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Education and Learning Beyond Schooling  
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Activist Interventions

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At the request of a high school principal in California and not in response to an actual or alleged crime or campus disturbance, in February 2002 police officers rounded up 60 students at lunchtime and detained them for two hours. Police interrogated and photographed the students, all but one of whom were youth of color, and made records of their names and other identifying information. None of the detained students had previously been disciplined by the school or accused of belonging to a gang. Many were suspended that day for wearing colors—including red, the official school color—deemed to signify gang affiliation. In response to the gang sweep, parents and youth organized rallies, press conferences, and protests at City Council meetings. They also formed an organization, Families for Youth Rights.

Families for Youth Rights filed legal claims seeking a permanent injunction against any future in-school detentions without probable cause, and to expunge students’ names from police records and from CalGang, a statewide police database that tracks intelligence information—including nicknames, tattoos, and peer affiliations—on known or suspected gang members. According to a spokesperson for Orion Scientific Systems, the company that created CalGang, “Speed and ease of use were our main goals” (Tom Gates, who helped develop the software, cited in Dussault, 1998, ¶ 11) in developing the database. Gates continued, “This is probably the most user-friendly system ever made for law enforcement—it is like having a dog that walks itself” (cited in Dussault, 1998, ¶ 12).

With sophisticated state surveillance technology and a coercive school administration to contend with, Families for Youth Rights made its organizational mission to monitor police misconduct and to end the racial profiling and criminalization of students. Lisa Prentiss, a co-founder of Families for Youth Rights whose tenth grade daughter was among the students targeted by police, explains:

Before this happened, I didn’t realize how kids are being treated at schools where we send them to learn, that they are being profiled and harassed at school and right outside of the school. I didn’t realize that police and school officials could do whatever they want to students and violate their rights. (Interview with Lisa Prentiss, April 2003)

For more than a decade, public schools in the United States have been mandated to implement harsh school discipline and court referral policies against students accused of bringing weapons...
or drugs to school. “Zero tolerance,” the catchall term for repressive school security policies, has snowballed to include the use of metal detectors in elementary and secondary schools, more frequent suspensions for relatively minor infractions—such as three unexcused absences—and summary expulsion for misconduct that would, typically, justify a trip to the principal’s office or a parent-teacher conference (Ayers, Dohrn, & Ayers, 2001). Zero tolerance policies—which blur the functions of school districts and police departments and conflate the purpose of pedagogy with that of punishment—are symptoms of what Brazilian educator Paulo Freire (2000) considers to be “the fundamental theme of our epoch…that of domination” (p. 103). Domination, however, also “implies its opposite,” Freire says, “the theme of liberation, as the objective to be achieved” (p. 103).

This chapter presents case studies in grassroots organizing against arbitrary, discriminatory school disciplinary regimes (for further examples see Sandler, 2001). The authors contend that community challenges to zero tolerance manifest Freire’s concept of praxis—reflection and action upon the world in order to change it.

The community activists in the case studies also uphold Freire’s (2000) belief in “education as the practice of freedom—as opposed to education as the practice of domination” (p. 81). Student and parent organizing against zero tolerance policies in schools demonstrates Freire’s (2000) conviction that “the starting point for organizing the program content of education or political action must be the present, existential, concrete situation, reflecting the aspirations of the people” (p. 95).

### Zero Tolerance: The Pedagogy of Punishment

The Safe and Drug-Free School Act of 1994 mandates as a condition for federal funding the expulsion and referral to the criminal or juvenile justice system any student accused of bringing a weapon on school grounds. Since passage of this law, policies and protocol have been generated by local and state governments that categorize fingernail clippers and plastic knives as “weapons,” asthma inhalers as “contraband,” and throwing a spitball as “assault.” Certain clothing and forms of expression, if determined by school officials to be “gang identified,” have also warranted expulsion from school and referral to law enforcement. According to a report by two national civil rights organizations, such school discipline measures “have, perhaps unintentionally, set off an explosion of the criminalization of children for understandable mistakes of ordinary childhood” (Advancement Project and the Harvard Civil Rights Project, 2000, p. 16).

There is no empirical evidence that zero tolerance policies, which are sanctioned in the name of safety, improve school security. Analyzing data from the National Center for Education Statistics, Skiba and Peterson (1999) found that schools implementing zero tolerance policies over a four-year period were no safer than a comparison group of schools that did not. They concluded: “If we rely solely, or even primarily on zero tolerance strategies, we are accepting a model of schooling that implicitly teaches students that the preservation of order demands the suspension of individual rights and liberties” (p. 381).

