



Judging School Discipline

Richard. ARUM

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Reprimand a class comic, restrain a bully, dismiss a student for brazen attire--and you may be facing a lawsuit, costly regardless of the result. This reality for today's teachers and administrators has made the issue of school discipline more difficult than ever before--and public education thus more precarious. This is the troubling message delivered in *Judging School Discipline*, a powerfully reasoned account of how decades of mostly well-intended litigation have eroded the moral authority of teachers and principals and degraded the quality of American education.

Judging School Discipline casts a backward glance at the roots of this dilemma to show how a laudable concern for civil liberties forty years ago has resulted in oppressive abnegation of adult responsibility now. In a rigorous analysis enriched by vivid descriptions of individual cases, the book explores 1,200 cases in which a school's right to control students was contested.

Richard Arum and his colleagues also examine several decades of data on schools to show striking and widespread relationships among court leanings, disciplinary practices, and student outcomes; they argue that the threat of lawsuits restrains teachers and administrators from taking control of disorderly and even dangerous situations in ways the public would support.

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With Irene R. Beattie

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Reviews of this book:

This interesting study casts a critical eye on the American legal system, which [Arum] sees as having undermined the ability of teachers and administrators to socialize teenagers...Arum, it must be pointed out, is adamantly opposed to such measures as zero tolerance, which, he insists, often results in unfair and excessive punishment. What he wisely calls for is not authoritarianism, but for school folks to regain a sense of moral authority so that they can act decisively in matters of school discipline without having to look over their shoulders.

--David Ruenzel, Teacher Magazine

Reviews of this book:

Arum's book should be compulsory reading for the legal profession; they need to recognise the long-term effects of their judgments on the climate of schools and the way in which judgments in favour of individual rights can reduce the moral authority of schools in disciplining errant students. But the author is no copybook conservative, and he is as critical of the Right's get-tough, zero-tolerance authoritarianism as he is of what he eloquently describes as the 'marshmallow effect' of liberal reformers, pushing the rules to their limits and tolerating increased misconduct.

--John Dunford, Times Educational Supplement [UK]

Reviews of this book:

[Arum] argues that discipline is often ineffective because schools' legitimacy and moral authority have been eroded. He holds the courts responsible, because they have challenged schools' legal and moral authority, supporting this claim by examining over 6,200 state and federal appellate court decisions from 1960 to 1992. In describing the structure of these decisions, Arum provides interesting insights into school disciplinary practices and the law.

--P. M. Socoski, Choice

Reviews of this book:

Arum's careful analysis of school discipline becomes so focused and revealing that the ideological boundaries of the debate seem almost to have been suspended. The result is a rich and original book, bold, important, useful, and--as this combination of attributes might suggest--surprising...Many years...

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Margaret Padua:

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