

2018

From Retribution to Restoration: An Analysis of Restorative Justice as a Policy Reform Effort to Dismantle the School-to-Prison Pipeline in New York City Public Schools

Leigh T. Yartz

The College of Wooster, lyartz18@wooster.edu

Follow this and additional works at: <https://openworks.wooster.edu/independentstudy>



Part of the [Education Commons](#), and the [Social and Behavioral Sciences Commons](#)

Recommended Citation

Yartz, Leigh T., "From Retribution to Restoration: An Analysis of Restorative Justice as a Policy Reform Effort to Dismantle the School-to-Prison Pipeline in New York City Public Schools" (2018). *Senior Independent Study Theses*. Paper 8110.

<https://openworks.wooster.edu/independentstudy/8110>

This Senior Independent Study Thesis Exemplar is brought to you by Open Works, a service of The College of Wooster Libraries. It has been accepted for inclusion in Senior Independent Study Theses by an authorized administrator of Open Works. For more information, please contact openworks@wooster.edu.

From Retribution to Restoration:
An Analysis of Restorative Justice as a Policy Reform Effort to Dismantle the School-to-Prison
Pipeline in New York City Public Schools

By: Leigh Yartz

An Independent Study Thesis
submitted to the Department of Political Science
at The College of Wooster
March, 2018
in partial fulfillment of the requirements of Senior I.S. Thesis

Advisor: Dr. Eric Moskowitz

Second Reader: Dr. Désirée Weber

ACKNOWLEDGEMENTS

I owe many thanks to several individuals without whom this project would not have been possible.

First, I would like to extend my deepest gratitude to my advisor, Dr. Eric Moskowitz, whose vast knowledge of and passion for urban politics and policy inspired the development of my own passion for education policy. His commitment to helping me pursue my research interests along with his mentorship and patience, have guided me throughout this process. I am incredibly thankful for his insight and support, especially through every obstacle I came across in my research. I am continually in awe of and inspired by his dedication to encouraging students to seek out their passions.

Second, I would like to thank Dr. Megan Wereley for her unwavering support and encouragement in all of my endeavors, both in academics and in life. She has inspired my love for education and my desire to pursue a career in education policy by challenging my thinking and pushing me both in and out of the classroom to engage in critical thinking surrounding policy issues. Dr. Wereley has taught me to not take information at face value, but rather to carefully research and understand all facets of an issue in order to better address it, a skill that I know will be useful in my career.

Third, I would like to express my appreciation and thanks to the individuals that I interviewed in New York City for my Independent Study. Without them, this project would not have been possible. I am grateful for the time they took out of their busy schedules to not only talk to me about the work they do with restorative justice in New York City schools, but to also connect me with other resources and people to interview for this thesis.

Last, I would like to thank my family, specifically my grandparents. Without them, I would not have found the College of Wooster. I am beyond grateful for their steadfast dedication to encouraging me to pursue my passions. Their constant love, support, and faith in me has motivated me to try my hardest and helped me to see that I can accomplish anything I put my mind to. I would also like to extend many thanks to my friends, specifically Emma, Olivia, and Zoe, as they have encouraged and supported me throughout my time at Wooster. They have been a source of joy and laughter both in times of celebration and in times of stress.

ABSTRACT

This Independent Study explores and examines restorative justice as a policy reform effort made by schools, specifically in New York City, to address a phenomenon known as the school-to-prison pipeline. While it has been found that zero tolerance policies fuel this pipeline through the criminalization of minor infractions, this study argues that using restorative justice policies to manage disciplinary matters within schools creates an avenue to dismantle this pipeline. This occurs through establishing a more inclusive school climate, thus leading to lower levels of punitive discipline and school push out, which ultimately lessens the rate at which youth come into contact with the juvenile/criminal justice system. Utilizing a case study methodology that combines a historical narrative with semi-structured interviews done with providers of restorative justice policies and practices in New York City public schools, this study seeks to understand the impacts of both zero tolerance policies and restorative justice policies on this criminalization of students. When examining the interpretive causal impacts of both sets of policies, this study found support for the theoretical argument in that in New York City, utilizing restorative justice policies and practices to manage disciplinary matters can trigger a series of events that builds a more inclusive school climate, decreases the level of punitive discipline, lessens the rate at which students experience school push out, and ultimately decreases contact with the juvenile/criminal justice system. This study also uncovers several components and impacts of restorative justice policies not found in the literature, as well as evidence of zero tolerance and restorative justice policies being used in conjunction with each other to address conflicts within schools.

TABLE OF CONTENTS

CHAPTER ONE: INTRODUCTION	1
CHAPTER TWO: A REVIEW OF THE LITERATURE.....	6
ZERO TOLERANCE POLICIES	6
<i>Police Presence in Schools</i>	6
<i>Exclusionary Discipline</i>	10
<i>Security and Surveillance</i>	14
<i>Disproportionate Impacts</i>	17
RESTORATIVE JUSTICE POLICIES.....	19
<i>Restorative Justice in the Community</i>	19
<i>Restorative Justice in Schools</i>	20
<i>Core Principles of Restorative Justice</i>	23
<i>Models for Restorative Justice</i>	24
<i>Implementation of Restorative Justice in Schools</i>	26
<i>Effectiveness/Impact of Restorative Justice in Schools</i>	28
CHAPTER THREE: THEORETICAL ARGUMENT AND METHODOLOGY	31
THEORETICAL ARGUMENT	31
<i>Model One: Causal Impacts of Zero Tolerance Policies</i>	32
<i>Model Two: Causal Impacts of Restorative Justice Policies</i>	37
<i>Summary of Two Causal Models</i>	42
METHODOLOGICAL APPROACH	43
<i>Methodology and Case Selection</i>	43
<i>Interview Questions for Providers</i>	46
<i>Variables</i>	48
CHAPTER FOUR: HISTORICAL NARRATIVE	54
BACKGROUND OF SCHOOL ADMINISTRATIVE HIERARCHY	54
BACKGROUND OF SCHOOL DISCIPLINARY SYSTEM	55
HISTORICAL NARRATIVE OF POLICY SHIFTS	56
CHAPTER FIVE: FINDINGS AND ANALYSIS	63
SCHOOL DISCIPLINARY POLICIES.....	63
<i>Zero Tolerance Era: Police Presence</i>	63
<i>Zero Tolerance Era: Exclusionary Discipline</i>	68
<i>Restorative Justice Era: Model for Restorative Justice</i>	71
<i>Restorative Justice Era: Community Involvement</i>	75
<i>Restorative Justice Era: Coordinator/Specialist</i>	77
<i>Restorative Justice Era: Miscellaneous Supplementary Components</i>	78
CLIMATE.....	82
<i>Zero Tolerance Era</i>	82
<i>Restorative Justice Era</i>	84
PUNITIVE DISCIPLINE	87
<i>Zero Tolerance Era</i>	87
<i>Restorative Justice Era</i>	93
SCHOOL PUSH OUT	97
<i>Zero Tolerance Era</i>	97
<i>Restorative Justice Era</i>	101

JUVENILE/CRIMINAL JUSTICE SYSTEM INVOLVEMENT	103
<i>Zero Tolerance Era</i>	103
<i>Restorative Justice Era</i>	105
CHAPTER SIX: CONCLUSION.....	107
KEY FINDINGS	108
LIMITATIONS	111
SUGGESTIONS FOR FURTHER RESEARCH.....	113
IMPLICATIONS.....	114
WORKS CITED.....	117
APPENDIX A: SUMMARY OF INTERVIEWEES/ORGANIZATIONS.....	123

CHAPTER ONE: INTRODUCTION

In January of 1998, a nine-year-old student in Virginia was suspended for sharing Certs breath mints with his classmates. The school cited their zero tolerance policy toward drugs and drug look-alikes, as the rationale for their disciplinary action, claiming the breath mints resembled a controlled/illegal substance (Oliver 1998). Similarly, in October of 2004, a ninth grade student in Utah was suspended from school for having aspirin in her pocket, which allegedly violated the school's zero tolerance policy toward drugs (Cabrero 2004).

In January of 2008 in Queens, New York, a five-year-old student who suffers from speech problems, asthma, and attention deficit disorder threw a tantrum in his class that resulted in the student being taken to the principal's office. Once there, the student knocked items off a desk, which caused the arrival of a school safety agent who used handcuffs to restrain the student. Rather than calling the parents, school officials and the school safety agent called 9-1-1 and had the five-year-old student picked up in an ambulance and taken to the hospital for a mental evaluation (Melago 2008).

These seemingly excessive punishments can be traced back to Gun-Free Schools Act of 1994, an amendment to the Elementary and Secondary Education Act passed by President Bill Clinton and the 103rd Congress. This legislation requires that states, as a condition of receiving federal funding, must have a law in place that requires local education agencies that receive state funding to implement a policy requiring the suspension for at least one school year of any student who brings a gun, knife, or other weapon on school grounds (Elementary and Secondary Education Act 2005). In addition to this, the Gun-Free School Act of 1994 mandates that schools must report that student to local law enforcement, and as a result, zero tolerance rhetoric emerged (Heitzeg 2009). While the original intent of this legislation was to crack down on

school violence and reduce the presence of weapons in schools, the reality of this Act became distorted when schools created similar zero tolerance policies for offenses other than bringing a weapon onto school grounds (Advancement Project et al. 2011).

Following the implementation of the Gun-Free Schools Act of 1994, schools began adopting a zero tolerance approach to disciplinary matters for minor and non-violent offenses such as tardiness, disorderly conduct, fighting on school property, truancy, talking back to teachers, disrupting class, alcohol, tobacco, and other drugs. For consistency, schools used similar punishments for these offenses as they were already using for more serious offenses such as bringing a weapon on school premises (Heitzeg 2009). The theory behind this zero tolerance approach for such offenses was based on the broken windows theory of policing, which emphasizes that cracking down on non-serious offenses will deter and discourage individuals from committing more serious crimes in the future and therefore will create a safer environment (Nelson and Lind 2015). Schools translated this theory into their own policies and began relying heavily on suspensions, both in-school and out-of-school, and expulsions for non-serious offenses (Nelson and Lind 2015; Heitzeg 2009).

Also classified under zero tolerance policies are two other policy shifts that schools made in the 1990s: increased police presence on school grounds and heightened security and surveillance measures. While crime was indeed declining in schools during the 1990s, a handful of high-profile school shootings during this time led to a growing public fear of juveniles and school crime/violence (Theriot 2009; Beger 2002). These high-profile shootings, specifically the Columbine High School shooting, led to increased implementation of police presence in schools and intensified visible security and surveillance measure, as these events generated fear among parents, teachers, students, and the broader community (Addington 2009). The increase in police

presence on school grounds led to higher rates of school-based arrests and law enforcement referrals as officers began responding to situations in schools rather than school personnel (Theriot 2009; Beger 2002). Additionally, the increase in security and surveillance through metal detectors, surveillance cameras, and random searches contributed to a shift that transformed schools into a more prison-like environment rather than a learning environment. This shift in school environment only exacerbated the impacts of the other policy shifts regarding school discipline and police presence.

