COLORBLIND RACISM: OUR EDUCATION SYSTEM’S ROLE IN
PERPETUATING RACIAL CASTE IN AMERICA

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COLORBLIND RACISM: OUR EDUCATION SYSTEM’S ROLE IN PERPETUATING RACIAL CASTE IN AMERICA

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Thesis

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CHAPTER I
INTRODUCTION

“Education either functions as an instrument which is used to facilitate integration of the younger generation into the logic of the present system and bring about conformity or it becomes the practice of freedom, the means by which men and women deal critically and creatively with reality and discover how to participate in the transformation of their world.” (Shaull, 1970, p. 34)

Education is never neutral. Education always serves one of two ends. It is either an instrument of liberation or one of oppression. If the education system is not actively supporting the process of liberating the oppressed, it is necessarily, through integration, supporting the current oppressive regime (Freire, 1970). The above quote, written by Richard Shaull in the forward to Paulo Freire’s *Pedagogy of the Oppressed*, summarizes well Freire’s theory of education’s two possible purposes. The question asked and answered in this study is as follows: which of these mutually exclusive ends does the system of education, in the United States of America, currently serve? Is it a system operating for liberation, or is it supporting the continuation of racial oppression through a racial caste system? In this study, I will examine how the funding gap, the achievement gap, and the discipline gap existing in K-12 schools have acted as one arm of a racial caste system that actively oppresses people of color, especially Black males, in this country.
The second chapter in this study will begin with an exploration of three foundational concepts; Critical Race Theory, multiple forms of racism, and racial caste. Critical Race Theory (CRT) will be the lens through which this study is conducted. CRT’s foundational concepts will establish a framework of ideas which will then be drawn upon as content is presented. Next, the chapter will explore the concepts of multiple forms of racism, individual versus systemic racism and provide a working definition of racism for the study. Finally, chapter two is dedicated to understanding racial caste, what it means, how it operates, and the history of education under its previous two manifestations in society, slavery and Jim Crow Law. Chapters three through five examine the three previously mentioned racial gaps through which the current racial caste system operates; the funding gap, the achievement gap, and the discipline gap. Chapter six, the conclusion, will cover three topics: interest convergence and why each reader should care, what are the possible solutions to this dire issue, and what Dr. Martin Luther King, Jr. referred to as “the fierce urgency of now”. Considering King’s words, I call upon educators to act urgently on behalf of our children. King reminds us that there is such a thing as to late.
CHAPTER II
FOUNDATIONAL CONCEPTS

Critical Race Theory: A Theoretical Lens

“Central to ‘critical race theory’ is the notion that racism is a pervasive, systemic condition, not merely an individual pathology. Racism is a vast system that structures our institutions and our relationships. Second, racism adapts to socio-cultural changes by altering its expression, but it never diminishes or disappears. Finally, critical race theorists hold that scholarship that challenges social inequality must take into account systemic racism and must counter positivist notions of neutral, colorblind inquiry” (Vaught & Castagno, 2008, p. 96).

The lens adopted for this study is that of critical race theory (CRT). In answering the question, which of Freire’s two proposed roles is our education system acting in, it is first necessary to gain an understanding of this theory and the reason for choosing it as a lens. “The critical race theory (CRT) movement is a collection of activists and scholars interested in studying and transforming the relationship among race, racism, and power” (Delgado & Stefanic, 2012). CRT grew out of an earlier movement, critical legal theory, with similar purpose; however, CRT was a response to the perceived lack of race-specific critique in general law. While CRT was originally developed in the arena of law, it has grown and spread to address numerous institutional systems. These systems include, but are not limited to, education, healthcare, and housing. CRT, while being flexible and adaptable to many diverse uses and constructs, is built upon several widely accepted tenets. It is these tenets and constructs which have led to the adoption of this theory as the lens through which to address the education systems role in perpetuating racial caste in
America. In this section, I will first offer a brief review of the historical development of CRT. Next, I will examine the three tenets of CRT: racism as normal, constant, and deeply ingrained in society, racism adapts to cultural and social changes, yet, never diminishes or disappears, and the need for scholarship which challenges systemic inequalities to account for systemic racism and challenge race neutral colorblind inquiry (Vaught & Castagno, 2008). Critical Race Theory (CRT) grew out of a legal movement which began in the 1970’s. Critical legal studies (CLS) developed as a means for challenging the American legal system's legitimation of the present class structure. CLS scholars, such as; Roberto Mangabeira Unger, Robert W. Gordon, Morton J. Horwitz, Duncan Kennedy, and Katharine A. MacKinnon, argued against the belief that the country was experiencing a slow steady march toward equality and pushed instead for sweeping changes in the structure of social equality in the United States (Cornel University Law School, n.d.; Ladson-Billings, 1998).

Much of CLS focused on Antonio Gramsci’s notion of hegemony, a force by which oppressed peoples conform to their own oppression due to their belief in the societal norms developed by their oppressors (Ladson-Billings, 1999). These societal norms create an appearance of the oppression as the normal and natural way of the world. Hegemony imposes the beliefs, values, and ways of life of the dominant social class on the subordinate class by means of political and social action as opposed to military force. The education system plays a major role in this cultural hegemony by promoting social reproduction. Through both the formal curriculum of course work and the hidden curriculum of pedagogy, routines, images, stories and social relationships, schools actively impose the oppressors ideology upon the oppressed minority. Students are taught
to support and eventually espouse the values, ideas, culture and political ideology of the
dominant class (Jay, 2003). The force of hegemony, while appearing subtle, has a strong
and lasting impact on society by making normal the beliefs of the dominant class,
including the belief in the oppression of the subordinate class as normal and natural.

One of the actors in cultural hegemony is the idea of meritocracy, the claim that
all people in society have equal opportunity for success as long as they work hard and
follow the rules. This ideal ignores the fact that social inequalities are built into the
system. Where CRT broke from CLS was in recognizing race as a major basis for this
social inequality. CRT is entirely founded upon the belief that racism is a normal,
constant, and deeply ingrained element of American society (Ladson-Billings, 1998;
Ladson-Billings, 1999). Racism is so normal in society, according to CRT, that it has
become invisible to the dominant culture.

This brings the focus back to the three foundational tenets of CRT upon which this
inquiry is based. The CRT lens is useful, first and foremost, because of its premise of
racism as normal, constant, and deeply ingrained in society. According to CRT, racism is
systematically built into the structural institutions of society. While the individual
pathology of racism, such as overt explicit racist comments and obvious illegal race
based discrimination, is also real and pervasive, it is not sufficient to explain the
perpetual inequality in society. Education is one of the systems into which racism is built.
It is through the combination of systemic and individual internalized racial bias that this
system perpetuates and expands these inequalities over time. Understanding the
differences between, and the interplay of, these two forms of racism is essential to inquire
into the three problematic aspects of the current education system: the funding gap, the
achievement gap, and the discipline gap. This topic is further explored in the next section (Ladson-Billings, 1998; Ladson-Billings, 1999).

Second, CRT’s supposition that “racism adapts to social-cultural changes by altering its expression, but it never diminishes or disappears,” (Vaught & Castagno, 2008) creates the foundation for the inquiry into education’s role in a racial caste system that has changed, but has never been dismantled throughout history. From slavery to Jim Crow Law and into the current system, the education system has participated in racial oppression in this country. This section, devoted to racial caste systems, what they are, and how they have acted throughout history lays the groundwork for understanding how the three current racial gaps - funding, achievement, and discipline - are now being used to perpetuate the now-existing, redesigned racial caste system. This newest racial caste system, which I call a colorblind racial caste system, is merely the current “expression” of systemic racism brought into existence by pressure from socio-cultural changes which made the older, more obvious, forms of racial caste illegal and socially unacceptable. The system has evolved into a less obvious yet equally damaging manifestation.

The final tenet of CRT used here is “scholarship that challenges social inequities must take into account systemic racism and must counter positivist notions of neutral, colorblind inquiry” (Vaught & Castagno, 2008). Positivist notions, such as the assertion that only experiences which can be proven through data, science or mathematics are viable for inclusion in policy or law, leave no room for other non-measurable forms of evidence. Storytelling, voice, and un-documented experiences are valuable in efforts to back up data or to bring to light the unintended consequences of racially neutral policies. This tenet is vital to this study in three ways. First, the call to counter positivist notions
is seen as a call for the inclusion in inquiry of the voice of those affected by systemic racism. Here, voice takes the form of storytelling. In each section, the reader will encounter statistical data and research; however, along with these positivist methods of inquiry, the reader will also encounter storytelling. As an educator for ten years deeply entrenched in this system, my experience will be drawn upon to provide actual incidents which speak life into the numbers. The data does much to express the gaps; the research does much to explain their causes. The voice of those involved, however, is indispensable in providing a deep and paradigm shifting picture of the current education system’s role in perpetuating oppression.

Second, this tenet will be called upon to support the theme of race neutral, colorblind language, as a major factor in the functioning of this current racial caste system. The racial funding, achievement, and discipline gaps operate, invisible to all those involved in the system, due to the system’s pervasive reliance on this colorblind language of race and crime or behavior issues.

Finally, this last tenet is vital to the paper as it is the basis for one of the main solutions offered. The solutions section in the last chapter of this study, offers a model for a teacher pre- and in-service education program rooted in CRT. This program will specifically speak to the need for scholarship, which challenges social inequity, to take into account systemic racism and this colorblind language which allows it to continue unrecognized. Having established CRT as the lens through which the content henceforth will proceed, what follows will be the exploration of two concepts of great importance to answering the question posed in the introduction; which of Freire’s two purposes of
education is reflected in our current system? These concepts are, multiple forms of racism and racial caste.

**Multiple Forms of Racism:**

**Individual, Systemic, Explicit and Implicit Racism**

“Racism is both overt and covert. It takes two, closely related forms: individual whites acting against individual blacks, and acts by the total white community against the black community. We call these individual racism and institutional racism. The first consists of overt acts by individuals, which cause death, injury or the violent destruction of property. This type can be recorded by television cameras; it can frequently be observed in the process of commission. The second type is less overt, far more subtle, less identifiable in terms of specific individuals committing the acts. But it is no less destructive of human life. The second type originates in the operation of established and respected forces in the society, and thus receives far less public condemnation than the first type. When white terrorists bomb a black church and kill five black children, that is an act of individual racism, widely deplored by most segments of the society. But when in that same city - Birmingham, Alabama - five hundred black babies die each year because of the lack of proper food, shelter and medical facilities, and thousands more are destroyed and maimed physically, emotionally and intellectually because of conditions of poverty and discrimination in the black community, that is a function of institutional racism. When a black family moves into a home in a white neighborhood and is stoned, burned or routed out, they are victims of an overt act of individual racism which many people will condemn - at least in words. But it is institutional racism that keeps black people locked in dilapidated slum tenements, subject to the daily prey of exploitative slumlords, merchants, loan sharks and discriminatory real estate agents. The society either pretends it does not know of this latter situation, or is in fact incapable of doing anything meaningful about it.” (Carmichael & Hamilton, 1967, p. 4)

In this chapter, an understanding of several concepts will be more thoroughly brought to light. I begin with systemic versus individual racism, move into an understanding of the differences between implicit and explicit individual racism, and finally arrive at a clearly defined understanding of race neutral colorblind language’s role in perpetuating inequality. This chapter is vital to laying the groundwork for my exploration of the education system.
When most people think of racism, what comes to mind is somewhere between prejudiced thought and the hate-filled actions these thoughts can spur. Racism, to most people, begins and ends with racial slurs and purposeful blatant discrimination. Hate speech and racial discrimination are indeed forms of racism that persist even today. Decades of work done by civil rights activists from Dr. Martin Luther King Jr. and Angela Davis to current activist groups such as Black Lives Matter and the Black Youth Project, have not entirely eradicated or reversed these attitudes. While it remains a vital task to address individual racism, this is not the only kind of racism that exists. Individual racism, as the term suggests, deals with an individual person’s attitudes and behaviors. Another, more deeply ingrained and powerful form of racism is systemic institutional racism. As this term infers, systemic racism is built into the systems of society. From the racial life expectancy gap in the healthcare system to the racial discipline gaps in education and mass incarceration of people of color in the justice system, these manifestations of racism run deeper than individual people acting within each system.

How did these systems come to be active players in the perpetuation of racism? The answer lies in the founding of the very first system in this country: the system of government itself. At its very founding, the government of the United States of America was created by individually racist men for the protection and perpetuation of their own success and aspirations on the backs of those they deemed less than themselves and even less than human. The founding fathers of this nation were prejudiced and wrote their personal humanistic shortcomings into the earliest document upon which our government continues to be based. Thomas Jefferson, one of the Founding Fathers and author of the Declaration of Independence, was a slave owner himself. When Jefferson penned the
phrase, “All men are created equal,” his apologist views make clear his very narrow understanding of “all men.” What Jefferson meant was that all white men are created equal. He did not intend the rights of white men to be extended to women or men of color. When the original system, government, was founded by men espousing blatantly racist ideals, it is no wonder that the many social systems which have grown from it are also based on these racist ideals. While blatant verbal- and action-based racism has become illegal and socially unacceptable over time, social systems such as housing, welfare, and education have continued to perpetuate the original racist ideals of their predecessor. For example, consider the racial disparity in the housing system. At the onset of this systems creation, it was legal to discriminate based solely on race. Redlining and Blockbustings were common practice used to keep Black Americans out of white neighborhoods. Redlining involved the refusal of lines of credit to Black Americans looking to purchase homes and blockbusting was the practice of encouraging white Americans to sell their homes for less than market value by simply implying black Americans were moving into the neighborhood. This type of discrimination is now technically illegal. However, through the combination of implicit racial bias and racially neutral, colorblind language, the absence of an intentional reversal of racial segregation in housing has allowed systemic racism to continue.

Racially neutral, colorblind language refers to our current legal discourse on race and racism in this country. The law clearly states that it is illegal to discriminate against any individual based on race. No policies can be used by current social systems which give preference to a person of one race over another. If two men are applying for the same apartment, it is illegal for the renter to choose a white man over a Black man
because of race. What this racially neutral language fails to account for, however, is implicit racial bias. Implicit internalized bias leads time and again to the white man being chosen for the apartment, the job, the loan. Implicit bias is based on internalized prejudice about people of color.

Implicit racial bias brings us back to our discussion about systemic versus individual racism. Implicit racial bias is the form of individual racism which uses individuals within the system to perpetuate systemic racism. The examples of individual racism discussed earlier were explicit racial bias. Explicit racial bias is observable, labelable, and obvious. Explicit racial bias is obvious to both the observers and the actor. Implicit racial bias is the opposite. Implicit racial biases are internalized racially motivated actions of which even the actor is unaware. All people, regardless of skin color, have implicit racial biases. All people develop these internalized racial beliefs and attitudes as they grow up as members of society. These biases are gained from our families, schools, media outlets, peers, and any other interactions in life. One pertinent example of implicit racial bias by which most people are affected is the imaginary link between Blackness and criminality.

The path by which this link was internalized and made implicit is best demonstrated by author Khalil Muhammad, in his book, *The Criminality of Blackness*. Muhammad focuses primarily on the time period in the United States between 1890 and 1940. Through his use of census data, crime statistics and the sociological writings of the time, the author demonstrates how Whiteness became a privilege afforded to ethnically diverse immigrant groups through the creation of Blackness as the signifier of the other. Over time the census data identification shifted to
include immigrants into the category of white while Black Americans remained excluded. Immigrant crime statistics were folded into the white category. Black Americans were singled out as the non-white other. The reasons afforded the criminality of both groups also varied. Immigrants were afforded excuses for criminal behavior based on social interpretations such as a lack of resources and education while living in poverty, while Black Americans were stigmatized as either racially inferior or culturally inferior, with no recognition of social responsibility. Social programs were created to address the issues seen as leading to immigrant criminality, however no programs were offered to Black Americans who were viewed as being individually responsible for their actions (Muhammad, 2010).

Muhammad’s timeline of data and social information also lays clear the path through which race conservatives and progressives worked together, quite unintentionally, to strengthen this social understanding of race and crime. While conservative writers approached the problem of Black crime from the point of view of deficiencies in the race, progressives only further complicated and deepened the connection by turning to a cultural explanation for the high rates of crime in Black communities (Muhammad, 2010). Although a far more enlightened belief system than that of genetic inferiority, cultural explanations for the social problems in black communities still failed to address the true systemic causes of these issues. By moving to this cultural perspective, Muhammad explains that the progressives only moved from one negative essentialist perspective to another. Although they were trying to help by arguing against simple racial inferiority, their own interpretation of the data did more harm than good. It is this cultural interpretation which still guides most Americans’
understanding today. While sociologists saw non-Black immigrant crime in terms of social problems such as poverty and education – problems which society can address through social programs – Black crime was viewed as a result of Black culture. It was considered a waste of resources to address Black crime by any means other than punitive measures (Muhammad, 2010). Black males were seen as criminals from that point forward. From then, continuing through today, the crime statistics have, in most people’s minds, justified the mass incarceration of Black males, and the cycle continues. The link has become so strong that when politicians want to appeal to White America on the basis of anti-Black sentiment, they need not even talk about Black males; they need only speak of criminals (Alexander, 2012).

