



HOW EFFECTIVE IS ZERO TOLERANCE?

A Brief Review

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February 2005 (originally published in November 2001)

P A S E R E P O R T

Purpose of Our Study

Zero tolerance policies stem from the Gun-Free Schools Act and have been applied to everything from firearms to over-the-counter medications. This review outlines some of the main arguments for and against such policies.

What We Learned

- Some argue that a zero tolerance policy would deter school violence and the use of illicit drugs and alcohol, leading to fewer student suspensions and expulsions.
- Critics, however, assert that zero tolerance policies do not deter the behaviors they punish and lead to increased suspensions and expulsions.
- Studies indicate that suspension and expulsion are not effective disciplinary tools for students and do not treat the underlying problem of substance abuse.
- Evidence based on the DARE program suggests that students who attend antidrug education programs tend to persist in their behaviors and attitudes toward drug use beyond high school and have lower self-esteem than that of other students.

Key Implications

- Current research suggests that children with problem behaviors need individualized treatment that extends beyond the punishment phase.
- Better systematic approaches are needed to help school administrators properly identify high-risk behaviors and to lead the affected students toward alternative ways of learning rather than simply barring them from school.

Publication 04-05:23

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This publication is also available online at www.ksbe.edu/pase.
Published by Policy Analysis & System Evaluation (PASE)
567 South King Street, Suite 400
Honolulu, Hawai'i 96813
Tel: (808) 541-5372

Recommended Citation:

Kana'iaupuni, S. M., and M. Gans. 2005. *How effective is zero tolerance? A brief review*. Honolulu: Kamehameha Schools-PASE, 04-05:23.



How Effective Is Zero Tolerance?

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INTRODUCTION

Recent years have seen a surge in the implementation by school districts across the country of so-called “zero tolerance” policies, applied to everything from firearms to over-the-counter medications. Accompanying this phenomenon has been a marked increase in the number of student suspensions and expulsions resulting from the implementation of zero tolerance policies. Empirical research on zero tolerance policies and their resulting effects has developed only in the last several years but raises a number of important questions and concerns. Chief among these are: “Do zero tolerance policies in schools substantially reduce incidences of deviant behavior?” and, “What are the societal consequences of the current trend of suspension and expulsion of students who violate these policies?” While those who support zero tolerance in schools will argue that it is, in fact, an effective tool in maintaining healthy and safe school environments, opponents of zero tolerance are supported by mounting evidence showing the opposite to be true. This review presents a brief history of the zero tolerance trend and outlines some of the main arguments for and against such policies.

HISTORY

The idea of zero tolerance (be it for guns, violence, or drug use) is an outgrowth of the “law and order,” “tough on crime,” and “war on drugs” mentalities of the 1960s, ‘70s, and ‘80s, respectively. The term “zero tolerance” most likely saw its first use in the early to mid-1980s, when various branches of the military began cracking down on illicit drug use within the ranks (CQ Researcher 2000). The Anti-Drug Abuse Act (ADAA) of 1986 followed close on the heels of an increase in federal seizures of property (for possession of illicit drugs and/or connection with the commission of drug-

related crimes), and resulted in the expansion of listed offenses requiring mandatory minimum sentencing. Furthermore, the ADAA contained the Drug-Free Schools and Communities Act (DFSCA), which required public schools to implement policies prohibiting alcohol and drug use by students. The DFSCA was the direct predecessor to the Safe and Drug-Free Schools Act and the Gun-Free Schools Act (GFSA), both of which were passed in 1994. The latter of these, the GFSA, is directly responsible for the rise and expansion of current zero tolerance policies in the nation's schools.

The GFSA was written specifically to encourage zero tolerance in schools for the possession of firearms or other explosive devices and was a direct response to the apparent increase of violent crimes perpetrated by students on school property (Insley 2001). The GFSA makes federal funding for public schools conditional on each state's implementation of legislation that requires a minimum one-year expulsion for any student who brings a firearm to his or her school. Nowhere in the language of the GFSA are there requirements for zero tolerance policies regarding the use of alcohol and/or illicit drugs by students in the public schools. What has happened in recent years, however, is that individual states (under the leeway granted them by the GFSA and subsequent amendments) have broadened their zero tolerance policies to include use of drugs/alcohol in schools or associated events. These policies often include mandatory suspensions and/or expulsions for violations. Furthermore, many school districts include in their interpretations such seemingly mundane and harmless items as cough drops, non-prescription painkillers, and asthma inhalers. One result is dramatic increases in the numbers of student suspensions, expulsions, and referrals to the criminal justice system.

