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DISCIPLINE INEQUITIES BETWEEN WHITE AND HISPANIC MIDDLE SCHOOL STUDENTS: AN ANALYSIS OF THE RESEARCH LITERATURE

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Abstract

The purpose of this review is to summarize the existing literature and studies regarding discipline consequence type by ethnic membership, and the influence that discipline consequence type has on academic achievement. Accordingly, the topic areas addressed herein are: 1) the history of school discipline; 2) the demographics of the United States; 3) education equity and the law, with an emphasis on zero tolerance, the intention and modification of zero tolerance, opposition to zero tolerance, and zero tolerance in middle schools; 4) the discipline of White and Hispanic students, with an emphasis on the middle school level and possible reasons for discipline inequity between White and Hispanic students; 5) the White and Hispanic student achievement gap; and, 6) relevant theoretical frameworks (i.e., equity theory and equity of educational opportunity theory), applicable to this investigation. A summary will conclude this literature review.

INTRODUCTION

Public education and the American dream are directly connected to each other. Achievement of the American dream is a powerful ideology that includes success for all citizens who wish to pursue a better life and the improvement of society as a collective whole (Hochschild & Scovronick, 2003). According to Hochschild and Scovronick (2003), the American dream may be achieved through education. Encompassed in the dream of success through education are the ideologies of excellence and equity. Ideally, educators seek to provide equitable and excellent education for all students, regardless of race, ethnicity, background, or culture (Scheurich & Skrla, 2003). Further educational goals are to terminate racial discrimination, produce productive democratic citizens, encourage diversity and promote acceptance, give children dreams for future achievement, and ensure that children are taught as much as they can possibly learn (Hochschild & Scovronick, 2003).

Additionally, the need to learn is an inherited quality of human beings that researchers have examined in relationship to the life cycle (Houle, 1974). A natural progression of learning accompanies the majority of individuals' life cycles, and each generation seeks for the next generation to utilize their acquired knowledge and skills to achieve more success, more opportunity, and overall, a greater quality of life (Hochschild & Scovronick, 2003; Houle, 1974). Regardless of race, ethnic membership, sex, religious affiliation, political beliefs, or sexual orientation, many people believe education is the best way to enhance the quality of one's life and to achieve the American dream (Hochschild & Scovronick, 2003; Scheurich & Skrla, 2003). Thus, an immensely diverse population of students has converged upon the United States' public education system because so many Americans expect education to lead to success.

The purpose of this review is to summarize the existing literature and studies regarding discipline consequence type by ethnic membership, and the influence of discipline consequence type on academic achievement. Accordingly, the topic areas addressed herein are (a) the history of school discipline; (b) demographics of the United States; (c) education equity and the law, with an emphasis on zero tolerance, the intention and modification of zero tolerance, opposition to zero tolerance, and zero tolerance in middle schools; (d) the discipline of White and Hispanic students, with an emphasis on the middle school level and possible reasons for discipline inequity between White and Hispanic students; (e) the White and Hispanic student achievement gap; and, (f) relevant theoretical frameworks (i.e., equity theory and equity of educational opportunity theory), applicable to this investigation. A summary will conclude this literature review.

History of School Discipline

When public education was founded in America, the founding fathers agreed that a primary goal of public education would be to produce responsible citizens (Bear, 1998). Production of responsible American citizens "was reflected in Thomas Jefferson's philosophy that democracy could be protected only by establishing a nation of independently minded, self-governing learners – learners who truly understood that virtuous behavior is critical for democracy's survival" (Bear, 1998, para. 1). In contrast to the established ideal of other nations at that time, religion was not to be the guiding

principle behind young Americans' development of right and wrong, but schools were to teach students the meaning of morals, virtue, duty, and civility (Bear, 1998).

Schools established rigorous routines to facilitate students' understanding of knowledge, skills, morals, virtue, and behaviors "associated with the Puritan ethic of hard work" (Bear, 1998, para. 1). Students who fell short in their educational routine were taught that punishment was a consequence for behaviors not deemed desirable or ideal (Bear, 1998; Finkelstein, 1989; Hyman, 1990). Punishments were frequent, but Jefferson sought to punish students only when their interests were self-serving or egotistical. When applied to classroom practice, idealism was replaced with realism, as Brodie (1974) explained:

Jefferson at first was in favor of self-government for the students and a minimum of discipline, but a student riot, which he himself at 82 helped to quell, and which resulted in three expulsions (one his own nephew) and eleven severe reprimands, convinced him that severer regulations were essential. (p. 604)

With the establishment of Jefferson's model school, the challenge came for educators to teach content, morality, democratic citizenship, and maintain order through minimal discipline (Bear, 1998).

Between 1860 and 1960, adolescent behavior changed, which resulted in the need for schools to adjust in order to meet the needs of students (Hilberth, 2010; Tolbert, 2002). In 1927, researchers indicated that failure to comply with rules, dishonesty, disorderly conduct, immorality, and a disinterest in school work were the most prevalent student offenses of the time (Tolbert, 2002). Responses to student misbehavior at that time included a student being whipped or paddled by the teacher. As time progressed, corporal punishment was continually utilized by school administrators, but rather than the teacher administering the whipping, the administrator would paddle the student as punishment (Hilberth, 2010; Insley, 2001).

Corporal punishment was less prevalent in the latter half of the 20th century, as school administrators began to utilize OSS as a means of removing a disruptive student from the learning environment (Insley, 2001). Nichols, Ludwin, and Iadicola (1999) mentioned that "since the inception of the annual Gallop Poll of the Public's Attitude Toward the Public Schools in 1969, classroom management and school discipline has been the public's primary educational concern on 16 occasions" (p. 43). To address the public's concern, educators adjusted the practice of OSS and began implementing ISS in the 1970s (Insley, 2001). Modification of discipline consequences did not solve the issue of school discipline. From 1986 to 1991, the only public concern greater than school discipline was drug use (Nichols et al., 1999).

Despite the public concern about and evolution of disciplinary practices, the challenges faced by Jeffersonian educators are the challenges that face educators today. Moreover, the number and diversity of students has increased and the issues of disobedience, dishonesty, violence, and drug use have become more complex. In fact, the establishment of laws to facilitate orderly and equitable education became imperative as the United States' student population grew in number and diversity (Nichols et al., 1999).

Demographics

From 2000 to 2010, the population of the United States increased in both number and diversity. The Census Bureau reported the population of the United States as 281,421,906 on April 1, 2000 and 10 years later reported the population of the United States as 308,745,538, an increase of 27,323,622 (Mackun & Wilson, 2011). This population count was then divided using the five major races identified in the United States: White, Black or African American, American Indian or Alaska Native, Asian, and Native Hawaiian or Other Pacific Islander. The Office of Management and Budget provided respondents unable to identify with one racial category the Some Other Race category (Greico & Cassidy, 2001; Humes, Jones, & Ramirez, 2011). Respondents were given the option of selecting whether or not they were of Hispanic origin, in addition to selecting a racial category, because, “The federal government considers race and Hispanic origin to be two separate and distinct concepts” (Greico & Cassidy, 2001, p. 1). Hispanic, as defined by the U.S. Census Bureau, “refers to a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race” (Humes et al., 2011, p. 2). According to 2010 Census Bureau data, 50,477,594 individuals identified themselves as Hispanic or Latino (Humes et al., 2011). With respect to the five major race categories and the Some Other Race category, 223,553,265 individuals identified themselves as White; 18,503,103 individuals identified themselves as Some Other Race; 50,477,594 identified themselves as being of Hispanic or Latino origin; and, 258,267,944 identified themselves as not being of Hispanic or Latino origin (Humes et al., 2011).

