

Memorandum

To: Ben Mackey, President, Board of Trustees, Dallas ISD; Joe Carreón, Board Secretary, Board of Trustees, Dallas ISD; Justin Henry, Board of Trustees, Dallas ISD

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Subject: School Discipline, Dallas Independent School District

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Executive Summary

The Dallas Independent School District’s Student Code of Conduct lists offenses that range from levels one through four and a corresponding disciplinary action that can be mandatory or discretionary. Literature indicates that a zero-tolerance approach exacerbates systemic inequalities, such as those faced by students with disabilities and racial minorities. While discipline in some cases may prevent future undesirable behavior, empirical research shows that it should be accompanied with accountability for real effectiveness. But merely adopting alternative strategies to address student behavior doesn’t holistically address social and racial inequities. The memo recommends the frequent monitoring and adequate staffing of reset centers, annual revisions of the Student Code of Conduct, the incorporation of transformative and restorative justice practices within the district, the promotion of implicit bias training to all school personnel, and the inclusion of mindfulness in the academic curriculum.

Guiding Questions

This memo addresses the following questions:

1. What outcomes do current Dallas ISD school discipline practices produce, especially as they relate to race and ethnicity?
2. How do Dallas ISD and other districts conceptualize and manage school discipline?
3. In addition to eliminating discretionary suspensions, how can Dallas ISD improve the learning climate and enhance school safety for racial and ethnic minorities?
4. What type of accountability structures can educate and inform teachers and administrators of discipline practices and outcomes?

Dallas Independent School District, Student Code of Conduct, 2020-2021

The current Dallas ISD Student Code of Conduct (SCC)¹ describes certain conducts that call for punitive actions because they potentially impact educational processes. By differing proper from prohibited behaviors—these ranging from levels one through four, requiring discretionary and/or mandatory responses, depending on the case—this legal instrument considers conflicting forces: educational goals, the schools’ resources and needs, and above all the interests of students and their parents or guardians. The question on discipline,

¹ Dallas Independent School District, *2021-2022 Student Code of Conduct*, <https://www.dallasisd.org/scoc> (Accessed July 02, 2021.)

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however, should not revolve around punishment. It should center education and best instructional approaches that develop student competencies and responsibility.

Racial Equity in School Discipline Practices

Dallas ISD's *Racial, Socio-economic, and Educational Equity Policy* promotes equitable outcomes for all students.² The District aims to develop a Racial, Socio-economic, and Educational Equity Framework (RESF) by following six strategic pillars: 1) instructional equity; 2) programmatic equity; 3) equitable leadership and operations; 4) culturally competent and diverse workforce; 5) internal and external community engagement, and 6) facility and location equity. To augment racial equity in disciplinary practice, this memo reflects these six strategic pillars in its approach to peer-reviewed research, primary research of national and international school districts, and conversations with community members.

The Context of School Discipline in Racial and Ethnic Matters

To work in most public schools in Texas, teachers and administrators must meet Texas Education Agency (TEA) licensure requirements. The TEA administers the "Pedagogy and Professional Responsibilities" assessment to teachers. Comprising four standards, the "Pedagogy and Professional Responsibilities" assessment places student discipline under the fourth standard addressing legal and ethical issues.³ Administered to future principals, the "Principal (268) Test Framework" positions student discipline in the terrain of ethical and legal requirements as well.⁴ These assessments develop teachers and administrators that position school discipline as a legal and ethical issue. As a consequence, these exams stifle conversations on discipline as a pedagogical approach. Therefore, teachers and administrators learn and adapt their disciplinary practices based on in/formal processes, codes of conduct, and strategic directions at their campuses that disproportionately impact students of color.

Extant data demonstrate that students of color, particularly Black students and IDEA students⁵, receive disproportionate disciplinary action⁶ in Dallas ISD. The two most frequent reasons cited for disciplinary action include: 21-Violated local code of conduct (61.2%) and 41-Fighting/mutual combat (27.1%).⁷ Aware of this racial disparity, Dallas ISD has taken concrete steps to address this issue by ending discretionary suspensions for non-violent

² Dallas Independent School District, *Racial, Socio-economic, and Educational Equity Policy*, 2020, [https://pol.tasb.org/Policy/Download/361?filename=AEA\(LOCAL\).pdf](https://pol.tasb.org/Policy/Download/361?filename=AEA(LOCAL).pdf) (Accessed August 03, 2021.)

³ Texas Education Agency. "Pedagogy and Professional Responsibilities Standards (EC-Grade 12)." (<https://tea.texas.gov/sites/default/files/PPR%20EC-12%20Standards.pdf>)

⁴ Texas Education Agency. "New Principal (268) and Performance Assessment for School Leaders (PASL) Certification Assessment." Oct. 2017, (https://tea.texas.gov/sites/default/files/Principal_PASL_Assessment_Flyer_to_EPPs_october_update_toTEA_10.13.171.pdf)

⁵ Department of Education's Office of Civil Rights, *Civil Rights Data Collection*, 2017, <https://ocrdata.ed.gov/profile/9/district/30332/disciplinereport> (Accessed July 09, 2021.)