This is only one of many examples of how racial bias becomes internalized and, therefore, invisible to even the person acting on it. Bringing the discussion back around to systemic racism, imagine that an individual who has had this link between crime and race ingrained in his or her mind is the aforementioned apartment manager. The apartment manager is making the decision to rent the apartment to the two equally qualified men, one Black and one white. The manager is unaware that he or she is being influenced by this implicit racial bias. The manager believes himself or herself to be completely fair in the decision making process. What can be inferred from research and countless experiences of people of color is that the implicit bias will likely come into play, and the manager will rent the apartment to the white male. The Black male is just as qualified. The Black male is simply, by human nature alone, not any more likely to be a criminal than the white male. However, this internalized, invisible bias will time and again cause apartment managers, educators, doctors, government officials, judges, police
officers, and all other members of society to make decisions which favor white people and further fail to serve people of color. Implicit individual racial bias causes the day to day decisions being made in America to amount to systemic racism.

Each one of the people mentioned above is a gatekeeper to social services, equality, and the pursuit of happiness. While no one person makes up an entire system, systems are made of individuals. Individuals make decisions. Implicit racial bias drives these decisions. This is how systemic racism works. Systemic racism is built upon historically explicitly racist systems, perpetuated by racially neutral colorblind language, and fueled by the implicit racial bias of the individual gatekeepers.

Historical racial oppression, which is unresolved and perpetuated through these racist social systems, creates a racial caste system in the United States of America. This accusation is often hard to swallow in a society ruled by a deep belief in colorblind law. A historical view of racial caste in this country will solidify the basis for understanding the racial caste system currently operating here, and how the current education system is playing an active role through the racial funding, achievement, and discipline gaps, and why we need a race aware, color-conscious solution.

Racial Caste: Preservation through Transformation

“In each generation, new tactics have been used for achieving the same goals—goals shared by the founding fathers. Denying African Americans citizenship was deemed essential to the formation of the original union. Hundreds of years later, America is still not an egalitarian democracy. The arguments and rationalizations that have been trotted out in support of racial exclusion and discrimination in its various forms have changed and evolved, but the outcome remains largely the same. An extraordinary percentage of black men in the United States are legally barred from voting today, just as they have been throughout most of American History. They are also subject to legalized discrimination in employment, housing, education, public benefits and jury service, just as their parents, grandparents, and great-grandparents once were.” (Alexander, 2012, p. 1)
People of color in the United States of America are legally discriminated against today in many of the same ways they were discriminated against during slavery and the days of Jim Crow law. It is no longer legal or socially acceptable to discriminate against a person based exclusively on their race, so we have found new ways towards the same means. Alexander explains,

“Rather than rely on race, we use our criminal justice system to label people of color “criminals” and then engage in all the practices we supposedly left behind. Today it is perfectly legal to discriminate against criminals in nearly all the ways that it was once legal to discriminate against African Americans. Once you’re labeled a felon, the old forms of discrimination—employment discrimination, housing discrimination, denial of the right to vote, denial of educational opportunity, denial of food stamps and other public benefits, and exclusion from jury service—are suddenly legal. As a criminal, you have scarcely more rights, and arguably less respect, than a black man living in Alabama at the height of Jim Crow.”(2012, p. 2)

This legal discrimination, whether done through enslavement, segregation, or colorblind criminal justice language has the same result. The legal discrimination against people of color creates a division in our society based upon racial ranking. This division places people of color below whites. Measured in wealth, educational attainment, health outcomes, housing opportunities, and judicial involvement, whites are treated favorably over people of color by every institution in society (Alexander, 2012). This is the very definition of a caste system. In this case, because the division is based on race, it is a racial caste system.

In her book, *The New Jim Crow*, author Michelle Alexander provides clear evidence of this racial caste system in the criminal justice system. Here, her work will be used to help gain a better understanding of racial caste past and present in this country.

The work of Reva B. Segal demonstrates how the racial caste system, while bending and changing to social pressure, has never been completely dismantled and has merely
continued to arise again in a newer, less obvious form. Then, the work of author Joel Spring will be called upon to weave “A Brief History of the Education of Dominated Cultures in The United States,” into this history of racial caste.

The current education system in the United States continues to play an active role in the perpetuation of inequality and the oppression of people of color. In order to recognize the truth in this statement, an understanding must be reached to begin to view the contemporary system not as the finish line in the battle for equal rights, but as a transformed – yet never dismantled – system of racial oppression brought forth from the inception of this country. This chapter will serve as a reference point in the three chapters about the racial gaps in the current system as similarities are established between it and the previous two racial caste systems and the ways the gaps are acting in a different, newly emerged manifestation of the same old system.

The previous two racial caste systems in this country are known as chattel slavery and Jim Crow law. Chattel slavery was a system under which Black Americans were owned as property by white Americans. Black people were not even considered fully human. They had no rights, no representation in the legal system, they couldn’t vote, own property, or serve on a jury. It was legal for slave owners to beat and even kill their human property. When the emancipation proclamation was signed in 1863, the system of slavery became technically illegal. It took many years, and the Civil War, to carry out this promise of freedom for all enslaved people.

At the point of the Emancipation Proclamation’s signing, the racial caste system known as chattel slavery ceased to legally exist. Through great struggle and immense
perseverance, Black Americans began an era of incredible social progress known as the Reconstruction Era. From the end of the Civil War in 1863, until the Union army withdrew in 1877, Black institutions for learning and business began to prosper in the South, along with flourishing Black communities. However, because the underlying racial bias and racism in this country had not been dealt with, the racial caste system merely transformed and reemerged a short while later in a newer form. After the removal of the troops in 1877, the backlash against Black freedom and prosperity took hold. This backlash became a new legally supported racial caste system in 1890 with the passing of “separate but equal.”

Jim Crow law, as this new manifestation was known, was a system of laws restricting the newly won freedom of people of color. These new laws took back from Black people the same rights withheld under slavery. One result of these new laws was what was referred to as “slavery by another name.” This new form of slavery was, in many ways, even more brutal than the original. Black males were rounded up for arbitrary infractions against invented laws and held in prisons from which they were rented out to the same plantations of the earlier system. When rented to the plantation owners, they were often brutalized as much or more as when they were enslaved. Because the plantation masters no longer had to buy the lives of these people, working them or beating them to death cost them nothing. They merely went to the prison and got a new man. Jim Crow laws segregated society and deprived Black people the right to vote. It was a reemergence of the same system under new guise (Blackmon, 2008).

In 1954, “Brown v Board of Education” struck the first blow to Jim Crow law. The remaining laws were done away with by the Civil Rights act of 1965 and the Voting
Rights act of 1966. The Civil Rights Movement, which had been working towards equality for all, had made a huge impact and won a great victory with these acts. All citizens were finally equal under the law. It appeared, momentarily, as though people of color in this country were finally free to “life liberty and the pursuit of happiness.” However, as Alexander demonstrates in her work, the same racial caste system was merely transformed and not dismantled. The connection of blackness to criminality was exploited to keep a large amount of black males legally oppressed (Alexander, 2010).

The war on drugs and mass incarceration created a new manifestation of the racial caste system within the United States, which clearly mirrors those of slavery and Jim Crow (Alexander, 2010). For simple drug possession crimes, Black males are systematically rounded up, scared into plea deals and branded as felons (Alexander, 2010). Once the felon label has been attached, they begin their lives as legally second class citizens. Felons are discriminated against in employment, housing, voting, jury duty, and even food stamps (Alexander, 2010).

These policies of legal discrimination are the exact same endured through the previous two caste systems in our country. Many people are lured into believing it is different this time because citizens see criminals as having made decisions which lead to this punishment. Yes, most felons have done something legally wrong. So have many other people. This country makes the claim that the criminal justice system is color blind, and that all people, regardless of race, are subject to the same laws and consequences. This is simply not true. The drug war itself is fought almost entirely in Black neighborhoods. Drug crime, however, is actually committed at the same levels in all neighborhoods (Alexander, 2010). Black males are rounded up through racial profiling.
and stop and frisk policies. Black males, once arrested, are far more likely than their white counterparts to be charged with a felony, regardless of the similarity in crime (Alexander, 2010). Upon leaving jail, the Black male felon has a much harder time re-entering society because of the other forms of discrimination built into the society into which he is being released. Families in public housing are not allowed to accept a felon onto their homes. Employers are far less likely to give a Black felon a chance at a job. Remember, ninety percent of drug felons are Black males regardless of the fact that people of all races commit drug crimes at the same rates (Alexander, 2010). In some cities, the percentage of Black males with a felony record is staggering. If it is clear that racial caste has never been dismantled, but merely redesigned throughout history, by what means does this occur?

As Michelle Alexander demonstrates in her book, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*, this country, from its founding to the current day, has given many different reasons for the oppression of people of color (Alexander, 2012). These justifications have shifted in purpose and tactic, and yet they have never been completely dismantled (Siegel, 1997); (Alexander, 2012). Alexander’s book makes clear the historical process through which people of color in the United States have been continuously deprived of full citizenship rights (Alexander, 2012). While great strides have been made since the times of slavery and legal segregation, author Reva B. Siegal’s work, “Why Equal Protection no Longer Protects: The Evolving Forms of Status-Enforcing State Action,” helps bring to light how the system has bent to the social pressure for equality without ever breaking (Siegel, 1997). Siegal’s writings explore how the current legal system has maintained the social stratification upon which this country
was formed – that of white supremacy – even while appearing to change with the times. She reveals how, through what she calls “preservation through transformation”, our country has adapted the language and methods of racial oppression, from explicit and individual to implicit and systemic, without ever dismantling the system itself (Siegel, 1997).

Reva B. Siegal warned that while Americans typically believe in a seamless march toward equality, there needs to be consideration for the fact that segregation was not the natural progression on the path from slavery to freedom but was instead a backlash toward racial stratification developed after the abolition of slavery (Siegal, 1997). Segregation did not have to follow slavery; it developed because slavery and segregation were merely symptoms of the deeper systemic racism and racial caste system not ever dismantled. Siegal demonstrated the likelihood that newer methods and socially-accepted forms of racial oppression will continue to grow from the ashes of the previous system in the absence of a critical historical understanding of this process (Siegal, 1997). The race neutral language of the current time, while outlawing the explicitly race-based discrimination of segregation, allows for the perpetuation of inequality. Siegal explored the emergence of discriminatory purpose law and disparate impact law and implored her readers to be wary of congratulating ourselves for getting it right this time. She used examples of previous generations’ belief in their own accomplishments in dismantling the racial caste system and demonstrated how the belief in white supremacy, upon which our country was founded, continues to be relevant even to this day (Siegal, 1997). Heeding her warnings means using this historical perspective to become critical of the current belief in the equality of current institutions.
To illustrate the striking similarity between all three manifestations of racial caste in the United States, Alexander introduces readers to a man named Jarvious Cotton.

“Jarvious Cotton cannot vote. Like his father, grandfather, great-grandfather and great-great-grandfather, he has been denied the right to participate in our electoral democracy. Cotton’s family tree tells the story of several generations of black men who were born in the United States but who were denied the most basic freedom that democracy promises—the freedom to vote for those who will make the rules and laws that govern one’s life. Cotton’s great-great-grandfather could not vote as a slave. His great-grandfather was beaten to death by the Ku Klux Klan for attempting to vote. His grandfather was prevented from voting by Klan intimidation. His father was barred from voting by poll taxes and literacy tests. Today, Jarvious Cotton cannot vote because he, like many black men in the United States, has been labeled a felon and is currently on parole. Cotton’s story illustrates, in many respects, the old adage “The more things change, the more they remain the same.” (Alexander, 2010, 1)

The story of Jarvious Cotton is a historical account of intergenerational oppression. While his is a story of oppression by the criminal justice system, and the similarities between it and the previous two systems of racial caste, endless other lives could be used to illustrate the same about our education system. It will be useful to return to Jarvious Cotton and extrapolate, from his real life experience, what could have happened to generations of his family under the education policies of each manifestation of racial caste. First, it is necessary to articulate how education played a role in actively oppressing people of color under slavery and Jim Crow law.

As the first caste system in the United States, slavery, was developed, enslaved Africans were torn from their country, culture, and language and brought to a foreign land under unthinkably devastating circumstances (Spring, 2010). Brought from many different areas of the continent, African slaves spoke neither the language of their masters nor a language in common with one another (Siegel, 1997) (Spring, 2010). In linguistic isolation and beaten down by the horrific ordeal, opposition to their conditions was not
possible. Over time, these enslaved people and their descendants learned English and were able to develop a subculture for personal survival. As some slaves began to learn to read and write, their oppressors began to fear that this education might lead to and encourage slave insurrections and revolts. Laws were passed in the South which made it illegal to teach a slave to read (Spring, 2010). Due to the fact that they wanted to keep their slaves uneducated and therefore easy to oppress, whites in the south viewed Black literacy as a danger. Black Americans, however, saw education as important, and many risked their lives for the opportunity to learn. Education was so important to African Americans that within ninety years of the Civil War, literacy had grown from seven to ninety percent (Spring, 2010). With the abolition of slavery, Black Americans quickly focused on the creation of schools. Education was viewed by many as the path of advancement for their people.

This time of educational freedom was, however, short lived. As the United States confronted the new economy after the Civil War, whites found new ways of subjugating Black Americans through education. While Black Americans saw education as a means for advancing their economic and political status in this country, white Americans supported the education of Black people for a different purpose. Southern planters saw education as a threat to their use of Black people as agricultural workers. They feared it would cause their workers to leave for better employment, demand higher wages, and take their children out of the fields. Because white Americans depended on the exploitation of Black Americans in the labor market, whites viewed education as a means of preparing them for a subjugated role as workers on the lowest rung of society. After the Civil War, this was accomplished by legally segregating schools and providing
an inferior and underfunded education to Black students in dilapidated buildings with underprepared teachers (Spring, 2010). So while it appeared that Black families had finally won the right to an education, the racial caste system had merely shifted and had not been destroyed. A new racial caste system, segregation, had taken its place. This became the new method for denying Black Americans a real education.

After many years of the denial of equal education to Black children under segregation, the NAACP finally led, and won, the battle for integrated schools (Spring, 2010). Even after segregated schools were declared illegal, white backlash meant that it would be many years before any real attempts were made at desegregation. The court decision that resulted in the end of the racial caste system of segregation was Brown v. Board of Education (Spring, 2010). In the years since, despite the amazing difficulties and white resistance to this decision, it has been heralded by most white Americans as the end of inequality in the United States and the ultimate end of racist suppression. As with the end of slavery, the end of segregation brought on a time of great hope for true equality. But was this equality realized? Did Black Americans finally gain full access to an equal education for their children? Or did, as after slavery, the racial caste system merely change forms to a newer, more deeply ingrained, socially acceptable form of racial control? A look at the current status of education’s three racial gaps will lay bare the truth in this matter.

As the current issues affecting minority students in education are honestly considered, it will become apparent that the system was not dismantled, but merely changed (Siegal, 1997). Black males particularly, as well as most other minority groups, are now discriminated against in the current education system in many of the same ways
as they were under slavery and segregation. The difference is that it is now socially acceptable to most Americans because it is done through unequal funding, an exclusionary curriculum and pedagogy absent any familiarity to the students, and the colorblind language of “school safety”, “behavior problems” and “discipline”. This leads to the racial funding, achievement and discipline gaps. Black males are now labeled as discipline problems and excluded from education by being suspended and expelled from schools at alarming rates (Bradshaw & Mitchell & Brennan & Leaf, 2010; Fenning & Rose, 2007; Losen & Gillespie, 2012; Losen, 2011; Skiba & Horner & Chung & Rausch & May & Tobin, 2011; Skiba & Michael & Nardo & Peterson, 2002). Achievement gaps are widening, and the children with the greatest needs of resources are being systematically underserved.

Many excuses have been offered in defense of education against claims of racism. However, an investigation of these mechanisms of racial oppression will demonstrate that Whiteness, white racial bias, and systemic racism are the true causes. By exploring each of the three mechanisms - the funding gap, the achievement gap and the discipline gap - in depth, there will be no other possible paradigm left than that of a new emergence of the same old caste system responsible for both slavery and Jim Crow law.

By denying education under slavery and providing terribly unequal education under segregation, the education system of this country has played a very clear and active role in subjugating Black Americans (Spring, 2010). The denial of education has resulted in the generational growth of a major resource gap. The first gap to be explored here is the funding gap.
Intersectionality: The Whole is Greater than its Parts

“There is no such thing as a single issue struggle because we do not live single issue lives” (Lorde, 1982).

