Case Study Analysis

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An Examination of Discrimination Evidenced by Behavioral Infraction Data in a Pre-K-12

Private Residential School

When told with data, the story of the criminal justice in America is one that more clearly

speaks of objective racism and oppression. In fact, Brewer and Heitzeg (2008) contend that

"there is…no dispute that the poor and people of color, particularly African Americans, are

dramatically overrepresented in these statistics at every phase of the criminal justice system" (pg.

628). The statistics showcase specific disparities making this statement undeniable. Scholars

Sensoy and DiAngelo (2012) discuss some disparities: "although crime has actually decreased

over the last 30 years…the United States has built more and more prisons and incarcerated more

and more people of Color, so that we now have the highest number of people incarcerated in the

world, and the vast percentage of them are Black and Latino, a percentage that is way out of

proportion to their numbers in the wider population" (pg. 107). Furthermore, they highlight a

2005 U.S. Department of Justice Report showing that "Black males are three times more likely

to be stopped by police and have their cars searched than White males, although White males are

over four times more likely to have illegal substances in their vehicles when they are

searched"(pg. 106). Yet, despite the data, there is no all-encompassing, absolutely

acknowledged truth of racism and oppression in the system.

Other examples of societal systems with data highlighting oppression and racism exist in

the United States. Take the Pre-K- 12 public school system in America. Reynolds (2010)

highlights a 2000 Department of Education's Office of Civil Rights (OCR) report stating that

> "Black students are 2.6 times more likely than White students to be suspended from
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> school…that Black males are more likely to be expelled from schools than any other
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> racial or ethnic group…in the year 2000, Black students accounted for 34% of all out-of-

school suspensions and 30% of all expulsions, with the overwhelming majority of these

students being male, a disproportionately large number for a group of students who make

up only 7% of the total student population" (pg. 153).

To tie this system's data into the criminal justice system, Reynolds notes that "research shows

that students who have been suspended or expelled are increasingly likely to drop out of school,

and more likely to become involved in the juvenile penal system" (pg. 153). A logical

hypothesis opined by many states that "there is a 'school-to-prison' pipeline that has been

constructed expressly for them [Black students, males in particular]" (pg. 153).

As an educator, exposure to this data raised my eyebrows, defenses, consciousness, and

intrigue all at once. The factors contributing to it and the questions revolving around how to

rectify it peaked my interest. What does it looks like for different sectors of the education

system to handle student discipline given privilege/prejudice, etc.? In particular, I looked to my

own district and wondered if statistics relating to our disciplinary practices would match this

alarming data from the summary of systems thus making us a microcosmic emulation of them.

My case study turns to a slice of data involving behavioral infractions received by a subset of

students in my own district to investigate whether or not the conclusions of the aforementioned

data manifest themselves in a unique school with a diverse student population.

The data analyzed is from a philanthropically funded, Pre-K-12 private residential school

serving a racially diverse group of students from socioeconomic and social need in the

northeastern United States of America. The school is 100+ years old and steeped in tradition

thus inherently has a distinct culture of its own (customs, knowledge, history, etc.). The school

serves 2,000+ from different parts of the United States and the student population is 50/50

male/female and about 50/50 students of color/white with a slight numerical nod to people of

color. It, therefore, is unique in that the population fits into a category called "minority-

majority" whereby the bulk of the population is no longer singularly white but a diverse slice of

many different races. With statistics this high, this district matches current trends which show

that sooner than later the United States at large will be a minority-majority nation. An article

summarizing the 2014 US population census states that: "the minority population is expected to

rise to 56 percent of the total population in 2060, compared with 38 percent last year [2014].

When that happens, 'no group will have a majority share of the total and the United States will

become a 'plurality' [nation] of racial and ethnic groups,' the U.S. Census states" (2015).

However, with most research showing the current racial demographic of the US closer to 60%

white and 40% people of color, the school's 50/50 make-up is unique and makes an interesting

case to analyze. The school's racial demographics also greatly differ from the state in which it is

located (the state has a make-up of approximately 80% white and 20% people of color). This is

important to note because the racial make-up of the school is a key factor in terms of analyzing

the data found for this study.

        The data gathered for the study through the school's Office of Research and

Development was of behavioral infractions received by students both in the home-life and

scholastic realms of the school from 209 students from the 2016-2017 grade cohort at the school.