⁶ Andrea Payne, *Dallas ISD and a New Discipline Policy*, ED311, 2021, <https://ed311.com/dallas-isd-and-a-new-discipline-policy> (Accessed July 12, 2021.)

⁷ Texas Education Agency, District Level Annual Discipline Summary, Dallas Independent School District 057905, Academy of Dallas, *Expulsions*, 2019-2020, https://rptsvr1.tea.texas.gov/cgi/sas/broker?_service=marykay&_program=adhoc.D_D_P_select_district.sas&agg_level=DISTRICT&referrer=Download_District_Summaries_NAME.html&test_flag=&debug=0&school_yr=20&report_type=html&list_by=name&namefrag=dallas&numbfrag=&Download_Select_ed_District=Next (Accessed July 12, 2021.)

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disorder infractions (Level I and Level II), conducting implicit bias training, and implementing reset centers. The Dallas Independent School Board reports the intent to invest \$40 Million in Racial Equity.⁸ It's unclear how much of this sum is allocated to revisit and revamp the school discipline policy, especially connecting race/ethnicity and disciplinary measures. It also informs of internal and external community engagement in this process.⁹

Approaches to School Discipline

The literature in the US is not in unison when it comes to best practices to school discipline. While some scholars stand for more restrictive sanctions, others advocate for a more collaborative educational climate.

On the one hand, a study conducted by questionnaires and interviews concluded that systems with a more punitive approach have a positive effect on reducing the influence of peer delinquency. Similarly, students have associated the fairness of a system with the more restrictive that system was.¹⁰

On the other hand, research has shown that suspension from school is detrimental to students and leads to high dropout rates at higher rates to students of color.¹¹ On that same track, zero tolerance policies overly focused on punishing students create an environment that lacks empathy, affecting the learning process in a negative fashion.¹² Disciplinary practices should, instead, foster positive schooling and a more harmonic exchange between students and teachers. Consecutive town halls for high school students in Oregon created a more cooperative environment.¹³ According to the testimonies collected, students of color felt an increased sense of belonging and their White peers perceived that experience as an opportunity to better understand and navigate through different perspectives.

Though the majority of the literature highlights (and statistical evidence corroborates) the connection between harsher school punishment to a predominant discrimination towards

⁸ Dallas Independent School District, Racial Equity Office, *A look at our impact*, <https://www.dallasisd.org/Page/68899> (Accessed July 08, 2021.)

⁹ Dallas Independent School District, Racial Equity Office, *Strategic Outcomes*, <https://www.dallasisd.org/Page/68899> (Accessed July 08, 2021.)

¹⁰ Richard Arum, Irene R. Beattie, Richard Pitt, Jennifer Thompson, Sandra Way, Harvard University Press, *Judging School Discipline: The Crisis of Moral Authority*, p. 31, 2003, [https://books.google.com/books?id=8CiFiajBj-QC&pg=PA157&lpg=PA157&dq=schools+with+fewer+rules.+students+perceive+school+discipline+as+less+strict+but+also+as+less+fair+\(Arum&source=bl&ots=XFehleQcte&sig=ACfU3U00k9ZWjVF2eEOPw45qs7I1cRnYvQ&hl=en&sa=X&ved=2ahUKEwik8vT7-_HxAhVfAp0JHT5dAyIQ6AEwCXoECA4QAw#v=onepage&q=less%20fair&f=false](https://books.google.com/books?id=8CiFiajBj-QC&pg=PA157&lpg=PA157&dq=schools+with+fewer+rules.+students+perceive+school+discipline+as+less+strict+but+also+as+less+fair+(Arum&source=bl&ots=XFehleQcte&sig=ACfU3U00k9ZWjVF2eEOPw45qs7I1cRnYvQ&hl=en&sa=X&ved=2ahUKEwik8vT7-_HxAhVfAp0JHT5dAyIQ6AEwCXoECA4QAw#v=onepage&q=less%20fair&f=false) (Accessed July 16, 2021.)

¹¹ Russell W. Rumberger, Daniel J. Losen, The Center for Civil Rights Remedies at the Civil Rights Project, *The High Cost of Harsh Discipline and its Disparate Impact*, pp. 4-6, 2017, https://www.civilrightsproject.ucla.edu/resources/projects/center-for-civil-rights-remedies/school-to-prison-folder/federal-reports/the-high-cost-of-harsh-discipline-and-its-disparate-impact/UCLA_HighCost_6-2_948.pdf (Accessed July 19, 2021.)

¹² NaYoung Hwang, University of California Irvine, *Suspension and its Consequences: Individual and Classroom Effects*, p. 95, 2017, <https://www.proquest.com/docview/1979064136/F9AA7274F5EA4998PQ/2?accountid=10920> (Accessed July 16, 2021.)

