JPS
Journal of Policy Studies

Haider-Markel, D. P., Bright, C. L. M., & Sylvester, S. M. (2022). Staying in Class: Representative Bureaucracy and Student Praise and Punishment. *Journal of Policy Studies*, *37*(2), 29–42. https://doi.org/10.52372/jps37203

Articles

Staying in Class: Representative Bureaucracy and Student Praise and Punishment

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Keywords: Schools, representative bureaucracy, punishment, gifted, minority, discipline

https://doi.org/10.52372/jps37203

Vol. 37, Issue 2, 2022

Our project investigates the impact of minority bureaucratic and political representation on the distribution of disciplinary measures in public schools, in contrast with its impact on gifted and talented class placement. It is motivated by the contrast in accumulating research on the consequences of minority bureaucratic representation between findings that minority teacher representation yields beneficial outcomes for minority students while minority representation on police forces does not yield beneficial outcomes for minority residents. Similarly, we note that public school teaching involves two kinds of organizational roles: one involving distribution of benefits (such as placement in gifted and talented programs) which is consistent with an educator role, while the other, involving the distribution of discipline, approximates a policing role, which could be less consistent with an educator role. In short, the educator role benefits the client and the policing role regulates the client. We theorize that (a) modeling the impact of greater minority representation on teaching staffs will yield contrasting results for these two roles, (b) that there will also be differences based on type of discipline at issue, and that (c) the role of minority representation on the school board must also be taken into account. We examine these issues by employing merged data from several data sources ranging from 2007 to 2010 for our analyses. Our results suggest that higher minority teacher representation does increase minority student placement in gifted programs, but does not significantly reduce punishment of minority students. Our analyses also suggest that future research needs to more fully incorporate contextual variables, such as school board representation and state policy. Scholars of representative bureaucracy should also consider the multiple organizational roles that many bureaucrats have.

Research on the *consequences* of minority representation among so-called street-level bureaucrats has proliferated – dominated by studies focusing on the police and on school teachers. The results of this ever-growing body of research present a curious contrast. Studies of school teachers tend to show that a greater presence of black (Atkins & Wilkins, 2013; Holt & Gershenson, 2019; Keiser et al., 2021; Meier, 1984) and/or Latino (Meier, 1993; Meier & O'Toole, 2006; Rocha & Hawes, 2009) teachers does yield more beneficial outcomes for minority students; on the other hand, studies of enhanced minority representation among street-level police officers often yield findings of a lack of improvement in policing impacts on minority individuals (Hickman & Piquero, 2009; Sharp, 2014; Smith, 2003; Weitzer, 2003), even though black citizen perceptions of police actions improve when the officer is also black (Theobald & Haider-Markel, 2008) or female (Riccucci et al., 2014). The improved outcomes could be a function of active representation on the part of officers or symbolic representation, in that citizen perceptions improve because of the descriptive representation, not because of specific actions by the bureaucrat (Hawes, 2021; Headley & Wright, 2020; Hong, 2016; Nicholson-Crotty et al., 2011; Riccucci et al., 2016; Riccucci & Van Ryzin, 2017). Either way, we appear to have two very different answers to the question of whether greater descriptive representation of minorities in key positions of professional service delivery helps to minimize unfavorable or inequitable outcomes for minority individuals on the receiving end of these key public bureaucracies (i.e., active or symbolic representation).

There are several possible reasons for these contrasting results. The most obvious one would attribute the contrast to unique elements of the police bureaucracy. Indeed some analysts conclude that policing "offers a difficult test for the theory of representative bureaucracy" because police departments use processes of organizational socialization to

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"strip the racial identity of police officers, somehow changing them from 'black' to 'blue' and limiting their provision of active representation" [of the preferences of blacks] (Wilkins & Williams, 2008, p. 654). However, Oberfield (2014) and Headley (2022) suggest that bureaucratic socialization in police training has its limits, noting strong dispositional characteristics or identities that individuals bring to the job. In addition, perhaps it has to do with the target populations studied rather than the bureaucracy at issue. Representative bureaucracy impacts of the police have been most heavily studied with respect to African-Americans (Theobald & Haider-Markel, 2008), while parallel studies for Latinos are only beginning to emerge; by contrast, there is at least as substantial a set of research findings on the impacts of Latino teachers (Meier, 1993; Meier & Stewart, 1991; Rocha & Hawes, 2009; Shah & Marschall, 2011) and of black teachers (Holt & Gershenson, 2019; Meier, 1984; Meier et al., 1991) on minority student outcomes. Hence, the curious contrast in representative bureaucracy results for policing and schools may really be reflecting differing representative bureaucracy results for differing minority groups.

But a more intriguing third possibility stems from the fact that teaching consists of two kinds of organizational roles – one, an educator role, involving the distribution of benefits while the other, involving the distribution of discipline or punishment, arguably approximates a policing role. As an educator a teacher is expected to help clients, but as a disciplinarian a teacher is expected to regulate as well as help clients.

Until fairly recently, research on representative bureaucracy in schools has paid less attention to school discipline than to the distribution of school benefits (Grissom & Redding, 2016; Holt & Gershenson, 2019). The by-now quite substantial literature on second-generation discrimination in schooling nearly always examines differentials by race and ethnicity in assignment or access of students to more desirable academic programming such as gifted and talented programs, advanced placement courses and smaller classes (Grissom & Redding, 2016; Meier, 1984; Meier & O'Toole, 2006; Rocha & Matsubayashi, 2013) as well as ultimate outcomes such as pass rates on assessment tests (Meier et al., 1999). Results from the smaller number of studies that include school discipline are often less than definitive either because a single school discipline outcome is wrapped into a broader factor score dominated by other kinds of indicators (Meier, 1984) or because of mixed results and/or the use of a limited, non-national sample (Holt & Gershenson, 2019; Meier, 1993; but see Meier et al., 1991 and Rocha & Hawes, 2009). One notable study also suggests that school discipline policy (learning-orientated versus sanction-orientated discipline policy) is influenced by school racial representation (Roch et al., 2010).

