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Chapter Title	Carceral Colonialisms: Schools, Prisons, and Indigenous Youth in the United States	
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Abstract	In this chapter, we attempt to open conversations on the school-prison nexus and indigenous youth by tracing the history of colonization from boarding schools to the modern school to prison pipeline, focusing on a statistical analysis of school discipline in Arizona schools. The attempted assimilation and colonization of Indigenous youth in the United States has moved from boarding school policy to the modern network of zero	

tolerance and school discipline policies that form the “school to prison pipeline” as students are pushed out of classrooms and in to mass incarceration. Although the school to prison pipeline has been documented and analyzed in many communities of color, the extent and effect of the school-prison nexus for Indigenous youth in the United States has been under-explored. We found that schools with a predominantly non-white student population, particularly predominantly American Indian and Alaska Native schools, reported higher rates of school discipline. Furthermore, reports of Indigenous students being disciplined for purported dress code violations when wearing traditional Indigenous hair styles signifies the ways in which colonization permeates the educational system in the United States. These destructive, disruptive, and colonial educational practices must be stopped.

1 Carceral Colonialisms: Schools, Prisons, 2 and Indigenous Youth in the United States

3 Bryan McKinley Jones Brayboy, Jeremiah Chin, and
4 Nicholas Bustamante

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26 prison nexus for Indigenous youth in the United States has been under-explored.
27 We found that schools with a predominantly non-white student population,
28 particularly predominantly American Indian and Alaska Native schools, reported

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E. A. McKinley, L. T. Smith (eds.), *Handbook of Indigenous Education*,

https://doi.org/10.1007/978-981-10-1839-8_47-1

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30 being disciplined for purported dress code violations when wearing traditional
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32 educational system in the United States. These destructive, disruptive, and colo-
33 nial educational practices must be stopped. AU2

34 Introduction

35 On August 23, 2017, a 4-year-old American Indian boy, named Jabez Oates was sent AU3
36 home from school because his long hair violated school district policy on appropriate
37 dress (Fonrouge 2017). Oates' mother, Jessica Oates, a member of the Cocopah AU4
38 tribe, noted that she had documentation from the tribe about the cultural significance
39 of long hair for males. She said, "It's a symbol of strength." Ms. Oates worked to
40 conform to the district's rules by sending Jabez to school with his hair in a bun.
41 Apparently, having Jabez's hair in a bun violated district policy, being called "an
42 'inappropriate hair accessory'." In a later interview, the superintendent of the district
43 noted, "Parents have a right to seek an appropriate educational setting for their child,
44 just as Ms. Oates has the right to place her child in a district that reflects her personal
45 expectations for standards of appearance." The superintendent takes an important
46 cultural marker for a male's body and turns it into an issue of *school choice*;
47 disregarding the lack of realistic choices for Ms. Oates, a single mother looking
48 for a second job to support her family.

49 By framing discipline as choice, the superintendent ignores the cultural and
50 historical components of an "individual choice" and reframes the debate as the
51 district's interest in maintaining "standards." To wit, his statement notes, "There
52 are procedures in place for addressing concerns over policy if it is Ms. Oates' desire
53 to have her son educated in Barbers Hill ISD. But we would and should justifiably be
54 criticized if our district lessened its expectations or longstanding policies simply to
55 appease." In this case, the idea of "appeasing" a cultural decision and using policy as
56 a way to discipline difference is one way that institutions begin to institutionalize
57 "expectations" against Indigenous peoples. An accommodation that would facilitate
58 learning and inclusion is made to appear as a violation of policy, placing blame for
59 punishment and rejection of a 4-year-old who honors his culture on the shoulders of
60 his mother, who may have no practical choices about where to live, work, or send her
61 child to school. Jabez Oates will only ever have one first day of school, and it will –
62 forever – be marred by a principal and his superintendent's perceptions and a policy
63 for appropriateness that demonizes Jabez's (and by extension his mother's and their
64 tribe's) culture. Stories like Jabez's are disappointingly common, making almost
65 annual appearances in news and education circles. Jabez's story is a reminder that
66 schools begin the disciplining process early and often for Indigenous children. This
67 is not a new phenomenon.

68 Schools are institutions of learning and conditioning – formally educating stu-
69 dents in subjects like math or science, while also instilling cultural norms and values.

70 In the United States, learning has become interwoven with discipline, creating
71 controlled environments where students are taught to obey authority and act in
72 conformity with white norms and policies. These range from in-class norms of
73 interaction, or, as Jabez story shows, dress and physical appearance. Failure to
74 conform to policy results in punishments ranging from lowered citizenship grades,
75 to zero tolerance policies that tie behavior to suspension or expulsion, and serve to
76 push students out of school (Noguera 2003). These policies disproportionately effect
77 students of color and students with disabilities to create a “school to prison pipeline”
78 that pushes youth from education to incarceration (Christle et al. 2005; Tuzzolo and
79 Hewitt 2006; Kim 2009; Vaught 2011, 2017; Nance 2014; Laura 2014; Redfield and
80 Nance 2016; Morris 2016).

81 The school to prison pipeline encompasses inequitable educational outcomes
82 and experiences for students of color, emphasizing the impact of structural discrim-
83 ination on low income and racialized youth and their families experience in relation
84 to the school system (Noguera 2003; Vaught 2011; Morris 2016). Studies highlight
85 the way disciplinary practices (Kim 2009; Losen 2011; Noguera 2003), school
86 resources and teachers (Christle et al. 2006; Tuzzolo and Hewitt 2006) and the
87 presence of school resource/police officers (Nance 2014), negatively affect the
88 educational opportunities of youth of color generally, and Black, Latina/o, and
89 American Indian/Alaska Native students specifically.

90 Studies focusing specifically on Black and Latino boys and raise important issues
91 in interrupting the criminalization of Black and Brown boys, but scholarly analyses
92 of the school to prison pipeline rarely focus on the school-based criminalization of
93 Black and Latina girls (Morris 2016) or Indigenous youths, particularly those in rural
94 areas (Healey 2013). Thus, discussions on the racialization and criminalization of
95 youth in schools fail to account for the ways race and gender contribute to negative
96 educational outcomes for girls of color or Native youth. As Monique Morris points
97 out, “the narrative arc of the school-to-prison pipeline has largely failed to interro-
98 gate how punitive discipline policies and other school-related decision-making affect
99 the well-being of girls” (2016, p. 11). Black and Brown girls or Indigenous youths do
100 appear in national studies on school discipline and the school-to-prison pipeline and
101 reveal disproportionate, and statistically significant, disparate disciplinary practices
102 for Black, Brown, and Indigenous youths in comparison to white youths (Morgan
103 et al. 2014; NCAI 2011; Redfield and Nance 2016; U.S. Dept. of Ed. 2014; Wallace [AUS](#)
104 et al. 2008). However, the inclusion of Indigenous youth is largely as a comparison
105 group, and they remain absent from statistical and anecdotal narratives of the school
106 to prison pipeline. This cursory inclusion is symptomatic of statistical analyses that
107 expose systemic issues but render the experiences of American Indian students
108 invisible because of a lack of a statistically significant sample size (Shotton et al.
109 2013). In this chapter, we use the terms American Indian, Alaska Native, Native
110 Hawaiian, Native, and Indigenous to refer to the original inhabitants of the lands that
111 now make up the United States, including Alaska and Hawaii, and their descendants.
112 We are specific where possible in identifying which Indigenous peoples or nation we
113 are speaking directly about. We alternate between these terms because we recognize
114 that grouping people in this way is a social construct rooted in a shared history of

115 oppression from colonial forces from Europe and their descendants in the United
116 States. Just as there is no essential or definitional experience that defines Indigenous
117 peoples, there is no term that all Indigenous peoples will agree on.

118 Discussions of the school-to-prison pipeline are growing in academic literature on
119 education, law, and policing – critiquing the disproportionate impact of zero toler-
120 ance policies, current events, and effects that have increased discipline and policing
121 (Morris 2016; Nance 2014; Vaught 2011, 2017). Fewer studies situate this in the
122 historical context, building on the histories of racialization and white supremacy in
123 the United States that associate blackness, otherness, or indigeneity with criminality
124 and valorize whiteness to create racial disparities that continue to grow (Morris
125 2016; Vaught 2011, 2017). The school to prison pipeline is nothing new, but unfor-
126 tunately also shows few signs of rust or disrepair. As the story of Jabez that opened
127 this chapter shows the criminalization of youth has been well maintained.

128 The school-to-prison pipeline for Indigenous peoples in the United States is
129 rooted in the history of colonization and assimilation through boarding schools.
130 Schools, as institutions, are sites and extensions of colonial power in the application
131 of social policy to the bodies and ways of knowing of indigenous youth. The next
132 section situates the school-to-prison pipeline rooted in ideologies of discipline
133 behind the boarding school movement, identifying how colonization has shifted
134 from forced assimilation through removal to a removal from schooling for failure to
135 properly assimilate. This shift is an important adaptation made by schools. We then
136 turn to focus specifically on how disciplinary practices are enacted in Arizona, based
137 on recent data accumulated by the United States Department of Education.
138 Contrasting historical accounts and modern qualitative data helps to begin concep-
139 tualizing and reframing the way schooling, and school discipline, are enacted for
140 American Indian Youth. We conclude by reflecting on the school as a colonial
141 institution and turn towards Critical Indigenous Research Methodologies (Brayboy
142 et al. 2011) to consider how culturally relevant institutions can disrupt the school to
143 prison pipeline.