The lens of intersectionality, conceptualized by professor and activist Kimberly Crenshaw, was born of her recognition of some blatant forms of oppression going unaddressed. Crenshaw first arrived at the need for this lens upon observing a discrimination case brought against General Motors by Black female workers. The Black women claimed they were victims of job discrimination. The courts, however, were unable to see the discrimination because it did not fall into any obvious category (Crenshaw, 2014).

General motors hired Black people, although men, for industrial jobs. General Motors also hired women, white women, for front office jobs. The court said GM was not guilty of racial discrimination, nor was it committing gender discrimination; therefore, it was not responsible for committing any discrimination, as far as they could tell (Crenshaw, 2014). Crenshaw saw the failure of the court to rule in favor of the women as a failure of the system to account for unique forms of discrimination caused by the overlap, or intersecting, of two generally recognized forms of discrimination. Crenshaw has honed her lens through work on several types of intersecting discrimination, such as anti-racist feminism, anti-racism, and gay rights (Crenshaw, 2014). Crenshaw showed with her theory that anti-oppressive activism cannot address the truly lived experiences of human beings if it approaches them from competing or mutually exclusive paradigms (Crenshaw, 1991). You cannot develop programs or policies to address the oppression of
Black females with a lens that sees their Blackness alone, yet dismisses their lives as they experience them as women (Crenshaw, 1991).

Intersectionality provides a paradigm for working with groups of oppressed people, while still allowing for their unique individual experiences of oppression to be observed and addressed (Crenshaw, 1991). Policy which does not account for intersectionality does worse than merely failing to serve those in need. Policy which lacks an intersectional lens often does even more harm by pitting oppressed groups against each other in their attempts to gain recognition and resources. It is then of the utmost importance that moving forward, we seek to explore the intersectionality of the multitude of demographically diverse students we intend to serve. Any study of the education system’s role in perpetuating systemic racism must be done through the lens of intersectionality so that the solutions which arise from it will address the realities of oppression in an effective and sensitive way. Solutions born of surface study will themselves fail to scratch the surface of oppression. Solutions born of insightful study have promise toward lasting and meaningful change. When studying oppression, insightful study demands a lens of intersectionality. When studying the oppression of individuals within a system, this means a lens of intersectionality for the multiple identifications of the individuals, as well as a lens of the intersectionality of the oppressive tools of the system.

This paper uses the theory of intersectionality in two ways: the traditional application of the lens and an adapted application. The first is the intersectionality of demographical statuses of the students affected by the three racial gaps, such as a student who identifies as Black and male and falls into the categories of economically
disadvantaged and special education. The second, an adaptation of Crenshaw’s lens, applies the theory of intersectionality to the ways the three racial gaps themselves overlap, creating additional and unique manifestations of oppression. An example of this is the experience of a student who is attending an underfunded school, along with being behind academically, and then excluded from further instruction through exclusionary discipline. This paper will also address one more oppressive intersection: the intersectionality of the demographic intersectionality and the racial gap intersectionality. This will explore the effect on students of both forms of oppression intersecting in their lives. For example, consider a Black, male, low economic status, special education student, in an underfunded school, academically behind and excluded from further instruction. The intersection of intersections creates an exponentially oppressive effect.

This first, and traditional, application of intersectionality will allow us to understand and address the unique demographic identities of students and the ways these intersect to magnify the oppression experienced. Moving through this study the reader will encounter statistics about discipline which draw special attention to the need for this lens. All students of color are more likely than their peers to receive exclusionary discipline for similar behaviors; however, for males of color, these numbers show an even greater disparity. Add to this demographic identity lower socioeconomic status, and the discipline gap continues to widen. The widest discipline gap in education is borne by Black males, in poverty, who have been identified for special education.

The second application of intersectionality used in this study is an adaptation of Crenshaw’s work. Here, I use the lens of intersectionality to understand not the intersection of identifying factors of the individual being oppressed, but instead, the
intersection of the three racial gaps responsible for actively oppressing them. This paper looks not only at how the three gaps - the funding gap, the achievement gap, and the discipline gap - negatively impact the life outcomes of people of color; it also addresses how these three build upon each other to magnify the oppressive effect. Imagine, for example, a student who begins his school career in an underfunded school with a lack of resources, underprepared educators, and overcrowded classes. This student is then taught in ways that make the learning unattainable to him, by educators who lack awareness of their own culture of dominance. This student is then excluded from the classroom at a rate many times above his peers for similar behaviors. Imagine the impact one of these racial gaps could have on a child over a lifetime. Then imagine the impact they have when all working upon the same young life.

Finally, the lens is used to view the intersectionality of these two intersections. The demographic factors which make a student vulnerable to oppression are combined with the intersection of these racial gaps. The impact is exponential in scope. The effects of all of these factors and systems working together create a ripple which becomes a wave. This wave is sadly likely to carry the child on to similar experiences in adult life. This reality demonstrates the need for policies built upon intersectionality awareness. Programs established to address one of the gaps will be utterly unsuccessful without an awareness of how they interact. Not only do the gaps interact; they draw from the same sources of systemic and internalized racism. A solution which attempts to finally dismantle the racial caste system needs to be able to hit all oppressive systems at once and at the root. Intersectionality is the theory which allows us to develop those solutions.
CHAPTER III
THE RACIAL FUNDING GAP IN EDUCATION

“Most academic studies of school finance, sooner or later ask the question: “How can we achieve more equity in education in America?” a variation of the question is a bit more circumspect: “How can we achieve both equity and excellence in education?” both questions, however, seem to value equity as a desired goal. But when the recommendations of such studies are examined, and when we look as well at the solutions that innumerable commissions have proposed, we realize that they do not quite mean “equity” that they seldom asked for “equity.” What they mean, what they prescribe, is something that resembles equity but never reaches it: something close enough to equity to silence criticism by approximating justice, but far enough from equity to guarantee the benefits enjoyed by privilege. The differences are justified by telling us that equity must always be “approximate” and cannot possibly be perfect. But the imperfection falls almost in every case to the advantage of the privileged.” (Kozol, 1991, 175)

What is the purpose of a public education system? Is it to provide an equal education to all students? Is the purpose to prepare all students for future success in life? Or is the purpose to provide these advantages to some while denying them to others? Is the purpose of the education system in the United States of America to provide an unequal education to children, which perpetuates socioeconomic and racial inequalities?

While at first it may seem that the answers to these questions are obvious and support the idea of an equal education for all, a deeper investigation into the policies of the current education system will draw attention to the large disparity between a true understanding of the system and how that system is practically applied in today’s educational climate. How has this disparity developed? Who is responsible
In a 2011 article titled, “Consuming the Public School,” David Labaree suggested that the public education system in the United States has developed, through both government reforms and pressure from the consumer, into an intricate system which serves to simultaneously offer access to all students while allowing powerful members of society to provide advantages to their own children (Labaree, 2011). While it is true that wealthy consumers are better able to lobby for their own interests, an investigation into the reality that the access, advantage, and equality problem in public schools goes far beyond individual parents’ attempts to provide advantages for their own children.

When school funds are derived locally through property tax, it perpetuates a cycle of wealth hoarding by those in the highest socioeconomic level. By keeping lower social class citizens struggling in intergenerational poverty, instead of leveling the playing field as public education is supposed to do, the public education system of today actually widens the gap between the richest and poorest people in the nation. Further complicating the issue is the fact that in this nation, when one speaks of problems affecting impoverished citizens, one is also speaking of race. This is due to the high correlation between poverty and racial minority status (National Poverty Center, 2012; Hamilton, 2009). According to the 2013 United States Census Bureau report, while white Americans made up 62.4% of the total population they accounted for only 41.5% of Americans living in poverty. That means that 58.5% of people living in poverty in the United States were people of color. 9.6% of white Americans were living in poverty compared to 23.5% of Hispanic Americans and 27.2% of Black Americans (DeNavas-Walt & Proctor, 2014).
Due to this high correlation between poverty and race, when a system is negatively impacting impoverished Americans, it is negatively impacting people of color more heavily than white Americans. The school funding system in the state of Ohio, a system negatively impacting impoverished Ohioans, has been declared unconstitutional several times but is still in use today (Kenyon, 2007). Although Ohio’s property tax-based funding may at first appear to be a matter of individual citizens exerting greater influence in an attempt to allow greater advantages for their own children, when the state ignores the court’s ruling, it becomes a clear form of government supported caste. Again, due to the high correlation between class and race in the United States, this is a racial caste system. When the laws that are meant to ensure equality to all citizens are being employed for the purpose of creating and perpetuating inequality, and when the lawmakers and enforcers are unable or unwilling to enforce the laws, one must ask: what is the purpose of our education system? When Freire’s theory of education as a vehicle for either liberation or the continuation of oppression is considered, to which end is our system working?

Follow the money in this country and it becomes clear: higher home values lead to larger tax revenue, so property tax-based school funding is allowing the wealthy to put an amount of money many times more than their less well-off counterparts into the education of their own children (Miller & Epstein, 2011). Money equals resources in education; resources equal student performance and success. That success leads to academic aspirations. Those same aspirations lead to educational attainment, and educational attainment gives way to career attainment, salary level, and quality of life.
Not only is this system keeping the wealth in the hands of the wealthy, it is actually expanding the gap between the two. According to the U.S. Census Bureau, from 2007 to 2011 the poverty rate among white Americans was 11.6%. This had dropped significantly by the 2013 report to a rate of 9.6%. The poverty rate for Black Americans, however, grew over this same time period from a rate of 25.8% to 27.6% (Mayer, 2002; DeNavas-Walt & Proctor, 2014). When one follows the money in this way, it becomes clear that through an individual desire to provide a greater advantage for one’s children, combined with the active contribution and passive neglect of our government, the public education system in the United States has become a tool for class warfare: the systematic attack by the wealthy on the poor, with the goal of keeping the rich rich and the poor poor, while allowing those with money to have a relatively higher standard of living.

In a war there will be winners, and there will be losers. Due to the high correlation between poverty and race in this country, following the money through this intergenerational systematic thievery will also lay clear the reality of education as a vehicle for minority oppression. The overrepresentation of minorities in the lowest socioeconomic level in the United States means that when a discussion is about poverty, it is also about race (DeNavas-Walt & Proctor, 2014). Arguments against this type of statement will profess that today’s citizens live in a post-race society and that the issue is simply economic. An investigation into where the money truly goes will uncover the reality of the role that public education is playing in the new racial caste system in the United States today. Through a clear explanation of property tax-based funding and an in-depth examination of the relationship between money, resources, academic success and
aspirations, and how these lead to educational and career attainment, the role public education plays in intergenerational class warfare will be exposed.

School funding in the United States is derived at three levels. The federal government provides the smallest percentage, which is usually less than ten percent. The other two sources are state and local funding. The majority of school funding is derived at the local level. Local school revenue is primarily obtained through the system of property taxation. Property tax is a tax tied to land and real estate value. Home and property owners pay a percentage of the value of their holdings to the school district they live in, so districts with homes that are appraised at a higher value receive more funding from the local level (Kenyon, 2007). The more expensive the home, the more the taxpayer contributes to the school district. In some cases, the disparity between funding created by this system can be ten times more funds per pupil in the wealthier districts compared to the most impoverished (Darling-Hammond, 1998). Children born into poverty already start school at a disadvantaged position compared to their wealthy peers. The realities of impoverished neighborhoods, such as lack of good nutrition and early educational experiences, create in these students who receive consistently less a far greater need for educational support (Ladd & Fisk, 2011).

The overreliance of school funding on property value, however, means that these children will get less when in need of more (Mayer, 2002). This establishes a cycle of poverty through many generations. Children who are born in impoverished families are likely to live in areas with houses and properties that do not have high values. The taxes on these properties are therefore lower, which means fewer dollars go to support the
schools. In education, money equals resources. Resources are things like teachers, curriculum, supplies, buildings and support staff (Darling-Hammond, 1998).

For example, I graduated from a high school in northeastern Ohio, with a student population from majority upper-middle to upper socioeconomic class families. In the schools, there were top of the line resources. From computer labs with brand new computers to science labs and more art supplies than students could ever hope to use, this high school, funded primarily by the property taxes on million dollar homes, left the student body no wishes for the resources needed to succeed. Upon leaving high school and graduating from college with my teaching license, I took a job in a bordering urban school district. Again, funded by the property taxes of its primarily low socioeconomic population, the high school was overcrowded and under-supplied with resources. As a teacher, I was frequently unable to provide my students with even the most basic supplies. The schools were less than ten miles away but a world apart.

When schools are funded in this way, children who begin life at a disadvantage are sent to schools with fewer resources available to support their educational success. Over the years, the wealthy children are given many more resources which leads to higher levels of success in school while poor children fall further and further behind (Darling-Hammond, 1998). Students who experience lower levels of success and higher levels of failure develop lower academic aspirations (Stewart & Stewart & Simmons, 2007). Years of performing below the standards and receiving less support will cause students to devalue education and make them less likely to believe in education as a means of social advancement (Darling-Hammond, 1998). While wealthy children receive all available resources and continue to succeed at high levels and develop belief systems
about the importance and attainability of higher education, impoverished students are more likely to give up on education, drop out of school, and miss out on higher educational experiences (Stewart & Stewart & Simons, 2007).

Graduating from high school and attending institutions of higher education are clear forms of educational attainment. It has been shown that educational attainment, such as a high school diploma and college degree, will lead to future career attainment (Stewart & Stewart & Simons, 2007). In 2005, the employment rate for a Black male high school dropout was only 33%. With a high school degree this number rose to 57%. A four year college degree had an even greater impact, raising the employment rate among Black males in this age group to 86% (Sum& Khatiwa& McLaughlin& Tobar, 2007). Masters degrees and doctoral degrees further a student’s ability to achieve prestigious careers and higher levels of salary and compensation. When children of poverty begin their educational lives behind wealthy peers and are given less instead of more, a system of failure and lower educational and career attainment is set in place. The cycle will begin again and, generation to generation, the money and opportunity will stay in the hands of the wealthy.

When the system of funding is viewed in this way, it becomes clear that public education is perpetuating the gap between the rich and the poor. What possible excuse could there be for the continuation of such an unjust system? Supporters of property tax-based school funding purport that there is no direct correlation between money and educational attainment. Where do they claim the chain of causation breaks down? Their argument is that the amount of money spent on resources does not affect the quality of education received by students. They do not see a correlation between resources and
student success. They assert that the causes for student failure in lower socioeconomic districts are instead related to cultural and family value differences (Darling-Hammond, 1998). Studies point directly to resources such as fewer pupils per teacher, better qualified and more prepared teachers, and challenging curriculum as the strongest predictors of student success (Darling-Hammond, 1998). The reality is that resources do lead directly to student success or failure.

Furthermore, beyond this truth lies a deeper problem than a simple perpetuation of the wealth gap. The disparity in teacher preparation between high and low socioeconomic school districts plays such an extreme role in the future educational and career attainment of students that it is actually widening the gap and moving families out of the middle class and into poverty over generations of public education (Mayer, 2002). Public education, with its drastically unequal distribution of resources, is playing an active role in taking more money from lower income families and placing it in the pockets of the already very wealthy members of society (Mayer, 2002). This act of taking from the poor and giving to the wealthy is an act of class warfare.

The chain of cause and effect establishing the role that disproportionate funding of public education plays in government-sanctioned class warfare has been laid out. Through explaining the high correlation between poverty and race in the United States, a troubling reality will be exposed; when a system of funding which favors the wealthy over impoverished in this country is allowed to continue, the result goes deeper than economics. Due to this high correlation between class and race, policies which disfavor poor Americans disfavor Americans of color. Systematic racism and the perpetuation of
the racial caste system are the underlying causes of the existence of such crippling inequalities.

Due to one of the effects of class warfare, the movement of families from the middle class to the lowest socioeconomic level, the poverty rate in 2010 was the highest it has been in nearly a decade and higher than it was in 1960 (National Poverty Center, 2012). Over fifteen percent of all persons in this country fell under the poverty line in 2010. While this statistic does draw attention to the general problem of poverty in the United States, it masks a considerable disparity between the poverty rates of various ethnicities. According to the U. S. Census Bureau, in 2013, while only 9.6 percent of white Americans fell below the poverty line, that number was 27.2 percent for Black and 23.5 percent for Hispanic Americans (DeNavas-Walt & Proctor, 2014). Poverty impacts children at a much higher rate than adults, so the numbers for minority children in poverty are even more staggering. The percentages for children living in poverty were; 12.4, 38.2 and 35 for white, Black and Hispanic children respectively (National Poverty Center, 2012). While these numbers lay a strong foundation for the correlation between poverty and race, many more statistics are available to flesh out the argument. One contributing factor to such disparities is the disproportionate effect that recessions have on minority families. For example, during the 1999-2001 recession, median wealth for Latino and Black families fell by 27 percent and, in contrast, actually rose two percent for white families (Hamilton, 2009). There are winners and losers in all wars. These numbers illustrate the fact that in this current class warfare, white Americans are more likely to be winners, and minority families are the clear overall losers when it comes to wealth.
The claim that social institutions, such as the education system, are actively participating in perpetuating racial caste in this country is not a popular position to take among most circles of American society. Many people believe that our country has actually moved beyond racism to a colorblind, post-racial society operating simply on socioeconomic issues. Proponents of this perspective point to cultural explanations for the disparity of wealth among races, citing two common culture-based explanations: a desire for instant gratification resulting in less frugality for savings, and inferior management of assets leading to lower portfolio returns (Hamilton, 2009). An investigation of these theories lends quickly to their being disproven and, additionally, leads to the final link in the chain of government-sanctioned minority oppression through the institution of public education.