Nowhere was the growing diversity of the United States more apparent than a public education classroom. Between 2000 and 2010, the non-Hispanic White population of California, Connecticut, Illinois, Iowa, Kansas, Louisiana, Maryland, Massachusetts, Michigan, Mississippi, New Jersey, New York, Ohio, Pennsylvania, and Rhode Island declined (Center for Public Education, 2009). Furthermore, “during the same time period Black populations declined in only two states – Alaska and Hawaii – while Hispanic and Asian populations grew in every state” (Center for Public Education, 2009, p. 5). Many of these individuals, or their children, have converged upon the public education system for the intellectual advancement, personal growth, and equitable treatment promised to them as a resident of the United States (Hochschild & Scovronick, 2003). In the fall of 2009, public school enrollment was 49,136,000, and, of those students enrolled, 54.1% identified themselves as White, and 22.2% identified themselves as Hispanic (United States Department of Education, 2011). In October 2010, the U.S. Census Bureau identified 57,508,000 students, ages five to 18, enrolled in public schools (United States Census Bureau, 2010). Thus, as majority and minority students entered into public schools to seek an education, equity and order became imperative.

Education Equity and the Law

Educational equity has been advocated in the United States for generations. However, prior to the equitable practices in public education advocated today, *Plessy v. Ferguson* (1898) allowed United States schools to operate under a “separate-but-equal” (Alexander & Alexander, 2009, p. 1019) doctrine. *Plessy v. Ferguson* (1898) mandated

White children and Black children attend separate schools, but stated the facilities, resources, and quality of education should be equal (Alexander & Alexander, 2009). *Plessy v. Ferguson* (1898) set a precedence that remained static until a case from Topeka, Kansas sought to change the status quo (Alexander & Alexander, 2009). In *Brown v. Board of Education* (1955), the United States Supreme Court “struck down *de jure* segregation and spoke to *de facto* segregation” (Streitmatter, 1986, p. 139). Alexander and Alexander (2009) explained *de jure* (by right) segregation and *de facto* (in fact) segregation in the following manner:

De facto segregation is not unconstitutional, whether it occurs in the South or in the North. President Nixon summarized the law in this regard in 1969. He said: “There is a fundamental distinction between so-called ‘*de jure*’ and ‘*de facto*’ segregation: *de jure* segregation arises by law or by the deliberate act of school officials and is unconstitutional; *de facto* segregation results from residential housing patterns and does not violate the Constitution.” (p. 1033)

Brown v. Board of Education (1955) set a new precedent by making the intentional segregation of students unconstitutional and asserted that education be equal (Alexander & Alexander, 2009). This move to end discrimination in the public schools system was paramount, and impacted other areas as well. Schools could no longer discriminate against students for any reason, including, gender, race, religion, ethnicity, or sexual orientation (Streitmatter, 1986). Further legislation, such as the Civil Rights Act of 1964 (Public Law 88-352, 1964) and Title IX of the Education Amendment (Public Law 92-318, 1972), sought to make education equal for all students (Rist, 1979; Streitmatter, 1986). “In the years following *Brown*, increasing support of the notion of egalitarianism in the schools has been illustrated through legislation and litigation favoring sex equity, school integration, bilingual and multicultural education, special education, and due process for all students” (Streitmatter, 1986, p. 139).

In addition to laws advocating equitable education, a variety of laws were established in an attempt to protect the safety and well-being of children while in attendance at school (Alexander & Alexander, 2009). These laws were in response to the increase in disciplinary actions being taken and violent acts being observed and reported in schools (Skiba, 2000). In the early 1990s, educators embraced harsh punishments for students participating in drug use or distribution, acts of violence, or gang activity in public schools (Skiba, 2000). Passage of the Gun-Free Schools Act (Public Law 103-227, 1994) kept firearms 1,000 feet away from school property. In 1994, the Safe Schools Act (Public Law 103-227, 1994) and the Safe and Drug-Free School and Communities Act (Public Law 103-382, 1994) championed education of the negative effects of drugs, promoted peer mediation, and educated faculty and students in the prevention of violent acts (Casella, 2003). Former President Clinton’s administration enacted the Gun-Free Schools Act (Public Law 103-227, 1994), which made the mandatory punishment for possession of a firearm a 1-year expulsion. In 1997, an amendment to the Individuals with Disabilities Education Act (Public Law 105-17, 1997) aligned special education policy with that of general education (Skiba, 2000).

After an influx of laws focused upon safety in schools, then-President George W. Bush sought reauthorization of the Elementary and Secondary Education Act of 1965 (Public Law 89-10, 1965) by signing the No Child Left Behind Act (Public Law 107-110, 2001). The No Child Left Behind (Public Law 107-110, 2001) legislation affected practically every public school in United States and “expanded the federal role in education and took particular aim at improving the educational lot of disadvantaged students” (No Child Left Behind, 2004, para. 2). Legislators advocated the No Child Left Behind Act (Public Law 107-110, 2001) as a means to close the achievement gap and hold public schools accountable for student learning. In addition to the No Child Left Behind Act (Public Law 107-110, 2001), targeting academic achievement, schools adopted zero tolerance policies, targeting behavior management for the improvement of the learning environment.

Zero Tolerance

The United States Department of Education’s National Center for Education Statistics (1998) defined zero tolerance as “a school or district policy that mandates predetermined consequences or punishments for specific offenses” (p. 18). However, the policy was not originally commissioned for use in public schools. “Zero tolerance first received national attention as the title of a program developed in 1986 by U.S. Attorney Peter Nunez in San Diego, impounding seagoing vessels carrying any amount of drugs” (Skiba, 2000, p. 4). According to Jones (2012), “This no-nonsense approach sent a harsh message to offenders that their illegal actions or behaviors would not be tolerated” (p. 2). Passage of the Gun-Free Schools Act (Public Law 103-227, 1994), which encompassed zero tolerance, “marked the first that state legislation began to intervene in the local control that school administrators traditionally had over disciplining its students” (Martinez, 2009, p. 154).

Adoption of zero tolerance policies led to increased instances of exclusionary discipline. Traditionally, in Texas, school districts were extended the liberties of disciplining their students according to their discretion, but zero tolerance policies allowed for harsher punishments to be available to school administrators (Fowler, 2011). Fowler (2011) noted that during the 2009-2010 school year, “68% of student referrals to disciplinary alternative schools were discretionary, as were 72% of all student expulsions from Texas schools” (p. 16). A nationwide elementary and secondary school survey, administered by the Office of Civil Rights in 2000, allowed researchers to compile data from 97% of the nation’s school districts and 99% of its schools (Wallace, Goodkind, Wallace, & Bachman, 2008). Researchers (United States Department of Education, 2000; Wallace et al., 2008) documented 3,053,449 student suspensions and 97,177 student expulsions in the year 2000. Additionally, the majority of students removed from the traditional learning environment were removed for offenses that involved no bodily injury or weapon (Fowler, 2011).