144 **From Boarding Schools to Prisons**

145 Schools serve multiple purposes; they educate children in particular subjects, they
146 lift certain elements and expectation that society's power-brokers deem desirable and
147 appropriate. Boarding schools were a violent assimilationist effort to cultivate ideal
148 Native Americans citizens; to transform indigenous peoples and knowledges into
149 white, Anglo norms. Indigenous youth who did not fit Eurocentric norms found
150 themselves unfit for inclusion into US civil society, but even those whose ways of
151 being and knowing were colonized by schools were still marginalized (Lomawaima
152 and McCarty 2006). The modern prison industrial complex similarly functions AU6
153 within a state of white supremacy, as school safety and disciplinary policies are
154 often used to demarcate students of color for amplified punishments that too often
155 introduce and link minority youth to the carceral state, either as inmates or guards
156 (Gilmore 2006; Jung et al. 2011; Noguera 2003). Moreover, the school to prison AU7

157 pipeline is complicated by the role of private prisons, whose influence in state
158 legislatures across the country directly contribute to legislation that both underfunds
159 public instruction and increases the presence of for-profit prisons (Jung et al. 2011).
160 The modern school to prison pipeline underscores and reinforces normative behav-
161 iors, views, and knowledges associated with ideal (white supremacist) citizenship,
162 functioning as a filtration system for capitalism, sorting out those who may partic-
163 ipate or those subject to the warehousing, labor, and disenfranchisement of people
164 through mass incarceration.

165 **Colonial Schooling**

166 Schools that serve as a mechanism of social control over non-white populations by
167 the removal and cultural demonization of children are nothing new. As K. Tsianina
168 Lomawaima and Teresa McCarty explain, “the education of American Indian chil-
169 dren has been at the very center of the battleground between federal and tribal
170 powers” (2005, p. 5). Beginning in the late nineteenth century and continuing well
171 through the twentieth, the Indian boarding school system was a means of social,
172 academic, cultural, and physical control – regulating Tribal governance and culture
173 by removing youth and forcing education only in white ways of speaking, behaving,
174 and learning (Adams 1995; Ellis 1996; Littlefield 1993; McCarty and Lomawaima
175 2005). Richard Pratt, founder of the infamous Carlisle Indian School, plainly stated
176 the assimilationist mission of boarding schools was to “kill the Indian in him and
177 save the man” by removing Native youth from their home communities to off
178 reservation boarding schools (Adams 1995, p. 52). This assimilation was not with
179 the intent of integration; rather the intent was to create docile, differentiated bodies
180 for labor and exploitation:

181 Native individuals, as well as particular cultural traits or practices, were being fitted into an
182 American ‘safety zone’ of obedient citizenry and innocent cultural difference. Parameters of
183 the safety zone corresponded to relations of power: Safe citizens were part of a subservient
184 proletariat, and safe cultural differences were controlled by non-Native federal, Christian,
185 and social agencies that could proclaim themselves benefactors dedicated to ‘preserving’
186 native life. (Lomawaima and McCarty 2006, p. 49)

187 By assimilating Native youth and marking them as other, boarding schools
188 ensured marginalization that would eliminate connections with their home commu-
189 nity, while racial marginalization and low-level schooling would guard against social
190 advancement in White spaces. The modern carceral state is thus modeled on the
191 boarding school system’s ideological process of marking particular bodies as deviant
192 others, removing them from their homes and communities, and then forcing disci-
193 pline or docility.

194 Punishing Native Students

195 Current policies of discipline that push students out of the classroom are the colonial
196 legacy of boarding schools. Punitive zero tolerance policies continue the assimila-
197 tion and marginalization for American Indian students by marking characteristics of
198 student dress, look, or behavior as criminal with harsh consequences. Jabez Oates’
199 story is not an isolated incident – schools across the United States continue to sweep
200 Native youth into punitive school discipline simply for upholding cultural traditions.
201 For instance in 2014, a 5-year-old Navajo boy named Malachai Wilson was sent
202 home from his first day of kindergarten because his long hair violated the school’s
203 dress code. Texas’ Seminole school district policy requires “[b]oys’ hair shall be cut
204 neatly and often enough to ensure good grooming” with special exemptions on
205 religious or cultural grounds so long as the school is given prior notice and an
206 administrator approves (Moya-Smith 2014). A year later at Arrowhead Elementary
207 School in 2015, Jakobe Sanden, a Seneca boy, was sent to the Principal’s office for
208 being a distraction. His crime? A mohawk haircut that honored his ancestors. The
209 principal worried that his hair may have violated policy and sent him home without a
210 second thought (Bever 2015). Policing what characteristics constitute “good
211 grooming” for boys are indicative of larger, implicitly biased school policies that
212 seek to punish non-white student behavior as deviant. Though Malachi and Jakobe
213 would return to school without having to cut their hair, with apologies from
214 administrators, Malachi will never have another first day of school, and Jakobe
215 will always know that his hairstyle – and that of his ancestors – will remain suspect at
216 Arrowhead Elementary.

217 Cultural conflict in the education of youth of color is part of a long history of
218 colonization and white supremacy in the United States. For Indigenous youth in
219 particular, indigenous education can be, according to Creek scholar K. Tsianina
220 Lomawaima (2000), summarized in three simple words: “battle for power” (p. 2).
221 Education scholars have thoroughly identified the disconnect between white school-
222 ing and Indigenous youth, highlighting the history of assimilation in US schools and
223 simultaneous resistance by Native students and communities (Brayboy 2005;
224 Lomawaima and McCarty 2006). Even as schooling has become less overtly assim-
225 ilationist, Native students are still excluded and alienated from educational pro-
226 cesses, prompting calls for culturally responsive schooling and culturally relevant/
227 sustaining/revitalizing pedagogies to foster, enhance, and promote Indigenous
228 achievement (Brayboy and Castagno 2009; Brayboy and Maaka 2015; Castagno
229 2012; Castagno and Brayboy 2008; McCarty and Lee 2012).

230 These principles take on added significance in school discipline, as demonstrated
231 in the lawsuit against the Winner School District in South Dakota. In 2004, the US
232 Office for Civil Rights of the Department of Education (OCR) targeted Winner for
233 compliance review based on community reports of racism and disciplinary discrim-
234 ination against Native students (Kim 2010, p. 967). Parents reported that students left
235 the district because of harassment and unfair discipline, but for the local Rosebud
236 Sioux community, the only alternative was an on-reservation boarding school, which
237 “poses a hardship for the families and the students who would otherwise be able to

live at home” (ibid. at 967 n. 68), while others would drop out, or even wind up in a juvenile correctional facility (ibid. at 969). After a group of parents sued the school district, the parties entered into a mediation process between three parents, two tribal representatives, three district administrators, and three members of the district’s Board of Education – ending with a consent decree agreeing to increase graduation rates, decrease suspensions and police referrals, with various attendance and participation requirements (ibid.).

In this case, the lawsuit over disproportionate disciplinary policies and local harassment lead to a mediation that resembles the type of community involvement that culturally relevant schooling seeks to achieve. Critically, this process demonstrates how even schools that are under tribal control may become burdensome to Native students and families, as those who live off-reservation would have to send their children to live in dormitories away from their home. Even though the students are on their Indigenous homelands, they are not with their parents and families on a daily basis. Still, Winner School District litigation is exceptional mostly in that parents were able to directly show discrimination and racism recognized by courts. As Jabez, Malachi, or Jakobe’s stories illustrate, school policies also hinge on cultural norms that can ostracize and discipline Indigenous students for traditional practices, connected to indigenous ways of being and knowing, which are labeled as abnormal or deviant.

The control, management, and suppression of knowledge production over Indigenous and persons of color is central to United States colonization. To this end, education was used to suppress Indigenous axiologies, ontologies, pedagogies, and epistemologies and replace them with eurocentric ways of learning and being (Brayboy 2005; Lomawaima and McCarty 2006; Smith 2012). Education is a sociohistorical process used to model colonial structures of power and further codify relationships of power, particularly white supremacy (Brayboy 2005; Ladson-Billings 1998; Vaught 2015). Peruvian decolonial scholar Anibal Quijano (2000) explains the interdependence between education, identity, and colonization of the Americas as the “constitution of Europe as a new *id*-entity needed the elaboration of a Eurocentric perspective of knowledge, a theoretical perspective of the idea of race as a naturalization of colonial relations between European and non-Europeans” (p. 534). Creating a distinct European identity through colonization necessitated naturalizing Indigenous inferiority through race and white supremacy. The delineations between peoples and knowledge systems became constitutive elements in Western education environments, where the classroom and dominant institutions of education became sites of colonialism. Students who did not embody the cultural norms and European normative values associated were labeled as deviants, needing discipline.

Epistemological and physical abuses of the boarding school system have not died, but instead evolved into discretionary disciplines of the modern school-to-prison pipeline. Punishment of youth of color is made to appear as an outlier, hidden behind neutrally worded general policies that upholding the rules of the education system to make for a more cohesive, or white, educational environment. The stories of Jabez Oates, Jakobe Sanden, and Malachi Wilson reflect the ways in which discipline is

283 meted out against Native children; punishing the children to undermine the parents',
284 and thereby community's, adherence to traditional appearance, at least with respect
285 to hair. School discipline and the school-to-prison pipeline extend the rationale of the
286 boarding school by making student behaviors, thoughts, and actions the problem,
287 rather than focusing on the institutional and systemic barriers in schooling. We
288 believe this connection is exposed by quantitatively identifying if, where, and how
289 Indigenous youth are disciplined. It is to this work that we now turn.