As for the first post-racial attempt at explaining the racial poverty disparity, the claim that Black Americans’ desire for instant gratification leads to lower rates of savings, it is belied by the findings of economists that Black Americans save at a slightly higher rate in regard to household income than white Americans (Hamilton, 2009). The second claim, inferior management of assets and lower portfolio returns, has been simply disproven. Studies have shown no significant differences between the asset appreciations among Americans of different races (Hamilton, 2009).

While the second claim given by post-race theorists was simply incorrect, it deserves further discussion in the context of the truth behind racial disparities in socioeconomic status and the poverty rate. A historical perspective on the connection between race and poverty can be traced all the way to the beginning of this country’s relationship with Black Americans. From the time when Africans were kidnapped and smuggled against
their will and enslaved in this country, white Americans began building their considerable wealth on the backs of minority citizens’ ancestors (Pollard, 2012). Hundreds of years of enslavement passed with whites accruing wealth and Black people having no financial gain from their horrific role in the development of the American wealth system. With the end of slavery in the United States came many more years of unfair laws, high incarceration rates, forced labor, and white terrorism against any Black property gains (Pollard, 2012) (Hamilton, 2009). The promise of forty acres and a mule, a policy that could possibly have established a foundation for Black wealth development in this country, was not actualized (Hamilton, 2009). Over the many years that white Americans were collecting property and growing wealth, Black Americans were completely left out, robbed, and used.

This treatment of Black Americans resulted in the development of a huge disparity in wealth between the two races. President Obama recently stated that a world class education is one of the best anti-poverty programs (Laracy, 2010). Given a system of truly equal education, generations of students with true equal access to academic achievement and educational attainment would have the ability to begin to close the racial wealth gap. In a free system where all citizens are educated with the same level of resources, a gap between two races should close over time. That is, however, assuming that the powerful members of society, the ones who have the majority of the wealth to begin with, do not establish a system of education specifically designed to keep that from happening.

From the time of slavery, through segregation, Jim Crow, and indentured servitude, through staggeringly disproportionate incarceration rates and harmful social programs,
the white majority in this country has found ways to oppress minorities for centuries (Ladson-Billings & Tate, 1995). The correlation between race and poverty in this country is cyclical and purposeful. The disparity in public education funding is not a product of racial disparities in wealth, but it is rather a vehicle for the continuation of and further oppression of minorities in the United States (Ladson-Billings & Tate, 1995). Race, systematic racism, and the continuation of centuries of attempts to oppress minorities are the reason such socioeconomic disparities have been allowed to function and flourish to this day in a country that claims to place so much importance on the equal rights of all citizens.

Through adaptive means which bend to social pressure but never break, the education system has played an adaptive role in perpetuating a racial wealth gap under both of the previous two systems of racial caste. Where it was illegal to educate people of color under one, legal segregation assured the continuation of the gap under the second. Under the current system, even with the law demanding it change, property-based school funding ensures the continuation and growth of the wealth gap between white and minority students.

The disparity in public school funding is one mechanism by which our education system is actively involved in the newest racial caste system. Go back to Michelle Alexander’s story about Jarvious Cotton. Imagine his great-great grandfather was a slave. The laws which made his education illegal were a part of the chattel slavery racial caste system. While those laws were done away with, the underlying system merely shifted in tactics and reemerged as a new set of laws called segregation under Jim Crow law. Under Jim Crow law, his grandfather would have received what supposed to be separate but
equal education. Looking back, it is clear that his education would have been far from equal to that of his white peers. What are the chances that Jarvious Cotton, who Alexander reports to now be unable to vote because of his felony status, a Black male in the United States of America, attended a well-funded school with a plethora of resources? While the new racial caste system looks different because it is not openly race-based, the effects on the individuals and communities affected are the same.
CHAPTER IV
THE RACIAL ACHIEVEMENT GAP IN EDUCATION

“America is failing its young Black boys. In metropolitan ghettos, rural villages and midsized townships across the country, schools have become holding tanks for populations of Black boys who have a statistically higher probability of walking the corridors of prison than the halls of college. Across America, the problem of Black male achievement seems intractable. We fail our Black sons more than any other racial or ethnic group” (Educational Testing Service, 2011).

The publication of the “Equality of Educational Opportunity Study”, also known as the Coleman Report in 1966, brought the realities of racial disparities in education to the attention of citizens and educators. In the year 2015, little has changed in regards to this gap. With the great attention paid by this and subsequent reports, such as “A Nation at Risk” in 1983, and in addition to the wealth of information studies and programs developed to address the gap, one cannot help but wonder why the inequalities have sustained.

An investigation into the problem through the lens of critical race theory and comparison with the educational systems of other European colonized countries will lay clear the depth and strength of the underlying causes of this gap. A historical perspective of racial caste in the United States, Australia, and South Africa will demonstrate the process by which this overt racism was internalized, systemized, and then made invisible through a social construct known as Whiteness, which will be demonstrated in this study. By exposing this process, it is clear how multiple attempts, based on strong theory and
backed by the best intentions, have failed time and again in the face of systemic racism, Whiteness, and liberalism, to break free of the forces of the racial caste system in this country.

Whiteness will be explored in regards to the way in which what was once legal oppression has become systemic racism, invisible to the perpetrators. While the primary concern is how Whiteness has developed and acts within the United States, here it will be used to explore the process of making the racist structure of society invisible in two other countries as well. The basis for including Australia and South Africa in this discussion is to establish the salience of the process. It is important to recognize that this persistence of racial caste continuing well beyond the end of its legal existence is a product of colonization and is, therefore, evident in several post-colonial nations.

All three of the aforementioned nations were once colonized by European countries. All three were governed under some form of legal racial oppression and a racially stratified system. South Africa’s system of apartheid was stratified with the White European colonizers on top and the Black Africans at the bottom. Australia had a system of legal oppression of its indigenous population or Aboriginals. The United States had a system of legal oppression of both its indigenous population and the population of Black Africans who were kidnapped from their homeland and brought to the country for forced enslavement.

During and after the physical colonization, the subordination of the oppressed peoples in all three of these countries was carried out through hegemony. By producing supposed scientific proof of racial superiority and rewriting historical events, the colonizing cultures created a story of both natural and earned White supremacy. In order
to oppress the other races and justify this to both the people being oppressed as well as to themselves, the white people created a story of themselves as superior. European Australians, South Africans, and Americans claimed to be civilized where the natives and enslaved populations were savage; they saw themselves as intelligent and disregarded the other populations’ knowledge as unimportant. Whites found many ways to invent an image of them as the better race, while they subjugated natives and enslaved races as the inferior “other”.

Once a society has established a group of “others”, they begin to see themselves by contrast as a unified group (Ladson-Billings, 1999). This group is white. The reality of whites ruling and oppressing the “others” begins to appear natural and normal to the group (Hickling-Hudson & Ahlquist, 2003). The exclusion of Aboriginal children in Australia, for example, appeared normal to the colonizers because of their view of the indigenous population as primitive and genetically inferior (Mazurek & Winzer, 2006). Similarly, the separate education of races within South Africa during apartheid grew directly out of the European view of other races, especially African, as fitting certain inferior roles in society (Mazurek & Winzer, 2006).

As the policies that were established to oppress the others became the norm, it gradually became unseen by the oppressors. Once the white culture, the culture of power, is fully seen as the norm and the systems of oppression are completely invisible to them, the situation can be labeled Whiteness (Green & Sonn & Matsebula, 2007; Picower, 2009). The whites are unaware of the system that is actively benefiting them at the expense of the “others”, and they believe that they are on top because they earned or deserve their place of superiority (Green & Sonn & Matsebula, 2007). It is important to
note that through this process, the non-white people also become convinced that this is the normal and natural order of the world. Therefore non-white people can also be affected by Whiteness.

When the oppressed group eventually begins, for various reasons, to gain momentum in demanding rights, it is seen as the “others” asking the normal White culture to please allow them to have some of the rights that the white culture was naturally endowed with. At the point that the oppression of these “others” is finally deemed illegal, the end of apartheid in South Africa and the Brown v. Board ruling in the United States, the way in which they have been subordinated has become deeply ingrained in the system and is invisible to whites (Cable & Mix, 2003). The people in power fail to recognize a need for systemic change, and the legal end to oppression does little to change the realities of life for the oppressed. This is the process by which the education systems in these three countries have been built with systemic racism that is invisible to the white culture (Green & Sonn & Matsebula, 2007).

The system was built by white people for the purpose of educating white people. The teaching force was, and continues to be, almost entirely white. When the “others” demand access to education, they are seen as asking for what rightfully belongs to whites. The way the schools are run, which is based on the cultural needs and desires of the white culture, is seen as the normal way to run an education system. Acceptance of the “others” into the system is perceived as giving them equal opportunity to succeed. Whiteness masks the reality that the newly integrated cultures also have viable educational needs that might not be met by the system that was designed for a different culture. When the
needs of the “others” are not met by the system, their failure is seen as evidence of their cultural deficiency.

Instead of recognition of the valuable perspectives, histories and cultures of others, the dominant culture expects the minority culture to assimilate and strive to become “normal” like them (Ladson-Billings, 1999). Failure to assimilate is viewed as proof of problems with the students as opposed to problems within the system. Children are labeled, tracked, and placed into lower and lower academic tracks. Then they are tested with culturally white tests, and this is also viewed as proof of their inferiority. Whiteness blinds people from the reality of systemic racism that is perpetuating inequalities within schools and, instead, causes them to place the blame on the communities, families, and cultures of the children. Obviously the specific histories of these three countries are varied and individual to the dynamics of their story; however, this overview demonstrates the similarities and a general outline of the process that has resulted in three education systems which are all failing their “other” children.

The achievement gaps between white and nonwhite children in these post-colonial countries are evidence of systemic racism, not evidence of cultural deficiencies of the students. However, when viewed through the lens of Whiteness, where the systemic racism is masked, well-meaning attempts at equalizing education become attempts at compensating for these imagined deficiencies (Ladson-Billings, 1999). With the process by which systemic racism is developed within post-colonial countries having been demonstrated, this chapter returns to a focus on education within the United States. An overview of several educational initiatives that have been developed for the purpose of establishing equality within the education system will demonstrate the fact that
initiatives, strong in theory and developed with the best of intentions, if constructed within the blindness of Whiteness will fail to affect real or lasting change.

For decades, well-meaning teachers have answered the call for solutions to the achievement gap. From their perspective, the system is failing minority children, and something must be done to raise their achievement. A very common refrain among educators is that racial achievement gaps are actually caused by socioeconomic realities. Although poverty clearly has an impact on educational attainment, two points demonstrate the shortcomings of this position. First is the fact that studies which control for differences in income level still show dramatic differences between white students and students of color. Second is the reality presented earlier, that there is such a strong correlation between poverty and race that when you talk about a problem that affects children of poverty, you are talking about a problem that affects minority children (Ladson-Billings & Tate, 1995).

Other reasons put forth for the achievement gap are much less helpful. Explanations based on deficient family structures, lack of cultural emphasis on education, and those which blame the children and their families do little to move the discussion forward. There have been many movements within the field of education for programs and theories that do begin to address the real causes of social inequality within schools. Theories such a cultural synchronization, community involvement, cultural immersion, and multicultural education all recognize the role that culture plays in educational achievement (Ladson-Billings, 1999). These theories call for teachers to gain a deeper understanding of the lives, experiences, beliefs, and cultural heritage of their students in order to teach to and through these qualities and begin to meet the specific needs of the
child. Multicultural education, with its emphasis on culturally relevant pedagogy, is perhaps the most promising method being promoted in the world of education today.

The underlying theory in multicultural education is that all children come to school with their own valuable cultural paradigm which, if tapped and valued within schools, can serve as a point of engagement from where the teacher can reach the child and begin to build new knowledge. More specifically, culturally relevant pedagogy insists upon the importance of teaching to and through the cultural knowledge and experience of students. This theory demonstrates the need for teachers to know their students well and for the teacher, in both method and material, to demonstrate respect for the student’s personal knowledge and experience (Ladson-Billings, 1999). While these practices are sound and hold great potential for social justice and movement towards equality, their existence within Whiteness is rendering them incapable of realizing major change.

The problem is that when teachers continue to see their own culture as the normal culture, and their current teaching practices as what works for normal children, multicultural education becomes a mere add on and concession for some of the “others” cultural heritage to be included in superficial ways. Teachers who remain blind to the systemic racism continue to believe that their own personal point of reference is best and have a tendency to incorporate multiculturalism with a haphazard approach of observing cultural holidays and adopting a few supposedly culturally relevant teaching practices (Crossley & Tikly, 2004). This leads to situations such as the one that occurred recently in a Catholic school in Wisconsin, where a Native American student was punished for speaking her native language (Smith, 2012). Lack of real historical understanding and an
ethnocentric point of view cause this type of blunder among teachers who teach within the system of hidden racism.

If teachers are not led to the realization that their cultural point of reference is merely one of many valuable belief systems, they will continue with Eurocentric paradigms and believe themselves to be fighting for equality through their acceptance of a few different ideas and practices (Green & Sonn & Matsebula, 2007; Hickling-Hudson & Ahlquist, 2003). The deeply ingrained sense of minority children as the deficient “other” will continue. The practice of labeling and tracking these children will continue (Cable & Mix, 2003). The achievement gaps will continue or widen over time. The cycle will continue, as the failure of these children to succeed within a system that is working against them is cited as evidence of their deficiency. Teachers’ efforts towards multicultural education will be viewed as simply concessions and earnest attempts towards closing the gap. The failure of children to succeed will continue to be blamed on the children, their families, and their communities, and this cycle of education will go on.

The achievement gap is caused by, perpetuated by, and acts as a mechanism in the new racial caste system in this country. The echoes within this issue of the cultural genocide through curriculum and pedagogy ring true the system’s culpability in the continuation of racial oppression. Consider again the story of Jarvious Cotton, this time through the paradigm of the achievement gap. His great great grandfather would not have had access to any educational material. With reading illegal for him at the time, he would have been shut off from gaining any perspective of his personal position within the history of his ancestors and social context. Move forward to Jarvious Cotton’s grandfather; during the brief time of reconstruction, he would have had the opportunity to
be educated in a Black school in his community in the South. In this school, he might have been given time and resources to grow immensely in his understanding of his life and experiences. After reconstruction, however, with the system of education developed by people of color taken over by white, he would have been placed in a separate and unequal school with limited opportunity for deep educational growth. Jarvious himself was likely a victim of the achievement gap which has taken on this role of denying education under the newest manifestation of the racial caste system. Placed in a school with mostly white teachers, blinded by Whiteness, he would have been viewed as a deficient other. Low test scores would have justified this view, and tracking would have exacerbated the gap.
“But we ought not find contentment in the fact that these high-profile expressions of outright bigotry seem atypical and were met with such swift condemnation. Because if we focus solely on these incidents – on outlandish statements that capture national attention and spark outrage on Facebook and Twitter – we are likely to miss the more hidden, and more troubling, reality behind the headlines. These outbursts of bigotry, while deplorable, are not the true markers of the struggle that still must be waged, or the work that still needs to be done – because the greatest threats do not announce themselves in screaming headlines. They are more subtle. They cut deeper. And their terrible impact endures long after the headlines have faded and obvious, ignorant expressions of hatred have been marginalized. Nor does the greatest threat to equal opportunity any longer reside in overtly discriminatory statutes like the “separate but equal” laws of 60 years ago. Since the era of Brown, laws making classifications based on race have been subjected to a legal standard known as “strict scrutiny.” Almost invariably, these statutes, when tested, fail to pass constitutional muster. But there are other policies that too easily escape such scrutiny because they have the appearance of being race-neutral. Their impacts, however, are anything but. This is the concern we must contend with today: policies that impede equal opportunity in fact, if not in form. Codified segregation of public schools has been barred since Brown. But in too many of our school districts, significant divisions persist and segregation has reoccurred – including zero-tolerance school discipline practices that, while well-intentioned and aimed at promoting school safety, affect black males at a rate three times higher than their white peers.” (Holder, 2014)

As Michelle Alexander demonstrates in her work about the criminal justice systems, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*, colorblind language and implicit racial bias have resulted in the mass incarceration of millions of black males (Alexander, 2012). This chapter will inquire into how schools across America play their roles in the new racial caste system by using the same
language and bias to deny equal education to Black males by removing them from the classrooms and schools with exclusionary discipline, at rates many times higher than those of their white peers. Statistical data will demonstrate the state of affairs in schools today, and an investigation of various other explanations will show that implicit racial bias and systemic racism are to blame for the continuation of a racial caste system perpetuated by our schools.

