

## A Tale of Two Policies: The Case of School Discipline in an Ontario School Board

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### Abstract

This study examines how staff working for one Ontario school board perceive two distinct approaches to school discipline policy: the Safe Schools Act (Bill 81) and Progressive Discipline and School Safety (Bill 212). The more centrally controlled and rigid Safe Schools Act was criticized by interviewees and cited for human rights violations. However, the inherent flexibility and vagueness of the Progressive Discipline policy that replaced it was seen to lead to inconsistent policy implementation and unequal outcomes for students. This paper considers the broader implications of policies that are “tightly coupled” or “loosely coupled” in terms of teachers’ professional discretion, accountability, and student outcomes.

Keywords: *School Discipline; Safe Schools Act; Progressive Discipline; Tight Coupling; Loose Coupling; Education Policy*

### Introduction

Student misconduct, an enduring reality of schooling, is defined as any action that “poisons the learning atmosphere,” including bullying, disobedience and classroom disruptions (Public Agenda, 2004a, 2004b). Educators and researchers acknowledge the potential impact of student misconduct on classroom teaching and learning, but there is little consensus about which school discipline policies most effectively mitigate problems. On one side of the debate: school discipline policies reproduce social norms and behavioural standards. Messages of socialization built into these discipline processes facilitate schools’ central learning objectives and ameliorate broader social problems (Brint, Contreras, & Matthews, 2001; Durkheim, 1961; Ingersoll, 2006; Parsons, 1959). On the other side of the debate: school discipline policies reflect unequal social relationships and provide schools with a legitimate means to exclude marginalized groups (Arum, 2003; Bourdieu, 1977; 1984; Bourdieu & Passeron, 1977; Bowles & Gintis, 1976; Human Rights Settlement Reached with Ministry of Education on Safe Schools, 2007; Karabel & Halsey, 1977; Willis, 1977). The literature also considers how school discipline influences academic achievement (Burdick-Will, 2013; Ramey, 2015) or reflects broader social forces (e.g., neoliberalism, globalization) (Beck, 2012; Bromley, 2014; Rashby, Ingram & Joshee, 2014).

This paper extends the literature on this topic by examining how school staff at the Lakeside School Board managed two distinct approaches to student discipline policy: The *Safe Schools Act* (2000) and *Progressive Discipline and School Safety* (Education Amendment Act, 2007; hereaf-

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<sup>1</sup> Lakeside School Board is a pseudonym.

ter *Progressive Discipline*).<sup>1</sup> The authors ask a) how do educators perceive the *Safe Schools Act* and *Progressive Discipline* policies, and b) what are the perceived trade-offs inherent in policy formation and implementation that are tightly versus loosely coupled?

The concept of “coupling” is used in organizational research to describe connections between the environment of schooling, policies, and school and classroom practices.<sup>2</sup> The *Safe Schools Act* and *Progressive Discipline* represent distinct approaches to policy that are, respectively, more or less “tightly” or “loosely” coupled; one policy is more centrally controlled, rigid, and decisive (*Safe Schools Act*, 2000), while the other is locally managed, flexible, and based on an evolving logic of students’ individual circumstances and learning needs (*Education Amendment Act*, 2007). This paper extends the literature and considers the broader implications of policies that are “tightly coupled” or “loosely coupled” regarding teachers’ professional discretion, accountability, and student outcomes.

## Context

In the past, school discipline involved methods of “coercive disciplinary tactics like corporal punishment, humiliation, straps, or dunce caps” (Hurn, 1993, p. 135). As public opinion about corporal punishment began to change in the 1960s and early 1970s, the primary method of discipline shifted to suspensions and expulsions (Adams, 2000, p. 145). Fuelled by public concern for school safety, schools adopted “zero tolerance” policies in the late 1980s and 1990s (Skiba, Shure, Middleberg, & Baker, 2012; Suvall, 2009). Originating in the military and criminal justice system, zero tolerance targets violent and disruptive school offenses. This approach to student discipline includes methods of detection and surveillance (i.e., police, cameras, metal detectors, locker searches) and the specification of clear and consistent consequences that send a message of deterrence (Skiba et al., 2012).