290 **Disciplining Native Students in Arizona**

291 In order to define how discipline is meted out, we turn to the Civil Rights Data
292 Collection (CRDC) housed in the Office of Civil Rights of the Department of
293 Education. The Civil Rights Data Collection (CRDC) is a biennial mandatory survey
294 required by the United States Department of Education, collecting data on education
295 and civil rights issues to analyze equity and opportunity. As a part of federal funding,
296 schools are required to self-report on a variety of categories, from student enrollment
297 to teacher salaries and budget to use of school discipline. The unit of analysis in this
298 data is institutional, as schools will report the aggregate number of students in a
299 given school, for example identifying the total number of American Indian students.
300 To create our dataset, we took the excel files provided by the CRDC, merged and
301 cleaned the data using Stata statistical software to focus specifically on Arizona. We
302 then cleaned the data to identify key variables and perform multivariate regression
303 analyses, described below.

304 **Sampling Arizona**

305 We chose the 2012 CRDC dataset because at the time we requested data, it was the
306 most current dataset with robust and complete data on Arizona. We focus on Arizona
307 for three reasons. First, it is where we currently reside, making it more relevant to our
308 personal experiences. Second, Arizona is home to 22 federally recognized tribal
309 nations and communities, with the third largest American Indian population in the
310 United States. This means a greater proportion of Native students in the total
311 population to avoid statistically insignificant representations of Native youth in our
312 sample. Third, because of the large Native population and number of reservation
313 communities in Arizona, we believed we were more likely to find diversity in
314 schooling environments for Native youth, with a greater likelihood of predominantly
315 American Indian schools in urban and rural settings, as well as larger proportions of
316 American Indian students in urban and rural public, private, and charter schools. The
317 advantage of CRDC data is that it collects public, magnet, charter, and other
318 non-private schools throughout the state of Arizona, leaving us with 1920 schools
319 in our dataset (see Table 1). Unfortunately, the disadvantage of the CRDC data is that
320 all the numbers are self-reported leaving some frequent missing responses, particu-
321 larly in measures of school discipline. The demographics for our total sample

t.1 **Table 1** School sample (*n* = 1917)

t.2	Variable	%	Mean (SD)
t.3	School type		
t.4	<i>Public school</i>	71.06	
t.5	<i>Magnet, alternative or charter</i>	28.94	
t.6	Title I schools	61.35	
t.7	Grades taught		
t.8	<i>PreK</i>	0.89	
t.9	<i>K – 6 (elementary school)</i>	17.29	
t.10	<i>7 & 8 (middle school)</i>	12.24	
t.11	<i>K – 8</i>	19.79	
t.12	<i>Mix of grades (K – 8)</i>	17.86	
t.13	<i>7–12</i>	3.65	
t.14	<i>9–12 (high school)</i>	20.52	
t.15	<i>K – 12 (all grades)</i>	2.92	
t.16	<i>Ungraded (Juv. Justice/online)</i>	4.84	
t.17	School size		
t.18	<i>Small (2–315 students)</i>	33.44	
t.19	<i>Medium (315–662 students)</i>	33.23	
t.20	<i>Large(662 + students)</i>	33.33	
t.21	Phoenix/Tucson	54.79	
t.22	Total school spending (dollars)		3,767,312 (2.95×10^7)
t.23	<i>Average teacher salary</i>		42,248.36 (34,458.24)
t.24	<i>Per-student spending</i>		6877.66 (24,525.82)
t.25	Total FTE of classroom teachers		28.95 (22.65)

322 includes all 1920 schools reported in the original data; however, the final analysis
 323 reduces our total to 1874 schools that reported all disciplinary measures, and of those
 324 schools most reported few to no instances of discipline.

325 As Table 1 demonstrates, the sample is predominantly public schools, with
 326 28.94% of schools identifying as magnet, alternative, or charter schools. The
 327 CRDC defines magnet, alternative, and charter school as distinct schools, but
 328 notes this includes programs that are located within other schools – i.e., a magnet
 329 program housed in a public school. For our purposes, we wanted to show the divide
 330 between schools based on differences in funding from the district – magnet, alter-
 331 native, and charter schools are more narrowly focused at specific issues, populations,
 332 or subjects, and receive different types of funding. Title I schools are defined by
 333 federal funding provided by Title I of the Elementary and Secondary Education Act,
 334 which provides additional federal funding to schools where more than 40% of the
 335 student population are identified as low-income. We use the grades taught variable to
 336 show the distribution of the different types of school and ages of students within that
 337 school in our sample. We split our data into thirds by the number of students
 338 enrolled, thus creating small, medium, and large schools within the sample so we
 339 could see if the size of the school affected school discipline. Furthermore, we used

340 the zip codes available within the dataset to divide our data by whether the school is
341 located in a zip code in the Phoenix or Tucson Metropolitan Statistical Areas, to try
342 and see if there are differences in the discipline meted out by urban and rural schools.
343 Finally, we used fiscal variables to capture school funding, looking at total school
344 spending, that was subdivided into the average teacher salary and per-student
345 spending which synthesizes school size and spending. However, as shown in
346 Table 1, each fiscal measure has a large standard deviation, especially in
347 per-student spending where the standard deviation of 24,525.82 is nearly four
348 times as large as the mean of 6877.66, showing large variance in the spending
349 reported by schools. This indicates a broad range spending among the schools in the
350 sample, with no consistent average across the sample. Finally, we also wanted to
351 look at the Total FTE of teachers employed by the schools, to indicate student-
352 teacher ratios and employment.

353 **Defining Key Variables**

354 **Race**

355 Looking at the effects of discipline within the school-to-prison pipeline for Native
356 students requires identifying key variables: school discipline, sex, and race. The
357 CRDC defines race along seven racial categories, adopted in 2007, using a two part
358 question to identify racial and ethnic data. First students are identified as Hispanic/
359 Latino of any race, then they are identified as American Indian or Alaska Native
360 (AI/AN), Asian, Black or African American, Native Hawaiian, or other Pacific
361 Islander, White, or Two or More Races. If students are identified as Hispanic/Latino,
362 they are tabulated as Latino, even if other categories are selected.

363 The CRDC data misses important racial subtleties, marking Afro-Latinos simply
364 as Latino, or, as particularly relevant to Arizona, Latinos with Native heritage. Thus a
365 student who is Navajo and Mexican would only be identified as Latino in the CRDC
366 data. Furthermore if a student identifies with multiple racial categories, i.e., Black and
367 AI/AN, they would be tabulated in the two or more races category automatically, even
368 if they did not identify under this broader multiracial category. This means that data
369 for Black, American Indian/ Alaska Native, Latina/o, and Asian American students
370 likely underestimate the representation of these groups within the sample, and the lack
371 of nuance clustering students as multiracial underrepresents the varied effects of
372 different socioeconomic and geographic factors for students at the margins of these
373 narrowly defined categories. While there are theoretical and practical issues with the
374 way identity is treated by these data, the standardization of data on race in the CRDC
375 helps to identify discrete racial groups, particularly AI/AN, which are most relevant
376 for our analysis. However, we believe it may also underestimate the effects on
377 Indigenous youth by overly narrow conceptions of race and indigeneity. Again,
378 since we are dealing with school level data, the school's categorization
379 (or miscategorization) of students could speak to the way students are conceptualized
380 as part of the student body, thus, with these caveats, we use the schools categorization
381 of students to see if a relationship exists between school demographics and discipline.

t.1 **Table 2** School demographics (*n* = 1917)

t.2	Variable	Mean (SD)
t.3	Student enrollment	572.98 (543.31)
t.4	<i>By race</i>	
t.5	<i>American Indian/Alaska Native</i>	29.42 (80.78)
t.6	<i>Asian American</i>	16.38 (32.29)
t.7	<i>Black</i>	30.53 (47.04)
t.8	<i>Hawaiian/Pacific Islander</i>	2.25 (5.27)
t.9	<i>Latino</i>	240.34 (295.34)
t.10	<i>White</i>	244.63 (336.83)
t.11	<i>Multiracial</i>	9.41 (32.38)
t.12	<i>By sex</i>	
t.13	<i>Male</i>	294.28 (272.32)
t.14	<i>Female</i>	278.70 (273.10)

382 School racial demographics in Arizona are identified in Table 2, showing the
 383 mean racial and sex demographics for Arizona within the sample. We created
 384 variables representing the mean number of students by race, by sex, and by race
 385 *and* sex. The proportions and means of students by race and sex are nearly identical
 386 to the general racial demographics, but we use the race and gender interaction
 387 variables in our final regression models.

388 The mean racial demographics in Arizona schools within the sample differ
 389 dramatically from the United States census. American Indian and Alaska Natives
 390 are 7.89% of the students in Arizona schools in our sample, compared to 1.6% of the
 391 national population (Census 2016). Similarly Latinos represent 41.06% of the
 392 student population of sampled schools, more than double the 17.8% in recent
 393 U.S. Census data (2016). White (41.53%) and Black (5.05%) are underrepresented
 394 in the sample in contrast with the national census data (61.3% and 13.3% respec-
 395 tively). However, the size and racial composition of schools varies greatly across the
 396 sample, demonstrated by the large standard deviations in Table 2. Although the mean
 397 Black and American Indian populations are both near 30 students, the large standard
 398 deviations (47.04 and 80.78 respectively) exemplify how school racial demo-
 399 graphics are not consistent across the sample, and the data contains many outliers.