PROS AND CONS OF THE ZERO TOLERANCE APPROACH

While some have called zero tolerance a war against youth, reflecting society's abandonment of its children who are most needy (Giroux 2001), a range of other arguments have been used to support zero tolerance policies in schools. These include the need to reduce violent incidents and crime, to maintain order and civility within the school environment, and to deter gang activity. In large part, these arguments fall under the umbrella of deterrence. The assumption is that by deterring students from falling into the trap of alcohol and drug use, one will also prevent them from getting involved in other unsavory behaviors that often go hand in hand with drug and alcohol abuse.

The most frequently voiced argument in favor of using a zero tolerance approach to the problem of drug and alcohol use by students is that zero tolerance will deter such behavior. If students see that drug and/or alcohol use will not be tolerated and that all offenses will be punished severely, no matter how minor, proponents argue that they will refrain from using those substances. This attitude is a direct descendant of the “get tough” mentality described above. In fact, the American Academy of Pediatrics calls for zero tolerance policies against tobacco, alcohol, and other drug use at school and at all school-sponsored or sanctioned activities (<http://www.aap.org/policy/00784.html>).

EFFECTS ON VIOLENCE AND DRUGS AND/OR ALCOHOL USE

Perhaps the biggest criticism against zero tolerance policies is that the policies simply do not deter the behaviors that they punish. For starters, if zero tolerance were a successful deterrent to youth violence, then we would expect to find accompanying drops in violent and deviant behavior among students (Skiba 2000). In fact, there appears to be little or no change; in some cases, the statistics are changing for the worse.

Arguably, a successful zero tolerance policy would also deter drug and alcohol use, and we would expect to see a decrease in the number of student suspensions and expulsions for such behavior. In contrast, the opposite is the case. For example, in Massachusetts the number of students suspended for a period of ten days or more rose from 983 in 1992-93 to 1,498 in 1996-97; in Chicago, student expulsions have risen from a mere fourteen in 1992-93 to 737 in 1998-99. Meanwhile, there were more than 3.1 million zero tolerance-related student suspensions in 1997 alone, and more than eighty-seven thousand expulsions in 1998 (Wasser 1999). These numbers are expected to continue to rise.

The problem is further compounded by the individual states' varying—and often very broad—interpretations and definitions of what constitutes a drug. Mandatory punishments often target innocent children who pose little or no threat to school safety (Graham Tebo 2000; Cerrone 1999). In some cases, children have been suspended or even expelled from school for sharing a cough drop or an asthma inhaler with an ailing fellow student.

Until recently, few systematic research efforts have examined the effects of zero tolerance policies in schools. Russ Skiba of the Indiana Education Policy Center at Indiana University notes that “across both the ERIC and PsycInfo data bases, only four data-based evaluations of any school security measures were published in scholarly journals between 1988 and 1999” (Skiba 2000, p. 5). Of the research that has been done, the majority deals with issues of school violence (fights, weapons, etc.), understandable when viewed in the light of recent school shootings and other violent incidents. There are, however, still lessons to be learned from this existing research.

Chief among these lessons is that suspension and expulsion of students are not effective disciplinary tools. Studies have consistently found, for example, that up to 40 percent of school suspensions are due to repeat offenders. For these students, suspension ceases to be a punishment, and the repeated suspensions may often contribute to dropping out of school entirely. For example, data from the national High School and Beyond (HSB) longitudinal survey reveals that 31 percent of sophomore dropouts had been previously suspended from school. In contrast, only 10 percent of children who remained in school had been suspended more than once. Furthermore, suspension may only “accelerate the course of delinquency by providing a troubled youth with little parental supervision more opportunities to socialize with deviant peers” (Skiba 2000, p. 14).

