

23. 709 A.2d 350 (Pa. 1998).
24. *Ibid.*, at 357.
25. *Ibid.*
26. *Ibid.*, at 352.
27. *Ibid.*
28. See Cass. 709 2d at 352.
29. *Ibid.*, at 357.
30. *Ibid.*
31. *Ibid.*
32. Massachusetts Comprehensive Assessment System. The MCAS tests all public school students across the Commonwealth, including students with disabilities and students with limited English proficiency. It is administered annually in at least grades 4, 8, and 10. It measures performance based on the Massachusetts Curriculum Framework learning standards, reports on performance of individual students, schools, and districts, and serves as one basis of accountability for students, schools, and districts. See Massachusetts Department of Education at <http://www.doe.mass.edu/meas/1098facts.html> (visited Apr. 21, 2000).

## Racial Profiling at School: The Politics of Race and Discipline at Berkeley High

A . A . A K O M

### Introduction

In recent years, a number of police homicides, beatings, and draggings have been widely publicized, but they represent only the tip of a giant iceberg. For the truth of the matter is that racial profiling, the practice of targeting behavioral problems on the basis of race, is routinely practiced, often unconsciously, by street cops, highway patrol officers, and drug enforcement agents throughout the country.

However, in the educational arena what is remarkable is that many teachers who protest against police brutality and senseless violence perhaps unknowingly practice racial profiling in the hallways and classrooms of their own schools. In other words, the seeming normativity and structured invisibility of racial profiling allows it to operate in educational space as unnoticed, unmarked, and unnamed. This is especially true in schools in which the majority of teachers are white and the majority of students are racial minorities (Sleeter 1993). Having taught in a number of urban public schools, I am familiar with the kinds of situations that students and teachers are facing, and recognize that cultural differences play a covert role in shaping school climate. However, the unwillingness of many educators and educational institutions to confront the continuing significance of race as it relates to growing gaps in discipline and achievement perpetuates ideas of difference as a priori and pathological, rather than as linked to processes of social and economic inequality at work in the broader society.

My purpose, then, is to offer some suggestive observations about the relationship between academic engagement, the transformation of urban educational space, and the changing meanings and practices of “discipline” for African-American youth. The approach I take challenges the ways in which discipline and achievement have been dichotomized in previous studies of black youth. In much of this literature, discipline is viewed primarily as a mechanism for social control as opposed to a strategy for creating a safer learning environment (Noguera 1995). What I am suggesting is that schools must seek ways to create more humane learning environments, both to counter escalating suspension and expulsion rates, and to transform social relationships within the school.

Accordingly, in the following pages I focus on the lives of several African-American youth whose discipline records indicate that they are in the midst of waging some kind of guerrilla battle with school officials, the police, and other representatives of the status quo.<sup>1</sup> By shifting my focus to what motivates these disenfranchised students to forge meaningful relationships with other students yet at the same time feel alienated from their teachers to the extent to where they underachieve in school, I hope to uncover and explore aspects of black culture and educational life that have been relegated to the margins.

### Tales from the Field

S: School sucks!

AA: Why you say that?

S: 'Cause the shit is unfair. Straight up, unfair!

When I began working as the On-Campus Suspension (OCS) supervisor at Berkeley High School in 1994, many of my students would walk into my so-called “dungeon” and declare that school is “unfair.” For many of them school was about fashion, folks, and fun, but the main objective was funds, that is, to eventually get paid. Don’t get me wrong; not all of the students who came through the OCS program understood that the name of the game was to delay gratification, achieve academically, and eventually get paid. But most did. They just didn’t believe in the system. That is, they didn’t believe that the educational system was working for them. They knew it worked for white

students. But they didn’t think that it worked for them. And the numbers proved them right. African-American students at Berkeley High have been significantly over-represented in discipline data for years. In 1997–98, black students were over-represented in on-campus and off-campus suspension rates. More specifically, black students made up 68 percent of the off-campus suspensions but comprised only about 40 percent of the school population, and in terms of OCS, out of a total of 775 students sent during the fall 1998, 550 were black.<sup>2</sup>

