. In this section, I reference a recent study from May 2023 in which the U.S. Department of Education Office for Civil Rights and the U.S. Department of Justice Civil Rights Division created a “Resource on Confronting Racial Discrimination in Student Discipline. This resource serves as a preview of the action steps to a remedy redesigning equitable systems for student discipline in schools.

The final two sections of the literature review focus on implications for further research. In the implications for further research, I note an alternate course of action to advance a similar topic of study. The approach is more historical in context, dissecting historical truths resulting in our present-day circumstances. This approach simultaneously calls out the need to dismantle
long-standing prior beliefs about marginalized communities and students of color. In other words, additional research could be extended under critical race theory to provide more of a comprehensive historical reference for the outcomes of marginalized groups and the issues they face in present-day society that stem back to historical practices and structures (Ladson-Billings, 2013). Lastly, I indicated two potential issues with belonging research. Specifically, I noted that belonging is visceral and sentimental, making it harder to quantify (Powell, 2012). Secondly, because Black people are not a monolith, one must be cautious about assigning a particular feeling or experience to an entire group simply because they are of the same race (Milner et al., 2018).

In Chapter 3, I conducted a content analysis methodology in which I analyzed the U.S. Department of Education’s Office for Civil Rights resolution agreements on elementary and secondary race and national origin statutes for students who face discrimination in matters of discipline incidents. This data comprises 35 cases across the U.S. Schools within the past five years. The research questions are: What were the key aspects and outcomes of the resolution agreements issued by the Office of Civil Rights between 2017 and 2022? Moreover, what can we learn from the Office of Civil Rights regarding how these cases can be resolved?

Chapter 4 answers the first research question by detailing the narrative of the content analysis results on the U.S. Department of Education’s Office of Civil Rights resolution agreements. Chapter 5 provides a framework for educational policy change. It highlights actions that school districts and school systems should take to eradicate systemic and racial discrimination in student discipline. The system redesign is based on lessons learned from the OCR discrimination cases between 2017 - 2022.
When applied inconsistently, school discipline creates disproportionality for students of color, adversely impacting the upward trajectory of student success in schools (Skiba et al., 2011). For some, it is not easy to conceive that the same entity designed to enhance future outcomes for student schools is also the institution in which some students are funneled toward the justice system. After all, the purpose of schooling is contrary to what the school-to-prison pipeline entails. However, the pipeline does exist, and it is often a result of inequitable practices that adversely impact marginalized groups of students (Scott et al., 2017). There exists a variety of contributors that perpetuate the school-to-prison pipeline. From systemic barriers, such as neighborhood boundaries that overwhelmingly place poor and minority students into lower-performing schools, to personal biases and manifestations of microaggressions from educators toward students, the range of contributors is broad and multifaceted (Skiba et al., 2014). According to Skiba et al. (2014), the school-to-prison pipeline: “is a construct used to describe policies and practices, especially concerning school discipline, in the public schools and juvenile justice system that decrease the probability of school success for children and youth and increase the probability of negative life outcomes, particularly through involvement in the juvenile justice system” (Skiba et al., 2014, p. 1).

The prevalence of the school-to-prison pipeline is more easily understood, knowing that schools reflect society. There are varying philosophies revolving around the purpose of schooling in our society and the explicit goal of acquiring an education. Regardless of whether
one prefers a given theory from one philosopher or another, we as a society can likely agree that schools were designed to provide a set of knowledge and skills to improve one’s quality of life (Graham et al., 2015). However, knowing that societal constructs are steeped in hierarchy and status, it is no surprise that an individual’s school experience could be determined by examining their social status (Scott et al., 2017).

During the initial onset of schools as organizations, having first come into existence approximately 160 years ago, it is known that the founding fathers were not creating institutions designed to support the success of all diverse student body groups in the mid-1800s in the same way, Article One, Section Two of the United States Constitution failed to account for the day African-Americans were free and equal citizens, counting them as three-fifths of a free individual, (Powell, 2012) explains that today’s current racial and social injustices are not due to overwhelming outright blatant racism. Instead, societal inequities result from inter-institutional arrangements that continue to contribute to racialized outcomes due to the differences in how groups are situated. In addition, implicit bias also shapes how people are treated, and policies are constructed (Powell, 2012). Therefore, if we are serious about creating environments that allow for the success of all students, then we must go back to a mentality of discovery to understand the original intent of schools, whom they were designed to benefit, and realign systems that are continually operating under their non-inclusive origins.

Based on the societal structures at the time schools originated in history, it is evident that there was no envisioning a society that would be as diverse as it is today (Milner et al., 2018). A rationale titled the “demographic divide” compared teacher diversity to student diversity according to the American Community Survey in 2015. The study showed that in 2015, African-American students comprised 15% of students enrolled in U.S. public elementary and secondary
schools. Yet, only 8% of U.S. public school teachers were African-American, compared to 78% of White teachers (Milner et al., 2018). The issues with the disparity in the teacher-to-student ethnicity ratio expand beyond mere race. The crux of the matter is that marginalized students suffer when dominant groups fail to adapt to the needs of diverse populations. To illustrate, “Definitions and expectations of appropriate behavior are culturally influenced, and conflicts are likely to occur when teachers and students come from different cultural backgrounds” (Weinstein et al., 2004, p. 44). Therefore, it is necessary that teachers allow space for students to have agency within the context of their learning experience. Equally important is the need for teachers to adopt culturally relevant teaching practices to respond to the very essence of who students are.

Additionally, dissonance can appear as a lack of cultural understanding on behalf of teachers, thus failing to engage students. It can also exist when attempts from the “haves” to control the “have nots” by conforming to their Eurocentric ideas of acceptable student behavior do not align, and there is an abuse of authority, resulting in excessive and exclusionary discipline outcomes. The latter practices must be challenged for equity and inclusion to pave the way and mitigate inequitable practices by fostering a sense of belonging within students. This is how we disrupt inequitable constructs such as the school-to-prison pipeline (Milner, 2019).

In the words of Powell (2012), “because [biased] attitudes - unrecognized on the conscious level but powerful at the unconscious level - influence choices and decision, individual and institutional discrimination can and does occur even in the absence of blatant prejudice, ill will or animus” (p. 22). Powell further says that if these harmful practices, cultural norms, and institutional arrangements are left unchallenged, they continue to maintain inequitable outcomes (Powell, 2012). Conflict is fueled by a dominant group with greater decision-making authority, attempting to keep their resources and wealth amongst themselves at the expense of those within
the lower societal track. Thus, those in lower societal classes have fewer resources to support their success and are continuously subject to the imminent perils of a society constructed around contributing to their demise.

Today, these same societal conflicts are highly prevalent in schools with marginalized populations of students, namely, poor, urban, and students of color. They directly contribute to the school-to-prison pipeline (Nance, 2016). The dissonance that results from the disconnect between those responsible for providing marginalized students of color with a quality school experience, often White middle-class educators, and the students themselves, is continually manifested in actions throughout classrooms across the U.S. One study in particular analyzed three key factors that put youth at risk for delinquency (Christle et al., 2005). The study focused on the trajectory of commonalities of court-involved youth, which were an academic failure at the elementary level, school suspension at the middle school level, and dropout at the high school level, to explain the barriers that the systemic structures within schools place upon students who are not.

This literature review will center around outcomes and the impact of excessive exclusionary student discipline for early adolescent-aged students of color. In addition, it will address establishing and enhancing a student’s sense of belonging as a form of targeted universalism that can serve as an equitable strategy to disrupt the disproportionality in student discipline for students of color.

The Color of Student Discipline

In discussing disparaging student discipline outcomes for students of color, it is essential to highlight that racial bias can be inferred as a contributing factor once all other reasonable
justifications for such actions can be ruled out (Skiba et al., 2000). “Whether disparate treatment
of a group can be judged as bias depends largely on the extent to which other hypotheses that
could provide a credible alternative explanation of the discrepancy can be ruled out” (Skiba et
al., 2000, p. 1). Various rationales could provide potential explanations for the pattern of
discipline disparities, including but not limited to student discipline history, seriousness of the
behavior, age, and other nondiscriminatory rationales. To illustrate, one might consider why
students of color are excluded from school due to discipline outcomes at higher rates when
compared to their White peers. Yet, there is no research that supports the notion that students of
color act out more than their White peers (Skiba et al., 2000). Studies show that students of color
tend to be referred to the office more for less severe and more subjective reasons (Skiba et al.,
2000). Therefore, ruling out all other factors, one can reasonably conclude that students of color
are often excluded from school at higher rates as a result of student discipline outcomes because
of biases held by those administering the discipline, thus resulting in racially discriminatory
conduct.

I reference students of color as any student who is non-White. Although most research on
this topic pertains to African-American students, evidence suggests that all students of color are
at risk for facing the dilemma of disparaging student discipline outcomes irrespective of their
specified ethnicity. While racial discipline disparities have been scarcely reported for Native
American students, Native American Students were more likely to be sent to the office or
detained after school than White students. Furthermore,

some studies highlight racial discipline disparities for Latino/as (Anyon et al., 2014;
Peguero & Shekarkhar, 2011; Skiba et al., 2011; Skiba et al., 2002; Wallace et al., 2008),
whereas other studies have found no significant differences between Latino/a and White
students’ suspension rates. (Welsh & Little, 2018, p. 756)
Suspension rates alone, however, are not the sole outcome in matters of disproportionality of student discipline.

A myriad of outcomes can be considered disparate when comparing what consequence a student of color was subjected to as opposed to their White peers. “Research demonstrates that Black and Latinx students experience police violence and school discipline unequally” (Scott et al., 2017, p. 3). Another contributor to the disproportionality in student discipline for students of color is that school occurrences reflect societal patterns. “As a series of tragic shootings have demonstrated, Black, Latinx, and Native American young people are more likely to be stopped, detained, and killed or injured due to routine interactions with police” (Scott et al., 2017, p. 3). Increasing the risks faced by the youth of color in schools due to bias is the fact that students of color are more likely to attend schools segregated by race, income, and language (Scott et al., 2017). In order to apply an equitable response to the disparaging student discipline outcomes for students of color, it is essential to examine educational policy and for schools to analyze the root causes of systemic bias.

Historical Perspective of the School-to-Prison Pipeline: Zero Tolerance

Historically speaking, the rate of school exclusion days increased drastically nationwide when zero-tolerance policies were implemented and expanded upon in an attempt to ensure safer schools in the wake of mass school shootings (Heitzeg, 2009). However, before the expansion of zero-tolerance policies in the mid-’90s, the language of “zero tolerance” became rhetoric borrowed from the War on Drugs (Heitzeg, 2009, p. 8). What was also borrowed in comparing zero tolerance policies to the War on Drugs was the overall message that schools would be safer, just like neighborhoods would be during the War on Drugs, if leaders took an approach that
created an appearance of being tough on crime. The outcome of these initiatives, often shaped by implicit bias, resulted in increased structural inequities that further disadvantaged marginalized groups.

Although there is no set definition for zero tolerance, as it varies by the school district, the term refers to an exclusionary discipline consequence for students, based on their actions, often with little or no regard to context or, in some cases, level of severity (Milner, 2019). In other words, zero-tolerance policies are blind to situational context. For example, a student who may have had a pocketknife in her backpack because she was on a camping trip with friends the previous weekend and forgot to take the knife out of her backpack could very likely become expelled from school upon the administration’s discovery of the pocketknife (Milner, 2019). Granted, the student had no intentions to harm anyone, but zero tolerance policies fail to take intent into consideration, thus harming the educational trajectory for students whom the policy was not intentionally designed to protect others from.

While zero-tolerance policies primarily applied to a response to the possession and use of drugs and weapons, they soon became used as a remedy for offenses, such as bullying, making threats against students or school officials, and bringing substances such as alcohol or paraphernalia into school (Milner, 2019). In some cases, such as in Illinois, students were excluded from school for minor offenses such as disrespect or disobedience. These pervasive actions, which disproportionately affected African-American students, exacerbated the school-to-prison pipeline and became the catalyst for the establishment of Senate Bill 100 in Illinois, which prohibited students from being pushed out of school for minor offenses and focused on addressing the root cause of the discipline, teaching restorative practices, and exhausting all support interventions (Assembly, 2015).
Zero-tolerance policies have effects that reach far beyond mere school exclusion. In many cases, they result in a prolonged outright denial of education for a student (Heitzeg, 2009). Alternative schools are sometimes offered to students excluded due to a school expulsion, and even in cases where expelled students do attend alternative school settings, the quality of the educational experience received is often less substantial. Consequently, zero-tolerance policies increase dropout rates nationwide, especially for students of color (Heitzeg, 2009).

Although zero-tolerance policies were created to ensure safer schools, in circumstances of high-stakes accountability, school leaders have used these same policies to push students out of school indefinitely in their favor (Heitzeg, 2009). During the era of No Child Left Behind, where school district teachers and leaders were threatened with reassignment or termination for lack of increased student performance outcomes, zero-tolerance policies encouraged some school leaders to funnel out lower-performing students or those labeled as troublemakers who may drag down a school’s overall performance rating.

Surveillance Culture

Within many urban schools, there exists a sentiment of distrust among varying social hierarchies. This aura of distrust results from the prevalence of a pervasive surveillance culture within schools, despite the purpose of surveillance existing as an attempt to convey a sense of security (Schroeder, 2016). Typically, those monitored are urban youth of color residing in marginalized communities. Typically, those doing the monitoring are the entities with decision-making authority, including, but not limited to, school district departments and those in partnership with the schools, such as the police and security staff (Schroeder, 2016).
In large poverty-stricken urban schools, it is not uncommon to observe various surveillance measures such as the presence of metal detectors, internal and external cameras, requirements for students to carry only clear backpacks, and the presence of security guards, police dogs, and school police resource officers (Schroeder, 2016). The mere existence of these tactics conveys the sentiment that there is a predetermined presumption of criminality among certain groups of students, and these surveillance measures are a manner to maintain control of the environment. Interestingly, studies indicate that the added security measures within schools have little to no impact on ensuring excellent safety or outstanding student academic performance outcomes. “In a study of both student-reported and administer-reported data, researchers found not only that increased security measures had a minimal effect on student academic performance and post-secondary aspirations but also that schools using security cameras, security personnel, and metal detectors had worse outcomes for students than schools that used only one of the three security measures” (Tanner-Smith & Fisher, 2016).

The trouble in many of our urban schools with high percentages of students of color is that increased security surveillance measures result in excessive penal, exclusionary, and criminal outcomes used in place of proactive restorative practice measures (Schroeder, 2016). In fact, in some cases, surveillance measures in schools were enacted with the intention “to make minority student bodies potentially more vulnerable to the threat of violence, an unacceptable but all too common consequence for people of color in a reactive and fear-driven political environment” (Schroeder, 2016, p. 56). This leads to inequities in the purpose of surveillance. More specifically, different meanings of the purpose of surveillance can be construed based on the demographic makeup of the surveillance location. Lewis (2006), an advocate for critical surveillance literacy, explains that “differential effects of surveillance do occur” (Lewis, 2006, p.
270). “For example, Lewis (2006) argues that suburban surveillance regulates, while urban surveillance policies” (Schroeder, 2016, p. 57). Consequently, while school and district leaders often state their prioritization of student inclusivity, strict scanning procedures and regulating student bodies among marginalized groups convey the opposite meaning (Schroeder, 2016).

**Dual Punishment: School and Legal**

At the crux of the direct link between schools and prisons is the impact of school exclusion on student trajectory. “If suspensions alone redirect children’s lives away from school success and toward legal entanglement, then this implies that suspensions do more than simply punish delinquency. They help produce it” (Mittleman, 2018, p. 183). Prior to the 1980s, most justice systems prioritized limited stigmatization. They emphasized rehabilitation for juvenile offenders to support their chance at a fresh start and success in adulthood. However, the mid-1980s and 1990s saw a turn towards punitive juvenile justice administration due to a historic surge in teen gun violence popularity associated with Black boys toting guns due to involvement with the distribution of crack cocaine (Mittleman, 2018).

By the turn of the century, America’s juvenile incarceration rate was the highest in the world: five times higher than that of the following closest country, South Africa (Aizer & Doyle, 2015). Even after juveniles complete their sentences, juvenile legal records—historically sealed to protect teens’ futures—are now publicly available in most states. These records are now used to deny youth access to higher education, employment, and various public benefits (Juvenile Law Center, 2016).

In addition to school exclusion leading Black youth towards the justice system, in many cases involving school exclusion due to a student’s failure to adhere to a zero-tolerance policy,
students receive a legal citation, causing a double dose of punishment (Mittleman, 2018).

“School-based arrests represent the hard edge of punitive control in schools. However, the same punitive approach that undergirds school arrests is arguably expressed more broadly in schools’ use of exclusionary discipline” (Mittleman, 2018, p. 185). As an example. In contrast, a fight is solely a fight according to a given school code of conduct, the legal term could be “battery” and therefore result in having charges brought against the offending individual, thus furthering the school to prison pipeline. Even for students who may already have been or are court-involved, any violation of the student code of conduct could also be considered a probation violation. “The presence of police officers at school - most of the large urban predominantly minority schools- adds as well to racial disparities as racial profiling practices are transferred from the streets to the hallways” (Ayers et al., 2001, pp. 13–14).

Subjective practices in discipline policies and within some state laws increasingly create disproportionality in student discipline and can unnecessarily increase the involvement of police interference in student discipline practices. In 2015, the infamous video of an African-American female student at Spring Valley High School in South Carolina being flipped out of her desk at the hands of a White male police officer for refusing to put her cell phone away during math class left many questioning why the School Resource Officer was involved in that incident, to begin with (Winn, 2020). The offense committed by the student, named Shakara, was a mere “refusal to follow directions” for not putting her cell phone away and for not leaving the classroom when directed. However, the majority of discipline codes consider defiance a minor infraction, and one that is not initially an offense a student can be excluded from school for, let alone arrested (Amemiya et al., 2020). However, the subjectivity of South Carolina code 16-17-420, which references the state’s “Disturbing Schools Statute,” resulted in two Spring Valley
High School students getting arrested in that incident. Both Shakara and her friend Niya, who engaged in a verbal tirade after being upset at the way the police officer treated her friend, were apprehended in that incident when Shakara refused to leave class and refused to put her cell phone away because the ambiguous interpretation of the law made it justifiable according to the police officer. Part 1 of South Carolina code 16-17-420 states:

> It shall be unlawful for any person willfully or unnecessarily (a) to interfere with or to disturb in any way or any place the students or teachers of any school or college in this State, (b) to loiter about such school or college premises or (c) to act in an obnoxious manner thereon. (Winn, p 2, 2020)

The combination of police in schools without clear guidance on when to interfere, a lack of de-escalation strategies being employed by school personnel, and subjectivity in the language of school and state policy is a literal pathway from school to prison.

**Disproportionality of Exclusionary Discipline Outcomes for African American Students**

When done incorrectly, school discipline creates disproportionality for students of color, resulting in students of color being more likely to be excluded from school (Skiba, 2011). Data from the Civil Rights Data Collection demonstrate that starting as early as preschool, Black students are 3.6 times more likely to be suspended than their White peers and 3.8 times more likely in K-12 education (U.S. Department of Education, Office for Civil Rights, 2016). In addition, the U.S. Department of Education reported that in 2014, students of color were suspended and expelled at a rate three times greater than their White peers and accounted for 70% of police referrals.

