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Use of criminal justice language in personal narratives of out-of-school suspensions: Black students, caregivers, and educators



Misa Kayama *, Wendy Haight, Priscilla A. Gibson, Robert Wilson

School of Social Work, University of Minnesota – Twin Cities, 1404 Gortner Ave, St Paul, MN 55108, USA

A R T I C L E I N F O

ABSTRACT

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Racial disproportionality in out-of-school suspensions is a persistent social justice issue affecting students, families, and schools. This research examined the use of criminal justice language in the personal narratives of out-of-school suspensions of 31 Black students aged 11-17 years, 28 caregivers, and 19 educators who participated in individual, semi-structured, audio-recorded interviews. A total of 51 criminal justice and legal terms were spontaneously used 474 times by 59 out of 78 participants. Social language analyses indicted that participants used criminal justice terms in a variety of ways including to speak through the authoritative criminal justice perspective to justify or resist punitive actions, and to create new meanings within the school context. By using criminal justice language, a strong and consistent message is sent to youths about the connection between their misbehaviors at school and the criminal justice system. Indeed, students spoke through the perspective of the criminal defendant using terms such as "crime," "self-defense," and "prisoner" to describe themselves, their behaviors and experiences of out-of-school suspensions. The use of criminal justice language at school may impact Black students' perspectives of their own misbehaviors, relevant to the development of a criminalized self and social identity. We discuss the use of criminal justice language to refer to student misbehaviors in school as one potential mechanism in the school-to-prison pipeline. More generally, we discuss implications for resisting the criminalization of Black students through the ways in which we communicate about and with them at school. © 2015 Elsevier Ltd. All rights reserved.

1. Introduction

This article considers the power of language in the socialization of a criminalized self and social identity in Black students; specifically it examines the use of criminal justice language in the personal narratives of out-of-school suspensions by Black students who received suspensions, their caregivers, and educators. Racial disproportionality in out-of-school suspensions is a persistent social justice issue affecting students, families, and schools. Suspensions involve removing children from school for up to ten days. Consistent with the mandates of the No Child Left Behind Act of 2001 (NCLB) (U.S. Department of Education, 2001), suspensions are intended to assist educators in maintaining a safe and appropriate learning environment by removing students who exhibit violent and potentially dangerous behaviors, such as weapon and drug possession. Yet relatively few suspensions are issued for such serious disciplinary incidents (Raffaele Mendez, Knoff, & Ferron, 2002; Rausch & Skiba, 2004). Rather, suspensions are mostly issued for relatively minor misbehaviors such as fighting, disobedience, disrespectful attitudes towards educators, and disruptive classroom behaviors (Losen & Skiba, 2010; Raffaele Raffaele Mendez et al., 2002).

Suspensions are largely ineffective in their goal of deterring children's inappropriate behaviors (Raffaele Mendez & Knoff, 2003) and may have a variety of negative consequences. Harsh school disciplinary practices such as suspensions can negatively impact students' well-being, health (Denby & Curtis, 2013), and academic achievement (Dupper, Theriot, & Craun, 2009; Gregory, Skiba, & Noguera, 2010); and increase school dropout rates (Lee, Cornell, Gregory, & Fan, 2011; See also Gregory et al., 2010). Furthermore, exclusionary discipline along with academic failure and school dropout (Christle, Jolivette, & Nelson, 2005; Nicholson-Crotty, Birchmeier, & Valentine, 2009) are risk factors for youths' entry into the juvenile justice system. Despite these multiple, serious risks, many public schools persist in using suspensions as a standard practice for responding to children's problematic behaviors (Hemphill, Plenty, Herrenkohl, Toumbourour, & Catalano, 2013; Losen, 2011).

1.1. Social shifts in school discipline management: "zero-tolerance" policies and the "school-to-prison pipeline"

Over the past two decades, there has been a controversial and welldocumented change in educational approaches to safety and student discipline in U.S. public schools. During the1980s and 90s, there was a

^{*} Corresponding author. Tel.: +1 612 624 9806; fax: +1 612 624 3744.

E-mail addresses: mkayama@umn.edu (M. Kayama), whaight@umn.edu (W. Haight), pgibson@umn.edu (P.A. Gibson), wils1485@umn.edu (R. Wilson).

marked increase in youth gun violence and incidences of school shootings which garnered considerable media scrutiny and elicited nationwide concern about youth violence (Nolan, 2011). In response to these occurrences, many school districts across the nation adopted more punitive and criminal corrections oriented discipline policies and practices with the goal of suppressing student misbehaviors and appeasing an anxious polis (Kupchik, 2010). At the federal level, the Clinton Administration passed the 1994 Gun Free Schools Act, which required school administrators to take a "zero-tolerance" stance on the presence of drugs, guns and other weapons at school. These zero tolerance policies called for the immediate suspension, expulsion, and referral of students to the criminal justice system, including for a variety of relatively minor school-defined disciplinary incidents (Heitzeg, 2014).

Subsequently, as the line between disciplinary incidents and criminal conduct began to blur, simple adolescent misbehaviors increasingly became managed with practices traditionally associated with adult and juvenile corrections. In turn, not only did school suspensions and expulsions begin to rise, but on-campus school arrests also began to occur more frequently (Kim, Losen, & Hewitt, 2010). As a result, many students who violated school conduct codes were removed from school and shepherded into the justice system.