This data went back four years through students' history if they had been an the school for that

long and, if not, began at their data of enrollment. The means by which this data was gathered

was suggested by authors Bal and colleagues (2016). They discuss that data should be gathered

and then give suggestions as to how it could be gathered stating that "schools often use web-

based data management systems (e.g.,…Infinite Campus) that allow users to disaggregate their

data by race…to provide actionable data"(pg. 3). The Office of Research and Development in

my district did just that as they used Infinite Campus to disaggregate their data. The reason for

gathering this specific data in terms of behavioral infractions is that it gives more of a

longitudinal perspective instead of merely having snapshot in time.   One key point to note about

the data is that only students who received behavioral infractions show up in the data thus

excluding students who had not received any infractions. Another key point to note is that the

data is only a slice of the school in that it is one cohort and that cohort's data is only from the

middle school years (5th – 8th grade). One last point to make is that all of the students in this data

would be considered to be in the lower echelon of class in the United States thus granting

similarity, in some regard, to the cohort as a whole.

After gathered, the data analysis revealed some very interesting conclusions. First of all,

despite an almost equal ratio of students of color to white students school wide, people of color

represented 58% of the amount of students receiving behavioral infractions compared to 42%

white. Interestingly enough, white students received the majority of the infractions (55% of

them) compared to the students of color (45%). The average incident per student, however, was

about 11 incidents per student of color and 11 incidents per white student.

Upon the first analysis, I realized that this data showed data that may be deemed aberrant

in that there was relatively equal distribution of behavioral infractions between people of color

and white students in the school at large (both home-life and scholastic). I thus refined it further

to look at only the behavioral data on the males. This data looked similar – despite the amount

of males from each subset being almost equal in number with a slightly higher amount of males

of color (50 males of color and 43 white males), the white males earned a larger amount and

percentage of consequences (52% of the total) than males of color. Again, this data bucks the

trend noticed in other societal systems.

Thus, I continued refining my search. Since this district is a residential school, I disaggregated the data so that only behavioral infractions received in school during the school day showed up. This query produced data that began to match the trends that had alarmed me when reading about them. Of the 121 students receiving behavioral infractions in school, 62% of the students (69 total) were students of color. Of the 338 behavioral infractions, 64% of the infractions were received by students of color (44% or 152 of those consequences were received by black students who received more percentage/amount than any other sub-group). Though white students received approximately 2.6 infractions per student (1 more per student than the people of color group as a whole), black students received infractions at a rate of almost 4 infractions per student. Thus, a discriminatory trend played out at school in my district.

Based on research from Bal and colleagues, I refined my search one more time. Bal, et al stated that "historically, CLD students disproportionately received exclusionary discipline more frequently and were punished more severely for less serious and more subjective incidents, such as disrespect, insubordination, and excessive noise"(2016, pg. 2). Thus, I demarcated six of the 85 total school wide behavioral codings (47 of which showed up in school) as subjective behavioral infractions: disruptive behavior, disrespect, inappropriate topics of conversation, offensive behavior, defiance, and insubordination. The trends in this data matched Bal, et al's conclusion and thus mimic societal trends. Students of color received almost 2/3 of the subjective behavioral infractions, 26% more than white students (63% compared to 37%).

After delving into the data, I reached some conclusions. First of all, in my district just like in the public school system at large in the United States of America, students of color receive more consequences at school.   It should be noted that the difference in the data is that my data is not as extreme in that my district's demographics are not disparate as the public

school is. In other words, my district starts from an equal playing field (numerically speaking)

and then more students of color receive consequences whereas at large, students of color are the

numerical minority and yet still receive more consequences. Secondly, even more specifically,

at school in my district, students of color receive more percentage/amount/higher rate of

behavioral infractions than White students. Lastly, in school, black students receive more

consequences than any other sub-group of students. These three trends are in line with (albeit

not as extreme as) data evidential of discrimination in societal systems (such as the criminal

justice and public education systems).

I had thought, going into this data, that the conclusions would be what they are although,

I admit, I had thought they would be even a little more numerically extreme. There was one

main reason for my predictions and I think that this reason leads to the actual conclusions. The

reason, I believe, is that the scholastic staff at our school is overwhelmingly white. Of the staff

at the school able to dole out consequences, only five are people of color. McIntyre (1997)

critiqued such a make-up summarizing research stating that "white teachers currently make up

88% of the teaching force in the United States…this at a time when a new majority of students is

emerging consisting of [students of color]"(pg. 654). Furthermore, the average age of the staff is

high – the youngest teacher is over thirty years old and several teachers are reaching or have

exceeded retirement age. The teaching staff at the school is also made up of a lot of white males

which is widely understood to be different than most teaching situations. Also, given the higher

pay rate of our district compared to surrounding districts and the education status of the

professionals, the staff all are middle-class in their current life status. Given these factors, there

is greater potential for a large concentration of what Sensoy and DiAngelo discuss as internalized

dominance/internalized oppression given the whiteness of the staff working with a diverse

population. Among other things, this fact needs to be considered in order to correct the

trajectory of the behavioral infraction data at the school in my district.