Despite the absence of evidence that school exclusion policies make schools safer or result in better educational outcomes, zero tolerance school discipline codes have proliferated. More than 3 million children and youth are suspended or expelled from school each year; a twofold increase since the mid-1970s disproportionately impacting students of color (Skiba, 2000). It is well documented that the majority of students suspended, expelled and arrested by zero tolerance policies are youth of color (Browne, Losen, & Wald, 2002). According to the U.S. Department of Education, African American youth are 17% of the national student enrollment but 32% of out-of-school suspensions; White students are 63% of enrollment but only 50% of suspensions.
In 1997, 25% of all African American male students were suspended at least once over a four-year period; zero tolerance policies are more likely to exist in school districts attended primarily by African American and Latino youth (Skiba & Knesting, 2002).

A majority of expelled students do not return to their home school or graduate and expelled students are three times more likely to permanently drop out of school by sophomore year. Because they track many youth into the justice system, zero tolerance policies are more deeply troubling in light of a parallel trend beyond school walls. Since the 1990s, almost every state in the country has passed laws making it easier to try minors as adults and in some cases to house them in adult prisons; in the same period, the number of juveniles held in adult jails has increased by 208% (Campaign for Youth Justice, 2007).

Zero tolerance has accelerated the criminalization of youth, in part because of the federal requirement that schools must refer cases of mandatory expulsion to the juvenile or criminal justice system (Dohrn, 2000), in part due to the newly expansive policing of schools, and in part due to an amendment of the Federal Education Rights and Privacy Act in 2001 to allow school districts and law enforcement agencies to share information regarding students. De jure and de facto, school environments have transformed into hallways of surveillance, searches, lock-downs, and police patrols, resulting in the tracking and transfer of more students out of school and into the juvenile and criminal justice systems.

Theoretical Framework: A Pedagogy of Resistance

Families for Youth Rights and similar formations of community activists around the country are refusing to accept the reconfiguration of school discipline into a paradigm of expulsion, racial profiling, and arrest that creates permanent police and court records of students. Tshaka Barrows with the national advocacy organization Community Justice Network for Youth describes: “Zero tolerance means that students are directly threatened by police by virtue of the act of simply going to school. The stakes are high. There’s an immediate crisis situation that’s taking community protests to the next level” (Interview with Tshaka Barrows, January 2003).

In the California case, students were commanded to get up from lunch, put their hands behind their heads, and follow the police. As a matter of school discipline protocol, administrators had no authority to facilitate a criminal investigation by police and no justifiable grounds on which to suspend students. As a matter of legality, police had no reasonable suspicion to detain the students; doing so was a violation of their civil rights. The actions of the police and school officials, however, instigated a process of public pedagogy: the consciousness of students, parents, and a concerned community was quickened into reflexive action.

In Freirean terms, the “objects” of schooling took their learning, their lives, and their community into their own hands and became the “subjects” of concrete political and community change. Freire (2000) explains: “Since it is in a concrete situation that the oppressor-oppressed contradiction is established, the resolution of the contradiction must be objectively verifiable. Hence the radical requirement, that the concrete situation that begets oppression must be transformed” (p. 50).

The theoretical framework of these case studies in activism against zero tolerance is grounded in the global history of schools as sites of struggle for racial justice, educational justice, and criminal justice reform. From the courageous students of Little Rock (Bates, 1986), to the walk-outs and student demonstrations of Birmingham (Branch, 1988; Manis, 1999), from the school boycotts of apartheid Soweto (Hirson, 1979), to the parent-led school strikes in New York City, and the high school “blowouts” for Chicano studies in Los Angeles in 1968—battles for school desegregation, community control, language appropriate education, special education, gender...
equality and safety, and civil rights have risen up from community action against educational injustice. Community resistance to zero tolerance is part of the continuum of constitutional (Higginbotham, 1996), civil, and human rights struggles to provide equal education and opportunity to all children.

Zero tolerance and the school-facilitated criminalization of youth are a national problem, but they are experienced at the local level. The authors maintain that it is essential to document concrete examples of local organizing to transform existing laws, procedures, and practices that lead to youth being surveilled, suspended, expelled, and arrested at school, then siphoned into the criminal justice system. Those most adversely affected by zero tolerance best understand, as Freire (2000) explains, that “the solution is not to ‘integrate’ [people] into the structure of oppression, but to transform that structure so they can become ‘beings for themselves’” (p. 74).

Freire’s pedagogical principle is ineluctably linked to a practical imperative: Without the propulsive catalyst of local action and resistance, other legal and policy efforts to modify zero tolerance policies will ultimately fail. Students, parents, and community members have the most at stake and the greatest potential to alter the public discourse about public schools. Student, parent, and community activists have not only taken on the challenge of intervening against unjust discipline policies, they are also charged with continuing to monitor and keep public attention focused on the reforms they win in order to prevent backsliding by school officials. Without the continued vigilance of grassroots activists, the sustainability of meaningful reform is substantially diminished.