Intent and Modifications of Zero Tolerance

“Sought in zero tolerance policies are the implementations of the harshest punishments possible on offenders to deter the likelihood of those offenses occurring

again” (Jones, 2012, p. 2). Zero tolerance was adopted by school administrators, with the intent to rid public schools of violence (Martinez, 2009). By 1997, most schools had adopted zero tolerance policies, but had also modified the policy to address behaviors other than possession of a weapon as the Gun-Free Schools Act (Public Law 103-227, 1994) mandated (Casella, 2003; Martinez, 2009). In schools where zero tolerance was in place, “88% targeted drugs, 87% targeted alcohol, and 79% targeted fights” (Martinez, 2009, p. 154). Moreover, some school administrators included offenses such as “swearing, truancy, insubordination, disrespect, and dress-code violation” (Axman, 2005; Essex, 2004; Martinez, 2009, p. 154; Skiba, 2000; Wald, 2001).

According to Morrison and Skiba (2001), zero tolerance policies were adopted by school administrators to address serious concerns such as drugs, weapons, and gangs; however, drugs, weapons, and gangs were not the most frequent problems presented to school administrators. Incidents that threatened school safety, and were intended to be addressed with zero tolerance policies, were reported as follows: drug use, 9%; gang affiliation or activity, 5%; possession of a weapon on campus, 2%; and, physical abuse of a teacher, 2% (Morrison & Skiba, 2001). In contrast to violent offenses, school administrators indicated that less violent behaviors were observed most often in schools and were also being addressed with zero tolerance policies. For example, the most frequent behaviors addressed by school administrators included tardiness, 40%; absenteeism or truancy, 25%; and, physical altercations between students, 21% (Morrison & Skiba, 2001). In time, zero tolerance policies were used in response “to issues as diverse as environmental pollution, trespassing, skate boarding, racial intolerance, homelessness, sexual harassment, and boom boxes” (Skiba & Peterson, 1999, p. 373). Skiba (2000) reported negative perceptions of zero tolerance policies stemmed from instances of student expulsions for “paper clips to minor fighting to organic cough drops” (p. 5).

Opposition to Zero Tolerance

Not all administrators, teachers, community members, parents, or students supported the adoption of zero tolerance policies in schools (Gordon, Piana, & Keleher, 2000). According to Gordon et al. (2000), educational stakeholders who opposed “zero tolerance argued that the policy was too harsh for enforcement in public schools, because seemingly trivial actions were being handled with the full force of the law” (Jones, 2012, p. 2). Noguera (2003) explained:

Schools typically justify using removal through suspension or expulsion by arguing that such practices are necessary to maintain an orderly learning environment for others. The typical rationale given for such practices is that by sorting out the “bad apples,” others will be able to learn. This is the only justification that seems even remotely plausible because there is very little evidence that such practices actually change or improve the behavior of offending students. I often point out to teachers and administrators that the only students whose behavior is likely to improve if they are suspended are students who care about school and who believe their participation in school will help in meeting goals they have

set for themselves. The strongest indication that such practices are ineffective at changing behavior is the fact that students who get into trouble and are suspended most frequently rarely change their behavior for the better because they are periodically not allowed to attend school for a few days. (p. 346)

Individuals in opposition to zero tolerance asserted that excluding students from school left them unattended for the day, week, or year, depending upon the punishment issued (Farner, 2002). Furthermore, those students issued exclusionary discipline (e.g., ISS, OSS, a DAEP placement, or expulsion) were deemed to be the students most in need of academic, social, emotional, or developmental guidance (Farner, 2002).

“Politically, constituents complained that manpower and money were being wasted” (Jones, 2012, p. 2) on the implementation of zero tolerance policies. Gordon et al. (2000) contended that zero tolerance policies forced administrators and teachers to enforce consequences that may not be the most effective for the offense, or offender, in question. First-time offenders were treated with the same severity as a fourth- or fifth-time offender, and the historical consideration of the offender’s behavior was of less importance to administrators who utilized zero tolerance policies (Gordon et al., 2000). Regardless of their personal opinions, stakeholders in opposition to zero tolerance continued to enforce its implementation due to the issues of student misbehavior in school (Ingersoll, 2001; Ingersoll & Smith, 2003; Monroe, 2006).

Zero Tolerance in Middle Schools

Student misbehavior and discipline were cited as a considerable professional concern of teachers (Ingersoll, 2001; Ingersoll & Smith, 2003; Monroe, 2006). Zero tolerance policies facilitated the removal of students from the learning environment for disruptive behaviors, as defined by the district or campus (Martinez, 2009). From 1974 to 2006, the number of student suspensions or expulsions nearly doubled (Brownstein, 2010). More specifically, in 1997, over 3.1 million students were suspended nationwide (Brooks, Schiraldi, & Ziedenberg, 1999). Mendez, Knoff, and Ferron (2002) explained that the greatest instances of OSS increased in Grade 7 and Grade 8, before peaking in Grade 9. After the passage and implementation of zero tolerance policies, suspension rates increased overall; however one reason for the rise in suspended students was the modification of zero tolerance policies to address defiant or disruptive behaviors (e.g., failure to follow a directive, insubordination, or obscene language) in addition to weapons, drugs, or violence (Mendez et al., 2002). Furthermore, zero tolerance led to increased instances of suspension for all students, but for minority students (e.g., Black and Hispanic students) more often than for White students (Axman, 2005; Black, 2004; Cartledge, Tillman, & Johnson, 2001; Dunbar & Villarrule, 2002; Lunenburg, 2012; Martinez, 2009; Skiba, 2000; Skiba & Peterson, 1999; Wald, 2001). Dupper (2010) declared, “zero tolerance discipline policies disproportionately affect African American and Hispanic students, who are suspended at approximately three times the rate of White students” (p. 67).

Discipline of Hispanic and White Students

“Providing a safe and effective learning environment led to the widespread adoption of zero tolerance policies and the use of exclusionary discipline methods” (Jones, 2012, p. 2). Though all students were impacted by zero tolerance and exclusionary disciplinary consequences, minority students were the most strongly affected because of a disproportionate assignment of exclusionary consequences (Krezmien, Leone, & Achilles, 2006). Well-documented in the literature was the existence of inequitable disciplinary consequences assigned to Black students in comparison to White students (Fenning & Rose, 2007; Hilberth, 2010; Hilberth & Slate, 2012; Levin, 2012; Lunenburg, 2012; Muskal, 2012; Skiba et al., 2002; Skiba & Peterson, 1999); however, and for the purposes of this investigation, previous researchers (Anfinson, Autumn, Lehr, Riestenberg, & Scullin, 2010; Christle, Nelson, & Jolivette, 2004; Jones et al., 2012; Mendez & Knoff, 2003; Nicholson-Crotty, Birchmeier, & Valentine, 2009; Peguero & Shekarkhar, 2011; Skiba et al., 2011; Stetson & Collins, 2010) documented the existence of inequitable disciplinary consequences assigned to Hispanic students in comparison to White students specifically. Comparisons between Hispanic and White data are of particular importance because the Hispanic population recently surpassed the Black population as the largest minority group in the United States (Carpenter, Ramirez, & Severn, 2006; Griffin, 2003).

