

Saving the Lost Boys: Narratives of Discipline Disproportionality

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Abstract

In this article, I explore how discriminatory adult practices disproportionately involve Latino boys in the juvenile justice system. I use the critical methodologies of critical ethnography, critical discourse analysis and Critical Race Theory (CRT) to provide a race-centered analysis of decision-making in student discipline. My findings reveal that ideologies/narratives of white innocence and Latino male criminality led adults to more frequent surveillance of Latino male students which, in turn, contributed to their overrepresentation in the referral process and punitive disciplinary outcomes from suspension to removal, as well as greater contact with law enforcement. I highlight the case of Galvan, a Latino male student, as an example of the practices of inequitable student discipline. I conclude with an explanation of effective research-based practices that reduce racial disproportionalities in student discipline and create safer, more equitable schools.

By the time I met Galvan Gonzalez⁶ in the assistant principal's office, School Resource Officer (SRO) Ethan Smith had already labeled the slight 14-year-old a "gang member." Galvan attended ninth grade at Californiatown High School (CHS), located in Pelica, an agricultural community in Northern California that SRO Smith and others described as facing a "gang crisis." I first met Galvan in March 2012 after he received an office discipline referral (ODR) for arriving late to class. I watched as Galvan quietly accepted his consequence without incident and left the office. Later that week, I saw Galvan again when he returned to the assistant principal's office on another attendance matter. It was then that I learned that the polite, unremarkable-looking boy had been arrested for felony assault after

⁶ I have assigned pseudonyms to the participants, the school and town where this story occurs to protect their identity.

participating in a “gang-related” fight at school the past February. By 2014 Galvan was incarcerated.

Although Galvan was arrested for felony assault and accused of being in a gang, the evidence against him was questionable. The video footage of the fight was unclear so SRO Smith had to interview student witnesses to determine what occurred. Evidence from a witness named Justo suggests that Galvan may have acted in self-defense and may have been fighting several students at once. Justo explained that during the fight against Chico, Galvan tripped and fell backward. “I thought he was going to let him up,” the witness said, but Chico did not let Galvan up and “they went toe to toe.” Justo’s description of the events made it appear the fighters were engaged in what officials at the school call mutual combat. Justo’s description had Galvan falling, Arturo entering the fight on his behalf and one of the three falling again. “He fell on him then went toe to toe,” Justo described. I wasn’t sure who fell on who during the fight, but the next description of the fight explained why Galvan was arrested. “Chico looked like he didn’t know where he was at,” Justo explained. SRO Smith, the school resource officer assigned to Californiatown High School (CHS), later described Chico’s injury as “a boxer’s cut”. SRO Smith later explained that the charge for felony assault was due to the “traumatic injury” Chico sustained during the fight.

Given Galvan’s relationship with SRO Smith, it is not surprising that he was charged with a felony or positioned as a member of a gang. SRO Smith was a police officer who also worked patrol and was a member of the department’s Special Weapons and Tactics (SWAT) team. Although he couldn’t remember the details of their meeting nor how he learned so much about Galvan’s personal history, SRO Smith recalled they first met in his neighborhood. Galvan had “got[ten] in trouble” in Los Angeles, where his father lived. “[H]e was on probation that was gang related” and “then moved back here with another parent and got in trouble” (Field Notes: 3/1/12). According to SRO Smith, he tried to talk to Galvan but “he doesn’t believe Galvan will change or wants to get out, doesn’t believe Galvan is listening” (Field Notes: 3/1/12).

At CHS, Latino male students like Galvan are more likely to receive a teacher referral and experience punitive disciplinary consequences than White students when they violate school rules. In a discussion about the school culture, Anny, a bi-racial White and

Latina assistant principal (AP), described her concern that CHS teachers lacked understanding of the “Latino community” (Field Notes, April 19, 2013). As if to punctuate her statement, Anny pulled out a stack of orange fast passes, the referrals that allow teachers to bypass the school’s more progressive student discipline plan that requires teacher interventions and instead refer a student directly to an administrator. Moments after we pored over the fast passes, I wrote in my field notes:

“We count the first stack and notice there are far more Latinos and males than Whites and females. Anny takes more out of her drawer. I bend over at her desk and count them all. There is a 5:1 ratio of Latino to White referrals. Of the 71 referrals or Fast Passes, 11 are for White children and 60 are for students of color.”