        The paper now turns to the driving question that emerged after analysis of the data: what

structures/policies/practices exist in district at school (specifically the middle school) to allow the

discriminatory application of behavioral infractions to students of color and, of course, how can

they be addressed/improved? First of all, the existence (as evidenced by the disproportionality in

the data) of preconceptions and bias against racial minorities are due to a myriad of factors

including the lack of diversity in the staff.   Secondly, school practices are not currently

theoretically examined through the lens of critical race theory. Thirdly, leaders at the school are

either at worst not wholeheartedly pursuant of social justice leadership (merely a desire to

decrease data showing bad behavior occurring) or at best not able to properly enact it since they

need to be trained to focus on it, need to be replaced by new leaders either promoted from inside

or hired from outside. Lastly, considerations of how to apply multicultural, anti-oppressive

pedagogical strategies/techniques are not currently ubiquitous in our school and integration of

them needs to be discussed. It is to an exploration of these themes that the paper now turns.

        Asher (2007) pointed out that "the cultural gap between teachers and students is

growing" (pg. 65) and this statement was one of a general trend in public education. Looking at

my district, this statement holds particularly true given the age difference of the staff as well as

the difference in racial make-up. This double dose description makes for an interesting mix at

the district itself when applying Sensoy and DiAngelo's discussion of socialization, privilege and

discrimination. As defined by them, socialization "refers to the systematic training into the

norms of our culture" (pg. 15) and socialization leads to prejudice because "the reality is that no

one can avoid prejudice because it is built into our socialization"(pg. 31). Merriam (2007) lends

thoughts to how culture affects perspective. First of all, she defines culture: "culture consists of the shared behavior and symbolic meaning systems of a group of people" (pg. 7). This definition has a dual meaning in my district – being that the staff is mostly white and mostly older and many have been at the school for a long time, they bring with them a collective common culture that is different in many ways from the culture of many of the students (white, middle-class, and more engrained in the school). Giving the high concentration of common cultural norms and history, etc., this poignant point of Merriam's comes into play quite prominently in this district: "not understanding another's perspective can lead to marginalizing if not oppressing the 'other'"(pg. 13). Reynolds reference a black parent's thoughts on this matter in her essay applies here; the parent says, "there's a lot of bias on consequences, you know, thinks like that, it always seems like it's, a Black child violates or overrules, the consequences are always more severe"(2010, pg. 155). Along with the obvious statistical facts that the staff make-up does not match the student population, being that I work in the district I also know the general mindset of the staff which gives me insight into some of racial bias and/or misunderstanding. McIntyre describes many of the staff at the middle school of my district to a tee: "whites acting like 'white knights'" (pg. 664) and "caretaking paternalism…'I wanna take them all home'" (pg. 667). The actions resulting from these mindsets would be considered objectively justifiable by many in my district in that all of the students the school come from poverty and thus belong to the lower class in American society. Many thus lump all the students into one big group. Yet, as Lucas, Henze, and Donato (1990) say, "diversity among students cannot simply be ignored"(pg. 338). Many scholars articulate how this deficit perspective, focused on any sort of minoritized group for any reason, is problematic. Yosso (2005) asserts that it is just disguised racism anyway as "race is often coded as 'cultural difference' in schools" (pg. 75) while Young pinpoints the danger and

naïveté in what seems like genuine care stating that "educators are by and large deceived by their sensitivity toward the students' cultural backgrounds to recognize their 'activism' merely perpetuates systemic inequalities" (pg. 1454). If the white staff in my district are not challenged on this particular stereotype ('all these poor kids need our help') then the foregone conclusion of discrimination will occur when we "act on our prejudices"(2012, pg. 32). Thus, privilege and oppression will continue and the statistics of behavioral infractions (among other things) will bear that out. Staff at the school need to be led through a multi-faceted personal and professional reflection process that runs the gamut of exploring the bias they hold true. Hopefully, as Kumashiro (2000) states, this "path to developing critical consciousness involves not only learning about the processes of privileging/normalizing and marginalizing/Othering but also unlearning…what one had previously learned is 'normal' and normative"(pg. 36 – 37). In so doing, perhaps the educators will come to an enlightened perspective on their own accord, a revelation if you will, as Miller – quoted by Asher – believes when saying that "by encouraging an educator to examine disjunctures…in [his/her] own…educational practices, autobiography can function to…make theory, practice, and the self unfamiliar"(pg. 67) thereby leading to greater understanding of others.