Loyola University researchers remarked that overrepresentation of minorities in disciplinary consequences issued has been a point of concern for 30 years (Fenning & Rose, 2007). Gordon and colleagues (2000) implied that the likelihood of Hispanic students receiving school punishment varied across studies. According to Arcia (2007) and Verdugo (2002), Hispanic students were more frequently punished than White students, yet Black students were disciplined most often in public schools. Kupchik and Ellis (2008) indicated that disparity among discipline consequences and ethnic membership was due, in part, to the Americanization of immigrant children. The belief that immigrant children should conform to a European style of education negatively impacted students who were not of European descent (Kupchik & Ellis, 2008). In contrast, Morris (2005) declared that Hispanic students were more likely than Black or White students to receive a form of school discipline.

Federal data released in 2000 informed the public of disparities in discipline assignments by race and ethnic membership. Johnston (2000) stated, “White students made up 63% of enrollment and 50% of suspensions. The 15% of Hispanic enrollment made up for 14% of the suspensions” (p. 3). Regardless of the fact that racial disparities in discipline consequence assignment had been a priority of previous White House administrations, data continued to provide evidence that inequities existed between Hispanic students and White students (Johnston, 2000).

Peguero and Shekarkhar (2011) conducted an investigation in which they confirmed similar results as Morris (2005); however, the researchers emphasized a greater focus on the generational status of Hispanic students. First-generation Hispanic students were less likely to engage in school misbehavior than White students, yet were punished more often than White students. Second- and third-generation Hispanic students demonstrated no statistically significant difference in misbehavior than White students, yet were punished more often than White students (Peguero & Shekarkhar, 2011).

Rausch and Skiba (2004) examined discipline inequity in Indiana schools and determined Hispanic students were being punished (e.g., suspended or expelled) at a rate two times greater than their White student counterparts. Furthermore, Hispanic students had a higher rate of suspension than White students, and the increased rate of suspension increased the likelihood that a student would be suspended again, expelled, drop out, or be incarcerated (Ladson-Billings, 2001; Rausch & Skiba, 2004; Sandler, Wong, Morales, & Patel, 2000; Wadhwa, 2010).

Attention to discipline inequity, because of race and ethnic membership, was given heightened priority by the federal government when Thomas E. Perez, Assistant Attorney General for Civil Rights at the United States Department of Justice stated:

Regrettably, students of color are receiving different and harsher disciplinary punishments than Whites for the same or similar infractions, and they are disproportionately impacted by zero-tolerance policies – a fact that only serves to exacerbate already deeply entrenched disparities in many communities. (Zehr, 2010, p. 1)

Former Presidents Ronald Reagan, George H. W. Bush, Bill Clinton, and George W. Bush each worked to establish equity in education. Most recently, President Barak Obama's administration "launched five compliance reviews on school discipline" (Zehr, 2010, p. 15). Compliance reviews were conducted in Delaware, Minnesota, New York, North Carolina, and Utah, and researchers charged with completing the reviews were to conduct on-going disparate-impact analyses to determine if disparities in school discipline existed (Zehr, 2010).

Discipline of Hispanic and White Students at the Middle School Level

Suspensions at the middle school level have escalated since the early 1970s, and have been studied closely, as middle school was determined to be a time of critical development for students (Losen & Skiba, 2010; Theriot & Dupper, 2010). Though each child is different, changes due to the onset of puberty created a source of stress for children around the time they are transitioning to or in middle school (Chung, Elias, & Schneider, 1998; Crockett, Peterson, Graber, Schulenberg, & Ebata, 1989; Theriot & Dupper, 2010). During middle school, Theriot and Dupper (2010) explained that students become "more socially aware, self-conscious, and their relationships to their parents are changing" (p. 206). In middle school, girls reported great stress centered on relationships with peers, yet boys not only identified peer relationships as a source of stress, but also conflict with authority and academics (Elias et al., 1992; Theriot & Dupper, 2010). Researchers determined that:

While many adolescents go through their middle school years relatively unscathed by the stress of this developmental stage, many others fail to achieve the intellectual capacities and coping skills they will need to meet the demands of adult life (Carnegie Council on Adolescent Development, 1989). Students who fail to develop these skills usually manifest emotional stress and express it by creating classroom disruptions that often

lead them being sent to an administrator in the incidences documented as referrals. (Bernreuter, Robinson, & Hirst, 1999; Hirst, 2005, p. 51)

For those students who do not handle the stress of adolescence and middle school adequately, implementation of zero tolerance policies may have attributed to increased rates of suspension (Losen & Skiba, 2010; Theriot & Dupper, 2010). Zero tolerance has been an established policy for over 25 years, and as suspension rates increase, no evidence exists that demonstrates zero tolerance has been an effective policy in deterring student misbehavior and/or violence (Losen & Skiba, 2010). Furthermore, Losen and Skiba (2010) asserted, "Because suspended students miss instructional time, frequent use of out-of-school suspension also reduces students' opportunity to learn" (p. 2). At the middle school level, the following correlation was explained by Nichols (2004):

A significant negative correlation among the number of out-of-school suspension students and majority status ($r = .61$), suggesting that at the middle school level, it might be uncommon for majority status students to experience out-of-school suspension as a disciplinary action, while the positive correlation of this relationship among minority students suggest that this might be a common occurrence. (p. 414)

Morris (2005), in his investigation, centered on Matthews Middle School, a large, urban middle school with a predominantly minority student population. Perceptions of Matthews Middle School teachers were that Hispanic students, boys in particular, were "gangsters" (Morris, 2005, p. 36). All communication regarding Hispanic students at Matthews Middle School was negative and centered on dress, persona, image, or misbehavior, thus exemplifying a Hispanic population disengaged with education and a campus with inequitable discipline assigned to minority students (Morris, 2005). Nichols and colleagues (1999) investigated nine middle schools and six high schools in a Midwestern metropolis, and discovered 25,776 disciplinary actions for 14,921 students. Of the 25,776 disciplinary actions, 5,655 were OSS (Mendez et al., 2002; Nichols et al., 1999).

Skiba and colleagues (1997) conducted an investigation of referrals and suspensions at urban middle schools in comparison to suburban middle schools. In the urban location, researchers accumulated the discipline referrals for 11,001 middle school students enrolled in 19 middle schools. In the suburban location, researchers accumulated the discipline referrals for 610 students enrolled in one middle school. According to Evans, Lester, and Anfara (2010), each school population had an overrepresentation of males, students of low socioeconomic status, and students with disabilities. In the urban middle school, 41.1% of all students had at least one referral and in the suburban school, 38.2% of all students had at least one referral (Evans et al., 2010; Skiba et al., 1997). However, in the urban setting, 33% of all referrals resulted in a student suspension, but only 6% of referrals led to a student suspension in the suburban locale (Evans et al., 2010; Skiba et al., 1997). Moreover, researchers mentioned that the majority of referrals were written for acts of insubordination or disobedience rather than violent or severe offenses (Skiba et al., 1997).