This paper theorizes that investigation of the impact of minority teacher representation will yield contrasting results if disciplinary measures directed at minority students are modeled separately from assignment of minority students to desirable educational programs. Specifically, we would expect that when the issue is the dispensing of favored educational benefits, minority teacher representation will have a strong influence on minority students' access to those outcomes; but when the issue is the administration of discipline, the level of minority teacher representation is less likely to have an impact on the rate at which minority students are disciplined. In short, when it is the minority "teacher as cop" that is at issue, we hypothesize results much like the disappointing ones that have often been observed for enhanced minority representation on the police force.

Zamboni's (2020) research on first responders does note that representation might look different under different circumstances depending on how the bureaucratic views her role and the nature of the client's situation. Using her logic minority teachers might be more likely to assign minority students to gifted-classes because they are viewed as deserving but underserved. At the same time, minority teachers confronted with minority students in a disciplinary situation might view the student as deserving, but in need of "tough-love." In the first case the student outcome is enhanced, in the second case the student outcome is not enhanced (at least in terms of disciplinary statistics).

We hasten to note two key studies explicitly focusing on minority representation and school discipline which find that a greater share of minority teachers *does* minimize inequitable disciplinary impacts on minority students (Meier et al., 1991; Rocha & Hawes, 2009). These two studies call into question the core thesis of this paper. However, each of these important works has limitations which must be remedied in order for us to have definitive results about the possibly distinctive functioning of representative bureaucracy when it comes to school discipline. As following sections will detail, there is a need to consider a more fine-tuned array of disciplinary measures than the aggregate suspensions that both studies consider:[1] the need to model minority electoral representation as well as minority bureaucratic representation, which neither does,[2] and the need for more contemporary evidence on school discipline patterns than the 1980's data that predominates and the 2000 data that is

1 Meier, Stewart and England (1991) modeled corporal punishment as well as overall suspensions, but the former is no longer a relevant disciplinary measure to consider (because only a handful out of a sample of nearly 500 schools report any use of such discipline). Instead, this paper argues for a more fine-tuned look at different types of suspensions and referral of the student to law enforcement authorities.

2 Meier, Stewart and England (1991) include a preliminary analysis showing that black school board members influence the appointment of black school administrators, who in turn influence black teacher representation. However, magnitude of black school board representation is not included in their multivariate analysis of second generation discrimination outcomes, including disproportionate targeting of discipline to black students. They create a composite Hispanic representation measure by multiplying percentage of teachers who are Hispanic times percentage of school board members who are Hispanic, and then taking the square root of the product. As a result, it is impossible to determine the distinct impact of either. It is possible that their findings also point to some threshold that must be passed before the impact of representation is fully observed (see Meier, 2019).

the contemporary limit of this line of research. These conceptual and empirical modeling refinements are important for continuing development of representative bureaucracy theory because they will help to pin down whether active or symbolic representation of minority interests is or is not contingent on the type of organizational role being undertaken by street-level bureaucrats.

Theoretical Significance

Although our project is primarily motivated by theory-building concerns specific to the matter of the impacts of minority representation, the topic gains considerable significance from compelling evidence of substantial racial and ethnic disparities in the application of disciplinary measures in schools, along with evidence that the disproportionate targeting of disciplinary measures to black and Latino students has important implications for students experiencing those disciplinary measures.

With respect to disproportionate targeting of disciplinary measures, a review (Gregory et al., 2010, p. 59) notes that there is a "large body of evidence" by now spanning several decades, showing that "Black students are subject to a disproportionate amount of discipline in school settings; a smaller and less consistent literature suggests disproportionate sanctioning of Latino and American Indian students in some schools." These results have been found "across a wide array of sanctions" ranging from suspensions to in-school disciplinary measures, they have been found using a variety of data sources (parent surveys, surveys of students, state or school data) focusing on nationally representative samples or more selective state or city samples (Gregory et al., 2010, p. 59).

Skiba and colleagues (2011, pp. 86–87) acknowledge that *if* minority students "exhibit behavioral styles so discrepant from mainstream expectations in school settings as to put them at risk for increased disciplinary contact" (Skiba et al., 2011, p. 86) then the minority-white differential in experience of school discipline might be proportionate to problem behaviors. However, these scholars remind us that numerous individual-level studies have failed to show "evidence of differences in either the frequency or intensity of African American students' school behavior sufficient to account for differences in rates of school discipline." Instead, studies report either "no significant differences" in black and white students' behavior or even the finding that "African American students receive harsher levels of punishment for less serious behavior than other students (Skiba et al., 2011, pp. 86–87). In their study of a nationwide representative sample of schools recording detailed data on disciplinary cases in the 2005-2006 academic year, Skiba and colleagues (2011, p. 101) find that there are racial and ethnic disparities in both teacher referrals of students for discipline and in ensuing administrative decisions on the case, even when the specific behavior that occasions the referral is controlled. For African-American students, these disparities are evident even at the elementary school level, but become especially marked at the middle school level, where African-American students have nearly four times the odds of a white student of being referred for discipline. For Hispanic students, disparities do not emerge until middle school but then are substantial.