**Case Studies**

Through this investigation of grassroots resistance to zero tolerance discipline policies the authors analyze the genesis, leadership, goals, obstacles, and accomplishments of the organizing efforts. In these case studies from California, Illinois, Iowa, Mississippi, and Oregon, tactics employed by local activists and reported by the authors include: (a) documentation of the problem through impact research and participatory analysis; (b) holding community meetings and hearings, producing public testimony, and conducting media outreach; (c) organizing public protests and rallies; (d) parent-to-parent advocacy assistance in contesting punitive disciplinary cases; (e) community-derived policy recommendations; (f) persistent engagement with school officials; and (g) ongoing watch-dogging and monitoring of school disciplinary policies and practices. Within this framework, the authors examine key factors that made a strategic difference in the various grassroots efforts, including allies mobilized and opponents neutralized, the initial community capacity for organizing, and the extent to which this capacity expanded.

*Citizens for Community Improvement, Des Moines, Iowa*

The Des Moines, Iowa, School Board had a longstanding policy of expelling students found tardy or absent for six days in a given school term. Neither students nor parents were publicly informed of this “Six Day Attendance Policy” which disproportionately impacted low-income students, immigrant families, and students of color. For example, families without health insurance had difficulty obtaining a doctor’s note when their children were sick and non-English speaking parents had difficulty understanding what constituted a valid excused absence or lateness. Expulsion for multiple absences—even when due to serious illness or a family emergency—most adversely impacted the most marginalized communities (Interviews with Shundrea Trotty, March and April, 2003).

Shundrea Trotty, a youth organizer with Citizens for Community Improvement (CCI), was
a former student in the Des Moines School District who had been expelled for tardiness and unexcused absences as per the “Six Day Attendance Policy.” Under Trotty’s leadership, CCI initiated a participatory action research project in 2002 to investigate falling graduation rates in Des Moines. CCI discovered that the dropout rates were high due to (a) the District’s policy of automatic expulsion for school truancy and tardiness and (b) the presence in schools of off-duty police officers authorized to charge students with expellable offenses.

CCI took on the organizing challenge of abolishing the “Six Day Attendance Policy.” CCI held meetings to discuss the policy with school administrators who defended the legitimacy of the policy. When pressed, the administrators appointed a committee to review the policy. The committee asked a group of students, organized by Trotty and CCI, to rewrite the expulsion policy. The students recommended that the school board revise the existing policy to make it less punitive, translate it into Spanish and Bosnian languages and make it available in other languages upon request.

CCI mobilized students who in turn challenged parents to join their campaign. Students’ message to parents was that it was irresponsible for them, having been made aware that the policy was harmful, to remain silent. Trotty describes: “Our campaign around this policy is an example of youth who are most affected by a discriminatory policy that was pushing them out of school taking control of their own futures” (Interviews with Shundrea Trotty, March and April, 2003). Parents, community members, and many teachers stepped up to support the students. CCI convened a series of organizing meetings and made their presence known at school board meetings. Trotty explains: “The youth conducted their own research and went into every meeting with the school board prepared so that they could hold them accountable” (Interviews with Shundrea Trotty, March and April, 2003).

CCI and its growing coalition of students and allies broke through the initial intransigence of the school board by winning over a newly elected board member with whom the students had met prior to his election. The activists also reached out to the media including the Des Moines Register, which provided fair and in-depth coverage of the policy and CCI’s campaign. Students invited a journalist from the Register to accompany them to a meeting with the superintendent of schools and the director of secondary education. The resulting story helped CCI gain traction and expand and diversify its coalition.

The school board set aside two meetings to hear community concerns but restricted CCI to sending two student representatives per meeting who would only be allowed to speak during the welcome and introduction. Ignoring the board, CCI turned up its grassroots organizing and the student coalition brought twenty students to the meeting, each of whom talked for five to six minutes about the unfairness and harsh consequences of the “Six Day Attendance Policy.” The students’ persistence ultimately forced the Des Moines School Board to revise the policy.

Des Moines students are no longer automatically expelled for six absences. If a student is sick, she must be given the opportunity to make up her work and be provided with tutoring or additional support as needed. The student-led coalition went on to focus on consistent implementation of the new policy. Students continued to monitor expulsions and other administrative disciplinary practices and to report their findings to the school board and to the larger community on an ongoing basis. CCI has gone on to turn its attention to poor-implementation schools and has developed another campaign to ensure full implementation of the reforms. And some parents who became active in the campaign joined CCI and became involved in broader community organizing work.