¹³ Dalton Mille-Jones, Marilyn Marks Rubin, Texas Southern University Journal of Public Management & Social Policy, *Achieving Equity in Education: A Restorative Justice Approach*, pp. 33-37, 2020, <https://digitalscholarship.tsu.edu/jpmssp/vol27/iss1/3> (Accessed July 18, 2021.)

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certain racial and ethnical groups—we cannot expect to close the racial achievement gap if we do not close the discipline gap¹⁴—an investigation on a large urban school district in southeastern US for the 2013-2014 school year indicated that when restorative justice practices were implemented, the rates of out-of-school suspensions decreased, but Black students continued to be reprimanded at a disproportionate higher rate than their non-African American counterparts.¹⁵

The experience in Ontario, Canada, offers some insight into this subject. Disciplinary codes and codes for conduct within public schools in the region are influenced and pre-determined by the Safe Schools Act and Regulations.¹⁶ The Ontario Human Rights Commission (OHRC), inspired by the the most comprehensive national report on zero tolerance and disciplinary policies in the education system, the Harvard University report, *Opportunities Suspended: The Devastating Consequences of Zero Tolerance and School Discipline Policies* conducted their own research. The report primarily looks at the disproportionate impact of zero tolerance policies on racial minority children and children with disabilities. It found that “if students with disabilities are not accommodated, the disproportionate impact may be viewed as discrimination... [In addition] The general feeling is that discipline policies have always had a disproportionate impact on Black students, but the *Act* and “zero tolerance” policies have made the problem much worse, with significantly higher numbers of Black students being suspended and expelled.”¹⁷ The OHRC report makes ten recommendations, and these recommendations are similar to the next steps currently identified by Dallas ISD.

A note regarding the Reset Centers

The new Dallas ISD policy provides an approach to school discipline in lieu of an out-of-school suspension. Instead of strictly being penalized, a student is sent to a reset center¹⁸ to have a conversation around his/her/their behavior, reflect on why they made a certain choice, how that could potentially impact others, and learn of ways to make a better decision next time.

By creating a structure around what used to be a purely punitive response to student misconduct—focusing more on consequences instead,—the district is leveraging technology to help students continue to access their regular classes through Zoom. Most importantly, kids

¹⁴ Daniel J. Losen, Paul Martinez, Civil Rights Project program at the University of California in Los Angeles, Learning Policy Institute, *Lost Opportunities: How Disparate School Discipline Continues to Drive Differences in the Opportunity to Learn*, p. vi, 2020, <https://www.civilrightsproject.ucla.edu/research/k-12-education/school-discipline/lost-opportunities-how-disparate-school-discipline-continues-to-drive-differences-in-the-opportunity-to-learn/Lost-Opportunities-REPORT-v17.pdf> (Accessed July 19, 2021.)

¹⁵ Adrienne Brown, University of Central Florida, *Suspensions and Referrals to Law Enforcement of African American Students Pre and Post Restorative Justice*, p.62, 2019, <https://stars.library.ucf.edu/etd/6312> (Accessed July 18, 2021.)

¹⁶ Ontario Human Rights Commission, *The Ontario Safe Schools Act: School discipline and discrimination*, <http://www.ohrc.on.ca/en/ontario-safe-schools-act-school-discipline-and-discrimination> (Accessed July 20, 2021.)

¹⁷ The Ontario Safe Schools Act, *School discipline and discrimination*, <http://www.ohrc.on.ca/en/book/export/html/2471> (Accessed July 20, 2021.)

¹⁸ Ibid.

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would also use technology tools to access mental health professionals, therapeutic programs, emotional learning techniques, and other restorative programs.¹⁹

While still retaining suspensions and expulsions for illegal activities as mandated by state law (mostly levels III and IV offenses) as it eradicates other extreme measures for minor infractions (levels I and II offenses), reset centers may serve an essential component to shift the goal of disciplining students from merely punishment to a response that seeks to enhance the educational experience even when behavioral compliance is challenged.

Nevertheless, both suspensions and reset centers are exclusionary policies by essence, moving a student out of their typical learning environment as a response to a perceived misbehavior. Though the scope and resources involved differ—and, though the reset centers do pave the way to one day banning any exclusionary practices whatsoever²⁰ it is possible that, while named differently, the social phenomenon will not change. Will students be taken out of class at the same rate? Will the same groups of students be disproportionately targeted?

Dallas ISD can mitigate this risk and ensure that this program has the desired impact on campus climate by (i) collecting and reviewing data every semester, (ii) frequently monitoring reset centers, and (iii) securing funding so that they are not understaffed to adequately serve each school in the district, seeing as having only one professional per campus to attend all students would be an inequitable method to manage discipline. As proposed by the Education PowerED and the Dallas CORE,²¹ the Racial Equity Office could be utilized as an accountability partner in evaluating how equitable the schools in the district are practicing discipline.

Revising the language in the Student Code of Conduct

The Student Code of Conduct (SCC) has remained stagnant in the efforts to interrogate discipline practices. Never defined clearly, discipline in the current SCC implies punishment and legal issues. In alignment with a racial equity lens, anti-racist educator Asao Inoue writes, “... investigating language can promote explicitly an anti-racist agenda”²² The SCC requires this approach to fulfill its responsibility toward disproportionately impacted students.