One key source for nationwide data on the phenomenon is the U.S. Department of Education's Office for Civil Rights (OCR), which regularly collects detailed data from large samples of schools across the United States. Its data from 2005 showed that the suspension rate for black students was nearly 15%, compared to roughly 5% for white students and a little over 6% for Hispanic students (CQ Researcher, 2008, p. 152). Citing evidence from as-yet unpublished data from OCR's 2011-2012 survey showing "that youths of color and youths with disabilities are disproportionately impacted by suspensions and expulsions" (U.S. Department of Education, 2014, p. i) and acknowledging evidence from other studies showing that the vast majority of out-of-school suspensions were for non-violent, minor infractions (U.S. Department of Education, 2014, p. ii), the Department of Education (in tandem with the U.S. Department of Justice) in January, 2014 issued new guidance principles for the nation's schools in handling discipline issues.

Substantial disparities between minority and Anglo white students' exposure to school discipline become even more troublesome when emerging work on the *consequences* of school discipline are taken into consideration. There is evidence that the kinds of school discipline measures at issue negatively impact the academic achievement of students subjected to them. For example, in a longitudinal study of one large, urban school district Arcia (2006, p. 367) finds "…marked associations between suspensions and delays in reading achievement." In another longitudinal study, Mendez (2003, p. 30) finds that sixth grade suspension negatively correlates with on-time graduation from high school (For an opposing perspective on school discipline and achievement, see Kinsler, 2013)

Even more dramatic is a line of empirical research suggesting that "exclusionary discipline practices" are an essential piece of the cluster of school-based experiences contributing to juvenile delinquency and subsequent uptake into the criminal justice system, "especially for minority students and those with disabilities" (Christie et al., 2005, p. 70). This notion of what is often called a "school to prison pipeline" has inspired a substantial body of empirical research (Casella, 2003; Krezmien et al., 2014) and advocacy activity (ACLU, 2014; Advancement Project, 2014; Juvenile Law Center, 2014).

The purpose of our paper is neither to empirically test for these negative *impacts* of school discipline *nor* to empirically test for racial and ethnic disparities in the administration of school discipline. Substantial enough research exists on both topics for us to treat each as framing the significance of our topic. Our focus is on variation across schools in the rates at which minority (African-American and Hispanic) students are disciplined (on the one hand) or placed in gifted and talented programs (on the other hand), and the potential importance of each of two types of minority representation (on school boards and on the teaching staff) on those outcomes. This contrasts with some work in a line of existing research on "second generation discrimination" that typically defines the dependent variable in terms of odds ratios – i.e., rate at which a specific minority group receives a given type of discipline divided by the overall rate

at which that type of discipline is given (Meier et al., 1991; Meier & Stewart, 1991; Rocha & Hawes, 2009). Our use of straightforward rates rather than odds ratios is consistent with other work on minority bureaucratic representation and equity (Meier et al., 1999) which also uses rates. In addition, this approach allows us to include the white rate for each relevant form of discipline as an explanatory variable rather than embedding it in the dependent variable by using an odds ratio or other dependent variable which mathematically relates minority rates of discipline to white or overall levels of discipline. As subsequent sections show, the rate of administration of disciplinary measures to white students plays an important explanatory role that does more than revealing the level of discrimination.

Hypotheses

Our core hypothesis is that there is a bifurcation in the effects of minority teacher representation in schools, a bifurcation keyed to the organizational role distinction between the teacher-as-educator and the teacher-as-cop and revealed in differing impacts for the student "assignment" outcomes relevant to each role. Paralleling the conventional hypothesis about minority bureaucratic representation as well as existing research findings on minority bureaucratic representation in schools, we hypothesize (H#1gifted) that the higher the share of minority (African-American, Hispanic) teachers on the school's staff (active or symbolic representation), the higher will be the rate of referral of minority (African-American, Hispanic) students to a desirable academic program; *but by contrast*, we hypothesize (H#1discipline) that a higher proportion of minority teachers will have at best a negligible effect on the rate of discipline administered to minority students.

However, disciplinary measures are not the same in severity, visibility, or possibly even in the kinds of behaviors that trigger their application. For example, in-school suspensions are in principle less problematic for the suspended student than are out-of-school suspensions because of the enhanced ability to provide ongoing educational services rather than disrupting the suspended student's educational program; in addition, in-school suspensions entail a less extreme form of physical removal of the suspended student and may avoid exposing the suspended student to the potential harms that can be associated with a period of unsupervised removal. The experience of *multiple* out-of-school suspensions is obviously even more troubling outcome because it compounds the problems just noted. Perhaps even more severe and problematic is referral of the student to law enforcement authorities – a form of discipline that makes the initial step in the so-called "school to prison" pipeline very immediate.

But how might we theorize the linkage between minority teacher representation and differentiated versions of the teacher-as-cop? Our logic is that if minority teacher representation matters at all, schools with greater shares of black or Hispanic teachers might to some extent be able to shield black or Hispanic students from the most severe forms of discipline (especially referral to law enforcement authorities) through active or symbolic representation. To the extent that minority teachers are responsive to the community that the school serves, a lower rate of such referrals could well be expected given the poor relationship between the police and minority communities in many cities. On the other hand, when less severe forms of discipline are at issue (such as single suspensions), the level of representation of black or Hispanic teachers is hypothesized to have no minimizing effects on black or Hispanic student discipline. This could either be because of the organizational socialization pressures to act tough that have often been noted to trump racial/ethnic identity for minority police officers (Headley & Wright, 2020; Leinen, 1984; Sun & Payne, 2004; Wilkins & Williams, 2008); or it could result from minority teachers' heightened responsiveness to minority parents' concerns with safety and school order. Our modified version of Hypothesis #1discipline is thus a contingent version of the minority bureaucratic representation hypothesis for discipline: Higher proportions of minority teachers will have no effect on the rate of minor forms of discipline administered to minority students, but might be expected to *decrease* the rate at which minority students receive the most severe forms of discipline.