Thinking of schools as systems and considering the length of time a student remains in that system, approximately 14 years from preschool to 12th grade, it is alarming to think that the
school-to-prison pipeline begins by funneling even its youngest students on a downward trajectory. “Data show that Black children’s differential experience with school discipline begins in preschool. According to the U.S. Department of Education for Civil Rights, for example (Scott et al., 2017, p. 11).

Black children represent 18% of preschool enrollment, but 48% receive more than one out-of-school suspension. White students represent 43% of preschool enrollment, but 26% of preschool children receive more than one out-of-school suspension. (U.S. Department of Education, Office of Civil Rights, 2014).

With the research on disproportionate school exclusion for students of color dating back 40 years, no evidence suggests African-Americans have a greater propensity for crime or misbehavior (Casella, 2003). Instead, a theoretical perspective called the “ethnic blame discourse” explains why dominant groups may justify the disparities in outcomes for students of color exceeding those of Whites. In “ethnic blame discourse,” ethnocentric talk about a group’s actions routinely shapes the psyche of persons exposed to the discourse (Romer et al., 1998; van Dijk, 1993). Therefore, under this theory, the majority group (Whites) may blame ethnic “others” (persons of color) for intergroup conflict, believing that it thus has harmful effects on the majority group (Dixon & Linz, 2000).

In institutions with an “othering” of groups of people, the majority members of the group tend to rule in ways that continually serve their benefit (Powell, 2012). The benefits sought by the majority ruling group are not only to maintain the privileges they are privy to, but they also benefit from defining who and what is socially acceptable. This, in essence, is control. Applying this idea within a school setting, coupled with anxiety on the part of school personnel that they must always be in control of student behavior (Domenico, 1998; Noguera, 1995), those who are
not perceived as fitting the social and behavioral norms of the school are subsequently labeled as
dangerous (Casella, 2003) or as ‘troublemakers (Bowditch, 1993).

Much of the disproportionality in exclusionary discipline for African-American students
is due to a dissonance between students of color and their overwhelmingly White teachers, who
often come from drastically different backgrounds, resulting in a lack of cultural competency and
limited knowledge of the students’ cultural customs (Milner, 2019). Once African-American
students feel as though they are unwelcome in their school setting, they have a propensity to
naturally disengage from school, considering it a place that no longer serves their best interests,
leaving decreasing the extent to which excluded youth see school as their means to success.
(Milner, 2019). Thus, the power hierarchy exists, and the dominant educators attempt to maintain
control over the subordinate.

In some cases, educators, schools, and systems have even used school exclusion due to
student misbehavior as the generalized answer to ridding classrooms of disruption (McNeill et
al., 2016). Rather than seeking to employ strategies of empathy and equity, when frustration
seeps in, in the lack of an immediate remedy, school exclusion absolves educators of their
responsibility to remedy the matter. When institutions fail to advance equity, they perpetuate
inequity, and the dominant group maintains social divisions and hierarchy (McNeill, 2016).
Fenning and Rose (2007) provided a layered approach to addressing student discipline issues and
the impact of excessive school exclusion for students of color. The authors suggest that school
leaders regularly review discipline data, paying attention to which infraction types result in
suspension and which student demographic groups are most impacted by the various infractions.
In addition, school leaders would benefit from focusing on proactive discipline consequences,
ones in which students are frontloaded with coping skills, strategies, and social/emotional learning to correctly identify issues before they manifest (Fenning & Rose, 2007).

Cultural competence is another practical approach to addressing students of color in classroom settings (Muhammad, 2020). For example, educators who are in tune with their students and understand their culture are more apt to instruct with an engaging and relevant curriculum in which students can develop a sense of belonging for being seen, accepted, and appreciated. Lastly, discipline policies that model positive behavior support and incentivize students to demonstrate positive behavior have been known to impact student motivation (Fenning & Rose, 2007).

Not only are school suspensions a leading contributor to the school-to-prison pipeline, they are mainly ineffective (Iselin, 2010). School suspensions hardly teach students appropriate replacement behaviors or coping skills and remain largely ineffective. Despite their ineffectiveness, school suspensions remain the most common response to addressing student discipline incidents in schools. Consequently, suspension rates widen the gap between the school-to-prison pipeline and school success, as those continually excluded from school are less likely to graduate. According to the Coalition for Juvenile Justice, dropouts compose 82% of the adult prison population and 85% of juvenile justice cases (Christle et al., 2015).

Minority, Male, and Marginalized

The disparities in student discipline outcomes for students of color contain exacerbated conditions for the disaggregated groups within. Specifically, African-American male students are most at risk of being impacted by discriminatory students’ discipline outcomes more than female students or any other group of a marginalized race, ethnicity, or origin (Monroe, 2006). There are
a myriad of factors that contribute to the African-American male being the most disciplined student in schools nationwide. Some of the factors that result in the disparity are “(a) racial discrepancies in the dispensation of disciplinary measures that result in more severe consequences for African American males; (b) the proliferation of zero tolerance policies; (c) interpersonal and cultural misunderstandings; and/or (d) the attitudes of school personnel’’ (Bireda, 2002, & Tucker, 1999 as cited by Lewis et al., 2010, p. 10).

Students’ Sense of Belonging Within the School

As natural as it is for humans to fulfill their need to belong, the concept of belonging is ambiguous (Powell, 2012). It can be described as a feeling, and its existence can only be confirmed by the sole individual for whom we seek to know whether they feel included (Powell, 2012). According to Powell (2012), founder of the University of California at Berkeley’s Othering and Belonging Institute, belonging is both abstract and concrete. Belonging is a perception held by students telling them whether they are welcome and supported within their school setting (Allen et al., 2022). The themes within the patterns of discipline outcomes for students of color suggest that they do not belong in the environment of their school setting. The extent to which we feel we belong as humans is directly aligned with the shape and strength of our relationships with others, groups, and even whole communities (Allen et al., 2022). Belonging is multifaceted in that there are various indicators of belonging or lack thereof. Even in the absence of actions or verbal expression, the mere setting and the demographics of the individuals within the setting can serve as an initial indicator of whether one belongs. When fostering a sense of belonging within all students, it is essential to note the circumstances that weaken belonging, even in the absence of the teacher’s actions (Allen et al., 2022). Factors such
as the diversity and inclusivity of an environment can pose a threat to students if they feel they need help to identify with anyone or the mere context of the pedagogy.

Muhammad (2020) emphasizes how a student’s sense of belonging can be enhanced simply by the lesson structure alone. In her work, Dr. Muhammad highlights a framework for equitable teaching, stating that the emphasis should be placed upon the student seeing himself or herself within the context of the work and that if each lesson contained the four principles of equity, students would feel more drawn to the learning tasks because they see the relevance to their lives. The four principles are: 1) identity - students explore what makes them unique; 2) skill - students can demonstrate mastery of the standard and lesson objective; 3) intellectualism - students can answer basic cultural information related to themselves; and 4) criticality - students understand why the circumstance is relevant in the larger context both within their culture and that of others (Muhammad, 2020). In applying Muhammad’s framework, it becomes apparent why some teachers have more success with marginalized groups of students than others. Even the same group of students can act entirely differently for another teacher or in a different class, depending on their level of comfort and belonging. While the concept of student sense of belonging is often understood by assessing the health and strength of a school’s climate and culture and the inclusivity of students’ needs and interests, the work of Muhammad (2020) aligns with the belief held by many researchers that the inability to engage students academically weakens a student’s connection to school and therefore increases the extent to which the student experiences behavior problems resulting in discipline infractions and ultimately juvenile delinquency. “Creating such spaces of learning, where students can build their learning identities, means that educators understand (a) punishment referral patterns, (b) teacher and student congruence and dissonance, and (c) institutional and systemic barriers” (Milner et al.,


“Student belonging can be categorized into three main operational aspects of belonging: (1) school-based relationships and experiences, (2) student-teacher relationships, and (3) students’ general feeling about school as a whole” (Allen et al., 2018, p. 1).

There is limited research on racial disparities in school discipline and its relationship to perceived equity and a sense of belonging among students. However, in 2017, Bottiani et al. conducted that acknowledges the disparities in exclusionary student discipline outcomes when comparing Black and White students. Also, it acknowledges that the disparities are often the result of an implicit bias toward Black students held by those administering the student discipline (Bottiani et al., 2017). The quantitative study then surveyed 19,726 sample participants, who are students, 7,064 of whom were Black and 12,662 were White, in 58 suburban and rural Maryland public high schools with a mean student age of 15.9. Of the 58 Maryland high schools, 37.5% were low-income students. The survey focused on Equity, School Belonging, and Adjustment Problems. With regards to the equity questions, students were asked to share their perceptions of school equity and cultural inclusion, such as “At this school, students of all races are treated the same, and a fourth item assessed cultural inclusiveness by asking, “The school provides instructional materials that reflect my culture” (Bottiani et al., 2017, p. 534). This was done using a Likert scale from disagree strongly (1) to agree strongly (4). For students’ sense of belonging, students were asked questions such as “At this school, I feel like I belong.” “I feel like I am a part of the school,” and “I feel close to people.” Again, a Likert scale was used on a scale from “disagree strongly” (1) to “agree strongly.” Furthermore, to assess adjustment problems, the adjustment problems scale assessed students externalizing symptoms such as “I have trouble controlling my temper: “I have threatened to hit or hurt someone,” “I do things without

2018, p.4).
thinking,” and “I get mad easily,” using the same Likert scale as the two prior referenced measures (Bottiani et al., 2017).

According to each of the three measures, the survey results showed a significant negative association between Black-White out-of-school suspension and perceived equity for Black students only (Bottiani et al., 2017). For school belonging, there was a statistically significant negative association between schools’ Black-White suspension gap and Black students’ sense of belonging ($y = -0.50$, $p < .001$), but for White students, a nonsignificant positive association with student sense of belonging was revealed. Lastly, regarding the measure of adjustment problems, Black students reported higher adjustment problems in schools with higher Black-White suspension gaps (Bottini et al., 2017). Overall, this study illustrates that Black students perceive lower-level school equity and inclusiveness as a result of systemic discrimination.

**Theoretical Framework**

I draw from systemic discrimination theory to highlight inequities in student discipline practices to aid school leaders and policymakers redesign systemic structures that prevent racial discrimination. Discrimination exists under two conditions, first, if students are intentionally subject to different treatment on account of their race, and second, if a policy is neutral on its face but has a disproportionate and unjustified effect on student(s) of a particular race, referred to as disparate impact (U.S. Department of Education, 2108). Scott et al. (2017) state that the root of racial discrimination in student discipline nationwide stems “from exclusionary or targeted policies that have unfair impacts on particular communities and students” (p. 5). This theory addresses the lack of school policy in particular cases and the presence of subjectivity within policies that further marginalize and disproportionately impact students of color. Coupled with
faulty systems design is the addition of underlying biases embedded within the system held overwhelmingly by the adults responsible for such policies (Scott et al., 2017). As schools and society continuously intersect, society reflects the extent to which students of color are marginalized. “In essence, students of color are punished for the unjust social contexts in which they find themselves, or simply denied resources and excluded from opportunities” (Scott et al., 2017, p. 8). Specifically, structural domination exists.

When social processes put large groups of persons under systemic threat of domination or deprivation of the means to develop and exercise their capacities, at the same time, these processes enable others to dominate or to have a wide range of opportunities for developing and exercising capabilities available to them (Rahman, 2018, p. 104). Therefore, it can be reasonably concluded that unjust social contexts exacerbate educational inequities, such as the administration of disproportionate discipline outcomes for students of color, thus increasing the path toward the school-to-prison pipeline (Scott et al., 2017). Consequently, school administrators and policymakers must work to intentionally omit racial discrimination in student discipline out of a legal responsibility to uphold the student’s right to federal law, specifically Title VI, which states:

O.C.R. is responsible for enforcing Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d et seq. (Title VI) and its implementing regulations at 34 C.F.R. § 100.3(a) and (b), which provides that recipients of Federal financial assistance may not, directly or through contractual or other arrangements, on the ground of race, color, or national origin, exclude persons from participation in its programs, deny them any service or the benefits of its programs, or subject them to separate treatment. (U.S. Department of Education, 2019).

In May 2023, the U.S. Department of Education’s Office for Civil Rights and the U.S. Department of Justice’s Civil Rights Division released a document that highlights 14 recent complaints filed with the U.S. Department of Education’s Office of Civil Rights for
circumstances in which it was alleged that all 14 districts racially discriminated against students of color by the administration of disparaging student discipline. The conduct of school districts ranged from punishing African-American students more harshly than their White peers when the two student groups committed the same behavior to instances in which students of color committed minor infractions such as disobedience or disrespect but were excluded from school as a result (U.S. Department of Education, 2023). To illustrate a response to addressing systemic discrimination theory, school districts must rectify their behavior by adhering to various resolution agreements set forth by the U.S. Department of Education’s Office of Civil Rights. For example, certain districts were required to revise their discipline policies to reduce reliance on subjective and vague discipline categories. In other instances, district leaders were responsible for tracking staff members who disciplined students of color more harshly, providing them with non-discrimination in student discipline, embedding restorative practices into the classroom environment, and receiving training on implicit bias. For districts with unclear S.R.O. roles, certain resolution agreements required districts to clearly define S.R.O. roles when present within the school and clearly define the school administrator’s role vs. the S.R.O.’s role in school discipline matters. S.R.O.s, in some instances, were required to undergo training on non-discrimination and create a process allowing parents and students to file complaints on S.R.O.s (U.S. Department of Education, 2023). In Chapter 5, I created a framework for mitigating racial discrimination in student discipline in response to systemic discrimination theory. My framework is regarded as an actionable researched-based measure to restructure current school policy nationwide to dismantle racial discrimination in student discipline.
Stereotype Threat Theory

Systemic discrimination theory describes systemic practices that disproportionality impacts individuals of color and thus deems systems change as the counter-action necessary to achieve equity (Gynter, 2003). Stereotype threat theory focuses on the impact on the student herself as she internalizes the harm of discrimination, resulting in an increased sense of detachment (Schmader, 2012). “Racial discrimination is proposed to be a chronic stressor for African American youth and that emerging identities are formed in coping with this stressor” (Seaton et al., 2009, p. 406). Consequently, stereotype threat theory is exacerbated by systemic discrimination theory. In stereotype threat theory, researchers argue that “the nature and meaning of belonging in school are different for students targeted by negative racial stereotypes - such as African-Americans, Latino/a, Native Americans, and some Asian American Students” (Murphy & Zirkel, pg. 1, 2015).

Murphy and Zirkel (2015) reference a conceptual framework that draws upon the concept of belonging uncertainty “to explore how concerns about belonging in academic contexts may have different meaning for- and thus differentially affect the academic outcomes of White students compared with underrepresented racial and ethnic minority students” (p. 1). The article examined how college and middle school students’ sense of belonging in school related to their academic outcomes, performance, and motivation. As a result of me being a middle school principal in an urban school district, I focused on the middle school student study within the above-referenced article, which analyzed how students’ self-reported sense of belonging related to their educational goals and efficacy. The results indicate that “middle school students’ self-reporting belonging in school predicted educational efficacy and ambitions of African-American
middle school students, but not of White students” (Murphy & Zirkel, 2015, p. 2). The results of this study are predicated upon the fact that stigma can create anxiety amongst minority groups, knowing the stereotypes associated with particular groups. For example, “within education, longstanding stereotypes about the intellectual or academic capacities of African-American or Latino/a students mean that those contexts become threatening to their social identities” (Murphy & Zirkel, 2015, p. 3). These stereotypes can contradict the lived experiences of students of color themselves. However, because of the stereotype threat, how students of color are known to be perceived is why they are more inclined to feel dissonance, disconnect, and a lack of belonging to the school.

Additionally, for students of color, concerns about fitting into spaces and developing social relationships with peers and teachers in predominantly White settings worsen the problem (Murphy & Zirkel, 2015). To illustrate, rather than internalizing the stereotypes, often held about students of color, marginalized students often attempt to dispel the myths associated with their racial identity constituting an additional cognitive and emotional burden. For this reason, the work of equity and attempting to break barriers that threaten the success of all students must not only be the work of minority groups alone but also require the allyship, efforts, and actions of the majority groups to rethink longstanding ways of being.

An essential research question related to this theory is what are the conditions in which belonging matters more for some groups of students than for others? I examined factors that reduce belonging uncertainty among stigmatized groups to answer this question. For example, one such factor is healthy and authentic relationships among student peer groups between students of color and White students.
In the example of the Murphy and Zirkel study, 1,377 7th-grade students in Prince George’s County, a predominately African-American large middle-class county near Washington D.C., were examined (Murphy & Zirkel, 2015). Due to a small sample size of other ethnic groups, the study only compared African American and White students, in which 918 student participants were African American and 459 were White. The study focused on a student’s sense of belonging with their peers in school, measured by two items: “It is easy to make friends at this school” and “I feel as if I really belong at this school” on a scale of 1 = strongly disagree, 5 = strongly agree. Two questions developed also measured educational goals and efficacy (Stevens et al., 1992). Those questions were: “How far would you like to go in school?” which assessed students’ educational goals, and “Not everyone gets to go as far in school as they would like; how far do you think you will actually go in school?” Students responded to both questions on a nine-point scale, with higher numbers reflecting higher levels of schooling (i.e., 1 = 8th grade or less; 2 = 9th - 11th grade, etc.) and perceived educational efficacy (Murphy & Zirkel, 2015). The findings show that “when African-American middle school children feel they belong with peers at school, they set higher educational goals for themselves and experience more educational efficacy to reach them” (Murphy & Zirkel, 2015, p. 20).

In contrast, there was no relationship between belonging and educational goals or educational efficacy for White students. This can be explained by the general sentiment that academic institutions by mere design are ‘raced’ in ways that favor White students, and therefore, students of color are not naturally seen to automatically “fit in”; belonging is more meaningful for students of color than it is for White students. “For this reason, belonging is an important construct in considering how to develop and reshape schools to serve students of color better” (Murphy & Zirkel, 2015, p. 31). How that belonging is fostered for students of color are
multifaceted and include but are not limited to positive peer relationships among African American students and White students, extra-curricular activities in schools, affinity groups within schools, culturally relevant pedagogy and affirming of African-American students’ culture and experiences, as well as teachers setting high expectations for students of color.

Adolescence and Belonging: A Sense of Urgency

A recurring theme throughout the relevant research on excessive exclusionary student discipline outcomes for students of color directly aligns with the concept of school “pushout.” Thus, it decreases the sense of belonging (Morris, 2016). Adolescence is a significant time in a student’s life in terms of socialization. It is during the adolescent years that students begin to transition into their identity. “Adolescence is a difficult developmental period marked by neural attrition and growth. Neuroimaging research shows that, during adolescence, the brain undergoes unique neural development and maturation in regions involved in complex social processes (Arain et al., 2013; Burnett et al., 2011).

Knowing that adolescence is a tremendously malleable time in a student’s life and cultivates student preparedness for post-secondary education, enhancing a student’s sense of belonging in the early teen years is significant (Booker, 2018). Booker studies ways in which middle school teachers create positive learning environments paying particular attention to the developmental needs of young adolescents.