The fast pass story illustrates the racial disproportionality in student discipline that begins at the classroom level and continues through every point of contact in the continuum. Latinos, who made up 60.2% of the CHS student population, were overrepresented in In School Suspension (77.56%), home suspension (70.8%), expulsions (68.5%) and referrals to the district continuation school (90%). Today, a growing body of research has linked the disproportionate punishment of Latino boys to a “complex interaction of behavioral, student and school characteristics” (Skiba et al., 2014, p. 648). This case study focuses on these complex interactions in an effort to contribute to our understanding of the role that school plays in the school to prison pipeline.

Theoretical Framework

The disproportionate discipline of students of color has long been acknowledged. Since the Children’s Defense Fund’s landmark study in 1975, we have known that administrator and teacher practices of student discipline have discriminated against African-American students, and, likely, Latinos. These practices, in turn, have had serious consequences in the lives of black and brown youth, including loss of the opportunity to learn (Rausch and Skiba, 2004), academic failure (Arcia, 2006; Rausch and Skiba, 2004; Davis and Jordan, 1994), drop out (Cataldi et al., 2009) and greater involvement with the juvenile justice system (Costenbader and Markson, 1998), among others. The literature has documented the fact of racial, (Peguero and

Shekarkhar, 2011; Skiba et al., 2011), class (Morris, 2005) and gender (Rios, 2011; Peguero and Shekarkhar, 2011; Skiba et al., 2011) disparities in student discipline for Latino students.

The socio-demographic characteristics of punished youth show a strong interaction between race, class and gender. The data show that male gender is strongly correlated with punishment (Costenbader & Markson, 1998; Gregory, 1996; Lietz & Gregory, 1978, McFadden et al., 1992, Raffaele-Mendez, 2002; Skiba et al., 2002). Boys are more likely to be held for after school detention (Wallace et al., 2008), referred to the office (Wallace, 2008), assigned in school suspension (US Department of Education OCR, 2014), suspended (Skiba et al., 2014), expelled from school (US Department of Education OCR, 2014) and make up the bulk of the juvenile justice system (Burns Institute, 2013; Hockenberry & Puzanchera, 2014).

Student discipline is not only gendered, but also shot through with race and class (Bettie, 2003; Ferguson, 2000). One indicator of poverty, students who receive free and reduced lunch, shows that the poor are at increased risk for suspension (Skiba et al., 1997, Wu et al., 1982). Students whose parents are wealthy report receiving comparatively milder disciplinary consequences than their poor classmates (Skiba et al., 2002). While the data show that gender and class may mediate student discipline, a separate body of work has demonstrated the mediating effects of race in student discipline decisions (Arcia, 2006, 2007; Children's Defense Fund, 1975; Gregory et al, 2011; Monroe 2005 a, b, 2006, 2009; Raffaele Mendez et al, 2002; Peguero and Shekarkhar, 2011; Skiba, 1997; Skiba et al, 2002, 2011; Verdugo and Glenn, 2002).

A review of the research has shown that we know far less about the adult practices that lead to the disproportionate treatment of students by race, class or gender. Edward Morris' study at Matthews Middle School is one of the few studies that reveals the way in which race, class and gender intersect in student discipline. It is worth quoting Morris at length:

Latino boys in this setting endured adult assumptions that because of their race and gender, they had the potential for danger and should be monitored and disciplined accordingly. Overcoming this assumption required displays of cultural capital from Latino boys in the form of dress and manners not

required of other students, especially White and Asian American students, whose race often seemed to represent cultural capital in itself. Through these displays, Latino boys could signal a middle-class background, which reduced the surveillance and discipline directed at them. By contrast, adults viewed Latinos and Latinas who displayed a non-middle-class “street-based” persona as oppositional. The negative perceptions of this class-based display were especially acute for Latino boys, however. Thus, for Latino boys in particular, adults’ perceptions of their class could alter perceptions of their race and masculinity (2005, p.44-45).

Thus, when educators read the everyday dress and comportment of students through a lens of racial, gender or class difference, they often engage in more punitive disciplinary practices for Latino students and other students of color than they would for similarly behaving White and middle class students.