Although the potential role of minority teacher representation at the school-level is the featured focus of our study, we argue that simultaneously testing for the impact of minority representation on the school board is important as well. As Meier and O'Toole (2006) persuasively argue, investigating one without the other can lead to misplaced conclusions. Though their concern was with "political control of the bureaucracy"-style studies that model the impact of minority elected officials while neglecting minority bureaucratic representation; here the reverse (modeling the impact of minority teachers without considering minority elected officials) may be equally problematic, especially when the impact of Hispanic representation is at issue. In their study of second generation discrimination in Hispanic education Meier and Stewart (1991) argue that effective representation of the interests of Hispanic students requires both Hispanic school board and Hispanic teacher representation, especially because Hispanic teacher representation for the time period they studied (1986) was quite small compared to that for blacks (Meier & Stewart, 1991, p. 146). Their Hispanic representation variable, essentially a multiplicative index of the two, does emerge as a significant predictor of decreases in disproportionate targeting of Hispanic students for corporal punishment, suspension, and expulsion and of increases in targeting of educational benefits to Hispanic students. Meier (2019) and Hawes (2021) also suggest the importance of context influencing the impact of representation on outcomes. Meanwhile, Rocha and Matsubayashi (2013) affirms that as of 2000 Latino political representation continued to be concentrated at the school board level. However that study (which considers only desirable educational programs but not school discipline) finds that neither the level of Latino teacher representation nor the level of Latino school board representation typically effects Latino educational equity with respect to access to beneficial educational programs.[3] Still other contemporary evidence, focusing on black representation and policing rather than Latinos and education, shows that it is black representation *among elected officials*, rather than minority representation on the police force that yields more favor-

able policing outcomes for the black community (Sharp, 2014). To the extent that the "teacher-as-cop" elements of school discipline have become as politicized as some elements of policing, a similar pattern might be evident for the case of school discipline.

There are two important rival or alternative explanations that need to be taken into account when the impact of minority teacher presence on disciplinary targeting is at issue. One focuses on the possibility that minority teachers are disproportionately to be found in schools located in disadvantaged, socially disorganized and high crime neighborhoods, yielding a school context that is correspondingly high in either the kinds of behaviors that typically demand disciplinary action and/or heightened concerns about prospects for such behaviors. From this perspective, schools with relatively high levels of minority teachers might actually appear to be doling out relatively high levels of punishment to minority students, but those levels of disciplinary assignment may primarily be a function of the problematic school context rather than the representational profile of the teaching staff. For shorthand, we will refer to this as the "school context" explanation. Much of the existing research focusing on the effects of minority representation has paid minimal attention to the school context explanation, typically introducing only a few controls for the "socioeconomic resources" of the relevant minority groups, such as poverty and/or income levels of relevant student populations (Meier, 1993, 2019; Rocha & Hawes, 2009). We argue that, in addition to controlling for the objective, socioeconomic context of the school, the school context explanation demands that we account for school officials' perceptions that the school context is one of frequent threats to teachers' safety.

In a related vein, a second rival explanation would specify that the rate of minority student discipline is a function of the strictness of the higher-level disciplinary regime governing the school. Although teachers, as "street-level bureaucrats," are often alleged to have a great deal of discretion in the distribution of educational benefits and punishments, the portion of our analysis dealing with disciplinary outcomes must take into account the possibility that higher-level actors have set standards of strictness that frame the imposition of disciplinary sanctions by teachers. This second rival explanation, which we will refer to as the "discipline regime" explanation, includes two elements. First is the set of policies and procedures that may be imposed by school principals. Whether based on the principal's perception that school discipline must be harsh to keep things in check or on principals' responsiveness to minority parents pushing for stricter discipline, school principals' efforts to maintain a stricter standard of discipline by introducing random searches for drugs or other contraband, strict dress codes, book bag bans and the like will also introduce more occasions for student infractions of the rules, resulting in relatively high rates of discipline being imposed on minority students. Second is the potential for variation in school administration of discipline based on discipline policy adopted at the state level. Much attention has been paid to states' role in adopting so-called "zero tolerance policies" that mandate disciplinary action for specified offenses (Kennedy-Lewis, 2014; Moll & Simmons, 2012). This initially led us to theorize that discipline rates would be higher in states having such policies. However, zero tolerance policies have diffused so broadly that their presence hardly qualifies as a variable. For example, only 7% of the schools sampled for our study are in states that have not put a zero tolerance policy in place. Furthermore, even zero tolerance policies can be meaningful only to the extent that state government is viewed as influential in determining what schools do. Zero tolerance policy could be strictly implemented by local schools that take the state mandate seriously or circumvented where the state is viewed as unlikely to seriously oversee whether school discipline matches state policy. This led us to a focus on the perceived influence of state government on schools' discipline policy and the hypothesis that the higher the perceived influence of state government, the higher the rates of school discipline.

The forgoing paragraphs lay out the rival explanations that will be relevant for our modeling of the administration of school discipline to minority students. However, for the portion of our paper that models the rate of referral of minority students to gifted and talented programs, neither the "problem context" explanation nor the "discipline regime" explanation are particularly relevant. Instead, our modeling of gifted and talented placement rates includes, in addition to our featured minority representation variables and our primary control (rate of white placement in gifted and talented programs), a set of controls that largely replicate those found to be significant predictors for gifted and talented modeling in Rocha and Hawes' (2009) study. This includes region variables, the ratio of minority group income to white income and most notably, minority teacher representation for other than one's co-ethnic minority group.