The title of the SCC places the onus on students. The SCC uses dense legal terms and processes, which demands a graduate-level reading ability, according to various assessments (i.e., Flesch Reading Ease Score, Flesch-Kincaid Grade Level, and Linsear Write Formula). Coercively, the “Student and Parent Acknowledgement” page makes students and their parent/guardian sign this document in agreement. In addition, the use of “in loco parentis” authorizes police officials, which includes their trained dogs, to intervene in educational matters. Police officials and trained dogs do not possess the extensive educational training

¹⁹ Dallas Independent School District, *Reset Centers*, <https://www.dallasisd.org/Page/77230> (Accessed August 02, 2021.)

²⁰ Dallas Independent School District, *Re-Defined Discipline in Dallas ISD*, Equity and Access, Classroom Instruction, [https://go.boarddocs.com/tx/disd/Board.nsf/files/C3LNJ25BB1A3/\\$file/June_Board_Re_Defined_Discipline_Dallas_ISD.pptx%20\(1\).pdf](https://go.boarddocs.com/tx/disd/Board.nsf/files/C3LNJ25BB1A3/$file/June_Board_Re_Defined_Discipline_Dallas_ISD.pptx%20(1).pdf) (Accessed July 20, 2021.)

²¹ Education PowerED, Dallas Core, *Reducing Inequities in School Discipline: Policy Proposal*, https://docs.google.com/document/d/1JIY9rPARj57HHOJii7getjhgIwJPJwsTH11_qaafRnk/edit (Accessed August 02, 2021.)

²² Asao Inoue, “Foreword: On Antiracist Agendas,” In *Performing Antiracist Pedagogy in Rhetoric, Writing, and Communication*, eds. Frankie Codon and Vershawn Ashanti Young, p. Xv, 2016.

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required from educators. However, this verbiage authorizes police officials and dogs to exercise discretion, which may bypass the school's reach, in matters of educating children.

Furthermore, the training teachers and administrators receive--as depicted through TEA domains and standards--place student discipline practices as legal matters, quickly evolving into law enforcement matters. To counteract this placement of discipline issues, the SCC doubles as a manual to educate teachers on best instructional practices at local levels, so the document should work from an antiracist educational framework to move away from the criminal and legal stance that continues to impact black and brown students. In this vein, the SCC should define clearly its denotation and connotation of "discipline" because it lacks a clear definition at the moment, so inferences and assumptions emerge.

Considering how Dallas ISD can further promote healthy educational environments as opposed to focusing only on punitive measures through its SCC, this research group has analyzed codified norms of a similar nature in other districts. The SCC of Socorro ISD²³ is updated annually, providing board meetings and newsletters to aid parents and guardians stay informed with regard to policy changes. The SCC of Garland ISD²⁴ is an extensive document that goes beyond the scope of detailing punishment to students' misconducts. It includes sections for particular groups of students (those who live in situation of homelessness and who need special education, for instance) as well as information—for parents and students—on signs of child abuse, discrimination and harassment. The SCC of Austin ISD²⁵ lists a series of responsibilities for which each actor involved in the educational process can be held accountable: students, parents/guardians, and district personnel. It also explicitly makes a commitment to promoting student behavior through a Social-Emotional Learning (SEL) program. The SCC of Houston ISD²⁶ lists the names and titles of the Board of Education members, making this legal document more accessible to the community as it also makes the contact information (phone number, website, social media) readily available. It also details the responsibilities of students, parents, teachers, administrators, and the Board of Education, making its commitment to prohibiting discrimination on many basis explicit.

Including Transformative and Restorative Justice language in the SCC

While the district has acknowledged the importance of Restorative Justice Practices and Approaches,²⁷ it has failed to mention and incorporate them to the SCC. Thus, we recommend that a clear connection be drawn, in the form of a flow chart and other accessible material, when parents and students can expect that restorative justice practices can be resorted to in the case of a mandatory or optional suspension or expulsion.

Further on this note, the ULF Dallas School Discipline Policy team recommends that language and philosophy of transformative justice be incorporated into the school board's

²³ Socorro Independent School District, *Student Code of Conduct*, <https://www.sisd.net/Page/771> (Accessed August 03, 2021.)

²⁴ Garland Independent School District, *Student Handbook and Code of Conduct 2021-2022*, <https://www.garlandisd.net/file/5025?.pdf> (Accessed August 02, 2021.)

²⁵ Austin Independent School District, *Student Code of Conduct 2020-21*, <https://www.austinisd.org/family-support/conduct-code> (Accessed August 01, 2021.)

²⁶ Houston Independent School District, *Code of Student Conduct 2021-2022*, <https://www.houstonisd.org/codeofconduct> (Accessed August 01, 2021.)