While an abundance of research has shown that race, class and gender intersect to affect student discipline outcomes (Bettie, 2000; Morris, 2005; Peguero & Shekarkhar, 2011; Rios, 2011; Skiba et al., 2011), the literature has primarily focused on the experiences of African-American and White youth. A review of the research shows that Latinos are missing in studies, publications and policy discussions about student discipline and juvenile justice. The available data, nonetheless, is troubling. Although Latino youth represent 8% of California’s youth (Arya, Villaruel, Villanueva & Augarten, 2009), they are overrepresented among youth arrested (51%) (Arya, Villaruel, Villanueva & Augarten, 2009; Burns Institute, 2015) and clear evidence of a pipeline from school to California’s juvenile justice system exists. Data from the National Center on Juvenile Justice (2008) show Latino youth arrested for assault are more likely to be arrested during at noon, and that youth arrests peak immediately after school, from 3pm to 4pm (Arya, Villaruel, Villanueva & Augarten, 2009). Moreover, emerging trends show an increase in the disproportionate rates of student discipline between Whites and Latinos as they age (Losen & Skiba, 2010), especially in California’s ten largest school districts (Losen & Skiba, 2010), and there is growing concern that the disproportionality in student discipline outcomes is a result of “of conscious or

unconscious racial and gender biases at the school level” (Losen & Skiba, 2010, p.8).

Recent research about racial and gender bias at the school level suggests a need of further study at the point of administrative decision-making. Important to this understanding is how school administrator’s partnerships with SROs affect student discipline. The data show that the presence of an SRO increases student referrals to the police by 22% and that diverse schools rely on law enforcement more than predominately White schools (Torres and Stefkovich, 2009). The consequences for Latino youth are devastating. In 2009, the most recent year for which statistics are available, 116,515 Latino youth were arrested in California alone and more than 81% of the arrested Latino youth (94,562) were referred to the juvenile court system (Burns Institute, 2013; Hockenberry, 2014). By contrast 49,937 white youth were arrested and 46,058 were referred to juvenile court (Burns Institute, 2013). The causes of the disproportionality between white and Latino youth have been investigated by several studies. The most recent at the time of this writing was produced by the W. Haywood Burns Institute which surveyed 44 reporting states and found the difference in white and non-white detention rates could not be accounted for by criminal activity alone (2008), a phenomenon best explained by differential selection (Piquero, 2008).

Among the perspectives on differential selection and punishment, empirical support has been found for racial bias, including the aversive racism framework (Aberson & Eittlin, 2004), the implicit bias framework (Blair et al., 2013; Solorzano, Ceja & Yosso, 2000), the white racial frame (Feagin, 2013), colorblind racism (Bonilla-Silva, 2014), and the racial contract (Mills, 1997). Common to all of the racial bias paradigms is the rarity of public displays of overt racial hatred and bigotry in contemporary racial bias and the co-existence of covert racial antipathy. One of the most well-developed theories about the workings of racial bias is the aversive racism framework. The aversive racism framework characterizes Whites’ endorsement of egalitarian values and denial of personal prejudice in conflict with underlying and unconscious negative feelings and beliefs about racial and ethnic minorities (Dovidio & Gaertner, 1986; Dovidio et al., 2002). In this paradigm: “Most White Americans experience themselves as good, moral and decent human beings who believe in equality and democracy. Thus, they find it

difficult to believe that they possess biased racial attitudes and may engage in behaviors that are discriminatory” (Sue et al., 2007, p. 275). When made aware of their behaviors, Whites who engage in aversive racism may deny racial bias, offer non-race based explanations for their behavior, become defensive, or pathologize the victim (Solorzano, Cejas & Yosso, 2000; Sue et al., 2007).

Though ethnic and racial minorities also engage in racial bias, it differs from White racial bias because ethnic and racial minorities often lack the political, social, and economic power to institutionalize their biases (Dovidio et al., 2002). Moreover, some biases may cause self-harm. Camara Jones (2000) highlights the deleterious effects of internalized racism: “*Internalized* racism is defined as acceptance by members of the stigmatized races of negative messages about their own abilities and intrinsic worth. It is characterized by their not believing in others who look like them, and not believing in themselves” (p. 1213). Thus, ethnic and racial minorities may experience outgroup marginalization, and internalize the stigma, and then engage in intragroup marginalization of members of their same ethnic or racial group.