A qualitative research methodology interviewed teachers about their attitudes and practices in teaching adolescent students (Booker, 2018). Specifically, methods for establishing a classroom community emphasized student engagement, such as supporting positive peer relationships and enhancing the socio-emotional wellness of their students (Booker, 2018). The
primary research questions were, “In what ways do middle-grade teachers create a sense of belonging amongst their early adolescent students”? Furthermore, “In what ways does a middle school teacher’s understanding of adolescent development inform their approach to relationship-building?” (Booker, 2018, p. 2).

Before analyzing the study’s results, it is essential to know that Fredricks et al. (2004) define academic engagement in three main domains: affective, behavioral, and cognitive. The affective domain involves:

- students’ interest in school
- their consideration of themselves as valuable members of the school community
- the extent to which they feel a sense of belonging

The behavioral domain refers to a student’s positive conduct, persistence, and effort. Lastly, the cognitive domain involves self-regulation, planning motivation, and making connections between ideas (Fredricks et al., 2004).

The survey participants were five middle school teachers from varying educational, cultural, and relational backgrounds (Fredricks et al., 2004). The schools they taught at varied, from a majority White socioeconomically homogeneous school to a charter school focusing on STEM education to a high-needs public middle school with a significant portion of African-American and Latin X students. The interviews were audiotaped and transcribed for analysis, and the data was condensed into meaningful thematic categories which captured the participant’s expressions and feelings, relationships, and overarching thematic units that precisely described the participants’ views.

The overall findings of the teachers on developing adolescent belonging in their national settings centered around themes of positive community, empathy, adults modeling positivity, and
student identity within the context of their school experience (Booker, 2018). Specifically, their responses were: 1) All teachers emphasized the need for increased community-building activities in the classroom so that students felt connected to others. 2) All teachers expressed the importance of modeling a positive attitude and disposition with their students. 3) Teachers emphasized the importance of understanding the specific developmental needs of adolescence and the influence of peer relationships in the classroom. 4) All teachers expressed the need to make course content relevant to their students’ lives (Booker, 2018). The teachers went on to detail how they cultivated an environment encompassing the four key themes above and how they align with self-determination theory, which is the need to feel a sense of competence, autonomy, and relatedness (Booker, 2018).

In a time where so much emphasis in schools is placed on academic performance outcomes at the middle and high school level, it would seem to be the case that more opportunities for teachers to engage in training on the intricacies of adolescent development and establishing a student sense of belonging are needed (Osterman, 2010). Most secondary teachers consider themselves content area specialists, having not only obtained a degree or certification in a content area but also many have attended a host of professional development opportunities on the subject matter they teach (Depaepe et al., 2015). Because local and national student performance assessments primarily focus on student proficiency in English language arts, writing, math, and science, often the professional development teachers receive on classroom climate, equitable learning environments, and student sense of belonging become topics that teachers either seek to know more about on their own or topics that teachers prioritize mainly because of an innate sense of empathy (Sánchez et al., 2019). If school leaders adjusted their thinking to view healthy school climates, student connectedness, and equitable learning
experiences as the realm through which academic performance outcomes are advanced, institutions could get to the root of necessity (Sánchez et al., 2019). Educators often look at students and ask what they lack, as indicated by low performance and school exclusion (Garcia & Guerra, 2004). Instead, the equitable approach to enhancing a student’s school experience to ensure an all-inclusive and supportive environment is the work of removing systemic barriers and strengthening the knowledge base of the most critical factor in a student’s education, the classroom teacher (Allen et al., 2022).

Reimagining Our Response to Student Discipline

“Student belonging can be categorized into three main operational aspects of belonging: (1) school-based relationships and experiences, (2) student-teacher relationships, and (3) students’ general feeling about school as a whole” (Allen et al., 2018 p. 1). Suppose as a society we are serious about breaking barriers for students to access their learning fully. In that case, we must be willing to let go of the notion that the purpose of schools is to indoctrinate students to maintain the status quo, thus maintaining control of students. So long as we operate in the way the original school system was designed, it will continue to fail marginalized students of color because they were not in mind when the system was created. Therefore we must rethink our approach to classroom management if schools are to be successful at closing the School to Prison pipeline gap. “In persistently practicing cultivating a sense of belonging for all students, teachers commit to doing anything necessary to keep students in the classroom” (Milner, 2019, p. 118). If teachers are willing to reimagine their response to students and, rather than dominating them, allow them to have agency over their learning, then a transparent space where teachers see students as co-contributors to their learning experience evolves. The essence of the co-
contributor relationship is not only are students more connected to the learning environment, but also the academic trajectory for students is higher, discipline incidents are lower, and this is all the result of inclusiveness.

Establishing a culture of trust is essential to student belonging and success (Reeves et al., 2007). There are many components to ensuring trust lives within the school environment. Specifically, trust is enhanced through mutual respect between teachers and students. “Relational trust is described as a ‘reciprocal phenomenon’ that is ‘mutually reinforcing because each party has a built-in incentive to be trustworthy” (Van Maele & Van Houtte, 2011, p. 97). The dominant past practice of educators expecting students to comply because the teacher said so or because the teacher is the adult is not as effective in schools today (Reeves et al., 2007). Today’s students are growing up in a world in which self-advocacy is encouraged, as well as the practice of students questioning the information they receive in schools to assess its validity. Students of color, in particular, often hold respect for themselves and others in high regard (National Education Association, 2011). If schools are institutions designed to teach students to think, then students begin to make associations between the words and actions of educators. It is not uncommon for students today to refuse compliance with a directive if they feel it is unfair or unreasonable (Gregory & Ripski, 2008). Especially during adolescence, when young adults make sense of the world around them, it is essential for the values of an organization to be modeled by all stakeholders (Reeves et al., 2007).

Establishing trust begins with leadership. The cultural atmosphere within a school is primarily shaped by the beliefs and values of school principals and other school leaders (Reeves et al., 2007). Despite varying personality characteristics and leadership dispositions, strategies to create and maintain trust include “consistent support for teachers [and students], school level
decision-making based on a shared vision, and an effective group decision-making and problem-solving process” (Reeves et al., 2007, p. 3). The actions of the leader convey what is acceptable within the school environment. If the leader has consistently high expectations for students and staff, the value of high expectations should be evidenced in multiple facets, such as in teacher professionalism and classroom instruction. On the other hand, what the leader does not prioritize indirectly communicates which ideals are less critical.

As for the direct relationship between teachers and students, trust is strengthened when students feel their teachers trust them to take educational risks (Harris et al., 2013). Students often scan their environment to determine levels of trust; students who feel their teacher puts great effort into quality teaching and who challenge students to push beyond their initial capabilities are building relational trust; two examples of how to cultivate relational trust. “Student-teacher trust is strongly related to teachers’ perceptions of the ‘teachability’ of their students. Teachers’ expectations for students were increased when they perceived their students to be more ‘teachable’” (Harris et al., 2013, p. 29). Teachers deem students more “teachable” when they understand students of color as individuals rather than ascribe social stereotypes to groups of students (National Education Association [NEA], 2011).

There is also an interconnectedness between schools, families, and the community in school environments where trust is high (NEA, 2011). When schools tap into community resources as wrap-around support for students, there is a more significant investment in developing the student’s character. Additionally, when schools provide opportunities for students to become involved in community organizations, the bond between students and their affinity towards school grows due to students receiving something in addition to their in-class curriculum and instruction, which is an additional draw (NEA, 2011). Community resources can also
strengthen trust within the school environment if students have opportunities to be exposed to successful adults of color, thriving in life and defying the stereotypical narrative of the negative black male perception often portrayed in the media (NEA, 2011).

Trust ultimately boils down to relationships (Gregory & Ripski, 2008). Despite the given race of an educator who teaches students of color, if the individual redeems the students valuable and capable and is willing to acknowledge bias, assess self, and set aside stereotypes, then trusting relationships will exist. The difficulty with trust is that it requires time and consistency. However, time is fleeting in a child’s formal school years, and one bad year can leave lifelong implications for student trajectory. Trust strengthens belonging because it is predicated upon inclusivity and humility. Trust is overarching, and fortunately, it does not require science to attain mastery; it simply requires educators to care and put forth the authentic effort to show they care.

In May 2023, the U.S. Department of Education’s Office for Civil Rights released a report within which the U.S. Department of Education and the U.S. Department of Justice share with educators around the country the goal of all students attending safe schools where they are supported and able to access a high-quality education. However, the document acknowledges substantial barriers exist to those goals for students of color. Specifically, race-based discrimination in student discipline and its impact on marginalized groups as disproportionality and excessive school exclusion pushes students out of schools, diverting them from a path to success. In response to the concerning outcomes for students of color across the country, the Office of Civil Rights cited 14 cases of filed complaints throughout U.S. Schools in which students of color were discriminated against based on race-related incidents of student discipline.
Anyone age 18 or over can file a complaint of discrimination to the U.S. Department of Education. Complaints must be filed within the last 180 days of the alleged discrimination. Complaints can be submitted online at ocr@ed.gov or by downloading the complaint form from the U.S. Department of Education website and mailing it in (U.S. Department of Education, 2023). To determine if a recipient engaged in different treatment of students based on race, color, or national origin, OCR considers both direct and circumstantial evidence of racially discriminatory intent. Direct evidence includes remarks, statements, testimony, or other admissions that reflect racially discriminatory motives by school officials. Circumstantial evidence is evidence that creates an inference of discriminatory intent from the facts of the investigation as a whole or from the totality of the circumstances. Circumstantial evidence may include, but is not limited to, the following: (1) different treatment of similarly situated students; (2) statistical evidence demonstrating a pattern of discriminatory effect (i.e., whether the impact of the discipline policy or practice weighs more heavily on students of a particular race); (3) any relevant historical background, including whether there is a history of discriminatory conduct toward members of a particular race; (4) the administrative history behind a disciplinary policy or decision; (5) departures from normal procedures, practices, or substantive conclusions, including inconsistent application of disciplinary policies and practices to students of different racial groups; (6) a pattern of actions of decision makers that impose greater harm on students of a particular race than students of other races; and (7) the recipient’s awareness of the impact and whether it was foreseeable. (U.S. Department of Education, 2023)

As school systems reimagine their response to student discipline, the resolution agreements about these 14 complaints provide guidance that can be applied throughout U.S. schools to prevent racial discrimination in student discipline. Table 1 shows the cases, the investigation findings, and the specifics of the conduct carried out by schools and school districts that resulted in adherence to provisions with resolution agreements for all schools as mentioned.

As a result of the investigation findings within these 14 school districts, the Office of Civil Rights required a series of various resolution agreements. Most discrimination complaints
Table 1

Cases, Ethnicity of Students, and Discriminatory Conduct Resulting in Complaints

<table>
<thead>
<tr>
<th>Investigated School District</th>
<th>Ethnicity of Discriminated Student</th>
<th>District Discriminatory Conduct Resulting in Complaints</th>
</tr>
</thead>
<tbody>
<tr>
<td>OCR: Victor Valley Union High School District, CA (Aug. 16, 2022)</td>
<td>Black/African-American</td>
<td>Harsher and more frequent discipline administered to Black students when compared to White peers in similar situations.</td>
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<td></td>
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<td>Substantial loss of learning time for Black students as a result of school exclusion.</td>
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<td></td>
<td>Widespread disparities in discipline referrals issued to Black students for subjective minor behaviors.</td>
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<tr>
<td></td>
<td></td>
<td>Discriminatory discipline towards Black students by school exclusion for minor behavior.</td>
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<tr>
<td></td>
<td></td>
<td>Harsher treatment of Black students by school police officers, including law enforcement citations issued disproportionately to Black students, often in connection with minor/subjective behaviors.</td>
</tr>
<tr>
<td>DOJ: Madison County School District, AL (July 6, 2022)</td>
<td>Black/African-American</td>
<td>Several barriers to equal educational opportunity for Black students including the district’s discipline policies.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Black high schoolers were more likely to be referred for subjectively-defined behaviors, when compared to their peers.</td>
</tr>
<tr>
<td>DOJ: Davis School District, Farmington, UT (October 21, 2021)</td>
<td>Black/African-American</td>
<td>Harsher disciplinary penalties for Black students than their White peers for similar offenses, given no variation in other factors such as age, student level of functionality, discipline history, intent, etc.</td>
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<tr>
<td></td>
<td></td>
<td>Black students were subjected to exclusionary discipline, such as in/out of school suspensions, whereas White students were more likely to receive non-exclusionary consequences. The disparities were even more present when the underlying behavior was subjective, such as “disruptive behavior”.</td>
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<tr>
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<td>Referred a Black student to law enforcement whereas a White student received a conference for the same offense.</td>
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<td>Ignored parent complaints of racial discrimination in discipline.</td>
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<thead>
<tr>
<th>Investigated School District</th>
<th>Ethnicity of Discriminated Student</th>
<th>District Discriminatory Conduct Resulting in Complaints</th>
</tr>
</thead>
<tbody>
<tr>
<td>DOJ: Toledo Public Schools, OH (July 31, 2020)</td>
<td>Black/African-American</td>
<td>Black students were disciplined at significantly greater rates than similarly situated peers on race or disability. Failure to provide language services for parents with Limited English Proficiency (LEP). Disparaging discrepancies towards Black students and students with disabilities in student suspensions, expulsions, and referrals to law enforcement agencies. Inadequate communication to parents with LEP about their child’s education, including information about student discipline.</td>
</tr>
<tr>
<td>OCR: Wake County Public Schools, NC (Feb. 23, 2023)</td>
<td>Black/African-American</td>
<td>Black students were referred for discipline at exceedingly greater rates than their White peers. Definitions of certain common offenses were subjective and overlapping. Black students who were disciplined for the first time were suspended at higher rates than similarly situated White student peers for certain offenses.</td>
</tr>
<tr>
<td>OCR: Durham Public Schools, NC (Feb. 12, 2018)</td>
<td>Black/African-American w/disabilities</td>
<td>Racial discrimination against Black students and students with disabilities, including Black students with disabilities. Black students were 6.1 times more likely to be suspended than Whites. Black students were overrepresented in discipline for subjective offense categories, such as noncompliance with school rules.</td>
</tr>
<tr>
<td>OCR: East Side Union High School District, CA (Dec., 23, 2017)</td>
<td>LatinX</td>
<td>District failed to provide Limited English Proficient (LEP) parents information about their student’s discipline in a language they could understand. Pervasive statistical disparities in every level of discipline for Latino students, compared to White students, and the harsher treatment of Latino students when compared to their White peers who engaged in similar or more serious behavior. Disparities were found in greater discipline being administered to Latino students for subjective offenses such as “defiance.” SRO’s ticketed Latino students at more than twice the rate of White students, with many of the tickets issued by SRO’s relating to minor infractions.</td>
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<tr>
<th>Investigated School District</th>
<th>Ethnicity of Discriminated Student</th>
<th>District Discriminatory Conduct Resulting in Complaints</th>
</tr>
</thead>
<tbody>
<tr>
<td>OCR: Paramount Academy, AZ (Dec. 14, 2017)</td>
<td>Black/African-American</td>
<td>Black student wearing hair in an Afro, was said to have violated the dress code and caused a disruption because the student kept pushing his fro up, obstructing the view of peers. The dress code violation pertaining to hair length had not been applied to any other student, even in cases where students had hair longer than the specified length in the code of conduct.</td>
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<tr>
<td>OCR: Loleta Union Elementary School District, CA (Nov. 22, 2017)</td>
<td>Native American</td>
<td>Discriminated against Native American students in student discipline incidents specifically by disciplining them more frequently and harshly than their non-Native American peers who committed similar offenses. Native American students were over represented in various discipline incidents with respect to referrals, in-school suspensions, out-of-school suspensions, informal removals, expulsions or involuntary discipline transfers, and referrals to law enforcement. Student administration made racially biased statements about Native American students. The principal at a district elementary school regularly called the local sheriff for minor behaviors such as climbing a tree and disproportionately referred Native American students to law enforcement. The school district had no system for providing Native American students who were exposed to trauma with additional school supports such as counseling, behavioral support, 504 plans, special education referrals, and progressive discipline practices with support interventions.</td>
</tr>
<tr>
<td>DOJ: Wicomico County Public Schools, MD (Jan. 19, 2017)</td>
<td>Black/African-American</td>
<td>Black and Latino students received more frequent and harsher discipline than White students. School staff overly relied upon SROs to address routine classroom management issues in which, African-American students with disabilities were overly referred.</td>
</tr>
<tr>
<td>Investigated School District</td>
<td>Ethnicity of Discriminated Student</td>
<td>District Discriminatory Conduct Resulting in Complaints</td>
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<td>-----------------------------------------------------</td>
</tr>
<tr>
<td>OCR: Lodi Unified School District, CA (Aug. 24, 2016)</td>
<td>Black/African-American</td>
<td>An African-American student was disciplined after hitting a White student after the student called him a racial slur. Documented discipline incidents in which the African-American students were disciplined more harshly than the White students. School staff often relied upon SROs to address routine classroom management issues and that Black students and students with disabilities were overrepresented in such incidents. Black students were unjustly suspended for minor offenses such as tardiness and truancy.</td>
</tr>
<tr>
<td>OCR: Oklahoma City Public Schools, OK (April 19, 2016)</td>
<td>Black/African-American</td>
<td>Oklahoma City Public Schools discriminated against both Black students by disciplining them more frequently and harshly than their similarly situated White peers who were of similar age. The school district also inaccurate or non-existing practices related to record keeping of discipline incidents, informing parents and students of discipline incidents, due process proceedings and lacked clear definitions for minor and vague discipline infractions such as “defiance of authority”.</td>
</tr>
<tr>
<td>OCR: Minneapolis Public Schools, MN (Nov. 13, 2014)</td>
<td>Black/African-American</td>
<td>Black students in the district were disproportionately administered discipline when compared to their similarly situated White peers. Black students made up 40% of the district’s student body, but made up 75% of discipline incidents between 2010-2012. For 25% of the district’s discipline incidents impacting Black students between 2010-2012, the district could give no reasonable explanation as to why the Black students were disciplined to the extent they were.</td>
</tr>
<tr>
<td>OCR: Christina School District, DE (Dec. 14, 2012)</td>
<td>Black/African-American</td>
<td>Districtwide at elementary, middle and high school, Black students were disciplined more harshly than White peers engaging in identical, or in some cases more severe behavior. Black students were 3 times more likely to receive an out-of-school suspension than their White peers for their first discipline infraction, Black students were seven times more likely to be suspended out of school than their White peers, and some district personnel discipline Black students beyond the scope of the Code of Conduct.</td>
</tr>
</tbody>
</table>
Implications for Further Research

The approach towards enhancing equity and student sense of belonging in schools, particularly for students of color, is multifaceted. The answer is not solely within the undertaking of a new initiative but instead steeped within acknowledging and understanding the historical truths, reimagining and disrupting prior beliefs and stigmas that have long been attached to marginalized student populations. “The ‘Black male crisis thesis’ too often leads to overemphasizing behavior modification as a strategy for collective improvement, which ultimately serves to de-emphasize the historical and structural role of race as a life-opportunity shaping variable” (Brooms, 2019, p. 809). In other words, it is not a group of people that needs fixing but rather a reshaping of core values and systems responsible for prioritizing such values for the success of all.