²⁷ Dallas Independent School District, *Restorative Discipline Practices*, <https://www.dallasisd.org/domain/20346> (Accessed July 25, 2021.)

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approach to discipline. We argue that systemic and systematic biases within our school systems have embedded within them various forms of violence, micro and macro aggressions. We argue that adopting a transformative justice lens and philosophy would ensure that the school board prevents applying violence in response to violence, thus causing the escalation of conflict intensity. For this context, we define transformative justice in the following words, “Transformative justice is a way of addressing an individual act of harm that relies on community members instead of the police, the law, or the government (also known as the state)... Though models differ, all reject the involvement of the criminal-justice system, choosing instead to rely on community support networks and mediators.”²⁸

Promoting Implicit Bias Training to School Administrators, Teachers, and Staff

Prejudices are hostile opinions or feelings towards a person before even personally knowing them. They are often based on stereotypes—which can be positive or negative—when generalizations are made towards the features and behaviors of individuals of a certain group (race, ethnicity, gender etc.) Both instances often happen unconsciously, without intention, as a part of the human experience. Though a generalization within itself, it can be said that no one is free from bias.

Beyond the level of self, though, bias has been considered *endemic to our educational system and woven into the fabric of society in which schools reside and education occurs*.²⁹ An empathetic approach to school discipline, as an alternative to zero tolerance policies, improves the sense of community in educational environments. Yet, students of color, even in those settings, are overselected and overrepresented in terms of behavior management because they are more likely perceived as prone to misconducts.³⁰

An experiment in five middle schools in three districts in California tested two groups of teachers. One was exposed to an empathic-mindset condition and the other to a punitive-approach one.³¹ As a result, teachers’ disciplinary responses were less punitive in the first group in comparison to the second one. Though not exactly testing the efficiency of implicit bias workshops, this intervention is persuasive towards the understanding how teachers form opinions about students, becoming a lens from which they see them through, directly impacting their academic outcomes.³²

According to the U.S. Commission on Civil Rights, institutional burnout and fatigue may lead teachers and school officials more responsive to snap decisions, acting on unconscious

²⁸ Kim Tran, Teen Vogue, *Transformative Justice, Explained*, 2018,

<https://www.teenvogue.com/story/transformative-justice-explained> (Accessed August 02, 2021.)

²⁹ Lisa S. Romero, Vanessa Scahill, Scarlett Renee Charles, Contemporary School Psychology, *Restorative Approaches to Discipline and Implicit Bias: Looking for Ways Forward*, 2020, <https://link.springer.com/article/10.1007/s40688-020-00314-9> (Accessed July 26, 2021.)

³⁰ Ladson-Billings and Tate IV labeled this as *the intersection of race and property* (Gloria Ladson-Billings, William F. Tate IV, University of Wisconsin, *Toward a Critical Race Theory of Education*, 1995, <https://www.unco.edu/education-behavioral-sciences/pdf/TowardaCRTEduca.pdf>, Accessed July 24, 2021.)

³¹ Jason A. Okonofua, David Paynesku, Gregory M. Walton, Stanford University, *Brief intervention to encourage empathic discipline cuts suspension rates in half among adolescents*, 2015, <https://www.pnas.org/content/pnas/113/19/5221.full.pdf> (Accessed July 27, 2021.)

³² LeaderInMe, *Unconscious Bias in Schools*, <https://www.leaderinme.org/unconscious-bias-in-schools> (Accessed July 21, 2021.)

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biases when disciplining students.³³ In her written testimony to the Indiana State Advisory Committee to the Commission, Dr. Laura McNeal, Associate Professor of Law and Analyst for the Charles Hamilton Houston Institute for Race and Justice,³⁴ stated that:

The majority of school disciplinary sanctions are the product of split second decisions, which as implicit bias research reveals, is the context in which our unconscious biases have the greatest influence...especially in relation to the school-to-prison pipeline.

Teachers and school administrators contacted by this research group highlighted the importance that these trainings (i) happen through live sessions so that the experience is holistic because instances where these trainings were completed by teachers autonomously, via online modules, were not as effective, and (ii) are conferred through outside organizations and not by Dallas ISD's trained staff so that the experience may be as free from bias as possible.

Training should be given to all school personnel—from all fields and levels—to (i) identify, (ii) assess, and (iii) challenge biases on campuses across the district. Even though teachers are more in contact with students than other staff members and administrators most commonly apply sanctions to students, every staff member has a potential impact in the student learning environment.

Furthermore, updated discipline data collected by Dallas ISD in each school in the district should be used to identify the teachers who more often reprehend students, especially those of certain races or ethnicities, and can therefore benefit from further professional development on instructional approaches beyond punishment. Engaging diverse perspectives and seeing this experience through the lens of education, as opposed to simply training, might actualize these workshops beyond a *band-aid approach to racial justice and equity challenges on campuses*.³⁵

Social and racial inequalities are at the genesis of the American democracy and they have not yet been overcome. Understanding and addressing implicit bias through neuroscience and social psychology might be a powerful tool to fostering racially and culturally inclusive school environments.³⁶

Including Mindfulness in the academic curriculum

³³ United States Commission on Civil Rights, *Beyond Suspensions: Examining School Discipline Policies and Connections to the School-to-Prison Pipeline for Students of Color with Disabilities*, p. 111, 2019, <https://www.usccr.gov/pubs/2019/07-23-Beyond-Suspensions.pdf> (Accessed July 24, 2021.)