Methods

The data for this case study are drawn from an ethnographic study of student discipline practices from 2011 to 2014 at Californiatown High School (CHS). For the purposes of this article, I draw primarily on data collected in the year of Galvan’s arrest. This data includes field notes from observations, interviews with AP Joaquin and SRO Smith, and de-identified student discipline and arrest data from the 2011-12 school year. The study draws on critical methodologies for both data collection and analysis to reveal the discourses, ideologies and practices of disproportionate student discipline. In particular, critical ethnography and critical discourse analysis (CDA) bring understandings of the “social relationships, processes, values, beliefs and desires” (Choukliari and Fairclough, 2001) that lead to the disproportionate discipline of Latino boys. These methodologies, when used together with the framework of Critical Race Theory (CRT) interrogate the “culturally sanctioned beliefs” (Wellman, 1977) such as the ideologies of race, gender, and class that undergird the school policies and practices that create inequality. The field notes

were coded using Strauss's (1987) model). I looked for both examples and non-examples to ensure I captured recurring patterns (Merriam, 1998). I conducted a CDA of the interview data. In summary, the critical methodologies that inform this article include critical ethnography, CDA and CRT.

CHS is located Pelica, a community of mixed industrial, agricultural and service industries in California. The majority of the nearly 1600 students in grades 9 through 12 was formed by just two ethnic groups Latino (60.3%) and White (26.7%). According to state records, 52% of students received free lunch, 6.9% received special education services, and 37% were English learners (CDE, 2012). By contrast, the mostly monolingual staff of 80 teachers was 56% White, although 25% of respondents declined to state an ethnicity (CDE, 2012). They had a combined average of 11 years of teaching experience, with an average of nine years in the district. Just 13 teachers (16.25%) were in the first two years of service (CDE, 2012). Among the 2011-12 administrators, the principal was a seven-year district veteran, with more than fifteen years of service. She, like most of the teaching faculty, was white and monolingual. The three assistant principals were White, bi-racial Chinese and White, and Mexican. AP Joaquin was the only administrator who spoke fluent Spanish and the only male.

In the following pages, I examine a variety of participant narratives and connect them to the ideologies and practices of the disproportionate discipline of Latino boys in an answer to the following questions:

1. What are the narratives of difference at CHS?
2. How are these narratives used to justify Galvan's punishment?

I begin with an explanation of the adults' beliefs about student discipline. Next, I explain the discourses of Latino criminality and White innocence that inform their beliefs about specific groups of students. Third, I explain how the narratives, together with the various manifestations of racial bias contributed to Galvan's exclusion from CHS altogether. I close with a discussion of the implications of Galvan's case and research-based student discipline practices that challenge these dominant narratives.

Findings SRO Smith

SRO Ethan Smith, who was White, was a former Marine who had followed his wife to California after the birth of their son. When they divorced, SRO Smith remained in California, unlike his own father, who had left after his parent's divorce. He became a police officer in a community close to where his ex-wife lived to be with his son. In a conversation about why he stayed, the negative effects of a missing parent figured largely:

SRO: That's huge. So. You know if I didn't do that then if you're not around and (claps hands together) you miss out on opportunity to raise 'em and

Mari: Yeah

SRO: good influe..you know it could've changed his whole future and where he might end up in a you know.

The clause "Where he might end up" alluded to SRO Smith's near legal trouble and anger after his parent's divorce and mother's remarriage. He had "buil[t] a wall up" against his stepfather's authority and was doing poorly in school. SRO Smith acknowledged that he narrowly escaped arrest and other legal troubles because of his stepfather's heavy-handed intervention:

"I was grounded for like whole summers. The only thing I could do was go..go to work. You know. So while my friends were up at the lake, you know, out boating, having fun, I was either home or working, SRO Smith explained" (Interview, August 2013).

SRO Smith seemed to believe that young people required adult intervention, including legal intervention, to encourage a change when they were headed in the wrong direction. In his own life the intervention from his stepfather, "provide[d] structure, caring" for him. "And you really appreciate it after you graduate and start your career and see that they actually made a change in you for the better," he explained (Interview August, 2013). Perhaps because of his

stepfather's positive influence, SRO Smith wanted to help Galvan make a similar life change:

“As an SRO I like going out and affecting and influencing the..the kids out there. Making a difference in them. Hopefully, making an influence to where by the time they're eighteen, twenty years old they're doing something within the..their lives” (Interview August 2014).

To his dismay, Galvan, however, did not respond to SRO Smith. “Nothing I say to him changes his attitude. He doesn't want out of the gang life” (Field Notes: 3/1/12).