CCI students and parents broke the silence on an immediate local educational crisis through documentation, public testimony, and strategic and relentless pressure on the board to take responsibility for meeting the educational needs of all students fairly. Students rewrote the rules,
demonstrating that zero tolerance is not invincible; in fact, it can galvanize organizing campaigns and build intergenerational and multiracial coalitions committed to meaningful education reform.

Ashland Citizens Coalition, Ashland, Oregon

The Ashland School District had a zero tolerance, “one strike you’re expelled” drug and alcohol policy. Many students had been expelled based not on evidence but on hearsay and the stigma of certain “identifying behaviors.” Most of the expelled students never returned to school.

In 2001, five members of the Ashland School District debate team attended an out-of-town national championship competition. A teacher from another school district accused the Ashland team of smoking marijuana in their hotel room. The Ashland debate coach accepted the allegation at face value and sent the students home, promising they would be expelled (Interviews with parent activist Heidi Parker, March and April, 2003).

Prior to this incident, a small group of parents had questioned the zero tolerance policy, the lack of due process, and the correlation between the policy and Ashland’s high dropout rate. But school administrators had been dismissive of the parents’ concerns. The expulsion of high achieving, champion debate students incited a new challenge to the punitive policy. The mandatory nature of the expulsion policy and the way in which it was summarily implemented, absent due process, laid the groundwork for a grassroots organizing campaign led by parents opposed to the policy.

The school board put two of the accused debate students on trial. Hundreds of community members and print and TV reporters attended the hearing. During the hearing student “witnesses” who had informed against the student defendants recanted, saying school administrators had pressured them to verify the allegations of marijuana use. The hearing ended with the school board voting 3-to-2 to exonerate and not expel the students. A backlash followed the ruling: three hundred teachers signed a petition calling for strict enforcement of the zero tolerance policy and many teachers threatened to strike; some parents threatened to withdraw their children from Ashland schools, saying that the board condoned drug use.

The anti-zero tolerance activists spearheaded a campaign to reform the drug and alcohol policy. The activists convened community meetings, conducted media outreach, and launched a petition drive calling for a non-punitive, therapeutic approach to student drug and alcohol use. The activists called for a policy informed by community input and scientific data on the best approach for reducing substance use by students—by all indications, the activists pointed out, kicking students out of school is counterproductive.

The school board agreed to form a committee to review the existing policy. Under pressure from the parent group, two students were added to the committee. The student representatives and the parent coalition called for a student forum to solicit students’ experiences, advice, and opinions about drugs and consequences. When the school administration insisted on controlling the student forum, students defied the administration and convened their own student forum, with pizza support from the parent group. Attended by 70 students as well as school officials, the forum explored appropriate consequences for drug and alcohol violations, documented past expulsions, and critiqued the existing policy.

In response to parent and student advocacy, the committee researched therapeutic policies and rejected a zero tolerance approach. In the fall of 2002, a redesigned policy—based on national research and incorporating best practices from other school districts and focusing on education, therapeutic intervention, team evaluation, and disciplinary actions based on graduated sanctions with expulsion used as a last resort—went into effect.
The new policy made important strides toward decriminalizing juvenile alcohol and drug use—which, members of the community said, should be addressed as issues of public health and youth development, not punishment. Also, the parents’ group helped facilitate the institutionalization of progressive reform and leadership in Ashland. One of the parent activists, for instance, successfully ran for the Ashland City Council and another ran for school board. The parents’ group, in the face of resistance from teachers, also helped create space for young people to raise their voices and develop their capacity to shape school policy.

_Generation Y, Chicago, Illinois_

In the 2000–2001 school year, 94% of all students suspended from Chicago public schools were students of color. A record high over a nine-year period of reporting, this renewed escalation in student suspensions followed years of decline and indicated the need for a fundamental reshaping of policy.

_Generation Y_ (Gen Y), a youth organizing project of the Southwest Youth Collaborative that organizes students to conduct “impact research” and develop school reform proposals, set out to analyze the suspension problem by reviewing Chicago Public Schools data available from the Illinois State Board of Education (Interview with Jeremy Lahoud, the senior organizer of Gen Y, May 2003). Because the data did not report the reasons for suspensions or expulsions, Gen Y youth interviewed hundreds of students about their observations and views. Their report, _Higher Learning: A Report on Educational Inequalities and Opportunities Facing Public High School Students in Chicago_, drew upon Gen Y’s surveys of 667 high school students and brought to light a range of important issues that the officially available data failed to disclose.¹⁰

The protocol Gen Y used to conduct the survey included questions related to school punishment and exclusion, including: (a) Have you been suspended within the last school year (in-school or out-of-school)?; (b) If yes, why were you suspended? The survey offered a check-off list of alternatives ranging from “tardies,” cell phone/pager, and “no school ID” to fighting, drugs, weapons, and a line for “other”; (c) If yes, for how many days were you suspended?; (d) If yes, did the suspension prevent you from doing the same thing again?; (e) What other forms of discipline do you think should be used instead of suspensions? Options in the survey included detention, teacher-student conference, parent conference, peer jury, and community service; and (f) Do you feel certain races are suspended more often than others in your school?