Because most of the students were underprivileged (which is another word for underpaid), and because of the ways in which most of the students dress, talk, and generally carry themselves, confrontation with school officials and eventual punishment was almost expected, and to a degree accepted, though in hindsight this shouldn’t have been the case (Anderson 1999). But the fact that many of my OCS students were part of the “educational underclass” and, according to the literature, responsible for their own educational failure because of the dysfunctional families and neighborhoods they came from, didn’t really cross my mind, at least in the ways that it should have. It didn’t in part because I was a poor, black, twenty-three-year-old male who came from a single-parent household myself. But more specifically, I didn’t think of these students as part of the “educational underclass,” and I don’t think these students thought of themselves as part of the “educational underclass,” because the battles that were most dear to them, and the strategies that they adapted to overcome the obstacles they faced, fell outside of the parameters of what most people think of as traditional “educational disputes”—grades and test scores. That is not to say that my students were not concerned about grades and test scores, because they were, but most of the psychic and emotional distancing that I witnessed had to do with students feeling a profound sense of alienation and boredom with the schooling process.

Mark Twain was once famously quoted as saying: “Don’t let your schooling get in the way of your education.” At Berkeley High, most of the black students who came through the OCS program did not oppose education at all; what they opposed was schooling the content of their education and the way that it was delivered to them (Valenzuela 1999). Proof of this could be seen in interactions between teachers and students. In many of my daily conversations with teachers, very few indicated that they knew their students in a personal way. And conversations with students indicated that they felt

so uncomfortable with their teachers that they weren't willing to go to them for help with a personal or even an academic problem. Further still, my observations of school administrators indicated that they routinely ignored the basic needs of students, teachers, as well as staff.

Thus, at Berkeley High, feelings of "unfairness" were (and still are) pervasive and corrosive. Real learning is difficult to sustain in such an environment. A mutual sense of alienation tends to emerge when teachers and students hold different understandings about the nature of schooling. Over short periods of time, such divisions and misunderstandings can exact a high cost in academic, social, and motivational currency (Valenzuela 1999). Worse yet, the school's obvious systemic problems, most evident in its racially skewed suspension and expulsion rates, have been continually brushed aside by district and on-site school administrators.<sup>3</sup> This lack of urgency concerning the relationship between race, discipline, and achievement is itself a sign that processes of racialization and normalization are alive and at work at Berkeley High.

Moreover, because of the invisible nature of these processes, students are often unable to articulate their frustrations and alienation effectively and, being inexperienced with the practice of collective action, most discipline-tracked students settle for individual resistance. That is, they engage in random acts of rebellion, posturing, psychic withdrawal, and physical withdrawal, and attend and participate in only those classes that interest them.

Such daily battles in educational space have enormous implications for the study of African-American opposition and resistance. For, contrary to the experiences of white students, for whom educational space has been a sort of democratic space, a place where people of different class backgrounds could come and share a common social and cultural assimilation experience as well as enjoy a modicum of social mobility, black students experience these white-dominated educational spaces as undemocratic, difficult to assimilate into, and more often than not, dangerous to negotiate.

Filthy and dilapidated educational facilities, white police officers, and racial epithets have been some of the visual reminders of the semicolonial status of black people in their quest for equal access to education since the *Brown v. Board of Education* decision. While the primary purpose of a great deal of civil rights scholarship has been to examine the effects of desegregation, the study of black resistance in multiracial, multicultural educational spaces has remained one of the least-developed areas of inquiry.

This is unfortunate, since examples of black resistance offer some of the richest insights into the ways in which race, gender, class, space, time, and collective memory shape both domination and resistance in educational space (Kelley 1994). In the following pages, then, I begin to remap black opposition to the "schooling" process by examining how the commingling of success and failure operates in the daily lives of individuals who see race (and sometimes gender) as perennial obstacles to social mobility and educational success.