³⁴ Laura McNeal, Indiana State Advisory Committee, *Civil Rights and the School-to-Prison Pipeline in Indiana*, p. 15, 2016, https://iahe.net/wp-content/uploads/2016-266-141805_draft-report-for-discussion_2016-09-19-05-52-48-1.pdf (Accessed July 24, 2021.)

³⁵ Edward Pittman, Inside HigherEd, *Beyond Implicit Bias*, 2021, <https://www.insidehighered.com/views/2021/05/20/how-make-implicit-bias-training-campus-truly-effective-opinion> (Accessed August 03, 2021.)

³⁶ Vicki Nishioka, Regional Educational Laboratory Program Northwest, *Improving Racial Equity in School Discipline through Culturally Responsive SEL*, 2021, <https://ies.ed.gov/ncee/edlabs/regions/northwest/blog/culturally-responsive-sel.asp> (Accessed July 26, 2021.)

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Though meditation and breath-work techniques are often conceptualized in the religious connotations of Buddhism, Hinduism, and Taoism, its related practices have been increasingly adopted in many secular contexts of contemporary life. A survey conducted by the American Psychological Association in 2017 found that *Americans are more likely to report symptoms of stress, which include anxiety, anger and fatigue.*³⁷

Empirical research supports the acceptability and efficacy of mindfulness programs. A study developed by Harvard University, the Justus Liebig Universität Giessen, and the University of Massachusetts demonstrated that mindfulness modifies the brain structure connected to learning, memory, introspection, and impulsivity.³⁸ The Katholieke Universiteit Leuven in Belgium revealed that this practice reduces the symptoms of depression, anxiety, and stress in young adults.³⁹

Besides the stressors outside of schools' walls—pollution, economic challenges, competitiveness, excessive use of social media, amongst others^{40, 41}—educational environments aren't free from hardships. Deadlines, workload, peer pressure, and lack of support⁴² prompt kids to experience anxiety. Furthermore, school disciplinary practices have been linked to a cycle of chronic stress and trauma, as well as skill deficits and challenging behaviors in students.⁴³

With heightened academic pressure trickling down to kids as early as kindergarten, resulting in less time for play and the arts, children today are faced with an unprecedented amount of stress and anxiety—25% of 13- to 18-year-olds will experience an anxiety disorder according to the National Institutes of Mental Health. Such early stress levels can negatively impact learning, memory, behavior, and both physical and mental health, according to the American Academy of Pediatrics. Escalating stress and pressure continue into middle and high school—a survey of 22,000 high school students conducted by the Yale Center for Emotional Intelligence found that, on average, students reported feeling negative emotions, such as stress, fatigue, and boredom, 75% of the time.⁴⁴

³⁷ American Psychological Association, *Stress in America: the State of Our Nation*, 2017, <https://www.apa.org/news/press/releases/stress/2017/state-nation.pdf> (Accessed August 04, 2021.)

³⁸ Britta K. Hölzel, James Carmody, Mark Vangel, Christina Congleton, Sita M. Yerramsetti, Tim Gard, Sara W. Lazara, Massachusetts General Hospital, Harvard Medical School, Justus Liebig Universität Giessen, *Mindfulness practice leads to increases in regional brain gray matter density*, 2010, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3004979> (Accessed August 01, 2021.)

³⁹ KU Leuven, *Mindfulness at school reduces (likelihood of) depression-related symptoms in adolescents*, 2013, <https://www.sciencedaily.com/releases/2013/03/130315095916.htm> (Accessed August 03, 2021.)

⁴⁰ Elizabeth Scott, *The Main Causes of Stress*, Very Well Mind, 2020, <https://www.verywellmind.com/what-are-the-main-causes-of-stress-3145063> (Accessed August 02, 2021.)

⁴¹ Brian Mastroianni, *Why Americans Are More Stressed Today Than They Were in the 1990s*, HealthLine, 2020, <https://www.healthline.com/health-news/people-more-stressed-today-than-1990s> (Accessed August 02, 2021.)

⁴² Oxford Learning, *Common Causes of School Stress for Students*, 2018, <https://www.oxfordlearning.com/causes-of-school-stress> (Accessed August 03, 2021.)

⁴³ J. Stuart Ablon, *Psychology Today*, *Is School Discipline Guilty? Why school discipline is broken and how to fix it*, 2018, <https://www.psychologytoday.com/us/blog/changeable/201810/is-school-discipline-guilty> (Accessed August 01, 2021.)

⁴⁴ Caren Osten Gerszberg, *Best Practices for Bringing Mindfulness into Schools*, Mindful, <https://www.mindful.org/mindfulness-in-education> (Accessed August 05, 2021.)