AP Joaquin Escobar

AP Joaquin Escobar was an experienced administrator who articulated a deep commitment to social justice. Before CHS, he had been the interim principal of a community school for incarcerated juveniles. He expressed concern for students of color who “had no chance to...redeem themselves...just flat out expulsion” as a result of strict zero tolerance policies (Field Notes 12/6/2011). My field notes from the conversation convey this concern:

“A lot of students have had bad experiences. One of my abilities is being able to recognize the factors that affect minority kids. I know personally and professionally the challenges of minorities, kids on the fringes. Some districts have a zero tolerance policy. They don't try to help you...tell you why...[A local school district] has zero tolerance. If they find a student with a significant amount of drugs or a knife, they immediately move to expel the person. I ask if he doesn't agree. With the zero tolerance policy? No, I don't...I have been on both sides. I worked with students who had no chance to redeem themselves, just flat out expulsion. Ninety percent of them were minorities. You start to notice the subtle white racism. In kid talk they're racist is what they say. Through lots of reading as well as my personal experience I can tell you the US has been able to get rid of discrimination on the books but institutionalized white racism is alive and well” (Field Notes 12/6/2011).

While AP Joaquin understood that deleterious effects of zero tolerance policies, his practices did not consistently reflect this understanding.

In an interview, AP Joaquin linked the disproportionate discipline of Latino boys to the use of English, and assimilation to American culture (interview June 2013). Non-Spanish-speaking Latinos, and Latino students who did not pronounce their last name in Spanish were “lost” without the Spanish language. “They are confused because of their identity and so they act out.” In response AP Joaquin was more “firm” which he described as “a culturally relevant discipline practice” (interview June 2013).

One of the groups of “lost” Latinos that AP Joaquin especially wanted to affect were suspected members of Latino gangs. He observed a group of Latino boys who gathered at the bathrooms during lunch and passing periods. He believed they were gang members who gathered at the bathrooms to “mark” their territory and intentionally “intimidate” other students. In an interview, AP Joaquin described the interventions he used to move the boys from the bathroom, an activity he called “mak[ing] it uncomfortable” (Interview 2014):

Mari: What do you do to make it uncomfortable?

Joa: Well, um we did the due process. We reminded them, give ‘em a number of reminders and then um we called in a number of students to the office and issued consequences and then those students directly or indirectly delivered the message of saying hey if we’re gonna continue doing this we’re going to face some serious consequences so it was one where we went as far as having a parent meeting and the student..and the student has never come back.

Mari: And what are the other consequences? Like a parent (meeting)

Joa: (Oh the tip..) typically a parent meeting. Ah..possible ah suspension, uh in school suspension, um Friday schools. Uh the..the progressive discipline consequences that we issue if they don’t comply so um

Mari: Did anybody get an in school suspension?

Joa: Yeah. Yeah.

Mari: Or a suspension.

Joa: I issued a couple of in school suspensions uh a couple of times.

Mari: Did anyone get um..get..did any one student get an in school suspension repeatedly? (Did a)

Joa: (No) but only one student did get a two day school suspension because of his history. Yeah.

Mari: Was..was it in school suspension or home suspension?

Joa: Oh no. It was in school because the whole idea is to keep ‘em in school and it’s also in the spirit of these um many of these students are also not very well connected, not and struggling a bit in school so we want to keep them in school but also want them to comply so it’s that fine balance.

AP Joaquin rationalized his surveillance as an anti-violence measure, explaining there had been fights near the bathrooms several years prior. In conversations with the staff I learned that the students he watched had not participated in the fights because they were in middle school at the time they occurred. Moreover, the fights had not occurred at the bathrooms, but rather in a field which was a great distance from the bathrooms. Finally, one of the students AP Joaquin believed was a member of a gang was known to me for his community service at a neighboring elementary school where I also conducted observations.

Latino Criminality

Latinos were regularly associated with gangs and closely monitored. Although the administration and SRO agreed that CHS did not have any real gang members, they frequently discussed the gang

associations of Latino boys. During one observation, AP Ray, who is a White female, pointed out a group of mostly Latino boys:

“They would be reds...Some red..wannabes. Mostly red wannabes. A few reds..They go around and walk and circulate and kinda eye and posture...and um there’s been a lot of red stuff in the community and a couple of ‘em are kinda involved in that, too” (Field Notes: 3/4/2014).