Rates of suspension were elevated at the middle school level, when compared to elementary schools and high schools; however, Rossow and Parkinson (1999) determined that some suspended students viewed suspension as “an officially sanctioned school holiday” (p. 39). Other researchers (e.g., Morrison, Anthony, Storino, Cheng et al., 2001; Sekaya, 2001) mentioned that suspended students understood the reasons for their suspension and believed the punishment was legitimate. Regardless of legitimacy, numerous researchers (e.g., Cartledge et al., 2001; Fenning & Rose, 2007; Mendez & Knoff, 2003; Streitmatter, 1986) have investigated possible causes for the minority students, specifically of Hispanic origin, being assigned a greater number of exclusionary disciplinary consequences as compared to their White peers.

Reasons for Discipline Inequity between Hispanic and White Students

Increased interest in the social and academic ramifications, due to the overrepresentation of minority students receiving exclusionary discipline consequences, has led researchers to investigate the possible causes for the inequities (Cartledge et al., 2001; Fenning & Rose, 2007; Mendez & Knoff, 2003; Streitmatter, 1986). Though no investigation is conclusive, a variety of theories or rationales was present in the literature to explain possible reasons for discipline inequities between Hispanic and White students. Such rationales included cultural differences, ambiguous student expectations, a lack of communication, and school and community issues.

First, researchers suggested that the majority population of White teachers simply does not understand how to educate and interact with minority students or students who come from a background dissimilar from their own (Nichols et al., 1999; Rubovitz & Maehr, 1973). Various researchers (e.g., Ahlquist, 1991; Haberman, 1992; King, 1991; Sleeter, 1993; and Tatum, 1994) suggested that the racist attitudes that have historically plagued the United States have also impacted the teaching population and their assignment of discipline consequences to minority students (Nichols et al., 1999). In contrast, Foster (1993), Irvine (1990), Ladson-Billings (1995), and Villegas (1991) alluded to “cultural mismatch” (Nichols et al., 1999, p. 44) being to blame for the inequitable assignment of discipline to minority students when compared to White students.

Researchers suggested specific cultural differences that may have attributed to disciplinary inequity (Cartledge et al., 2001). Acceptance of vocal assertiveness or volume, greater physical contact, and a sense of community membership may be misinterpreted by a White teacher as inappropriate or disrespectful behavior, resulting in disciplinary action by the teacher or administration (Cartledge et al., 2001; Nichols, 2004). Cartledge et al. (2001) elaborated by stating:

With a largely White female teaching force, cultural discontinuities enter in when the student population consists of racially/ethnically diverse youngsters who are disproportionately impoverished. When teachers and students are out of sync, they clash and confront each other, both consciously and unconsciously on matters concerning proxemics (use of interpersonal distance), paralanguage (behaviors accompanying speech such as voice tone and pitch and speed rate and length), and verbal behavior (gesture, facial expression, eye gaze). (p. 31)

Seemingly small cultural characteristics could mean the difference between a successful working relationship and an unsuccessful one (Cartledge et al., 2001; Nichols, 2004).

Researchers who conducted a study of three large, urban high schools remarked that most teachers were White; however, administration in those three high schools identified a diverse group of role models available for students (Streitmatter, 1986). Streitmatter (1986) asserted, "Research indicates that role models effect levels of aspirations and eventual career attainment (Grotevant & Cooper, 1981). The lack of appropriate role models may affect students' perceptions of expectations for their behavior. The high schools profiled have highly heterogeneous building administrations" (p. 141-142). With respect to the schools studied, administration had made an effort to diversify and more closely reflect the demographics of the campus; however, the majority of the teaching staff remained predominantly White. Minority students, such as students of Hispanic origin, had individuals similar to them to look up to in the roles of administration, yet the majority of classrooms were managed by a White, female teaching force (Streitmatter, 1986).

A second factor that has contributed to the overrepresentation of minority students, and is linked to a majority population faculty, is unclear or ambiguous expectations for student behaviors (Gordon et al., 2000). Schools allowing suspension for behaviors such as disrespect, defiance, or insubordination must be cognizant of their definitions of such behaviors. Clear, concise wording and demonstrations or role-playing of appropriate interactions and inappropriate interactions could enrich understanding for all students, including minority students (Gordon et al., 2000).

Skiba et al. (2002) asserted that White students were most often suspended for smoking, endangering, obscene language, vandalism, and use of drugs or alcohol. Minority students, in contrast, were most often suspended for loitering, disrespect, excessive noise, threats, or conduct interference (Skiba et al., 2002). When compared, the offenses resulting in White students' suspensions were objective and concrete, but the offenses resulting in minority students' suspensions were subjective to the authority figure administering the referral or discipline consequence (Skiba et al., 2002).

Third, the failure of school administration and staff to solicit student input regarding his or her misbehavior was a contributing factor to disciplinary inequity (Fenning & Rose, 2007). Fenning and Rose (2007) declared, "Discipline staff rarely questioned students about the particular details of their misbehavior" (p. 544). When issuing disciplinary consequences, minority students were negatively affected by the consideration of factors that had no merit on the behavior in question, such as attendance, academic standing, or past suspensions. "The authors concluded that these factors (unrelated to the source of the current referral) differentially affected students of color, placing them at risk of being identified as troublemakers" (Fenning & Rose, 2007, p. 544). A possible solution to the consideration of irrelevant factors could be soliciting student input, to give the student a voice in the current matter (Fenning & Rose, 2007).

Lastly, a variety of school and community issues can be reviewed when considering minority inequity with respect to suspension and expulsion rates. "Flannery (1997) identified several school-related risk factors, including high student-teacher ratios, insufficient curricular and course relevance, and weak, inconsistent adult leadership-factors typically associated with poor-performing and impoverished schools" (Krezmien

et al., 2006, p. 224). Such influences negatively impacted the environment where discipline was issued because instability contributed to inconsistency in school management and classroom discipline (Gregory, Skiba, & Noguera, 2010).

Despite many reasons for discipline inequity in public schools, no viable solution to the problem has been implemented. The negative consequences of assigning Hispanic students more instances of exclusionary discipline consequences are varied and severe. Multiple researchers affirmed a strong correlation between students' grade point averages and rates of suspension (Christle et al., 2004; Dupper, 2010; Evans et al., 2010; Morrison, Anthony, Storino, & Dillon, 2001). With regard to the middle school level specifically, researchers (e.g., Arcia, 2007; Evans et al., 2010) determined that suspensions negatively impacted academic achievement and served to widen the achievement gap between White students and minority students, such as Hispanic students focused upon in this investigation.