Survey results indicated that a majority of students were being suspended for non-violent and non-drug related offenses. The most frequent offenses were cutting class and being tardy; fully 71.7% of all suspensions were for minor, non-violent infractions. Almost 7% of students reported being suspended for being out of uniform, despite the fact that the school district’s Uniform Discipline Code prohibits suspending students for violations of the school uniform policies.

Gen Y’s survey also revealed that half of all students disciplined for tardiness were given out-of-school suspensions. Further, a majority of all suspensions were out-of-school, as opposed to in-school, suspensions. Given the District’s policy of grade retention for 21 unexcused absences, Gen Y concluded that an alarming number of students were increasingly at risk of being held back at their current grade level.

Gen Y recommended that the school board implement alternatives to out-of-school suspension and expulsion and further proposed that the Chicago Public Schools Board of Education: (a) issue a mandate that suspensions should not be used for minor infractions, including tardiness and cutting classes; (b) monitor, track, and publish suspension data by race, gender, eco-
nomic status, and school; and (c) support student leaders from Gen Y in developing “Know Your Rights” workshops to inform students of discipline procedures and their rights.

Gen Y’s organizing efforts amount to a powerful model of community involvement in mapping the problem of zero tolerance. Those most impacted by an unfair system conducted research to document the problem and, working collectively, forged a campaign strategy to implement equitable solutions. Gen Y’s efforts also demonstrate the extent to which young people’s voices and views are often shut out of school discipline policy-making that directly impacts their lives. While the board continued to resist implementation of Gen Y’s recommendations on reforming the school discipline code, Gen Y continued to document and challenge school practices.

Families for Youth Rights, Union City, California

In February 2002, the high school principal, four school resource police officers, and several uniformed line officers from the Union City Police Department conducted a lunch time “gang sweep” at Logan High School in Union City, California. Police rounded up 60 students, corralled them into two classrooms and detained them for two to three hours. Police and school administrators sorted students according to their perceived nationality: Latino students—and one White student who was sitting with Latino friends at lunch—were detained in one classroom and Asian students—most of whom were Filipino or Vietnamese—were confined in the other.

During custody, police searched and photographed the students and recorded their vital information—presumably to enter into the gang database. The principal lectured each group about his new zero tolerance crackdown, telling the students in the “Latino room” that they would be immediately suspended or expelled if they wore red and those in the “Asian room” that they would be immediately suspended or expelled if they wore blue or green.

Authorities justified the gang sweep as an attempt to identify gang members involved in a fight that had occurred in the surrounding community two weeks prior, not on school grounds. Authorities had no reasonable suspicion that a crime had either been committed or witnessed by students. An attorney who provided advocacy support to Families for Youth Rights (FYR) explained: “Police must have a reasonable suspicion to detain someone and this cannot be based on race. Guilt by association is against the law; and at Logan, they just rounded up all Brown kids” (Interview with Ella Baker Center (EBC) for Human Rights attorney Lenore Anderson, April 2003).

Some of the students’ belongings were confiscated. Lisa Prentiss, whose tenth grader was detained, described that her daughter’s pager was returned weeks after the sweep, but that police maintained possession of photos of Jessica’s friends, presumably to be added to their gang files: “They also took one of Jessica’s friend’s highlighter pens for some reason—saying they could be used as ‘evidence’” (Interview with FYR Co-Founder Lisa Prentiss, April 2003).

Parents of the detained students were outraged by the detention, criminalization, and gang-profiling of their children and formed FYR to focus on two projects: (a) a lawsuit to charge that students’ civil rights were violated, secure a return of students’ records, and implement an injunction to prevent future illegal police activity on campus; and (b) grassroots organizing to demand that the school administration remove students’ names and identifying information from police records. FYR convened community members at city council and school board meetings, calling on both entities to demand that police return students’ records. The rallies generated favorable media coverage, including stories in prominent local newspapers and in the local Spanish-language press.
Two school board members, dismayed by the gang sweep, encouraged the school board president to meet with FYR. The president requested that the principal clear the incident from students’ school records and ensure that police remove students’ names from all law enforcement records.