Whereas AP Ray made explicit the link between Latinos, gang membership and gang activity in the community, SRO Smith carefully avoided naming race outright. In a discussion about service calls to a park near the school, he used euphemisms for race to both mark Latino ethnicity and link Latinos to gang membership, “You know and then you get the kids that are gang related. [They] try claiming a park as their territory and you know other people don’t want to come into the park now” (Interview 2014). Given the community narratives and demographics, the use of “gang related” when used with the clause “claiming a park as their territory” marked Latino students as gang members in this discussion. The description of corporate fear, “don’t want to come” linked Latinos to a practice of disruption that intimidated “other people” who were prevented from fully enjoying their community.

The narrative of gang membership and link to corporate fear served to justify the school’s heightened observance of Latino boys. In the school’s logic Latino gangs from the community were spilling into the school. In addition to AP Joaquin’s efforts, SRO Smith and Acting AP Lupe also focused on the the group of alleged Latino gang members who gathered at the bathroom. SRO Smith explained:

“Yeah. Yeah so you have let’s say for CHS for example around a certain bathroom on the southside of the school we used to have blue..you know the blue crew is usually affiliated with the Sureño gangs that would hang out in front of the one bathrooms. Um so we’d go over there you know during period..between periods, during lunch time, you know hey get over there...Scatter ‘em. Don’t let ‘em hang out in that area that they can uh kind of claim it as theirs you know” (Interview, August 2013).

Acting AP Lupe, who was Latina, surveilled the same group of boys, but acknowledged they weren’t all gang members. In a conversation about six alleged members of the Sureño gang, she

admitted that, “Just two of them,” were Sureños. A few minutes later she told me that the Norteños and Sureños played handball together. When I asked her if she thought that gang-affiliated boys would be willing to lay their differences aside for a hand-ball game, she explained, “it’s kinda weird” (Field Notes: 9/4/12).

The logic of Latinos’ criminality and need for surveillance seemed to extend to all Latinos. During one observation, Acting AP Lupe and I walked the campus at lunch. Small to large groups of students engaged in typical adolescent behavior. As we walked down a wide path between two buildings, AP Lupe explained she was looking at, “little groups like these” (Field Notes: 9/4/12). The group she identified was Latino. As she walked closer, Lupe narrated, “Something looks like it may be happening. I’ll just get closer.” My field notes show what I observed: “I point out a group of White boys on the left and ask about them. She points out another group of Latino males, this time by the bathroom” (Field Notes: 9/4/12). Although the Latino and White students were in the same area and seemed to behave in similar ways, Acting AP Lupe focused only on the Latino students. I noticed that the APs carefully observed groups of Latino boys but seemed to ignore Latina girls altogether. Mixed groups of Latino boys and White boys were similarly overlooked as were pairs of Latino boys, unless one member of the pair was an alleged gang member.

White Innocence

White students did not often experience serious consequences, like suspension, expulsion, arrest or transfer. A possible explanation for their underrepresentation is parental advocacy. White parents were more likely to challenge student discipline consequences. The APs, however, did not always welcome parental advocacy, especially when Principal Kelly overturned a discipline decision on behalf of a parent. One such example involved AP Ray, Carter Dawson, a varsity baseball player, his mother, Tina Dawson, an officer with the gang task force, and CHS Principal Kelly. “That mom’s a bitch,” AP Ray told me one day after she spoke with Mrs. Dawson. Known for her quiet demeanor and persuasive way with parents, AP Ray was angry because the “very entitled” Carter and his girlfriend “took off” in his truck during his fifth period class. Campus Supervisor (CS) Valentino

had seen Carter leave and notified AP Ray. Carter's mother used her knowledge of legal evidence to challenge CS Valentino's identification, and argued that the video footage of him leaving the campus was not clear. Principal Kelly had agreed and dismissed the class cut and administrative consequence.

White students who misbehaved were more likely to be ignored and assigned less punitive consequences than non-White students. During an observation of a discipline conference between AP Ray and Ivan, a Latino student, Ivan described a scenario in which his White classmate, Ryan, received a different consequence for his misbehavior. Both boys took out their cell phones during class. The teacher told Ryan to put his phone away but attempted to confiscate Ivan's phone. When Ivan refused to turn in his phone on the grounds that Ryan's phone was not confiscated, Ivan was referred to the AP's office. When Ivan became upset, CS Graciela, a Latina campus supervisor, threatened to call the police. By the time AP Ray met with Ivan, he was sitting on a bench in the quad and had missed class. Ivan explained that had taken out his phone to look at the time since he could not read an analog clock.