In 2000, Ontario introduced a version of zero-tolerance across all publicly funded schools. Bill 81, the *Safe Schools Act* (2000), was a deterrence model of student discipline. The policy imposed strict rules and mandatory consequences for student misconduct. Importantly, the policy left little room for professional discretion at local levels (for discussion of administrative discretion in education see Manley-Casimir & Moffat, 2012).

After suspension and expulsion rates rose sharply, the *Safe Schools Act* quickly became “a lightning rod for criticism” (Brent, 2007, p.1; Ontario Ministry of Education, 2005). The Ontario Human Rights Commission also initiated complaints against the Ontario Ministry of Education, accusing the policy of disproportionately targeting racial minority students and students with disabilities. Kathleen Wynne, the Minister of Education at the time, captured the public’s mounting frustration with the policy when she stated “we need to be providing programs for kids . . . to keep them in school. Suspending or expelling as a way of restoring a kid to academic success is not a successful path” (Puxley, 2007, para. 5).

In response, school disciplinary policy took a dramatic about-face in Ontario. In 2007, Bill 212, *Progressive Discipline and School Safety* (*Education Amendment Act*, 2007), replaced the *Safe Schools Act*. In 2009, the associated *Progressive Discipline* policy was introduced (Ontario Ministry of Education, 2012). In stark contrast to the *Safe Schools Act*, this approach to student discipline emphasizes “corrective and supportive” disciplinary measures in a manner that “promotes positive behaviours.” The Ontario Ministry of Education (2012) defines *Progressive Discipline* as:

<sup>2</sup> This literature tends to focus on the relationship between policy and practice (e.g., Labaree, 2010; Spillane & Burch, 2006; Spillane, Parise & Sherer, 2011); how educators internalize messages emanating from the environment (e.g., Aurini, 2012; Coburn, 2004; Jennings, 2010); and how educators respond to leadership changes (e.g., Hallett, 2010).

A whole-school approach that utilizes a continuum of prevention programs, interventions, supports, and consequences to address inappropriate student behaviour and to build upon strategies that promote and foster positive behaviours. When inappropriate behaviour occurs, disciplinary measures should be applied within a framework that shifts the focus from one that is solely punitive to one that is both corrective and supportive. Schools should utilize a range of interventions, supports, and consequences that are developmentally appropriate and include learning opportunities for reinforcing positive behaviour while helping students to make good choices. (p. 3)

The “continuum of prevention and intervention” (Ontario Ministry of Education, 2012, p. 3) is comprised of three main stages to reflect the severity of the behavioural issue and any other mitigating factors. At the first stage, preventative strategies are initiated to reinforce appropriate behaviour. The second stage of intervention includes helping students learn to identify and replace negative behaviours with positive behaviours. The third more intensive stage attempts to address underlying mental, physical, social, behavioural, and family environmental influences. In stark contrast to the *Safe Schools Act*, *Progressive Discipline* builds-in professional discretion and parental involvement in a manner that allows principals and teachers to contextualize student misconduct.

## Methods

This study draws on interviews with school staff working for the Lakeside School Board in Ontario, Canada. Lakeside is one of the larger district school boards, enrolling approximately 60,000 students and employing 5,500 staff members.

A research ethics board at McMaster University (Ontario, Canada) and the Lakeside School Board approved this study. All names and identifiable information, including the name of the school board and the names of the staff members, were changed to ensure participant confidentiality. After we received approval from both research ethics boards, a contact at the school board sent out a system-wide memo inviting the participation of schools and school board staff. This contact then reached out directly to several school administrators and encouraged their participation. Following this initial communication, we contacted school principals to request their participation in this study and for access to interview their staff.