Ultimately, heightened police presence and an increase in security and surveillance combined with harsh and punitive disciplinary measures in response to minor, non-serious infractions created the school-to-prison pipeline, a conduit that routes students out of the school system and into the juvenile/criminal justice system. This can occur either through directly putting students into contact with the juvenile/criminal justice system through interference with law enforcement/security and surveillance measures on school grounds or through the use of excessively punitive discipline to push students out of the school system, providing them with limited opportunities and mobility, which ultimately heightens their likelihood of being incarcerated (Advancement Project et al. 2011).

The three incidents discussed in the beginning of this chapter all highlight the reality of these zero tolerance policies in schools where school officials and law enforcement officers meet minor incidents, infractions, and conflicts with harsh disciplinary actions, which have been found to over-criminalize student behavior. Educators, parents, students, and advocates, in response to schools cracking down on minor infractions/conflicts and utilizing zero tolerance-based discipline, have called for the reform of school disciplinary policies across the United States as these policies have been found to have detrimental impacts on students. This trend has been

particularly detrimental for students of color and students with disabilities as it has been observed disproportionately for these populations (Beger 2002; Skiba and Peterson 2009; Hirschfield and Celinska 2011).

One of the primary school discipline reforms that schools have been embracing in recent years is the implementation of restorative justice policies and practices, which emphasize inclusion, rehabilitation, and repairing harm following a conflict or infraction. The implementation of these policies as a reform effort in schools raises the question: how have restorative justice policies and practices impacted the criminalization of student behavior and the flow of students out of the school system and into contact with the juvenile/criminal justice system also known as the school-to-prison pipeline?

In this Independent Study, I explore two sets of school disciplinary policies, zero tolerance and restorative justice, and examine how both sets of policies impact the school-to-prison pipeline, specifically in New York City. To accomplish this, I examine several causal variables, including the components of each set of policies, school climate, the level of punitive discipline, the level of school push out, and the rate at which students come into contact with the juvenile/criminal justice system, all of which will be defined further in a later chapter.

In Chapter Two, I review relevant literature related to zero tolerance policies and restorative justice policies, and their respective impacts on students in schools relating to climate, discipline, school push out, and involvement in the juvenile/criminal justice system. This chapter is distilled down into the major components and themes within each set of policies.

In Chapter Three, I construct my theoretical argument based on the review of the literature, which consists of examining both sets of policies, zero tolerance and restorative justice, and how these policies (independent variable), influence school climate (intervening

variable), the level of punitive discipline (intervening variable), the level of school push out (intervening variable), and involvement in the juvenile/criminal justice system (dependent variable), which I argue occurs in that order.

Following this, I outline my methodology to evaluate my theoretical argument. My methodological approach utilizes a single case study of New York City public schools, drawing from a historical narrative of shifts in disciplinary policy, as well as semi-structured interviews with external providers of restorative justice policies in the public school system. The semi-structured interviews will be the primary source of information that will be used to test my theoretical argument.

In Chapter Four, I outline the hierarchy of school administration in New York City, as well as the public school disciplinary system/code. Additionally, I discuss major and relevant shifts in school disciplinary policy throughout the last several years in NYC.

In Chapter Five, I discuss my findings from conducting interviews, which are broken down by variable and policy set. Additionally, I examine how these findings align with and/or deviate from my theoretical argument of the impacts of both sets of policies on each variable.

In Chapter Six, I conclude my Independent Study by summarizing my key findings and discussing the broader implications of my findings for school disciplinary policy. I also discuss limitations and suggest possible avenues for future and further research.

CHAPTER TWO: A REVIEW OF THE LITERATURE

In this chapter, I review the relevant literature regarding zero tolerance policies and restorative justice policies, including the components of each set of policies, as well as the general themes, frameworks, and principles of each set of policies.

Zero Tolerance Policies

In this section of the literature review I outline the three main facets of zero tolerance policies: (1) police presence in schools, (2) the use of exclusionary discipline, and (3) school security and surveillance. The following sections will illustrate how these policies over-criminalize youth in schools, thus fueling the school-to-prison pipeline.

Police Presence in Schools

Following the implementation of the Gun-Free Schools Act of 1994 and in the wake of tragic incidents of school violence, federal and state governments began allocating funds for school programs designed to combat school violence. This included funding for police officers in schools, which are typically known as school resource officers, or SROs; however, they can also be known as school police officers or school liaison officers. These officers are typically employed by a local law enforcement agency and assigned to work in a school or schools.

An example of this allocation of funding can be seen one year after the devastating event at Columbine High School in 1999 when President Clinton allocated \$60 million to public schools to hire law enforcement officers as SROs. Subsequently, the U.S. Department of Justice, since 2005, has awarded over \$750 million to fund and train SROs through the Office of Community Policing Services, also known as COPS (Addington 2009; Chongmin and Gottfredson 2013). Due to the increase in funding, the number of police officers in schools dramatically increased between 1975 and 2007, in that the number of schools, primarily in urban

areas, reporting the presence of a law enforcement officer grew from 1% to 40%, respectively (Chongmin and Gottfredson 2013). The logic behind this increase in police presence in schools was that by placing officers directly in schools, school violence and delinquency will be deterred due to their presence (Jackson 2002).

School resource officers' main duties include patrolling school buildings and grounds, investigating criminal complaints, handling students who violate the school rules or the law, and trying to minimize disruptions during school and during after-school activities. Their duties can also consist of educating students, faculty, and staff about crime and violence prevention, acting as a mentor to students, and helping to improve the school environment (Theriot 2009). SROs can take many forms, as some are regular uniformed police officers working on a part- or full-time basis for a school district, while others are hired and trained by school security departments. Several school districts utilize more than one form of police force, such as campus police with support from local police or privately contracted security guards. (Beger 2002).

Since the 1970s, when there were only 100 identified school police officers in U.S. public schools, there has been a dramatic increase in the presence of law enforcement officers in schools (Hirschfield and Celinska 2011; Addington 2009). As of 2015, there are “more than 43,000 school resource officers and other sworn police officers, and an additional 39,000 security guards, working in the nation’s 84,000 public schools, according to the National Center for Education Statistics” (Brown 2015 pp. 1).

This increase in police presence in public schools has led to two main impacts that school resource officers can have, which are to form bonds with students and contribute to the overall safety of the school, and to over criminalize student behavior. These roles are starkly different and literature has failed to agree upon which role SROs play, however, the majority of literature

has found that SROs primarily engage more in the criminalization of student behavior rather than forming bonds with students (Hirschfield and Celinska 2011; Raffaele Mendez 2003; Theriot 2009; Skiba and Peterson 1999).

It should be noted that criminalization in this aspect does not necessarily take on a literal definition. According to Hirschfield (2008), "Criminalization encompasses the manner in which policy makers and school actors think and communicate about the problem of student rule-violation as well as myriad dimensions of school praxis including architecture, penal procedure, and security technologies and tactics" (pp. 80). In this sense, while school-based arrests and law enforcement referrals are literal forms of student criminalization, other mechanisms such as exclusionary discipline through suspensions and expulsions can be seen as a symbolic for criminalization (Hirschfield 2008).

In regard to the role of forming bonds with students, some literature suggests that SROs balance their roles and can also contribute to mentoring students and can also take on instructional roles to work toward educational and socialization aims of the school (Hirschfield and Celinska 2011). In fact, some studies have found that SROs receive positive, high marks from students and principals, with students feeling comfortable reporting crimes to their SROs and feeling safer at school with the presence of school resource officers (Addington 2009). This is perhaps because the presence of officers in schools can create an environment centered on school safety through their surveillance, presence, and ability to act as first responders in the event of an emergency. Additionally, having officers in schools aids school personnel and administrators in deeming which offenses require legal intervention and which ones do not. These roles and duties, some argue, ultimately contribute to the overall climate and safety of the school (Chongmin and Gottfredson 2013). Additionally, some schools hope that by placing law

enforcement officers in schools, students will develop more respect for police and that this will generate a better understanding of law enforcement's role in the school and community, which would ideally have positive impacts not only in schools, but in the community too (Jackson 2002).

While some literature argues that school resource officers create bonds with students, thus creating a safer and more open school environment and climate, a large body of literature suggests that school resource officers have a more negative impact within schools. Several studies have found that an increase in police presence leads to higher rates of criminalization of student behavior and more school-based arrests, as problems that would traditionally be handled by principals and teachers are now being handled by sworn-in law enforcement officers that work full-time as school resource officers (Theriot 2009; Beger 2002). This role of school resource officers has been found to impede on teachers' and administrators' desires to create an open and free learning environment due to SROs' authoritarian role and their performing of faculty and administrators' tasks rather than providing support services to school personnel (Jackson 2002). This clash between police and school administrators and faculty often causes these two institutions, police and schools, to fail to exist harmoniously within the same institutional environment, resulting in many schools abandoning their crime prevention duties because they can fall back on police presence (Jackson 2002). As a result, "as a scuffle between students becomes assault or disrupting class becomes disorderly conduct, it is expected that the number of youths referred from public schools for delinquent and criminal prosecution will climb, especially for behaviors that pose no legitimate threat to school safety" (Theriot 2009 pp. 280).

Additionally, the presence of school resource officers increases criminalization because their presence results in more crimes being reported to the police and an increase in arrests for minor offenses such as misconduct (Hirschfield and Celinska 2011; Raffaele Mendez 2003). The presence of law enforcement in schools also harms the school environment by over criminalizing minor offenses with more formal, harsh disciplinary measures administered by officers rather than school personnel, who have traditionally handled these less-serious infractions of rules. With SROs now handling disciplinary and behavioral issues, more students are being arrested and referred to law enforcement for offenses that would traditionally warrant a less punitive and exclusionary punishment. This trend is fueled by the presence of police in schools because law enforcement referrals and school arrests can happen directly on site. This over criminalization of student behavior has changed the perception of students by faculty, SROs, and administrators from students into suspects, criminals, or prisoners due to student misconduct being seen and treated as a crime (Hirschfield and Celinska 2011). When examining what offenses are criminalized most frequently, several studies have found that offenses such as disorderly conduct, disruption in class, and disrespect/disobedience are criminalized the most (Skiba and Peterson 1999; Theriot 2009; Skiba, Arrendondo, and Williams 2014; Hirschfield and Celinska 2011; Raffaele Mendez 2003). With school resource officers utilizing school arrests and law enforcement referrals to respond to these offenses and situations, the school-to-prison pipeline becomes intensified.