The Hispanic and White Student Achievement Gap

The No Child Left Behind Act (Public Law 107-110, 2001) was modeled after educational policies in Virginia, North Carolina, and Texas aimed at closing the achievement gap and deemed as exemplar educational policies (Skrla, Scheurich, Garcia, & Nolly, 2004). As stated in the executive summary of the No Child Left Behind Act (Public Law 107-110, 2001):

The NCLB Act will strengthen Title I accountability by requiring States to implement statewide accountability systems covering all public schools and students. These systems must be based on challenging State standards in reading and mathematics, annual testing for all students in grades 3-8, and annual statewide progress objectives ensuring that all groups of students reach proficiency within 12 years. Assessment results and State progress objectives must be broken out by poverty, race, ethnicity, disability, and limited English proficiency to ensure that no group is left behind. School districts and schools that fail to make adequate yearly progress (AYP) toward statewide proficiency goals will, over time, be subject to improvement, corrective action, and restructuring measures aimed at getting them back on course to meet State standards. (p. 4)

Loss of instructional time for students assigned an exclusionary discipline consequence results in poorer academic performance. As such, if certain ethnic groups are assigned a disproportionate amount of exclusionary discipline consequences, the impact on those students' academic achievement is greater than that of the students who remain in the traditional classroom setting (Talbert-Johnson, 2004). In Texas, exclusionary disciplinary consequences may impact students of particular districts more so than in other districts. During the 2008-2009 school year, "more than 30 Texas school districts referred students to disciplinary alternative schools at two to five times the state average" (Fowler, 2010, p. 3). Furthermore, Fowler (2011) asserted that while 1,257 Texas school districts did not expel any student during the 2007-2008 school year, other districts such as Waco Independent School District and Aldine Independent School

District expelled 13 students and 12 students for every 1,000 students, respectively (Fowler, 2011). With regard to suspensions in Texas, the TEA reported over 645,000 suspensions for the 2007-2008 school year, an increase of 43% from the 2002-2003 school year (Browne-Dianis, 2011).

In California, Morrison, Anthony, Storino, Cheng et al. (2001) conducted an investigation of characteristics of middle school ISS recipients. Of the 128 middle school students assigned to ISS, thorough data were available for 85 students, of whom 47.6% identified themselves as of Hispanic origin and 52.4% identified themselves as not of Hispanic origin (Morrison, Anthony, Storino, Cheng et al., 2001). With regard to academic achievement, researchers compared the grade point average for students with no office referrals to the grade point average for students with at least one office referral. For those students with no office referrals, the grade point average mean for the previous spring semester was 2.22 and for the current spring semester was 2.29. For those students with at least one office referral, the grade point average mean for the previous spring semester was 1.75 and for the current spring semester was 1.69 (Morrison, Anthony, Storino, Cheng et al., 2001). In addition to lower academic achievement, students who received at least one office referral, and a subsequent ISS assignment, reported feeling less socially responsible for their behaviors, low personal optimism, and a greater susceptibility to peer pressure (Morrison, Anthony, Storino, Cheng et al., 2001).

Despite ongoing efforts to minimize the achievement gap between White students and minority students (e.g., Black students or Hispanic students), White students scored, on average, 100 points higher on the Scholastic Aptitude Test than Hispanic students (Campbell, Hombro, & Mazzeo, 2000; Haycock, 2001; Talbert-Johnson, 2004). Hispanic students have historically performed at a lower level than White students. Due to academic struggles, Hispanic students are three times more likely to drop out of school than are White students (Cataldi, Laird, & KewalRamani, 2009; Gándara & Contreras, 2009; Peguero & Shekarkhar, 2011; Portes & Rumbaut, 2006). For example, in the 2004-2005 school year, 84,566 Hispanic students dropped out of high school, in Texas alone (Bruton & Robles-Piña, 2009; Education Counts Research Center, 2005).

Numerous researchers (e.g., Bempechat, Nakkula, Wu, & Ginsburg, 1996; Stevens, Olivárez, & Hamman, 2006; Stevens, Olivárez, Lan, & Tallent-Runnels, 2004; Stevenson, Chen, & Uttal, 1990) documented the Hispanic and White student achievement gap with regard to mathematics, specifically. Hispanic students consistently scored below their White peers in mathematics coursework or on mathematics assessments, which presented a continuous concern for Hispanic students' postsecondary educational prospects (Stevens et al., 2006). "Mathematics has been considered the gateway to college and mathematics-related careers, which in turn, lead to economic benefits and enfranchisement" (Stevens et al., 2006, p. 162); however, low performance in mathematics served to increase disenfranchisement of the Hispanic student population (Moreno & Muller, 1999; Rivera-Batiz, 1992; Schoenfeld, 2002; Stevens et al., 2006). Moreover, Hispanic students who were able to graduate high school were reported to have left high school with mathematics abilities at the eighth grade level (Bruton & Robles-Piña, 2009; TC Media Center, 2005).

In addition to a pronounced achievement gap in mathematics, previous researchers (e.g., Bruton & Robles-Piña, 2009; TC Media Center, 2005) noted that Hispanic graduates were reading at the eighth grade level, and approximately one in 50

Hispanic students “can read and gain information from specialized text (such as the science section of a newspaper) compared to about one in 12 White students” (TC Media Center, 2005, para. 4). Rose & Gallup (2006) reported that Hispanic students fell behind their White peers by approximately 26% in eighth grade reading skills. In addition to reading and mathematics abilities, Hispanic students were not well represented on standardized examinations. On standardized exams, 60% of Hispanic students scored at the below basic level in mathematics and 40% of Hispanic students scored at the below basic level in reading (Bruton & Robles-Piña, 2009). Moreover, “low achievement in middle and high school is linked with more serious forms of aggression a year later” (Gregory et al., 2010, p. 61). Strong correlations between aggressive behavior, disciplinary action, and low academic achievement, further perpetuate the consistency of the achievement gap documented between White students and Hispanic students (Choi, 2007).

Theoretical Framework

The founding fathers of America sought for American public schools the ability to produce intelligent, responsible, and self-sufficient citizens (Bear, 1998; Brodie, 1974). However, an issue that the nation’s founders did not anticipate was the diverse population of students that would enter the United States’ schools to seek an education. The need for equity in education has increased in urgency, as the diversity in United States’ schools has increased. Two theoretical frameworks, equity theory and equality of educational opportunity theory, are applicable for review, in addressing the accessibility of equitable education for all American public school students.

History of Equity Theory

Adams, a workplace and behavior psychologist, developed equity theory in 1962 (Leventhal, 1976). “According to the theory, human beings believe that rewards and punishments should be distributed in accordance with recipients inputs or contributions” (Adams, 1963, 1965; Homans, 1974; Leventhal, 1976, p. 3). Adams (1965) defined inequity as follows:

Inequity exists for Person whenever he perceives that the ratio of his outcomes to inputs and the ration of Other’s outcomes to Other’s inputs are unequal. This may happen either (a) when Person and Other are in a direct exchange relationship or (b) when both are in an exchange relationship with a third party and Person compares himself to Other. Outcomes refer to rewards such as pay or job status, which Person receives for performing his job. Inputs represent the contributions Person brings to the job, such as age, education, and physical effort. (p. 280)

In addition to the explanation of inequity, the assumptions, propositions, and derivations of equity theory may be divided into two categories: those propositions centered upon the conditions of inequity and those propositions centered upon the resolution of inequity (Goodman & Friedman, 1971). Regardless of the category propositions fall under, equity theory was grounded in the belief that “all social systems evolve mechanisms for

distributing valued resources and for allocating rights, responsibilities, costs, and burdens” (Cook & Hegtvedt, 1983, p. 218). One valued resource subject to the need for distribution, and ideally, distributed equally to all Americans, was public education.