Finally, there is the issue of whether zero tolerance policies actually help to reduce student drug and/or alcohol use. This much is certain: by simply removing an offender from the school environment, one does not treat the underlying problem of substance use and abuse. In addition, while schools may employ a zero tolerance policy towards student drug and alcohol use, many students receive mixed messages about the very same topic from family members, popular media, and other sources.

EDUCATIONAL AND PSYCHOSOCIAL EFFECTS

In a recent review, Insley (2001) argues that the psychological effects of zero tolerance are counter-productive to healthy children. Leading psychologists have spoken out against zero tolerance policies, charging that such policies are inconsistent with healthy childhood development. One concern is that zero tolerance policies, while punishing children severely, offer little in the way of positive instructional or rehabilitation opportunities. In addition to affecting students' desire and ability to learn, zero tolerance policies may destroy any willingness among students to confide in adult

authority figures. Instead, they aggravate misbehavior and alienate children, especially at-risk children (Insley 2001). Furthermore, student reactions to intrusive methods commonly associated with zero tolerance policies, such as locker or strip searches, can lead to continued student aggression and acting out, which invariably lead to further disciplinary measures. In some extreme cases, students have been so negatively affected as to be diagnosed with posttraumatic stress disorder (Skiba 2000).

Another concern of zero tolerance opponents is the educational ramifications of widespread student suspensions and expulsions. Although the GFSA did not prevent states from providing alternative education, its major failing is that it did not mandate alternative education for affected students. Although alternative education programs were specifically called for in a pro-zero tolerance statement by the American Academy of Pediatrics, to date, only a handful of states—among them Connecticut, Hawai'i, and Kentucky—make any kind of educational provisions for students adversely affected by zero tolerance policies (Insley 2001). And, even with these alternatives in place, there is no guarantee that students will partake of their availability.

The startling lack of alternative programs raises the question: where do these children who have been suspended or expelled go? Unfortunately, many of those affected end up in the very places that prompted concerned officials to implement zero tolerance policies in the first place: in gangs, on the streets, involved in increasingly deviant behaviors (Goodman 2001). Even worse, in some cases suspension and expulsion are deliberately used to weed out undesirable students (Skiba and Peterson 2000). For those students who ultimately return to school, they are marginalized members of the school community, ostracized by fellow students and/or school personnel, and face lifetime opportunity costs associated with lost academic time. Moreover, several studies suggest major disparities between ethnic and socioeconomic groups in the application of punishment, which targets lower-income youth and youth of color (Giroux 2001; Skiba and Petersen 1999).

LESSONS FROM DARE

Although little research exists that directly or specifically relates to the effectiveness of zero tolerance policies on drug and alcohol use in schools, there is a fair amount of data on the effectiveness of antidrug education programs. These programs—most notably the nationwide DARE (Drug Abuse Resistance Education) program—are very popular among school administrators, parents, and law-enforcement officials. Despite

their documented ineffectiveness in combating drug use, DARE programs often go hand-in-hand with zero tolerance policies in schools.

The most recent study of more than one thousand young adults who had been eligible to receive DARE training yielded findings consistent with prior research documenting little to no effect (Lynam and Milich 1999). The study tracked the drug use, peer pressure, and self-esteem of 1,429 sixth-grade students who began the program in the 1987–88 school year. About 76 percent of them completed the DARE training. Data from the recent ten-year follow-up included 1,002 of the initial sample, all between the ages of nineteen and twenty-one. The findings suggested that participation in the DARE program was unrelated to behavior or attitudes in all four categories of drugs (tobacco, alcohol, marijuana, and other illicit drugs) at age twenty. In other words, whether or not a student had completed DARE training as a teenager had no discernable effect on his or her behavior or attitudes with regard to drug use at age twenty. The study also suggested some unintended consequences of the DARE program. In particular, a student's DARE status in the sixth grade was negatively related to his or her sense of self-esteem at age twenty. That is, those students who had completed DARE training reported lower levels of self-esteem than did their counterparts who had received no DARE training.