The acknowledgment of racism and its impact are essential to advance educational equity (Brooms, 2019). Critical race theory is a different theoretical framework to apply to this research, as it acknowledges the differences between the advantages and disadvantages of racial groups and highlights more significant systemic problems (Scott et al., 2017). However, a critical race theory approach is steeped in U.S. History and overall facets of society such as economics, housing, education, health care, politics, etc. (Scott et al., 2017). Three competing paradigms that are undermining the widespread academic success of African-American in urban schools are a)
<table>
<thead>
<tr>
<th>School District Discriminatory Behavior</th>
<th>Required Resolution Agreement Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Racial disparities in discipline referrals and outcomes.</td>
<td>Hire an expert consultant or a Director of School Climate and Student Discipline who specializes in root cause analysis and systems change.</td>
</tr>
<tr>
<td>Racial disparities in discipline referrals and outcomes such as referrals, suspensions, expulsions, and arrests of students.</td>
<td>Revise discipline policies and procedures to comply with state law and end informal removals of students as well as provide clear definitions for vague discipline categories and omit subjective language from discipline policies.</td>
</tr>
<tr>
<td>Insufficient and incomplete execution of discipline procedures.</td>
<td>Commit to current record keeping, reporting, and publicly report discipline data disaggregated by race and agree to routine audits.</td>
</tr>
<tr>
<td>To combat bias and ensure fairness in administering student discipline.</td>
<td>Conduct school climate surveys with key stakeholders such as students, parents and the community to assess and inform perceptions of safety and sense of belonging.</td>
</tr>
<tr>
<td>Repeat and cumulative discipline infractions.</td>
<td>Emphasize early intervention for misbehavior, prior to exclusionary discipline.</td>
</tr>
<tr>
<td>Repeat and cumulative discipline infractions.</td>
<td>Develop a districtwide code of conduct that describes alternatives to exclusionary discipline, requiring staff to use interventions and corrective strategies.</td>
</tr>
<tr>
<td>Unjustifiable student referrals to alternative schools.</td>
<td>Specify criteria and protocols for assignments to alternative placement schools.</td>
</tr>
<tr>
<td>Upon a student’s return from alternative school, provide counseling, mentorship, tutoring, or other educational support services.</td>
<td></td>
</tr>
<tr>
<td>Excessive and unjust referrals to law enforcement for student discipline incidents.</td>
<td>Districts are to define the SRO’s role in writing to school administrators and to SRO’s, evaluate SRO placement, provide coaching to district law enforcement personnel on their role in schools and nondiscrimination training.</td>
</tr>
</tbody>
</table>

Table 2 continued on following page
<table>
<thead>
<tr>
<th>School District Discriminatory Behavior</th>
<th>Required Resolution Agreement Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff writing of excessive and unjust/discriminatory referrals as a result of a lack of options and a lack of awareness of cultural sensitivity.</td>
<td>Train staff on classroom management, positive behavior supports, de-escalation techniques. Provide non-discrimination training</td>
</tr>
<tr>
<td>Excessive days of school exclusion.</td>
<td>Use alternatives to exclusionary discipline to address minor behaviors that pose neither a safety threat, nor a substantial disruption to the learning environment. Cease suspension for minor behaviors such as dress code violations, tardiness, truancy, skipping class, failure to pay a fine, disrespect, and limiting exclusionary discipline to the most severe behaviors.</td>
</tr>
<tr>
<td>Harm and/or trauma imposed on students/families as a result of discriminatory treatment.</td>
<td>Provide written apology, expunge discriminatory discipline from student’s record and/or provide compensatory services.</td>
</tr>
<tr>
<td>Students falling behind academically as a result of disparaging student discipline outcomes.</td>
<td>Allow students to make up missed schoolwork as a result of tardiness, truancy, or discipline referrals. Make it a requirement that at the time of administering the discipline, students, parents and teachers know the rule on missed work.</td>
</tr>
<tr>
<td>Discipline outcomes resulting in poor school climate and culture.</td>
<td>Establish student committees at Middle and High Schools seeking their input on the equitable treatment of students in discipline, suggestions for increasing student engagement and an affinity space for student voice regarding concerns and their needs in school.</td>
</tr>
</tbody>
</table>
social-structural, b) deficit, and c) the discontinuity paradigm (Brooms, 2019). “Critical race theory [uses] storytelling and counter-storytelling as a means for helping us identify the ways that race is encoded in our understanding of events, even if we are not aware of it” (Zirkel et al., 2011. pp. 5-6). In other words, with a critical race approach, the methodology would likely change to a qualitative nature as the data collection phase is often done through interviews that seek to learn and analyze one’s lived experience. In cases of C.R.T., when the counter-story is analyzed, researchers seek to know how race and ethnicity impact public relations (Zirkel et al., 2011). In the event a Caucasian individual or group was faced with the same circumstances, what would the outcome be? How would the treatment or response be different?

Author and educator Baruti Kafele coined the term “equity mindset teacher,” which requires educators to lead with equity by redefining what they become and who they are in the classroom (Kafele, 2021). Specifically, an equity mindset teacher is a teacher who:

Utilizes a variety of developmentally appropriate instructional strategies that take into account the differing academic, social, and emotional needs of all learners in a student-centered, culturally responsive, and culturally relevant equity mindset classroom, where student individuality, central student identity, and student voice matter exponentially (Kafele, 2021, p. 19).

Further studies around dismantling the school-to-prison pipeline and increasing students’ sense of belonging in school would benefit from including how equity mindset educators impact student outcomes and their trajectory of success (Garcia & Guerra, 2004). Additionally, further consideration must be given to appropriate ways to measure school climate (Ryberg et al., 2020); specifically, measures of school climate account for the differentiated and disparaging student discipline outcomes for African-American students. I believe that creating an instrument for
measuring school climate could be a valid measure to identify areas for improvement within schools. Once those areas are identified, schools and districts could enhance their student’s sense of belonging and their connectedness to school by providing ongoing training and professional development on creating and maintaining a culturally relevant school climate that enhances belonging, affirms the value students of color, prioritizes individuality and improves classroom instruction (Garcia & Guerra, 2004).

Potential Issues with Belonging Research

A problematic factor when studying belonging research is that there are various ways in which belonging can be defined. Belonging is a feeling that is, at times, visceral (Booker, 2006). Students know when they have a sense of belonging and when they do not because it relates to how they feel, even if the students themselves are unable to articulate it or define belonging in different ways. “The existence of many operational definitions for achievement and belonging leads to equivocal results and conclusions.” (Booker, 2006, p. 2).

Additionally, Black students and their experiences are not monolithic. Therefore, even when research refers to Black students as a collective group, it is essential to study the student’s sense of belonging by looking at students individually through the lens of addressing their unique needs. Therefore, student voice remains an essential component in understanding and enhancing belonging. However, students’ voice is more authentically extracted when sampling groups of students of adolescent age and in middle school grades or higher. Also, most past research on belonging tends to have been quantitative. (Booker, 2006). It could benefit the topic of study to create and research qualitative methodologies to create a more expansive body of research.
CHAPTER 3

METHODOLOGY

The purpose of this study is to comprehensively analyze discrepant student discipline complaints related to race filed by various complainants at U.S. schools throughout the past five years, from 2017 to 2022, according to the U.S. Department of Education Office of Civil Rights. A trend exists in empirical education law research of using frequency studies and outcome analysis as standard study methods (Newcomer & Zirkel, 1999). For this research, I conducted a methodology of a similar approach but instead applied content analysis to the frequency studies and outcomes pertinent to the facts of the investigation letters filed by complainants at U.S Schools and the resolution agreements determined by the U.S. Department of Education Office of Civil Rights. “In a content analysis, the context explains what the analyst does with the texts; it could be considered the analyst’s best hypothesis for how the texts came to be, what they mean, what they can tell or do” (Krippendorff, 2018, p. 51). The analysis aimed to determine themes in the frequency and outcomes of disparaging student discipline outcomes for students of color. Once the themes were determined, my intent throughout the methodology was to extract lessons learned to remedy the issue by enacting fair and equitable systemic policy changes to student discipline procedures nationwide.
Research Questions

1. What were the key aspects and outcomes of the resolution agreements issued by the Office of Civil Rights between 2017 and 2022?

2. What can we learn from the Office of Civil Rights regarding how these cases can be resolved?

Content Analysis

In order to critique the lessons learned from the U.S. Department of Education’s Office of Civil Rights complaint resolutions, I conducted a content analysis methodology, which allowed her to extract themes from recent school district resolution agreements containing a large amount of unanalyzed textual data. *Content analysis* is a method designed to identify and interpret meaning in recorded forms of communication by isolating small pieces of the data that represent salient concepts and then applying or creating a framework to organize the pieces in a way that can describe or explain a phenomenon (Kleinhesksel, 2020. p. 127).

I analyzed the content of the U.S. Department of Education’s Office for Civil Rights resolution agreements pertaining to elementary and secondary race and national origin statutes for students who were discriminated against in matters of discipline incidents. This data comprises 35 cases across the U.S. Schools within the past five years. The content analysis method of research is applied in qualitative, quantitative, and, at times, mixed research frameworks (White & Marsh, 2006). The content analysis method is “a systematic, rigorous approach to analyzing documents obtained or generated in the course of research” (White & Marsh, 2006, p. 22). There are many variants of content analysis, such as conversational
analysis, discourse analysis, ethnographic analysis, functional pragmatics, rhetorical analysis, and narrative semiotics, but the difference between content analysis and its variants is in the types of questions they address in their methods (White & Marsh, 2006).

Historically speaking, content analysis is rooted in examining data, printed matter, images, and sounds; therefore, this research method is mainly applied to matters of journalism and mass communication (Krippendorff, 2004). However, over time, researchers saw the value in outcomes of content analysis applying to various other areas of study, in particular the social and behavioral sciences, as well as the field of law and education because, unlike observational studies of natural phenomena, the content analysis methodology consistently extracts meaning from written material regardless of the subject matter (Krippendorff, 2004).

Content analysis involves many steps, and “inference is especially important in content analysis” (White & Marsh, 2006, p. 27). There are two primary domains of content analysis. They are the texts and the context, and they exist logically independent of one another. I use one independent domain, the texts, to draw conclusions about the second domain, the context, to draw conclusions from the written material (White & Marsh, 2006). “The analytical constructs may be derived from (1) existing theories or practices; (2) the experience or knowledge of experts; and (3) previous research” (Krippendorff, 2004, p. 173). Therefore, the content analysis findings do not rely solely on myself but instead consist of concluded themes from good written sources, increasing the research’s reliability and validity (White & Marsh, 2006).

Content analysis has three different approaches: conventional, directed, and summative (Hsieh & Shannon, 2005). “Conventional content analysis is generally used with a study design whose aim is to describe a phenomenon.” (Hsieh & Shannon, 2005, p. 1279). The conventional approach to content analysis is typically used when there is limited existing theory or research
literature on a given phenomenon. (Hsieh & Shannon, 2005). The directed content analysis approach applies to existing theory or prior research, but the phenomenon needs to be completed or would benefit from a deeper description (Hsieh & Shannon, 2005). Lastly, the summative content analysis approach focuses on the meaning of words. For example, certain words are identified and quantified within the text to develop an understanding of the contextual use of the word (Hsieh & Shannon, 2005).

I used the directed approach to content analysis for this study. Therefore, I extended upon an existing theory, specifically systemic discrimination theory, by making predictions about the relationships among variables through coding. Coding is identifying and categorizing key concepts or variables extracted from the text (Hsieh & Shannon, 2005).

Sample

This study focused on the discriminatory allegation letters and resolution agreements from 2017 to 2022 between the U.S. Department of Education Office of Civil Rights and the various school districts that were found to be discriminating against public school students in matters involving student discipline based on race. These decisions are the written results of school district violation letters and resolution agreements from the United States Department of Education Office for Civil Rights. The OCR investigated the complaints under the authority of Title VI of the Civil Rights Act of 1964, which “prohibits domination based on race, color or national origin in programs and activities operated by recipients of Federal financial assistance” (U.S. Department of Education 2018). Additionally, the fourteenth amendment of the United States Constitution states that “[no] State shall . . . deprive any person of life, liberty, or property,
without due process of law; nor deny to any person within its jurisdiction the equal protection of
the laws.” (U.S. Const. amend. XIV, § 2).

The U.S. Department of Education conducts the Civil Rights Data Collection, which collects data on critical education and civil rights issues in the nation’s public schools to ensure compliance with civil rights laws (U.S. Department of Education, 2018). Much of the data is disaggregated according to race, sex, English learner, and disability. The topics for the U.S. Department of Education’s Civil Rights Data Collection include student enrollment, access to courses, and school climate issues such as harassment, bullying, and student discipline. Anyone can file a complaint with the U.S. Department of Education’s Office of Civil Rights, and the individual filing the complaint need not be a victim of the alleged discrimination (U.S. Department of Education, 2018). Complaints can be filed via online form, mail, or email. Upon conclusion of the investigation, the OCR redacts and publishes the school district grievance letters and findings, along with the district’s resolution agreement, on its website.

This study analyzed the Office of Civil Rights decisions of educational discrimination claims, specific to Title VI, which pertains to race-based discrimination in school discipline for five fiscal school years, specifically focusing on 2017 to 2022 (Table 3). The race-based discrimination allegations in these claims relate to matters of school student discipline outcomes in which the complainant observed patterns in the outcomes for students of color that were not observed with White students when considering all other factors besides race. The U.S. Department of Education Office for Civil Rights website published 35 letters of investigated allegations, their subsequent findings, and the accompanying district resolution agreements as a result of such findings.
Table 3

Student Discipline Discrimination Cases by Race, 2017-2022

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Discriminatory Student Discipline Resolution Agreements Published</th>
</tr>
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<tbody>
<tr>
<td>2017</td>
<td>12</td>
</tr>
<tr>
<td>2018</td>
<td>18</td>
</tr>
<tr>
<td>2019</td>
<td>3</td>
</tr>
<tr>
<td>2020</td>
<td>1</td>
</tr>
<tr>
<td>2022</td>
<td>1</td>
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Data Collection and Analysis

The U.S. Department of Education Office of Civil Rights allegation letters, finding, and resolution agreements are currently public information on the ocas.ed.gov website. Each letter and resolution was downloaded and organized into an electronic Google Document chart. Within the Google document chart, I dissected each complaint detailing the school district, city, and state, the year of the alleged incident(s), and the facts of each complaint’s allegations, legal standard, investigation, OCR Conclusion, and resolution agreements. I also printed hard copies of the letters and resolution agreements to analyze them more closely. The printed copies were organized in desk draws in order of the year.

I analyzed the data from each OCR complaint by categorizing facts and themes. For example, since the primary focus of this study is to address discrepant discipline outcomes for students of color, one of the categories I will include is the specific race of the “student of color.”
categorizing race in this study by African-American, LatinX, or Native American, which were the three non-White races in all of the cases between 2017 and 2022, allows readers to understand the extent to which the problem impacts certain groups of people more than others. Also, I will create categories for racial discrimination in student discipline. For example, in some cases, students of color were disciplined more frequently and harshly than their similarly situated White peers. In other cases, students of color received higher exclusionary discipline outcomes for minor behaviors than their similarly situated White peers. In addition, I will categorize the similarities in OCR resolution agreements so that critical aspects of the circumstances can be determined and considerations can be made for school and district leaders on how to resolve such issues.

The categorization of the data by race, type of behavior, resolution agreement outcome, etc., is a type of coding that will answer the research questions: What were the key aspects and outcomes of the resolution agreements issued by the Office of Civil Rights between 2017 and 2022? Furthermore, what can we learn from the Office of Civil Rights regarding how these cases can be resolved?

Knowing that the directed approach to content analysis serves the purpose of studying the meaning of varied texts on a related topic, it is vital to understand the term coding and how coding assists me with connecting themes. “Coding is the process of analyzing qualitative text data by taking them apart to see what they yield before putting the data back together in a meaningful way” (Creswell and Báez, 2020, p. 156). Creswell and Báez state that coding should always be for a purpose. Therefore, the themes researchers categorize will be a continual reference as I determine the study results and implications for further research.
I could not find any coding schemes related to school law resolution agreements. Therefore, the research in this study is driven by how researchers in alternate areas of education litigation, for example, special education case law, have categorized due process complaints and school-related litigation. “The procedures [for content analysis] generally include establishing the scope of the investigation, creating sound coding schemes, and generating synthesized systematic findings” (Neuendorf, 2011; Zaheer & Zirkel, 2014, p.1002). Consequently, I conducted a coding scheme for her resolution agreements that mirrors the coding scheme historically done for education case law litigation. Education law scholar Zirkel has primarily coded special education demographics, types of complaints, and outcomes of the cases (Zirkel et al., 2011). For this study, I used the Zirkel et al.’s coding scheme and added items about the recurring themes brought forward within the Office of Civil Rights resolution agreements. I analyzed many variables related to the Office of Civil Rights’ race-based discrimination complaints about student discipline outcomes.

Additionally, many other variables were relevant to themes within the various resolution agreements. However, “Despite the plethora of publications concerning education litigation, very few articles examine the overall trend as compared to a specific case, issue, or topic” (Zirkel, 1998, p. 235). I will use the coding to see if there are any themes and lessons learned.

Demographic Information

Multiple variables were analyzed in this study related to the demographics of the various school district race-based discriminatory conduct complaints. Research-based evidence indicates
that the demographic variables referenced by me were similarly used in previous studies (Jeloudar & Yunus, 2011; McIntosh et al., 2014; Newcomer & Zirkel, 1999; Togut, 2011). The following variables were included in the coding scheme: type of school, grade of the student, discrimination classification, discriminatory practice type, impact on affected students/families, type of student discipline infraction, Disproportionality, impacted parties, and district-level resolution implications. Each coding scheme variable provided the demographics of the complaints, in which school discipline discriminatory conduct allegations against students were reported to the U.S. Department of Education Office of Civil Rights.

The variables within the coding scheme provided demographic information regarding the impacted parties’ discrimination complaints filed with the Office of Civil Rights. In addition, they provided insight into the most common factors involved in race-based discrimination in student discipline matters. For example, there was a moderate correlation between a school district being cited for racial discrimination in student discipline and the following factors: 1) Students of color making up a lesser percentage of the student body than White students but accounting for more than twice the amount of office referrals or discipline incidents. 2) Students of color being punished harsher in student discipline than their similarly situated White peers. 3) Students of color are disciplined more frequently than their White peers who committed identical or similar infractions. 4) The role of school resource officers in schools has yet to be documented and clearly defined; thus, students of color were more frequently referred to SROs for routine school discipline incidents in which there was no legal violation. 5) The school district’s discipline policies contain vague or subjective language disproportionately applied to discipline incidents involving students of color. 6) School districts lack an Early Identification/Early Intervention discipline process in which at-risk students are
identified early on and referred to school support services such as school counselors, social workers, restorative justice practices, etc. 7) A limited awareness of bias or culturally relevant practices amongst school district teachers, administrators and staff who are issuing student discipline. 8) School districts that lack training on the implementation of positive behavior rewards and incentives such as corrective strategies in response to student discipline that involves de-escalation strategies, conflict resolution, peer mediations, restorative circles, etc. 9) School districts that have limited or no stakeholder input in the provisions outlined in school discipline policies. 10) School districts that lack an ongoing progress monitoring process for analyzing student discipline data disaggregated by race.