Equity Theory in Education

In the midst of developmental research, Piaget (1963) discovered that children as young as seven understood the concept of justice (Streater & Chertkoff, 1976). In the research of equity in education, three paradigms emerged “in experiments on the child’s conception of a fair outcome distribution” (Streater & Chertkoff, 1976, p. 800). First, Leventhal and Anderson (1970), Lane and Coon (1972), and Lerner (1974) focused research on the participant paradigm where a child was instructed to distribute a reward between himself and a fictitious partner who completed the same task as the child (Streater & Chertkoff, 1976). Researchers discovered “Conclusions using this paradigm have been split, with some research results suggesting equity and some equity as the rule for fairness in children 6 and younger” (Streater & Chertkoff, 1976, p. 800).

Second, Leventhal, Popp, and Sawyer (1973) developed a supervisor paradigm where a child was rewarded for the completion of a task and instructed to allocate rewards earned by the other participants to them. In this experiment, children between the ages of five and seven were able to distribute rewards to fellow participants equitably. In contrast, Lerner (1974) documented “kindergarten-age supervisors generally favored equality and fifth-grade supervisors were about equally divided between those favoring equality and those favoring equity” (Streater & Chertkoff, 1976, p. 800).

Third, the final paradigm differs from the previous two paradigms as negotiation was permitted in a dyadic situation (Streater & Chertkoff, 1976). The third paradigm differs from the others by using subjects in a dyadic situation involving negotiation. Here the subjects are asked to arrive at a distribution of reward that is acceptable to both members of the dyad. Morgan and Sawyer (1967) had 10-12-year-old males decide on one of seven possible money allocations. Each dyad consisted of either friends or non-friends. The results indicated that although friends prefer equality, they will accept a less favorable allocation if they think the other might want it. However, non-friends prefer strict equality regardless of knowledge about what the other expects (Streater & Chertkoff, 1976, p. 801). Streater and Chertkoff (1976) conducted their investigation with 270 children, divided into three age categories. Children ages 12-13, the approximate age students enter middle school, were the oldest of the study participants and the most likely to distribute rewards equally.

In addition to the three paradigms, Hook and Cook (1979) provided further categories of equity: (a) proportional equity, (b) ordinal equity, (c) self-interest, or (d) equality. According to the researchers, an allocator of rewards who used ratios to determine reward distributions determined proportional equity. Ordinal equity was determined to be present when “rank order is preserved from the work dimension to the reward dimension (Hook & Cook, 1979, p. 430). For example, supervisors in a superior work place kept more rewards for themselves than what was distributed; thus, ordinal equity was established. Streater and Chertkoff (1976) summarized equity theory studies that utilized proportional equity, ordinal equity, self-interest, and equality categories.

Studies conducted by researchers who investigated equity theory with middle school students are delineated in Table 1.

Table 1

Summary of Equity Theory Studies

Researchers	Year	Age of Participants	Result
Morgan & Sawyer	1967	10-12	Ordinal Equity
Benton	1971	1-12	Ordinal Equity, Equality
Garrett & Libby	1973	14	Proportional Equity
Streater & Chertkoff	1976	12	Ordinal Equity
Hook	1978	13	Proportional Equity
Hook, Brockett, & Smith	1979	12-13	Ordinal Equity

Note. Information in Table 1 is synthesized from Streater and Chertkoff (1976).

In addition to studies with middle school aged participants, previous researchers (Cohen, 1974; Lane, Messe, & Phillips, 1971; Leventhal & Lane, 1970; Leventhal, Weiss, & Long, 1969; Reis & Gruzen, 1976; Shapiro, 1975; Von Grumbkow, Deen, Steensma, & Wilke, 1976) examined equity theory exclusively with adults and determined that proportional equity was most prevalent. In education, established equity is difficult to achieve between a student and an educator, as the educator is charged with the safety and wellbeing of numerous children. Educators distributing unjust punishments to students lack a relationship of equality and routinely have established a relationship of exploitation, where the student was considered the victim and the educator was considered the exploiter (Walster & Walster, 1975). Additionally, equity theory was best utilized with a singular concept of fairness, but education was, and is, a multidimensional discipline (Leventhal, 1976).

History of Equality of Educational Opportunity Theory

To examine the equality of educational opportunity theory thoroughly, a child's status in society must be examined historically. Coleman (1968) explained how children's social status affected their future as follows:

In pre-industrial Europe, the child's horizons were largely limited by his family. His station in life was likely to be the same as his father's. If his father was a serf, he would likely live his own life as a serf; if his father was a shoemaker, he would likely become a shoemaker. But even this

immobility was not the crux of the matter; he was a part of the family production enterprise and would likely remain within this enterprise throughout his life. (p. 8)

In this pre-industrial society, the focus was on the production and livelihood of one's own family, with little to no regard for the productivity of other families; thus, equality of educational opportunity had no relevance. However, with the start of the industrial revolution came the need for children of all statuses to become educated, outside the home, in a variety of skills for the survival of their families (Coleman, 1968).

To meet the need for educating children, public education began to appear in Europe and the United States in the early nineteenth century (Coleman, 1968). In the twentieth century, the United States endured dramatic shifts in beliefs, culture, and politics, as well as an intense focus on the accessibility of equitable public education for American children (Wong & Nicotera, 2004).

In the United States, nearly from the beginning of public education, the concept of educational opportunity had a special meaning which focused on equality. This meaning included the following elements:

- (1) Providing a *free* education up to a given level, which constituted the principal entry point to the labor force.
- (2) Providing a *common curriculum* for all children, regardless of background.
- (3) Partly by design and partly because of low population density, providing that children from diverse backgrounds attend the *same school*.
- (4) Providing equality within a given *locality*, since local taxes provided the source of support for schools. (Coleman, 1968, p. 11).

Originated 10 years after the *Brown v. Board of Education* (1955) ruling, alongside the Great Society initiatives of former President Johnson's administration, and as mandated by the Civil Rights Act of 1964, "The Coleman report was monumental in terms of its research design. The sample included around 600,000 students, 60,000 teachers, and 3,100 schools across the nation" (Wong & Nicotera, 2004, p. 128), making it the second largest social science research study to be conducted in the United States to date. After analysis of the data, Coleman et al., (1966) reported two significant discoveries. First, Coleman et al. (1966) determined that school resources (e.g., curriculum, school facilities, or teacher quality) did not affect student achievement in a statistically significant manner. "Second, the most significant effect on student achievement was the background characteristics of other students, or peer effects" (Coleman, 1990; Coleman et al., 1966; Wong & Nicotera, 2004, pp. 129-130). Of specific importance were Coleman and his colleagues' (1966) assertion that "Attributes of other students account for far more variation in the achievement of minority group children than do any attributes of school facilities and slightly more than do attributes of staff" (p. 302).