Date Sources, Measurement Methods and Analytical Approach

Our research, focusing on the school as the unit of analysis, is centered on data from the Department of Education's Civil Rights Data Collection (CRDC) for 2009-2010 which provides the necessary information for our dependent variables. For a random sample of 500 public schools (middle school level and above) in the CRDC database, information on rates of various forms of punishment (by race/ethnicity of student) on the one hand and referral to a favorable educational program (gifted and talented) on the other were obtained.

Table 1 shows summary descriptive statistics for the various dependent variables to be used, along with difference

3 Rocha and Matsubayashi (2013, p. 371) do, however, find that Latino school board representation conditions the effects of Latino citizen and non-citizen population size. In particular, they find that "the negative effect of Latino noncitizens is weakened by the presence of Latino representatives."

measures that show the level of discrepancy when African-American or Hispanic rates are compared with white rates. Consistent with much previously reported research from earlier years of OCR data, this 2009-2010 data shows that for the average school sampled, about 7 in 100 black students have been suspended once and another 7 in 100 have experienced multiple suspensions. This is *more than double* the rate for white multiple suspensions, and nearly double the rate for white single suspensions. Consistent with findings reported by Gregory, Skiba and Noguera (2010), there is not as striking evidence of Hispanic-white differentials in either type of suspension. Table 1 also reveals that referrals to law enforcement are a much more rarely used form of school discipline. For the average school sampled, about 1 in 100 black students has been referred to law enforcement authorities. Nevertheless, the rate for black students is about double the rate for white students while the rate for Hispanic students is similar to that of white students. By contrast, Table 1 reveals the by-now familiar pattern of higher rates of referral of white students to gifted and talented programs (roughly 10 out of 100 in the average school sampled) compared to the referral rate for minority students. In this case, the much smaller rate of assignment for black students (about 3 in 100) is roughly the same as that for Hispanic students (3.5 per 100).

Table 1 also reveals that for all four dependent variable measures, a substantial number of schools score 0. There is nevertheless substantial variation, for each racial or ethnic group, in *the rates* at which each disciplinary outcome is administered and at which gifted and talented assignment occurs. Modeling this variation is our core focus. Nevertheless, the substantial number of cases with a value of zero and the skewed nature of the dependent variable distributions led us to consider modeling school discipline using negative binomial regression (NBR), with counts (for each relevant racial or ethnic subgroup) of the actual number of cases of each type of discipline, and a control variable to account for the size of the relevant sub-group population included along with the explanatory variables outlined in the preceding section. For example, in an NBR model of suspensions for Black students we include an independent variable that is a count of black student enrollment in the school. Here we present the OLS results for most of our models, but we do report the negative binomial regression results when they differ from the OLS results (the NBR results are included in a supplemental reviewer appendix).

We merged the 2009-2010 school-level data for our dependent variables with data from the 2007-2008 Schools and Staffing Survey, the Census Bureau's American Community Survey and other sources to obtain needed independent variables. Our featured variables involving minority teacher representation come from the 2007-2008 Schools and Staffing Survey questionnaire. For each school, the number of teachers who identify as Hispanic or Latino is divided by the total number of teachers to yield a proportion measuring Hispanic representation on the teaching staff; the number of each school's teachers who identify as black (not Hispanic or Latino) is treated similarly to yield a proportion measuring black representation on the teaching staff. Data on Hispanic school board representation is from the 2007 National Association of Latino Elected Officials (NALEO) directory (on CD). Data on black school board members is from the Joint Center for Political and Economic Studies archive. Because the Center had not updated its data base fully beyond 2002, especially for local black elected officials such as these school board members, we requested data from their most comprehensive listing (for 2002) as a proxy for black board membership in 2007. Black and Hispanic counts of board members for the school board governing each school in our sample were converted into proportions by dividing the number of each type of minority board member by the total size of the school board.

Two measures allow us to assess the "discipline regime" explanation with its emphasis on overhead discipline policy set by actors above the level of school teachers. One is a measure of the strictness of the security measures that the principal has in place at the school. Drawn from the Schools and Staffing Survey principal questionnaire, it is an additive index of the number of the following rules and procedures in use: (1) use of one or more random dog sniffs to check for drugs, (2) performance of one or more random sweeps (other than dog sniffs) for contraband, (3) enforcement of a strict dress code, (4) book bags either banned or clearance required, and (5) requirement that students wear badges or picture IDs. The other is the school principal's response to the Schools and Staffing Survey item asking "How much ACTUAL influence do you think the State department of education or other state-level bodies (e.g., state board of education) has on decisions concerning {setting discipline policy at this school}? Responses to this questionnaire item range from 1 = no influence to 4 = major influence, with a very rarely used category of not applicable. (The handful of not applicable responses were recoded into the "no influence" category.)

We introduce three measures to take into account the community context that can so heavily frame the administration of discipline in schools. The first is the proportion of each school's students who are enrolled in the free and reduced price lunch program, as reported on the Schools and Staffing Survey school questionnaire – a measure of the extent to which the school serves an impoverished population. As a measure of the level of well-being in the geographically broader community in which the school sits we control for the mean educational attainment level of adults in the school district, as reported in the American Community Survey 5-year estimates for 2007. In contrast with these two "objective" indicators, we also introduce a perceptual measure of the extent to which the school is subject to serious disorder threats. This is the school principal's response to the following Schools and Staffing Survey question: "To the best of your knowledge, how often do the following types of problems occur at this school: Physical abuse of teachers?" We recoded the five ordinal response categories so that they range from 1 = never to 5 = daily.[4]

These objective and perceptual measures of the degree to which the school context is problematic can be expected to account for some portion of the variation in schools' administration of discipline, whether one is modeling the administration of discipline to students overall or administration of discipline to students from a specific minority group. For our modeling of the administration of discipline to specific minority groups, we add an additional contextual variable –