In 2010-11, 44 interviews were conducted with 36 school and school board staff from primary schools, high schools, Alternative Education Programs (programs for students expelled from their home school), and the school board office. Interviews were also conducted with a wide range of stakeholders that included 13 principals, four vice-principals, 12 teachers and support staff, three Alternative Education Program teachers and administrators, and four School Board Administrators. In a few cases, individuals were interviewed more than once because of interviewee availability and the need to ask additional questions. Interviews ranged from one to three hours and were digitally recorded with the permission of the participants.

The interview schedule consisted of three main sections. First, questions examined educators’ knowledge and perceptions of and experience with discipline policies. Educators were asked to describe the current discipline policies and practices at their school and how they felt about them. Interviewees were also asked about how discipline processes may have changed over time. Second, we examined how *Safe Schools Act* and *Progressive Discipline* policies were applied and practiced. Interviewees were asked about personal and school-wide approaches to school discipline. Third, we asked our interviewees to describe how disciplinary practices shape student outcomes. Educators were asked how they perceived the effectiveness of discipline practices, and if they felt discipline practices adequately addressed inappropriate student behaviour.

Interview data was analyzed using Nvivo 7. The interviews were initially coded using structural and descriptive coding strategies (Saldaña, 2013). Structural coding involved coding the

materials based on the questions pre-outlined in the interview schedule. Using descriptive coding, labels were assigned to summarize topics discussed in data segments. Sub-codes were added to these primary codes to detail the entries. Eclectic and pattern coding techniques were then employed (Saldaña, 2013), with eclectic coding used to refine and synthesize primary codes created to this point, and a pattern coding method used to group the previously identified summaries. We then organized and reorganized the data multiple times according to increasingly specific emerging themes, as well as more abstract and theoretically informed categories. Finally, additional phases of coding aimed to refine the contents of each code. We continued to look for patterns and connections within each category and further subdivided the codes into tree nodes to capture the complexity of interview responses.

While the sample is not representative, several precautions were taken to strengthen the trustworthiness and credibility of the data. The interviews were conducted approximately three years after Bill 212, *Progressive Discipline and School Safety* (Education Amendment Act, 2007), was introduced. This timeframe provided school and school board staff with a reasonable amount of time to gain experience using the policy. We also interviewed a broad spectrum of school staff including principals, teachers, social workers, and child and youth workers. We engaged in member checking by incorporating questions based on preliminary findings into multiple interviews and discussing initial findings with educators. Participants could challenge our interpretations as well as offer additional information and personal examples of patterns observed in previous interviews. Not discussed in this paper, the lead author also spent over 100 hours volunteering at one participating school where she conducted interviews and focus groups with students. Through these interactions, we developed more personalized relationships with staff and students and gained a deeper understanding of the school contexts of student discipline policy.

### **A Tale of Two Policies**

The *Safe Schools Act* and *Progressive Discipline* represent a different species of policy formation that is more or less tightly and loosely coupled. The concept of coupling refers to the interconnections between the environment that an organization is situated within (the formal structure of the organization e.g., official policies) and day-to-day practices (for foundational articles see Meyer & Rowan, 1978; Weick, 1976).

In the past, schools were characterized as loosely coupled (Weick, 1976). The term captures the “relatively weak influence of government policy on school and classroom practices” (Spillane, Parise, & Sherer, 2011, p. 588). Loose coupling “swept away the idea that school administration has much to do with instructional operations” (Bidwell, 2001, p. 104) since what and how children learn occurs in a relatively isolated classroom, shielded from outside intrusion or oversight. As Weick (1982) observed, “[S]chools are *not* like other organizations” (p. 673) since much of how they operate defies rationalization. Unlike a factory, schools also have little control over many aspects of their working conditions, including selecting their clients (students) and the technologies (i.e., the curriculum) they are required to use. Moreover, teaching staff must also juggle multiple and (at times) competing goals advanced by various interest groups, including students, parents, teachers’ unions, and governments. These conditions, along with the recognition that teachers’ biographies, personal preferences, and “buy in” affect how they teach, play a role in determining whether schools meaningfully adopt policies or practices (see Coburn, 2004; Hallett, 2010).