### Hidden Stories of Resistance

The militarization of educational space, the growing gap between black and white educational achievement, and the highly charged sociopolitical atmosphere caused by on-campus and off-campus police sweeps during the fall of 1994, turned OCS into a small war zone. OCS became a place where issues of race, class, and gender born in social spaces outside of the school (sidewalks, parks, and streets) raged into OCS, where the stories found a place in the public record.

But it is even more complicated than this. Because if the students thought that the OCS resembled a prison or a dungeon, then they could not help but notice that most of the "inmates" were black. And in some ways the design and function of OCS was, and still is, very similar to that of a prison.

Prisons basically operate in four ways. First, police, prosecutors, and judges have broad discretion to decide who gets arrested, who gets charged, and who gets sentenced to prison. This means that almost anyone who goes to prison knows of others who committed the same crime but who were either not arrested or were not charged or were not sentenced to prison. This means that a significant portion of the prison population experiences their confinement as arbitrary and unjust and may respond with anger which, if not managed properly, can make an individual increasingly antisocial rather than respond with remorse, which tends to have the effect of making a person feel more bound by social norms. Second, prison performs a punitive function. That is, the prison experience is supposed to be demeaning if not painful. The pain and loss of liberty, in theory, is supposed to deter future crime. Third, it goes almost without saying that most prisoners are not trained in marketable skills to the extent that securing a future job becomes difficult after release. And last, the prisoner's records stand as a stigma to discourage

future employers from hiring the ex-offenders and mark them as “likely suspects” subject to perpetual harassment from law-enforcement officials.<sup>4</sup>

The OCS system parallels the prison system in these four ways. First, there is no clear expectation, consistent implementation, or widely followed policy concerning school discipline at Berkeley High. Interviews with teachers confirmed that Berkeley High lacks a uniform school discipline policy. According to one teacher: “There’s nothing from the school or district. I mean, I just make up my own stuff based on things that other teachers do.” The second commonality that OCS and the prison system share is that OCS is often demeaning. In my conversations with students, they reported feeling “bored to death because we do third-grade work in here,” and others said, “This school just doesn’t give a damn about us. They treat us more like animals than human beings.” Third, when students are sent to OCS, they are losing time that could otherwise be devoted to class work. According to Linda Darling-Hammond (1997), repeatedly removing students from the learning environment has the cumulative effect of negatively impacting a student’s education and further increasing the academic achievement gap.

Finally, OCS, like other forms of school discipline, has been shown to do long-term damage to students’ educational aspirations. Studies have demonstrated that students who are suspended or expelled are more likely than their peers to drop out of school (Fine 1988). “The practice of cleansing the school of ‘bad kids’ is quite widely acknowledged and equally appreciated by administrators, teachers, and counselors,” reports Fine (1988). “And for good reason,” adds Wacquant (1997); otherwise, they would be faced with the impossible task of catering to tens of thousands of additional pupils for which the physical infrastructure is nonexistent due to the combination of political indifference and fiscal neglect that have turned public schools into warehouses for the children of today’s urban outcasts.

Indeed, in 1994, I remember having hundreds of these so called “urban outcasts” brought into the old gym during one of the off-campus police sweeps (they call it “operation stay in school”) and, because I was in charge of OCS (although not invited to participate in the actual planning phases of “operation stay in school”), I spoke with the students about the myriad inconsistencies of school discipline at Berkeley High. During these conversations, we talked about the ways in which the police department and school officials would “arrest black students in the street, but walk right by white students hangin’ out in the park.”<sup>5</sup> Students also spoke of being “harassed”

and “disrespected” in the hallways, and teachers spoke of “hating the job of hallway supervision.”

During these conversations, I put before my students an assignment designed to explore the ways in which race and racism operate beneath the surface, through systems, procedures, cultures, and language, in short, the institutional environment that shapes individual behavior. I began by asking them to imagine a crime, any crime. “Picture the first crime that comes to your mind,” I said. “What do you see? What does the criminal look like? How old is the perpetrator? Where does that person live? Is the perpetrator rich or poor?” Nine times out of ten my students would identify the criminal as a *he*. Second, they would identify him as a *youth*, between the ages of fifteen and twenty-five. Third, they would identify him as *urban*. Fourth, they would identify him as *black*. Finally, he was almost always *poor*.