Exclusionary Discipline

Zero tolerance policies in schools for a host of behaviors including weapon possession, drug and alcohol possession and consumption, fighting, truancy, tardiness, disruption, disobedience, etc. all have predetermined, consistent punishments. This is due in large part to the

nature of zero tolerance in that schools respond to offenses with these punishments without considering the context or severity of the behavior. The punishments for these behaviors involve exclusionary discipline, which includes suspensions and expulsions administered by school personnel, and also law enforcement referrals and school arrests conducted by school resource officers, all of which result in increased chances of students being involved in the juvenile justice system (Skiba, Arrendondo, and Williams 2014). The use of these exclusionary policies and penalties increased dramatically in the wake of zero tolerance policies in schools, which can be seen in many local and state data sets (Skiba and Knesting 2001). A study conducted by the US Department of Education's Office for Civil Rights Civil Rights Data Collection (CRDC) found that between 1974 and 2010, the rate at which students were expelled and suspended from schools nearly doubled. These suspensions are not limited to violent, threatening offenses, but rather are used for a wide range of offenses. In fact, many of the suspensions were for "non-violent, minor to moderate infractions, such as disobedience and disrespect, defiance, attendance problems, failing to report to detention, and general classroom disruption." (Skiba, Arrendondo, and Williams 2014 pp. 550)

When examining the use of suspension and expulsion in schools, expulsion is typically used for offenses of moderate to high severity, whereas suspension is the most widely used disciplinary technique in schools and occurs more so in urban areas than rural and suburban areas (Skiba and Knesting 2001). School personnel utilize suspensions for less serious and less threatening behaviors such as fights and other physical aggression, disobedience, disrespect, attendance problems, and general classroom disruption (Skiba and Knesting 2001). In fact, the administration of exclusionary policies occurs the most for non-serious, non-violent offenses. Office referrals for drugs, weapons, and gang-related behavior constitute a small percentage of

all office referrals that lead to suspension. Fighting, along with other minor incidents that pose no threat to safety, such as disobedience, disrespect, tardiness, and truancy are the most common reasons for suspensions in schools that have adopted zero tolerance policies, which were originally intended for the most violent and threatening behaviors (Skiba and Peterson 1999). An example of this in practice is that under zero tolerance policies where punishments are predetermined no matter how minor the offense is, students have been suspended and expelled for acts such as sharing aspirin, bringing nail clippers to school, and possessing scissors that they brought to school (Beger 2002). Additionally, there is massive controversy over the length of suspensions as they are growing and punishments are becoming harsher for less serious offenses due to the little room for judgment and interpretation of offenses under zero tolerance policies (Skiba and Knesting 2001).

This use of exclusionary discipline through zero tolerance policies for non-violent, non-serious offenses fuels this trend of criminalizing student behavior and responding to such behavior with punitive measures that push students out of the school system and into the juvenile and criminal justice systems. Due to this, exclusionary policies have been found to have detrimental effects on students and school communities. These detrimental effects include “an increase in maladaptive behaviors not addressed by the suspension, withdrawal or avoidance of school staff, negative impact on self-respect, stigma among peers, driving a school problem into the streets and community, disruption of educational progress, and loss of state aid based on average daily attendance” (Stinchcomb, Bazemore, and Riestenberg 2006 pp. 128). Additionally, it has been found that “in-school suspension has likewise been correlated with drug use, poor academic achievement, grade retention, and long-term disaffection and alienation,” as well as increased involvement with the legal system (Stinchcomb, Bazemore, and Riestenberg 2006, pp.

129). High rates of suspension and expulsion cause an escalation in student misbehavior because confrontational discipline and policies that are applied unfairly cause students to retaliate back with more offenses (Skiba and Knesting 2001).

Exclusionary discipline used through zero tolerance policies has been found to be ineffective as studies have shown that exclusionary policies seldom deter students from misbehaving and generally do not increase school safety (Raffaele Mendez 2003; Skiba and Peterson 1999). While one study found that schools with SROs have experienced a decrease in the number of arrests involving assault and weapons, the same study that found this found that schools with SROs reported higher numbers incidents of disorderly conduct than schools without SROs. Additionally, this study found that having an SRO in a school increased the rate of arrests for disorderly conduct by over 100% even when controlling for poverty within the school (Theriot 2009). These trends are particularly more prominent among schools with significant levels of poverty and minority populations (Theriot 2009).

In addition to school safety, zero tolerance policies and exclusionary discipline through suspensions, expulsions, and law enforcement referrals have been found to be ineffective in that they coincide with students dropping out of school. Skiba and Peterson (1999) found that “the relationship between suspension and dropping out may not be accidental. In ethnographic studies, school disciplinarians report that suspension is sometimes used as a tool to ‘push out’ particular students, to encourage ‘troublemakers’ or those perceived as unlikely to succeed in school to leave” (pp. 376). Additionally, students who have been suspended are more likely to drop out of school than students who have not been suspended (Skiba and Knesting 2001). This becomes problematic when students drop out as they are left with little social mobility, which can increase their chances of coming into contact with the juvenile justice system.

These exclusionary policies have also been found to be ineffective as pushing students out through suspension and expulsion fails to address the actual problem and offense and because the offense is never seen in a context (intent, reason for offense, accident, etc.), it is simply taken at face value and then countered with a predetermined punishment (Skiba and Knesting 2001). This can lead to students feeling like punishments are unfair and even arbitrary due to the lack of consideration of the context in which the incident occurred, which could lead to more offenses due to a lack of resolution (Skiba and Knesting 2001). These exclusionary policies also contribute to long-term detrimental impacts in that students who experience these punitive punishments are at risk of not graduating on time, if at all (Raffaele Mendez 2003).

Overall, most of the literature surrounding zero tolerance and exclusionary policies and discipline have come to a general consensus that the use of suspensions, expulsions, law enforcement referrals, and school arrests are detrimental to students for several reasons. These exclusionary disciplinary measures lead to a higher rate of criminalization of non-violent, non-serious behaviors. This over criminalization leads to an increased risk of academic failure, dropping out, and involvement in the juvenile and criminal justice system.

Security and Surveillance

Another component to zero tolerance policies has been an overall increase in security and surveillance in primarily urban school settings. Much of this increase can be attributed to the high-profile school shootings that have occurred throughout the last three decades. In 2008, the U.S. Department of Justice announced that \$13 million in grants would go toward assisting law enforcement with providing schools with security measures such as metal detectors and other deterrent measures and training for staff (Addington 2009). Taking a broader look at schools across the country, a National School Board Association survey found that of over 700 school

districts throughout the U.S. “39% of urban school districts use metal detectors, 75% use locker searches, and 65% use security personnel (Welsh et al., 2000). Schools have also introduced barbed-wire security fences, banned book bags and pagers, and have added "lock down drills" and "SWAT team" rehearsals to their safety programs. For example, officials in Dallas, Texas, unveiled a \$41 million state-of-the-art "security conscious" school that has 37 surveillance cameras, six metal detectors, and a security command center for monitoring the building and ground” (Beger 2002 pp. 120).

While the statistics above are rather outdated, a recent survey by ProPublica found that in New York City, over 100,000 middle and high school students pass through metal detectors on a daily basis (Reyes 2016). Additionally, at the national level, the National Center for Education Statistics found that in the 2013-2014 school year, 57% of all public high schools engaged in “random dog sniffs for drugs” and 89% of all public high schools “used security cameras to monitor the school” (NCES, Percentage of public schools with various safety and security measures).

The surveillance and security measures that are in place can be broken down into three main categories: (1) metal detectors, (2) searches, and (3) cameras. When examining the use of metal detectors in schools, a study found that in the wake of the Columbine High School shooting, between 2001 and 2005, the use of metal detectors in public schools increased by nearly 20% (Addington 2009). This study also found that this increase in metal detectors in schools contributed to an overall change in the environment of the school in that many students who have metal detectors they must pass through prior to entering the building felt as though they were in a prison-like environment rather than a learning environment (Addington 2009).

Another aspect of surveillance and security to consider is searches in schools. Many studies have found that zero tolerance policies have led to more suspicion-less and warrantless searches that are often seen as infringing on student civil liberties. The Fourth Amendment typically requires some suspicion before a search can be conducted, but courts have recognized that schools have a special need to ensure student safety, which means that suspicion is not always required for a search in schools by SROs and administrators (Addington 2009; Theriot 2009; Beger 2002). Many times these searches result in lockdown environments with warrantless and intrusive searches by armed police officers with dogs that are done without warning and in secret (Hirschfield and Celinska 2011; Beger 2002). One study found that:

police have adopted other aggressive search tactics on school campuses, such as herding students into hallways for unannounced weapons searches, known as 'blitz operations.' At Shawnee Heights and Seaman High School in Kansas City, signs warn students driving into school parking areas that they have just consented to searches of their vehicles 'with or without cause' by school administrators or police officers. Scores of other schools across the country have adopted similar vehicle search policies. Groups of students have even been strip-searched by police officers to locate money missing from a classroom. There seems to be no end in sight to the aggressive search methods police are willing to use on students in the name of safety (Beger 2002 pp. 124).

In response to these warrantless and aggressive searches, students have experienced emotional harm and distress that fosters resentment and contributes to the encouraging of students to drop out (Skiba and Peterson 1999; Addington 2009).

Lastly, cameras are another major component of this increase in surveillance and security that has occurred through zero tolerance policies. Many schools experienced an increase in the use of cameras for monitoring student behavior. However, many students see this as an invasion of their privacy, which creates a negative learning environment as policy makers and school administrators send students the message that privacy and civil liberties are being traded for

security and that students are seen as sources of potential danger, not as learners (Addington 2009).

Ultimately, the security measures discussed above have altered the climate and culture of schools to “learning prisons” rather than open and flexible places of learning (Beger 2002). These security measures that involve police, metal detectors, and camera surveillance have led to schools becoming more prison-like facilities that now have a greater focus on punitive discipline and criminalization, thus harming the learning environment that students are accustomed to (Theriot 2009). It has also been found that security measures such as strip searches and the use of undercover agents lowers students’ self-esteem and causes emotional distress that can put a strain on the relationship between students and school personnel, which can be detrimental to their learning (Theriot 2009). Aggressive and unwarranted searches have created an environment and atmosphere of mistrust and alienation that does more harm than good for students as students are treated as criminals and delinquents (Beger 2002). Additionally, surveillance has led to a change in the character of school discipline where misbehaviors that normally merited a detention or, at worst, suspension now increasingly involve arrests by school resource officers and court referrals (Hirschfield and Celinska 2011). Overall, these policies surrounding security and surveillance that have been implemented have been found to be detrimental to students, their learning, the broader school environment that they exist in.

Disproportionate Impacts

A large body of literature on zero tolerance policies has concluded that certain populations experience criminalization and the school-to-prison pipeline at a disproportionate rate than others; these populations include students with disabilities and students of color, specifically African American students. Studies have found that students with disabilities are

impacted by exclusionary discipline at a higher rate with students being served under the Individuals with Disabilities Education Act (IDEA) being twice as likely to be suspended (Skiba, Arredondo, and Williams 2014; US Department of Education 2014).

In addition to the disproportionate impacts experienced by students with disabilities, studies report that African American students are more likely to be expelled and suspended under zero tolerance policies than their white peers (Beger 2002; Skiba and Peterson 2009; Hirschfield and Celinska 2011). Similarly, African American students experience more office referral, suspensions and expulsions, school arrests, and corporal punishment. Additionally, this population receives fewer mild disciplinary sanctions (Payne and Welch 2010; Skiba and Peterson 2009) and more serious consequences for similar infractions when compared to their white counterparts. When adding another layer of gender, it can be seen that African American females are five times more likely to be suspended or expelled than their white counterparts (Skiba, Arredondo, and Williams 2014; Wallace, Goodkind, Wallace, and Bachman 2008).

When looking at potential variables that could be impacting this disproportionate impact, studies found that rates of disruptive behavior cannot explain this disparity in school exclusion and discipline (Bradshaw, Mitchell, O'Brennan, and Leaf, 2010; Skiba and Peterson 2009; Skiba, Arredondo, and Williams 2014; Skiba and Peterson 1999). Several studies also found that African American students are exposed to harsher disciplinary acts such as corporal punishment, stricter sanctions, more office referrals, etc. and this is independent of poverty status (Skiba and Knesting 2001; Skiba and Peterson 1999; Skiba and Peterson 2009).