More recently, the application of coupling to school organizations has evolved considerably. Today education scholars now recognize that many aspects of schooling organizations are tightly coupled (e.g., Spillane & Burch, 2006; see also Hallett, 2010 and Sauder & Espeland, 2009). Several reforms, such as the introduction of more standardized curriculum and the Edu-

cation Quality and Accountability Office (EQAO), attempt to align broader cultural ideals about schooling, curriculum goals and classroom practices; some subjects or aspects of schooling are amenable to the development of clear goals, a more rationalized sequence of instruction, and outcome-based measures. This small but influential body of literature has started to examine the processes of recoupling that occur when “organizational practices that were once loosely connected become tightly linked” (Hallett, 2010, p. 53). This research shows how external influences (e.g., standards movement) increasingly guide administrative practices, and teaching and learning in classrooms (Sauder & Espeland, 2009; Spillane et al., 2011, p. 586). In short, at least some types of school policies are no longer adopted symbolically, but rather to meaningfully change school and classroom activities.

What are the perceived trade-offs of each approach in terms of teachers’ professional discretion, accountability, and student outcomes? School discipline policy in Ontario affords us a unique opportunity to analyze both approaches to coupling of policy, school, and classroom practices that occurred in a relatively short time period. The *Safe Schools Act* allows us to examine what happens when a policy reconnects organizational practices that were once only loosely connected. *Progressive Discipline* is an example of what we may expect when ideals about school policy are not only loosely connected but also invite a healthy dose of professional discretion and local decision-making. Table 1 summarizes our findings discussed below.

Table 1

*Coupling of Administration and Policy and School and Classroom Practices*

	Safe Schools Act	Progressive Discipline
Type of coupling	Tightly coupled	Loosely coupled
<i>Professional discretion</i>	Low <i>Centralized decision-making</i>	High <i>Encourages local decision-making</i>
<i>Accountability</i>	Narrow <i>Strong alignment with goals</i> <i>More intrusive forms of inspection</i>	Broad <i>Weaker alignment with goals</i> <i>Varied measures and less intrusive forms of inspection</i>
<i>Student outcomes</i>	Lower variation	Higher variation

### *Professional Discretion*

“Discretion” is often seen as a by-product of teachers’ professional status. However, it is also an organizational imperative that is informed by how policies are designed (Findlay, 2012). Policies can vary by the amount of latitude teachers and principals have over managing their clients, and by the degree to which they can draw on their professional expertise and develop responses that are context or student specific (Manley-Casimir & Moffat, 2012).

Processes of tight coupling entail more coordination among organizational parts (Meyer & Rowan, 1977, 1978). Removing teacher discretion by developing goals that are narrow in scope is one way to tightly couple policy with practice. Chris, a child and youth worker, notes that this approach to policy is more “black and white” and specifies clear instructions, routines and expectations for teachers and principals to follow. In theory, tight coupling removes nepotism or other outside influences and improves the consistency of policy implementation across and within schools. Non-discretionary approaches are also more simple to monitor since authority figures (e.g., principals) have a common rubric to evaluate practices and outcomes. As Ashley, the principal at North-Western School, explained the *Safe Schools Act* was “far more easy” to implement:

It’s much easier just to say, “You did that and now you’re suspended, out. Come back when you’re ready. And out again, out, out, out!” It’s much more difficult to make everybody understand the things that you have to do to set up a positive culture (*Progressive Discipline*); it’s not as easy as safe schools culture. *Safe Schools* was far more easy.

At the other end of the spectrum, policies can be designed to be more loosely coupled from the everyday functioning of schools and classrooms. This approach to policy allows for “individualized routines” and “high autonomy and low surveillance” school environments (Hallett, 2010, p. 59). Loose coupling generates more varied practices since teachers can follow their own approach to teaching and classroom management.