In a nation where blacks make up roughly 12 percent of the population, in 1994 they accounted for 56 percent of the nationwide arrests for murder, 42 percent of the arrests for rape, 61 percent of the arrests for robbery, 39 percent of the arrests for aggravated assault, 31 percent of the arrests for burglary, 33 percent of the arrests for larceny, and 40 percent of the arrests for motor vehicle theft.<sup>6</sup> In the educational arena, a recent study of high school disciplinary practices shows that in the two years since “zero tolerance” policies were popularized (in the wake of mass killings at schools), black students at the surveyed schools have been expelled or suspended three to five times more frequently than white students.<sup>7</sup>

Consequently, “racial profiling” in educational space is part of a larger struggle against inequalities of condition and treatment for black children and youth. At Berkeley High, profiling is responsible for many of the tensions I observed between students and teachers, especially in Berkeley High hallways. For example, in the following account, a black female student describes the differential treatment that black male and white male students receive in terms of negotiating hallway space:

S: I was walking down the hall this one time and I was a couple of steps behind a brotha and this white dude . . . and we all passed by this group of teachers (all white) and sure enough the only student the teachers asked for a pass from was the black man. And what was even more messed up . . . was the white boy had already told me he was cuttin’ class. So I kept walkin’ until I got down the hallway a bit and then I turned around

'cause I heard the brotha cussin' them out. He was sayin' 'Why you gotta stop me? Why not him?' And he was swearin' and actin' a fool and stuff.

AA: And then what happened?

S: Then I heard the teacher sayin' 'We're just tryin' to help you get to class. It's for your own good,' or some shit like that. And I'm tellin' you man, stuff like that happens here all the time.

The individual biographies and histories that students and teachers bring with them to their classroom experiences necessarily influence the chances for successful relationship-building at Berkeley High (Valenzuela 1999). Notwithstanding the teacher's expressed desire to "help" the student, her inability to see the ways in which racialization processes may have limited her and her colleagues' understanding of the ways cultural differences play a covert role in the communication process contribute to her making contradictory statements. On the one hand, she wants to help the student and cares about the student's future; on the other hand, she is oblivious to the ways in which the schooling context at Berkeley High more often than not privileges Euro-American identity over African-American or black identity.

The bias most mainstream teachers have toward black students arises from many sources, including popular culture and the media (Kochman 1981). However, at Berkeley High, an important factor is that most of the teachers are white, middle class, and come from more privileged backgrounds than the majority of black students.<sup>8</sup> Teachers' lack of knowledge of black culture and interactional styles makes them more likely to withhold social ties from these youth. As a result, as in the case above, what may appear to some teachers and administrators as aggressive behavior and opposition to schooling may feel like powerlessness and alienation from the black students' perspective.

To be fair, teachers occupy an uncomfortable middle ground. They are both victims of and collaborators with a system that structurally neglects African-American youth (Fordham 1996). Armed with limited professional development opportunities targeted at preventing racism in school discipline, and inculcated with the belief that if they do not suspend students who are "behavioral problems" schools will become violent, chaotic places where students do not learn, teachers experience a widening distance between themselves and students, and the possibility of alliance between the two diminishes.

Thus, at Berkeley High neither teachers nor students caught in the disciplinary track find much rewarding about everyday life.

## Conclusion

School discipline at Berkeley High is like a mirror in which the whole school can see the darker outlines of its face. Our ideas of justice, good and bad, take visible form in it, and thus we see ourselves in deep relief. Because the system deals with some behavioral problems and ignores others, the image that we see is distorted like a carnival mirror. That is, the image reflected is not false, but the proportions are exaggerated and distorted. Like a carnival mirror, although nothing is reflected that does not exist, the image is more a creation of the mirror than a picture of the real world (Goffman 1963; Reiman 1990).