The overrepresentation of students of color males in school discipline, along with the known outcomes of such exclusion, proves to be a redesigned continuation of prior systems of racial control. By labeling these children as “behavior problems”, schools are able to discriminate against them in the same way that Black children were once discriminated against under the previous two caste systems. Just as the criminal justice system labels Black males as criminals – and thus gaining societal permission to deny them many basic human rights – our education system labels as behavior problems and then denies students of color, especially Black children, the opportunity for an education, academic attainment, and future career success, as well as putting them on the track towards permanent involvement in the criminal justice system (Skiba & Michael & Nardo & Peterson, 2002; Skiba & Horner & Chung & Rausch & May & Tobin, 2011).

An exploration of Samuel Muhammad’s book, “The condemnation of Blackness: Race, crime, and the making of modern urban America,” will provide the historical basis for the link between Blackness and criminality, which is presently used to exploit our colorblind view of society. Muhammad focuses primarily on the time period in the United States between 1890 and 1940. Through his use of census data, crime statistics, and the sociological writings of the time, the author demonstrates how Whiteness
became a privilege afforded to ethnically diverse immigrant groups through the creation of Blackness as the signifier of the other. As examined earlier, immigrants were afforded excuses for criminal behavior based on social interpretations, such as a lack of education and resources, as well as life in poverty, while Black Americans were stigmatized as either racially inferior or culturally inferior, with no recognition of social responsibility (Muhammad, 2010).

Muhammad’s demonstration discussed earlier of the tying of criminality to Blackness again becomes meaningful in this discussion. His investigation into how liberals attempts to shift from a genetic to cultural explanation only further deepened the connection, here helps us understand how educators in the current system view issues affecting Black students. While white students with behavior issues are seen through a mental health paradigm, Black students are labeled at aggressive due to their social environment.

It is this cultural interpretation which still guides most Americans’ understanding today. While educators view non-Black students’ crime in terms of social problems such as poverty and education – problems which society can address through social programs – Black wrongdoing is viewed as a result of Black culture. It is considered a waste of resources to address Black wrongdoing by any means other than punitive measures. Black students were seen as behavior problems. The behavior statistics, in most educators’ minds, simply justify the racial discipline gap. This is the same process used to justify the racial gap in the criminal justice system.

Michelle Alexander shows readers how this historical link between race and crime has been exploited in the creation of a new social control and racial caste system in three
major ways. First, Alexander demonstrates how politicians from Nixon through Clinton capitalized on racist White sentiment in the country by running campaigns based on getting tough on crime. These campaigns, such as Reagan’s “war on crime” or Clinton’s “three strikes and you’re out,” used race neutral language while relying on the deeply ingrained connection in the American people’s minds between race and crime. These campaigns severely escalated the process of filling prisons with Black males (Alexander, 2010). Alexander then clearly explains the many similarities between mass incarceration and Jim Crow law. From the systematic exclusion of Black people from employment to housing, Black male “criminals” are now discriminated against in exactly the same ways all Black people were once discriminated against under Jim Crow (Alexander, 2010). Through the same process, schools in the United States are now playing an active role in what Michelle Alexander has called, “The new Jim Crow.”

The racial gap in exclusionary school discipline is not a new phenomenon. The gap has been demonstrated through research for over thirty years. Brought to light in the 1970’s, Black males were, at that time, twice as likely to be recipients of exclusionary discipline as were their white peers (Losen & Gillespie, 2012). This number has now been documented in several studies to be as many as three or more times as likely (Bradshaw& Mitchell & Brennan& Leaf, 2010) (Losen & Gillespie, 2012; Fenning & Rose, 2007). A recent headline in the Huffington Post exclaimed, “School 'Discipline Gap' Explodes As 1 In 4 Black Students Suspended.” This headline, in response to the Center for Civil Rights Remedies investigation into the issue, demonstrates the fact that thirty-plus years of knowledge about the gap has not resulted in a solution (Huffington Post, 2013).
The gap is continuing to grow, regardless of the numerous studies demonstrating the disparate impact of school discipline policies. Study after study have demonstrated the fact that Black males are several times as likely to be referred to the office for behavior problems by a teacher in the first place, and to be given much harsher consequences by principals upon their arrival in the office. The above mentioned study found that across the nation, Black males were suspended at least once in the school year at a rate of one out of six in comparison to their white peers, with a rate of only one out of twenty (Losen & Gillespie, 2012). The same study cautions readers to keep in mind that many of these students are being suspended two, three, or more times and only being represented in the study once.

The recent research released by the Federal Justice and Education Departments confirms years of data about a national discipline gap. Their report shows that Black students without disabilities are more than three times as likely as their white peers to receive exclusionary discipline. The same report found that while Black students make up only fifteen percent of the population, they account for thirty five percent of those suspended and forty four percent of those suspended more than once (U. S. Department of Justice & U. S. Department of Education, 2014). In the small urban school district in Northeast Ohio where I have taught for nine years, the data shows similar trends. In the 2011-2012 school year, Black male students, who made up seventeen percent of the student population, received 36 percent of the exclusionary discipline, while their white male peers accounted for nineteen percent of the population and only 18 percent of the same level of discipline. If the problem has been sufficiently proven, why has it been
allowed to continue and flourish? The answer may lie in the many supposed causes that have been proposed for the issue.

The reaction, or lack thereof, of society to the racial discipline gap in schools can be expected to depend on the cause it is assigned. If our society can explain the gap in a way in which either the students themselves, the parents, or an uncontrollable phenomenon are to blame, then society will not see the need to address the situation. Therefore, to understand why the gap continues to grow as most of our country sits by and idly watches, we must consider the various causes that have been offered. Next, to fully grasp where responsibility for this issue does lie, the reality of each proposed cause must be faced head on, and society must move on to a truthful, honest, and realistic appraisal of the root of the problem.

Throughout much of the history of this nation’s knowledge of the gap, one explanation has been offered repeatedly. Because of the high correlation between race and poverty in the United States, and the knowledge that low socioeconomic status is related to higher rates of discipline in schools, many people are satisfied with the reasoning that the overrepresentation of black males in school discipline is merely an overrepresentation of students from low socioeconomic status (Bradshaw & Mitchell & Brennan & Leaf, 2010; Fenning & Rose, 2007; Losen & Gillespie, 2012; Losen, 2011; Skiba & Michael & Nardo & Peterson, 2002; Skiba & Horner & Chung & Rausch & May & Tobin, 2011). This explanation may at first seem logical, and many will be content to consider the case closed and move on. However, advanced statistical calculations have proven beyond a doubt that this is an unrealistic explanation. In studies that have accounted for socioeconomic status in their handling of the data, the
intersection of race and gender are still the number one predictor of a student’s likelihood to be suspended from school. While socioeconomic status is also a good predictor, it alone does not nearly account for the gap (Bradshaw & Mitchell & Brennan & Leaf, 2010; Skiba & Michael & Nardo & Peterson, 2002; Skiba & Horner & Chung & Rausch & May & Tobin, 2011).

The next proposed cause for the overrepresentation of black males in school discipline is also a common reaction by white Americans when introduced to the data. It is the belief that the data simply reflect a higher rate of negative behavior of Black males in comparison to their white peers (Bradshaw & Mitchell & Brennan & Leaf, 2010; Bradshaw & Mitchell & Brennan & Leaf, 2010; Fenning & Rose, 2007; Losen & Gillespie, 2012; Losen, 2011; Skiba & Michael & Nardo & Peterson, 2002; Skiba & Horner & Chung & Rausch & May & Tobin, 2011). Studies which have investigated the actual levels of misbehavior in white and Black students repeatedly demonstrate no difference in behavior among these two groups. If any difference is detected, it is that white males are actually more likely to commit severe discipline infractions in school (Bradshaw & Mitchell & Brennan & Leaf, 2010; Skiba & Michael & Nardo & Peterson, 2002; Skiba & Horner & Chung & Rausch & May & Tobin, 2011).

A third cause for the racial discipline gap that has been proposed by educators is that there is a cultural mismatch between the teachers and the students. Most of the teaching staff in the United States is comprised of white, middle class females. According to this theory, Black males, often from a culture of poverty, are not culturally matched to their teachers. Therefore, their behaviors are misunderstood by educators who mistakenly perceive normal patterns of behavior as threatening or aggressive.
(Bradshaw & Mitchell & Brennan & Leaf, 2010; Fenning & Rose, 2007; Losen & Gillespie, 2012; Losen, 2011; Skiba & Michael & Nardo & Peterson, 2002; Skiba & Horner & Chung & Rausch & May & Tobin, 2011). The absence of Black males in the classroom and other areas in today’s education system is a reality, and it does indeed have negative consequences for all children, as well as the system itself. However, research does not support the notion that a cultural mismatch between white female teachers and Black male students is sufficient to explain the discipline gap. While test scores have been shown to increase with a same race teacher, no significant difference in the level of overrepresentation in discipline by Black males has been found when teachers of the same race are in the classroom (Bradshaw & Mitchell & Brennan & Leaf, 2010; Skiba & Michael & Nardo & Peterson, 2002; Skiba & Horner & Chung & Rausch & May & Tobin, 2011). Aside from being overly simplistic in the suggestion that teachers of similar or different races must automatically share or not share the same culture, this explanation does not hold statistical weight.

With these commonly provided explanations discounted, it is time to explore the reality of the discipline gap. What is really at the root of this racial disparity? Answering this question requires a discussion of several related concepts: white supremacy, Whiteness, colorblind policy, implicit racial bias, and an exploration of the ways these concepts interact day in and day out in schools across America.

The United States of America was founded on the ideals of white supremacy (Bell, 2004; Siegel, 1997; Spring, 2010). Our Founding Fathers understood at the time that the Constitution was written that the rights of all men were equally important, except for the rights of those men who were not white. The horrific institution of slavery
was to be protected by the Constitution – a document purportedly designed to promote freedom and equality (Siegel, 1997). In order for the founders and early Americans to justify this contradiction, Black Americans had to be relegated to a status of less than human.

Throughout history, oppressing groups have justified their inhumane actions toward the oppressed by developing a national belief in the inferiority of those people (Siegel, 1997; Wise, 2010). In this nation, this belief system is best characterized as white supremacy. Whites in America developed a narrative for their own benefit in which Black Americans were inferior and savage, uncivilized, and incapable of participating in a democratic society. The whites developed a belief in the oppression of Black people as being for their own good. They believed they were dominating the oppressed because it was right and natural. Furthermore, as the elite whites in this country faced challenges to their status from the growing numbers of Black Americans and poor whites, this narrative of white supremacy became more than a national belief system. It became a bargaining chip.

The notion of white supremacy was used by elite whites to strike racial deals with impoverished whites. If poor white Americans would support the elite status of their rich peers, they would be afforded a permanent position in society that was not at the bottom of the ladder. They would be above at least one other group: Black Americans. Impoverished whites would be allowed to benefit from merely their own whiteness and hold a place in society that was not at the bottom simply because they all agreed to keep Black Americans below them. This style of racial compromise has been used several times in the history of the United States. Each time the white underclass became restless
and threatened the dominant upper white class’s position, both groups entered into a compromise which gave poor whites some form of status and support which was in turn denied to Black Americans (Bell, 2004; Siegel, 1997; Spring, 2010).

From the institution of slavery itself, through segregation and the New Deal, white Americans kept themselves on top by protecting poor whites position one up from the bottom (Bell, 2004). By this process, whiteness itself has become a form of property over which even the poorest whites can claim superiority (Wise, 2010). This whiteness has also become a sanctuary from reality. By membership in the favored race, whites are able to view their own experiences, beliefs, and paradigms as the natural and universal set of norms and experiences (Alexander, 2012; Bell, 2004). All people whose experiences do not match up with this norm are cast as the “other”, and they are disregarded in considerations of the state of the nation, or, worse, are blamed themselves for failing to live up to this false standard of “normality”.

Whiteness allows whites to claim that the nation is based on equality while actively oppressing an entire group of individuals. Whiteness allows whites to make political decisions which benefit themselves on the backs of the “others,” while claiming to espouse democratic ideals. Whiteness is responsible for the fact that in 1962, the year before the Civil Rights March on Washington took place, ninety percent of white people surveyed by Gallup responded to the following question with a yes: “Do you think that black children receive equal educational opportunities in your community?” In 1962, ninety percent of white Americans believed black children were receiving an equal education (Wise, 2008). If this same question about the conditions in 1962 is asked today, most whites easily provide the answer that no, in fact, education in 1962 was not
equal. What does this say about the state of things today? Most white Americans today believe that education has been equal ever since schools were desegregated. Does the belief of the majority of white Americans in the equality of schools today mean that it is a reality? Or is it possible that we today are as disconnected from the reality of our time as our ancestors once were from the reality of theirs?

The year 1962 was not such a long time ago. While the changing times have made blatant outspoken racism unacceptable in most social circles, and the ingrained white supremacy and the blinding Whiteness demonstrated by the poll participants in 1962 might not be as obvious in white Americans today, research shows us that it has not disappeared. White Americans’ belief in white supremacy, and therefore their belief in the opposite and negative qualities in Black Americans, has merely shifted inward to what is referred to as implicit racial bias.

Numerous studies have demonstrated that although few whites openly express racist thoughts, their subconscious thoughts guiding their behaviors reveal the truth of their bias. Racial bias is best illustrated by white Americans reactions to such statements such as, “imagine a drug criminal.” Most people, upon hearing this command, will inevitably imagine a Black male (Wise, 2010). No information was given about the criminal that should cause the image to be of any specific color; however, in today’s society, the idea of criminality has been so successfully linked to Blackness that it creates information where there is none. Another example of racial bias is demonstrated by showing videos of physical altercations in which both a Black male and white male are equally responsible for the aggression. When asked to recall the video later, most
white Americans will remember the Black male as the aggressor, even when this was not the case.

Having taught in the system for nine years, I have personally witnessed this internalized racial bias expressed through the disciplinary decision making of many teachers. I once put myself between a very angry white female teacher and an equally angry eleven year old Black male. The teacher was screaming and shouting about something which I cannot remember. The student seemed confused and angry. He was asking for clarification as to why he was being kicked out of the classroom, and she responded by screaming at him to leave. I gently pressed back on the child until he was out of the room without any incident. When I later found out what the consequences for the child were to be, I was quite surprised to find out that the teacher had written him up, in addition to whatever the original infraction had been, for shaking his fist at her in a threatening way. Now remember, I had been between them the entire time and I had been facing the student. At no point did he ever raise his fist to her or anything even remotely resembling a threatening gesture. The sad reality is, because of her internalized racial bias, she might actually have believed her own lie. She may have remembered the imagined threat as though it was real based on her implicit beliefs of Black males as aggressive and violent.

This type of racial bias is played out day after day in classrooms across the United States. On a different occasion, I observed as a white female teacher dragged a kicking, screaming, frustrated, scared, angry, eight year old Black male down the hallway. As she maneuvered him angrily towards the office, he flailed his limbs erratically with no intention to hit her. Before I had the opportunity to step in and deescalate the situation,
she exclaimed to the young man, “If you hit me I am going to call the cops!” I have to admit that even at the time this occurred, my instincts told me her overreaction may have been fueled by racial bias. However, the next day, any doubt was erased. Less than twenty four hours after this event, I watched as the same teacher carried a white female student down the hallway, calmly saying to her words of kindness and encouragement. The girl was actually physically attacking the teacher. The day after threatening to call the cops on a child not physically causing her harm, she made no such threats to the one actually doing so.

It is the disciplinary decisions based on such biases that add up to create the wide racial discipline gap. To better understand how this process works, an investigation must be made into the types of discipline issues for which Black males are being punished. Both Black and white males are disciplined equally for severe behavior issues, such as weapon and drug possession. The types of infractions which account for the large numbers of Black male discipline statistics – disrespect and insubordination – are less severe and far more subjective (Bradshaw & Mitchell & Brennan & Leaf, 2010; Fenning & Rose, 2007; Losen & Gillespie, 2012; Losen, 2011; Skiba & Michael & Nardo & Peterson, 2002; Skiba & Horner & Chung & Rausch & May & Tobin, 2011). Because studies demonstrate that Black and white males have similar levels of actual misbehavior, it is clear that the over-discipline of Black males for these minor infractions is due to the racial bias of their teachers (Bradshaw & Mitchell & Brennan & Leaf, 2010; Skiba & Michael & Nardo & Peterson, 2002; Skiba & Horner & Chung & Rausch & May & Tobin, 2011).
Although most educators do not espouse racist ideals, the administration of office referrals for these subjective issues at such high rates for Black students in light of the actual behavioral equality between Black and white students speaks for itself. In addition to office referrals, Black males have also been repeatedly shown to receive harsher punishments at the principal level for the exact same behaviors as their white peers (Bradshaw & Mitchell & Brennan & Leaf, 2010; Fenning & Rose, 2007; Losen & Gillespie, 2012; Losen, 2011; Skiba & Michael & Nardo & Peterson, 2002; Skiba & Horner & Chung & Rausch & May & Tobin, 2011).