Table 1. Dependent Variable Descriptive Statistics

Rate of Multiple Suspensions			
	Average	**Range**	**% at 0**
Black Rate	.074	0 - .83	51.8
White Rate	.031	0 - .57	34.2
Hispanic Rate	.033	0 - .50	63.7
Black Rate – White Rate	.043	-.22 - .83	22.4
Hispanic Rate – White Rate	.001	-.22 - .50	27.7
Rate of Single Suspensions			
	Average	**Range**	**% at 0**
Black Rate	.074	.00 - .44	44.9
White Rate	.043	.00 - .50	23.7
Hispanic Rate	.047	.00 - .50	52.3
Black Rate – White Rate	.031	-.50 - .40	13.1
Hispanic Rate – White Rate	.004	-.50 - .42	18.1
Rate of Referral to Law Enforcement			
	Average	**Range**	**% at 0**
Black Rate	.013	.00 - .96	81.9
White Rate	.007	.00 - .42	73.8
Hispanic Rate	.008	.00 - .42	87.7
Black Rate – White Rate	.006	-.13 - .63	67.3
Hispanic Rate – White Rate	.001	-.21 - .32	70.3
Rate of Gifted and Talented Placement			
	Average	**Range**	**% at 0**
Black Rate	.028	0-1	69.5
White Rate	.099	0-1	43.0
Hispanic Rate	.035	0-1	64.9
Black Rate – White Rate	-.072	-.73 - .49	40.2
Hispanic Rate – White Rate	-.064	-.48 - .25	41.3

the rate to which *white* students are subjected to whatever disciplinary measures is at issue. We include this explanatory variable for two reasons. First, discipline-relevant contextual factors beyond those that we have identified may be in play as well. The rate at which white students are disciplined serves as a proxy, meant to capture these residual, unmeasured factors about the community and school context that may affect the administration of discipline generally. At the same time, this explanatory variable provides a benchmark for the extent to which there is a pattern suggestive of what Meier and colleagues (Meier et al., 1989) call "second generation discrimination" – which is itself an alternative explanation for variation in schools' rates of disciplining minority students. The logic of the modeling therefore is to determine the extent to which minority representation on the teaching staff and/or minority representation on the school board accounts for variation in the student discipline rates of each minority group, *net this proxy and the other controls*.

Results and Discussion

Modeling Disciplinary Outcomes

The results in Table 2 reveals that when discipline for black students is at issue, there is some evidence that black teacher representation may matter, but not black representation on the school board. The pattern does reflect contingency – i.e., the effect of black teacher representation

4 Other problems asked about include vandalism, widespread classroom disorder, student bullying, robbery or theft, student racial tensions and others in a wide-ranging battery of 13 items. As an alternative we considered use of an index counting the number of these problems reported to be occurring at least weekly. This index performed even less well in the models than did the single item which arguably would be the most high profile for school officials – the physical abuse of teachers.

Table 2. Modeling Discipline Rates, OLS Results by Type of Discipline

Black Students	(1)	(2)	(3)
% Black Teachers	.062 (.025)*	.098 (.028)***	-.009 (.014)
% Black Board	.007 (.027)	.004 (.030)	.023 (.015)
School Security Policy Index	.006 (.003)#	.006 (.004)	-.001 (.002)
State Influence on Discipline Policy	-.004 (.004)	-.002 (.005)	-.002 (.002)
Perceived Student Abuse of Teachers	.022 (.009)*	.028 (.011)**	.014 (.005)**
Proportion in Free Lunch Program	.058 (.018)***	.063 (.020)**	.003 (.010)
District Educ Attainment	.043 (.053)	.075 (.058)	.006 (.029)
White Single Suspension Rate	.592 (.077)***	--	--
White Multiple Suspension Rate	--	1.298 (.085)	--
White Refer to Law Enforce Rate	--	--	1.641 (.083)***
Intercept	-.016 (.022)	-.051 (.024)*	-.011 (.012)
N	440	440	440
Adjusted R^2	.197	.436	.482
Hispanic Students	(1)	(2)	(3)
% Hispanic Teachers	.063 (.033)#	.046 (.030)	.003 (.015)
% Hispanic Board	.017 (.030)	.004 (.028)	.011 (.014)
School Security Policy Index	-.002 (.003)	.003 (.003)	.000 (.001)
State Influence on Discipline Policy	-.002 (.003)	-.001 (.003)	-.002(.002)
Perceived Student Abuse of Teachers	.010 (.007)	.012 (.007)#	.008 (.003)*
Proportion in Free Lunch Program	.009 (.004)	.020 (.013)	-.010(.006)
District Educ Attainment	.004 (.042)	.016 (.038)	.010 (.019)
White Single Suspension Rate	.396 (.061)***	--	--
White Multiple Suspension Rate	--	.697 (.056)***	--
White Refer to Law Enforce Rate	--	--	.810 (.053)***
Intercept	.021 (.018)	-.019 (.016)	-.002 (.008)
N	440	440	440
Adjusted R^2	.101	.306	.346

Notes: Coefficients are based on OLS estimation; standard errors are in parenthesis. Columns are 1) Rate of Single Suspensions, 2) Rate of Multiple Suspensions, and 3) Rate of Referral to Law Enforcement; significance p *** - ≤ .001 ** - ≤ .01 * - ≤ .05 # - ≤ .10; white rates are added to each model that has relevant dependent variable for Blacks and Hispanics.

does appear to depend on the type of discipline at issue. However, the specifics of that contingent pattern are even more at odds with any notion of minority teacher as minimizer of minority student punishment than we hypothesized. Greater black representation on the teaching staff is in fact a significant predictor of *higher* rates of black student suspension (single or multiple) in our OLS results (The negative binomial regression results also show a positive sign for the impact of black teacher representation on suspension rates, though the coefficients are not statistically significant). For referral to law enforcement authorities the sign of the black teacher representation variable is negative, a hint of evidence that minority bureaucratic representation is at least protective of black students with respect to this most severe form of discipline. However, in neither the OLS nor the NBR models is this coefficient significant.