400 Part of this is due to large high schools and online schools; there are 13 schools in
 401 Arizona with more than 3000 students, three of which are online schools with more
 402 than 5000 students. In Arizona, online schools provide virtual classroom environ-
 403 nments for students to learn and submit work, but also still involve student and teacher
 404 interaction, all through digital environments. Students are still subject to disciplinary
 405 measures from their respective schools, but the physical classroom environment
 406 differs, even between online schools. Some online schools are magnet programs,
 407 housed within physical school campuses, others are purely virtual environments.
 408 Furthermore, the CRDC data includes no distinctions between online an in person
 409 programs, meaning data would have to be manually researched and recoded to
 410 distinguish all online schools from in-person charter, magnet, or alternative schools.

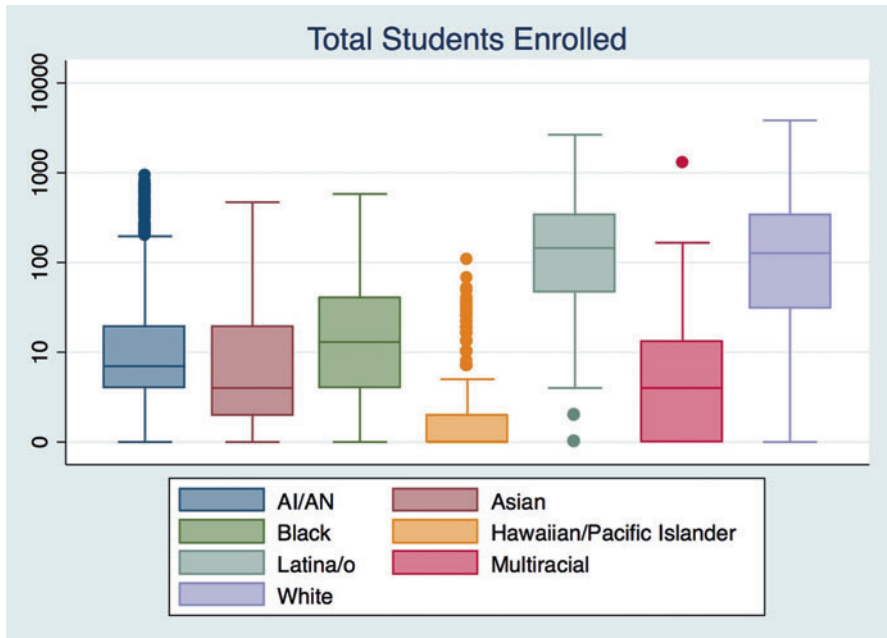


Fig. 1 Enrolled Student Demographics

411 In future studies, we would like to distinguish this information, but for our purposes
 412 in this analysis, we do not believe the online in-person distinction was sufficient for
 413 its own analysis, other than noting the ways they contribute to the population gaps.

414 These 13 online schools have 4.5% of the students in the 1920 schools in the
 415 sample. Additionally, there are 262 charter, online, and public schools in our sample
 416 that have less than 100 total students enrolled. Schools with 100 students or less thus
 417 make up about 13.65% of the schools in our sample, but only about 1.21% of the
 418 sample. Figure 1 shows a box and whisker plot to visualize the outliers in our
 419 sample, considering the large number of schools with a small student body, and the
 420 few schools with a large student body. These large schools necessitated the box and
 421 whisker plots to be shown logarithmically to show the medians and quintiles for each
 422 variable, meaning each tick is exponentially larger than the previous. Box plots in
 423 Fig. 1 demonstrate that, particularly for American Indians, Alaska Natives, Native
 424 Hawaiians, and Pacific Islanders, the mean student population obscures the numerous
 425 outlier schools with large Indigenous populations.

426 This inspired us to highlight the predominant racial groups at various schools, to
 427 give better perspective of how these variations in the mean student populations
 428 represent the racial diversity or segregation at Arizona schools. In Table 3, we start
 429 by looking to two key features of segregation, majority minority schools and
 430 intensely segregated schools.

431 Most Arizona schools are majority minority schools meaning there are more
 432 non-white students than white students (55.78%), while a small but significant

t.1 **Table 3** School segregation (*n* = 1917)

t.2 Variable	%
t.3 Majority minority school	55.78
t.4 Intensely segregated (>90% white)	1.41
t.5 Intensely segregated (>90% AI/AN)	4.17
t.6 Intensely segregated (>90% Latino)	7.29

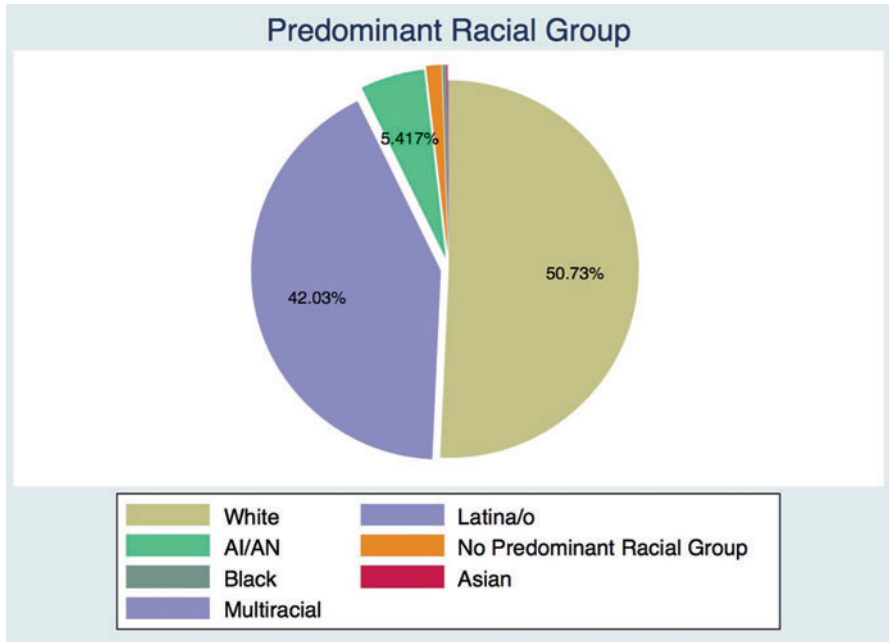


Fig. 2 Predominant racial group at a school

433 amount of schools are intensely segregated, is defined as schools where more than
 434 90% of the student population was one racial group (Orfield et al. 1994). Table 3
 435 shows that a majority of schools in our sample are majority minority (55.78%), with
 436 some schools intensely segregated by race for Latinos, Whites, and Natives (7.29%,
 437 1.41%, and 4.17% respectively).

438 However, even though most schools in the sample are majority minority, Fig. 2
 439 shows that most schools are still predominantly White (50.73%), meaning that White
 440 students are the largest racial group at the school. The remaining schools are predom-
 441 inantly Latina/o (42.03%), with some predominantly Native schools (5.42%); less
 442 than ten schools are predominantly Black, Asian, or Multiracial (0.10%, 0.31%, and
 443 0.10%, respectively); and 25 schools have no predominant racial group (1.30%).
 444 Interestingly, the percentage of intensely segregated Native schools (4.17%) being so
 445 close to the percentage of predominantly Native schools (5.42%) emphasizes that
 446 most predominantly Native schools are intensely segregated.

t.1 **Table 4** School discipline summary ($n = 1917$)

t.2	Variable	Mean (SD)
t.3	Total discipline	81.06 (134.30)
t.4	<i>Law enforcement</i>	2.98 (9.86)
t.5	<i>Corporal punishment</i>	0.33 (5.58)
t.6	<i>Mechanical restraint</i>	0.02 (0.48)
t.7	<i>In-school suspensions</i>	37.34 (82.64)
t.8	<i>Out-of-school suspensions</i>	38.19 (58.35)
t.9	<i>Expulsions</i>	0.71 (3.74)

447 **School Discipline**

448 Based on our review of the literature, a central feature of study for the school to
 449 prison pipeline is school discipline. We created a composite “school discipline”
 450 variable by combining the varied forms of discipline within the dataset: manual
 451 restraint, corporal punishment, in school suspension, out of school, arrests, expul-
 452 sions, and referrals to law enforcement. Table 4 shows the mean number of reported
 453 instances of each type of school discipline that we focused on.

454 The large standard deviations demonstrate the spread of this sample – meaning
 455 that while many schools reported no discipline, or zero instances of a type of
 456 discipline, some schools reported extremely high numbers particularly in both in-
 457 and out-of-school suspensions. In 2012, Arizona schools in our sample range from
 458 zero in-school suspensions, all the way up to 1206 in-school-suspensions. This
 459 means that even though suspensions are the most common discipline, the scale
 460 and number of disciplinary measures varies greatly between schools.

461 Importantly, we want to emphasize that because our data is institutional, meaning
 462 the unit of analysis is at the school level, it means that all of our data is aggregated for
 463 the entire student body. This is particularly important for discipline and demo-
 464 graphics of the school since the CRDC data reports raw aggregate numbers based
 465 a school’s reported data. The number of disciplinary actions are not tied to the
 466 number of students but reflect a general count of actions taken against students, so it
 467 is impossible to tell if, for example, one student has been suspended four times and
 468 expelled, or four students have been suspended and another has been expelled.
 469 However, we believe that this institutional data allows us to look at the ways in
 470 which schools take disciplinary action by analyzing how those disciplinary measures
 471 are distributed by race and gender, giving us a way of highlighting structural
 472 problems but unable to correlate individual actions or behaviors to school responses.
 473 We can say from this data that schools may discipline specific populations dispro-
 474 portionately to their representation in the student body or relative to other groups in
 475 the sample, but we cannot say why or how those students are being targeted.