FYR’s Lisa Prentiss described her organization’s ongoing work in the face of the school administration’s intransigence: “We’re still fighting to get photos back from the police and some evidence that all of the kids’ names are removed from whatever gang files or database exist” (Interview with Lisa Prentiss, April, 2003). Prentiss said that FYR is committed to long-term policy change:

They’re not supposed to be able to just round up students and photograph them for any reason. And they shouldn’t be able to just call in police officers—especially when they already have School Resource Officers on campus—for no reason. (Interview with Lisa Prentiss, April, 2003)

In the wake of the incident and the community’s response, student Jessica Prentiss described a higher level of unity among students at Logan: “We didn’t realize that something like this could happen to any of us and that we were all affected. Now you see people of different racial groups hanging out together more often” (Interview with Jessica Prentiss, April 2003).

**Mississippi Education Working Group, the Mississippi Delta**

In 2001 the Mississippi legislature enacted a “three strikes” law that allowed the permanent expulsion of any student over the age of 11 found to be disruptive in class three times during the course of a school year. The severity of the state’s zero tolerance approach prompted statewide coordination among community-based education reform groups that serve low-income youth in poor communities throughout Mississippi.

Public schools in the Mississippi Delta still use corporal punishment and are almost entirely attended by poor African American students. Three over-arching problems constitute the education crisis in the Mississippi Delta: (a) schools’ use of the juvenile justice system as their disciplinary arm; (b) the unmet special education needs of students, many of whom are harshly disciplined and criminalized instead of receiving services; and (c) the discriminatory sorting of students into high- and low-performing “tracks” (Interview with Helen Johnson of Citizens for Quality Education, April 2003). Damon Hewitt of the NAACP Legal Defense Fund described: “In addition to disproportionate suspension and expulsion of students of color, there is a siphoning of African American students from public schools in the Mississippi Delta into the juvenile justice system” (Interview with Damon Hewitt, February 2003).

The most egregious cases occur in counties with “referees,” who are not elected but appointed by the court to handle juvenile cases. The Jefferson Davis County referee, for instance, established an “any and all” policy through which he advises school administrators to send him “any and all” problems. Hewitt described: “I observed one case in which a middle school female student was charged with cursing at a custodian. This was characterized as an ‘assault’ and the student was jailed for 48 hours.” Once remanded to the juvenile justice system, youth have the right to an attorney under Mississippi law, but this right is rarely honored as less than five of the state’s five dozen counties have public defenders’ offices. Juvenile cases are seldom appealed. The attorneys appointed to handle juvenile cases are paid very little and many are alleged to have engaged in ethical violations. Attorneys generally meet with their young clients only immedi-
ately before hearings and in many cases refuse to investigate, relying instead on information provided by the school system.

Grassroots organizations have formed in response to the education crisis in the Delta; these local groups collaborate statewide through an ad hoc network called the Mississippi Education Working Group. The local groups include Citizens for a Better Greenville in Washington County (CBG), Citizens for Quality Education in Holmes County, and the Drew Community Voters League and the Indianola Parent Student Group in Sunflower County (IPSG).

Community advocates estimate that 40 to 50% of the youth held in one of Mississippi’s juvenile detention facilities and detained as a result of school referrals needs special education. Betty Petty with the Indianola Parent Student Group explains: “Students are going to youth court simply for acting out their disability, such as Attention Deficit Disorder or hyperactivity disorder” (Interview with Betty Petty, April 2003). Petty argues that special education needs are linked to environmental pollution in the Delta.

We did a study that looked at a number of cases of students with learning and emotional disabilities who are not performing well. We went through our community and found parents and students who had medical problems and symptoms like ADD and dyslexia. Then we looked at the pesticides being sprayed on a cotton field right across the street from our middle school. We sent a copy of this study to the government and asked for the spraying to stop during the hours that it could harms students. They stopped spraying at the wrong times for about a year but then went back to it, so we’re going through all of this all over again. (Interview with Betty Petty, April 2003)

Joyce Parker, Director of CBG explained that the organization has formed a support group of approximately twenty parents to monitor the treatment of students with special needs and to make sure that schools intervene. “We organize to empower parents to make the school tend to students’ needs, not just suspend them or send them to youth court. We attend all public meetings about the schools so we can pass this information back to the parents” (Interview with Joyce Parker, April 2003).

Betty Petty with the IPSG explains: “Our vision is to create a first rate quality education and a safe environment for the community. The children are held accountable for failing but the teachers are not.” IPSG organizes against repressive policies and the lack of services by holding workshops and trainings to help parents and students understand their rights. Because the schools have made policies without community input, Petty explains, IPSG’s first step is to educate the community.

