

OPINION: The corrosive cult of compliance in our schools

Rise of zero-tolerance policies strips school officials of the ability to exercise common sense

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Kayleb Moon-Robinson is a 12-year-old boy who lives in Virginia. One day at school, he kicked a trash can and was charged with disorderly conduct in juvenile court. A few weeks later, he disobeyed a new rule (made just for him) that he stay behind in the classroom while his peers left. When the school resource officer (SRO) arrived to take him to the principal's office for disobedience, Kayleb reportedly struggled and swore. The officer allegedly slammed the boy down on a desk and handcuffed him. Kayleb is now being charged with felony assault on a police officer, and his future is very much in doubt.

Kayleb is autistic and African-American. The state of Virginia wants to brand him a criminal. The [Center for Public Integrity](#) names it as the state most likely to send students to jail. Virginia was also home to the [Reginald "Neil" Latson case](#), in which a young man with autism encountered a police officer, didn't comply with orders, started walking away and ended up in a brutal fight. He spent years in solitary confinement as a result before [finally being pardoned](#).

Kayleb's story has become national news, thanks to [a new report from the Center for Investigative Reporting](#) and the Center for Public Integrity. His case, unfortunately, is not at all unusual. [Across the country, children](#) are [being severely punished](#) for acting in atypical ways. A disproportionate number have disabilities or are nonwhite. Salecia Johnson, a 6-year-old [girl in Georgia](#), was arrested for having a tantrum. In Virginia a 4-year-old boy with attention deficit disorder [was cuffed and shackled](#). Colton Granito, an autistic 8-year-old in Tennessee, was [placed in a straitjacket](#) and charged with assault. No matter what these children were doing, anytime the solution involves placing a child in shackles, the people in charge have grotesquely failed.

These cases of arrest and restraint are just the ugliest and most visible ways that children who are different get excluded. The same justification — that everyone must comply with the rules — informs other kinds of actions by schools. In Kansas a young athlete with Down syndrome was told [to remove his letter jacket](#) because there was no policy supporting special-needs athletes' earning of letters. A parent had complained that the young man didn't deserve the jacket. Another school recently took away a [blind child's cane](#) and replaced it with a pool noodle because he waved the cane in the air. In effect, the school punished mild misbehavior by removing his eyes. A deaf boy, just 3 years old, was told he [could no longer sign his name with an H](#) because it looked too much like a gun. These cases didn't end up with a child in jail, but they reveal the depth of the problem.

For those like Kayleb who live at the intersection of race and disability, these manifestations of what I call the [cult of compliance](#) can destroy lives. It threatens anyone who might fall outside the dominant norms. The cultural forces that punish diversity aren't new. In the past, however, such perceived deviance might have met with bullying from peers or various forms of exclusion by teachers and other staffers. Today, jail beckons.

There are two major factors at work. First, the rise of zero-tolerance policies strips school officials of the ability to exercise common sense, leading security expert Bruce Schneier to call them "[zero-discretion](#)" policies. Such policies have [long been criticized](#) as being unfair to [marginalized groups](#) of all sorts. Second, SROs have [increasingly been deployed on school grounds over the last few decades](#), a process that keeps intensifying after high-profile school shootings such as Columbine (1999) and Sandy Hook (2012). Meanwhile, SROs are experiencing mission creep. While de-escalation is usually the optimal response to challenging behavior situations, many teachers and administrators instead respond by calling in an SRO to apply restraints and arrest the student, thereby starting the process of criminalization. That's how the school-to-prison pipeline begins.

In a just society, we don't send children to jail for being disorderly. Charles A. Bell, a doctoral candidate in sociology at Wayne State University and a [critic of zero-tolerance policies](#) and their costs on African-American youth, calls such responses "irrational." When a child acts disruptively, he said, the worst thing you can do is to restrain or criminalize them. That's true for people with and without disabilities. These policies, he said, "ignore all the socioemotional research that calls for deeper investigation into the causes behind problematic behavior in the classroom." When disabilities are part of the situation, he added, there's often an individualized education plan that requires certain kinds of behavior interventions, but too often these plans are not followed adequately.

Despite the research, it has been hard to fix these policies. One problem is that organizations tend to focus too much on single categories — race, class, gender, ability, sexual orientation, religion, etc. — rather than look for intersections. That has to change.

"[Kayleb's] story very much speaks to the terrible atrocities that occur at the intersection of mental disability and race," said Zach Richter, a graduate student in disability studies at the University of Illinois at Chicago. "The combined categories of autism and blackness have painted this young man as stereotypically violent and unreasonable."

Lydia Brown, an autistic activist, wrote a [blog post](#) calling for a joint response to Kayleb's impending incarceration. In an email, she said, "We need to urge organizations working for racial justice, disability rights and the end of mass incarceration to acknowledge the intersectional complexities of what is happening to Kayleb and to unite in collective demands for real justice."

The Autistic Self-Advocacy Network (ASAN) has released a statement [condemning the arrest](#) and calling for Gov. Terry McAuliffe to pardon Kayleb. (There's also a [petition](#). The governor's office did not return a

request for comment.) ASAN characterized the school-to-prison pipeline in Virginia as “a systemic misapplication of school disciplinary procedures that disproportionately targets students of color, students with disabilities and students of color with disabilities, resulting in harsher discipline and students being funneled into the juvenile justice and prison systems at younger and younger ages.”

ASAN's president, Ari Ne'eman, urged policymakers to look beyond the specific problems of zero-tolerance policies, saying, “These incidents are a function of the fact that there's often not sufficient investment of teaching general education teachers how to de-escalate and adequately support students who are experiencing some form of [behavioral] challenge.”

Teachers obviously need more training in de-escalation, and students with and without disabilities need better protections. We need to recognize that despite the real challenges teachers face, in a just society, we don't send children to jail for being disorderly.

When Kayleb and other children like him become victims of the cult of compliance in our schools, there is an incalculable cost, borne directly by those who are incarcerated and their families. And when educational institutions elevate bad policies over the well-being of individuals, they teach everyone the wrong lesson. It sends the message that compliance trumps empathy. Instead, our schools should demonstrate the value of our shared humanity and all types of diversity, including neurological diversity.

David M. Perry writes on language and power at [How Did We Get Into This Mess?](#) He is a history professor at [Dominican University](#).

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