When examining surveillance and populations that are disproportionately impacted a study conducted by Hirschfield (2009) found that urban schools containing mostly minority students only make up approximately 15% of the nation's middle and high schools, but

constitute about 75% of the middle and high schools that scan their students with metal detectors. One study found, however, that police presence in schools does not cause minority populations and students with disabilities to be disproportionately criminalized (Chongmin and Gottfredson 2013).

Restorative Justice Policies

Restorative Justice in the Community

Following the implementations and impacts of zero tolerance policies, several schools began adopting restorative justice policies and practices that have been utilized in whole communities and internationally. Restorative justice practices involve concepts such as dialogue, relationship building, inclusiveness, and integration and are used as a diversion from traditional juvenile and criminal justice processes that involve formal, exclusive, and punitive punishments (Coates, Umbreit, and Vos 2006). It is a remedial framework that provides a more balanced response to misbehaviors and offenses in the broader community and within schools.

The restorative justice approach focuses on repairing the harm that was caused through the offense, incident, or crime (Payne and Welch 2013; Stinchcomb, Bazemore, and Riestenberg 2006). Repairing harm through this framework requires victims and relevant community members to be engaged in the decision-making process, as well as holding offenders accountable, and preventing similar actions from happening in the future. In this process, participants have the ability to respond to offenses, conflicts, and violations through dialogue between all parties involved. This approach emphasizes accountability, fairness, and situational responses to the event rather than simply eliminating the offender from the environment. Restorative justice is designed to address the issue within its context to change behavior and conditions and provide the best resources and support to those who need it rather than

suspending and expelling students with no rehabilitative resources (Stinchcomb, Bazemore, and Riestenberg 2006). The reason for engaging all parties involved in incidents as well as community members is that in this framework, crime and offenses are viewed as violations of people and relationships, therefore in order to repair the relationships, every actor involved needs to be present to discuss the violation (Latimer, Dowden, Muise 2001).

Restorative Justice in Schools

While zero tolerance policies have both fewer and clearer components (police presence, exclusionary discipline, and security/surveillance), restorative justice policies contain many components, themes, and goals, inherently making these policies more difficult to distill down. Restorative justice practices originated abroad in New Zealand and then became popular in local communities; since then these policies and practices have migrated into schools. This transition took place because social control operates in the context of social institutions, thus social institutions must be strong in order to combat crime and violence, social institutions being made up of families, schools, parties, government agencies, voluntary associations, and laws. Thus, the argument goes: schools, being a social institution, should have the capacity to prevent crime; some argue that restorative and community justice programs are the vehicles to combat and diminish delinquent behavior. This is due to the nature of these programs as they build community capacity to respond to problematic behavior and offenses without resorting to the juvenile or criminal justice system (Karp and Breslin 2001). Building community capacity emerged as an approach to strengthen communities by building social capital through relationships, coalitions, consensus building, and voluntary action in order to better confront and address issues that range depending on the type of community (Saegert 2006). In school communities, school leaders utilize restorative justice policies and practices as a conduit to

address the present issue or incident, thus increasing the community's capacity to confront future problems or situations in a productive way.

Given this rationale, when an offense is committed, the behavior is seen as breaching the social contract or agreed upon community standards/rules between the student and the school community. To address this breach of contract, restorative justice sets the stage for a discussion surrounding accountability, restitution, and restoration of the contract and the community (Gonzalez 2012). This process also sets the stage for restoration through three main avenues. First, restorative practices emphasize the role of all stakeholders involved in an incident, not solely the offender(s). Second, this approach allows for the offender(s) to adjust their behavior within the context of their natural environment rather than removing the offender(s), rehabilitating them, and later reintegrating them into their environment. Lastly, this approach addresses the needs of all parties involved to strengthen community capacity to be able to offer opportunities to the offender(s). Overall, this approach links conflict/crime to the breaking down of social relationships, therefore efforts to repair and rebuild bonds need to be made to respond to crime/incident as when an offense is committed, the harm caused by it is defined in terms of how it impacts the members of the community (Braithwaite 2016; Karp and Breslin 2001; Payne and Welch 2013).

When comparing restorative justice practices to exclusionary zero tolerance policies several differences emerge. Unlike disciplinary policies based in authoritarian control, the exclusion of offenders from the community, and an environment based on fear, restorative justice policies and practices rooted in rehabilitative and restorative strategies are based on a philosophy centered on participation where the resolution involves a learning experience and a sense of personal responsibility and a stronger community capacity to respond to future incidents

(Karp and Breslin 2001). In restorative justice, members of the community learn to take responsibility for their actions and repair the harm that they have done. They also learn to hold each other accountable, build collective problem solving skills, and build mutual support through dialogue and open lines of communication (Gonzalez 2012). Programs that have worked to combat school violence and other offenses build stronger social capital that can be characterized by possessing articulate, clear norms and behavioral standards as well as institutionalizing competency development through long-term programming and development in specific areas. These areas include self-control, stress management, responsible decision-making, social problem solving, and communication skills (Karp and Breslin 2001). Working on these skills through restorative practices and policies allows for the student to reintegrate as a productive member of the school community, rather than further exiling the student and thereby increasing the potential for separation, resentment, and recidivism (Karp and Breslin 2001). In primary and secondary schools, restorative justice has been used as a response to crime, bullying, and disciplinary violations, often providing an alternative to the use of more traditional processes. In this context, restorative justice practices convert the misbehavior from one of zero tolerance to interventions that accentuate accountability, fairness, and situational responses to unique events (Gonzalez 2012).

In summation, these policies and practices put an emphasis on strengthening communities of people to the point where they have a capacity to respond to offenses and crimes without pushing the offender out of the community (Braithwaite 2016; Karp and Breslin 2001; Payne and Welch 2013). In terms of school policies, this shift to restorative justice policies and practices offer a disciplinary model that allows for the repair of the school community after an offense, while also reducing the frequency and severity of offenses and violations within the school

community, while more punitive punishments via zero tolerance policies cause negative academic outcomes and an increase in the probability of future student deviance and delinquency (Payne and Welch 2013).

Core Principles of Restorative Justice

With this understanding of the broad framework of restorative justice, these practices can be broken down into three core principles: repairing the harm, stakeholder involvement, and transforming community-government relationships (Stinchcomb, Bazemore, and Riestenberg 2006; Van Ness and Strong, 1997; Gonzalez 2012). The first principle, repairing the harm, seeks to establish “a set of outcomes for restorative practice, including making amends, rebuilding or strengthening relationships, and, in some situations, addressing past harms. To achieve this repair, it is important to engage those affected by the crime in decision making about what needs to be done” (Stinchcomb, Bazemore, and Riestenberg 2006, pp. 131). The second principle, stakeholder involvement, “seeks to maximize participation of victim, offender, their supporters, and other community members in dialogue about the impact of the crime. This principle ultimately seeks to promote ownership of conflict” and harm by those most affected by it” (Stinchcomb, Bazemore, and Riestenberg 2006, pp. 131). The third and final component, transforming the community-government relationship, “suggests a less directive role for the traditional justice system in favor of empowering community members and building community capacity to respond more effectively to harm and conflict” (Stinchcomb, Bazemore, and Riestenberg 2006, pp. 131).

Within these three core principles, two categories of practice emerge: restorative decision-making or conferencing models and restorative sanctions or obligations. The first, restorative decision-making or conferencing models, seeks to enable involved parties to have a

conversation about the incident at hand. This could come in the form of family or group conferences, victim-offender mediation or dialogue, neighborhood accountability boards, or circles, all of which will be discussed in greater detail in the following section (Bazemore and Umbreit, 2001). The second, restorative sanctions or obligations, seeks to utilize alternative sanctions such as community service, apologies, victim service, behavioral agreements, etc. to provide more thoughtful and purposeful sanctions for offenses (Stinchcomb, Bazemore, and Riestenberg 2006). These punishments emphasize giving back to the community through community service and restitution rather than punitive punishments that encourage recidivism and exclusion from the community (Payne and Welch 2013). Punishments in restorative justice can come in the form of an apology, community service, work and/or direct compensation for the victim, and paybacks devised by the victim and the offender (Coates, Umbreit, and Vos 2006).

Models for Restorative Justice Dialogue

There are three prominent models for restorative justice dialogue that have been utilized in communities and school. The first model is victim-offender mediation, which involves a structured group whose goal is conflict resolution wherein a trained mediator facilitates the discussion between the victim and the offender (Gonzalez 2012). In this model, the victim and the offender are in direct mediation with each other that is facilitated by one or two mediators. Occasionally the dialogue will take place through a third party that passes information back and forth (shuttle mediation). In victim-offender mediations, family and friends are often present as support persons, though they do not participate or have a voice in the discussion as this model is focused solely on the victim and offender of the incident (Coates, Umbreit, and Vos 2006).

The second model for restorative justice is known as group or family conferencing. In this model, members of the family or community that are involved in the conflict are invited to

participate to involve everybody and give everyone a voice regarding the incident (Gonzalez 2012). Support for victims and offenders are present as well as other community members as participants in the dialogue. In some cases, these conferences follow a script and are more structured in their dialogue and in other cases the conferences are more open-ended (Umbreit, Vos, and Coates 2007).

The final model for restorative justice practices is circles, or peacemaking circles. Circles include people directly involved in the incident, as well as outside community members that may not have been directly impacted by the incident. In terms of schools, these circles would include students directly involved in the incident as well as additional teachers, students, parents, coaches, administrators, and other members of the school community that were indirectly involved or harmed by the incident (Gonzalez 2012; Karp and Breslin 2001). In this sense, the community is a stakeholder in this model, unlike in the juvenile and criminal justice systems (Beck 2012). Additionally, in having all of these community members present for discussions and dialogue, the hope and goal being that the offender takes ownership of their offense and better understands how their actions impact the community in which they reside, while also teaching students how to resolve conflicts on their own (Karp and Breslin 2001). In fact, one study found that in schools where peacemaking circles are utilized, students began initiating peacemaking circles on their own after experiencing formal gatherings with stakeholders and figuring out how the process works (Stinchcomb, Bazemore, and Riestenberg 2006).

Overall, these models all have a focus on open, inclusive dialogue with the goal of helping offenders better understand how their actions impact the broader community without excluding the offender from the community. Rehabilitation, respect, and communication drive these policies with the hope that schools will shift away from exclusionary zero tolerance policies that

push students out and focus more on rehabilitating and preventing future offenses through learning experiences.

Implementation of Restorative Justice in Schools

The implementation of restorative justice practices varies across schools as different schools implement these policies to address various issues. Some schools implement programs to address high suspension and expulsion rates, some implement these practices for school safety, disrespectful relationships and behaviors, and some schools implement them to improve academic success and student performance (Gonzalez 2012).

Given the various goals and issues that schools use restorative justice policies to address, scholars have identified several key conditions that can hinder or bolster the success of these policies. Firstly, the success of restorative justice policies and practices is highly dependent on a school's ability to shift their disciplinary focus to developing relationships and connectedness across the school community rather than exclusion and separation from the school community. In this sense, schools must embrace a complete ideological shift in their disciplinary policies from a retributive approach to a restorative approach (Gonzalez 2012).