Thus, as others have argued, on top of negligible effects on undesirable behaviors, the hidden effects of zero tolerance policies include threats to students' self-esteem, as well as other unintended consequences of harsh punishments such as resentment and countercoercion among students. In summary, we reiterate that although schools must deal with complex and serious choices to make a safe learning environment, it is clear that "the school punishments that are central to zero tolerance policies have not been studied enough to determine whether they yield benefits sufficient to outweigh the well-documented and troubling side-effects of punishment procedures" (Skiba 2000, p. 14).

CONCLUSION

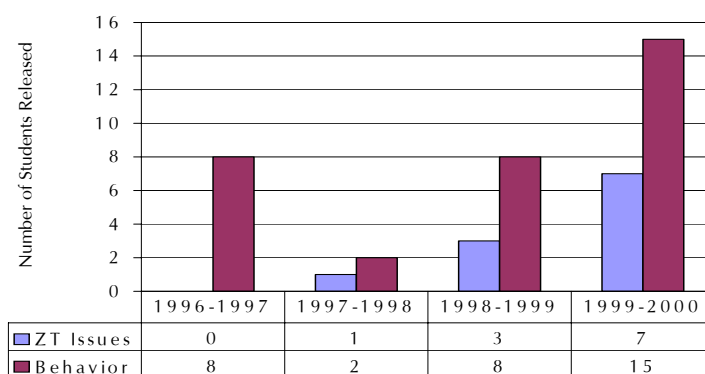
Where do we go from here? The emerging research seriously questions the effectiveness of the current trend of zero tolerance policies in our schools. The data suggest that these policies are not only not working, but are also creating a larger problem. More children are being pushed out of school, often with no viable alternatives for learning. However, drug and alcohol abuse continues to be a major problem, so the question

remains: how do we effectively deal with students who are found to be using tobacco, alcohol, or other drugs while in school? Perhaps, as one researcher has suggested, we need to move zero tolerance policies away from addressing the punishment phase exclusively. Her suggestions include the following (Goodman 2001, p. 3):

- Understand the motivation for the behavior.
- Consider the individual(s) involved.
- Assess any underlying mental illness.
- Have multisystem involvement: child, family, school, community resources.
- Educate youngsters about being responsible for themselves and each other.
- Destigmatize mental illness.
- Incorporate common sense.
- Increase and improve child mental health services.

These suggestions imply that children should be treated according to their individual needs and that their needs should be addressed in multiple ways. Although they may not be the exact solution for all schools, the bottom line is to develop a more effective and fair way to deal with a problem that needs more than a “zero tolerance” approach to be successful.

Figure 1. Student releases at Kamehameha Schools
[by academic year]



Source: Kamehameha Schools Annual Education Reports.

ANNOTATED BIBLIOGRAPHY

American Academy of Pediatrics – Committee on Substance Abuse (May 1995). The Role of Schools in Combatting Substance Abuse (RE9522); Policy Statement. *Pediatrics*; Vol. 95, No. 5; pp. 784.

The use of alcohol, tobacco, and other illegal drugs remains at disturbingly high levels among American teenagers. As the physical, social, and psychological “home away from home” for most children and adolescents, schools should assume a leadership role in substance abuse prevention, identification, intervention, and referral. Furthermore, schools are encouraged to develop comprehensive policies to ensure that they are free of tobacco, alcohol, and other drugs...among other recommendations, schools should have “a zero tolerance policy against tobacco, alcohol, and other drug use that applies equally to both students and staff not only at school, but at all school-sponsored and sanctioned activities. Penalties for noncompliance should be clear and enforced, and alternative programs for students excluded from school must be available.”

Cerrone, Kathleen M. (1999). Comment, *The Gun-Free Schools Act of 1994: Zero Tolerance Takes Aim at Procedural Due Process*. *Pace University Law Review*, pp. 131.

Argues that zero tolerance policies impose severe penalties on children who pose no risk to themselves or others, such as two fifth-grade students suspended for playing with a toy gun on the school bus.

The CQ Researcher (2000). “We Need to Get Tough.” Vol. 10, No. 9; pp. 194. Online article.

A look at the history of zero tolerance, with its beginnings in the “tough on crime” mentality of the 1960s through the recent passage of the Gun-Free Schools Act of 1994. Explains how the original language of the GFSA has been stretched to encompass a wide array of “deviant behaviors” among school students.