Organizers in the Delta express that an important outcome of their work with parents, many of whom did not complete a secondary education, is to help them overcome feelings of inadequacy while dealing with the school system. In a sixty-page indictment of its local school system that documents students’ experiences, the Drew Community Voters League explains the legacy of educational neglect in the Delta that affects generations of African Americans: “The stigma that black children can’t learn, can’t achieve, and can’t behave is designed to conceal the fact that black children don’t get an effective education because they are denied their opportunity to learn in many of the Delta’s public schools.”12

Southern Echo, an intermediary organization that supports many community groups in the Delta, trains community members to conduct power analyses so that activists can map the local structures of government and resource allocation. This means that many of the groups do not stay “single issue” but use a power analysis to investigate local structures of decision-making authority.
Helen Johnson with Citizens for Quality Education (CQE), an organization of parents and students that spearheaded an initiative called “Prevention of Schoolhouse to Jailhouse,” explains:

We’ve gone through a learning process that has taken us from just putting out fires to having the entire community educated and informed in order to take action and organize about the big picture. We have to have people in positions that are listening to the community and are responsive to us because the school house to jailhouse piece really goes further: It all goes back to city hall. Our belief is that you don’t build prisons if you’re not planning to send people to prison. So we started looking at the criminalization of our young people. The schools were adding to the problem. (Interview with Helen Johnson, April 2003)

Conclusion: “Revolutionary Futurity”13

“Schools have become the subject of an intense national debate forged in a discourse that joins conservatives and radicals alike in their denunciation of public schools and American education,” explains education scholar Henry Giroux (1985, p. xi):

While specific criticisms differ among the diverse ideological positions, the critics share a discourse shaped in the language of crisis and critique. Within these contrasting positions, the language of crisis and critique has collapsed into either the discourse of domination or the discourse of despair. (Giroux, 1985, p. xi)

What is needed, Giroux (1985) says—and what the anti-zero tolerance activists help articulate—is “a discourse that creates a new starting point by trying to make hope realizable and despair unconvincing” (pp. xiii).

For a decade, public discourse has framed zero tolerance policies as a necessary fix for volatile schools, as if there is a rational, national consensus that school safety trumps students’ rights and justifies an inherently discriminatory “tough on crime” approach to discipline. But Jessica Prentiss of Union City, whose experience of tenth grade included being ensnared in a gang sweep at her school, points out the contradiction of zero tolerance in pedagogy and practice: “My school says it did this because it wants students to be safe, but how are we supposed to feel safe when this can happen to us? We’re going to school and it’s feeling like a prison” (Interview with Jessica Prentiss, April, 2003). Peter Leone, Director of the National Center on Education, Disability and Juvenile Justice underscores Prentiss’ point:

Unless you replicate a prison in terms of its level of security, you can’t completely control a school...Zero tolerance policies give students the message that administrators don’t trust them, are out to lunch, or can’t be trusted to respect their rights. (Interview with Peter Leone, May 2001)

Community activism has the capacity to send a different message—to school administrators, to the media and to other students and parents who are impacted by zero tolerance in their own communities. By exposing the destabilizing and discriminatory effects of zero tolerance policies and practices, community activists are punching holes in the premise that there is a national consensus that zero tolerance is a legitimate approach to education. Community activism has the power to reshape public discourse around the truth that it is not acceptable—as a matter of ethics or viability—for public schools to police students.

Power, says Giroux (1985),
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is not exhausted in those public and private spheres where governments, ruling classes, and other dominant groups operate. It is more ubiquitous and is expressed in a range of oppositional public spaces and spheres that traditionally have been characterized by the absence of power and thus any form of resistance. (p. xix)

By organizing collectively to challenge zero tolerance policies and replace them with community-determined alternative practices, community activists are discovering their power to contest state power.

The case studies presented in this chapter are examples of grassroots resistance to zero tolerance that is begetting new power in economically and educationally marginalized communities across the country. This new power—and the new liberation-based pedagogy with which it is mutually constituted—is born of students asserting their right to feel safe and not made to feel like criminals at school. New power is emerging from parents standing up for and in solidarity with their kids in “oppositional public spaces and spheres,” as Giroux (1985, p. xix) refers to them; students and parents empowered to re-envision notions of discipline, to raise their standards of what kind of school their communities deserve and to make local decision makers accountable to these new standards.

Public pedagogy implies teaching the community. In the case studies reported herein, activists-turned-educators used methods from savvy media outreach to convening community meetings to inviting unlikely allies into their coalitions to conduct public pedagogy. Empowered student and parent activists asserted within the institutional confines of mainstream schooling and budget shortfalls that the hope for more funding for schools and less for prisons is not irrational. The activists effectively demonstrated that the possibility of social change is not far-fetched but imminent.