This "school-to-prison pipeline" is a national trend wherein children are pushed out of the public school system and into the juvenile or criminal justice systems (American Civil Liberties Union, n.d.). The schoolto-prison pipeline has primarily impacted Black and Latino students (Fine & Ruglis, 2009), students from low-income families, and students with disabilities (Heitzeg, 2014; Wald & Losen, 2003). Black students, in particular, are three times more likely than White students to be suspended nationally, and they represent 31% of students who were subjected to a school-related arrest (U.S. Department of Education Office for Civil Rights, 2014). Yet Black students are no more likely than other students to engage in unsafe or rule breaking behaviors at school (e.g., Gregory et al., 2010). They are more likely to be disciplined for minor misbehaviors, whereas White students are more likely to be suspended for serious behaviors, such as possessing drugs or weapons (see Losen, 2013). Black students and their families continue to bear the brunt of the consequences of suspensions, due, in part, to predominantly White educators' unfamiliarity with Black culture (Noguera, 2008), stereotypical ideas of Black males as dangerous (e.g., Rios, 2011), and institutionalized racism such as inadequate school funding for urban schools primarily serving a students of color (e.g., Fine & Ruglis, 2009).

1.2. The hidden curriculum and the development of a criminalized self and social identity in Black adolescents at school

Although the primary stated purpose of out-of-school suspensions is to maintain a safe and appropriate learning environment, this practice also sends strong socialization messages to adolescents during an important time of social and identity development. Identity changes in adolescence involve substantial elaboration and restructuring of youths' sense of self. Adolescents have the capacity to imagine possible selves (the alternative identities they may adopt) and to consider what their lives may be like in the future (Steinberg, 2011). These changes occur within important social contexts including peer groups and school. Within the school, children's socialization occurs not just through the content of academic instruction, but also through a "hidden curriculum" (e.g., LeCompte, 1978). The hidden curriculum conveys powerful socialization messages relevant to adolescents' social and identity development including their social value and future place in the larger society.

1.2.1. The social and physical ecologies of schools

The hidden curriculum may be communicated through the social and physical ecologies of schools and classrooms (e.g., Fine & Ruglis, 2009; Martin, 1976). Exposing particular students or groups of students to exclusionary discipline practices can have a powerful impact on the social- and self-identity development of these youths and their peers. For example, Black male students who have been suspended can be stigmatized as deviant, which impacts both their social status and their identity development as "Black males" (Ferguson, 2000; See also Caton, 2012; Rocque & Paternoster, 2011). As administrators and teachers are pressured to raise test scores, students considered to be distractions are increasingly removed from class. Students who are aware of their "throw away" status may become disengaged from their educations and positive futures, and engaged with the juvenile justice system (Winn & Behizadeh, 2011).

With an overall social commitment to zero-tolerance and "get tough" school disciplinary policies, many urban schools began to shift from discipline intended to impact positive social development, for example, making restitution to those affected by misbehaviors, towards more "ordermaintenance" forms of discipline (Nolan, 2011), for example, by utilizing on-site police officers (a.k.a. resource officers), security doors, metal detectors, and surveillance cameras to control students. These measures can create a prison-like environment within school buildings that can further alienate students and thrust them into early contact with the juvenile justice system (Kupchik, 2010). A culture of surveillance and policing also can diminish youths' views of educators as their advocates and schools as their safety nets. When students have been criminalized at school, it compromises their abilities to form strong and trusting relationships with key adults including teachers (Winn & Behizadeh, 2011) necessary to effective education. Indeed, Black youths who dropped out of school critiqued the school environment using the metaphor of "prison" (Caton, 2012). They described body searches, security cameras, metal detectors, and guards at school that invoked emotional reactions, such as anger and hurt feelings, and even instigated them to exhibit challenging behaviors.

1.2.2. Social languages at school: identity, power and narrative suppression

The "hidden curriculum" also may be communicated through the ways in which educators interact with students (e.g., LeCompte, 1978), including their use of language. Sociocultural scholars working within the tradition of language socialization (see Duranti, Ochs, & Schieffelin, 2012) demonstrate both the power of language in socializing children, and of researchers' systematic analysis of language features in revealing implicit and explicit socialization messages conveyed during everyday routine activities. Analyses conducted from a Bakhtinian perspective (e.g., Miller, Koven, & Lin, 2012) are especially useful in considering issues of identity, power, and narrative suppression. Bakhtin (1981) observed that within a given community sharing the same national language (e.g., English), individuals speak through multiple social languages. Such social languages include "social dialects... professional jargons, generic languages, languages of generations and age groups, languages of the authorities, of various circles and of passing fashions, languages that serve the specific sociopolitical purposes of the day... (pp. 262–263)." Various social languages may be distinguished by patterned variation in phonology, vocabulary, grammar, emotional tone, and pragmatics (Ainsworth, 1993; Strauss, 2005).

Individuals speak through any number of social languages depending upon the perspectives they are adopting. Through the language they use, they might bring the voices of the legal system, church, family, profession/occupation; and ethnic, age or other groups alongside and in support of their own voices (Wertsch, 1991). Individuals consciously or unconsciously adopt, or speak through, the social language most appropriate for the time, place, audience, situation and their social goals. In narrating personal experiences, social languages shape what individuals say and how they say it (Morson & Emerson, 1990; Wertsch, 1991). For example, administrators' responsibilities to enforce disciplinary policies may restrict what they can say to parents or students, suppressing their nurturing educator voice. It is also possible that at different points within the same person's narrative, an individual may speak through different social voices (Strauss, 2005), for example, as a nurturing educator recognizing the child's struggles with bullying peers and as an authoritative administrator in disciplining the child for fighting.

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