



Zero Tolerance Policies in Schools

Zero Tolerance Policies Explained

“Zero tolerance” rules or policies are predefined consequences for infractions of specific school policies. These regulations concern weapons, bullying or drugs on school grounds and are intended to promote safety and control behavior in schools. Zero tolerance rules may be popular with school boards and parents because they appear to prevent crime and delinquency and take an even-handed approach to discipline enforcement, however, research has shown many of these policies to be ineffective.

Research Findings

Research over the past twenty years has found “zero tolerance” measures ineffective in promoting and improving student behaviors, school safety, or juvenile justice outcomes. Youth who are suspended or expelled have an increased likelihood of not achieving academic success and increased contact with the juvenile justice system (Morgan, Salomon, Plotkin, & Cohen, 2014). When schools are quick to suspend or expel students for minor offenses, they’re likely impacting the youth’s future path. Additionally, zero tolerance punishments have been largely disproportionately applied to youth of color, students with disabilities, and youth who identify as lesbian, gay, bisexual, or transgender (Morgan, Salomon, Plotkin, & Cohen, 2014).

Nation-wide, suspensions and expulsions are higher for African American students. In 2009-2010, one out of every four African American students in middle and high school was suspended at least one time (Losen, Hewett & Toldson, 2014). Students who are suspended even once have a higher risk of

dropping out. Suspension and expulsion rates are also higher for youth with disabilities. Students with mental or emotional disturbances may require reasonable accommodation under federal law with regards to disciplinary actions.

Indiana Requirements

School corporations must, under Indiana Code (IC) 20-33-8-12, establish written discipline rules, which must include a graduated system of discipline. Graduated systems of discipline should hold youth responsible for their actions, but align the consequence with the action. This allows individual schools to set their own student conduct expectations, and manage their own student discipline.

School corporations are legally allowed to enact such rules as they wish and students may be suspended or expelled for misconduct or “substantial disobedience” (IC 20-33-8-14). School corporations have the right to take any disciplinary action necessary to promote student conduct that conforms to an orderly and effective educational system (IC 20-33-8-8).

IC 20-26-5-32 requires that the governing body of each school corporation work with parents to: (1) develop; and (2) review periodically; an evidence based plan for improving student behavior and discipline in the school corporation after receiving a model plan developed by the Department of Education. IC 20-31-6-2 requires that the plan have a cultural competency component.

Due to concerns about disparities in discipline applied to students with developmental disabilities, IC 20-26-5-31 was



enacted to ensure that school corporation police receive training to appropriately deal with students with autism and Asperger's syndrome.

IC 20-33-8-16 requires that a student who is identified as bringing a firearm or destructive device to school or is in possession of a firearm, deadly weapon (firearm, Taser or other stun-gun, chemical, or animal) or destructive device (incendiary device or explosives) on school property be expelled for one calendar year. A superintendent may modify the period of expulsion at their discretion. Possessing a knife on school property is a Class B Misdemeanor (IC 35-47-5-2.5), but does not have a one-year suspension attached to it as defined in the provisions of IC 20-33-816.

Indiana schools may choose to turn over student discipline to local courts. IC 20-33-8-5-2 states that a superintendent may enter into an agreement for court assisted resolution of school suspension and expulsion cases. The agreement may require the court to supervise or provide for the supervision of an expelled or suspended student who has been referred to the court by the school corporation.

Impact in Your Community

School corporations should develop disciplinary policies in accordance with evidence-based programs and processes such as [Culturally Sensitive Positive Behavioral Interventions and Supports \(CS-PBIS\)](#), [School-Wide Positive Behavior Supports \(SWPBS\)](#), and curricula and programs listed on national prevention websites such as the [National Registry of Evidence-Based Programs and Practices \(NREPP\)](#), [Blueprints for Healthy Youth development](#), and the

National Institute of Justice's [Crime Solutions](#) registry.

School-wide programs should involve primary prevention and encourage communication, conflict resolution, use praise and positive reinforcement, and encourage and model good classroom behavior and increase parental involvement. All students should be provided with instruction and behavioral expectations.

Schools are legally required to report students possessing firearms, deadly weapons, or destructive devices to law enforcement authorities. However, as schools collect data on disciplinary action, they should evaluate their outcomes and share the data with parents and other stakeholders. Together, the school and community can work to provide graduated consequences and primary prevention to prevent youth from reaching the point of expulsion and suspension.

References

- Indiana Code.
<http://iga.in.gov/legislative/laws/2015/ic/>
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- Losen, D., Hewitt, D., & Toldson, I. (March, 2014). [*Eliminating Excessive and Unfair Exclusionary Discipline in Schools: Policy Recommendations for Reducing Disparities.*](#) Discipline Disparities: A Research-to-Practice Collaborative. The Equity Project at Indiana University.
- Morgan, E., Salomon, N., Plotkin, M., & Cohen, R. (2014). The school discipline consensus report: Strategies from the field to keep students engaged in school and out of the juvenile justice system. Available at:
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