If the discipline system gives us a distorted image of "behavioral problems" at Berkeley High, we are doubly deceived. First, because it creates a particular image of discipline, that is, that behavioral problems are the work of the poor, urban, black males who are so well represented in suspension and expulsion rates. The second deception is the flip side of this: that academic success and upward mobility are the province of groups of Europeans and Asians.<sup>9</sup>

This is part of the powerful magic of school discipline at Berkeley High and, according to the data, at other urban schools across the country and the world (Wacquant 1997). That is, by virtue of its focus on individual responsibility, the discipline system at Berkeley High diverts our attention away from the ways in which the school itself may exploit and violate the rights of individuals, as well as of entire racioethnic groups. By virtue of its presumed neutrality, the discipline system transforms the established social order from one that is open to critical comparison with another into a supposedly *normal* social order immune to criticism. This is an extremely important bit of ideological alchemy. It stems from the fact that the same action can be labeled deviant or normal depending on the race of the individual who commits the act.

Schools wishing to reverse what often amounts to racist practices would do well to consider the ways in which current configurations of schooling

limit the presence of academically oriented networks among African-American youth. For many of the social cleavages that develop between youth of different races emerge, in part, because of the major institutional cleavages already engendered by curricular and disciplinary tracking. At Berkeley High, for example, racial profiling is associated with "cultural tracking," whereby African-American youth are shuttled into the disciplinary track and away from honors and AP courses. The consequences of this form of "profiling" are evident in the marked differences between who completes required courses for admission to four-year colleges or universities (European-American students, 77 percent; Asian-American, 57 percent; Chicano/Latino, 53 percent; African-American, 33 percent; Filipino, 29 percent) and who receives a D or F in required courses (70 percent of African-American and 60 percent of Chicano/Latino students).<sup>10</sup>

This separation encourages and legitimates an academic hierarchy that relegates black youth to the bottom of the ladder. Once there, social distancing and deidentification with schooling further push African-American students who are not channeled into the more privileged tracks of the school toward the academic periphery, where they are deprived of access to the academic, social, and motivational currency available in the more academically rich and supportive environments of the school. The solution is not to continue to disproportionately place African-American students in the disciplinary track, but rather to restructure both disciplinary as well as academic tracks so that they encompass early intervention processes which enhance learning opportunities for all.<sup>11</sup>

Discipline tracking based on race, or racial profiling, which places students in the discipline system, not only reinforces students' misperceptions about each other, but also deprives African-American youth of potentially positive school experiences, including enhanced social ties and networks. The pervasive view among African-American youth that school is unfair underscores the extent to which many of them are alienated from school in general and from the most valued aspects of the curriculum specifically. Ironically, the stigmatized status of black youth enhances their peer group solidarity. With regard to this, one student made the following comment: "We may not control the classrooms, but we definitely control the hallways and the street." Vacillating between displays of aggressiveness and indifference, many black youth underachieve academically and suffer emotionally because of it. For teachers and administrators, rather than seeing the attitudes these youth dis-

play as aspects of agency, forms of critical thinking, or resisting the school's lack of concern about them, they offer negative appraisals of the students behavior. However, beneath the façade are black youth who want fairness to be an unconditional part of the teacher-student learning exchange.

Despite the evidence that black youth are underachieving in comparison to youth from other racial locations, the theoretical questions that emerge from this work involve the ways in which the discipline system subtracts resources from black youth and thus contributes to their academic decline. To the extent that I have illuminated these processes, this study provides an important framework toward reversing barriers to academic progress for African-American youth.

#### NOTES

1. The data used in this report are from follow-up in-depth individual interviews with a sub-sample of 30 students as well as direct participant observation with 12 students and 15 teachers, administrators, and counselors. Most of the student voices are from students who were repeatedly sent to OCS (repeatedly meaning more than seven times in a semester).
2. According to the most recent data the composition of the student body is: 38 percent European American, 38 percent African American, 10.5 percent Chicano/Latino, 11 percent Asian/Pacific Islander, and 0.6 percent Native American. An estimated 20 percent are non-native English speakers, and about 10 percent of students are enrolled in English as a Second Language classes. Although nearly one half of the students reside in areas of the city where the per capita income exceeds \$60,000, approximately 37 percent of the students qualify for free or reduced lunch.
3. Currently, the Berkeley High School district purports to have a 0 percent drop-out rate. However, diversity project data suggest that this claim is unfounded and the problems are a bit more complex.
4. This list, of course, is debatable. That is, some prison officials do try to treat their inmates with dignity and respect their privacy and self-determination to the greatest extent possible within an institution dedicated to involuntary confinement. But most don't. Some prisons do provide meaningful job train-