**Coding Scheme**

I used information from the U.S. Department of Education’s Office of Civil Rights complaints of race-based discrimination in student discipline within the past five years, from 2017 to 2022. Additionally, the U.S. Department of Education Office of Civil Rights and the U.S. Department of Justice released a resource on addressing racial discrimination in student discipline on May 26, 2023. It provided a summary of some of their pivotal cases. Explanations of the coding schemes are listed below:

- **School Districts** - The coding scheme included the following categories: public schools and school districts within the United States of America.
- **Grade of Student** - The coding scheme for the type of school included the following categories: PreK, elementary, middle school, and high school.
- **Gender of Student** - The coding scheme for the gender of student references the gender of the student who was referenced in each of the 35 cases on discrimination in student
discipline according to the U.S. Department of Education Office of Civil Rights. The gender of the student included the following categories: male, female, and gender unspecified.

- Race, Ethnicity, or National Origin of Student - The coding scheme for this category references the identified race, ethnicity, or national origin of the student or students who were referenced in each of the 35 cases on discrimination in student discipline according to the U.S. Department of Education Office of Civil Rights. The race, ethnicity, or national origin of the student included the following categories: African-American/Black, Hispanic/LatinX, Native American, Somali, and Unspecified. As a result of maintaining anonymity within the discrimination complaint cases, some information was redacted and therefore the student race, ethnicity, or national origin was unspecified.

- Discrimination Classification - For this research, the coding scheme addresses a violation of U.S Federal Civil Rights law. In this case, students were discriminated against according to Title VI.

Title VI prohibits discrimination based on race, color, or national origin by recipients of Federal financial assistance. Title VI also prohibits retaliation against individuals who seek to enforce rights protected by the statute. As a recipient of Federal financial assistance from the Department, the District is subject to Title VI and its implementing regulation. Therefore, OCR had jurisdiction to investigate these complaints. (U.S. Department of Education, 2021)

- Alleged Discriminatory Practice Type - The coding scheme for the discriminatory practice type included the following categories: disparate treatment or disparate impact.

- Impact on affected students/families - The coding scheme for the impact on affected students and families included the following categories: Decreased student sense of belonging, exacerbation of stereotype threat theory, distrust among the school or district
leaders, student traumatic experiences, increased mental health needs, negative impact on student’s academic success, seeking/requesting a school transfer, school dropout and introduction to the criminal justice system.

- Type of student discipline infraction - The coding scheme for the type of student discipline infraction included the following categories: minor behaviors and major behaviors. Minor behaviors are defined as behaviors minor in scope that do not pose a substantial threat to the learning environment or a severe safety threat. These behaviors can often be rectified with corrective strategies employed by the teacher, such as disobedience, disrespect, “defiance of authority,” failure to remain seated, etc. These behaviors should not result in a student being excluded from school unless in incidents of progressive discipline and repeat behaviors. Major behaviors are defined as behaviors that result in a substantial disruption to the learning environment or behaviors that pose a school safety threat to one’s self or others. These behaviors are more severe and can result in stricter outcomes, such as in-school or out-of-school suspensions. These behaviors include but are not limited to fighting, reckless behavior, possession, use or distribution of drugs, theft, property damage over $500, battery, group violence, arson, and possession, use, or distribution of weapons. In some cases, students were alleged to have engaged in behavior that contained both types of behavior infractions, minor and major. Also, due to the redacting of documentation some disciplinary infractions were unspecified. Lastly, there were some cases in which there was no evidence of the student violating a discipline infraction, yet the school still proceeded with disciplinary action towards the student.
- Disproportionality - Regarding the representation of students of color receiving harsher discipline outcomes than their similarly situated White peers. Alternatively, Disproportionality in the frequency of students of color being referred for disciplinary violations.

- Impacted parties - The coding scheme for the type of impacted party included the following categories: Individual students and groups of students.

- District Level Resolution Implications - The coding scheme for the resolution implications included the following categories: Hiring expert consultants, embedding required progressive discipline measures in district codes of conduct, omitting subjective language from school district codes of conduct, corrective action planning, establishing a school climate director, establishing a school equity committee, fostering student sense of belonging, publicly available discipline data, clarity on the roles of school resource officers, reporting requirements, student/staff and parent climate surveys, creation of action plans, staff training, student remediation support, establishing alternative education programs, expunged student records, and revision of nondiscrimination grievance procedures.

Validity

In order to assess the validity and reliability of a content analysis methodology, one must first understand the different forms of content that relate to content analysis (Potter & Levine-Donnerstein, 1999). The origins of content analysis began with manifest content, which is “a research technique for the objective, systematic, and quantitative description of the manifest content of communication” (Berelson, 1952, p. 18). Manifest content is the concrete, easily
identifiable data individuals commonly understand due to its lack of depth. For example, a chair (an object that people sit in) would likely be described as having a similar definition and purpose, regardless of who or how many individuals seek to describe it. However, pattern content” requires more depth in thought, as it is described when “the designer of the content analysis puts precedence with the content and believes that there is an objective pattern that all coders should uncover by sorting through symbols and recognizing the connections among them” (Potter & Levine-Donnerstein, 1999, p. 259). Lastly, in contrast with pattern content is projective content, where “the researcher puts precedence with the coders’ judgments and believes that the elements in the content are symbols that require viewers to access their pre-existing mental schema in order to judge the meaning of the content” (Potter & Levine-Donnerstein, 1999, p. 259).

I focus solely on pattern content to assess reliability and validity within this methodology. Pattern content is the appropriate form of conducting a content analysis of the OCR race-based school discipline discrimination complaints and determining the critical aspects of the resolution agreements. All forms of content analysis shall consider and allow for subjective interpretations (Potter & Levine-Donnerstein, 1999). In the case of this methodology, I referenced pattern content in determining reliability and validity, which applies as a result of observing trends in discrepant discipline data for students of color, according to the latent content approach, which shifts the focus of meaning to the underlying elements of the message (Potter & Levine-Donnerstein, 1999). Therefore, the latent pattern approach allows me to construct judgments from context clues, make connections, and draw conclusions beyond manifest content. From there, systemic discrimination theory is applied, which relates to the remedies to be proposed for
rectifying the problem of disproportionate student discipline outcomes for children of color (Potter & Levine-Donnerstein, 1999).

To assess validity, researchers must understand that “objectivity is not a realistic expectation for the coding of latent content” (Potter & Levine-Donnerstein, 1999, p. 265). Fortunately, the presence of subjectivity does not render the coding unreliable or invalid. It requires more of the coder (Potter & Levine-Donnerstein, 1999). Specifically, it requires more interpretation, which can and shall be achieved by shared judgments to arrive at intersubjective. Subjectivity also requires more coders to interpret the same data (Potter & Levine-Donnerstein, 1999). Although subjectivity naturally exists within latent patterns, “this evidence is more convincing that the patterns of latent content exist as coded because the coders all inferred the same pattern using their different subjective perceptual and reasoning processes” (Potter & Levine-Donnerstein, 1999, p. 266). According to Potter & Levine-Donnerstein, establishing validity is a two-step process.

The first step is to develop a coding scheme that guides coders in content analysis. It is regarded as a valid coding scheme if the scheme is faithful to the theory in its orienting coders to the focal concepts. The second step is to assess the decisions made by coders against some standard. If the codes match the standard for correct decision-making, then the coding produces valid data (Potter & Levine-Donnerstein, 1999, p. 266).

In coding scheme designs using pattern content, one must deduce the important manifest characteristics in the content from the theory, and one must inform coders on making inferences from patterns in the specific sets of manifest elements. (Potter & Levine-Donnerstein, 1999). Therefore, in applying systemic discrimination theory, the manifest characteristics are subjective school discipline policies that marginalize students of color when biases result in the underlying
outcomes for the behavior. The inferences from patterns, for example, could be that students of color are disciplined more harshly and frequently than their similarly situated White peers because of the pattern of more students of color being excluded from school for minor offenses. A theory is therefore required to test face validity. Folger et al. (1984) define face validity as an assessment “to which the coding system is logically consistent and the categories are clearly defined” (p. 137). Face validity pertains to validation strategies according to the perspective of the coder: experienced mode is analyzing the interaction from the viewpoint of an external observer. As an external observer, the assumption is that researchers have direct access to the variables most important in explaining and understanding interaction (Poole & Folger, 1981). In the experiencing mode (which is where the research for this study on discrepant student discipline outcomes for students of color according to Office for Civil Rights complaint and resolution agreements is situated), I focus on interpreting the socially constructed reality of an interaction that is shared by participants (Poole & Folger, 1981). Lastly, in experiencer mode, coders seek to analyze the perspectives of the participants to cipher the subject’s frame of reference (Poole & Folger, 1981).

The research for this study is pattern content. Therefore, researchers seek to maximize the emphasis of the coding scheme to reduce the extent to which coders must use their schema since individual coder schemas and interpretations of the data can be faulty and varied (Poole & Folger, 1981). In this study, I applied inter-rater reliability. In inter-rater reliability, different coders code the same material separately as individuals. This inter-rater method seeks to establish uniformity in coding schemes across all coders, which increases validity (Eagan et al., 2017).
Reliability

The three designs for reliability in content analysis coding are stability, reproducibility, and accuracy (Krippendorff, 2004). Stability relies heavily on coder memory, which can be fleeting and inconsistent. In the case of this research methodology, reproducibility is the most practical design for reliability. Although reproducibility is more reliable than stability, accuracy is less credible than accuracy because accuracy requires expert coding in which a process conforms to a known standard (Krippendorff, 2004). Reproducibility is how a process can be recreated under different conditions, locations, and with different coders (Krippendorff, 2004). As an applicable example for this study, I used inter-rater reliability as a reliability measure for coding. This coding by different individuals applied the same data set and resulted in no variation in coding conclusions. Therefore, if all coders arrive at identical judgments, the data is highly reliable (Krippendorff, 2004).
CHAPTER 4

RESULTS

This study critically analyzes the race-based discrimination complaints in matters of school discipline that were filed with the U.S. Department of Education and the subsequent resolution agreements determined by the Office of Civil Rights for fiscal school years 2017 through 2022. This study highlights the varied problematic forms of race-based discrimination towards students of color within school discipline outcomes. This study addresses the following research questions:

• RQ1: What were the key aspects and outcomes of the resolution agreements issued by the Office for Civil Rights between 2017 and 2022?

• RQ2: What can we learn from the Office for Civil Rights regarding how these cases can be resolved?

Race-Based Discrimination Complaints in School Discipline for Students of Color

Between the fiscal school years 2017 to 2022, complainants filed a total of 35 discrimination cases for disproportionality in school discipline outcomes for students of color. It is unknown who the exact complainants were in all of these cases because the redacted complaint letters do not refer to the complainant (s) by individual name or group (Table 4). Anyone can file a discrimination complaint with the U.S. Department of Education Office of Civil Rights. The person or organization filing a complaint need not be a victim of the alleged
Table 4
Number of School Districts by State in which Racial Discrimination Complaints Were Filed, 2017-2022

<table>
<thead>
<tr>
<th>State</th>
<th>School District(s)</th>
<th>Year</th>
<th>Frequency</th>
<th>Proportion of the discrimination complaint cases (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>East Side Union High SD</td>
<td>2017</td>
<td>5</td>
<td>14.15</td>
</tr>
<tr>
<td></td>
<td>Loleta Union Elem. SD</td>
<td>2017</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sacramento City Unified SD</td>
<td>2018</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pomona Unified SD</td>
<td>2019</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Victor Valley Union High SD</td>
<td>2022</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Colorado</td>
<td>Adams County SD</td>
<td>2017</td>
<td>2</td>
<td>5.7</td>
</tr>
<tr>
<td></td>
<td>Cherry Creek SD</td>
<td>2018</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Connecticut</td>
<td>Waterbury Public SD</td>
<td>2018</td>
<td>1</td>
<td>2.9</td>
</tr>
<tr>
<td>Georgia</td>
<td>Muscogee County SD</td>
<td>2018</td>
<td>2</td>
<td>5.7</td>
</tr>
<tr>
<td></td>
<td>Worth County SD</td>
<td>2018</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indiana</td>
<td>Griffith Public SD</td>
<td>2017</td>
<td>2</td>
<td>5.7</td>
</tr>
<tr>
<td></td>
<td>Southwest Allen County SD</td>
<td>2017</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Louisiana</td>
<td>Tangipahoa Parish SD</td>
<td>2017</td>
<td>1</td>
<td>2.9</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Fall River Public SD</td>
<td>2018</td>
<td>1</td>
<td>2.9</td>
</tr>
<tr>
<td>Michigan</td>
<td>Waverly County SD</td>
<td>2017</td>
<td>1</td>
<td>2.9</td>
</tr>
<tr>
<td>Missouri</td>
<td>Academie Lafayette SD</td>
<td>2018</td>
<td>2</td>
<td>5.7</td>
</tr>
<tr>
<td></td>
<td>Ash Grove R-IV SD</td>
<td>2018</td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Jersey</td>
<td>Essex County Vocational SD</td>
<td>2018</td>
<td>1</td>
<td>2.9</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Deming Public SD</td>
<td>2018</td>
<td>1</td>
<td>2.9</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Pitt County SD</td>
<td>2017</td>
<td>2</td>
<td>5.7</td>
</tr>
<tr>
<td></td>
<td>Durham Public SD</td>
<td>2018</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ohio</td>
<td>Cleveland-University Heights SD</td>
<td>2017</td>
<td>2</td>
<td>5.7</td>
</tr>
<tr>
<td></td>
<td>Washington Local SD</td>
<td>2018</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Coatesville Area SD</td>
<td>2019</td>
<td>1</td>
<td>2.9</td>
</tr>
</tbody>
</table>

Table 4 continued on following page
Table 4 (continued)

<table>
<thead>
<tr>
<th>State</th>
<th>School District(s)</th>
<th>Year(s)</th>
<th>Frequency</th>
<th>Proportion of the discrimination complaint cases (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Carolina</td>
<td>SD of Newbury County</td>
<td>2018</td>
<td>1</td>
<td>2.9</td>
</tr>
<tr>
<td>Tennessee</td>
<td>Hamilton County SD</td>
<td>2018</td>
<td>2</td>
<td>5.7</td>
</tr>
<tr>
<td></td>
<td>Hamilton County SD</td>
<td>2019</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Texas</td>
<td>Lubbock Independent SD</td>
<td>2017</td>
<td>5</td>
<td>14.15</td>
</tr>
<tr>
<td></td>
<td>Temple Independent SD</td>
<td>2017</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Fort Bend Independent SD</td>
<td>2018</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Spring Branch Independent SD</td>
<td>2018</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Fort Worth Independent SD</td>
<td>2021</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Virginia</td>
<td>Kings and Queen City Public SD</td>
<td>2017</td>
<td>2</td>
<td>5.7</td>
</tr>
<tr>
<td></td>
<td>Henrico County Public SD</td>
<td>2018</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wisconsin</td>
<td>Milwaukee Public SD</td>
<td>2018</td>
<td>1</td>
<td>2.9</td>
</tr>
</tbody>
</table>

discrimination (U.S. Department of Education, 2023). A complaint may be filed by mail or facsimile, online from the U.S. Department of Education website, or by email. The U.S. Department of Education has the authority to investigate discrimination complaints related to individuals or groups of individuals based on race, gender, sex, sexual orientation, age, and disability within all public and private programs that receive funds from the U.S. Department of Education. The research for this study analyzes 35 discrimination cases in which the complaints were mitigated by the district’s adherence to a resolution agreement, “The provisions of the resolution agreement must be supported by the evidence obtained during the investigation and will be consistent with the applicable statute(s) and regulation(s)” (U.S. Department of Education, 2022). The role of the Office of Civil Rights is to remain neutral in finding facts and to resolve complaints promptly (U.S. Department of Education, 2020).
The data revealed that of the 35 cases in which discrimination complaints were filed based on disproportionality in school discipline outcomes for students of color, there were 19 states in which cases were reported to the Office of Civil Rights of the U.S. Department of Education from 2017 to 2022, and all of the school districts in the data set were public schools. Most of discrimination complaints came from California and Texas with each having five school districts with cases filed against them from 2017 to 2022, 14.15% of cases each, for a combined total of 30% of the cases. The two discrimination complaints in Tennessee came from the same school district, Hamilton County, in 2018 and 2019. The majority of cases were filed between the fiscal years 2017 and 2018. There were 12 complaint cases in 2017 and 18 complaint cases in 2018, with those two years making up approximately 86% of all cases of race-based discrimination in student discipline between 2017 and 2021.

Grade

Of the 35 cases, there were 7 total categories for the grade of students impacted by racial discrimination in student discipline outcomes. Those 7 categories were: Pre-K, elementary, middle school, high school, K-8 Districts, secondary-only Districts (middle and high school) and K-12 districts. Of the 35 cases, the students in districts making up grades K-12 were the largest group, represented in 15.05 cases and making up 43% of the total grade of cases. The grade of students in second place for this category was high school students who comprised 9.1 total
cases, making up 26% of total cases for this category. In third place for this category was the grade of elementary school students making up 5.95 total cases, or 17% of the category.

Data summarizing the grades of students involved in the complaint cases are shown in Figure 1.

![Figure 1. Grade of students in discipline discrimination cases.](image)

Race, Ethnicity, or National Origin

Figure 2 indicates students of color identified by applicable race, ethnicity, or national origin within discriminatory discipline cases from the past five years, according to the U.S. Department of Education, Office of Civil Rights. For this data set, race was “unspecified” when groups of students were referenced in a particular case and therefore specific individual races were not mentioned, or, in some cases, the student’s race, ethnicity, or national origin was
unspecified due to redaction. Of the known races involved in the total number of student discipline discrimination cases, African-American students comprise over half of the cases at 62%. Hispanic/LatinX students comprise the second largest group of 13% of the total cases.

Figure 2. Race, ethnicity, or national origin of students in discipline cases.

Gender

Of the 35 cases, there was one case in which the student’s gender was not specified as the impacted party was referred to as “the student”. 60% of the cases are about Groups of Students; therefore, those instances include male and female students. Of the 35 cases, the male gender was impacted in 29 cases, totaling 82%. Of the 35 cases, the female gender was impacted in 22 cases, totaling 62%. Data regarding the gender of the participants are shown in Table 5.
Table 5

Gender of Students Involved in Student Discipline Complaints, 2017-2021

<table>
<thead>
<tr>
<th>Gender of Discriminated Student</th>
<th>Frequency Gender was Specified in Discrimination in the 35 Student Discipline cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>29 (82%)</td>
</tr>
<tr>
<td>Female</td>
<td>22 (62%)</td>
</tr>
<tr>
<td>Gender Unspecified</td>
<td>1 (2.5%)</td>
</tr>
</tbody>
</table>

Note: In cases where school districts discriminated against groups of students, both genders (male and female) were marked in reference to one complaint case.

Impacted Party

Of 100% of the U.S. Department of Education Office of Civil Rights racial discrimination in student discipline cases from 2017 to 2022, the majority of complaints impacted groups of students, at 21 individual cases or 60%. 14 or 40% of the total cases involved individual students. Data regarding the impacted parties of racial discrimination in student discipline complaint cases are reported in Figure 3.

Discriminatory Practice Type

Figure 4 illustrates the percentage of cases in which the discrimination type resulted from a different treatment of students or whether the discrimination had a disparate impact on students. Of cases alleged discrimination 69% were based on alleged different treatment of students of color, 29% of cases were due to an alleged disparate impact, and 8% of cases had allegations of both types of discrimination with different treatment and disparate impact.
Figure 3. Percent of cases in which the impacted party was an individual student of color or a group of students of color.