Jack, the principal at Watchorn Park School, for example believes in individualizing student discipline (or in his words, a “hodgepodge approach”). He prefers “some level of greyness to be able to adjust [discipline] to the needs of the kid.” Loose coupling allows a policy such as *Progressive Discipline* to express itself according to each principal or teacher’s approach to student discipline and each student’s unique circumstances—even within the same school. As Jack explained, “discipline is very individualized” because the “same thing doesn’t work for every student”:

I don’t like being locked in where there are consequences like one detention, two detentions, half-day suspension and then full-day suspension. In some ways, I prefer some level of greyness to be able to adjust to the needs of the kid . . . For some people they want to see action and specific consequence, and where it’s the same every single time . . . discipline is very individualized to make sure the behaviour doesn’t happen again. The same thing doesn’t work for every student. I’m not one for a purely black and white system, where you do this and you get that.

Each approach to teachers’ professional discretion has several trade-offs. While the *Safe Schools Act* was “easier” to implement, the policy left little “wiggle room” for school staff to draw on their professional expertise and contextualize student misconduct based on what they know about the student or the particular situation. As one teacher explained, “There wasn’t even a choice. You had to fire kids out of there, left, right and centre.” John, a behavioural program leader, recalled his school having a chart, “and it said, ‘If you’re this age and you did this offense, this is the number of days suspension.’”

Consequently, students received punishments that were sometimes inappropriate or too severe. Several of our interviewees, for example, noted the irony of suspending and expelling students for truancy. Lila, a special education consultant, described two students who had been

suspended 24 and 37 times respectively for truancy. Similarly, a lawyer who had handled approximately 150 cases associated with the *Safe Schools Act* claimed that in some cases, “[Y]ou have kids who are expelled for accidentally touching someone, you have kids who are expelled for stealing pop and chips . . . it criminalizes them” (Puxley, 2007, para. 8).

*Progressive Discipline* addressed at least some of the programs associated with the *Safe Schools Act*. According to interviewees, *Progressive Discipline* speaks to teachers and principals’ desire for professional autonomy; they want to be consulted on important issues related to school discipline and entrusted to do their jobs in good faith. Pat, a special education consultant, explained that the new approach to student discipline is a “good thing” as long as the spirit of the policy is maintained:

While the board has definite policies around *Progressive Discipline*, I find that each school applies those policies differently . . . I think generally the policies are a good thing, if they were applied in a manner in which they were intended to be applied.

Pat’s caveat hinted at problems several of our interviewees identified with *Progressive Discipline*. In the absence of clear guidelines, principals and teachers told us they do not always know how to respond to student behaviour, or when and how to implement various student support services. At times, they are also unsure when to consider mitigating circumstances—and what counts as such a circumstance in the first place. As Shannon, a behaviour education assistant, explained,

[the vice-principal] was doing progressive but the violation really warranted something more severe . . . It’s like I have no say because nothing’s going to happen when [students] are sent to the office, nothing is done . . . my credibility is gone!

In the absence of a clearly defined process in place, interviewees described inconsistent perceptions and applications of discipline between teaching staff and administrators. This uncertainty generates what Hallett (2010) refers to as “epistemic distress,” a term used to describe a “displacement of meaning, certainty and expectations” (p. 62) when school staff feel unsupported and undermined by colleagues who do not share their particular approach to student discipline.

### *Accountability*

Accountability frameworks can also vary by the degree to which they connect policies and classroom practices. Tight coupling can generate more precise and effective practices by channeling resources toward a focused set of objectives and providing schools with more concrete expectations. As Whitney, a vice-principal, explained:

[under the *Safe Schools Act*] the process was absolutely clear [and] consistent. Parents knew what it was and students knew what it was. I knew what it was, and the principal knew what it was. It didn’t matter who saw the student, the principal or myself, everybody was on board with what happened.

