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DeVos rescinds Obama discipline guidelines, now how do we help students in poverty?

In 2014, the Obama Administration issued a guidance letter warning that if district suspension and expulsion data showed any patterns of discrimination, even if the patterns were not the result of intentional discrimination, the districts could be subject to federal civil rights lawsuits.

When the guidance letter was issued districts across the nation moved quickly to limit the use of suspension and expulsion of students. Teachers and some union leaders [reacted to the changes with concern](#) as they saw student misbehavior increase. In many cases teachers took the guidance as well-intended, but said that without providing them with resources and training in alternative discipline measures, school discipline and safety would erode.

After the tragic Parkland, FL. School shooting, President Trump established a Federal School Safety Commission to study the effect of the guidance and other school safety considerations. The Commission released their [report](#) on December 18 finding that, “disciplinary decisions are best left in the hands of classroom teachers and administrators,” and that “the Guidance, while well-intentioned, may have paradoxically contributed to making schools less safe.” Three days after the report release Education Secretary DeVos [rescinded the guidance](#) saying, “Every student has the right to attend school free from discrimination. They also have the right to be respected as individuals and not treated as statistics. In too many instances, though, I've heard from teachers and advocates that the previous administration's discipline guidance often led to school environments where discipline decisions were based on a student's race and where statistics became more important than the safety of students and teachers.”

Not everyone is happy with the changes. Over 100 organizations released a [joint letter](#) announcing, “strong opposition to the rescission of the January 8, 2014 joint school discipline guidance package.” The letter alleges that the Trump administration, “has taken one action after another to make schools less safe for LGBTQ students, sexual assault survivors, immigrant students, students of color, students with disabilities, and any child who experiences systemic discrimination.”

I believe that the allegations in the joint letter are vastly overstated and the discipline guidance did need to be rescinded. However, we must admit that there are a huge number of students—primarily students in poverty—that the public schools are not reaching. The failure to reach these students leads to the patterns of out of school suspension that appear on their face to be caused by discrimination.

I have believed this for many years, but was further convinced when I read, “A Framework for Understanding Poverty” by Ruby Payne—a book that was recommended to me by several readers of this column. Through extensive use of case studies, Payne lays out how difficult it is to address the needs of children whose families have been in poverty for two or more generations. This “generational poverty” radically impacts the way children tell stories, process information and respond to discipline, as well as their ability to understand rules and cultural cues that are easily understood by other students.

Payne does not provide a simple solution for the many problems caused by poverty. But she does make it clear that a solution requires staffing high-poverty schools with staff specifically trained to help these students learn new cognitive processes and an alternate set of behaviors suitable for school and work.

This is incredibly difficult work, but Payne provides encouragement by pointing out that, “thirty percent of Americans born in the bottom quintile make it out of that quintile.” Those who do rise out of poverty tend to succeed because they have significant human capital encouraging, helping, and supporting them. This is the type of support that many Christian teachers want to provide students. She also notes that one of the significant resources that can help a child in poverty are spiritual resources which she defines as, “the belief that help can be obtained from a higher power, that there is a purpose for living, and that worth and love are gifts from God.” This is certainly a truth that Christian teachers can affirm.

While it would be great if rules discouraging schools from suspending students would be enough to help all students succeed, what is really needed is to increase the number of school staff who are skilled and called to work with struggling children. Of course, hiring enough staff to completely solve this problem is prohibitively expensive—so difficult decisions often need to be made. Unfortunately, given limited school resources, out-of-school suspensions are at times necessary to maintain a safe, orderly learning environment for all students.

West Virginia may be the first state to take advantage of the change in guidance. Citing the changes announced by Secretary DeVos, the State Board of Education is [considering relaxing the reporting](#) of out-of-school suspensions that must be included in the state accountability system. If this results in hiding problems, it may not serve West Virginia students well. Disaggregated data documenting numbers of suspensions and expulsions should be made available to local communities. This data should be used to redirect available resources to schools that need the resources most, rather than triggering lawsuits that attempt to solve deeply imbedded problems through simplistic court ordered restrictions on how to discipline students.

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