Race is the number one determining factor in school discipline. It is clear that the cause lies in educators’ racial bias. What remains to be demonstrated is how this racial discipline gap is a continuation of past educational discrimination and how it is functioning in the new racial caste system in this country.

As discussed earlier, the previous two caste systems, for varying reasons and through shifting tactics, functioned both through and for the purpose of denying education to African Americans. Although it is no longer legal or socially acceptable to deny education to anyone on the basis of race, the result of this subjective overrepresentation of Black males in exclusionary discipline, though through different means, has the same result. The consequences of suspension and expulsion being delivered at alarming rates are that Black males are spending increasing numbers of days barred from their supposed right to an education (Losen & Gillespie, 2012). What makes this a clear form of racial oppression, to the point of being seen as a contributing factor in the new racial caste system, is the devastating impact this legal removal from school is having on the children's futures.
What makes the removal of Black males from school through exclusionary discipline a civil rights and human rights issue are the long term devastating consequences borne by the children. Exclusionary discipline increases a student’s chances of dropping out of school (Bradshaw & Mitchell & Brennan & Leaf, 2010; Fenning & Rose, 2007; Losen & Gillespie, 2012; Losen, 2011; Skiba & Michael & Nardo & Peterson, 2002; Skiba & Horner & Chung & Rausch & May & Tobin, 2011). Suspension and expulsion reduce academic attainment. These forms of discipline are connected to lower career attainment throughout one’s lifetime. Involvement with exclusionary school discipline greatly increases a student’s risk of future involvement with the criminal justice system (Bradshaw & Mitchell & Brennan & Leaf, 2010; Fenning & Rose, 2007; Losen & Gillespie, 2012; Losen, 2011; Skiba & Michael & Nardo & Peterson, 2002; Skiba & Horner & Chung & Rausch & May & Tobin, 2011).

When considering the results of this method of discipline in connection with the fact that Black males are receiving punishment at many times the level and of their white peers, it is obvious that school discipline is acting to deny education and future economic success to Black males. Our colorblind language of zero tolerance in school is allowing teachers to pick and choose which subjective infractions will be met with a referral for discipline. The internalized racism of both teachers and administrators is resulting in a wide gap between the actual numbers of Black and white males receiving exclusionary discipline. As this process accumulates over time and across the nation, the result is the denial of education and career attainment to vast numbers of already underprivileged members of society. What appears on the surface to be a natural
consequence of misbehavior, under closer scrutiny, reveals itself as another active player in the continued oppression of a historically oppressed people.

In the same method as our criminal justice system operates, school discipline language is racially neutral and colorblind. The rules against disrespect are not themselves racist. It is the combination of the personal racial bias of teachers and administrators, along with their Whiteness, that allows colorblind policy to be used as a means of racial oppression without the complicit knowledge of those involved. It is important to note that most educators do not wish to be a part of a racial caste system, actively oppressing Black males. This does not change the reality of the outcomes. The racial disparity in school discipline has been proven beyond a doubt (Bradshaw & Mitchell & Brennan & Leaf, 2010; Fenning & Rose, 2007; Losen & Gillespie, 2012; Losen, 2011; Skiba & Michael & Nardo & Peterson, 2002; Skiba & Horner & Chung & Rausch & May & Tobin, 2011). The racial bias, colorblind language, and blinding Whiteness responsible are beginning to be exposed.

Another important factor in this discussion has also become a popular educational focus. The reality of exclusionary school discipline is that it does not even accomplish its supposed purpose of making schools safer and more conducive to learning. Many studies have demonstrated the failure of zero tolerance and exclusionary discipline in decreasing behavior problems or increasing student learning (Losen & Gillespie, 2012). New forms of positive behavior interventions are proving to be far more productive alternatives. Teacher education programs focused on these new methods are, in fact, creating safer schools and decreasing the racial gap to some degree. This is not, however, the ultimate solution to the racial disparity in education. It is extremely
important that as we as a country are forced to face the reality of inequality in our schools, we are also forced to face the reality of our own implicit racism and its role in the oppressive system. If there is merely a fix in the obvious symptom of the racial caste system, the overrepresentation of Black males in school discipline, without exposing and studying the historical reality of previous systems, this new system will merely transform into another, more deeply disguised version (Siegel, 1997). We must become painfully honest with ourselves and our own internalized racism. We must confront the demons within if we ever wish to destroy the deeply ingrained white supremacy ultimately responsible for the continuation of a racial caste system being perpetrated and perpetuated through the current education system.
CHAPTER VI

CONCLUSION

Why Should You Care?

Interest Convergence, a Civil Rights Issue, Society, and the Law

“If you have come here to help me, you are wasting your time. But if you have come because your liberation is bound up with mine, then let us work together.” (Watson, 1985)

Why should you care? I ask this question primarily to my white readers for two reasons. First, for most readers of color, the answers to this question are both unending and so obvious as to make the asking unnecessary. Second, one result of the systemic racism so far explored, is a disproportionate number of white educators and policy makers in positions of power. It is a common misconception among white people that racism is an issue that must be addressed by the people of color being negatively impacted by it. The reality is that racism in all forms is a white issue. It is white Americans, the ones positively impacted by centuries of systemic racism, who are both responsible for and disproportionately empowered to address these injustices and inequities.

This study has demonstrated which of Freire’s two possible roles our education system is performing, however, while we say the system is performing this role of oppression; a system is nothing without the people who fill the roles within it. The
education system is founded upon history, law, tradition, and vision, yet without the teachers, administrators, and policy makers who fill the ranks, it would cease to exist. It is then upon the individuals in these roles that the responsibility for the system's impact falls. Therefore, if the system is actively perpetuating systemic racism, the continuation of this reality rests on the shoulders of each individual working in the system. Again, because of the history of racism within this system, most of these individuals are white.

Many members of society are, at this point, moved to agreement that action is needed if not to the point of actually taking that action. For these individuals, a clear understanding of the negative outcomes experienced by the victims of this oppressive system is sufficient to cause this shift. It is true that at the time of the Brown v Board, ruling many Americans were equally swayed by the evidence of psychological harm borne by the victims of the previous racial caste system of segregation (Bell, 1980). It is also true, however, that the change in perception due to such knowledge was not sufficient to explain the court decision in favor of desegregation. Previous cases also offered such compelling evidence yet failed to result in rulings striking down segregation (Bell, 1980).

Critical race scholar, Derrick Bell, demonstrated in his work, that there were stronger forces that actually lead to the decision to desegregate schools. Interest convergence is a theory put forth by Bell, which explains how the interests of white Americans must converge with those of Americans of color for change benefitting the latter to be enacted (Bell, 1980). In the case of desegregation, it was white American’s interest in their image abroad during World War II that converged with Black American’s interest in equality in education. The fight against Communism during WWII required social propaganda that
presented America as a true land of liberty and justice for all (Bell, 1980). Segregation
and legal government sanctioned inequality made this a hard image to maintain. Bell
showed that it was this desire to win the minds and hearts of emerging nations that
motivated the dismantling of legal segregation (Bell, 1980). He also demonstrates how,
over time, after the Brown ruling and the end of World War II, the interests of white and
Black Americans moved again away from each other. This divergence of interests
resulted in decades of slow moving action, appeals, and legal backsliding on the ruling
(Bell, 1980).

I seek here to inspire the individuals who have the power to demand and work
towards change. I offer three angles from which one might be impacted to act against the
continuation of oppression by our education system. Each of these angles will be viewed
though Derrick Bell’s interest convergence theory. This theory will help to place our
current push for equality in education in a historical perspective. In comparing the three
reasons for change offered here to the reasons change did occur at the time the Supreme
Court ruled in the Brown v Board of Education case, the theory of interest convergence
will support the validity of these angles. The first of the three angles for inspiring action
seeks to appeal to the readers’ morals. It is about the actual lifetime impacts visited upon
the victims of this caste system. The second explores the interests of and implications for
society at large. The third investigates what the law says about these gaps and their
perpetuators.

I begin with the morality angle. As mentioned in the previous chapter, what
makes the removal of black males from school through exclusionary discipline a civil
rights and human rights issue are the long-term devastating consequences borne by the
children. Suspension and expulsion reduce academic attainment. These forms of discipline are connected to lower career attainment throughout one’s lifetime. Involvement with exclusionary school discipline greatly increases a student’s risk of future involvement with the criminal justice system. When considering the results of this method of discipline, in connection with the fact that Black males are receiving punishment at many times the level of their white peers, it is obvious that school discipline is acting to deny education and future economic success to Black males. Add to these outcomes the effects of the other two gaps, and a picture of racial caste clearly emerges.

A child born into poverty enters an underfunded school. This child, already behind many of his peers, receives fewer resources when he needs more. The funding gap alone sets him on a path for lower academic and career attainment in his lifetime. His experience in school is one of not only being labeled as the “other”, but also being labeled as being “deficient”. To bear the label of “other” in schools and society is to be seen through a lens of deficiency compared to the perceived norm. Instead of being valued as an individual and a member of various racial and cultural groups, bringing unique assets to the larger social and cultural sphere, minority students are often perceived as lacking when compared to peers in the dominant group. Whereas a different paradigm might value the culture and value assets of the minority over those of the majority, labeling one as “other” devalues these assets. The label of “other” makes the strengths of the individual invisible, leaving only the absence of the preferred culture and values visible to the dominant class. This establishes the subordinate class students as deficient in the views of the dominant minority (Borrero & Yeh & Cruz & Suda, 2012).
Because of this perception as a deficient other, his teachers’ expectations are low, and this makes his future success even less likely. It is not uncommon for teachers to make statement about children in the earliest years of schooling such as, “He is a lost cause,” “I am done with him,” “We all know where he is headed,” obviously referring to prison.

The findings of a recent study, “A teacher expectation intervention: Modeling the practices of high expectation teacher,” make such statements about our children more a prophecy than a hypothesis. The authors of this study demonstrated that a teacher’s expectation about a student impacts that teacher’s behavior towards that student in ways that do affect the educational outcomes for that child. The study showed, for example, that student ethnicity influences the teacher’s expectations, with white students garnering higher expectations than most of their ethnic minority peers. These expectations are then transmitted to the students through teacher behaviors. For example, teachers tend to give shorter wait times for students with low expectations to answer questions (Rubie-Davies & Peterson & Sibley & Rosenthal, 2014). These correlations between teacher expectations and student performance make it clear that the subconscious belief that our Black male students are really just criminals in training is terribly damaging to their future prospects. Both the impact of teacher expectations and the loss of time in the classroom caused by staggering rates of exclusionary discipline should be setting off alarms about racial discrimination.

If a child is sent out of the classroom, will they learn the material being taught in class? When children are sent out of their rooms daily, even several times a day, are they being given the educational opportunities of their peers? In one case I witnessed, a child was given a behavior plan which said that every time the child is sent out of the room,
regardless of the reason, that child was to remain out of the classroom in in-school suspension for the remainder of the day. Is it likely that this teacher will do everything possible to work through the behavior issues with the child? Or will the teacher take advantage of the system to remove the “discipline problem” from the classroom? What are this child’s chances of keeping up with his classmates? What are the likely future impacts of falling behind in school? Will the child graduate on time? Will the child have the motivation and comfort in school that it will take to persevere in this negative environment? What are this child’s chances of attending college compared to his peers who are not removed from class? These are the questions that demand answers, and the truth that will come to light will not be a pretty one.

As studies show, it is safe to assume that his academic performance will likely become worse as the gap widens over time. This student might be disciplined at a rate many times higher than his white peers, even when his behavior is similar. Exclusionary discipline exacerbates his future problems. Legally barred from an education in the same ways his ancestors were barred under slavery and Jim Crow law, his health, wealth, housing, and involvement with law enforcement are all perpetuated by a system that claims to be there to help him.

As we embark once again upon the dismantling of racial caste in America, we can learn from Bell’s understanding of Brown v Board and his interest convergence theory. This taps into the second angle, the interest of and implications for society at large. If a desire to be seen as a nation truly founded on the values of liberty and justice for all allowed the interests of people of color to be addressed in the past, then what white interests might be tapped for convergence today? The answers are as follows: interest in
remaining a global power, the interest in raising achievement scores compared to other nations, and the interest in preparing our children to compete and prosper in the global market place.

When considering the fact that in this nation, one in five children are living in poverty, and the projection that by 2037 we will cross the line from majority of citizens who are white to a majority of nonwhite citizens (Laracy, 2010), the realization that the future of the education of this country is the future of our attention to equality, access and opportunity for at-risk kids is one we must all face. It will be the level to which we educate the poor and minority students in this country that establishes the level of educational attainment in the United States (Laracy, 2010). As our country continues to develop and attempts to compete with newly developed world powers, it will be the education of all of our students that determines our place in the world economy. We cannot continue to use education as the tool to continue to widen the gap between the haves and have-nots. Although this system clearly benefits the wealthiest and whitest members of society, the society itself will be destroyed. By allowing the education system that we count on for the advancement of our country to be hijacked for the purpose of perpetuating oppression and the racial caste system, we are ensuring the downfall of our country (Laracy, 2010).

Children are molded by the education of their parents, their friends, their neighborhoods, and other cultural institutions. If children are raised within the system of Whiteness, they, too, will be blind to the systemic racism in society. Children are, however, also molded by the education they receive in school. Successful exposure of students to the realities of Whiteness and systemic racism within schools has the
possibility to set off real social change in this nation. Children grow up to be citizens, and the belief systems they develop in childhood become the social policies they institute in adulthood.

Social policies which institute real justice and equality are sorely needed within the United States. As the demographics of this country shift from majority white to majority nonwhite, the “other” children that are not being served by our current policies will soon outnumber those who are. As the trend towards globalization is faced, it becomes clear that our children are falling behind their peers in other countries. If there is any hope to close the gap between the United States and other countries, we will have to focus and find real lasting solutions to the gaps we face at home.

In addition to our global position in education is the fact that our students will be living in a world far different from our own (Crossley & Tikly, 2004). A child born in a rural area in this country may well be competing for jobs against people from around the world. The jobs available to our future workers may not be within the borders of their country of birth. Children we are educating today - Black, white, Hispanic, Native American - will all need experience in equality, acceptance, and comfort with their own culture not being the norm. Failure at this point to address issues of systemic racism, Whiteness, and the continuance of oppression within the United States is a failure to prepare our future citizens for the world they will encounter.

The interests of people of color are once again converging with those of white America. If this moment of convergence is ignored the outcomes will be devastating for all. We are in a dire moment and must act now. We have the honor and responsibility of
living in an era of interest convergence. It falls upon us to take advantage of this moment. It is time to press forward in the long battle towards equality and justice. While many are moved by morality, and many more by interest convergence, one more angle must be used to pull those unmoved forward.

For those who remain unmoved, a different form of interest must be manufactured. This interest is not as kind as morality or interest convergence; this is the personal interest in avoiding legal action. Recent changes in federal education law should ensure that the attention of all educators soon falls squarely upon addressing the three racial gaps, regardless of the individual’s personal or political views. The Justice and Education Departments of the Federal Government recently released new information in regards to the data and laws around the racial disparity in school discipline. These Departments can and will investigate school districts, schools, and even teachers if complaints are filed by students, parents, or community members about possible discrimination. The Departments have noted that although much of the discrimination in school discipline occurs at the office level, racial bias at the teacher level has resulted in much disparity in initial reporting. The Departments consider this initial reporting disparity to be very serious due to the fact that even if no disciplinary action is actually taken, the students are still missing important instructional time (U. S. Department of Justice & U. S. Department of Education, 2014).

Racial discrimination in school discipline, as far as the Departments are concerned, can be committed in two ways: different treatment and disparate impact. Different treatment occurs when facially neutral discipline policies are administered by teachers or administrators in a discriminatory way. When educators discipline two similarly situated
students of different races in different ways for similar behaviors, this is different treatment. Disparate impact, on the other hand, occurs when disciplinary actions are facially neutral and not intentionally used to discriminate, yet are resulting in higher rates of discipline for one group of students. In either case, the overrepresentation of one race of students violates federal law and can result in an investigation by these Departments.

Whether by morality, by interest convergence, or by legal force, all participants in the oppressive education system must now act against it. The overrepresentation of students of color in schools should no longer be seen as an unfortunate result of higher rates of poverty among minority families, nor is it a result of negative cultural attitudes. The overrepresentation of students of color in exclusionary discipline is closely related to the mass incarceration of people of color in our prison system. They work hand in hand to create the racial caste system identified by Michelle Alexander. The overrepresentation of Black males in school discipline and prison is caused by our society’s acceptance of the link identified by Khalil Muhammad between Blackness and criminality, which has created in us internalized racial bias.