After the Coleman report and into the Cold War, “the nation’s need for human capital and the need to provide equality of educational opportunity to all children and youth were clearly and directly related to the nation’s desire to prosecute successfully the Cold War” (Johanningmeir, 2008). Investing in the human capital of America, for the sake of the Cold War, provided children with the greatest educational opportunities ever seen in the United States. Johanningmeir (2008) stated:

The long campaign for equality of educational opportunity benefited from the nation’s engagement in the Cold War. It is benefiting from the nation’s need to identify and develop the human capital it needs to compete successfully in the Global Economy. Equality of educational opportunity and the need for human capital clearly came together in 1989 at the Charlottesville Conference [former] President George H. W. Bush held with the nation’s governors and in [former] President William J. Clinton’s Goals 2000: Educate America Act. The merger was given full expression when No Child Left Behind was enacted in 2002. (p. 368)

Equality of Educational Opportunity Theory Today

Passage of the No Child Left Behind Act (2001) sought to “claim that schools are important and they can be effective” (Johanningmeir, 2008, p. 376). Just as Coleman et al. (1966) documented a gap in achievement between White students and minority students (e.g., Black students), the No Child Left Behind Act (2001) was founded, in part, to close the achievement gap still present between White students and minority students (e.g., Black, American Indian or Alaska Native, Asian, and Native Hawaiian or Other Pacific Islander students). Moreover, closing the achievement gap was a concern for the nation, as 88% of respondents answered “very important” or “somewhat important” to the survey item “Black and Hispanic students generally score lower on standardized tests than White students. In your opinion, how important do you think it is to close this academic achievement gap between these groups of students?” (Rose & Gallup, 2006, p. 46). Additionally, 57% of survey respondents believed it was the responsibility of the public schools to close the achievement gap between White students and their Black and Hispanic peers (Rose & Gallup, 2006).

SUMMARY

Persistence of the achievement gap in American schools continues to pose a problem for the public, students, and educators. In accordance with the equality of educational opportunity theory, all students should have equal access to an equitable public education (Coleman, 1968, 1990; Coleman et al., 1966). Furthermore, and in accordance with equity theory, individuals’ outcomes or rewards should be a direct result of their inputs (Adams, 1963, 1965). However, as the achievement gap remains stable, and discipline (e.g., lack of discipline, drug use, and fighting) was the nation’s priority for 16 years, previous research has yet to lead educators to a viable, comprehensive solution for closing the achievement gap or providing equitable discipline in public schools (Rose & Gallup, 2006).

Well-documented in the literature is the existence of inequitable disciplinary consequences assigned to Black students in comparison to White students (Fenning & Rose, 2007; Hilberth, 2010; Hilberth & Slate, 2012; Levin, 2012; Muskal, 2012; Skiba & Peterson, 1999; Skiba et al., 2002); however, students of Hispanic origin have increased in public schools, thus establishing a need to investigate inequitable discipline between White students and Hispanic students (Anfinson et al., 2010; Christle et al., 2004; Mendez & Knoff, 2003; Nicholson-Crotty et al., 2009; Peguero & Shekarkhar, 2011; Skiba et al., 2011; Stetson & Collins, 2010). Moreover, if Hispanic students are suspended at a disproportionately higher rate than White students, those students would miss a larger amount of instructional time and decrease their opportunities to learn, further widening the achievement gap between White students and their Hispanic peers (Losen & Skiba, 2010; Schmidt, Cogan, & McKnight, 2011; Talbert-Johnson, 2004; Theriot & Dupper, 2010).

As recently as 2010, researchers disclosed the need for further, and more in depth, research of discipline inequity and the achievement gap between Hispanic and White students (Peguero & Shekarkhar, 2011). Delineated in Table 4 is a summary of the literature in existence for kindergarten through Grade 8, Grade 9, and Grade 12, pertaining to the assignment of disciplinary consequences by race or ethnic membership and academic achievement. Arcia (2007) analyzed K-8 data, Skiba et al. (2011) examined K-9 data, and all other researchers presented in Table 2 utilized K-12 data for their investigation.

Table 2

Grades K-8, K-9, and K-12 Summary of Literature Regarding Discipline Consequences and Ethnic Membership

Authors	Year	Race/Ethnicity	Topic Reviewed
Mendez et al.	2002	Black/White/Hispanic	Discipline
Mendez & Knoff	2003	Black/White/Hispanic	Discipline/Gender
Nichols	2004	All	Discipline
Rausch & Skiba	2004	Black/White/Hispanic	Discipline
Krezmien et al.	2006	All	Discipline/Special Populations
Arcia	2007	Black/Hispanic	Discipline/Academic Achievement
Kupchik & Ellis	2008	Black/White/Hispanic	Discipline
Anfinson et al.	2010	All	Discipline
Skiba et al.	2011	All	Discipline

Of the studies summarized in Table 2, only Arcia (2007) analyzed discipline and academic achievement. However, Arcia (2007) also focused on the transition between elementary level and middle school level. All studies were quantitative in nature, with the exception of Anfinson et al. (2010) and Kupchik and Ellis (2008) who utilized a survey in their investigation, and Mendez et al. (2002) who used a mixed methods approach. As evidenced in Table 2, no studies were present in which researchers focused on the relationship between Hispanic students and White students, specifically.

Delineated in Table 3 is a summary of the literature in existence for Grade 6, Grade 7, and Grade 8 pertaining to the assignment of disciplinary consequences by race or ethnic membership and academic achievement. All Grade 6-8 studies were quantitative in nature. Researchers (Hilberth, 2010; Krlevich, Slate, Tejada-Delgado, & Kelsey, 2010) at the middle school level reviewed the relationship between discipline consequence type by ethnic membership and academic achievement more so than those researchers at the K-8, K-9, or K-12 levels.

Table 3

Grades 6-8 Summary of Literature Regarding Discipline Consequences and Ethnic Membership

Authors	Year	Race/Ethnicity	Topic Reviewed
Morrison, Anthony, Storino, Cheng et al.	2001		Discipline/Student Characteristics
Skiba et al.	2002	Black/White	Discipline
Christle et al.	2004	All	Discipline/School Characteristics
Hilberth	2010	Black/White	Discipline/Academic Achievement
Krlevich et al.	2010	All	Discipline/Academic Achievement

As evidenced in Table 3, two studies were present in which researchers focused on the relationship between discipline consequence assignment and academic achievement at the middle school level; however, Hispanic students and White students were not the primary groups of interest to researchers. Present in the literature was one study in which Peguero and Shekarkhar (2011) focused on the assignment of disciplinary consequences by race or ethnic membership with students in Grade 10 through postsecondary. Using qualitative data, researchers examined discipline in Grade 10

through students' entry into a postsecondary educational environment. The study was the only investigation specifically focused on White students and Hispanic students; however, the authors did not examine academic achievement. According to Gregory et al. (2010), discipline trends for Hispanic students have been inconsistently researched, and given the increased Hispanic population, more thorough research is necessary. Aligned with the need for more specific research, the middle school level was noted to be particularly important as only one suspension at that level served as a key predictor of a student's likelihood to drop out of school later in life (Losen & Skiba, 2010; Zehr, 2010). Lastly, the No Child Left Behind Act (2001) requires that every public school student pass the state proficiency test administered by that state by the end of the 2013-2014 school year (Rose & Gallup, 2006).

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