At the other end of the spectrum, loose coupling allows schools to develop accountability schemes that rest on their ability to demonstrate that the policy aligns with broader goals. This kind of accountability is often highly symbolic in nature. Rather than measuring outcomes, these schemes assume the existence of those outcomes if key policies are introduced, and appropriate symbols are prominently displayed (e.g., on school board websites, posters in the classroom). When describing the benefits of *Progressive Discipline*, our interviewees’ responses ranged from better communication and relationships with students, to the ability to connect students and families with appropriate resources, to helping students develop more appropriate coping skills. As one principal explained, *Progressive Discipline* improves his students’ ability to identify and group problem-solving skills: “Teachers and kids are articulating behaviour and bullying more articulately. Kids are able to better identify, and group problem-solving skills are being taught

and rehearsed and practiced more.”

What are the trade-offs inherent in each approach to accountability? In theory, policies that are more black and white should generate a stronger alignment with the academic and behavioural goals. However, in the case of the *Safe Schools Act*, removing professional discretion and specifying narrow guidelines did not always lead to prudent and consistent policy implementation. According to Pat, a special education consultant, the *Safe School Act* “backfired” and created more behavioural problems and higher drop-out rates. Jennifer, a principal, characterized the *Safe Schools Act* as a “system that was designed to get rid of kids” and conveyed a message to students that according to Lexie, a child and youth worker, “you’re bad, we don’t want you in our building, go home and stay home.” Instead of effective behaviour modification, removing students from the school meant that children “lost time” from learning, as stated by Danielle, vice-principal. As the data presented in the next section shows, suspension and expulsion rates sky-rocketed, suspension rates varied between schools, and the Ontario Human Rights Commission alleged that the policy unfairly targeted vulnerable and at-risk students. All in all, tight coupling did not produce consistent policy implementation.

Loose coupling, on the other hand, can generate superficial changes. In the case of *Progressive Discipline*, this symbolism leaves the school board and school staff with few tools to evaluate the effectiveness of the policy. It also means that sometimes the spirit of the policy is not followed since there are few feedback mechanisms that may expose inconsistent practices. Katie, a special education consultant, described how symbolic compliance does little to change how teachers and children interact in the classroom:

The word for November is respect. That word is written on the black board and the teacher says, “We are all going to have respect this month,” and it’s never mentioned again. And in the meantime, the things the teacher says and does are not respectful. The things the kids are saying in the classroom are not respectful and the teacher’s not calling them on it.

Several interviewees also reported varying levels of commitment or interest in the practice of *Progressive Discipline*. Whitney, a vice-principal, explained how she maintains disciplinary standards that were in effect at her previous school because she prefers “a standard process so that we’re not having to think about it each time.”

Other interviewees described colleagues who vocally resist any change, including moving from the *Safe Schools Act* to *Progressive Discipline*. Two principals, for example, described replacing principals who promoted “more punitive disciplinary methods.” At both schools, the principals must deal with a group of “active resisters” who want to keep things “the ways things have always been done.” According to Monica, a principal,

you have very strong staff members who are your active resisters, or your passive resisters, or you’ve got your out-and-out terrorists, right. Those are my categories for understanding their behaviour. So, there are some that are just fighting against everything you do, others that don’t say anything but also don’t pay attention to anything that you do, and then there are some that are just hugely vocal.

In the absence of a clear set of guidelines, this approach to policy “lacks teeth” and provides few mechanisms to maintain consistent policy implementation. Importantly, in the absence of clear outcome-based measures, there are few tools to evaluate whether *Progressive Discipline* is living up to its promise to promote “bias free” discipline and a “caring, safe, accepting, and inclusive learning environment” (Ontario Ministry of Education, 2013, p. 4).

### *Student Outcomes*

Finally, the structural tightness or looseness practiced in the administration of schools, policies, and classroom practices can affect student outcomes. In theory, tight coupling should be more fair since “all the students who commit the same offense will be treated the same” (Ontario



Human Rights Commission, 2003, p. i). Loose coupling, on the other hand, should improve student outcomes by allowing for discretionary decision-making and more student and parental involvement. As Vivian, a vice-principal, explained, “we want the students to be part of it [conflict resolution and discipline processes], to have a voice, and it makes them feel good about it when they can come up with a solution.”