Curwin, Richard L. & Mendler, Allen N. (1999, October 14). Zero Tolerance for Zero Tolerance. *Kappan Professional Journal*. Online article.

Curwin & Mendler, building on the research of Russell Skiba & Reece Peterson, propose replacing ineffective zero tolerance policies in schools with “as tough as necessary” discipline for infractions. Their idea is to get away from the current “one size fits all” trend of dealing with student misbehavior and back to tailoring the punishment to fit the severity of the infraction.

Eger, Jonathan (2001, April 18). Adolescent Substance Abuse and School Policy. *About Our Kids.org*. New York University Child Study Center: online article.

Review of a presentation given by Jeanette Friedman, CSW, at a meeting of the NYU Child Study Center Education Advisory Committee. Highlights: while many schools employ a zero tolerance policy towards student drug & alcohol use, many children receive mixed messages about such use from their parents. Schools & parents need to coordinate their efforts, including more emphasis on treatment of both abuse and the causes thereof, prevention-based programs in elementary/middle schools, and life-skills building. Friedman advocates use of zero-tolerance policies, but “note that this does not necessarily mean expulsion”.

Giroux, Henry A. (2001). Youth Politics: Zero Tolerance, Part I. *Z Magazine*; Vol. 14, No. 1; pp. 31.

According to Giroux, zero tolerance policies “make it easier to expel students rather than for school administrators to work with parents, community justice programs, religious organizations, and social service agencies.” Giroux goes on to describe such policies as “undermining the conditions necessary within schools and other public spheres to produce the symbolic and material resources necessary for critical citizenship, freedom, democracy, and justice.”

Goodman, Robin F. (2001, March 14). Zero Tolerance Policies: Are They Too Tough or Not Enough? *About Our Kids.org*. New York University Child Study Center: online article.

Goodman states that zero tolerance policies have a very narrow-minded approach to the problem of student substance abuse: they deal almost exclusively with the punishment phase of the problem. According to Goodman, the “best policies are those included in a comprehensive approach”. She outlines 8 steps that should be incorporated into an effective replacement for or complement to current zero tolerance policies.

Graham Tebo, Margaret (2000). Zero Tolerance, Zero Sense. *ABA Journal*; May 2000.

School violence is a hot-button issue, but are strict, inflexible policies the answer? Some say yes, while others insist that all-or-nothing punishments merely alienate students. Graham Tebo asserts that zero tolerance policies employed throughout the United States wrongly punish large numbers of harmless children.

Insley, A. C. (2001). Suspending and Expelling Children from Educational Opportunity: Time to Reevaluate Zero Tolerance Policies. *American University Law Review*; Vol. 50, No. 4; pp. 1039-1074. Washington College of Law, American University.

This Comment integrates a great deal of scholarship on school disciplinary matters and recent scholarship on zero tolerance policies. Prior pieces focus on particular legal challenges and specific effects of school disciplinary methods, including zero tolerance policies. This Comment goes one step further, exploring the viability of several legal approaches, as well as the negative effects of zero tolerance policies, to conclude that even if the policies violate no federal or state laws, they warrant serious reevaluation and reform.

Journal of Law and Education (2001). Zero Tolerance in Schools. Vol. 30, No. 3; pp. 547-553. Anderson Publishing Co.

Asks the question: have the last eight years of ZT (zero tolerance) use yielded the kinds of results that principals, teachers and parents expected of it? ...the answer appears to be a resounding “no”. Of the concerns raised: “zero tolerance does away with the entire concept of innocent until proven guilty”; and the use of ZT policy endangers the “development of trusting relationships with adult figures...and the development of a positive attitude toward justice and fairness in society.”

Lynam, Donald R. et al. (1999). Project DARE: No Effects at 10-Year Follow-Up. *Journal of Consulting and Clinical Psychology*; Vol. 67, No. 4; pp. 590-593. The American Psychological Association.

The present study examined the impact of Project DARE (Drug Abuse Resistance Education), a widespread drug-prevention program, 10 years after administration. A total of 1,002 individuals who in 6th grade had either received DARE or a standard drug-education curriculum, were reevaluated at age 20. Few differences were found between the 2 groups in terms of actual drug use, drug attitudes, or self-esteem, and in no case did the DARE group have a more successful outcome than the comparison group. Possible reasons why DARE remains so popular, despite the lack of documented efficacy, are offered.

