

Vera Institute of Justice

Criminal Justice Issues and Prisoners' Rights

<https://www.vera.org/blog/making-kids-feel-less-than-zero>

Public Facing Advocacy Writing

Last week, two publications highlighting the harmful effects of zero-tolerance policies that have become increasingly prevalent in schools across the country over the past decade got a lot of media attention.

[*Breaking Schools Rules*](#), issued by the Council of State Governments (CSGs) Justice Center, presents findings from a longitudinal study of Texas youth who entered seventh grade between 2000 and 2002. It reports that youth who were subject to disciplinary actions not only had worse educational outcomes than those who were not they were also three times more likely to come into contact with the juvenile justice system.

[*Lockdown High*](#), a recently published book by investigative reporter Annette Fuentes, chronicles her visits to schools around the country, where she encountered the corrosive effects of punitive policies toward kids. Fuentes makes a powerful case for a reconsideration of these policies and their negative impacts on youth, which experts have begun to characterize collectively as the school-to-prison pipeline.

The zero-tolerance discipline policies discussed in both the CSG report and in Fuentes' book mandate that kids be excluded, suspended or expelled from school for certain types of infractions deemed to be so threatening that allowing a child to return immediately after committing one of them would put both students and staff at risk. The policies first began to crop up in the 1990s, under the guise of making schools safer, and proliferated in response to high-profile incidents of school violence such as the mass shootings at Columbine High School in 1999.

As tragic and alarming as these types of incidents are, they are also extremely rare, and thus should not form the basis for sweeping policy changes. In fact, research shows that zero-tolerance policies have contributed to a number of negative trends in schools, including record-high suspension and expulsion rates, sharp rises in the use of school-based arrests and referral of students to law enforcement, and declining graduation rates.

Furthermore, over the years, schools have extended these policies originally intended as a response to only the most serious infractions allowing them to suspend youth at their discretion for disruptive behavior. For instance, misconduct such as loitering in the hallway, talking in class, and violating the dress code used to be handled with a reprimand or a detention. Now these behaviors can lead to suspensions lasting anywhere from a few hours to a few days. Indeed, the CSG report found that 92 percent of the disciplinary actions they documented were discretionary, targeting violations of the schools locally determined code of conduct.

Finally, these policies are troubling because they tend to disproportionately affect students who are most in need of support: minorities, low achievers, and those who qualify for special education services. Of course, schools have an obligation to maintain discipline in order to ensure a safe learning environment. The problem is that the punitive discipline policies that are often adopted to achieve this goal ultimately push high-needs students out of schools, placing them at risk of future involvement with the criminal justice system. Put another way, the policies tend to further marginalize populations of kids who are already marginalized.

There are better approaches to school discipline infractions than zero-tolerance policies. Since the 1990s, Vera has worked in New York City to assist in identifying and implementing innovative [school safety](#) approaches, and, in the past two years on designing innovative [anti-truancy](#) approaches. A white paper released by the American Psychological Association a few years ago urged practitioners to use preventive measures to improve school climate and increase students' sense of belonging as opposed to creating a punitive environment. Similarly, Child Trends released a policy brief identifying promising alternatives to zero tolerance, including programs that provide targeted behavioral supports for at-risk students. In general, these programs are built around leaders who mentor students, helping them to build social and behavioral skills.

As a society we have an obligation to educate and nurture our young people. Reliance on overly aggressive discipline policies is counter-productive to fulfilling this obligation. The best way to nurture and educate kids is to establish policies grounded in evidence of what works to make them healthy, productive citizens.

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