The staff employed narratives of White goodness, caring, trustworthiness and innocence to explain the differential treatment White students received when they misbehaved. During one observation in late spring, I observed AP Ford, a White male, as he walked the campus at lunch. He ushered several students, who appeared to be Latinos, from off-limits areas behind the school. As we approached the bleachers in another off-limits area AP Ford walked by two White males. My field notes captured the scene:

“I noticed two white males sitting on the bleachers and asked about them, since he had previously stated students weren't allowed in the area. AP Ford admitted he hadn't seen the white males...As if to explain why they weren't in trouble, he explained, ‘They're both good kids’” (Field Notes 5/1/14).

Other staff members offered variations of AP Ford's explanation of White goodness. Mel, a White male campus supervisor, described a group of white boys as “students who listen” (Field Notes 5/10/12). Similarly, AP Ray downplayed the behavior of two White students who were sent out of class for misusing power tools as “horsing around” (Field Notes 3/6/14). During one

observation, Acting AP Lupe explained that when White students get in trouble “it’s really big to them” (Field Notes: 9/4/12).

Acting AP Lupe’s conjecture that getting in trouble is “really big” to White students was part of a larger discourse of racialized gender at the school that treated Latino students as future gangsters and Latinas, and White boys and girls as inhered with innocence and goodness. The misbehavior of Whites and Latinas was downgraded by virtue of their race or gender, if it was noticed at all. White and Latina students who disobeyed the rules, no matter the seriousness of the infraction, were not often perceived as being on the verge of criminality, like Latinos were. Because their misbehavior was seen as innocuous, Whites and Latina girls were more likely to be assigned an intervention to set them back on the good road from which they had temporarily wandered. When White and Latina female students were out of class or left campus without teacher permission, the staff frequently believed their explanations: “I’m going to get water” or “I’m going to the bathroom”. Sometimes the staff offered an explanation such as when CS Mel asked a female student who was out of class, “Bathroom?” Latino boys, by contrast, were asked where they were going, followed to the classroom or referred to a destination for tardy students. No one, besides the Latino boys, seemed to question the disparity in treatment. One White female student who benefitted from the disparate treatment explained, “It’s not bad discrimination because I’m a good student” (Field Notes: 5/7/12).

Discussion

Adults at CHS had a sincere desire to impact student lives and they employed diverse narratives when expressing the kinds of impact they wanted to have. SRO Smith invoked the narrative of paternalism, the philosophy that his intervention would improve the welfare of another, when he described his desire to “[m]ak[e] a difference” for Pelica youth. A self-described “knuckle-head”, SRO Smith was grateful for his stepfather’s intervention. He had grown from an angry youth, failing classes and getting into trouble, to an officer of the law. In many ways he identified with the youth he served and was effective with some of them, but he was also unaware of his implicit biases against Latino boys which he employed when talking about the kinds of children he wanted to help.

Narrative: Latino Boys Grow Up to Be Gang Members

In his well-intentioned description of “making a difference”, SRO Smith revealed his implicit bias against Latino boys, likely without any understanding that he was introducing race. He invoked coded narratives of racial difference and violence (Sureños, Norteño, gang, blue, southside, claim, territory) that connected Pelica’s Latino youth with the well-known cultural trope of the Latino gang member. These labels, having already been established in the popular imagination through the media, music and literature (Berg, 2002; Mora, 2011; Neal, 2013), do the work of meaning making without the speaker ever having to mention race. Bender explains: “Latina/o youth are assumed to be gang members who will eventually graduate from wielding spray-paint canisters to carrying knives and guns” (2003, p. 30). The narrative of the young Latino gang member served to implicate every young Latino as a potential criminal, and justify their disproportionate surveillance and punishment.

Narrative: White Students Are Mostly Good

At CHS, the trope of the young Latino gangster co-existed with various narratives of the “goodness” of White students. According to this logic, White students generally obeyed adults, infrequently engaged in minor misbehavior, if they misbehaved at all, and cared deeply about getting in trouble. While staff did not explicitly define White students as inhered with goodness, a careful look at the students to whom the label or characteristics of goodness was assigned reveals that in each case, the student was White or dominant culture conforming. Morris’ (2005) study of a Texas middle school revealed similar findings:

“Adults rarely disciplined white girls or boys...educators typically interpreted white...boys as harmless and white girls as well mannered. “Whiteness”...although partially qualified by class-based performative display, appeared to indicate **docility** and **normative masculinity and femininity**. Educators assumed at the outset that white...students did not need disciplinary reform, which only solidified their

connection to educationally valuable forms of cultural capital in dress and manners” (p. 45)