Figure 4. Alleged discriminatory practice type.
Discriminatory Impact on Affected Students/Families

The actions undertaken within the resolution agreements for the discrimination in student discipline complaints illustrate the impact of the alleged discrimination on students and families. The frequency table below resembles a cause-and-effect pattern. The specific discriminatory conduct type is specified in the first column. The impact or outcomes of the discriminatory conduct on students and families is specified in the second column, and the third and final column indicates the number of times the conduct and its impact occurred within the 35 various discrimination complaint cases filed with the U.S. Department of Education Office of Civil Rights within the past five years. Data regarding the discriminatory impact affected students and families are reported in Table 6.

Type of Student Discipline Infraction Resulting in Racial Discrimination Complaint

Of the various student misbehaviors that occur in discipline matters, the two infraction types below categorize the student behaviors into Minor Behaviors or Major Behaviors. There were also incidents in which both minor and significant behaviors occurred in the same case. Additionally, some behavioral infraction types were considered unidentifiable as either a result of redacted records or no mention of the specific behavior, but rather the discipline outcome. Table 7 indicates what type of infractions students were disciplined for, resulting in the complainant’s allegation of discriminatory outcomes based on race.

Of the 35 student discipline cases brought to the U.S. Department of Education’s Office of Civil Rights for allegations of discrimination against students of color, 35% involved behavioral infractions for minor and major offenses, which was the majority. The second highest
### Table 6

Frequency of Discriminatory Impact on Affected Students/Families

<table>
<thead>
<tr>
<th>Wrongful Treatment</th>
<th>Impact on Affected Students/Families</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Denial of Special Education Services or a 504 plan in matters of student discipline.</td>
<td>Loss of student accommodations and modifications</td>
<td>8</td>
</tr>
<tr>
<td>Failure to communicate necessary information regarding student discipline</td>
<td>Ill-informed students/families</td>
<td>3</td>
</tr>
<tr>
<td>No coursework or credit given for coursework completed during suspension/removal.</td>
<td>Declining academic performance</td>
<td>4</td>
</tr>
<tr>
<td>Educators failure to employ effective classroom management, de-escalation techniques and restorative justice</td>
<td>Inability for students to develop self-management skills</td>
<td>13</td>
</tr>
<tr>
<td>Lack of alternatives to exclusionary discipline</td>
<td>Excessive removal of students from class</td>
<td>7</td>
</tr>
<tr>
<td>Vague, subjective, or redundant discipline offense categories and a lack of progressive discipline interventions</td>
<td>Students of color being punished more harshly and frequently than similarly situated White peers.</td>
<td>18</td>
</tr>
<tr>
<td>Failure to reintegrate previously excluded students into the school community and failure to provide support services such counseling, mentoring, tutoring and MTSS.</td>
<td>Decreased sense of belonging and increased stereotype threat theory.</td>
<td>11</td>
</tr>
<tr>
<td>Lack of clear definitions and limits on law enforcement involvement in student discipline.</td>
<td>Early and avoidable involvement in the criminal justice system</td>
<td>10</td>
</tr>
<tr>
<td>Failure to provide Limited English Proficient (LEP) families translated or interpreted discipline information.</td>
<td>Ill-informed families and denial of rights</td>
<td>4</td>
</tr>
<tr>
<td>No actions or intentions on promoting a positive school climate.</td>
<td>Traumatic student experiences, decreased sense of belonging</td>
<td>7</td>
</tr>
</tbody>
</table>
Table 6 (continued)

<table>
<thead>
<tr>
<th>Wrongful Treatment</th>
<th>Impact on Affected Students/Families</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Implicit/Explicit bias, harassment, lack of cultural sensitivity, mockery of a specified ethnic group</td>
<td>Voluntarily transferred to another school as a result of treatment and distrust of the school</td>
<td>11</td>
</tr>
<tr>
<td>Failure to provide early identification of at-risk students and early intervention</td>
<td>Unaddressed mental health needs and lack of support interventions</td>
<td>6</td>
</tr>
<tr>
<td>Lack of discipline code training for district students in an age-appropriate manner.</td>
<td>Ill-informed students</td>
<td>2</td>
</tr>
<tr>
<td>Failure to assess appropriateness of alternative school environments</td>
<td>Decreased sense of belonging, negative impact on student academic Success/drop-out</td>
<td>4</td>
</tr>
</tbody>
</table>

Table 7

Type of Student Discipline Infraction in Alleged Discrimination in Discipline Outcomes for Students of Color, 2017 to 2022

<table>
<thead>
<tr>
<th>Student Discipline Infraction Type</th>
<th>Number of Discipline Infraction Occurrence Type Within Racial Discrimination in Student Discipline Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minor Behavior – no substantial threat</td>
<td>9 (26%)</td>
</tr>
<tr>
<td>Major Behavior – pose a substantial disruption to the learning environment or safety threat</td>
<td>5 (14%)</td>
</tr>
<tr>
<td>Singular Complaints with Instances of Both Minor and Major Behavior</td>
<td>12 (35%)</td>
</tr>
<tr>
<td>Unspecified Due to Redacted Documentation</td>
<td>5 (14%)</td>
</tr>
<tr>
<td>Unidentified, in Spite of Discriminatory Discipline.</td>
<td>4 (11%)</td>
</tr>
</tbody>
</table>
percentage of discipline infractions occurred for minor offenses, comprising 26% of all cases from 2017 to 2022. 25% of cases had an unspecified or unidentified discipline infraction type. 14% of the cases involved students allegedly engaged in major behavior infractions.

**Disproportionality**

My overall focus for this study was to conduct a content analysis on the issues and resolutions regarding discriminatory school discipline outcomes for students of color. Therefore, all cases alleged racial discrimination against marginalized students occurred on behalf of the school or district. However, not all cases claim the school or district’s discipline outcomes for students of color were disproportionate districtwide. Figure 5 illustrates the percentage of cases that assert disparaging discipline outcomes and disproportionality in outcomes for students of color compared to their similarly situated White peers. In order to assess an allegation of disproportionality, the following language, or similar language will appear in the racial discrimination in student discipline complaint: “The district discriminates against Students of color by disciplining them more frequently and more harshly than similarly-situated White students concerning all disciplinary practices, including detentions, in-school suspensions, out-of-school suspensions, expulsions, referrals to law enforcement, and assignment to alternative schools” (U.S. Department of Education, 2017).

Out of 35 total racial discrimination in student discipline cases, 20 of the cases, or 57.1%, had complainants that alleged a specific group of students of color received discipline outcomes that were more frequent and severe than their similarly situated White peers. Fifteen cases, or 42.9% of complainants, did not allege disproportionality but made accusations of discriminatory treatment towards students of color.
Resolution Agreement Themes

In all 35 cases, whether the U.S. Department of Education and Office of Civil Rights determined sufficient evidence to determine whether a student of color was discriminated against or not…every school district entered into a resolution agreement. The resolution agreements are a series of actions the district has committed to completing to improve practice, change policy, and maintain equality towards students of color in student discipline matters. Table 8 shows the various agreements from each case and the number of times a school district committed to carrying out such an agreement. Table 8 indicates the top remedies for school district resolution agreements. The most frequent resolution was data collection and self-monitoring, with 24 out of 35 separate school
Table 8

Frequency of School District Resolution Agreement Categories in Response to Racial Discrimination within Student Discipline Outcomes

<table>
<thead>
<tr>
<th>Resolution Agreement Type</th>
<th>Number of School Districts That Agreed to the Resolution Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>School Staff Training on SPED</td>
<td>3</td>
</tr>
<tr>
<td>Communication/Training to School Staff on Obligations under Section 504, Title II, and Title VI</td>
<td>6</td>
</tr>
<tr>
<td>On-Going External Monitoring/ Reporting Requirements</td>
<td>7</td>
</tr>
<tr>
<td>Compensatory Services</td>
<td>3</td>
</tr>
<tr>
<td>Revised Discipline Policies, Practices and Procedures</td>
<td>22</td>
</tr>
<tr>
<td>Retention of an Expert/Consultant or Designation of Responsible Employee(s); School Climate Oversight, Equity Committee</td>
<td>14</td>
</tr>
<tr>
<td>Establish a Discipline Task Force to Develop a Student Code of Conduct Focused on Positive Behavioral Supports &amp; Interventions</td>
<td>4</td>
</tr>
<tr>
<td>Data Collection and Self-Monitoring/ Reporting Requirements</td>
<td>24</td>
</tr>
<tr>
<td>District Staff Training on Discipline Policy</td>
<td>10</td>
</tr>
<tr>
<td>Corrective Action Plan</td>
<td>11</td>
</tr>
<tr>
<td>School Climate Surveys</td>
<td>5</td>
</tr>
<tr>
<td>Translation &amp; Interpretation</td>
<td>1</td>
</tr>
<tr>
<td>Individual Student Remedy</td>
<td>14</td>
</tr>
<tr>
<td>Expunge Student Discipline</td>
<td>1</td>
</tr>
<tr>
<td>Early Intervention for At-Risk Students &amp; Student Support System</td>
<td>7</td>
</tr>
<tr>
<td>Student, Parent, Guardian, Stakeholder Information Sessions</td>
<td>8</td>
</tr>
<tr>
<td>Publicly Available Discipline Data</td>
<td>2</td>
</tr>
</tbody>
</table>

Table 8 continued on following page
<table>
<thead>
<tr>
<th>Resolution Agreement Type</th>
<th>Number of School Districts That Agreed to the Resolution Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>SRO/Law Enforcement Guidelines Regarding Involvement in Schools</td>
<td>6</td>
</tr>
<tr>
<td>Complaint Investigation Procedures for Harassment Based on Race or National Origin</td>
<td>4</td>
</tr>
<tr>
<td>Student and Staff Training</td>
<td>21</td>
</tr>
<tr>
<td>Revised Alternative School Placement Procedure</td>
<td>4</td>
</tr>
<tr>
<td>Appropriate Language Services to all ELL Students and Families</td>
<td>2</td>
</tr>
</tbody>
</table>

districts committing to the resolution. The second highest resolution agreement was to revise student discipline policies. Twenty-two districts out of 35 committed to revising the School or District’s discipline policies, practices, or procedures. According to the U.S. Department of Education, Office of Civil Rights resolution agreements in response to racial discrimination in student discipline from 2017 to 2022, the third highest resolution agreement was to provide student and staff training, with 21 school districts out of 35 committing to comply with the agreement.
CHAPTER 5
SUMMARY, DISCUSSION, RECOMMENDATIONS, AND CONCLUSION

Summary

Historically, students of color have been disproportionately impacted by discipline outcomes throughout schools in the U.S., adversely impacting their academic performance, future trajectory, and overall sense of belonging in school. The prevalence of disparaging school discipline results for students of color led to the creation of laws that sought to eliminate racially biased outcomes. The Civil Rights Act of 1964 brought about the enactment of a federal law known as Title VI. Title VI states that discrimination on the basis of race, color, or national origin is prohibited by any institution receiving federal financial assistance (U.S. Department of Education, 2023). Although Title VI applies to public schools nationwide, the context of the law itself does not provide a specific measure to assess the “intent” or “effect of racial discrimination in schools (Abernathy, 1981). Therefore, racial bias on behalf of individuals administering discipline, coupled with subjective and vague school discipline policies that vary drastically from one school district to another, explain how discipline outcomes are harsher and more frequent for students of color, as exemplified by systemic discrimination theory (Scott et al., 2017).

The prevalence and impact of historical systemic discrimination within school discipline among students of color resulted in complainants filing various grievances with the U.S. Department of Education, asserting that many school districts violated Title VI. It is through the process of filing a racial discrimination complaint with the U.S. Department of Education that
most discipline policy changes came to be. More often than not, school districts under investigation by the U.S. Department of Education, Office of Civil Rights, agreed to resolve issues of alleged racial discrimination towards students of color in school discipline matters. This was done by entering into resolution agreements (U.S. Department of Education, 2022). A resolution agreement is aligned to the school district’s alleged discriminatory conduct, and it states the actions and commitments that a district will adhere to cease discriminatory practices and create equitable outcomes for each student, irrespective of race, color, or national origin. Those who have studied discriminatory school discipline outcomes for students of color have argued that resolution agreements are a sufficient and substantive way for school districts to improve practice and mitigate the adverse effects of discrimination against students of color (Sander, 1985). Resolution agreements ensure that school districts adhere to action steps requiring policy changes and changed behavior and that those actions require documentation of completion. Additionally, researchers have stated that the goal of resolution agreements is to “1) relieve court congestion, as well as undue cost and delay; 2) to enhance community involvement in the dispute resolution process; 3) to facilitate access to justice; 4) to provide more “effective” dispute resolution” (Sander, 1985).

This study aims to analyze themes from the U.S. Department of Education Office of Civil Rights complaints on race-based discrimination in student discipline outcomes. Furthermore, this study seeks to create an equitable framework for systematic policy change in school discipline. The study conducted a content analysis on the issues and resolutions regarding discriminatory school discipline outcomes for students of color by answering the following research questions:
What were the key aspects and outcomes of the resolution agreements issued by the Office of Civil Rights between 2017 and 2022?

What can we learn from the Office of Civil Rights regarding how these cases can be resolved?

Studies of the Office of Civil Rights cases and resolution agreements revealed that disproportionate school discipline outcomes for students of color are a result of systemic discrimination (Scott et al., 2017). The two tests for the existence of discrimination are whether a student is subjected to different treatment or whether the treatment of the student results in a disparaging impact (U.S. Department of Education, 2023). Systemic discrimination is festered in environments where the dominant culture makes decisions that impose unjust actions on marginalized groups (Rahman, 2018). In analyzing the 35 U.S. Department of Education racial discrimination in student discipline complaints from 2017 to 2022, I observed a theme that most school districts had discipline policies that were subjective, vague, and incomplete. When a system is faulty by design, coupled with the dominant groups’ underlying biases, whether implicit or explicit, an organization becomes systemically inequitable, as I stated in her theoretical framework (Rahman, 2018).

There were many key aspects and outcomes from the resolution agreements issued by the Office of Civil Rights from 2017 to 2022. I categorized these critical aspects according to whether the suggested resolution related to 1) discipline policy changes, 2) hiring personnel resources, or 3) undertaking required district action steps. The most frequently recurring resolution agreements from the analysis of the 35 cases were 1) data collection and self-monitoring with reporting requirements, 2) school discipline policy revision, and 3) provide student and staff training (U.S. Department of Education, 2022). These resolutions suggest that
to combat systemic discrimination in school discipline outcomes against students of color, the system can be transformed through discipline policies. According to the resolution agreement outcomes, policy revision should consider the following: Clear and specific language that omits subjectiveness, incorporation of progressive discipline measures, early identification of at-risk students resulting in referrals for student support interventions, employing restorative justice practices, clear communication on the role of police in schools and a tiered transparent approach to assigning students to alternative education locations. These revision proposals address the previous literature regarding the flaws in student discipline policies. For example, it has been widely known among researchers that not only are school suspensions a leading contributor to the school-to-prison pipeline, but they are also mainly ineffective (Iselin, 2010). Nevertheless, early identification of at-risk students, progressive discipline, and support interventions reduce the likelihood of excessive suspensions (Iselin, 2010). Similarly, in districts where the presence of police has increased student arrests and exacerbated student discipline outcomes for students of color, by clearly defining the role of police in schools as it relates to student discipline, the percentage of students impacted by the school-to-prison pipeline is likely to decrease (U.S. Department of Education, Office of Civil Rights, 2014).

Studies of resolution agreement key aspects related to personnel resources revealed that school districts can mitigate racial discrimination in student discipline by hiring expert consultants and establishing departments that continually assess the culture and climate of the school district, such as an Office of Diversity, Equity, and Inclusion. An expert consultant could be appointed to a position such as an Assistant Superintendent of Culture and Climate, a Chief Diversity, Equity, and Inclusion Officer, or an Executive Director of Student Services. The goal for any individual hired to oversee school climate and equitable practices is to “develop a
positive school climate of belonging and success for all students as well as to address the issues specified in the agreement” (U.S. Department of Education, 2017). The work of a Chief Diversity, Equity, and Inclusion Officer is complex because not only are they addressing sensitive subject matter, but the inequitable lived experiences of others can be difficult to quantify. For example, when a person of color experiences a microaggression within their place of employment, it could appear as if the person is whining or that they are being overly emotional. Furthermore, if the individual who said the microaggression denies it, how is it proven? Therefore, when an individual is hired to take on the role of a Chief Diversity, Equity and Inclusion Officer, they must set very clear and specific goals for the organization. To illustrate, the Diversity, Equity and Inclusion Officer should have a clearly stated vision in which specific initiatives are tied to the vision. In addition, the Chief Diversity, Equity and Inclusion Officer should set workforce diversity goals with their teams, review the organization’s policies and practices, address pay inequity and monitor those initiatives accordingly (Mallick, 2020).

The requirement of districts to undergo specific action steps was the broadest category related to key aspects of the resolution agreements. The requirement of such actions stemmed from the wrongful treatment of students of color in matters of student discipline, and therefore, these actions sought to eliminate such behaviors. The actions included the following: Providing compensatory services, expunging student discipline, providing individual student remedies, administering school climate surveys, conducting student and staff training on school discipline, including stakeholder information sessions and data collection and self-monitoring practices. The resolution agreement category of districts taking required action steps is all-inclusive, and best aligns with the need for students to have a sense of belonging in school. This key aspect considers students’ stakeholders, and they are sought out to provide input and co-design their
school climate and culture needs. As stated in the literature review, the extent to which we feel we belong as humans is directly aligned with the shape and strength of our relationships with others, groups, and even whole communities (Allen et al., 2022). Conducting school climate surveys, providing students with informative training, and seeking stakeholder input is the foundation of inclusivity and bridging between schools and the students they serve (Powell, 2012).

**Methodology**

To answer the research questions, I analyzed the content of the U.S. Department of Education’s Office for Civil Rights resolution agreements on Pre-K - 12 race and national origin statutes for students who were discriminated against in matters of discipline incidents. This data comprises 35 cases across the U.S. Schools within the past five years. The content analysis method of research is applied in qualitative, quantitative, and, at times, mixed research frameworks (White & Marsh, 2006). The content analysis method is “a systematic, rigorous approach to analyzing documents obtained or generated in the course of research” (White & Marsh, 2006, p. 22). The content analysis coding scheme centered around the variables that emerged from categorizing facts and themes related to the racial discrimination complaint cases and their subsequent resolution agreements. The following demographic variables were included in the coding scheme: the number of school districts within a given state for which the discrimination in student discipline complaint was made, grade of the student, race, ethnicity, or National Origin of the student, gender of the student, impacted party type, alleged discriminatory practice type, discriminatory impact on affected students and families, type of student discipline
infraction, percentages of alleged disproportionality in discipline outcomes, and the type of school district resolution agreement categories.

