If not ZERO TOLERANCE, what? by Brian C. Bailey M.D.

Zero Tolerance (of youth violence) was never embraced by Canadian schools as enthusiastically it was in the United States. While the term zero tolerance itself predates President Clinton’s 1994 Gun-Free Schools Act, this legislation was the first stab at an anti-youth-violence law with teeth. Students who brought firearms to school received one year suspensions.

Soon after the law’s introduction, in the wake of the Columbine High School shootings, the zero tolerance approach - which levies school suspensions in a get-tough way - was broadened by certain states and school districts to include other reasons for suspension: violence, threats of violence, drug and alcohol use, and even smoking.

Canada was ripe to follow suit. Even before Columbine (1993) Canadians believed that school-based violence was the single most important issue facing public education. Gabor (1995) in his report to the Solicitor General of Canada recommended that students “be made more accountable for their actions “through swift and certain action.” Gabor furthermore suggested that “students who engage in violence and anti-social behaviours do so of their own volition and choice, and not because of some personal conflict stemming from academic exclusion, social isolation, or other form of socially constructed discriminatory practice within the public school setting.”

In other words, Gabor was saying and other Canadian policy-setters were accepting that youth “know better” than to engage in certain behaviours- and choose to act against what they know - at their own risk and peril. If such presuppositions are true - punishing defiant youth is justifiable. And since zero tolerance suspension often leads to dropping out from school, this is severe punishment.

Five years after it introduction, zero tolerance was being attacked from all sides as plain wrong thinking. While Ontario education minister Janet Ecker was promoting zero tolerance in her Safe Schools Act in 2001-2, critics considered it conventional wisdom run amok. By 2005 Canadian institutions, like the Vanier Institute for The Family whose mandate is to take up the cause of youth, were trying to steer the ship of state in a different direction, and by 2004 politicians like Toronto mayor David Miller were calling zero tolerance “shortsighted.”

Question #1 is how we could have gone so wrong?

The backdrop against which zero tolerance has come to the fore in Canada is a traditional reliance on teachers’ ability to implement disciplinary practices that are consistent with traditional Canadian values such as peace, order, and respect for diversity. Zero tolerance brushes aside any assumption that an intervention be based on the intervener’s application of common sense or mitigating conditions - assuming instead that the moral majority determines and enforces which types of behaviours are inherently good, and which are not.

2 ibid
In much the same way that the Clinton administration’s zero tolerance for weapons in school became a much larger grab bag of things that school administrations opposed after the Columbine shootings, the rising epidemic of bullying of recent years places new pressure on schools to get tough on a vast array of disruptive youth behaviours.

Fear of being overwhelmed by galloping increases in bullying, resulted in zero tolerance in many situations in which common sense would have dictated more moderate responses. Many suspended students do not return to school - and may become even bigger problems on the street. But the anti-bullying backlash was, itself, out of control by 2001. An 8 yr. old Canadian boy was suspended from school for pointing a “chicken finger” at another student and saying “Bang!”

While the Canadian public may still have an appetite for applying punitive measures to disruptive and disobedient youth (as evidenced by support for the Conservative party’s get-tough-on-crime platform plank), most observers (11 out of 12 on an internet survey) agree that “while there are doubtful situations in which removing a child from school is necessary for that child or others’ safety, at present we have no evidence that punishment and exclusion can in and of themselves solve problems of school violence or teach students alternatives to violence.”

As the pendulum swung toward zero tolerance of violence among school-age youth, observers began to see that this policy has simply shifted the blame to youth themselves, assumed that they have the wherewithal both to shoulder the responsibility and to respond accordingly - when just the opposite has been revealed to be the case. Those with the fewest tools to address the matter - often those who are poor, those who emerge from minority cultures in the society and those with disabilities - the very youth who need most to stay in school are discriminated against in the process - being the most likely to be effected by such policies.

About 5 years after zero tolerance began to gain traction, research began to appear that suggested that only about one third of young people had the resilience to overcome the many risk factors for violent behaviour, and that the remaining two thirds needed first to learn resilience if they were to make the chances the zero tolerance policy expected them to make.

4.) Zero Tolerance For Non-Compliance http://www.crossroad.to/text/articles/zerotol.html
5.) Zero Tolerance http://www2.potsdam.edu/hansondj/ZeroTolerance.html
6.) Zero-tolerance policies lack flexibility http://www.usatoday.com/educate/ednews3.htm By Dennis Cauchon, USA TODAY
7.) Zero Tolerance for Zero Tolerance http://www.pdkintl.org/kappan/kcur9910.htm
8.) BULLYING AND ZERO TOLERANCE IN STATE SCHOOLS by Harry Valentine http://www.quebecoislibre.org/020427-10.htm
11.) Tom Brodbeck Wed, January 4, 2006
www.winnipegsun.com/News/Columnists/Brodbeck_Tom/2006/01/03/1377714.html By Russ Skiba and Reece Peterson

Zero tolerance - which still has its advocates, has cast a broad net, by its very definition treating both minor and major incidents with equal severity in order to “send a message” to potential violators. Pedro Noguera, writing in the Harvard Educational Review\(^5\) argues “the primary function of harsh punishment is not to change the behaviour of the recipient, but to reassert the power of authority. Seemingly random violence poses a profound threat to schools and to the authority of those who administer the schools. In the face of an apparent inability to influence the course of violence in schools, harsh measures are intended to send a message that the administration is still in charge. Whether the message is effectively received or actually changes student behaviour may be less important than the reassurance sending it provides administrators, teachers and parents.”