Disproportionate data at any multicultural school, such as my district, needs to be sought after, displayed, and debriefed upon. The practical reason is for the sake of improving school efficacy as Bal, et al cite; disproportionate data statistics as major potential reasons for rifts in school and community relationship: "disproportionality in behavioral outcomes may perpetuate distrust between educators and CLD students, families, and communities"(pg. 1). Beyond the practical, bringing to light this kind of data sparks tough but necessary conversation as a typical response (especially for a majority white staff) would likely be to state that the data is the way it

is because the students who receive consequences act in such a way that warrants them – the old

'punishment fits the crime' mantra. One of the reasons I have been using the verb "receive"

instead of "earn" with regard to how infractions are associated with students is because of this

exact problematic presumption. Brewer and Heitzeg discuss this type of phenomenon in

relationship to the criminal justice system at large when they say that "as long as the public

course centers on crime – not…racism – the true role of criminal justice and the prison industrial

complex in preserving White supremacy in the context of advanced capitalism remains invisible"

(pg. 639). In other words, unless we affix reasons to the number of crimes aside from using

dominant group hegemonic interpretation, the statistics will continue under unfair, unexamined

rationale.

Another reason for the disproportionate data in terms of race in behavioral infractions is

that the school's leaders have yet to take the perspective of, as Heifetz, Grashow, and Linsey

describe, "getting on the balcony" (pg. 7) to examine the school through any lens outside of their

own familiar ones so as to get a better, more holistic perspective. In order to debunk the

engrained thoughts of the majority white staff, problems need to be examined through critical

race theory (CRT) because, as Young states, "critical race theorists view the notion of

colorblindness as highly problematic"(pg. 1445). Given the similarities in class backgrounds,

staff often group the students together and claim to see just students who need help as opposed to

any other facet of the student. Seeing the students in my district as all equal or more identifiable

as one group of poor students as opposed to acknowledging racial factors ignores the data that

the behavioral infractions show. Furthermore, allowing the staff to continue to collectively feel,

as participants in McIntyre's work did, "compelled to rescue their students and give them 'what I

had when I was growing up'"(pg. 668-669) furthers a deficit view of students from color that, as

Yosso states, "follows that People of Color 'lack' the social and cultural capital required for social mobility"(pg. 70). CRT challenges the view of deficit thinking which Yosso states is "one of most prevalent forms of contemporary racism in US schools" (pg. 75) noting, too, that "those who work in schools mirror these beliefs" (p.g 75). Without challenging this view with CRT, the staff in my district will face the same challenges that Young's research subjects faced as "their compassion for working with underprivileged children…made it difficult for them to see that despite their activism, their Whiteness nonetheless rendered them culpable of racism"(pg. 1446). CRT notes that schools often work from this deficit perspective cased in extreme care such that they "structure ways to help 'disadvantaged' students whose race and class background has left them lacking necessary knowledge, social skills, abilities, and cultural capital" (pg. 70). Applying CRT within the district would, as Yosso describes, center "the research, pedagogy, and policy lens on Communities of Color and call into question White middle class communities as the standard by which all others are judged"(pg. 82). Ultimately, as Khalifa, et al (2013) state, the use of CRT makes the school a better place for the education of all as "the use of CRT as a lens for analyzing inequalities in school…provides information about he best way to move forward in order to transform schools in minority communities into places where students of color might thrive"(pg. 156). The school not utilizing CRT inhibits progress in righting the direction of disproportionate data trends.

Leaders at our school are not applying a social justice leadership framework to their work in their positions of authority. The middle school of my district (whose data was siphoned for my examination) has, in theory, applied PBIS. However, its implementation has produced the same results that Bal and colleagues write about in that PBIS has "successfully reduced office discipline referrals (ODR); however, PBIS has not impacted racial disproportionality" (pg. 2).

The reason is that school leaders have not"infuse[d] cultural responsiveness in each stage of

PBIS"(pg. 2). Leaders at the school are also not practicing tactics of good social justice leaders.