I used inter-rater reliability as a reliability measure for coding. This coding by different individuals applied the same data set and resulted in no variation in coding conclusions. Therefore, the data is highly reliable if all coders arrive at identical judgments (Krippendorff, 2004). The research for this study can be categorized in one of the following two ways: standard demographics or descriptive statistics. Standard demographics were statistics that were a part of each case by default. For example, each case indicated the state and school district the complaint came from, the grade of the student, the race of the student, the gender of the student, the impacted party type, the discriminatory practice type, the type of student discipline infraction, and whether the districts discriminatory practices resulted in disproportionality. The descriptive statistics were a summary of themes observed from the conduct of the discriminating school district, its impact on students and families, and the resolution agreements that came about as a result of the types of racial discrimination in student discipline. This study analyzes types of racial discrimination in student discipline outcomes, their root causes, their impact, and the mitigating factors to combat the issue moving forward.

Findings

This examination focuses on 35 racial discrimination in student discipline complaint cases filed with the U.S. Department of Education from 2017 to 2022. The cases and their subsequent resolution agreements were available to the public on the U.S. Department of Education website. Data revealed that there were 19 different states in which cases were filed against school districts that allegedly discriminated against students of color by way of student
discipline outcomes from 2017 to 2022. Of these 19 states, two are tied for having the most discrimination complaints out of the 35 cases. The two states with the most cases were California and Texas, and each state had five complaint cases or 14.15%. As a result, California and Texas combined made up nearly 30% of racial discrimination in student discipline complaints.

Of the 35 discrimination cases, 43% came from K-12 school districts, impacting all Pre-K, elementary, middle school, and high school students. The second highest grade of students impacted by racial discrimination in school discipline were High School Students, who made up 26% of cases alone. As for the race, ethnicity, or National Origin most impacted by racial discrimination in student discipline outcomes, African-American students were the most impacted race, making up over half of the 35 cases, at 62%. 60% of the cases are about Groups of Students; therefore, those instances include male and female students.

Of the 35 cases, the male gender was impacted in 29 cases, and the female gender was impacted in 22 cases, totaling 62%. The impacted party code referenced whether the complaint case involved a group of students or an individual student. 21 out of 35 cases involved groups of students, comprising 60% of the impacted party, and 14 out of 35 cases involved individual students, making up 40% of the impacted party category. As for the alleged discriminatory practice type, the categories were whether students were subjected to different treatment, a disparate impact, or both. In 63% of the cases, students of color receive different treatment, while only 8% of students of color had a discrimination type of disparate impact; however, 29% of cases involved students who were discriminated against by both different treatment and a disparate impact. The discriminatory impact on affected students and families was measured by a frequency table that listed the type of discriminatory conduct by the school district and its impact on students and families. Vague, subjective, or redundant discipline offense categories and a lack
of progressive discipline interventions were the leading types of discrimination existing in 18 out of 35 cases, and the impact of the discriminatory conduct was that students of color were punished more harshly and frequently than similarly situated White peers.

Three other types of discriminatory conduct ranked high in second and third place out of the 14 total types of discriminatory conduct. The second highest discriminatory conduct type was the educators’ failure to employ effective classroom management, de-escalation techniques, and restorative justice, with that category existing in 13 out of 35 cases and having an effect of a decreased sense of belonging and an inability for students to develop self-management skills. In third place, there were two different discriminatory conduct types that existed in 11 out of 35 cases. Those cases involved a failure to reintegrate previously excluded students into the school community and a failure to provide support services such as counseling, mentoring, tutoring, and MTSS, affecting students by decreasing their sense of belonging and increasing stereotype threat theory. Implicit/Explicit bias, harassment, lack of cultural sensitivity, and mockery of a specified ethnic group also existed in 11 out of 35 cases as a discriminatory conduct type. The effect of that behavior on students and families was a decreased sense of belonging, resulting in families voluntarily transferring to another school due to treatment and distrust of the school.

The type of student discipline infraction committed by students in each of the 35 cases included the following categories: Minor Behavior, Major Behavior, Singular Complaints with Instances of Both Minor and Major Behavior, Unspecified behavior due to redacted statements, and unidentified behavior despite discriminatory discipline. 12 out of 35 cases involved the student discipline infraction type: Singular Complaints with Instances of Both Minor and Major Behavior, which was the highest out of this category at 35% of cases. Minor behaviors were the infraction type that came in second, occurring in 9 out of 35 cases and making up 26%, and in
third place, there was a tie between the two infarction types. Major Behaviors and Unspecified Behaviors Due to Redacted Documentation occurred in 5 out of 35 cases, making up 14% of cases apiece. Out of 35 total racial discrimination in student discipline cases, 20 of the cases, or 57.1%, had complainants that alleged a specific group of students of color received discipline outcomes that were more frequent and severe than their similarly situated White peers.

Fifteen cases, or 42.9% of complainants, did not allege disproportionality but made accusations of discriminatory treatment towards students of color. The resolution agreement categories were measured by a frequency table that listed the resolution agreement type and the number of school districts that agreed to the resolution agreement type. 24 school districts out of 35 agreed to the Data Collection and Self-Monitoring/Reporting Requirements resolution agreement, which was the highest number of districts adhering to such agreements. In second place was the resolution agreement of Revising Discipline Policies, Practices, and Procedures, in which 22 out of 35 school districts agreed to adhere to such changes. The resolution agreement type with the third largest number of districts committed was for the school district to conduct Student and Staff training on equitable student discipline and the district’s specific discipline policies. 21 out of 25 total school districts committed to executing this practice.

Discussion

The high school grade level contained more discrimination in discipline complaints for students of color than any other individual grade level. One of the key lessons learned from the Office of Civil Rights resolution agreements from 2017 to 2022 was the importance of early intervention support for students with an identified behavioral need. Students who receive an early intervention plan benefit from the requirement that school staff employ various research-
based interventions and approaches, often provided by counselors or support specialists, before assigning exclusionary discipline as a proactive attempt to decrease misconduct and increase the student’s ability to remain in their learning environment successfully (U.S. Department of Education, 2017). However, suppose High School students of color receive the bulk of disproportionate discipline outcomes. In that case, it is possible that they may not have been afforded the opportunity for early intervention, and now in their last level of formal schooling, they have less time to reverse the effects of accrued discipline outcomes.

The lack of early interventions for students with identified needs often results in students of color continuing to be disciplined at disproportionate rates, which places those students at risk of a continual downward societal spiral. In alignment with my study, researchers have highlighted the relationship between excessive student discipline infractions, particularly exclusionary discipline, and the dropout rate (Cramer et al., 2014). “The number of suspensions received in the 9th grade is significantly related to a student’s likelihood of completing high school” (Balfanz et al., 2015, p. 22). One study followed Florida ninth grades and found: “[For] Florida ninth graders from 2000 to 2008, the dropout rate of 16% for students with no suspensions contrasted considerably to that of 53% for four or more suspensions throughout their high school career” (Gagnon et al., 2016, p. 3). As previously stated, these trends exacerbate the student’s trajectory to the school-to-prison pipeline. “The future outlook for youth who drop out of school is dismal, with dropouts composing 82% of the adult prison population and 85% of juvenile justice cases” (Cocozza & Skowyra, 2000, p. 70).

Early interventions however, should not be mere implementation of a social emotional curriculum. Although many social/emotional learning curriculums align with social/emotional learning standards and support the development of prosocial behavior and emotional intelligence,
SEL curriculums ignore the root cause of the discrimination in student discipline outcomes for students of color. Consequently, social-emotional learning curricula put the responsibility on the child instead of focusing on the aspects of the flawed system that the child is within (Low et al., 2015).

Early interventions are to be multifaceted and focus on employing various measures and resources for student support that foster a students’ sense of belonging and sense of belonging can be measured by school climate surveys and student social emotional survey responses. “School-level characteristics can help minimize the risks for youth delinquency” (Christle et al., pg. 69, 2005). Therefore, early interventions are a mitigation strategy to decrease High School students of color from the likelihood of experiencing discriminatory discipline outcomes and the risks associated with school exclusion. A meta-analysis on school belonging can guide the factors that enhance school belonging (Allen et al., 2018). Engagement, connectedness, and community are three keywords that exist in school environments where belonging is fostered, as belonging in school can be defined as “the extent to which students feel personally accepted, respected, included and supported by others in the school social environment” (Goodenow & Grady, 1993, p. 80).

Teachers would benefit from discussing to what extent the views, values, and experiences of students of color are embedded in the school’s culture and climate, particularly within the high school classroom setting. I applied belongingness to the finding that high school students of color were most impacted by discriminatory student discipline, aside from (K-12) schools, because belonging is vital to the needs and challenges of adolescence (Allen et al., 2018). “Adolescence is a period of identity formation, shifting social relationships, priorities, and
expectations and the need to navigate the transition from childhood to adulthood” (Allen et al., 2018, p. 2).

It is primarily the responsibility of adults in schools to create an environment where students feel they belong (Allen et al., 2018). For belongingness to thrive, teachers and adults in schools shall demonstrate mutual respect, care, fairness, autonomy, encouragement, and friendliness (Allen et al., 2018). However, these adult characteristics can only exist when a commitment has been made to cease imposing the White middle-class definition of what is acceptable on all students and acknowledge biases that serve as barriers to recognizing their student’s values and abilities (Cramer et al., 2014).

When belonging exists, it not only causes the teachers to be more cognizant of how they interact with students in the experiences they provide, it also allows students to let their guard down and build trust while simultaneously enhancing their positive personal characteristics such as conscientiousness, optimism, and self-esteem (Allen et al., 2018). When students have positive personal characteristics, most likely, their emotional stability and academic motivation increase as well (Allen et al., 2018). An established sense of student belonging allows students to give themselves a gift as well, since when belonging is lacking, students often feel resentment towards and dismissiveness from their teacher. These sentiments, held by the students with feelings of decreased belonging towards their teacher, can exacerbate student misbehavior. Students may act out more as they attempt to maintain power as a form of revenge towards their teacher for not valuing or validating their worth (Delpit, 2018). It will take more than a few teachers’ attempts to establish students’ sense of belonging and reverse the pervasive effects that a lack of belonging has caused for years in schools nationwide. Instead, it will require the establishment of school districts’ committing to enhance students’ belonging, which can be
accomplished by implementing other key aspects that arose from the U.S. Department of Education, Office of Civil Rights resolution agreements between 2017 and 2022, such as the creation of a district Diversity, Equity and Inclusion Office and Officer, incorporation of student’s voice into decision-making by way of climate surveys and staff training.

African-American male students were the race and gender most impacted by racial discrimination in student discipline cases. I consider this data point the least alarming and highly significant of all the statistical findings. Historically, researchers have identified Black male students as the most at risk in practically all school-related metrics nationwide (Whiting, 2006). The data on Black male academic achievement, student discipline outcomes, and overall school performance have suggested many causes for the achievement gap between Black males and their Caucasian counterparts (Bal et al., 2019). Explanations for the root causes of the Black male student achievement gap often tie back to the origins of racism and the pervasive impact of poverty (Whiting, 2006). While researchers have ample evidence to conclude that poverty and racism are two main culprits that continue to result in hardships for Black male students in particular, the majority of issues resulting in perils faced by Black males in schools evolve from adult biases, whether implicit or explicit (Milner et al., 2018; Powell, 2012). Implicit bias derives from learned association and social conditioning (Berghoef, 2019). To illustrate how bias impacts discipline outcomes for Black male students in school, I reference the Yale Child Study (Gilliam et al., 2016).

In this study, Gilliam et al. (2016) primed preschool teachers with scenarios about the behaviors of Black girls, Black boys, White girls, and White boys. Teachers were then asked to imagine these children were in their classrooms. Using an eye-tracking device, the researchers identified teachers’ gazing more closely and for extended periods at Black boys than other
students (Gilliam et al., 2016). Teacher gaze was linked to the expectation of the child demonstrating disruptive classroom behavior. From the extended watching of Black boys, it could be extrapolated that these children were not necessarily misbehaving more than their peers but were being caught in the act of misbehaving more often. The teachers’ belief that Black males would harm other children, were less innocent, more mature, and most likely to be perpetrators of misbehavior, contributed to the action of using exclusionary discipline (Wesley & Ellis, 2017, p. 23).

If adult biases significantly contribute to the disproportionate school discipline outcomes for African-American males, then being intentional about how Black male students are treated and perceived in school can counter preconceived narratives. Another lesson learned from the Office of Civil Rights on how these cases can be resolved was illustrated by multiple school districts adopting resolution agreements that required the retention of an equity expert “to address any practices and policies leading to or resulting in disproportionate disciplinary outcomes for African-American students” (U.S. Department of Education, 2017). Those experts also expect to focus on the impact of curriculum, instruction, and student engagement on reducing unwarranted disciplinary outcomes for African-American students (U.S. Department of Education, 2017). Using culturally responsive teaching practices, coupled with high teacher self-efficacy in using such practices, would more equitably improve student behavior outcomes (Larson et al., 2018).

For this discussion, I conclude that a leading contributor to disproportionate student discipline outcomes for Black males is the result of cultural dissonance between Black male students and the school environment and that the mitigating factor to bias is cultural appreciation and implementation of culturally relevant teaching practices (Milner et al., 2018). However,
much of the research on improving the state of African American males in schools, notably eliminating discriminatory discipline practices, approaches the resolution from the lens of deficit thinking. “Replacing educators’ use of exclusionary discipline requires a dismantling of the beliefs that support current practices, which first requires significant understanding of those beliefs, particularly those that position students as deficit and unworthy” (Kennedy & Soutullo, 2018, p. 12). Consequently, culturally relevant teaching practices serve as a form of equity in and of themselves. “In current educational research and practice, marginalized students are blamed for their poor educational outcomes by well-meaning educators who lack the efficacy to help them” (Kennedy & Soutullo, 2018, p. 12).

Recent studies on reversing the trend of the dire Black male state in schools have focused on affirming their greatness and validating their worth through culturally responsive teaching practices (Larson et al., 2018). Studies suggest that “the teachers’ use of culturally responsive teaching practices (e.g., lessons relating to the real world, using positive humor, employing rhythmic call and response) was related to more positive ratings of observed student behavior” (Larson et al., 2019, p. 162). Therefore, scholarly practitioners within the field of education would benefit from discussions on and taking action to enhance the trajectory of Black males in school by promoting educators’ intentionality to reimagine their perceptions of the Black male through the notion of “Black boy joy.” The concept of Black boy joy, which emerged after Chance the Rapper, a Black male musician and producer, went viral for the happiness he displayed at an awards show, “was created specifically to promote positive imagery and images about Black boys and men to counter the negative stereotypes that are placed on Black men in today’s society” (Williams et al., 2022, p. 1). The key to reversing the disparities faced by
countless Black males and student discipline outcomes must start with a shift of how those entrusted with cultivating their genius, educators, view, value, and believe in them.

In comparing the two categorical parties impacted by racial discrimination in student discipline, individual students or groups of students, groups of students were impacted approximately 20% more than individual students. To examine how widespread racial discrimination was in matters of school discipline for students of color in each of the U.S. Department of Education discrimination complaint cases from 2017 to 2022, I collected data on whether each case impacted an individual student or a group of students. The fact that more than half of the complaint cases, or a total of 60% of cases, involved groups of students of color, compared to 40% of cases impacting individual students, highlights the severity of the issue. Often, when groups of people are subjected to similarly harsh treatment, it indicates systemic discrimination due to the disparate impact on the group. A disparate impact occurs when policies, practices, rules, or other systems that appear to be neutral result in a disproportionate impact on a protected group (U.S. Department of Education, 2017). An example of a disparate impact that arose as a key aspect of the resolution agreements, which I will expand upon in the final section of the discussion portion of Chapter 5, is the prevalence of vague, subjective, and general terminology in school discipline codes. Specifically, discipline infractions for terms such as “disobedience” or “disrespect” apply to all students but can be interpreted in various ways. For example, in environments where adult bias is plentiful, the conduct students of color display deemed “disobedient” may only be associated with students from that particular race, ethnicity, or National Origin, even if such behaviors align with their culture.

An effect of this type of implicit bias is stereotype threat, which is what my theoretical framework is predicated upon. Stereotype threat “occurs when an individual internalizes negative
stereotypes about a group to which they belong” (Berghoef, 2019, p. 2). Stereotype threat has a ripple effect because it decreases student sense of belonging among a group of students who are already marginalized. What makes the stereotype threat even more of a threat is that not only are the happenings within external systems and beliefs imposing woes on students of color, but the perceptions those very students hold about their culture become internalized, causing additional trauma and decreasing student’s self-efficacy to defy their odds. Students who “know about [a particular] stereotype, regardless of whether they believe it, are likely to become highly skilled at reading each situation they encounter to determine whether the stereotype may be applied to them in that setting. For example, [a student] may recognize this risk each time he enters a classroom or is called upon by a professor to answer a difficult question” (Spencer et al., 2016, p. 417).

Since racial discrimination of students of color in school discipline is a systemic issue often causing a disparate impact, the most feasible and impactful way to address it is to remain intentional on not violating what Gynter (2003) describes as the 4 R’s of systemic discrimination: rights, recognition, resources and representation. Below, I define Gynter’s 4 R’s and provides an example of each as an explanation of how groups of students were discriminated against based on race in the 35 discriminations in student discipline cases brought forth to the U.S. Department of Education between 2017 and 2022:

- Rights: Preventing individuals or groups of individuals from access to an entitled circumstance.

  Example: Students of color have the right to enjoy any advantage or privilege enjoyed by others receiving any service or other benefit (U.S. Department of Education, 2017).
• Recognition: When there is a lack of attention to the issue at hand and a failure on behalf of those responsible for carrying out such policies to disaggregate data, highlighting awareness of any discrepancies in data.

Example: This explains why the district’s commitment to data collection and self-monitoring with requirements to report such information was the most frequent resolution agreement from all 35 Office of Civil Rights cases.

• Resources: Denial of resources occurs when there is a lack of gateways for all ethnic groups to different [support] or sources of knowledge.

Example: Students of color and their families were not provided support resources in an effort to address the issues of disproportionate discipline outcomes. While most circumstances involved wrongful treatment or discriminatory outcomes, there were a few cases in which the parents’ rights to receive information, whether in English or in their native language, was not provided, thus denying due process.

• Representation: Systemic discrimination exists when there is a lack of ethnic representation in decision-making.

Example: While the cases do not specify which racial and ethnic groups were part of the decision-making process related to the discipline policies or the administration of discipline consequences to students of color, it is known that “educational philosophy and how it subsequently informs practice, generally mirrors the beliefs and norms set forth by the mainstream culture” (Cramer et al., 2014, p. 467).

One of the lessons learned from the discrimination complaint cases is to remain aware of past issues and monitor the prevalence of those past issues in current practices. District self-monitoring of student discipline outcomes is not only a measure of accountability but can also
serve as a vehicle for reflection when trends are noticed. When outcomes review themes, educational leaders should ask themselves,” What is the root cause for this trend? What can we do as a school district to combat this trend? Awareness of the problem is the first step. In the end, educational policymakers’ actions must be taken to reverse the wrong and prevent repeated patterns in the future.

The most pervasive type of individual student discipline alleged against students of color was minor behaviors, in which incidents for minor behaviors occurred at a rate of 12% greater than major discipline infractions. Furthermore, of those minor behaviors, most cases related to districts’ overapplication of conduct offenses were subjective, vague, and general by definition. In conducting a content analysis on the issues and resolutions regarding discriminatory school discipline outcomes for students of color, the most prevalent theme was that students of color were disciplined more frequently and severely than their similarly situated White peers (U.S. Department of Education, 2018). Subjective, vague, and generalized language is problematic in discipline policy. These unclear terms left for interpretation by the individual issuing discipline are the main avenue through which racial discrimination in discipline occurs (Gagnon et al., 2016). My finding is consistent with research that shows that Black and LatinX/A/O students are not only receiving more frequent discipline for minor offenses, but also harsher discipline, as they were also twice as likely to receive an out of school suspension, rather than an in-school suspension for subjective minor offenses (Gagnon et al., 2016).