As expected, the rate at which white students are subjected to each form of discipline is a key predictor of the rate at which black students receive such discipline – which we take to mean that there are aspects of the school and community context (beyond those that we can directly measure) that are driving the rate at which different schools discipline black students. At the same time, the size of the coefficients is suggestive of the potential magnitude of second-generation discrimination which varies across types of discipline. For every white student per 100 receiving the lightest penalty that we consider (i.e., single suspension), only about 0.6 black students per 100 receive a single suspension. But each additional white student per 100 receiving a multiple suspension yields about 1.3 black students per 100 receiving a multiple suspension; and for each white student per 100 being referred to law enforcement authorities, more than 1.5 black students (per 100) are referred to law enforcement.

Beyond this, our results in Table 2 suggest that for black students, discipline rates are shaped by classroom-level contextual factors rather than the higher level "discipline regime" in which the school is situated. Neither the extent

of state influence on school discipline nor the extent to which school principals have instituted elaborate security policies constitute significant impacts on the rate of any of the forms of discipline. Even educational attainment measured at the district level is an insignificant predictor. Instead, rates at which black students receive each of the forms of discipline are associated with more reported in-school violence against teachers and higher use of school lunch programs.

With respect to findings for Hispanic students, neither descriptive representation on the teaching staff nor on the school board is significantly associated with any of the forms of discipline. (Though the positively signed coefficient for Hispanic teacher representation and single suspensions is near-significant in the OLS model, the corresponding coefficient is both insignificant and negatively signed in the NBR model, thus yielding no consistent evidence for impact of Hispanic teacher representation). Instead, the rate at which Hispanic students are disciplined is largely a function of the rate at which Anglo students are disciplined. But in notable contrast with the results for black students, the magnitude of the coefficients is not obviously suggestive of second-generation discrimination. From the least to the most severe form of discipline considered, each additional white student (per 100) given that form of discipline yields less than one Hispanic student (per 100) receiving the same form of discipline. Variables representing both overhead discipline policy and school context are not significant in accounting for variation in the rates at which Hispanic students are disciplined. Table 2 shows that school principals' reports of the frequency of in-school violence against teachers becomes a significant predictor of heightened discipline when referral to law enforcement is at issue; but this finding is not replicated in the corresponding NBR model.

Modeling Gifted and Talented Program Placement

The model #1 results in Table 3 for both black students and for Hispanic students reveal that *co-ethnic minority teacher representation* has a significant and facilitative impact. (This result also appears in our NBR models (not shown). This finding is consistent with existing research showing that black teacher representation enhances GT placement for black students (Grissom & Redding, 2016; Meier et al., 1991) and parallel findings for Hispanic teacher representation (Meier, 1993).

However, we do *not* find evidence consistent with Rocha and Hawes' (2009, p. 341) finding that minority students "benefit from the presence of minority teachers who are not co-ethnics…" Coefficients for the impact of Hispanic teacher representation on black students' placement in gifted and talented programs are positively signed but insignificant in both the OLS results shown and in parallel NBR models. Even more intriguing are the *negative* coefficients for the impact of black teacher representation on Hispanic students' gifted and talented placement rate. While the negative coefficient is not significant in the OLS modeling shown in Table 2, the parallel NBR model generates a negative coefficient that is significant (at the .05 level). It is tempting to interpret this as evidence of a zero sum, competitive effect of black teacher representation vis a vis placement of Hispanic students in these desirable gifted and talented slots. However, because the unit of analysis is the school rather than the individual teacher one cannot conclude that black teachers are less likely to give gifted and talented placements to Hispanic students. But it does seem clear that a larger level of black teacher representation does not yield a school-level teaching staff profile that benefits Hispanic students in this regard.

As in our modeling of discipline, minority gifted and talent placement is largely a function of white GT placement rate, which in part serves as a proxy for the amalgam of unmeasured school-level contextual factors that shape gifted and talented program availability and placement dynamics. In addition, the magnitude of the white GT placement rate coefficient suggests something about the potential magnitude of second generation discrimination. For every additional white GT placement (per hundred white students), a substantially smaller number of Hispanic students (.435 per hundred) and even fewer black students (.348 per hundred) get GT placement.

The regional control variables are insignificant in OLS modeling for both black and Hispanic students, though some emerge as significant in parallel NBR models: in the Northeast black students are significantly less likely to get GT placement while Hispanic students are significantly more likely to get GT placement in the South or the West region. Those results for regional controls are quite at odds with the findings of Rocha and Hawes (2009). In addition, regional control variables arguably constitute proxy variables for a host of factors, some of which may well be captured by our white placement rate variable. Finally, the use of the region variables introduces the only apparent collinearity issue in the analysis. For all these reasons we produce alternate models in Table 3 that omit the regional variables while adding the variable "proportion of students participating in the free and reduced price lunch program" (because schools with more impoverished student populations may have less resources for gifted and talented programming).