ing, and some parole officers are not only fair but go out of their way to help their "clients" find jobs and make it "legally." But most don't. And, of course, plenty of people are arrested for doing things that no society ought to condone. According to Reiman (1990), however, "On the whole most of the system's practices make more sense if we look at them as ingredients in an attempt to maintain rather than reduce crime!"

5. In this case the student is using arrest as a synonym for detain. Students caught in police sweeps were not charged by the Berkeley police department; however, they were suspended or given detention by Berkeley school officials.
6. Institute for Criminological Research, Rutgers University, 1994.
7. Applied Research Center, "Racial Disparity in School Discipline," 1999.
8. There is some degree of diversity among the adults employed at the school, but here too racial differences are manifested within the school's hierarchy. Whereas the majority of teachers are white (67 percent white, 19 percent African-American, 7 percent Asian/Pacific Islanders, 4 percent Chicano/Latino, and 3 percent mixed-race), the overwhelming majority of nonteaching staff is black. And though there is more diversity among the administrators and counselors (57 percent are white, 29 percent African-American, 7 percent Asian/Pacific Islander, 7 percent Chicano/Latino), minority parents are largely underrepresented on most decision-making bodies at the school (PTSA, Site Council, Berkeley High development group). It is also important to note that high turnover rates for teachers, and especially administrators, at Berkeley High make it difficult to sustain any progress in the efficiency with which the school is run.
9. A case in point: 90 percent of the students who received disciplinary referrals, on-campus suspensions, or expulsions are African-American or Chicano/Latino, in juxtaposition to SAT scores, where white and Asian students consistently exceed state and national averages and go on to graduate from top universities.
10. At Berkeley High they now have inflated GPAs in the ninth grade because the school no longer gives out Ds in the core courses.
11. For example, at Berkeley High, OCS works in isolation from other student support services like the health center, conflict resolution, and the student learning center. There is no reason these resources shouldn't be linked in a way which maximizes the academic and emotional resources available to the student.

## REFERENCES

- Anderson, E. 1999. *Code of the Street: Decency, Violence, and the Moral Life of the Inner City*. New York: Norton.
- Darling-Hammond, L. 1997. *The Right to Learn: A Blueprint for Creating Schools That Work*. San Francisco: Jossey-Bass.
- Fine, M. 1988. *Framing Dropouts*. Albany: State University of New York Press.
- Fordham, S. 1996. *Blacked Out: Dilemmas of Race, Identity, and Success at Capital High*. Chicago: University of Chicago Press.
- Goffman, E. 1963. *Stigma: Notes on the Management of Spoiled Identity*. New York: Simon and Schuster.
- Kelley, R. 1994. *Race Rebels: Culture, Politics, and the Black Working Class*. New York: Free Press.
- Kochman, T. 1981. *Black and White Styles in Conflict*. Chicago: University of Chicago Press.
- Noguera, P. 1995. "Preventing and Producing Violence: A Critical Analysis of Responses to School Violence." *Harvard Educational Review* 65(2): 189-212.
- Reiman, J. 1990. *The Rich Get Richer and the Poor Get Prison*. New York: Macmillan.
- Sleeter, C. 1993. "How White Teachers Construct Race." In C. McCarthy and W. Crichlow (eds.), *Race, Identity, and Representation in Education*. New York: Routledge.
- Valenzuela, A. 1999. *Subtractive Schooling: U.S.-Mexican Youth and the Politics of Caring*. Albany: State University of New York Press.
- Wacquant, L. J. D. 1997. "Three Pernicious Premises in the Study of the American Ghetto." *International Journal of Urban and Regional Research* 21(2): 342-50.