Another key lesson learned from the Office of Civil Rights resolution agreements between 2017 and 2022 was that the most significant contributing factor to students of color receiving discriminatory treatment in discipline matters was due to them receiving consequences for subjective, vague, or redundant offense categories (U.S. Department of Education, 2017).
When subjective and vague terms exist within discipline policies that do not explicitly state what level of a consequence can be given for an infraction, for example, when a student is issued an out-of-school suspension for disrespectful behavior, the system is faulty by design, and students of color bear the burden.

Who defines disrespectful and disobedient behavior in the school discipline code? Furthermore, if there are varying definitions of disrespectful and disobedient behavior, who determines whose definition is right or wrong? The problem with subjective terms, such as disrespectful and disobedient behavior, is that they can be weaponized against students, particularly students of color. When explicit or implicit bias exists within those administering discipline to students of color, and the vague and subjective terminology with discipline codes leaves it up to the individual assigning discipline to define disrespect, students can be targeted. Based on the sentiments of the adult administering the discipline and their objective for the student, there are instances in which educators set kids up to fail (Cramer et al., 2014). If a teacher considers rolling one’s eyes or a student who disagrees with their philosophy a form of disrespect, students can receive punitive discipline. “Public schools in the United States reflect White, middle-class values (Patterson et al., 2008), and student behavior is interpreted through this lens” (Cramer et al., 2014, p. 463). Given that others outside of their culture often theorize about communities of color, the teacher-student dissonance due to clashing cultures results in the ostracization of students of color when educational policy lacks multicultural relevancy and understanding (Cramer et al., 2014). I believe the most effective way to prevent this issue is to merge what could be considered disrespectful or disobedient behavior into clearly defined infractions. For example, if student discipline policy makers attempt to provide consequences for students who curse at their teacher, then cursing at the teacher can fall under the infraction of
“verbal abuse.” In instances where disrespect and obedience cannot be explicitly defined, they should be omitted.

The administering of school climate surveys was a key aspect of the resolution agreements, according to the Office of Civil Rights from 2017 to 2022. Such surveys often solicit student voices, asking whether they feel they have an adult who believes in them, understands their culture, treats them fairly, etc. In response to this issue of subjective and vague discipline code language impacting students of color in a manner of them being punished more frequently and harshly, the combination of omitting subjective language and receiving feedback from students via climate surveys could result in decreased incidents of this type of racial discrimination in student discipline.

Recommendations

The findings in the resolution agreements from racial discrimination in student discipline cases filed with the U.S. Department of Education, Office of Civil Rights between 2017 and 2022 are instructive and highlight the extensive discriminatory practices in school discipline matters for students of color nationwide. The findings align with the recommendations of educational policymakers who have begun to deconstruct past practices within school discipline to ensure equity for each student within the institutions of the U.S. schools (Domencio, 1998). Title VI of the 1964 Civil Rights Act prohibits racial discrimination in schools, but has lacked the specificity of prescriptive measures to ensure such practices do not occur. Filing a complaint with the U.S. The Department of Education Office of Civil Rights is an action to address and attempt to eradicate the wrongful treatment of students of color in schools (U.S. Department of Education, 2023). However, despite the validity of the resolution agreement process, filing a
complaint is a reaction to the damage already done. What do the varying resolution agreements tell us about racial discrimination in student discipline within U.S. Schools? Although the issue disproportionately impacts African-American male students, it is not limited to one race, ethnicity, National Origin, or gender. Racial discrimination is not just happening in urban schools. However, in rural environments, it has also historically permeated large and small school districts throughout the United States (U.S. Department of Education, 2021). Research also shows that racial discrimination is steeped in a variety of America’s institutions and that the same perils faced by people of color in society also affect our students of color in schools (Scott et al., 2017).

Addressing the issue of racial discrimination in student discipline is complex and will take time to improve, as our nation’s history is predicated upon circumstances in which dominant groups remained superior and inferior to people of color (Cramer et al., 2014). Not everyone is working towards anti-racist policies and practices. If they were, the discriminatory actions of blatantly treating others differently would not be an issue. The fact that the Civil Rights Act was established in 1964 and nearly 60 years later we are still seeking to resolve the unjust treatment of students of color indicates that there are no simple solutions to addressing and reversing racial discrimination in schools, specifically related to student discipline matters. However, the goal is to establish total equity in schools, that begins with committing to continuous improvement until the goal is attained. Improvement is the exact purpose for which the U.S. The Department of Education allowed schools and school districts that were alleged to have been discriminating against students of color in discipline incidents to enter into resolution agreements (U.S. Department of Education, 2022). The majority of school districts involved in the allegations of racial discrimination in student discipline cases between 2017 and 2022 entered into the
resolution agreements voluntarily and often before the Office of Civil Rights concluded its investigation (U.S. Department of Education, 2022).

The resolution agreements were more than a school district’s promise to improve. Instead, the agreements detail a particular course of action or practice that the school district must undergo to rectify the allegation of racial discrimination. Once the agreements are established, they require a completion date, for which the U.S. Department of Education Office of Civil Rights will follow up, and the U.S. Department will specify possible consequences if school districts fail to uphold their commitment to changed practices. The key aspects of the resolution agreements ranged from issuing individual student remedies to the requirement of providing clear guidelines for Law Enforcement and the role of Resource Officers in schools. The top three most frequently occurring resolution agreements for school districts were 1) Data Collection and Self-Monitoring with Reporting Requirements, 2) School Discipline Policy Revision, and 3) Provide Student and Staff Training (U.S. Department of Education, 2022). My recommendations align with the key aspects of the resolution agreement outcomes and the lessons learned from the Office of Civil Rights regarding how these cases were resolved.

Creation of a Framework for Establishing Equitable Student Discipline Practices

Racism is complex. No specific act can sum up the extent to which racism is prevalent within the systems it impedes. Consequently, I believe all of the agreed-upon resolutions from the Office of Civil Rights cases between 2017 and 2022 are relevant and applicable given the nature of the type of racial discrimination towards students of color in school discipline matters. Therefore, I recommend that future researchers or scholarly practitioners create a resource as a framework. This framework shall guide school policymakers, central office leadership, and
school administrators, ideally to design equitable systems around student discipline. However, if a given school or district attempts to rectify racial discrimination in student discipline, this framework can help remedy such action. I suggest the framework is organized by the involvement of each stakeholder: students, families, policymakers, school leaders, community members, school staff, etc.

The framework should also be divided into action recommendations and practice recommendations. An example of a recommendation for action would be appointing a school climate director, expert consultant(s), and a stakeholder equity committee. The equity stakeholder committee could comprise an eclectic group of school staff (teachers, counselors, administration, special education staff), parents, and community members. This committee would mainly be responsible for evaluating the district's progress in ensuring nondiscrimination, adherence to a corrective action plan (if applicable), and coordinating new initiatives to ensure equity lives within the organization for the betterment of each student (U.S. Department of Education, 2022).

Once these positions have been filled and committees established, tangible evidence should be aligned with the district’s goals for this action. The director’s primary goal is to oversee a positive school climate and ensure the district’s discipline policies, procedures, and practices do not discriminate based on race, ethnicity, or national origin (U.S. Department of Education, 2022). School district departments of equity can also aid in supporting school leaders and teachers with establishing and sustaining relational trust. When trust exists within an organization, stereotypes are broken down, and students have an opportunity to thrive within their environment (Reeves et al., 2007). Trust exists when the leaders of an organization model expectations with consistency and integrity, support staff, and prioritize co-creation and
inclusivity. Trust requires a shared vision in which the actions within the organization align with the vision (Reeves et al., 2007). Equity departments or chairs aid relational trust by emphasizing the essential component of reciprocity since trust is earned rather than automatically ascribed due to the hierarchy of one's position (Reeves et al., 2007).

An example of a recommendation for practice within this framework would be to revise student discipline policies, practices, and procedures to contain clearly defined infractions, progressive discipline measures, built-in student support interventions, and consequences that appropriately align with the egregiousness of the misconduct. This is a recommendation for practice because, ultimately, these actions become the organization’s normal modes of operation until the practices are steeped in equity.

School Discipline Policy Revision

The multitude of resolution agreement types is evidence that racial discrimination in school discipline can be addressed by incorporating input and actions from all stakeholders, as well as through building the capacity of school staff and undergoing policy changes. Of all the avenues to remedy the issue, however, I recommend that school district leaders revise their school discipline policies by attempting to omit subjective and vague language from school discipline codes. In addition, I recommend that school leaders revise discipline policies by prohibiting exclusionary discipline outcomes such as suspension and expulsion for minor offenses. Out of the twenty-two resolution agreement types that emerged from the alleged racial discrimination cases filed with the Office of Civil Rights between 2017 and 2022, requiring districts to revise their code of conduct fell in the top three most frequent resolutions for school districts (U.S. Department of Education, 2022). Yet, it is not just that school discipline policy
revision was one of the most common resolutions which I support. I favor school discipline policy revision because it is timely and overarching. Whereas it may take years for a teacher from a different background than her students to acknowledge her biases, practice empathy, and teach culturally relevant instruction, policy change forces the hand of those administering student discipline to adhere to equitable practices.

Professional Development for School Staff

School systems continuously evolve as society shifts and researchers bring forward new recommendations. For that reason, providing professional development to educators via staff training is a common practice within schools. As changes in the field of education occur, most school districts are mandated to provide staff training on what educators are expected to know and do. Therefore, the topic of student discipline is the same. Thus, I recommend building staff capacity and providing professional development on equitable student discipline practices as a necessary practice and a viable change agent. Out of the twenty-two resolution agreement types that emerged from the alleged racial discrimination cases filed with the Office of Civil Rights between 2017 and 2022, requiring school staff to collect data and self-monitor their discipline outcomes fell in the top three most frequent resolutions for school districts. Requiring school staff and students to receive training on equitable student discipline also fell in the top three most frequent resolutions for school districts (U.S. Department of Education, 2022). Data collection and self-monitoring are not only a form of accountability, but they also bring awareness to potential trends by race of students and common infraction outcomes. In the past, cases were not inspected, thus resulting in racial discrimination in student discipline complaints being filed with the U.S. Department of Education Office for Civil Rights (2021). Training on school discipline
code, equity, and cultural responsiveness is necessary if we intentionally empower staff with the tools and knowledge to carry out what we know to be best practices.

**Suggested Research on Culturally Responsive Teaching Practices**

I believe the field of education could benefit from an examination of the student discipline rates at schools where students of color are in classrooms where culturally relevant teaching practices are fully implemented, regardless of the teacher’s ethnicity. Much of my study highlighted the impact that racial discrimination in student discipline outcomes had on students’ sense of belonging and the increase of stereotype threat. “In order to develop proactive solutions that empower, as opposed to oppressing, alternative sociocultural theories that consider the social capital of minorities must be explored” (Cramer et al., 2014, p. 466).

Culturally responsive teaching practices have far-reaching effects, specifically decreasing stereotype threat and increasing student sense of belonging (Muhammad, 2020). Students benefit from culturally responsive teaching in a manner that impacts classroom management, and consequently, student discipline outcomes. Culturally relevant teaching also includes classroom management practices (Monroe, 2006). Classroom management is enhanced when teachers provide high-quality instruction, have background knowledge of enrolled students, and build interpersonal bonds with students and their families (Monroe, 2006). This is true for all students, especially students of color, who may be impacted by a stereotype threat within their classroom environment. “To deliver powerful instruction and, in turn, affect behavioral outcomes, teachers must consciously shape their instruction to fit the needs of the young learners they serve” (Monroe, 2006, p. 106). For students of color, particularly African-American students, an inclusive classroom environment can provide opportunities for student inventories that gather
information about students’ backgrounds, interests, and cultures. The student inventories should be data-driven, providing the educator with information on topics the student is interested in and indicating how their students learn best (Monroe, 2006).

An additional way for educators to enhance classroom management is when educators of students of color adopt a proactive stance towards student discipline, one that conveys the conditions that are necessary for students to have the best possible learning experience. “Effective teachers of African-American students devote considerable time to explaining classroom policies, procedures, and the implications of those rules for students” (Monroe, 2006, p. 106). An example of a proactive classroom management approach is for educators of students of color to view the classroom as a community. Students of color often ascribe significant value to their communities, as that is where their cultural identity manifests (Minor, 2019). Teachers and students of color benefit from the student’s co-collaboration in establishing and defining the conditions for all individuals to thrive in their classroom community. This co-collaboration enhances students’ sense of belonging because the students’ input and voice are incorporated into how the classroom functions. In these culturally relevant environments, when there are instances of student misbehavior, the educator in the room can refer back to the established conditions in the classroom community and ask students if they are living up to the expectations they set for themselves (Minor, 2019). This type of practice is likely to be met with less pushback and dissonance because there is less dissonance between the dominant culture and the student's culture (Milner et al., 2018).

Culturally relevant classrooms enhance classroom management and the environment when creativity is encouraged (Monroe, 2006). Culture is vibrant. There are a myriad of customs and forms of expression that students can tap into when they have permission to be themselves
when demonstrating knowledge and understanding within their learning environment.

“Suggestions for teachers are weaving kinesthetic movement into well-designed lesson plans; increasing their tolerance for elevated noise levels; limiting ‘teacher talk’; incorporating multisensory experiences; and valuing self-directed learning” (Monroe, 2006, p. 107).

In the end, studies indicate that aligning culturally relevant teaching practices to classroom management procedures requires educators to employ various strategies (Monroe, 2006). However, the foundation of implementing culturally responsive classroom management begins with a teacher’s commitment to prioritize such practices to understand how culture impacts the classroom environment. This means that teachers must undergo a self-assessment of their cultural background. When educators are vulnerable and honest about their beliefs and customs, they understand why they prioritize certain instructional best practices. Consequently, educators become aware of the impact their beliefs have on students.

Future Studies

This study has brought out a need for school districts to track the progress of their action steps to ensure fair and equitable student discipline outcomes for all. The resolution agreements for the 35 racial discrimination in student discipline complaint cases that were filed with the U.S. Department of Education Office of Civil Rights between 2017 and 2022, mandated timely deadlines for completion of the agreed upon resolutions. For example, school districts had to show evidence of their compliance with the resolutions typically within thirty days, six months, or one year from the date of enactment. However, there was no indication of the long-term progress monitoring expectation for the resolution agreement outcomes. Therefore, future researchers can conduct a longitudinal study to determine the long-term outcomes that the
resolutions had an impact on. Also, there are a variety of theories future researchers could apply to the topic of disproportionality in school discipline for students of color. A more recent and prevalent theory resonating in conversations about racial inequity is critical race theory.

**Longitudinal Study of Resolution Agreement Outcomes**

This study analyzed themes from the Office of Civil Rights resolution agreements. The agreed-upon resolutions were created to impact different stakeholders, intending to eliminate racial discrimination in school discipline for students of color. Some resolutions sought input from community and family members as they related to policy change and the climate and culture of the school. Other resolutions were student-specific, requiring school districts to provide students with compensatory services, support services, and individual remedies such as expunging the student’s discipline. Many of the resolution agreements were designed to build the capacity of the adults in schools that administer student discipline, such as providing them with training on revised discipline policies, training on managing the classroom environment, and professional development on teaching cultural responsiveness to students within their instructional setting (U.S. Department of Education, 2022). As a result of the multifaceted nature of the resolution agreements, I recommend a follow-up study of the schools involved in the 35 discrimination in student discipline cases.

I suggest that this follow-up occurs at least three to five years after the required implementation of the resolution agreements. A three- to five-year follow-up study should reveal whether the resolutions had a noticeable impact on the discipline outcomes for students of color. Furthermore, this study would reveal which specific agreements have the most significant effect on eliminating racial discrimination in discipline outcomes for students of color. Once that
information is determined, future studies could hone in on the most effective remedies to eliminating racial discrimination in student discipline as a course of guidance for schools and school districts facing the same issue.

Critical Race Theory as an Alternate Theory for Future Research

I focused on systemic discrimination theory to highlight the ways on which educational institutions further marginalize students of color as a result of their design. However, future researchers can consider applying critical race theory to the study because it simultaneously addresses the extent to which racism is steeped in the history of public policy in the United States, and therefore transferred into schools throughout our nation. The fact that schools were legally segregated before, during and after the Civil Rights Act of 1964 could be evidence to indicate that the achievement gap between students of color began long before today’s generation of students were in school. A critical race theory Approach could also expand upon the school-to-prison pipeline concept by aligning similar practices between schools and prison and critical race theory could also potentially draw themes together on how one aspect of the achievement gap impacts another. For example, if students of color on average attend schools with fewer resources and less qualified teachers, what impact could that have on student behavior outcomes? In other words, additional research could be extended under critical race theory to provide more of a comprehensive historical reference for the outcomes of marginalized groups and the issues they face in present-day society that stem back to historical practices and structures (Ladson-Billings, 2013).
Conclusion

This study shows that despite the Title VI Civil Rights Act and varying school districts’ commitment to equity, school discipline outcomes for students of color remain disproportionate and discriminatory throughout schools nationwide. My results show that groups of African-American male students, particularly high schoolers, are disciplined more harshly and frequently than their similarly situated White peers. Improving practices so that each student in every school will receive a fair and equitable educational experience seems unimaginable, given the historical context of racism in schools throughout the United States. We currently live in a society that perpetuates and accepts educational inequity. Yet, racial discrimination in student discipline outcomes looks different today than it did years ago. While the numbers of disproportionality remain, discrimination is less overt. Instead, innate biases, lack of cultural awareness, and the desire for educators to maintain their authority by imposing dominant middle-class views on diverse student body demographics are causing disparities that continue to place students of color at a disadvantage.

The resolution agreements from the U.S. Department of Education Office of Civil Rights discrimination in student discipline cases from 2017 to 2022 illustrate many viable lessons. First, they serve as a roadmap of what not to do when working towards equitable school environments. For example, in analyzing the key aspects of the resolution agreements, a recurring theme was not making key decisions in isolation without the input of various stakeholders. Much of the trouble school districts have landed in could have been avoided if diversity, awareness, and collaboration were prioritized during the decision-making process. Secondly, the resolution agreements indicate that because so many different individuals, actions, and policies result in
racial discrimination in student discipline when working towards equitable environments, school leaders must consider every aspect of the system and work to deconstruct past norms and reconstruct them with intentionality. Fortunately, the resolution agreements contained timely, overarching, and practical solutions. Specifically, revising school discipline policies for clarity with the implementation of progressive discipline, providing staff training, requiring staff to engage in self-monitoring, and even consulting with equity experts are viable measures that can make a substantial impact.

We as school leaders can no longer continue to accept that the issue of disproportionate student discipline outcomes for students of color will be ever-present. Systemic racism, adult bias and cultural disconnects between teachers and students will always be issues that need to be given constant attention. However, we must call out and act upon the inequities that are happening to students of color by way of student discipline disparities because there are practices that we can improve and discontinue in an effort to provide each student with the quality of an education that they have a right to. Not only is it our job, but to accept the status quo is too great of a cost.
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