Leaders are not, as Theoharis (2007) points out, "addressing issues of race, providing ongoing

staff development focused on building equity, developing staff investment in social justice,

hiring and supervising for justice, and empowering staff" (pg. 235) as the implementation of

PBIS is being done subversively and quietly under the supervision of only a handful of staff

members working in cahoots with school leadership. The rest of the school staff is left in the

dark as to what PBIS is, how it works, and, most importantly, why we are doing it. This

confuses staff. In order for my district to move beyond the binds of the privilege/bias that leads

to discrimination/oppression (as evidenced by the statistics of behavioral infractions), social

justice leadership practice needs to happen. First and foremost, a social justice leader must, as

Khalifa (2012) points out, take "concrete steps to build trust and rapport" (pg. 453) within his/her

community. That leader must take a "leadership role in the advocacy [for students]" (pg. 452).

These leaders will also need to, as Khalifa and colleagues point out (2013), give "strong

consideration to the voices of marginalized groups…not only because their voices may indeed be

very powerful and subversive but also because as educators we say that we are committed to

equity, equal representation, and social justice"(pg. 175). In other words, leaders will need to

play into that heartfelt desire of the staff in my district to help the students they teach but

approach in a more holistic way, what it takes to help them enhance their advocacy and care. To

capture the voice of the marginalized, leaders at the school may need to involve parents of the

students of color. Noguera (2004) makes the case for the importance of investing parents in the

process of education:

"when parents are respected as partners in the education of their children, and when they

are provided with organizational support that enables them to channel their interests to

the benefit of the school, the entire culture of the organization can be transformed.

Parents have a knowledge of their children's lives outside of school that teachers

typically do not have, and that knowledge can prove helpful in developing effective

pedagogical strategies"(pg. 207).

With a school serving such a diverse population and with both houseparents (hired staff taking

care of students in single-gender, multi-aged, homes) and sponsors (parents or relatives of

students who correspond with the school with regard to their students' life their) serving as

outside lenses to host the students behave, learning labs or forums to get parents involved would

be both very doable and very beneficial.   Leaders at the school may also, in order to capture the

voices of the marginalized, promote – as evidenced by examples of social justice leaders in a

Khalifa (2012) case study – a "culture of inclusion"(pg. 446) via the "encouragement or, if

necessary, enforcement, of student inclusivity"(pg. 446). To end the era of discriminatory data,

social justice leaders must emerge.

In a school as diverse as the district in which I teach but as lacking in its application of

what that diversity entails (at least in terms of how it plays out within school culture specifically

regarding discipline) an opportunity exists to do something special. The school's alumni

association is growing and becoming more diverse by the graduating year but the majority of

both model alumni (those who have won awards, etc.) and leaders within the school are white as

the majority of alumni are white. However, soon enough, there will be (hopefully) a more

diverse representation in the upper echelons of authority and in the annals of history at the

school. Thus, what better way to combat another tenet of oppression (structural) than by

teaching current students in such a way as to help them to be able to lead the future direction of the school by having a deeper understanding of the inevitable intersectionality due to the diversity in it and ever-increasingly present within American society. A powerful quote from Asher speaks to the importance of adopting a multicultural pedagogy:

> "A multicultural pedagogy that engages the intersecting tensions of race, culture…in critical, dialogical, and self-reflective ways goes beyond the limited scope of race and culture…such a multiculturalism breaks silences; offers ways of rethinking the oppressive binaries of self and other…and can open up spaces for the emergence of new, hybrid identities and cultures. Instead of adhering to a culture of 'don't ask, don't tell' and 'see no race…or relations of power, and hear no talk about any of them,' we can move toward explicitly 'affirming diversity'…by unpacking the complex and contradictory tensions of multiculturalism and creating a culture of 'do ask, do tell'"(pg. 71).

This would be the capstone to a well laid out groundwork to combat oppression at the district in which I work – a true anti-oppressive multicultural education: "critical education or 'consciousness-raising'"(2000, pg. 37) whereby "students have both knowledge about oppression and critical thinking skills…to challenge oppression"(2000, pg. 37).

To conclude, based on data gathered and analyzed in my unique, diverse, district discriminatory practices in discipline exist. This is due much in part to the lack of social justice leadership, the bias of a staff made up mostly of the dominant group, a lack of emphasis on viewing issues from other lenses such as critical race theory, and a neglect in emphasizing good multicultural pedagogy. Addressing these issues with strategies outlined above would certainly make a change for the better in terms of more equitable behavioral practices in my district. In so

doing, we can make our school a place where we not only house a great many students from

different backgrounds but also, as Kumashiro writes, a place that attempts "to teach

to…ALL…[those] students"(2000, pg. 29).

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