Similarly, some scholars argue that in order for restorative justice to be successful in schools, schools must embrace a fundamental paradigm shift in addressing not only discipline, but school climate and community as well. Thus, it becomes imperative for school policy makers to change their entire view of discipline to one that sees discipline as an opportunity to build students' capacity to evaluate how their actions impact the broader school community. Further, policy makers need to view restorative justice as an entire philosophy, not simply strategies to be used in the classroom by educators (Payne and Welch 2013). One study found that implementation can take three to five years and requires focus in five key areas: "(1) gaining

commitment from the school community. This process requires establishing the reasons for implementation, as well as buy-in from key members of the school community; (2) developing a clear institutional vision with short, medium, and long term goals; (3) establishing responsive and effective practice; (4) developing policies that align with restorative practice to transition into a whole school approach, rather than a program based model; and (5) investing in an ongoing system of growth and development for all members of the school community” (Gonzalez 2012, pp. 304).

In addition to the rigorous and fundamental change in policy makers’ views of school discipline, participation is another key factor that can hinder or facilitate the success of restorative justice policies and practices. Several studies have noted that participation in restorative justice programs ranges widely, the typical range of participation is 40%-60%, but some have reported rates as high as 90%. Victim willingness to participate stems from a desire to receive restitution, to hold the offender accountable, to learn more about why the crime or offense happened, to share their pain with the offender, to avoid court proceedings, to help the offender change behavior, or to see the offender adequately punished. Offender participation stems from wanting to pay back the victim, to get the whole experience behind them, to impress the court, or to apologize to the victim (Coates, Umbreit, and Vos 2006). Conversely, reasons for a lack of participation among victims derives from their feeling that the crime was too trivial to be worth the time, feeling fearful of meeting the offender, wanting the offender to have a harsher punishment. Reasons for the offender not wanting to participate include being advised by a lawyer not to participate or simply not wanting to be bothered with the process (Coates, Umbreit, and Vos 2006). This can be seen as a flaw of restorative justice policies and practices as their effectiveness is either enabled or hindered by the participation of parties.

Effectiveness/Impact of Restorative Justice Policies in Schools

When examining the impact of restorative justice policies and practices in schools, it has been found that, “restorative justice reduces victim fear, post-traumatic stress symptoms, victim anger, vengefulness, victim beliefs that victim rights have been violated and increases victim feelings of personal safety and their belief that justice has been done” (Braithwaite 2016, pp. 7). Additionally, one study conducted by Latimer, Dowden, and Muise (2001) found that restorative justice programs are more effective in improving victim and offender satisfaction, increasing offender compliance with restitution, decreasing recidivism of offenders compared to traditional criminal justice responses although offender satisfaction was not as significant as the other results. It should be noted, however, that studies that examine and measure the effectiveness of restorative justice programs may be biased in that the nature of restorative justice is centered on voluntary participation so treatment groups that participate in studies are inherently more likely to be more motivated than the control group because they have a desire to be there. Studies can never have truly random selections for treatment and control groups because as soon as you force a person to participate in restorative justice programs through the treatment group, it can no longer be considered truly restorative, as this would no longer involve voluntary participation (Latimer, Dowden, Muise 2001).

The effectiveness of restorative practices can also be broken down by model through a study conducted by Coates, Umbreit, and Vos (2006). They found that for victim-offender mediation, the majority of studies reported a general satisfaction among victims and offenders; this satisfaction occurs across schools, cultures, and severity of offenses. There was also more satisfaction with the mediation process than with traditional court prosecutions when offenses required that resolution (Coates, Umbreit, and Vos 2006; Umbreit, 1995). For group

conferencing, there are higher satisfaction rates ranging from 70-90%, as well as a high participation rate that ranges from 90-100%. Additionally, participants reported that the most helpful component of the process was the opportunity to talk to the offender and convey the impact of the offense on them to the offender and hear the rationale/explanation of the offender.

For circles, Coates, Umbreit, and Vos (2006) found that participants valued having a voice and stake in justice outcomes, mutual respect, and a renewed sense of community and cultural pride, but participants cited the lack of privacy, difficulty working with family and friends, and embarrassment as negative aspects of circles. Offenders have indicated that within the circle process, they valued connecting with people in the circle, the change in attitude and behavior, the opportunity to payback the victim and the broader community, and avoiding court. Victims noted that being able to tell their story, listen to others, and connect with people in the circle were positive aspects. Community members have also found circles to be valuable in that they have reported feeling like they are giving something back to the community and helping people by participating (Coates, Umbreit, and Vos 2006).

When examining how these policies and practices address the racial gap in school discipline, one study found that that teachers who are perceived to be implementing more restorative justice practices in their schools and classrooms at a more frequent rate have better relationships with racially and ethnically diverse students than with teachers who are perceived to not implement restorative justice practices as frequently (Gregory, Clawson, Davis, and Gerewitz 2014). Additionally, research found that these students who have better relationships with teachers who implement more restorative justice practices feel more respected by these teachers as they tended to not use disciplinary referrals as frequently for disruption and defiance than teachers who do not implement restorative justice practices as much. Also, teachers who are

perceived to use restorative practices more tended to have a lower use of disruption and defiance disciplinary referrals for minority students, which addresses the racial gap that exists in school discipline and exclusion (Gregory, Clawson, Davis, and Gerewitz 2014).

In addition to addressing the racial gap, it has been found that restorative justice programs have a positive impact on recidivism. This can be seen in a study that found that youth who experience restorative justice programs often fare better than youth referred to traditional juvenile court processing in terms of number of later police contacts, experienced fewer later police contacts if they did reoffend, and experienced a decrease in the seriousness of later behavior (Bergseth and Bouffard 2007). Additionally, the study conducted by Coates, Umbreit, and Vos (2006) found that participants of victim-offender mediations experience an overall reduction in offense rates and if they do reoffend, it is often a less serious offense.

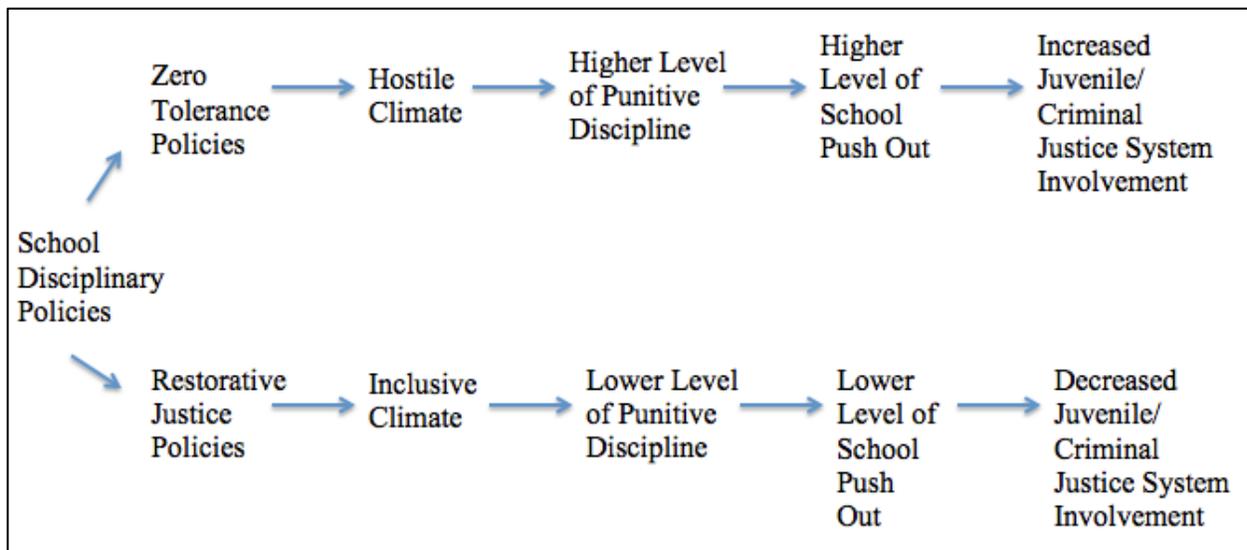
Considering this, it can be seen that restorative justice practices create environments in schools centered on inclusivity, communication, and ownership where students who commit offenses are held responsible for their actions, but are not excluded from the community as a result. Rather they are included in a rehabilitative, learning experience through a discussion with the victim and other community members to discuss the impact of their actions and ideally prevent future incidents from occurring.

CHAPTER THREE: THEORETICAL ARGUMENT AND METHODOLOGY

Theoretical Argument

My theoretical argument can be distilled down into two main causal models: an argument about the impacts of zero tolerance policies and an argument about the impacts of restorative justice policies, both on how these policies impact climate, the level of punitive discipline, the level of school push out, and student involvement in the juvenile/criminal justice system.

My theoretical argument aligns largely with the literature on zero tolerance and restorative justice policies, however, my study contributes to this field as it aims to address all aspects of both sets of policies, including climate, punitive discipline, and school push out and the impacts these variables have had on the criminalization of students. Below is a visual diagram of my casual theoretical argument:



Model One: Causal Impacts of Zero Tolerance Policies

This model argues that the components of zero tolerance policies, specifically police presence and the use of exclusionary discipline, prompt several impacts on a variety of variables, which I argue, ultimately impact the criminalization of and involvement of students in the juvenile/criminal justice system. These variables that are influenced by zero tolerance policies include school climate, level of punitive discipline, level of school push out, and level of juvenile/criminal justice system involvement. The impact of zero tolerance policies on each of these variables within this causal argument will be discussed in greater detail below.

School Disciplinary Policy: Zero Tolerance Policies

Literature has stated that an increase in police presence, the use of exclusionary discipline, and an increase in surveillance and security in schools all perpetuate the criminalization of students for violent and non-violent behavior, thus pipelining them into the juvenile/criminal justice system directly, or increasing their chances of coming into contact with the juvenile/criminal justice system in the future. Deviating slightly from the body of literature on zero tolerance policies, my theoretical argument centers on two facets of zero tolerance policies: the impact of police presence and the use of exclusionary discipline in schools. I chose not to include the presence of surveillance as it is difficult to measure and is also held constant regardless of whether schools embrace zero tolerance or restorative justice policies, whereas the role of police in schools and the use of exclusionary discipline, I argue, changes based on which policies schools implement. In order to understand how these aspects of zero tolerance policies lead to an increase in the criminalization of students, one must understand each facet individually and its role in criminalizing students in schools.

Increase in Police Presence

In the wake of zero tolerance policies, the number of police officers in the form of school resource officers (SROs) in schools increased dramatically. While some have argued that the school resource officers create a safer environment in schools by creating bonds with students and acting as a mentor to them, however, I argue otherwise (Chongmin and Gottfredson 2013). I maintain that, similar to what many other scholars have found, the presence of SROs in schools does not create a safer school environment, rather, they have found that it leads to higher rates of student criminalization through more school-based arrests and law enforcement referrals (Theriot 2009; Raffaele Mendez 2003; Skiba and Peterson 1999). Similarly, I that the presence of law enforcement in schools through zero tolerance policies causes more penalization of student behavior as SROs take on a stronger disciplinary role and handle incidents, including minor, non-violent ones that would have customarily been handled by school personnel (Theriot 2009; Beger 2002). When handling these incidents, I argue that the presence of SROs yields a harsher climate with more punitive punishments and school push out that leads to higher levels of involvement in the juvenile/criminal justice system. This will be discussed in greater detail in the following section.