By all accounts, the *Safe Schools Act* compromised student outcomes and equity goals. Shortly after the policy was introduced, the number of student suspensions rose approximately 35%, from just over 113,000 (2000-2001) to over 152,000 students (2003-2004) (Ontario Ministry of Education, 2005, p. 12-13; see also Brent, 2007). During that same time period, the number of expulsions increased from 106 to 1909 students. Not only did suspension rates rise dramatically, but rates also varied wildly from one school board to the next. In 2003-2004, some school boards reported suspension rates of less than 1% while others were over 36% (Ontario Ministry of Education, 2005). Not surprisingly, the Safe Schools Action Team assigned to review the policy concluded that the *Safe Schools Act* has led to “widespread confusion” and “inconsistency” (Brent, 2007, p. 1):

[T]he focus on zero tolerance (and emphasis on “mandatory” disciplinary measures in the *Safe Schools Act*) has obscured provisions of the Act that permit educators to consider mitigating factors, leading to widespread confusion and inconsistency throughout the province in applying the Act.

There were also accusations that the *Safe Schools Act* was violating human rights and unfairly targeting vulnerable student populations. In July 2005, the Ontario Human Rights Commission initiated complaints against the Ontario Ministry of Education (Ontario Human Rights Commission, 2003; Human Rights Settlement Reached with Ministry of Education on Safe Schools: Terms of Settlement, 2007) and the Toronto District School Board (TDSB) (Terms of Settlement: Ontario Human Rights Commission and the Toronto District School Board, 2005). The Ontario Human Rights Commission alleged that the application of the *Safe Schools Act* at the TDSB disproportionately targeted racial minority students and students with disabilities, “further exacerbating their already disadvantaged position in society” (Terms of Settlement: Ontario Human Rights Commission and the Toronto District School Board, 2005, para. 2). The Ontario Human Rights Commission claimed that the application of the *Safe Schools Act* constituted “a failure on the part of the TDSB to provide equal access to education services and that this constituted discrimination and contravenes Sections 1, 11, and 9 of the Human Right Code” (Terms of Settlement: Ontario Human Rights Commission and the Toronto District School Board, 2005, para. 1).

Settlements were reached between the Ontario Human Rights Commission and TDSB (November 16, 2005) and between the Commission and the Ontario Ministry of Education (April 13, 2007). Key elements of each settlement included the use of discretion and the consideration of mitigating factors when determining student discipline.<sup>3</sup> Mitigating factors include whether the student understands the foreseeable consequences of their behaviour and students’ school and home or community circumstances (Ontario Ministry of Education, 2010). Both settlements also specified that no reference to “zero tolerance” should appear in any legislation or policies.

While the *Safe Schools Act* worsened student inequities, our interviewees believe that the flexibility and parent involvement built into *Progressive Discipline* advantages higher-SES (socioeconomic) students. As Peter, a principal, noted, “I think we’re still singling out some groups more than others.” Higher-SES parents are more likely to challenge unfavourable disciplinary

<sup>3</sup> Following the settlement, Mitigating and Other Factors were incorporated into the Education Act (Education Amendment Act, 2007). Please see subsections 306 (2), 306 (4), 310 (3), 311.1 (4) and clauses 311.3 (7)(b) and 311.4 (2) (b) of the Act.

decisions and show up for disciplinary proceedings. In some cases, higher-SES parents pay for outside legal counsel. Interviewees explained that these resources often lead to more favourable disciplinary outcomes for children from these backgrounds (Milne & Aurini, 2015). As Ryan, an Alternative Education Program facilitator, explained, “kids who fight expulsions tend to win”:

It would be interesting to look at the socio-economic data about our students [students who are expelled into Alternative Education Programs], because the kids who don't fight expulsion, tend to not have the resources to fight expulsions. Whereas the kids who fight expulsions, tend to win and they don't come here.