With the regional controls removed (model #2), OLS results for the impact of black teacher representation on black gifted and talented placement are positive but insignificant while the significant, positive impact of Hispanic teacher representation is still apparent. The NBR version of model #2 yields results showing a significant, positive impact of both black and Hispanic teacher representation on co-ethnic students' GT placement rates. While not evident in the OLS results, the measure of free lunch participation is a significant predictor, though surprisingly enough carrying a positive sign. Finally, we also produce an alternate model without regional controls that assesses the impact of minority representation on the school board (model #3). As in our analysis of the dispensation of discipline, the OLS results show no impact for either black or Hispanic representation on the school board.[5] Following Meier and Rutherford (2016) we also tested for the influence of an interaction term between school board diversity representation and teacher representation. We did not observe statistically sig-

Table 3. Modeling Gifted/Talented Placement Rates: OLS Results

Black Gifted and Talented Placement Rates			
	Model #1	**Model #2**	**Model #3**
% Black Teachers	.037 (.016)*	.023 (.015)	.031 (.018)#
% Hispanic Teachers	.029 (.024)	.023(.025)	.002 (.031)
% Black Board Members	--	--	-.014 (.020)
% Hispanic Board Members	--	--	.525 (.106)
Black-Anglo Income Ratio	-.001 (.010)	-.001 (.010)	-.001 (.011)
South	-.012 (.008)	--	--
West	-.010 (.025)	--	--
Northeast	-.010 (.040)	--	--
White GT Placement Rate	.348(.021)***	.348 (.020)***	.347 (.021)***
Proportion in Free Lunch Prog	--	.014 (.0120)	.013 (.013)
Intercept	-.004 (.010)	-.014 (.009)	-.014 (.010)
N	442	442	417
Adjusted R^2	.398	.398	.392
Hispanic Gifted and Talented Placement Rates			
	Model #1	**Model #2**	**Model #3**
% Black Teachers	-.015 (.016)	-.025(.015)#	-.032(.018)#
% Hispanic Teachers	.048 (.025)*	.051(.025)*	.049 (.029)#
% Black Board Members	--	--	.012 (.019)
% Hispanic Board Members	--	--	.007 (.026)
Hispanic-Anglo Income Ratio	.002 (.013)	.002 (.013)	.004 (.013)
South	-.003(.008)	--	--
West	.009 (.008)	--	--
Northeast	-.005 (.009)	--	--
White GT Placement Rate	.435 (.021)***	.436 (.020)***	.430 (.020)***
Proportion in Free Lunch Prog	--	.008(.011)	.007 (.012)
Intercept	-.001 (.012)	-.013(.012)	-.015 (.012)
N	459	459	434
Adjusted R^2	.507	.505	.519

Notes: Coefficients are based on OLS estimation; standard errors are in parenthesis.
Significance p *** - ≤ .001 ** - ≤ .01 * - ≤ .05 # - ≤ .10; Shaded cell(s) indicates VIF score greater than 2.0.

nificant results, but this could be because of the nature of our samples.

Conclusion

The core thesis of our research is that the beneficial effects of minority teacher representation for minority students will be present when placement in a desirable program is at issue, but not necessarily when the dispensing of discipline is at issue. Teachers have roles as educators, including encouraging gifted assignments the benefit clients, but they also have roles as regulators of clients, when considering discipline measures. We contend that representation may look different in these two roles.

Our findings are largely consistent with that core thesis, though we could find no unequivocal evidence for a more nuanced version of the thesis suggesting that minority teacher representation would at least minimize the rate of minority students' exposure to the most severe types of discipline, such as referral to law enforcement. We find that

5 There is a meaningful discrepancy between the NBR and the OLS models in this regard. While the OLS models show no impact (on GT placement) of representation of either blacks or Hispanics on school boards, the NBR models suggest that black representation on schools boards has a statistically significant *negative* impact on gifted and talented placement of both black and Hispanic students. Our conservative view is that there is likely no observable relationship.

black student placement in GT programs is enhanced by black teacher representation and Hispanic student placement in GT programs is enhanced by Hispanic teacher representation. But higher levels of black (or Hispanic) teacher representation are associated with *higher* rates of black (or Hispanic) suspension (though this result is most evident for black students). Of course, this begs the question of whether schools with higher levels of black (or Hispanic) teacher representation are actually being responsive to black (or Hispanic) parents' and community leaders' demands for heightened discipline, even if it involves black (or Hispanic) students. The definition of *what* effects of minority teacher representation constitute beneficial effects is of course open to interpretation. But the by-now substantial research literature on disproportionate targeting of discipline to minority students coupled with accumulating research on negative consequences for students so disciplined makes it difficult to envision heightened suspension rates for minority students as a beneficial effect of minority teacher representation.

The most compelling rival explanation for our pattern of findings is that schools with higher shares of minority teachers are more likely to also be problematic schools – i.e., impoverished urban schools, disorderly schools, schools impacted by drug problems and gang issues, interracial and ethnic tensions among students, and so forth. According to this rival explanation, these school context factors are the reason for higher rates of suspension of minority students in those schools. For this reason, we found it important to control for a larger number of school-level characteristics than studies of the impact of minority teacher representation typically do. The finding that minority teacher representation is linked to higher rates of disciplinary action against minority students *even once these factors are taken into account* suggests that there is something about the role of "teacher as cop" that is different than the role of the teacher in providing access to beneficial programs. In addition, it could be that there are threshold effects for observing the impact of representation on disciplinary action, with low or high levels of representation occurring before outcomes for minority students can be observed to change.

Finally, given the nature of our data it is not clear whether higher descriptive representation among teachers increases positive outcomes for minority students because of active representation on the part of teachers or because of symbolic (passive) representation, or whether representation is higher in schools with existing inequitable outcomes for minority students (Nicholson-Crotty et al., 2011). To examine these questions finer grained data would be necessary. At minimum our results suggest that scholars of representative bureaucracy should consider that individual bureaucrats can have more than one organizational role, meaning that that the impact of representation on client outcomes might differ based on these roles.

Submitted: January 10, 2022 KST, Accepted: April 02, 2022 KST

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Supplementary Materials

Supplemental Appendix

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