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Organizations around the world utilize mindfulness to help students to stay focused in class, learn how to regulate their emotional state, and improve interpersonal skills.⁴⁵⁴⁶⁴⁷ A study divided a group of 99 fourth and fifth graders into two: one exposed to a social responsibility program frequently used in Canadian public schools and another submitted to a Social and Emotional Learning (SEL) training that included mindfulness. The second group *scored higher in math, had 24% more social behaviors, and were 20% less aggressive.*⁴⁸ An investigation on prekindergarten students' self-regulation, prosocial behavior, and academic skills found that *students in the mindfulness schools showed greater improvement in executive functions than students in the business as usual control schools.*⁴⁹

According to the data published by the Texas Education Agency,⁵⁰ in the 2019-2020 school year, fighting and mutual combat accounted for an average of 27% of the causes for disciplinary actions in Dallas ISD. Mindfulness-based interventions could improve classroom behavior in the district,⁵¹ as it has in a public elementary school with lower-income and ethnically-diverse children.⁵²

⁴⁵ Willem Kuyken, Katherine Weare, Obioha C. Ukoumunne, Rachael Vicary, Nicola Motton, Richard Burnett, Chris Cullen, Sarah Hennesly, Felicia Huppert, *Effectiveness of the Mindfulness in Schools Programme: non-randomised controlled feasibility study*, Cambridge University Press, 2018, <https://www.cambridge.org/core/journals/the-british-journal-of-psychiatry/article/effectiveness-of-the-mindfulness-in-schools-programme-nonrandomized-control-feasibility-study/BEB4925E41DEB31345A4FB14FA264A09> (Accessed August 04, 2021); Grant Rix, Ross Bernay, *A Study of the effects of Mindfulness in Five Primary Schools in New Zealand*, 2015, <https://ojs.aut.ac.nz/teachers-work/article/view/69> (Accessed August 04, 2021.)

⁴⁶ To cite a few we have found throughout our research: Niroga, *Teaching Transformative Life Skills to Students: A Comprehensive Dynamic Mindfulness Curriculum*, <https://www.niroga.org/education/curriculum>; Mindful Schools, *We empower educators to cultivate equitable, joyful learning environments*, <https://www.mindfulschools.org>; Learning To Breathe, *a research-based mindfulness program for adolescents*, <https://learning2breathe.org>; MindUpForLife, *All children in the world are our most precious resource for a happier, healthier tomorrow*, <https://mindup.org>.

⁴⁷ Mindful Schools, *Mindfulness Curriculum for Adolescents*, 2015, <https://www.mindfulschools.org/wp/wp-content/uploads/2017/03/Middle-High-School-Curriculum-2015.pdf> (Accessed August 04, 2021.)

⁴⁸ Caren Osten Gerszberg, *Best Practices for Bringing Mindfulness into Schools*, Mindful, <https://www.mindful.org/mindfulness-in-education> (Accessed August 05, 2021.)

⁴⁹ Karen L. Thierry, Rhonda L. Vincent, Heather L. Bryant, Michelle B. Kinder, Christina L. Wise, *A Self-Oriented Mindfulness-Based Curriculum Improves Prekindergarten Students' Executive Functions*, 2018, <https://link.springer.com/article/10.1007/s12671-018-0888-1> (Accessed August 05, 2021.)

⁵⁰ Texas Education Agency, *District Level Annual Discipline Summary, 2019-2020*, https://rptsvr1.tea.texas.gov/cgi/sas/broker?_service=marykay&_program=adhoc.D_D_P_select_district.sas&agg_level=DISTRICT&referrer=Download_District_Summaries_NAME.html&test_flag=&debug=0&school_yr=20&report_type=html&list_by=name&namefrag=dallas&numbfrag=&Download_Select_ed_District=Next (Accessed August 15, 2021.)

⁵¹ Jacqueline Elizabeth Maloney, Molly Stewart Lawlor, Kimberly A. Schonert-Reichl, Jenna Whitehead, University of British Columbia, *A Mindfulness-Based Social and Emotional Learning Curriculum for School-Aged Children: The MindUP Program*, 2016, https://www.researchgate.net/publication/299286829_A_mindfulness-based_social_and_emotional_learning_curriculum_for_school-aged_children_The_MindUP_program (Accessed August 05, 2021.)

⁵² David S. Black, Randima Fernando, *Mindfulness Training and Classroom Behavior Among Lower-Income and Ethnic Minority Elementary School Children*, *Journal of Child and Family Studies*, 2014, <https://link.springer.com/article/10.1007/s10826-013-9784-4> (Accessed August 02, 2021.)

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Preemptive to punishing students, Dallas ISD should capacitate children and adolescents in the district to succeed in life—both outside and inside schools. It can do so by including mindfulness in the academic curriculum as a required subject for grades k through 12.