476 Therefore, to account for the variations in school size and racial demographics
 477 across different schools, we created a per-student discipline variable, which we
 478 disaggregated by race, demonstrated in Fig. 3 and in Table 5.

479 This per-student discipline variable simply reflects the number of disciplinary
 480 actions reported against a student of that group, created by dividing disciplinary

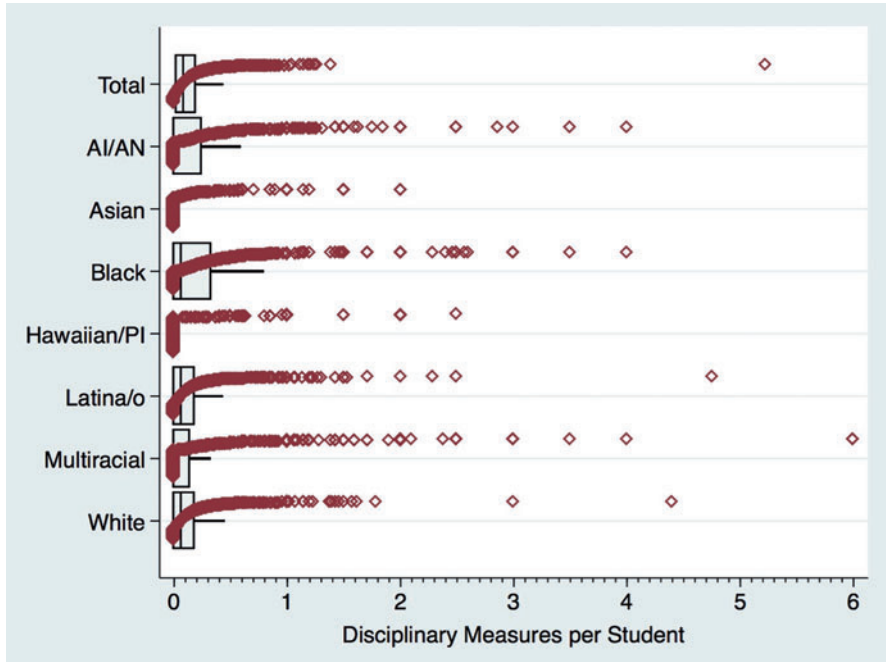


Fig. 3 Disciplinary measures per student, by race

t.1 **Table 5** Per student school discipline, by race (*n* = 1917)

t.2 Variable	Mean (SD)
t.3 Per student	0.1428 (0.2142)
t.4 <i>American Indian/Alaska Native</i>	0.1759 (0.3398)
t.5 <i>Asian American</i>	0.0572 (0.1728)
t.6 <i>Black</i>	0.2210 (0.3785)
t.7 <i>Hawaiian/Pacific Islander</i>	0.0611 (0.2431)
t.8 <i>Latino</i>	0.1373 (0.2424)
t.9 <i>White</i>	0.1405 (0.2359)
t.10 <i>Multiracial</i>	0.1578 (0.4218)

481 measures reported for each group by the total number of enrolled students of that
 482 group ($\frac{\text{number of disciplinary measures by race}}{\text{number of enrolled students by race}}$). Therefore the disciplinary measures demon-
 483 strated in Fig. 3 and described in Table 5 represents that for every American Indian
 484 and Alaska Native students in a school in Arizona, on average, 0.1758 disciplinary
 485 actions were reported per enrolled American Indian and Alaska Native Student.
 486 Figure 3 demonstrates the many outliers, particularly for students of color, with some
 487 schools reporting more than two disciplinary actions taken for every student of color
 488 enrolled in a school. Black, Native, and Multiracial students all show rates of
 489 discipline above the average across racial groups. This highlights schools

490 implementing disciplinary actions against Black, Native, and Multiracial students
491 disproportionate to their representation in the student body. Again, because we have
492 school-level data and not student-level data, we can only speak in terms of discipline
493 relative to school demographics, rather than assessing whether particular students are
494 more or less likely to be disciplined.

495 **Disproportionate Discipline**

496 School-to-prison literature often focuses on disparities by race or funding that are
497 particularly significant (Orfield et al. 1994; Nance 2014; Laura 2014; Redfield and
498 Nance 2016). The lack of adequate school funding limits access to resources for
499 students and has the compounded effect of students falling behind peers and becom-
500 ing disengaged from education in general (Nance 2015). Too often, students of color
501 are the pool of students being bearing the costs of lower education outcomes and
502 disparate rates of punishment associated with school funding (Darling-Hammond
503 2015; Morris 2016). Pedro Noguera notes, in the majority of United States school
504 districts, low academic achievers and Black and Latino males are most likely to be
505 over represented in suspension, detention, and expulsion practices (2003).

506 Since this dataset focuses at the institutional level, rather than student level, we
507 tried to conceptualize race and economic status by contrasting the racial composition
508 of the schools and the school's spending. We use spending as our key financial
509 variable, as this is the only assessment of funding within the dataset. Overall
510 spending helps to look at some of the disparities between the potential for resources
511 to be made available to students, which is particularly important for understanding
512 what students are being left behind or becoming disengaged from the classroom
513 experience. To allow for easier comparison, we created an ordinal spending variable
514 that divided schools into three equal groups (low, medium and high) based on the
515 amount of money spent per-student, which is then contrasted by race, shown in
516 Table 6.

517 Across all seven racial groups, Black and American Indian/Alaska Native stu-
518 dents have the highest rates of per-student discipline, regardless of per-student
519 spending. For schools in the low and mid tiers of per-student spending, mean
520 per-student discipline for Black students ($\bar{x} = 0.2357$ and $\bar{x} = 0.2544$ respectively)
521 is noticeably higher than the overall mean for per-student discipline or mean
522 per-student discipline for Black students ($\bar{x} = 0.2210$), yet schools in the highest
523 tier drop off dramatically ($\bar{x} = 0.1746$). Per-student discipline of Latina/os and
524 Whites, however, appear to consistently increase with higher funding, though still
525 below any of the means for Black or Native students. For us this was a startling
526 display that per-student discipline, for Whites, Latinos, and overall, appear to
527 increase with spending, as most studies show that schools that are underfunded
528 face the largest disciplinary issues. Per-student discipline for American Indian and
529 Alaska Native students, however, seems to fluctuate based on spending, but without
530 noticeable increases or decreases overall or by spending. Table 6 highlights that not
531 only is school discipline varied by race, but school finance may play an important
532 factor in the distribution of discipline in schools.

t.1 **Table 6** Per-student discipline by race & per-student spending ($n = 1875$)

t.2 Disciplinary measures (per t.3 student)	Mean (SD)	Per-student spending (3 categories)		
		Low (\$ 0–3005)	Mid (\$3016–4617)	High (\$4626+)
t.4 Total	0.1428 (0.2142)	0.1212 (0.1451)	0.1330 (0.1590)	0.1735 (0.2980)
t.5 <i>AI/AN</i>	0.1759 (0.3398)	0.1719 (0.2789)	0.1800 (0.3425)	0.1759 (0.3889)
t.6 <i>Asian</i>	0.0572 (0.1728)	0.0593 (0.1427)	0.0679 (0.1823)	0.0448 (0.1892)
t.7 <i>Black</i>	0.2210 (0.3785)	0.2357 (0.3281)	0.2544 (0.4281)	0.1746 (0.3702)
t.8 <i>Hawaiian/PI</i>	0.0611 (0.2431)	0.0695 (0.2529)	0.0775 (0.2643)	0.0364 (0.2066)
t.9 <i>Latino</i>	0.1373 (0.2424)	0.1213 (0.1706)	0.1275 (0.1668)	0.1626 (0.3418)
t.10 <i>White</i>	0.1405 (0.2359)	0.1253 (0.1638)	0.1390 (0.2192)	0.1570 (0.3016)
t.11 <i>Multiracial</i>	0.1578 (0.4218)	0.2272 (0.5514)	0.1621 (0.3479)	0.0855 (0.3139)

533 Therefore we created a set of variables try to focus strictly on the proportionality
 534 of discipline within schools, indicating if the proportion of disciplinary measures
 535 was less than or equal to the proportion of the student population
 536 $\left(\frac{\text{school discipline by race}}{\text{total school discipline}} \leq \frac{\text{students by race}}{\text{total students}}\right)$.

537 Black and Native students in Arizona are, on average, disciplined at higher rates
 538 than other students, as demonstrated in Table 6. However, as Table 7 shows, they are
 539 also more likely to be disproportionately disciplined at a school level. The propor-
 540 tionality demonstrated in Table 7 is calculated by looking at whether each racialized
 541 group’s disciplinary measures is proportional to their representation in the student
 542 body. The first row in Table 7 is the percentage of schools which reported disciplin-
 543 ary measures equal to or less than the number of enrolled students of color, i.e., if a
 544 school is 40% White, and White students make up 20% of school discipline
 545 incidents, then they are classified as less than or equal to percent of the population.
 546 However, Table 7 demonstrates that schools were more likely to disproportionately
 547 discipline Black and American Indian students than White and Latino students,
 548 emphasizing the racialized disparities previously indicated by the sample. Still, the
 549 majority of schools across these four racial groups indicated schools punished
 550 proportionally to a group’s percentage of the student population.