We cannot afford the luxury of empty reassurance of officials or even of pleasing a worried but poorly-informed electorate - if such paper-tiger efforts waste scarce funds in vain reassurance while depriving our youth of a real chance to learn resilience in the face of a multitude of factors which cause violent behaviour in the first place. If we rely solely, or even primarily on zero tolerance strategies to preserve the safety of our schools, we are accepting a model of schooling that implicitly teaches students that preservation of order demands the suspension of individual rights and liberties. But, if not zero tolerance, what can we do? The Vanier Institute has vigorously suggested fostering emotional literacy\(^6\).

Question #2 is, are there, as the Vanier Institute suggests, credible alternatives to zero tolerance?

Here’s one such alternative! The Young Canadian Leadership Challenge\(^7\) emotional and social competency initiative features a broad range of effective discovery learning methods which emphasize positive prosocial behaviours rather than merely punishing inappropriate behaviours.

While we are in the process of finding - or, more correctly, creating opportunities for our youth to discover alternative values and behaviours themselves - we don’t allow anarchy to seize the day. If zero tolerance is not the answer, neither is the answer to tolerate any and all form of behaviour which youth might serve up.

There must be rules and there must be enforcement. But at a Young Canadian Leadership Challenge rules are kept simple - and enforcement always provides a way, if they choose it, to get back in the game - if they become sidelined for infractions. As well, the rules must both be fair to all and they must seem to be fair. They must exist at a level that youth can understand, and they must evoke buy-in. With a few exceptions - they do! The rules which are put in play act as boundaries and once the boundaries are in play - like rules of a game - the youth can devote themselves to the task of examining how to get along with each other in a non-violent way.

When they struggle particularly hard and come up with a new way derived from basic emotions and principles which they articulate themselves, our youth are awarded beads. A small token - but it works!

The beads, while awarded by adults, are not given away willy-nilly. Because they have no value in and of themselves - the motivation to earn a bead is intrinsic - which we decidedly prefer. One must really rise to the occasion to get a bead - and the youth quickly develop an appetite for them.

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\(^5\) The Dark Side of Zero Tolerance: http://www.pdkintl.org/kappan/kski9901.htm

\(^6\) Heart Smarts: http://www.vifamily.ca/library/cft/heart.html

\(^7\) YCLC CAnada Inc.: www.leadersoftomorrowinstitute.com
Question #3 is - since this is anything but zero tolerance, can it achieve the results which zero tolerance advocates hoped would work, but didn’t?

To get the whole answer, let us return to the matter of values - Canadian society’s traditional base for the administration of both justice and the provision of a ground-of-being for our youth - from which we expect nonviolence to spring forth - not because we don’t tolerate violence, but because we find emotionally competent youths beneath learned violence.

We said above that our Canadian educational system, before being tempted to rely on strategy, traditionally has relied on the expectation that our teachers would act fair-mindedly towards their students - based on fundamental Canadian values such as peace, order and respect for diversity. Our approach harkens back to that expectation.

We form teams who are intentionally diverse in age and cultural background, in emotional and social competency, so that there is no dominant set of expectations of how to interact with others. The diverse youth bring diverse expectations, but have no idea what it will take to be accepted among their confreres, thrust together by chance.

Walking through the forest together, they come upon a network of airplane wires strung six inches off the ground. The next 30 minutes they will work against the clock to get everyone from one end of the network to the other. It will not be easy! No single person will be able to do it on their own. It will take a transition from athleticism to exquisite cooperation. Would-be heroes are humbled by the challenge - and yet it spurs them on. Everyone must get across.

There is no room here for being a dilettante. It’s all-for-one-and-one-for-all or it’s nothing. Whether they make it or not, afterwards, they must ferret out a value they adopted and mastered to help them succeed. Perhaps this time it was courage. Or maybe it was steadfastness.

They’d better be sure because they’ll be challenged by High Council (a costumed group of adult participatory theatre volunteers) next to make a strong case for a value they discovered all by themselves. In the course of the day this group will derive - among others - peace, order and the respect for diversity from scratch - and by nightfall they will celebrate this and take a stand for it in their lives.

And in the process violence will be replaced by peacefulness. Bullies find leadership to be a truer test of their mettle - and jump ship very quickly.

Youth who were victims in the pecking order as long as the bullies were active, suddenly are freed to put their input forward. They’re tentative at first - but then again that’s their nature. Their role in putting an end to violence is to find self-respect and the courage to be authentic. While it’s all a game - it’s an inner game as well - a game to take on the road and practice in the trenches of everyday life. It’s a game everyone wins.

In zero tolerance we have seen our adult frustration with defiant and destructive youth bubble over and we have come to the place of rethinking our own responses. Undoubtedly we are wary - because we still want to see things change. The work of the Young Canadian Leadership Challenge shows promise, but let us tread carefully and make sure we get it right this time.