Morrison, Gale M. & D'Incau, Barbara (1997). The Web of Zero-Tolerance: Characteristics of Students Who are Recommended for Expulsion from School. *Education & Treatment of Children; Vol. 20, No. 3; pp. 316.*

Zero tolerance policies have caused significant increases in the number of students being recommended for expulsion. The cases of one district's expulsion files over a two year period were examined. Expulsion cases were categorized into the following groups: "First Offense", "Disconnected", "Troubled", and "Socialized Delinquent". Descriptions of the expulsion offense, disciplinary action, schooling history (including special education identification) and selected risk and resiliency factors were described for each of these groups. The results indicated that the majority of the offenses were committed by students who would not generally be considered to be dangerous to the school environment. Students who are recommended for expulsion have below average grades and achievement scores. The different expulsion profiles vary in terms of the extent to which their records reflect emotional and family problems and the extent to which they have documented attendance and disciplinary records. A greater proportion of cases than would normally be expected have identified special education needs. The indicators described in this study are discussed in terms of their future utility in prevention efforts and research.

Robertson, Anne S. (2000, March-April). "Zero Tolerance": What Parents Should Know. *NPIN Parent News*. Online article.

According to Robertson, "Zero-tolerance policies may actually undermine the long-term goal of building a safe learning community". Statistics concerning the after-effects of zero tolerance-related school expulsions are examined. Another point raised is that zero tolerance policies may make suspensions (and expulsions) more expensive in the long run by putting "student offenders into the community...relocating the problem to the criminal justice system..." Robertson examines the alternate use by some schools of the Positive Behavioral Interventions and Support (PBIS) model.

Skiba, Russell J. (2000). *Zero Tolerance, Zero Evidence: An Analysis of School Disciplinary Practice*. Indiana Education Policy Center; Policy Research Report #SRS2; August 2000.

Despite the controversies that it has created in school districts throughout the country, zero tolerance continues to be a widely used response to school disruption and violence. This paper explores the history, philosophy, and effectiveness of zero tolerance school disciplinary strategies. Growing out of Reagan-Bush era drug enforcement policy, zero tolerance discipline attempts to send a message by punishing both major and minor incidents severely. Analysis of a representative range of zero tolerance suspensions and expulsions suggests that controversial applications of the policy are not idiosyncratic, but may be inherent

in zero tolerance philosophy. There is as yet little evidence that the strategies typically associated with zero tolerance contribute to improved student behavior or overall school safety. Research on the effectiveness of school security measures is extremely sparse, while data on suspension and expulsion raise serious concerns about both the equity and effectiveness of school exclusion as an educational intervention. Community reaction has led some districts to adopt alternatives to zero tolerance, stressing a graduated system matching offenses and consequences, and preventive strategies, including bullying prevention, early identification, and improved classroom management. Building a research base on these alternatives is critical, in order to assist schools in developing more effective, less intrusive methods for school discipline.

Wasser, Joan M. (1999). *Note: Zeroing in on Zero Tolerance*. *Journal of Law and Politics* – University of Virginia; Vol. 15, No. 4; pp. 780. The University of Virginia

This paper discusses the advent of “zero tolerance policies,” laws prescribing severe punishments such as expulsion or significant suspension for various offenses committed by students. The policies are a manifestation of policymakers’ and educators’ struggle to balance the imperative to ensure school safety with the duty to treat each individual child with care and fairness. In many instances, school officials do not exercise their discretion to moderate the severe punishments mandated by zero tolerance policies and fail to make exceptions to the prescribed punishments. Consequently, many first offenders, students who make innocent mistakes, and students in need of help are caught in the web of zero tolerance laws and expelled or suspended for a significant period. As with most disciplinary actions, zero tolerance policies disparately impact students of color. Moreover, thousands of students – particularly those from families without financial resources – are left without access to any form of alternative education. Policymakers, educators, and other children’s advocates can improve the implementation of zero tolerance policies by seeking modifications of the laws which will ensure greater fairness and educational opportunity for all.