551 **Distributions of Discipline**

552 Because of the racially disproportionate means in Arizona schools’ rates of disci-
 553 pline, we want to ensure that these disparities are statistically relevant and try to
 554 eliminate the possibility they are simply due to chance or random error. In our
 555 sample, data on disciplinary measures are positively skewed, meaning most of the
 556 schools report less than one disciplinary measures per student (median = 0.08,
 557 skewness = 8.57), and a long tail of outliers, going up to 5.23 disciplinary measures
 558 per enrolled student (kurtosis = 175.24). As shown in a histogram of per-student
 559 discipline in Fig. 4, the distribution of school discipline is not a normal, symmetrical
 560 distribution around the mean.

561 However, because we did not want to ignore the outliers and transforming the
 562 data to simulate a normal curve is more difficult considering the large number of

t.1 **Table 7** Proportionality of discipline by race ($n = 1920$)

t.3	Proportionality	Percentage of sample			
		AI/AN	Black	Latino	White
t.4	Less than or equal to % population	64.32	51.30	84.84	80.31
t.5	Greater than % of student population	35.68	48.70	15.16	19.69

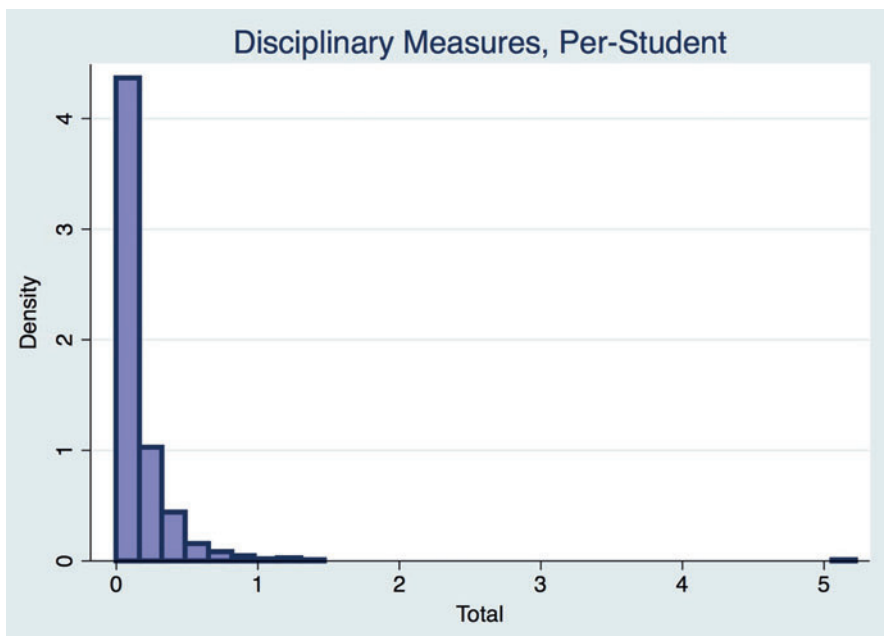


Fig. 4 Histogram of disciplinary measures, per-student

563 schools reporting zero discipline, we used the Wilcoxon-Mann-Whitney two-sample
 564 rank-sum test (WMW test) to compare distributions of data between two
 565 non-parametric groups. Rather than focus on the means or plotting a line of best fit
 566 along the distribution of the data, the WMW test sorts and ranks the data in two
 567 groups, then calculates and compares the sum of ranks for each group and the sum
 568 expected by chance (Longest 2012). Put simply, this test checks to see whether the
 569 distribution of data between two independent groups is significantly different, and
 570 not due to random chance. For our purposes, we used the per-student discipline
 571 variable and compared the distributions of discipline by race, focusing on the
 572 demographics of the school using our variables for majority minority schools,
 573 predominant racial groups, and intensely segregated schools.

574 These data displayed in Table 8 show that there are statistically significant
 575 differences in schools' per-student discipline rates based on the predominant racial
 576 group of the school. In schools where White students make up less than 50% of the
 577 student population, WMW test indicates that rates of per-student discipline were

t.1 **Table 8** Wilcoxon Rank-Sum Test: per-student discipline ($n = 1875$)

t.2	Variable	Obs.	Mean(SD)	Median	z-score	p-value
t.3	Majority minority schools					
t.4	White $\geq 50\%$	807	0.12 (0.24)	0.06	-4.703	<0.001
t.5	White $< 50\%$	1068	0.16 (0.19)	0.10		
t.6	Predominant racial group					
t.7	AI/AN					
t.8	Non-AI/AN	1772	0.14 (0.21)	0.08	-3.954	<0.001
t.9	AI/AN	103	0.26 (0.29)	0.17		
t.10	Latina/o					
t.11	Non-Latina/o	1070	0.14 (0.24)	0.07	-2.997	0.003
t.12	Latina/o	805	0.15 (0.17)	0.09		
t.13	White					
t.14	Non-white	943	0.16 (0.19)	0.10	3.732	<0.001
t.15	White	932	0.13 (0.24)	0.07		
t.16	Intensely segregated					
t.17	AI/AN					
t.18	$< 90\%$ AI/AN	1796	0.14 (0.21)	0.08	-3.939	<0.001
t.19	$\geq 90\%$ AI/AN	79	0.27 (0.30)	0.18		
t.20	Latina/o					
t.21	$< 90\%$ Latina/o	1735	0.15 (0.22)	0.08	3.753	<0.001
t.22	$\geq 90\%$ Latina/o	140	0.10 (0.17)	0.05		
t.23	White					
t.24	$< 90\%$ white	1848	0.14 (0.21)	0.08	1.32	0.009
t.25	$\geq 90\%$ white	27	0.09 (0.15)	0.03		

578 statistically significantly greater than the rates of per-student discipline majority
 579 White schools ($z = -4.703$, $p < 0.001$). Similarly, for schools where American
 580 Indian and Alaska Native students were the predominant racial group, or where
 581 the student body was more than 90% Native, the rates of per-student discipline were
 582 statistically significantly greater ($z = -3.954$, $p < 0.001$ and $z = -3.939$, $p < 0.001$,
 583 respectively). However, in schools where Whites were the predominant racial group,
 584 intensely segregated Latina/o schools, and intensely segregated White schools, the
 585 rates of per-student discipline were statistically significantly lower than
 586 non-predominantly White or nonintensely segregated White or Latina/o schools
 587 ($z = 3.732$, $z = 1.32$, and $z = 3.753$, respectively). What these WMW tests reveal
 588 is a relationship between per-student school discipline and school demographics,
 589 particularly when there schools have a high concentration of American Indian and
 590 Alaska Native students in the student body. Per-student discipline does not disag-
 591 gregate the severity or distribution of discipline in the student body but does indicate
 592 that these schools are more likely to have higher rates of discipline, making students
 593 at these schools more vulnerable to punishment and tracking into the school prison
 594 pipeline we have described.

595 In order to further illuminate the structural relationship between schooling, race,
596 and discipline, we repeated the WMW tests, this time using per-student discipline
597 variables for American Indian Alaska Native, Black, Latina/o, and White students.
598 Again, each of these focuses per-student discipline on the number of disciplinary
599 measures recorded for students of that race, meaning only schools that report
600 enrollment of Native, Black, Latina/o, and White students would be included in
601 each group's per-student discipline variable.

602 The distribution of per-Native student discipline mirrors the trends we saw with
603 the overall per-student discipline in Table 8. Looking specifically at discipline
604 per-Native student, the distribution of discipline was statistically significantly higher
605 in majority minority schools, predominantly non-White schools, and intensely
606 segregated Native schools ($z = -5.258$, $z = 4.833$, $z = -5.617$, respectively).
607 Across other racialized groups, we see that in both Black and White per-student
608 disciplinary measures, there are similar, statistically significant, higher rates of
609 per-student discipline in majority minority schools, predominantly Latina/o schools,
610 and predominantly non-White Schools. This signals a general institutional problem,
611 since the various WMW tests in Table 9 indicate that predominantly non-white
612 schools have statistically significant differences in the rates of per-student discipline.
613 Put simply, students in predominantly non-White schools are generally disciplined at
614 higher rates, regardless of the race of the student being disciplined.

615 But of course, this comes with exceptions in intensely segregated schools, i.e.,
616 schools where the student body is more than 90% one race. For Native, Black, and
617 Latina/o per-student discipline, our WMW tests showed median per-student disci-
618 pline was statistically significantly lower in intensely segregated Latina/o schools
619 ($z = 2.095$, $z = 1.979$, and $z = 2.546$ respectively, $p < 0.05$). Only Latina/o
620 per-student discipline had a median greater than zero (median = 0.04). In intensely
621 segregated Native schools, median per-discipline rates for Black, Latina/o, and
622 White students were statistically significantly lower, all with medians of 0.00
623 ($z = 3.848$, $z = 4.313$, and $z = 5.744$, respectively, $p < 0.001$). Yet for Native
624 students in intensely segregated Native Schools, median per-student discipline was
625 statistically significantly higher, with a median of 0.18 compared to the median of
626 0.00 in non-intensely segregated Native schools ($z = -5.617$, $p < 0.001$). American
627 Indian and Alaska Natives are the only racial group in our WMW tests to have more
628 schools with higher median rates of per-student discipline in intensely segregated
629 schools where they are the largest student group. Latina/o and White per-student
630 discipline in intensely segregated Latina/o and White schools are statistically sig-
631 nificantly lower, than in non-intensely segregated schools.