Exclusionary Discipline

In addition to an increase in the presence of police officers in schools, zero tolerance policies also brought about an increase in the use of exclusionary discipline, which refers to the use of suspensions and expulsions in response to student misconduct. As in the literature, I argue that the behavior met with these disciplinary actions is often non-serious and non-violent (Skiba and Peterson 1999; Skiba, Arrendondo, and Williams 2014). The reason for this is that due to the nature of zero tolerance policies, schools respond to offenses with these punishments without

considering the context or severity of the behavior, leading to minor infractions being met with harsh disciplinary actions that are often disproportionate to the offense. While the use of suspension and expulsion may be warranted in some cases, I argue that the use of these disciplinary actions is problematic for more minor offenses, as suspending and expelling students leads to an increase in students being pushed out of schools and onto the streets, thus increasing their chances of contact with the juvenile/criminal justice system (Skiba, Arrendondo, and Williams 2014).

Hostile Climate

Considering the facets of zero tolerance policies, I argue these aspects--increased police presence and the use of exclusionary discipline--contribute to a harsher and more hostile school climate that is centered on exclusion and authoritarian control. This hostility in schools, manifested in police presence and exclusionary discipline, creates a more prison-like environment that is less conducive to learning for students. While some have argued that the school resource officers create a safer environment in schools through creating bonds with students and acting as a mentor to them, I argue otherwise (Hirschfield and Celinska 2011; Chongmin and Gottfredson 2013). I argue that the presence of SROs in schools does not create a safer school environment, rather it leads to higher rates of criminalization of student behavior (Theriot 2009; Raffaele Mendez 2003; Skiba and Peterson 1999). The criminalization of student behavior, in this sense, does not deter students from acting out, rather it causes them to continue to create conflict and commit offenses at a higher rate. Additionally, I argue that using exclusionary discipline to respond to infractions creates a hostile climate, in which behavior is never truly addressed nor met with thoughtful and appropriate sanctions.

Higher Levels of Punitive Discipline

The hostile and harsh climate that is created as a result of exclusionary discipline and police presence, I argue, leads to the use of more punitive punishments and discipline. This occurs because altercations that would traditionally be handled by school personnel are now handled by SROs who rely on more punitive and formal punishments such as arrests and law enforcement referrals (Theriot 2009; Beger 2002). I argue this formal and punitive punishment is only exacerbated with officers being directly on site, where they are often the first to respond to an incident. While these harsh disciplinary measures are justified in some extreme cases, such as weapon possession and threatening physical altercations, I argue that they are being used in instances of non-serious and often non-violent behavior, which leads to the over-criminalization of students for acts such as class disruption and disobedience (Skiba and Peterson 1999; Theriot 2009; Skiba, Arrendondo, and Williams 2014; Hirschfield and Celinska 2011; Raffaele Mendez 2003). Additionally, I argue there is an increase in the use of exclusionary discipline, such as suspensions and expulsions, for minor offenses and infractions that would have traditionally merited a less formal and punitive punishment (Skiba and Peterson 1999; Skiba, Arrendondo, and Williams 2014). In resorting to exclusionary discipline for minor infractions that could be handled through other, more impactful mechanisms, I argue that conflicts will fail to be truly resolved as punitive discipline does not provide a platform for students to learn and grow from their mistakes and thus, the number of incidents/offenses will not decrease (Skiba and Knesting 2001).

Additionally, and parallel to the literature, I argue that exclusionary discipline impacts certain populations more than others. I argue these policies have disproportionate impacts on students of color and students with disabilities as these populations are subjected to suspensions,

expulsions, school-based arrests, and law enforcement referrals at a high rate (Beger 2002; Skiba and Peterson 2009; Hirschfield and Celinska 2011).

Higher Levels of School Push Out

Through higher levels of punitive discipline resulting from the previously discussed factors, I argue students can be pushed out of the school system as a result of an incident or altercation that happens at school. The use of exclusionary discipline, such as suspensions and expulsions, can have detrimental impacts on a student's likelihood of completing school, which I argue rings true specifically in cases of exposure to multiple suspensions as this increases the likelihood of a student dropping out (Skiba and Knesting 2001). Experiencing these more punitive punishments, I argue, leads to an increased risk of academic failure due to the amount of school that students have to miss as a result of the punishment they receive for behaviors that do not warrant such harsh and exclusionary punishments (Stinchcomb, Bazemore, and Riestenberg 2006; Raffaele Mendez 2003). Additionally, some of these mechanisms for discipline such as expulsion and school arrests directly force students out of the school system. School push out can also occur, I argue, because the harsh climate and high levels of punitive discipline in schools can cause students to want to drop out as they feel like school is not a safe and conducive environment in which they can learn.

Higher Levels of Criminalization and Juvenile/Criminal Justice System Involvement

With students being pushed out of the school system, I argue that their involvement in and contact with the juvenile/criminal justice system is heightened (Skiba and Peterson 1999; Skiba and Knesting 2001; Raffaele Mendez 2003). Firstly, I argue students can experience direct contact with the juvenile/criminal justice system from the school system through school-based arrests and law enforcement referrals that can happen on school grounds by school resource

officers. Secondly, I argue excluding students from the school system pushes them out onto the streets, into a less supervised environment where there is a higher likelihood that they will come into contact with the juvenile/criminal justice system. Relatedly, when these students get pushed out of the schools and onto the streets, they lack a basic high school education, thus limiting their ability to obtain employment and stability. In this sense, pushing students out of the school system decreases their social mobility.

Model Two: Causal Impacts of Restorative Justice Policies

Similar to the impact of zero tolerance policies on a variety of variables leading to the overall impact on criminalization of student behavior, I argue that restorative justice policies have a different impact on the same variables. These variables include climate, level of punitive discipline, level of school push out, and level of juvenile/criminal justice system involvement. The specific impacts of restorative justice policies on these variables will be discussed further following the discussion of the components of restorative justice policies below.

To summarize the literature, in restorative practices, students, faculty, staff, parents, and administrators engage in relationship-building dialogue to address issues and offenses that occur within the school community, rather than excluding students from the school system after committing an offense. In this sense, these practices hold students accountable for their actions and involve them in the conversations that address their actions and repair the harm done to their community (Payne and Welch 2013; Stinchcomb, Bazemore, and Riestenberg 2006).

School Disciplinary Policy: Restorative Justice

Given the various themes, avenues to repair harm, principles, and frameworks of restorative justice practices set forth by scholars, I argue there are three critical components that will bolster the success of restorative justice practices in schools: (1) possessing a model or

models for engaging in restorative dialogue, (2) involving internal and external community members, and (3) having a restorative justice coordinator/specialist within the school.

Model for Restorative Justice Dialogue

The first component necessary to the effectiveness of these practices consists of having a model for restorative justice dialogue, which, based on the literature, can manifest in either victim-offender mediation, group/family conferencing, or circles. I argue that having a platform for conversation about an incident will more effectively resolve conflicts and strengthen relationships through open communication (Stinchcomb, Bazemore, and Riestenberg 2006; Van Ness and Strong, 1997; Gonzalez 2012). As discussed in the literature, when schools embrace restorative practices, communities view conflicts and offenses as breaking contracts and rules that the community established and agreed upon (Gonzalez 2012). Schools also view these instances as breaking down social relationships, as committing an offense causes harm to members within the community and to the trust and respect that has been built within the community as a whole (Braithwaite 2016; Karp and Breslin 2001; Payne and Welch 2013). As a result, I argue conflicts will be resolved more effectively with the use of a model for restorative justice as these models emphasize repairing harm done to the community following an incident by engaging the community in productive dialogue where all voices can be heard and all parties have an opportunity to address the conflict (Payne and Welch 2013; Stinchcomb, Bazemore, and Riestenberg 2006). This differs from zero tolerance policies where schools allow for little dialogue in response to conflicts, thus the conflicts never truly get resolved.

Involvement of Internal and External Community Members

The second critical component to restorative justice practices, I argue, is the internal and external involvement of community members, meaning the involvement of members within the

school community and outside of the school community (e.g. parents, guardians, etc.). Similar to the literature, I argue that having a model for conversation with relevant parties in attendance will show students how their actions impact their community (Karp and Breslin 2001). I argue that in understanding how their actions and behavior impact their community, students will engage in taking more ownership and responsibility for actions and show more remorse that will ultimately decrease the likelihood of committing future offenses (Karp and Breslin 2001; Stinchcomb, Bazemore, and Riestenberg 2006; Van Ness and Strong, 1997; Gonzalez 2012).

Presence of Restorative Justice Coordinator/Specialist

Lastly, I argue the presence of a restorative justice coordinator/specialist will bolster the impacts and successes of these practices. While not discussed in the literature, I argue that having a full-time position dedicated to the implementation of restorative justice is crucial. Educators already have demanding schedules as they must carry out several tasks and duties throughout the school day and are given limited time to prepare for their days. As a result, I argue that restorative justice policies will be less impactful if teachers must carry out these practices. Having a coordinator or specialist to implement these practices, I argue, would be much more impactful, as this position could facilitate dialogues as well as aid in supporting and training teachers in applying these practices in their classrooms in more manageable ways.

Inclusive Climate

When examining how restorative justice policies influence school climate, I argue that these policies create a more inclusive and responsive climate where conflict is addressed within the community with all parties involved. This is done through victim-offender mediation, conferencing, and circles where students, school personnel, families, and other community members/stakeholders engage in dialogue and discussion to address incidents. In strengthening

relationships and communities through dialogue, I argue communities, as a whole, will develop a higher capacity to address conflict more effectively (Karp and Breslin 2001; Saegert 2006; Stinchcomb, Bazemore, and Riestenberg 2006; Van Ness and Strong, 1997; Gonzalez 2012). Additionally, in enhancing community ties, I argue students will feel a stronger sense of belonging in their communities rather than feeling excluded and alienated from their school communities (Karp and Breslin 2001). As a result, I argue school climate shifts to one of inclusion, rehabilitation, and responsibility, as students gain a voice in the conversation, learn how their actions impact the broader school community, and learn to take responsibility for their actions more.

Lower Levels of Punitive Discipline

In creating an inclusive school climate through restorative justice policies and practices, I argue there will be lower levels of punitive punishment as the climate will be less hostile and exclusionary. I argue that through strengthening the community and students' sense of belonging, the number of offenses and incidents will decrease as students will have developed a better sense of how their actions impact their community, therefore punitive disciplinary actions will also decrease. However, when incidents do occur, I argue that punishments will not be punitive and exclusive, but rather they will be used as an opportunity to learn from mistakes (Karp and Breslin 2001). The reason for this lies in the fact that restorative justice practices do not utilize predetermined punishments for offenses that exclude offenders without giving context to or consideration for why the offense was committed, thus responses to conflicts are situational (Stinchcomb, Bazemore, and Riestenberg 2006). Restorative practices allow the consideration of incidents and offenses within the context they occurred, which results in thoughtful discussions and sanctions for offenders within the school (Stinchcomb, Bazemore, and Riestenberg 2006).

As a result, schools rely less on punitive, exclusionary discipline and prescribe more internal and productive sanctions that keep students within the school system as restorative justice provides a platform for increasingly thoughtful and fruitful sanctions that serve as a learning experience for students, while also holding students accountable for their actions (Stinchcomb, Bazemore, and Riestenberg 2006; Payne and Welch 2013; Coates, Umbreit, and Vos 2006).