Solutions: Teacher Education Rooted in Critical Race Theory, Recruiting Educators of Color, and Restorative Justice

“And then I explained to him how naive we were, that the world did know and remain silent. And that is why I swore never to be silent whenever and wherever human beings endure suffering and humiliation. We must always take sides. Neutrality helps the oppressor, never the victim. Silence encourages the tormentor, never the tormented. Sometimes we must interfere. When human lives are endangered, when human dignity is in jeopardy, national borders and sensitivities become irrelevant. Wherever men or women are persecuted because of their race, religion, or political views, that place must – at that moment – become the center of the universe.” (Wiesel, 1986)
Education is never neutral. It is clear, based on the evidence provided in the previous chapters that the education system of today is currently acting as a vehicle for the perpetuation of oppression. Drastic measures must be taken to dismantle our education system’s active role in the continuation of racial caste in this country. It is clear that work must be done toward creating an education system working for the other possible outcome brought to our attention by Paulo Freire. The education system in the United States of America has the potential to become a vehicle for liberation, one working for the purpose of freedom. By addressing the ways this study has shown the system to be perpetuating oppression, and by implementing programs which actively work towards creating a liberating education system, our schools can become vehicles for liberation. Offered here are several suggestions for working towards this goal: establishing teacher pre-service and in-service professional development programs founded in Critical Race Theory, with an emphasis on the study of Whiteness, self-reflective investigation of internalized racial bias, and critical historical analysis of American history and African American policy history (Young, 2011); encouraging the pursuit of teaching certificates among and recruiting educators of color in all schools; implementing Restorative Justice in place of punitive and exclusionary discipline; and organizing within the system to found school level coalitions of activist educators.

Perhaps most importantly, teacher education programs founded in Critical Race Theory, the study of Whiteness, internalized racial bias, and critical historical analysis will help our primarily white, middle class, female teaching staff begin to recognize their own white privilege, their perception of their own culture as normal and right, and the historical inaccuracies being taught and perpetuated through our system (Young,
2011). This approach will also draw attention to systemic racism and the perpetration of racism by all willing participants in the current system. Critical Race Theory will be the theory upon which the program is founded due to its central belief that racism is a normal, constant, and deeply ingrained element of American society (Ladson-Billings, 1998; Ladson-Billings, 1999). By first accepting this belief of Critical Race Theory, educators will be able to use its main tenants to expose education’s historical and current support, perpetuation, and strengthening of racial oppression.

How can this cycle be interrupted? The missing element in the many positive education movements being developed is cultural awareness (Crossley & Tikly, 2004). Not cultural awareness of students, but rather teachers’ awareness of their own culture. Because Whiteness has caused teachers to regard their own beliefs, experiences, and values to be the natural and normal way of living, they are blinded to the fact that their culture is merely one of many equal worldviews (Ladson-Billings, 1998). Teachers will not be able to fully accept and appreciate the cultures of their students until they are made aware of the culture of power in which they exist. Recognition of the privileges one experiences due to membership in the white culture is a prerequisite for teaching for social justice. The sense of self as the norm, and the masking of systemic racism, are so deeply ingrained in American society that a radical solution is necessary. The vehicle for change will be teacher education programs. The programs will be founded in Critical Race Theory and will emphasize these five ideologies: exposure of Whiteness, understanding of systemic vs. individual racism, the importance of voice and multiple perspectives on history, critique of liberalism, and recognition of personal responsibility.
It is clear that what is needed to enact real change in the educational system within this country is a teacher education system based on Critical Race Theory, with an emphasis on the exposure of Whiteness. Through this method, it will be possible to first recognize and then dismantle the systemic racism that undermines movements for equality. A teacher education program rooted in Critical Race Theory (CRT) will finally interrupt the cycle of miseducation in favor of education for social justice (Writer, 2008).

Understanding the process by which the system of inequality was made invisible is necessary for beginning to see it. Through various reading, lectures, and guided discussions, educators will use their own experiences with race and diversity as entry points into the exploration of race in society at large. The purpose of these exercises is a paradigm shift within the prospective or in-service teacher from self as the norm to self as a member of one culture among many, one that happens to be the culture of power (Green & Sonn & Matsebula, 2007). Another effect of Whiteness that helps to mask the racist structure of society is the tendency for individuals in the system to confuse individual and systemic racism (Green & Sonn & Matsebula, 2007).

The racism that establishes and perpetuates racial inequality within post-colonial countries is not the racism that people typically recognize. When teachers are first introduced to the idea that they are part of the racist system that is continuing to oppress minorities, they react with anger because they believe they are being accused of overt racist acts against individuals. Due to the fact that they would not take specific actions, or say specific things, in order to purposefully oppress or discriminate against their students, they do not consider themselves to be racist (Young, 2011). What is being
recognized as racism in this context is individual racism. What they are failing to recognize is the structural foundation of the education system that is based upon creating and maintaining privileges for the white culture of power at the expense of minority children (Gillborn, 2007; Green & Sonn & Matsebula, 2007). This system, which successfully educates white children and labels minorities as the deficient “other”, is the system in which they were educated. It is the system that has benefited them and established the foundation for their educational success. What the educators fail to recognize is that by accepting this privilege, perpetuating the system, and passively acting within it, they are also responsible for the continuation of systemic racism (Young, 2011).

One method of helping teachers to become aware of the system as it truly exists is through CRT’s focus on voice (Writer, 2008). Whiteness may cause people to be unaware of the impact their passive acceptance of the “this is just the way things are” mentality is having on others. Being confronted with the stories of those affected will shift the person’s paradigm in recognition of the inconsistencies between what one believes and what one sees (Crossley & Tikly, 2004). Encountering the voice of minority people, through both their personal accounts of injustice and varied historical accounts, will open the minds of future teachers and shift their consciousness from Eurocentric and normative to critical and aware (Wilson, 2004). This awareness is the first step towards action.

CRT’s critique of liberalism speaks to what type of action is needed. A major tenet of liberalism is the belief in slow, steady progress towards equality. Pointing to the rights won through the Civil Rights Movement, liberals claim that the way to enact social
justice is to continue with the same allegedly slow pace of legal battles, peaceful
protests, and calls for citizens to “do what is right”. CRT argues that what is needed
instead is sweeping change. CRT scholars are not satisfied with the pace of so-called
progress and call for major social justice action within the teaching field to cause a
drastic paradigm shift. A CRT-based education program will instill this same sense of
urgency in educators (Ladson-Billings, 1999). Future and current educators are a
valuable asset in interrupting the cycle of miseducation and movement toward social
justice. These educators will have immediate impact on the children in this country, both
the minority students in regard to closing the gaps, and white students in regards to
preparing them for future social justice by exposing Whiteness to them at an early age.

Perhaps the most important aspect of a CRT teacher education program would be the
shift in its participants' attitude from one of passive acceptance to active resistance
(Ladson-Billings, 1998). The curtains of Whiteness will be lifted, the voices of the
“others” will be heard, the system will be exposed, and the role whites have
unknowingly played will become obvious (Young, 2011). As this happens, the educators
will likely be moved toward a desire to resist their personal privilege and fight within
the system for equal treatment, equal opportunity, and equal representation for their
students. This recognition of personal responsibility must occur and must be encouraged
and supported.

One side effect that should be avoided is the overwhelming feelings of guilt that
might accompany this revelation. It is important to help teachers feel responsible
without being paralyzed by the guilt they encounter. It is crucial to remember that
change and active resistance to the structure of power within which we live and work
will not take place overnight or even be fully realized after years of action. I have personally been studying the realities of Whiteness and internalized racial bias, which has been ingrained in us through social normative training in life, for several years. Even with my paradigm shift complete, even with my awareness heightened and my commitment to social justice spoken, I find on a daily basis that I am still over-disciplining Black male students within my classroom. I am sensitive to this reality and take mental notes throughout the day of who I am reprimanding and why.

When I recognize that my classroom management is causing me to correct the behavior of more Black males than their white peers, I pause and look around the classroom for the behaviors of white males I know I must be overlooking. It is always there. Every time I have caught myself in this subconscious discrimination, I have subsequently seen the equal behaviors from white males. It is hard not to feel guilty. I try, though, to be kind to myself and remind myself that this is a lifelong journey in activism against our very social training. Teacher education students should not feel guilty for their previous passivity and participation in the White privilege system; they should feel responsible and capable for instigating change (Young, 2011).

This awakening to the realities of the system will set future educators on the right path towards enacting social justice in their roles as leaders of future generations (Ladson-Billings, 1998). However, it will be extremely important to support their journey, especially in the first few years of service. As new teachers enter the education system, with eyes wide open and full of purpose, they will encounter much resistance to their fight against Whiteness and systemic racism. From the subtle feelings of having crossed to the side of the “other” imbued by in-service teachers struggling to maintain the status
quo, to blatant attacks on their well-intentioned actions, such as the situation which recently occurred in Tucson, Arizona, with the closure of the Mexican Studies Program which will be discussed momentarily, new CRT-educated teachers will struggle to maintain their determination in the face of strong resistance.

In-service teacher education programs based on CRT are clearly also necessary. Sending new teachers full of wisdom and hope into buildings full of veteran teachers clinging tightly to their comfort zone of inaction will merely be setting most new teachers up for failure (Agarwal et al., 2010) Two contemporary events help make this point in addition to the next element of the teacher education program: critical historical analysis.

The forced closure of the Mexican studies program in Tucson, Arizona, earlier this year is a clear example of the resistance that social justice-focused teachers will confront. The schools' attempts at recognizing the struggles of their Mexican children toward equality, through a class which focused students on the inequalities within the system, was attacked as a program which was “teaching hate.” The school created a program which included the voices and histories of an oppressed group of people. The program created a safe environment for these students to explore their own truths (Orozco, 2012). The teaching of these truths was labeled as teaching hate. It is a scary situation for our country when the exploration of minority voices is deemed to be such a threat to hegemony that it is totally silenced. This example of the resistance that social justice educators will face demonstrates both the difficulties in interrupting the system, and the importance of pushing forward to do so.
Paulo Freire explains to his readers that the act of denying a person or people their own history is one of violence because it denies the person or group a voice (Freire, 1970). The denial of voice should be seen as a violation of a human right. Taking away the Mexican American students’ right to a class in which they could investigate the historical reality of their oppression and resistance should be seen as an act of violence against the students (Orozko, 2012). The decision to bar students from their own exploration and their own demands for an education for the people and by the people is also a clear continuation of historical patterns of oppression of native groups in this country (Spring, 2010).

The next happening to be considered is the discipline of a Native American girl in Wisconsin for speaking in her native tongue during class. The teacher in this case disciplined the girl for saying the words, “I love you,” in her first language (Smith, 2012). Viewed from the framework developed by Freire, this act takes on a much greater significance than simple discipline for class disruption. By disciplining the girl, the teacher played a continued role in the denial of voice to Native Americans. The teacher's own education in our system prepared her for her role in this oppressive system. Because she was not educated herself about the true history of the education of minorities in the United States, she was unaware of the tradition of oppression she was participating in. By continuing to educate our students with deposits of false patriotic propaganda about our past, in the absence of real critical thought and investigation, we play an active role in the perpetuation of racial stratification and oppression.

A teacher pre-service and in-service professional development programs founded in Critical Race Theory, with an emphasis on the study of Whiteness, self-reflective
investigation of internalized racial bias, and critical historical analysis of American history and African American policy history with a curriculum geared towards involving students in the pursuit of their own liberation will go far to address these and other incidents of ignorance and oppression. A program such as this will turn the colorblind and race neutral language used by the racial caste system into the color aware and race honest language needed to empower educators to become actively involved in dismantling the system.

The second suggestion I make here, is to encourage the pursuit of teaching certificates among and recruiting male educators of color. A 2015 study demonstrated the importance of a diverse teaching staff by showing the impact of same race educators on math and reading scores. Both Black and white students’ math and reading scores improved significantly by being educated by someone of the same race as themselves (Egalite & Kisida & Winters, 2015). The importance of these findings must not be dismissed.

When considering the racial achievement gap explored earlier, the fact that over 80 percent white educators are educating a student population of mostly minority students becomes an important point. The white students with ample access to same race educators are benefitting nearly every year from the achievement boost caused by this match. Students of color, on the other hand, have rarely, if ever, enjoyed such an experience.

This is not to imply that exclusively teachers of color should teach students of color. In a world as diverse as our own, all students benefit from an equally diverse teaching force. In hopes of the future of our system becoming one for liberation, all students must
experience diversity in their role models. All children, regardless of race, would benefit by being exposed to positive Black male role models. Black male students will, in a clear and concrete way, see themselves in the system.

As Honorable Minister Louis Farrakhan once sermonized, “If I were to take a picture of you here in the front row and then show it to you, what would be the first thing you would do? You would look for yourself in the picture. If you didn’t see yourself in the picture, you probably would lose interest in the picture.” For many of our students this is the unfortunate experience they have every day in our schools. Encouraging Black male and other minority high school students to enter teacher education programs after graduation and then recruiting them into the teaching force is necessary for moving the system away from one of perpetuating oppression towards one of liberation.

I next suggest that schools reject punitive and exclusionary discipline policies in favor of policies grounded in restorative justice. “‘Restorative justice’ is a broad term used to describe a community healing approach to managing crime and wrongdoing that can be traced back to First Nation people and indigenous communities prior to western settlement and colonization. Historians find mention of ‘restorative’ practices as far back as 2000 BC” (Thornsborne & Vinegrad, 2009). The modern version of this model began in North America, in Ontario, Canada, in the mid 1970s, and was developed to address crime and wrongdoing through the criminal and juvenile justice systems (Thornsborne & Blood). While it has continued to gain popularity globally since the 1970s, the resurgence of interest in restorative justice in the United States has been more recent.

Restorative justice is a model for addressing wrongdoing, which places emphasis on healing the community and the individual; traditional justice sees wrongdoing as an
offense against the state. Traditional justice, which can be traced back to 11th Century England, emphasizes punishment over healing and considers crimes to be against the state as opposed to an individual. This traditional justice began with William the Conqueror’s attempt to bring peace to his kingdom. He re-cast wrongdoing, previously considered an act negatively affecting an individual or community, to “a disturbance to the King’s peace” (Thornsborne & Vinegrad, 2009). His casting of the King, and thereby the State, as the primary victim of crime laid the groundwork for the criminal justice system experienced in the United States today.

This shift made the victim’s place in the justice system ambiguous. The punitive sentences given the offender were intended to restore power to the state and did nothing to address the needs of the victim. Crime was, and still is, seen as violation against the law as opposed to a violation against people and relationship (Thornsborne & Blood, 2013).

Restorative justice reverses William the Conqueror’s justice reform. It replaces emphasis of the impact of wrongdoing on the victim and accountability for repairing the harm on the wrongdoer. The restorative justice model understands wrongdoing as a symptom of social discord. Returning the victim of wrongdoing to a more active role in the system, restorative justice allows for consequences, which address the victim’s actual needs in moving forward and healing. The model seeks to repair any damaging relationships or experiences, which may be leading to the offender’s wrongdoing. Not only the victim’s needs are addressed; it is the intention of this process to heal the needs of both the offender and the community surrounding him or her (Thornsborne & Vinegrad, 2009; Thornsborne & Blood, 2013). Restorative justice is concerned with
healing the community; it calls all those impacted by the offense - including the victim, the offender, and the community - together to address the occurrence and establish the appropriate response.

While restorative justice has certainly not replaced punitive justice in the criminal justice system throughout the world, it has continued to be present in reform movements. One important impact of restorative justice models in the criminal justice system has been its adoption and adaptation for school systems by progressive educators. Restorative justice made the leap from the criminal justice system into the school system in the early 1990s in Australia. The department of education in Australia was looking to develop a new approach to address bullying in schools.

This early work coincided with a dawning understanding by some educators and researchers that merely removing a student in a suspension/fixed-term exclusion/stand-down for a serious (and often not-so-serious) offence failed in so many ways. Removal failed to satisfy those directly harmed and those affected in the wider school community. It failed to provide a real learning opportunity for the students responsible, or for the system to examine itself for its own failures. It failed to support deep behavior change and it failed to provide the student with an opportunity for a fresh start and reintegration into their class or school community. It also discriminated against young people already marginalized in the school community. So the time was ripe to begin questioning what on earth we were doing in schools and what it was we were trying to achieve (Thornsborn & Blood, p. 28-29).

As observed by these educators, school discipline, like traditional notions of justice, was not addressing the needs of the victim, offender, or community. School discipline, in most systems, closely mirrors that of the criminal justice system. The wrongdoing is seen as a violation of the school code or rules, and a punishment is meted out to the offender based on a preordained set of consequences. The person whom was wronged is not involved in the process. The offender receives the consequence, often a form of exclusion, and all involved move forward without the underlying issues or needs of the
victim, offender, or community addressed. The Australian educators wanted a program that would support deep behavior change and healing. These educators recognized the need for a different form of justice. Through a model of restorative justice, they were able to address all of these issues and needs, thereby creating a system capable of healing as opposed to punishing.