632 Overall, our WMW tests reveal that race is a statistically significant factor in the
633 rates of per-student discipline. Both in the composition of the student body and in the
634 per-student discipline by race, schools serving a larger proportion of Native students
635 reported higher rates of discipline. For us, this signals a systemic issue, particularly
636 in looking at the school to prison pipeline, by highlighting the structural inequalities
637 that exist at the school level. Again, because all of the CRDC data we use in this
638 study is at the school level, rather than at the individual level, it is more difficult to be
639 precise in how race is effecting the rates of school discipline, and what confounding

Table 9 Wilcoxon Rank-Sum Test: per-student discipline, by race

Variable	All/AN (n = 1667)		Black (n = 1591)		Latina/o (n = 1807)		White (n = 1811)		Obs.	Med.	z-score	Obs.	Med.	z-score
	Obs.	Med.	Obs.	Med.	Obs.	Med.	Obs.	Med.						
t.3	Majority minority													
t.4	Majority minority													
t.5	688	0.00	0.00	0.09	-5.258***	692	0.09	-3.514***	795	0.06	-1.282	807	0.06	-4.097***
t.6	979	0.05	0.05	0.15		899	0.15		1012	0.07		1004	0.10	
t.7	Predominant group													
t.8	All/AN													
t.9	Non- All/AN	1564	0.00	0.00	-6.007***	1554	0.14	1.432	1759	0.07	2.811**	1748	0.07	4.529***
t.10	All/AN	103	0.17	0.17		37	0.00		48	0.00		63	0.00	
t.11	Latina/o													
t.12	Non- Latina/o	941	0.00	0.00	-2.717*	874	0.09	-4.401***	1002	0.06	-2.376*	1030	0.05	-6.159***
t.13	Latina/o	726	0.02	0.02		717	0.18		805	0.07		781	0.11	
t.14	White													
t.15	Non- white	855	0.05	0.05	4.833***	776	0.16	3.224**	887	0.07	0.538	879	0.10	3.264**
t.16	White	812	0.00	0.00		815	0.10		920	0.07		932	0.06	

(continued)

t.17 Table 9 (continued)

Variable	AI/AN (n = 1667)		Black (n = 1591)		Latina/o (n = 1807)		White (n = 1811)		Med.	z-score	Obs.	Med.	z-score	Obs.	Med.	z-score
	Obs.	Med.	Obs.	Med.	Obs.	Med.	Obs.	Med.								
Intensely segregated																
t.21 AI/AN																
t.22 AI/AN	<90%	1588	0.00		-5.617***	1574	0.14	3.848***	1783	0.07	4.313***	1771	0.07	5.744***		
t.23 AI/AN	≥90%	79	0.18			17	0.00		24	0.00		40	0.00			
t.24 Latina/o																
t.25 Latina/o	<90%	1573	0.00		2.095*	1498	0.14	1.979*	1667	0.07	2.546*	1689	0.07	1.873		
t.26 Latina/o	≥90%	94	0.00			93	0.00		140	0.04		122	0.00			
t.27 white																
t.28 white	<90%	1654	0.00		0.977	1583	0.13	1.475	1786	0.07	3.445***	1784	0.07	2.228*		
t.29 white	≥90%	13	0.00			8	0.00		21	0.04		27	0.02			

t.30 *p < 0.05; **p < 0.005; ***p < 0.001

640 factors may exist. Yet from the disparities in mean and median rates of discipline,
641 and from our Wilcoxon-Mann-Whitney tests, we can see that school demographics
642 play a statistically significant factor in the rates of discipline. Particularly for Native
643 youth, these data reveal potential disparities and structural issues that need further
644 investigation and analysis.

645 **Limitations**

646 The relationships we look at in our statistical analyses are unfortunately very narrow
647 and do not have a robust structure to look at the many confounding or moderating
648 variables that could affect discipline rates, at the individual and institutional level.
649 Unfortunately, the limitations of this sample and dataset are that they rely on self-
650 reported institutional level observations rather than student level results. Addition-
651 ally, these data do not include variables that we believe are relevant to interrogating
652 how and why discipline is disproportionately applied, and no aggregated data on
653 actions or instances that the school deems sufficient for discipline – a student
654 suspended for harassing another student and a student suspended for coming to
655 school with a non-conforming hairstyle are represented simply as suspensions in the
656 data. Additional important information should include the racial/sex demographics
657 of teachers and staff, additional indicators of which disciplinary measures are
658 discretionary or compulsory, and most importantly whether there is overlap in
659 discipline (i.e., are the same few students being expelled, suspended, and physically
660 punished multiple times, or are these one-time instances spread across the student
661 body?). In future research and data, collection factors associated with administrative
662 and institutional demographics are needed, as well as quantitative and/or qualitative
663 comparative case studies on schools that to gain insight into the disciplinary experi-
664 ences of students at the individual level, particularly for AI/AN youth who have
665 been largely excluded from quantitative data in school-to-prison research.

666 **Changing the Institution Through Self-Determination**

667 We have spent this chapter focusing on how data may misrepresent, misunderstand,
668 or completely overlook the experiences of American Indian and Alaska Native
669 students to emphasize how American Indian Students are racialized and dispropor-
670 tionately punished, but even these data are just the tip of the iceberg in how
671 educational institutions continue to fail American Indian students. Stories of Indig-
672 enous students and communities highlight the ways in which colonial, white
673 supremacist states have attempted to erase people socially, culturally, spiritually,
674 and physically from their homelands. Statistics tell their own story of how these
675 different examples are connected to larger systems and structures of power – how the
676 story of Jabez, Jakobe, and Micah are part of a systemic disenfranchisement of
677 students of color, which exploits cultural perseverance as a reason for discipline
678 rather than celebration. Rather than take a deficit-oriented perspective, we emphasize
679 racialized disparities to highlight the inadequacies in US educational institutions
680 serving Indigenous students.

681 Statistics, on the surface, present a grim state of affairs for American Indian
682 student achievement and are misinterpreted as the individual fault or problem of
683 American Indian students, placing the burden of performance on students rather than
684 on the schools failing them. Just as Jabez Oates' principal blamed his mother and
685 culture rather than reconsidering the exclusionary school policy, this lens not only
686 fails students but enhances white supremacy. Under this lens, it is simpler to
687 categorize American Indian students as problems, incompatible within education
688 settings. However, delving deeper into the statistical analyses as we have sought to
689 do in this article, the numbers reveal narratives of how institutions of education have
690 failed Indigenous students, and students of color generally. This necessitates
691 questioning the pedagogical environment and curriculum in which Indigenous
692 learners are being instructed, and also how Indigenous students see themselves
693 within education settings. Fundamental to the success of Indigenous students and
694 more broadly students of color are curriculums that are grounded in community,
695 reciprocity, cultural reflexivity, and self-determination.

696 American Indian and Alaska Native students are guaranteed education through
697 treaties, statutes, administrative policies, and executive statements. Historically, this
698 has meant assimilation through education that enforces white supremacist, eurocentric
699 ways of learning and knowing. In the 43 years since *Morton v. Mancari* (1974),
700 United States policy has embraced the liminal status of Native peoples in the United
701 States – recognizing American Indians and Alaska Natives both as racialized people
702 and people who possess a unique political status derived from history, treaties, Tribal
703 citizenship, and federal laws and policies (Brayboy 2005). Yet even in this era of
704 self-determination, the liminal status recognized by courts of law holds little weight
705 in combating classroom discipline and the school to prison pipeline. Intervention
706 from federal authorities can provide some relief, like when the Office of Civil Rights
707 intervened in Winner School District, mentioned earlier in the article, but this is an
708 exceptional case for a systemic issue. American Indian and Alaska Native's political
709 status that guarantees education is instead negated by wake of racialized, colonial
710 policies from dress codes to zero tolerance that push American Indian, Alaska
711 Native, Native Hawaiian, Black, Latino, and other students of color out of schools
712 and into prisons. The problem comes from the fact that the institution of schools
713 themselves may in fact be too rooted in a colonial, white supremacist agenda to
714 facilitate the inclusion of all students of color, or enable the success of all students.
715 This pushes us to consider how and in what ways Indigenous students should be
716 better served through educational environments that value Indigenous ways of
717 being and learning – what we would call culturally relevant institutions.

718 Creating culturally relevant institutions means incorporating culturally relevant
719 schooling and pedagogy to rework institutions from their foundations. A teacher
720 dedicated to culturally responsive schooling can do wonders for a classroom of
721 Indigenous students, but if this is done within a school that sends students home for
722 having the wrong haircut, or speaking out at the wrong time, or some other form of
723 discipline, these important efforts of pedagogy and schooling are negated by insti-
724 tutional constraints. We suggest that culturally relevant institutions come from
725 principles found in Critical Indigenous Research Methodologies (“CIRM”),

726 grounding research and curriculum, as well as institutional structure, in indigenous
727 knowledge systems, with emancipatory and anti-colonial focuses concentrating on
728 the needs of communities in which the research is being engaged.