Lower Levels of School Push Out

In regard to school push out, more consideration for context of behavior and more appropriate, fitting sanctions leads to a decrease in school push out, as keeping students within their environment after an incident or offense has occurred is the crux of these policies (Stinchcomb, Bazemore, and Riestenberg 2006). This differs from zero tolerance policies where schools remove students and rehabilitate them outside of the school community and then reintegrate them, or even remove them permanently from the school community. With schools relying less on punitive discipline and more on restorative measures to handle conflict, I argue the levels of school push out that students experience through choosing to drop out, failing out, and also through schools actively excluding students from the school community through expulsion and law enforcement intervention will decrease as restorative justice practices address these routes of push out by improving schools' capacity to resolve conflicts internally. In this sense, restorative practices decrease the likelihood of a student dropping out of school because the climate will be less hostile and more conducive to learning, and therefore less punitive and exclusive disciplinary actions will be taken, which will decrease the likelihood of students leaving the school system through one of the many avenues of push out that can occur.

Lower Levels of Criminalization and Juvenile/Criminal Justice System Involvement

Given that restorative justice practices create a more inclusive and responsive climate, which leads to lower levels of punitive, exclusionary discipline, and subsequently less school push out, I argue that this will lead to a decrease in juvenile/criminal justice involvement and criminalization of students and their behavior. Restorative practices emphasize inclusion, dialogue, and rehabilitation/restoration, and therefore fewer students will come into direct contact with the juvenile/criminal justice system, as disciplinary power in this set of policies, I argue, lies in the hands of both school personnel and students who actively participate in addressing the conflicts, incidents, and infractions that occur. In this sense, I argue that restorative justice policies and practices ameliorate the school-to-prison pipeline for students by decreasing criminalization of student behavior, which has been found to increase the likelihood of a student coming into contact with the juvenile/criminal justice system (Skiba and Peterson 1999; Skiba and Knesting 2001; Raffaele Mendez 2003).

Summary of Two Causal Models:

Zero Tolerance Policies

To summarize and review, the causal model on the impacts of zero tolerance policies can be distilled down to an argument that the components of zero tolerance policies, specifically police presence in schools and the use of exclusionary discipline, create a hostile, harsh climate that leads to higher levels of punitive discipline. Through higher levels of punitive discipline, I argue students experience higher levels of school push out, and thus increased contact with the juvenile/criminal justice system.

Restorative Justice Policies

The causal model on the impacts of restorative justice policies can be distilled down to an argument that the components of restorative justice policies, specifically a model for dialogue, community involvement, and the presence of a restorative justice coordinator/specialist, create a more inclusive climate, leading to lower levels of punitive discipline. Following lower levels of punitive discipline, I argue students experience lower levels of school push out, and ultimately lessened contact with the juvenile/criminal justice system.

Methodological Approach

Methodology and Case Selection

In order to capture the complexity of the school-to-prison pipeline and whether or not restorative justice policies have aided in alleviating this phenomenon, I am utilizing a case study methodology. Conducting a case study allows for a more in-depth look into this phenomenon that permits a better evaluation of my theory and causal diagram. This will consist of a case study of New York City, which will be discussed at greater length in the following section.

Due to the complexity of my causal diagram and theoretical argument and the various nuances that come with analyzing the effectiveness of policy reform efforts, qualitative measures gathered through a historical narrative and semi-structured interviews will be used to evaluate whether or not this case fits my theory. While quantitative data on rates of school suspensions, expulsions, law enforcement referrals, arrests, and dropout rates could be useful to evaluate the impacts of both sets of policies, it has been noted that school data is often not reported with

integrity or accuracy, thus these measurements lack reliability and validity (Gewertz 2018; Respondents A, B)¹.

When searching for a case for this study, I focused primarily on finding a city that has made comprehensive and widespread efforts to reform their school disciplinary policies. In doing research on cities, I found that New York City has made extensive reform efforts to address the school-to-prison pipeline through restorative justice, which was my primary reason for choosing to focus on this city.

The extensive efforts made by several key actors and organizations, such as the NYC Department of Education's Office of Safety and Youth Development, Mayor Bill de Blasio, Chancellor Carmen Fariña, and many other grassroots organizations, in the New York City school system to address the school-to-prison pipeline and invest in restorative justice practices and policies have made this urban-area a viable case for my study.² The efforts made to address the school-to-prison pipeline through restorative justice can be observable through qualitative measures, which will be outlined in the following section.

To gain a better understanding of the push for restorative justice as a policy reform effort to address the school-to-prison pipeline, I will include a historical narrative section in my case study. This will illustrate the political push for restorative justice that involved several key actors and organizations including Mayor Bill de Blasio, the NYC Department of Education's Office of Safety and Youth Development (OSYD), Chancellor Carmen Fariña, and the many grassroots organizations in which I was able to conduct interviews. The development of this historical narrative will rely on news coverage from major news sources and information gathered in

¹ The details of this lack of reliability of school data will be discussed further in Chapter Five and Six.

² The details of these efforts made by these organizations and actors will be discussed further in the case study portion of this study.

interviews as several people that I spoke to witnessed and played a role in the movement toward restorative justice as a viable policy reform effort to address the over criminalization of students occurring in New York City.

Subsequently following the brief historical narrative to open my case study, I will be conducting semi-structured interviews with eight external providers³, such as non-profit organizations and other institutions, who aid and support schools in the implementation of restorative justice programs. In conducting interviews, I hope to be able to acquire more information regarding the disciplinary policies that schools have implemented throughout the last two decades, specifically looking at whether or not the components of zero tolerance policies and restorative justice policies that I have identified through my review of the literature and in my theoretical argument are actually present in school policies. I also hope to inquire more about school climate and how it has shifted and responded to changes in disciplinary policies, while also looking at how these shifts in climate have influenced the level of punitive discipline used in schools. In learning more about the level of punitive discipline that students experience in schools, I hope to better understand the level of school push out, specifically looking at whether this manifests itself in schools pushing students out through expulsion/encouragement, or whether students choose to drop out. Lastly, through these interviews, I hope to examine the level of criminalization of students and the level of juvenile justice involvement as a result of the prior variables that will be analyzed.

In order to measure these variables, I have developed a list of interview questions that I will draw from while speaking to the eight external providers. It should be noted that these questions are simply a guideline for the conversation and thus may not be explicitly followed in

³ The reasoning behind choosing to interview external providers will be discussed in a later section.

order and/or in entirety. It should also be noted that not all of the questions may be relevant to the external providers depending on their roles within the organizations they work for as well as the role their organization plays in implementing restorative justice practices and policies in New York City schools. Additionally, in conjunction with the interview questions I have developed, I will also rely on probing to get a more detailed and wholesome picture of the work that these external providers do regarding restorative justice in New York City schools and the impacts of these policies.

See the list of interview questions below:

Interview Questions for Provider:

1. Can you describe the work with restorative justice policies and practices that you and your organization do in New York City schools? What is your role?
 - a. What kinds of support and resources do you offer schools regarding restorative justice practices?
2. Prior to having restorative justice, did the schools you do work in have zero tolerance policies in place? If so, what did those zero tolerance policies entail?
3. From your understanding, what was the protocol for punishing students following a conflict under zero tolerance policies? Did this vary based on the conflict's context and severity?
4. Do you feel as though zero tolerance policies were effective in handling conflicts and misconduct in the schools you work in? Why or why not?
5. Do you feel that the schools you do work in now relied more heavily on suspensions and expulsions when they were using zero tolerance policies? If so, do you feel like relying on these disciplinary measures was justified for the offenses that were commonly committed?
6. From your understanding, what were students most commonly suspended and expelled for under zero tolerance policies?
7. What impact, if any, did the use of exclusionary discipline have on students leaving or getting pushed out of the school system?
8. When students leave the school either through dropping out or being removed, do schools track where those students end up?
9. Do the schools that you work in typically have school resource officers? Do you work with the school resource officers in schools?
 - a. From your understanding, what is the role of the SRO(s)?
 - b. Has this changed with shifts in policy from zero tolerance to restorative justice? How has it changed? How has it remained the same?
10. From your knowledge, what impact, if any, does the presence of a school resource officer have on the numbers of students arrested or referred to law enforcement? Why?

11. Are there any populations of students that are disproportionately subjected to suspensions, expulsions, school-based arrests, and/or law enforcement referrals?
12. What is the process and rationale for implementing restorative justice for schools?
13. What does restorative justice through your organization look like in schools?
14. How have students and faculty reacted to the implementation of restorative justice?
15. Have you found restorative justice to be effective in resolving conflict? If so, how? Or how not?
16. Have you found restorative justice to be effective in preventing future conflicts? If so, how? Or how not?
17. What kinds of restorative justice sanctions do you use, if any, and how do you decide what sanctions to use based on the offense committed?
 - a. Do you find the sanctions to be effective in addressing the problem at hand?
18. From your understanding, have suspensions, expulsions, law enforcement referrals, and school-based arrests changed in the wake of restorative justice policies? If so, how? Or how not?
19. How would you describe the climate of schools under restorative justice policies in comparison to zero tolerance policies?
20. Which set of policies do you feel creates a better school climate and why?
21. Which set of policies do you feel better addresses student misbehavior and why?
22. Do you find restorative justice practices to be effective in rehabilitating students within their school environment? Why or why not?
23. Under which set of policies do you feel creates a better capacity for schools to respond to problematic behavior and why?
24. When thinking about both sets of policies, zero tolerance and restorative justice, and how schools have responded to them, what were/are the advantages and disadvantages of each set of policies?

Interview Selection Process

My decision to interview external providers rather than school personnel such as teachers, principals, and school resource officers/safety agents was made necessary by the onerous bureaucratic requirements of the New York City Department of Education's institutional review board. The NYC Department of Education's timeline for this review process were not compatible with the timeline for completing and submitting this Independent Study; therefore, I was unable to conduct interviews with school personnel.

In selecting external providers, I conducted a preliminary search online to identify organizations that do work with restorative justice practices and policies in schools in New York City. The organizations that I found do work such as training teachers and administrators in

restorative justice, modeling restorative practices on the ground in schools and in classrooms, providing restorative justice coordinators and specialists in schools, going into schools several times a week to coach teachers on restorative practices, holding after school programs where restorative justice practices are utilized, engaging in advocacy and consulting work, etc. More detailed descriptions of the eight external providers I interviewed for this study will be provided in Appendix A. Additionally, each of the interviewees has randomly been assigned a letter between A-H, which is how they will be identified in the findings (e.g. Respondent A, C, F).

Variables

The following section contains the variables that I have identified in my causal diagram and theoretical argument along with their conceptualization and operationalization.

School Disciplinary Policies (Independent Variable)

Conceptualization

School disciplinary policies pertain to the systems in place that schools use when disciplinary matters arise. These are the mechanisms and sets of actions that schools, teachers, and administrators use to discipline students when dealing with conflict in their schools. Disciplinary policies are complex in that they have several components that determine how harsh or tolerant schools are when addressing conflicts, offenses, and misbehavior. These components can include the presence of police officers in schools, the use of exclusionary discipline, the use of circles, conferencing, and/or victim-offender mediation, restorative sanctions, and the involvement of community members, both internal within the school community and external. Different schools rely on different components to create their own disciplinary system that will best suite their school's needs and align with their philosophy on handing disciplinary matters.