These educators also recognized the disparate negative impact of traditional exclusionary discipline on minority children. The indigenous children of Australia were overrepresented in their exclusionary school discipline just as students of color are here in the United States. As examined earlier, Australia, a country with its roots in the European colonization of indigenous peoples, is more similar to the United States of America than one might assume. The process of colonizing and oppressing a group of people makes dehumanizing the people easier. Australia colonized, oppressed, and dehumanized the indigenous peoples of their continent, and this dehumanization is still impacting their systems much as the dehumanization of people of color continues in our country today.

Many different models of restorative justice have been created and implemented in school systems in the United States, and around the world, to address these issues. However, the majority of school systems the world over continue to rely on a traditional punitive model. While insightful guides such as Margaret Thornsborn and Peta Bloods, *Implementing Restorative Practices in Schools: A Practical Guide to Transforming School Culture*, are useful in envisioning and implementing a program within an organization, restorative justice is not a ready-made program. It is, instead, a set of principles and goals. Implementing restorative justice at a school or district level is a
process that must include all stakeholders, be individually designed by and for the organization, and must garner support from the entire community. While there is no simple process to follow, the support of the Australian model does offer insight into how the process is best approached.

The first step in moving towards a restorative justice school discipline model is crucial and easily overlooked. This initial step is as simple and complex as a complete paradigm shift. Before an organization is ready for the practical work of creating a new system, there is philosophical work to be done. Many educators and scholars in Australia were experiencing a paradigm shift. This paradigm shift, in which educators come to recognize the inherent failure of exclusionary and punitive discipline, is a necessary first step in implementing restorative justice in a school (Gonzalez, 2012). Restorative justice in a school or district must begin as a movement of educators, and other stakeholders, looking for real and lasting methods for improving school climate and safety.

This paradigm shift will not be easy. It is akin to asking many educators, students, parents, and community members to step off of a cliff. The cliff, our current discipline system for schools, is broken. The cliff is crumbling and falling. The cliff is shaking and tilting. Many people are falling off the cliff, and many more fell long before them. Many students and families of color were never on the cliff. For them, the realization that our current system is a failure came long ago. Personal experience with the failings of the system left no room for them on the cliff. If ever they were on the cliff, they have since been pushed over the edge. Some educators within the failing system have already, in
solidarity, jumped. Now, off the cliff, aware of its inability to hold, these educators call to the rest. So there stand the remaining majority.

Many of the remaining majority is so invested in lingering on the cliff that has never personally let them down that they are blinded to the danger. Instead of recognizing the negative impact this cliff has had on so many children and families, they blame the children and families, the community, even society at large for the fall of said children. Those in the remaining majority believe that the children and their families, along with their communities of support, must have jumped. Some may defend the possibility that those children might have simply slipped; it was their destiny, due to their life circumstances, to fall. It could not have been stopped. Most of those remaining on the cliff cannot, at this point, recognize their own role in the perpetuation of life on this cliff. The cliff is safe for them, so the cliff is good; it needs not be abandoned.

The children, families, community members, and educators who have been pushed, slipped, or jumped from the cliff must call to the rest, “Come with us! We will find safety for us all!” Many of the majority who still reside on the cliff will refuse to move, insisting, “This cliff is good. I am safe on this cliff. If you are falling it is by your own fault. Hold on tighter, sit still longer; if I pushed you and you fell, you must not have been standing properly in the first place.” Some will be hesitant. “Ok, this cliff might be dangerous, but surely it is safer than jumping. Where will we go? Tell me where I am jumping and I will follow.” The first step in moving away from the traditional model of school discipline will be to convince the others that jumping is still safer than remaining steadfast on the cliff. Exposing the cliff as a danger to all is the way to begin the process of the much-needed shift.
Data, combined with the voices of those affected, should be used to demonstrate the harm in remaining on the cliff. Those who have already jumped can offer some reassurance, yet they cannot offer a fully constructed landing point. The first step, “exploring restorative justice,” can be offered; however, the remaining staircase must be built together. All stakeholder groups have to undergo the paradigm shift that exposes the cliff as a failing system. All must be willing to abandon the cliff together before the first tentative step of exploring restorative justice can begin. A possible model - a vision of a staircase - can be offered, but before a new system can be faithfully committed to, everyone must be willing to go. The new system must be developed with buy-in and input from all stakeholders. After decades of experience in the current discipline system, those unharmed will be hesitant. Even those harmed by the system have experienced no alternative. No other tools have been available.

The Australian educators were ready to abandon their current discipline system. With knowledge of restorative justice models in the criminal justice system, they began the process of imagining, developing, and implementing a restorative justice model in their school system. Based upon their experience, authors and educators Thorsborne and Blood have developed an eight-step implementation guide. This guide, which has been organized into three larger stages of implementation, is found in their book. The three larger stages are: getting ready for change, overcoming inertia and getting the ball rolling, and implementing and embedding change (Thorsborne & Blood, 2013). The eight steps within this framework, developed by the authors, while of great importance to the work of implementation, will not be entirely investigated here. The purpose of this section is to introduce restorative justice and offer guidance for beginning the process.
For that reason, only the three steps in stage one of Thornsborne and Blood’s work will be summarized.

Stage one, getting ready for change, incorporates three steps: making a case for change, putting an implementation team together, and creating a vision for the future. I choose to focus on these steps because they are imperative for beginning the process. Step one, making a case for change, is likely to be the most important and impactful part of the process and reemphasizes the importance of a philosophical paradigm shift. The authors found from their research that creating a sense of urgency, which may be easier if an institution is obviously in a dire situation with behavior and discipline, may be necessary to increase motivation within an organization. They suggest that an intelligent decision to adopt restorative justice might require a state of readiness among the stakeholders. The case for change must be made first (Thornsborne & Blood, 2013).

Thornsborne and Blood suggest the organization of a research group within the school to make this case for change, and more specifically, restorative justice (2013). This group might be educators within the school who are already interested in implementing restorative justice. This group will be responsible for researching both current school level discipline data and best practices within the field. They will gather the necessary information and resources to present the idea of change to their colleagues. The group will combine both qualitative data (voice) and quantitative data to hold a mirror to the school building. This mirror should reflect the beliefs, opinions, experiences, and understandings of all stakeholders, including educators, students, parents, and community members (Thornsborne & Blood, 2013).
The research group should also take time to identify any potential threats or opportunities that may be encountered throughout the process. Who amongst the stakeholders does the group foresee as potential allies? Who might be predicted to respond negatively to the initial call for change or implementation of restorative justice (Thornsborne & Blood, 2013)? Having these conversations early will allow for a smoother process, as plans can be in place to address these hurdles before they are met.

Finally, in order to accomplish the first step of making a case for change, the group must engage all of the stakeholders. Because all stakeholders will be impacted by this change, it is necessary to have them on board with the need for change from the beginning. This will help ensure a positive working climate for the actual shift in policy (Thornsborne & Blood, 2013).

Step two is putting an implementation team together. This step has two key phases: putting the team together and team building. This team has to be well-respected, influential, and powerful enough to lead the change. This team must be a representation of a variety of power sources within the school. The authors suggest the inclusion of the following individuals: someone in a senior leadership position, staff members with reputations for having positive relationship with students and other staff, a middle manager such as a department chair with positive influence among other educators, people who are capable of designing and implementing meaningful professional development, staff with special expertise in data collection and analysis, a staff member who is not a teacher, a staff member who is open to this work yet remains doubtful about its capability to transform the school climate, and members of the school community whose role fits the restorative justice agenda, such as student welfare advocates.
(Thornsborne & Blood, 2013). I also suggest here that the group be purposefully comprised of a diverse group of people. Race, gender, socioeconomic status, disability status, and age should be explicitly considered when developing a team that reflects the student and community population. The authors suggest a team of five to eight individuals, meeting weekly at first and then less frequently as the work takes hold (Thornsborne & Blood, 2013). Team building is essential for developing the level of trust necessary among group members for this delicate work. The team must develop a mission based on their vision for this work. The members must be connected to the work both mentally and emotionally (Thornsborne & Blood, 2013).

This leads us to step three: creating a vision for the future. In this step, the group develops a vision statement, or a brief summary, of what they envision for the future. The process should address the following questions: what is the purpose of schooling? What will the school look and feel like within three to five years? What will student/staff behavior look like? Basically, where are we heading? The statement should be simple, vivid, repeatable, and invitational (Thornsborne & Blood, 2013). This team then develops a strategy for executing the vision. This strategy should reflect the vision and data, as well as research in best practices in restorative justice in schools. Finally, the team members need to become fluent in describing the vision. Stakeholder support for the need for change and the work to be done is the most important factor for success. The team needs to be fluent in describing the vision and strategy to facilitate collaboration and cooperation throughout the school and community (Thornsborne & Blood, 2013).
These steps are only the beginning of the work. They are however, the ground work. The groundwork must establish a solid foundation for the long road towards making the vision of the group a reality. While many educators within the school will likely eventually be positively impacted and drawn in by the vision, most schools are currently operating under the only discipline system they know. Abandoning a failing, yet familiar, system will require deep movement within the school. Schools do not continue now with exclusionary discipline because it works; they continue due to lack of vision and other viable options.

Currently, in most school district in the United States, the only tool for addressing wrongdoing is punitive, and often exclusionary, discipline. As the old saying goes, “When all you have is a hammer, everything is a nail.” Thalia Gonzalez, author of “Keeping kids in schools; restorative justice, punitive discipline, and the school to prison pipeline,” agrees with Thornsborne and Blood. She also explains that before an organization is ready to truly implement a restorative justice model to address wrongdoing, they must first come to the understanding that exclusionary and punitive discipline simply does not work (Gonzalez, 2012). The 2006 American Psychological Association ten year evidentiary review found that exclusionary discipline did not improve school safety, nor did it reduce the likelihood for future misconduct. The study found that these policies, instead, produce in schools a climate of irrational fear and stress (Gonzalez 2012).

There is ample evidence to support a dismissal of exclusionary discipline. The problem is not a lack of data or experiential understanding of the failure of the current system to address wrongdoing. The problem lies in our innate inability to accept that the
current system is failing without a ready-made solution to replace the failing system with. As educators, we have to be able to say, “Even though all I have is a hammer, this is simply not a nail. Even though all I have is a hammer, this is a screw. This hammer will not properly meet the needs of this screw. Hitting this screw with a hammer will damage not only the screw, but also the wood surrounding it.” We have to accept that exclusionary discipline is not working to address wrongdoing in our schools. Exclusionary discipline is the hammer. The wrongdoer is the screw. The community, including the victim, is the surrounding wood. We need to allow a space of uncertainty in which we accept that our current system is failing without first needing to know a hard and fast, tried and true solution.

It can be accepted that restorative justice might help. We can do research and begin practicing some small restorative justice measures within our own spheres of influence. However, in order to create a space for the organic, grass roots, community-based level of buy-in needed to truly move to a restorative justice model at a building or district level, we must first come to a decision as a group that what we are currently doing is not only not working, it is doing more harm than good.

I have personally begun this work in the school at which I teach. Drawing from the work of Thornsborne, Blood, and Gonzalez, I addressed the school wide reliance on the exclusionary discipline hammer. I did the initial research into our district and school’s racial discipline gap, the negative outcomes and lack of positive outcomes for students excluded from school, and the best practices. I then invited an initial team comprised of a diverse group reflecting the student population, as well as Thornsborne and Blood’s guidelines. I also opened membership to all educators in the school. As a group of eight,
we began meeting weekly. We first examined our school’s current discipline policies and the impacts of such a policy on our students. We began our work by looking at the discipline data from our school and our district. We paid close attention to the racial discipline gaps. We next investigated exclusionary discipline as a practice, considering both the negative outcomes and absence of any positive outcomes for children and the school community. Once we, as a group, had undergone the paradigm shift in which we agreed that the current system was failing to achieve the outcomes we intended for our students, we began to explore restorative justice and how it would look in our school.

We agreed that restorative justice could not be a mandated reform in our organization, but it must instead be developed as a community. Next we will work to gain support from the remaining staff in our school. We plan to use community organizing methods to support a philosophical shift among our colleagues. By building momentum a few educators at a time, we will approach the system change with greater support. We have an idea. We believe in restorative justice. We will continue to research and envision a more holistic and research-based method of addressing wrongdoing.

The next step we will undergo is developing a vision statement for restorative justice in our school. We will then engage stakeholders and develop a plan for implementation. Over time, we will gain support and achieve an organization-wide paradigm shift. From there, we will work as a wider community to implement restorative justice school-wide. When we have successfully moved our school from a punitive to a restorative justice model, we will keep pressing forward. With experience in organizing our school community, we will offer our experience and support to other schools within our district and larger community. This is one example of a program for beginning to explore, and
press for, positive reform within the system. This is not the only way it can be done. Many other paths exist. When I first had the idea to begin a voluntary group at my school, I did not know exactly how it would look, how it would be operated, or where it would lead. For months I stalled as I tried to answer these questions. It was finally through my continued research into Freire’s philosophy of education’s two possible roles that I came upon a message that finally pressed me forward. It was the title of another Freire work, a conversation between himself and educator Myles Horton, “We Make the Road by Walking.” Upon reading these words, I realized that if I waited until I knew exactly where I would be going, I would never begin the journey. As mentioned earlier, restorative justice is not a ready-made program to be implemented into an organization. It is a journey that must be taken by the organization and surrounding community. As I would ask my colleagues to take the first step unaware of the exact destination, I also had to be willing to “make the road by walking.” This is the only way to begin now. And we must begin now.

The Fierce Urgency of Now

“We are now faced with the fact that tomorrow is today. We are confronted with the fierce urgency of now. In this unfolding conundrum of life and history, there is such a thing as being too late. Procrastination is still the thief of time…. We may cry out desperately for time to pause in her passage, but time is deaf to every plea and rushes on. Over the bleached bones and jumbled residue of numerous civilizations are written the pathetic words: “Too late.” There is an invisible book of life that faithfully records our vigilance or our neglect…. We still have a choice today; nonviolent coexistence or violent co-annihilation. We must move past indecision to action…. Now let us begin. Now let us rededicate ourselves to the long and bitter—but beautiful—struggle for a new world” (King, M. L., 1967).

This paper strongly ends with a call to action. As Dr. Martin Luther King, Jr. said, “tomorrow is today”(King, M. L., 1967). The time to act purposefully and with great strength is now. “Education gap is an ‘urgent’ civil rights issue: George W.
Bush” (Brooks, 2014) “UW researcher surprised by ‘magnitude of grimness’ of Wisconsin achievement gap,” (Brooks, 2014) “School ‘Discipline Gap’ Explodes As 1 in 4 Black Students Suspended,” (Resmovits, 2013) “Black primary school students in Rhode Island are 6X more likely to be suspended than white peers.” (Townes, 2015) “Report finds discipline gap begins in preschool,” (Moran, 2014) “Ohio Supreme Court Declares School Funding System Unconstitutional.” (National Education Access Network, 2002) “Funding gaps in public schools real problem for social mobility.” (Reeves, 2013) As headlines such as these continue to flash across our screens or lay in bold in our newspapers, we vacillate between feeling of outrage, confusion, and apathy.

As educators, parents, citizens, and human beings, we are faced now with a choice. Do we act in some manner to address these timely issues, or do we succumb to the cognitive dissonance urging us to buy the idea of a post-racial, color blind, meritocracy? Do we ignore the voices of those affected in a continuation of centuries of disbelief in the expressed experience of minority populations? Or do we instead commit to an open-hearted and open-minded investigation into the uncomfortable yet freeing truth? We do not have the luxury of time, or the hope for action from outside. The responsibility to dismantle a system which was handed down to us is ours alone to bear. It is an education system created to perpetuate racial caste and oppression.

Paulo Freire offers us a different model for education – one of liberation (Freire, 1970). By acknowledging the past and admitting to the continuation of past inequities, educators might well be the first actors in this movement towards liberation. By refusing to be active participants in the banking model, depositing inaccurate and disconnected information into students' brains, educators might find the courage to speak their own
truth. By speaking their own truth, perhaps they all can also encourage, and even demand, truth for their students.

Teachers’ lack of knowledge about the past sets them up for blind participation in the oppressive system of the present. Exposed to the truth, might we all move towards becoming more fully human? Might our passion for a true education for all our children be re-lit? It is imperative that we explore the injustice of the past so that we will, unlike our recent ancestors, see the past in our present, so that we might move forward in the freedom struggle and never congratulate ourselves for a job which is clearly un-done.

What role will you play? Actively participating in the oppression of minority students or educating for liberation? Things are not just the way they are. They were made to be this way, and we can make them change. Teachers in this country have immediate access to the nation’s most promising agents of social change: the youths who will become the citizens of tomorrow, regardless of color. The child being targeted by teachers is my child, regardless of color. The man being targeted by police is my brother, regardless of color. A multiracial coalition of human beings who refuse to stand by and accept the mistreatment of other human beings must be formed, and we must take action. By understanding ourselves as a spot on the continuum of the struggle for equality and freedom, I hope we as educators might find the inspiration and strength to re-light the torch and press forward in the long battle.
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