729 The overarching principles of CIRM are rooted in the four “r”s: relationships,
730 responsibility, respect, and reciprocity and accountability (Brayboy et al. 2012).
731 These principles focus research on the strengths and needs of a community, as
732 identified by the community. Within this framework, the community is not the *object*
733 of inquiry but rather a research partner that instills Indigenous values, knowledges,
734 and guidance into the research process. CIRM is an emancipatory method of inquiry
735 as it pushes Indigenous communities “to reclaim research and knowledge-making
736 practices that are driven by indigenous peoples,” (2012, p. 425). This reclamation of
737 what knowledge making processes constitute implicates how Indigenous students
738 learn and are perceived within education settings. Institutionally reforming how the
739 subjugated knowledges, histories, and practices of Indigenous peoples is instrumen-
740 tal in confronting and counterbalancing education models that over punish, under
741 value, and under serve Indigenous students. Maori Scholar Linda Smith stresses the
742 importance of engaging in work that is self-reflexive and that also points to the
743 knowledges and needs of the communities in which scholars work. Smith’s
744 *Decolonizing Methodologies* (2012) encourages research to be grounded in
745 community’s ways of being and knowing, and in partnership with those communi-
746 ties. The same principle of reflexivity in the production of knowledge via research is
747 true in the classroom, in the curriculum, and must also be true for the institution of
748 schooling itself. Lumbee scholar Bryan Brayboy notes, the concepts of culture,
749 knowledge, and power take on new meaning when examined through an Indigenous
750 lens. Governmental and educational policies constructed schools as institutions with
751 the goal of assimilation and colonization. As Brayboy (2005) explains, “colonization
752 has been so complete that even many American Indians fail to recognize that we are
753 taking up colonialist ideas when we fail to express ourselves in ways that may
754 challenge dominant society’s ideas about who and what we are supposed to be, how
755 we are supposed to behave, and what we are supposed to be within the larger
756 population” (p. 431). Pedagogically and administratively, colonial models of edu-
757 cation have negatively influenced how American Indian students have come to be
758 seen within education settings. In this light, American Indian students cultures, like
759 Jabez, Micah, and Jakobe’s hair, are branded as negative, distracting behaviors in
760 need of institutional intervention, and correction through discipline. The right of
761 Indigenous communities and students to actively participate and manage what
762 practices are administered in learning is integral in decolonizing educational
763 institutions.

764 Chicana scholar Gloria Anzaldúa underscores the destructive effects of colonial
765 ideologies and practices have had on colonized peoples; she notes “[b]y taking away
766 our self-determination, it has made us weak and empty.” (1998, p. 108). Culturally
767 responsive curriculum brings self-determination back to the educational setting by
768 forefronting students’ unique cultural experiences and students actively take part in
769 producing new academic knowledges (Belgarde et al. 2003, p. 42). Within the
770 context of the education of American Indian students, sovereignty and self-

771 determination are paramount in developing culturally relevant curriculums that
 772 augment the success of American Indian students (Castagno and Brayboy 2008).
 773 However, gaining access to culturally relevant curriculum is not simple, even when
 774 such programs exist. As was evident in the Winner School District suit, American
 775 Indian students had an on-reservation alternative, but it presented additional diffi-
 776 culties and burdens in travel and living away from families. Thus culturally relevant
 777 curriculum must become a process that reshapes schools' institutional functions,
 778 changing schools as sites of assimilation in to facilitators of self-determination
 779 through education – regardless of location. Access to educational spaces which
 780 provide students with the benefit of cultural reflexivity are a means to allay and
 781 eventually counteract the negative legacy of assimilationist colonial education
 782 policies. In these spaces, as opposed to traditional spaces of education, the bodies
 783 and epistemologies of Indigenous students are not the subjects of scrutiny, contesta-
 784 tion, or punitive discipline. Rather, their experiences and ways of being are sources
 785 of strength and repositories of knowledge.

786 Conclusion

[AU10](#)

787 In 1916, Seneca scholar Arthur C. Parker wrote:

788 “Human beings have a primary right to an intellectual life, but civilization has swept
 789 down upon groups of Indians and, by destroying their relationships to nature, blighted or
 790 banished their intellectual life, and left a group of people mentally confused. . . .The
 791 Indians must have a thought-world given back. Their intellectual world must have direct
 792 relation to their world of responsible acts and spontaneous experiences. (p. 258)

[AU11](#)

793 The stories, history, and data provided in this chapter underscore the extent to
 794 which American Indian, Black, and Latino students disproportionately disciplined
 795 and punished in schools, particularly in Arizona where the punishment of Black and
 796 American Indian youth exceeds their representation in the student population.
 797 Though our data and analysis highlight the negative consequences of discipline,
 798 they also highlight the dearth of what is known about the day to day experiences of
 799 individual students, particularly Indigenous students that are directly affected by
 800 disproportionate rates of punishment and negative educational outcomes. Anecdotal
 801 evidence like the stories of Jabez Oates, Malachi Wilson, and Jakobe Sanden allow
 802 us to peek behind the curtain of data and see how neutrally worded policies come
 803 with disciplinary consequences, particularly for Indigenous students attempting to
 804 live the traditions and culture of their peoples, and how instructors and administra-
 805 tors brand them as outsiders asking for something more than an education. The
 806 referrals to the principal's office, phone calls from administrators, and referrals home
 807 because their physical appearances disrupted the learning environment of their peers
 808 highlight how native bodies are marked in the education system. It is a remnant of a
 809 colonial past that coercively disciplined and attempted to assimilate indigenous
 810 peoples into Western representative models of students and pupils.

811 However, we also know that programs promoting culturally responsive curricu-
812 lum have a record of successfully funneling students into higher education, trans-
813 forming the institutional pipeline from prison to community engagement. In Tucson,
814 Arizona, for example, ethnic studies programs were integrated into the Tuscon
815 Unified School District, offering courses for African American, American Indian,
816 and Mexican American studies that used culturally relevant pedagogies and teaching
817 practices to transform how students interact with the education system. These pro-
818 grams were initiated within the public schools at all levels to redress low graduation
819 rates, poor performance rates on standardized examinations, and overall poor aca-
820 demic achievement among their students (Hawley 2012). Mexican American Stud-
821 ies (MAS) and American Indian Studies in particular emphasized the indigenous
822 traditions of peoples of the southwest and Central and South America, though
823 because of the white supremacist and anti-immigration political climate, Mexican
824 American Studies was targeted by local politicians as a source of hostility that they
825 sought to eliminate all of the ethnic studies programs in TUSD and the state.

826 Programmatically, MAS advances both indigenous knowledge values emanating
827 from Mexico and also provided history lessons that included Mexican history of the
828 southwestern United States into class discussions. The program became the subject
829 of scorn by local legislators and was effectively banned for purportedly promoting
830 curriculum that advocated for an ethnic group, against an ethnic group, or the
831 overthrow of the US government. In truth, the ethnic studies program was initiated
832 to advance the success of its students by using culturally relevant and reflective
833 curriculum, Tucson MAS curriculum was derived from Indigenous knowledge bases
834 by making use of the Mexican Indigenous cultural concepts of Nahui Ollin (Our
835 Age) that encompass notions of Tezcatlipoca (self-reflection), Quetzalcoatl (precious
836 and beautiful knowledge), Huitzilopochtli (the will to act), and Xipe Totec (trans-
837 formation) and the Mayan principle of In Lak Ech (you are my other me) (Villanueva
838 2013). The curriculum included the use of creation stories, decolonial pedagogies,
839 self-reflection, Chicano history.

840 The culturally responsive curriculum grounded in community, which included
841 Indigenous and cultural history salient to the Mexican American and Latino students
842 with backgrounds from Central America proved to be an effective pedagogical tool
843 in navigating a hostile educational institution. Over time, the program was successful
844 and resulted in graduation rates, specifically in 2008 MAS students were 18% more
845 likely to pass AIMS testing. Arizona's Instrument to Measure Standards (AIMS) Test
846 is a standardized test used to examine academic achievement in math, reading,
847 writing, and in science from public school students in grades 3–12. In 2010, the
848 students were 64% more likely to pass aims testing. Moreover, MAS students were
849 shown to be 162% more likely to pass than students who did participate in MAS
850 courses. These increased rates of academic performance ultimately contributed to
851 students successfully transitioning out of high-school via graduation as opposed to
852 exiting the education system via expulsion or drop out. Students who participated in
853 MAS courses were between 51% and 108% more likely to graduate from high
854 school than non-MAS students. The positive effect of Tucson MAS curriculum on
855 students is exemplary of how programs grounded in culturally relevant pedagogies

856 and practices and intentionally designed for students to engage their histories,
 857 epistemologies, can have on successful education outcomes for marginalized
 858 populations. With students being taught in styles of instruction that engaged and
 859 valued Indigenous pedagogies and epistemologies, the relations of power within the
 860 classroom shifted. The instruction and classroom environment did not hinge on
 861 obedience and discipline management rather the classroom space was liberatory
 862 and promoted the self-expression of students in ways relevant to their respective
 863 histories and communities.

864 We believe that taking away culture, forcing assimilation, and removing an
 865 Indigenous *thought world* in curriculum leads to damaging effects in education
 866 outcomes, a manifestation of which are disparate rates of punishment. Indigenous
 867 students, through education models that result in disparate rates of punishment, and
 868 subsequent egresses from spaces of learning, are deprived of a right to education.
 869 Moreover, maintaining a system that alienates Indigenous children from the time
 870 they enter school leads, invariably, to deleterious effects, including the overrepresent-
 871 tion of Indigenous peoples in prisons. History and present show that the state of
 872 education for students of color, particularly American Indian students, is interwoven
 873 with state managed discipline. Discipline in schools is a continuation of education's
 874 colonial legacy. Boarding schools attempted to erase Indigenous values and supplant
 875 cultural knowledges with European and American ways of being. Institutional
 876 commitments to culturally relevant curriculums and teacher practices are a step
 877 towards amending fraught experiences of Indigenous students in education.

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[AU12](#)

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