Paulo Freire maintained that the starting point for liberation movements must be collective awareness of a specific form of domination. In this sense, the “utility” of zero tolerance polices as catalysts for community organizing is that their impact is not isolated or vague. The impact of the policies is broadly generalizable as a concrete form of repression experienced throughout a shared community. Community organizing against zero tolerance breaks the culture of silence and acquiescence to campus policing and punitive educational practices that prepare young people to fill up prison cells, not college classrooms. Activist opposition to the punitive pedagogy of zero tolerance, spearheaded by youth and parents at the local level, has the power to shape and spread a public discourse calling for the widespread democratization of public education.

Notes

1. This chapter is based on a presentation at the Harvard Civil Rights Project’s research conference “Reconstructing the School-to-Prison Pipeline: Charting Intervention Strategies for Minority Children,” co-sponsored by the Institute on Race and Justice at Northeastern University in 2003. The authors gratefully acknowledge the research assistance of Claire Thexton and Toni Curtis.

2. The Safe and Drug-Free School Act of 1994 mandated one-year expulsion for possession of a firearm and referral of the student to the criminal or juvenile justice system. Amendments broadened the Act to include any instrument that could be used as a weapon (20 U.S.C.A. Sec. 8921). By 1998, 94% of all public schools had zero tolerance policies for weapons or firearms, 87% for alcohol, and 79% for tobacco and violence (see Heaviside, Rowand, Williams, & Farris, 1998).

3. See, for example, the School Discipline Manual of the Chicago Board of Education, 2002–2003 that includes sanctioning for “being improperly dressed,” “posting or distributing unauthorized materials,” “defying the authority of school personnel” and ”possession of any serious weapon that is not defined as a weapon [sic].”
4. Serious violent crime is remarkably rare in schools and constitutes a fraction of all school disciplinary concerns. Most school arrests are for theft, vandalism, possession of pagers or cell phones or school fights (see Heaviside et al., 1998).

5. In 1998 President Bill Clinton launched a $65 million initiative to support schools in hiring 2,000 police to serve as school security patrols. This was in addition to $17 million Clinton allocated to finance school anti-crime initiatives involving partnerships between schools and local law enforcement agencies (see Burns, 1998).

6. This amendment was proposed by President George Bush in his 2001 federal education proposal, “No Child Left Behind: Safe Schools for the 21st Century.” Retrieved from the White House Website, http://www.whitehouse.gov/

7. The research methodology was ethnographic and involved gathering and analyzing qualitative data, derived primarily from semi-structured, in-depth interviews with on-the-ground activists. The authors scheduled most of the interviews in advance and used a protocol of questions that was pre-planned and relatively consistent among the six case studies, but flexible enough to allow community members to tell their stories on their own terms. In addition to relying on local interviewees as primary sources, the case studies are informed by secondary sources including news articles, data from relevant school districts and popular education materials produced by local activists.

8. The committee consulted the American Bar Association’s website on zero tolerance and studied the discipline policies of DeWitt Clinton High School in the Bronx, New York, and James Lick High School in San Francisco, California, as models.

9. The revised policy includes the following six sanctions when a proven—not alleged—violation of drug or alcohol prohibition occurs: immediate two-day time-out; assignment of a superintendent assigned Student Advocate to guide the family through the process—pending the consent of the student and family; assessment via referral to an outside drug and alcohol treatment provider for evaluation and treatment; discipline determined by a 60-day contract shaped by a peer jury; with the consent of the student and or family—consequences could include community service, an apology letter, loss of off-campus privileges, a photo-essay project or other creative alternatives (the student's record would be expunged upon the completion of the contract); a one-year non-punitive intervention plan designed by the Ashland Student Assistance Program, a panel including a nurse-practitioner, mental health professional, and counselor to address both drug and academic needs of student (designed to be a non-punitive treatment plan to get students back on track and modeled on workplace drug and alcohol programs); making volunteer mental health counselors from the community available to students; and repeat and severe offenses would bypass peer juries and could result in suspension or expulsion.


11. Most of the school districts in the Mississippi Delta are classified by the state as “Critical Teacher Shortage” schools, meaning that the teacher-student ratio is inadequate and/or that an alarmingly high number of teachers are near retirement age, long-term substitutes, uncertified and/or teaching outside of their discipline. The Delta has the highest drop out rates in the state and the lowest level of school funding. The region also hosts a disproportionate number of the state’s prisons.


13. “Problem-posing education is revolutionary futurity” (Freire, 2000, p. 84).

References