David, a school principal, described how higher-SES parents “act like a lawyer” and try to have decisions “thrown out based on a technicality.” According to David, higher-SES parents often “challenge the procedure by which a decision is made which results in a consequence.” To “protect himself,” David’s investigations into incidents that take place on his school’s playground include collecting signed “witness” statements, and asking students to re-enact the event. In the case of very young students, David asks them to draw pictures of what happened.

According to our interviewees, lower-SES children receive harsher punishments (e.g., expulsion to an Alternative Education Program). Interviewees explained that many lower-SES parents are unaware that they have the right to appeal disciplinary decisions or participate in pre-hearing conferences to discuss alternative (and often less severe) disciplinary outcomes. These parents also tend to have less flexible schedules to attend meetings or funds to hire a lawyer to negotiate disciplinary outcomes. In addition to receiving harsher punishments, lower-SES students with significant behavioural problems and social skill deficits sometimes do not receive appropriate school-based support and/or interventions (e.g., counselling, social skills programs, character development programs, Functional Behaviour Assessments, implementing Behaviour Support or Behaviour Management Plans) (Milne, 2015). Based on the interviews conducted for this study, the loosely coupled nature of *Progressive Discipline* also invited inequitable disciplinary outcomes for students, albeit often quite unintentionally.

## Conclusion

This paper examined how the Lakeside School Board and its school staff perceive two radically different approaches to school discipline policy. In the broad sense, this paper adds to the literature on school discipline (Adams, 2000; Arum, 2003; Englehart, 2014; Manley-Casimir & Moffat, 2012; Porowski, O’Conner, & Passa, 2014). Student (mis)behaviour and school disciplinary processes are important considerations in educational research. Studies from the United States (Hoffman, 2014; Skiba, et al., 2011; Wallace, Goodkind, Wallace, & Bachman, 2008) and Canada (Black Learners Advisory Committee, 1994; Manley-Casimir, 2012) have shown that some students may be treated unfairly. In Ontario, schools do not collect demographic characteristic information (e.g., race, ethnicity, social class) about students who are suspended, expelled, given detentions, or sent to the office. Since there is no quantitative data available, research drawing on the experiences of this school board and its staff adds to our understanding of how disciplinary processes unfold, at times unequally, on the ground (Ruck & Wortley, 2002).

In addition to empirically sketching how the school board and its staff perceive the *Safe Schools Act* and *Progressive Discipline* policies, this paper demonstrates how the structure of policy formation informs its implementation. Tighter coupling provides educators with a clearer roadmap but limits the degree to which they can exercise autonomy in disciplinary processes. Ironically, tighter coupling does not always guarantee consistent policy implementation. Hallett (2010) also found that tighter coupling did not lead to better outcomes. His two-year ethnography of Costen elementary school found that the introduction of tighter coupling created turmoil and distress among the staff, a staff revolt against the principal who had been hired to “get the job done,” and a *drop* in reading test scores. In contrast, loose coupling may allow educators to

individualize treatment based on student circumstances—but it also may invite inconsistent policy implementation and student outcomes. Further, policies that build in professional discretion and parent involvement are likely to be difficult to implement because of competing educational visions, pre-existing practices, and broader organizational schooling pressures (Coburn, 2004; Labaree, 2010).

Future research could extend this analysis of tight and loose coupling to other areas of schooling beyond school discipline policy. When designing new policies or other initiatives, policy makers at Ministries of education and school boards consider a great variety of procedures, processes, and methods of assessment. In some cases, new initiatives are amenable to outside inspection and quantitative goals including “value-added” measures of school effectiveness (e.g., entry compared to exit measures). At the other end of the spectrum, new initiatives require schools to demonstrate alignment with goals (e.g., character development). This form of inspection is usually more symbolic and, in some cases, includes self-reporting. This paper shows how each approach to policy presents educators and stakeholders with a series of trade-offs and often unintended consequences.

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