

Zero Tolerance Conversation w/BVSD

Saturday, 02 February 2008

BVSDWatch has been concerned about the use of Zero Tolerance discipline in BVSD, which is defined as the use of harsh school and legal consequences for a wide range of student misbehavior. We began a dialogue with BVSD with the Commentary by BVSDWatch member Louise Benson (click on the Commentary tab above). Dr. Benson has raised the issue in BVSDWatch's bimonthly meetings with new Superintendent Dr. Chris King, and in recent email conversations.

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Dr. King and Dr. Ellen Miller-Brown, the new Deputy Superintendent, have taken a number of steps to move away from Zero Tolerance Discipline in BVSD. This includes providing a primer to principals, "The Little Book of Restorative Discipline for Schools." Dr. King has also given an eloquent statement on his philosophy on discipline which is available under Dr. Benson's Commentary, and this will soon be added to BVSD's website.

Some evidence of the use of Restorative Discipline is slowly finding its way into practice, such as the use of community service for a recent food fight at a middle school instead of suspension. However, there continue to be reported in the press incidents that appear to be zero tolerance: A 7-day suspension and arrest for "sexual assault" for streaking a sports event; student cellphone records searched for suspected pot use, felony arrest and possible expulsion for gradebook hacking, and arrest for theft of a cellphone and other items from unsecured backpacks.

Dr. Benson recently discussed these issues with Dr. King via email. Here is what she learned:

Dr. King Stated that all these incidents were handled properly, and believes that referral to law enforcement for these crimes (Dr. King's term) usually benefits students in the long run. He cautioned that there may be more to these cases than the public is aware of.

When asked if principals should review all non-urgent cases of possible law enforcement referral with Dr. Miller-Brown or himself, Dr. King said no, he trusts his principals, and he has no plans for an inservice on the move away from Zero Tolerance to Restorative Discipline, or to assure fairness and uniformity.

A 2005 report of the Advancement Project, "Education on Lockdown," details Zero Tolerance discipline in three large cities including Denver, and makes the recommendation that a parent/community task force review discipline episodes to assure fairness and non-discrimination. A copy of this report was provided to Dr. King, as well as an additional report on the harm that can occur to youth in the juvenile justice system. He stated that he has no plans to track outcomes of students referred to law enforcement for legal outcomes or graduation. However, he stated that he did write a letter to the DA on behalf of a star wrestler, a personal friend of King's, who was facing felony charges and expulsion for a pellet gun incident off campus. The charges were reduced, and he was allowed to complete his senior year and faces a bright future. All students who make dumb mistakes should have such compassionate treatment.

Overall, BVSDWatch is encouraged by the change in discipline philosophy, from use of Zero Tolerance to Restorative Discipline. Although there never was an articulated Zero Tolerance policy, the BVSD discipline website and practice seem to have made it apparent. Dr. Benson's discussion with Dr. King shows that eloquent statements are just the beginning, and more work needs to be

done on implementation.

BVSDWatch questions the appropriateness of referring student misbehavior to law enforcement, unless there is clearly no in-school consequences that would fit; for example, severe assault, sexual assault/rape, auto theft, drugs or /firearm possession,etc.BVSDWatch considers that incidents such as streaking, petty theft, and cheating usually do not require law enforcement referral.

BVSDWatch suggests that before a student is referred to law enforcement in a non-urgent situation, school administrators should be strongly encouraged if not required to consult with senior BVSD administration to ensure the referral is appropriate. Obviously there will be exceptions in urgent situations.

BVSDWatch suggests that BVSD consider forming a standing committee or task force of parents, community, BVSD administration, and possibly law enforcement. This entity would periodically review BVSD discipline cases, especially those referred to law enforcement, to ensure uniformity, fairness, and non-discrimination, as well as compliance with the Restorative discipline model.

BVSDWatch believes that measures such as those discussed above would help promote an atmosphere of fairness as well as justice in our schools, rather than one of fear and punishment. BVSDWatch will continue to address this very important topic with Dr. King and BVSD.