Recommendations

To promote disciplinary actions which will lead to ending out of school suspensions while fostering racial equity in Dallas ISD schools, we recommend that the School Board and administration:

1. Collect and review data regarding the reset centers every semester; frequently monitoring them to ensure the goals designed for them are being met; and securing funding so that they are adequately staffed to serve each school in the district;
2. Before ending this fall semester, revise the Student Code of Conduct (SCC) as an antiracist pedagogical document to reorient the conversation on best educational practices, which includes, at minimum, (i) a statement acknowledging historically disproportionate punishment toward students of color; (ii) the goal(s) of reducing disproportionate disciplinary practices as part of the key functions; (iii) an appeal process that permits students and parents/guardians to voice concerns before any consequence; (iv) a removal of police dogs as an authority on a student's education (section "Use of Trained Dogs"); (v) an erasure of police officers from the language of "in loco parentis"; (vi) inclusion of racial terminology to address explicitly racial bias; (vii) define discipline; (viii) limiting "Offensive Language" to protected classes of people; (ix) removing any discretion afforded to law enforcement (i.e., "School officials, including law enforcement officers acting as school officials..."); (x) defining voluntary consent for students, where educators act as authorities/parents; (xi) frontloading best instructional practices for educators; and (xii) articulating race as a consideration in assessing disciplinary action for Level III offenses.
3. Update the Student Code of Conduct annually, without prejudice of policy adoptions and revisions that may occur throughout the year;
4. Include the language and detail the process of transformative justice and restorative justice within the Student Code of Conduct; incorporate its practices into the disciplinary measures administered by educators and administrators; secure funding for training school staff in transformative and restorative justice practices;
5. Provide debiasing training to all school personnel to neutralize prejudiced reactions when facing a stressful decision-making process; to do so through live sessions administered by outside professional organizations other than Dallas ISD's trained staff members; to use disaggregated data on discipline to identify teachers/administrators who may benefit from professional development on instructional approaches beyond punishment;

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6. Include mindfulness in the academic curriculum as a required subject for grades k through 12 as a way to approach and resolve the top reasons for disciplinary action;
7. Converse with the TEA about their standards for teachers and domains for administrators and their influence on student disciplinary practices;
8. Begin dialogue with law enforcement on drugs and alcohol use from a mental health and educational framework.

Challenges/Limitations

This research group is aware of some limitations that might challenge the implementation of the recommendations proposed above:

1. Balancing the political interests surrounding the question of discipline outside and within schools. Some teachers might feel overwhelmed, threatened, and targeted in class when disciplining students; some community members might support zero tolerance policies as opposed to funding being spent in discipline alternatives to out-of-school suspensions;
2. Determining the feasibility of increasing the funding for the reset centers so that (i) there is more than one staff member per campus to provide such support to students who are taken out of class and (ii) ensure that reset centers will not potentially turn into a newly shaped tool for the previous discretionary out of school suspensions;
3. Forming a committee to propose a new language to the current SCC; considering the participation of a multidisciplinary team – community leaders, teachers, school administrators, attorneys, social workers, psychologists, pedagogues in the process of proposing changes to educational policies;
4. Determining how often the SCC should be revised; evaluating the feasibility of updating it each Spring;
5. Determining the cost involved with training school staff to partake in transformative justice and restorative justice conflict resolution;
6. Determining if the funding for implicit bias training might be affected by the HB 3979 (legislation signed into law in June 2021 that may impact discussions related to diversity, equity, and inclusion in Texas.)⁵³ What happens in 3-5 years when the

⁵³ Jackson Walker, Jamila Brinson, *Texas Legislative Update on Diversity, Equity, and Inclusion-Related Bills*, JD Supra, 2021, <https://www.jdsupra.com/legalnews/texas-legislative-update-on-diversity-7819564> (Accessed August 03, 2021.)

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funding that has been secured for policies on antiracism and DEI initiatives runs out?

7. Determining the cost involved with hiring and/or training educators to teach mindfulness to grades k through 12 without prejudice of other academic subjects.

Conclusion

The question on discipline in schools persists—*what does discipline accomplish?* Teachers, students, and administrators signal abstract and idealized expectations from disciplinary procedures, yet disciplinary outcomes tell the story: Discipline in public schools exist to punish racial- and ethnic-minority students. The literature suggests multiple methods to approach the matter of discipline in schools, which include trauma-informed methods, restorative justice approaches, and shorter suspension periods. These alternatives improve the situation, but they don't resolve the issue that disproportionately impacts students of color. An environment that fosters learning and accountability toward educators and administrators must simultaneously emerge. Implicit bias training can educate teachers and administrators on how disciplinary action, especially discretionary modes, have the potential to impact students of color at disproportionate rates. Mindfulness teachings can help students improve their personal and professional lives. Much like student report cards evaluate and convey academic status, disciplinary report cards, in the form of disciplinary data, can inform teachers on their own instructional practices while building a scalable form of accountability across the district. Attention must also be paid to the language utilized within the Student Code of Conduct and the partnerships/relationships required to foster a better learning environment—for all students and especially for students of color.