My field notes of student discipline conversations, and disaggregated student discipline data from the 2011-12 school year indicate a substantial pattern of under-referral for White students and over-referral of Latino students to the office. The predominately White staff believed itself colorblind, and never mentioned race as a factor in student discipline decisions, even while clear patterns of racialized difference existed. The cell phone incident wherein the teacher ignored a White student’s phone use and confiscated a Latino boy’s phone; the AP’s blindness to the White boys who were on the bleachers while redirecting Latino boys from the area; and the offering of alibis to White students who were out of class without permission while following Latino boys to class, take on new meaning in light of the racial disproportionality in student discipline consequences. These seemingly isolated examples of educator discretion reveal a pattern of White privilege in student discipline and surveillance of Latino boys.

Narrative: Latino Gang Members Must Be Punished

At CHS, the dual discourses of White innocence and Latino criminality impacted educators’ perceptions and treatment of Latino boys. The school operated a two-tiered student discipline system wherein staff invested in White and dominant culture conforming students who were considered “reachable”. By contrast, a significant number of 9th and 10th grade Latino males were discursively positioned as needing to be removed from the school for the sake of the “reachable” students, a process Pedro Noguera calls “sorting out the bad apples” (2003, p.344). An understanding of this context helps to clarify the factors that contributed to Galvan’s incarceration.

According to the district’s Sequential Discipline Plan, the school was required to suspend Galvan for up to five days for the fight, and the SRO was to determine the criminal consequences. SRO Smith explained his options: “[I can] give citations or cite and release to a parent for like misdemeanors and even some felonies um or you can take them to the hall and book them that way” (Interview: February, 2012).

Research shows that an officer's decision to arrest is mediated by subjective considerations such as the youth's race (Pillivan and Briar, 1964), gender (Allen, 2005; Conley, 1994; Morash, 1984), and the officer's perception of the youth's demeanor (Allen, 2005; Ludman, 1996), and that younger, less experienced officers, like SRO Smith, are more likely to arrest minority youth. Galvan embodied the arrest trifecta. He was a young, Latino male whose demeanor led SRO Smith to say that, "he doesn't believe Galvan will change or wants to get out, doesn't believe Galvan is listening" (Field Notes: 3/1/12). Moreover, Galvan relocated from Southern California, a geographical trope that SRO Smith associated with authentic Norteño gang membership. Because Galvan's arrest was not mandatory, it is likely that SRO Smith's decision was affected by a combination of his inexperience and youth, as well as his perception of Galvan's race, gender, and demeanor as fitting the profile of a gang member.

Gang identification is a notoriously subjective process and one that is inflected/influenced by racial bias, especially for Latino youth. Daniel Alarcon's investigation of the criminalization of minority youth reveals the extent of the inequities. White gang membership tends to be undercounted while Latino youth gang membership tends to be overestimated (Alarcon, 2015). The state-wide database of law enforcement identified gang members, CalGang, counts 200,000 individuals, 66% of whom are Latino, including some youth as young as ten years old (Alarcon, 2015). Manohar Raju, the manager of the felony unit at the San Francisco Public Defender's Office explained the perils of identifying youth as gang members, "Posing in a picture, acting cool or acting tough can be a navigation strategy..That may not mean they want problems; in fact, it may mean the opposite."

Conclusion

The elimination of racial bias in adult decision-making is critical to ending the disproportionate involvement of Latino youth in the criminal justice system and understanding the discursive resources educators use to justify disproportionality is an important part of this process. I want to highlight three promising strategies that have been shown to reduce racial disproportionality in student discipline and punishment. Jennifer Eberhardt's research in the recognition of implicit bias has been shown to be effective with law enforcement

officers, and has practical applications for educators. The use of restorative practices as an alternative to suspension and incarceration has been well documented for cases involving a range of misbehaviors, including interpersonal violence (Shah, 2013; Hantzopoulos, 2011). Finally, the analysis of student discipline data can help identify inequities in student discipline, ranging from the demographic profiles of student groups who are under/over represented in exclusion to the types of explanations educators write in their ODR and the specific discipline practices that result in racial and gender inequities. While working with staff to overcome these biases and inequitable practices won't happen overnight, Eberhart's work proves that adults can learn to examine about their assumptions and change their hearts.

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