Operationalization

To measure school disciplinary policies, I will look for key components of each set of policies as well as what each component entails and looks like in practice. I will also inquire about how the various components have changed in response to shifts in disciplinary policy. For zero tolerance policies, the components that I will look for include presence of police officers and the use of exclusionary discipline, such as suspensions and expulsions for minor infractions. For restorative justice policies, the components I will look for include a model for the dialogue, such as victim-offender mediation, circles, or conferencing, the role of all stakeholders and community members in addressing an incident or offense, and the presence of a restorative justice coordinator/specialist. To obtain this information, I will be drawing from interview responses to the following questions:

- Prior to having restorative justice, did the schools you do work in have zero tolerance policies in place? If so, what did those zero tolerance policies entail?
- From your understanding, what was the protocol for punishing students following a conflict under zero tolerance policies? Did this vary based on the conflict's context and severity?
- Do the schools that you work in typically have school resource officers? Do you work with the school resource officers in schools?
 - From your understanding, what is the role of the SRO(s)?
 - Has this changed with shifts in policy from zero tolerance to restorative justice? How has it changed? How has it remained the same?
- What does restorative justice through your organization look like in schools?

Climate (Intervening Variable 1)

Conceptualization

School climate refers to the overall quality and character of the environment that students experience while at school. School climates can vary greatly in that they can be harsh, unwelcoming, unsafe, exclusionary, or friendly, inviting, supportive, and inclusive. Additionally, climate can refer to various dimensions of a school. These include the physical dimension, which can include the appearance of the school, feelings of safety in the school, and/or the availability

of resources. Climate can also refer to the academic dimension of a school, which can include the level of academic competition among students, the quality of instruction, and teacher expectations of student achievement. Lastly, climate can refer to the social dimension of a school, which involves the quality of relationships among students, teachers, staff, and the treatment of students. For the purposes of this study, I will focus primarily on the social dimension of climate.

Operationalization

To measure climate, I will draw from responses to interview questions to make an overall assessment of the climate and whether it is a more inclusive, welcoming, community-like climate, or harsher, hostile, and exclusive climate. I will rely on the following questions:

- How would you describe the climate of schools under restorative justice policies in comparison to zero tolerance policies?
- Which set of policies do you feel creates a better school climate and why?

Level of Punitive Discipline (Intervening Variable 2)

Conceptualization

The level of punitive discipline refers to the set of actions by teachers and administrators toward a student in response to an incident or infraction of a pre-established rule created by the school system. This specifically involves the system of rules, punishments, and behavioral strategies used to regulate and maintain behavior in schools.

Operationalization

To measure the level of punitive discipline used in schools, I will rely on qualitative data through interview responses. I will inquire specifically about the overall use of punitive, exclusionary discipline, such as suspensions and expulsions, within each era of policy, along with the types of offenses that warrant suspensions. I will also look for the nature of the most

popular infractions that result in suspensions and expulsions. I will also inquire about the use of restorative sanctions in place of punitive sanctions. Lastly, I will look for any disparities in the impacts of punitive discipline on specific populations. To gather this information, I will rely on responses to the following questions:

- Do you feel that the schools you do work in now relied more heavily on suspensions and expulsions when they were using zero tolerance policies? If so, do you feel like relying on these disciplinary measures was justified for the offenses that were commonly committed?
- From your understanding, what were students most commonly suspended and expelled for under zero tolerance policies?
- From your understanding, have **suspensions, expulsions**, law enforcement referrals, and school-based arrests changed in the wake of restorative justice policies? If so, how? Or how not?
- What kinds of restorative justice sanctions do you use, if any, and how do you decide what sanctions to use based on the offense committed?
 - Do you find the sanctions to be effective in addressing the problem at hand?
- Are there any populations of students that are disproportionately subjected to suspensions, expulsions, school-based arrests, and/or law enforcement referrals?

School Push Out (Intervening Variable 3)

Conceptualization

School push out refers to practices that contribute to students leaving their schools prior to graduating. Reasons for leaving often include encouragement from the school and the use of excessive and harsh discipline, and academic failure. This causes students to be pushed out of the school system by forcing them out through disciplinary actions, by students dropping out due to academic failure, or by students dropping out for other situational reasons.

Operationalization

To operationalize this variable, I will seek information from external providers regarding if and how students get pushed out of the school system, and specifically how this push out occurs. I anticipate that if it exists as I have outlined in my theoretical argument, it will manifest either in students dropping out, schools kicking students out, or schools encouraging students to

leave as a result of receiving multiple suspensions and falling behind, thus becoming at-risk of failing or performing poorly on high-stakes testing. To acquire this information, I will rely on responses to the following interview questions:

- What impact, if any, did the use of exclusionary discipline have on students leaving or getting pushed out of the school system?
- Do you find restorative justice practices to be effective in rehabilitating students within their school environment? Why or why not?

Criminalization and Juvenile Justice System Involvement (Dependent Variable)

Conceptualization

Criminalization refers to the trend of schools declaring minor infractions to be criminal, warranting harsh, punitive punishments that would normally be for much more serious and violent offenses. The harsh and punitive punishments that are used to criminalize student behavior in schools often result in a higher likelihood that the students receiving these punishments will come into contact with the juvenile justice system. This can happen either directly as a result of an incident or offense occurring where the student is arrested or referred to law enforcement on school grounds, resulting in contact with the juvenile justice system, or as a result of the student being pushed out of the school with limited social and economic mobility, heightening their chances of becoming involved in the juvenile or criminal justice system.

Operationalization

To measure criminalization and juvenile justice system involvement, I will seek to gain information regarding where students who leave the school system end up, along with if and how students are criminalized inside and outside of the school system. To obtain this information, I will also rely on interview responses from the following questions:

- When students leave the school either through dropping out or being removed, do schools track where those students end up?

- What impact, if any, does the presence of a school resource officer have on the numbers of students arrested or referred to law enforcement? Why?
- From your understanding, have suspensions, expulsions, **law enforcement referrals, and school-based arrests** changed in the wake of restorative justice policies? If so, how? Or how not?

CHAPTER FOUR: HISTORICAL NARRATIVE

Background of School Administrative Hierarchy in New York City

Prior to discussing the historical background of school disciplinary policy and the push for restorative justice in New York City, one must understand the hierarchy of school administration and the disciplinary code.

In the New York City public school system there exist a few noteworthy positions of power that one must understand when examining school policy, including superintendents, the Office of Safety and Youth Development within the NYC Department of Education, as well as the Mayor and Chancellor. Firstly, superintendents for high schools perform several duties in the district in which they serve including evaluating schools, appointing principals, approving principal and teacher tenure decisions, approving school budgets, and supervising the principals that serve under them (NYC-DOE, Community and High School Superintendents Webpage).

The next position of power, the Office of Safety and Youth Development (OSYD) within the NYC Department of Education⁴, works to “help schools to create and maintain a safe, orderly and supportive school environment for students” (NYC-DOE, Office of Safety and Youth Development Webpage). The OSYD also plays a significant role in overseeing school discipline (Respondent C). The OSYD’s goals aimed at bettering school environment get carried out by offering support to schools as well as working directly in the NYC schools through various initiatives with focus areas targeted toward school safety, climate, and culture (NYC-DOE, Office of Safety and Youth Development Webpage).

In addition to superintendents and the OSYD, the Chancellor is also another important position to understand, as the Chancellor remains instrumental in the development of school

⁴ The NYC Department of Education is the agency that handles the NYC public school system.

policy, including disciplinary policy. This position is appointed by the Mayor of the city⁵ and serves as the leader of the NYC Department of Education. The most recent Chancellor of the New York City Department of Education was Carmen Fariña, appointed in January 2014; however, she recently announced in December 2017 her plan to step down (Harris and Taylor 2017).

Background of New York City School Disciplinary System

In addition to the hierarchy of administration in NYC public schools, it is also imperative to understand the NYC school discipline code, specifically, the levels of infractions and the types of suspensions students can receive. The New York City school disciplinary system is formally known as the “Citywide Behavioral Expectations To Support Student Learning: Student Intervention and Discipline Code and Bill of Student Rights and Responsibilities.” The code consists of progressive infractions levels that go from one to five. Level one is uncooperative/noncompliant behavior, level two is disorderly behavior, level three is disruptive behavior, level four is aggressive or injurious/harmful behavior, and level five is seriously dangerous or violent behavior (NYC Citywide Behavioral Expectations 2017). Within these five levels, the most important type of infraction to understand is the B21 infraction, which falls under level three. The discipline code outlines this infraction as “defying or disobeying the lawful authority or directive of school personnel or school safety agents in a way that substantially disrupts the educational process and/or poses a danger to the school community” (NYC Citywide Behavioral Expectations 2017, 27).

Additionally, in New York City, there are three types of suspensions. The first is removal from a classroom by a teacher, which the discipline code states:

⁵ Due to the Chancellor being appointed by the Mayor, the Mayor often holds the power to make the final decision when dealing with budgetary and policy matters (Respondent C).

A student who engages in behavior that is substantially disruptive of the education process or substantially interferes with a teacher's authority over the classroom, may be removed from the classroom consistent with the disciplinary options set forth in this Code. All removed students must be permitted to attend classes that are taught by teachers other than the teacher requesting the removal. Removed students must be sent to a location within the school where they will be provided with continued instructional services, including classwork and homework (NYC Citywide Behavioral Expectations 2017, 20).

The second is principal's suspension, which the code states:

In addition to the above, a principal has the authority to suspend a student for 1-5 school days for behavior which presents a clear and present danger of physical injury to the student, other students or school personnel, or prevents the orderly operation of classes or other school activities consistent with the disciplinary options set forth in this Code. Reasonable effort must be made to address inappropriate student behavior through supports and interventions prior to imposing a Principal's suspension. Suspended students must be provided with instruction, including homework and classwork, at an alternative instructional site within the school (NYC Citywide Behavioral Expectations 2017, 20).

The third type of suspension is a superintendent's suspension and the code states that:

A superintendent's suspension may result in a period of suspension that exceeds five school days and may be sought for behavior for which a superintendent's suspension is authorized in the Discipline Code, A student who receives a superintendent's suspension must be provided with the opportunity for a hearing at which the student has the opportunity to present evidence and witnesses on his/her behalf and to question the school's witnesses (NYC Citywide Behavioral Expectations 2017, 20).

For this suspension, if the school proves the charges and the suspension is upheld, then the student can be suspended and removed from the school for anywhere from six days to one full year.

Historical Narrative of Policy Shifts

In New York City, for the past two decades, the public school system engaged in the use of zero tolerance policies and harsh disciplinary actions to address offenses committed by students. This included mandatory suspensions and expulsions for certain offenses, specifically the possession and/or use of a weapon on school grounds, as this was a growing national issue

with many high-profile shootings happening across the country in schools and on campuses (Theriot 2009; Beger 2002). However, these policies expanded to offenses and incidents beyond those involving weapons. Rudolph W. Giuliani developed these zero tolerance policies in New York City public schools in response to this fear of weapons in schools. Giuliani took a broken windows theory approach in an attempt to crack down on a variety of offenses, ranging in severity, with the hopes that meeting offenses with punitive discipline would deter students from committing any kind of offense (Dominus 2016).

Following the implementation of zero tolerance policies in the New York City public schools, the number of students suspended between 1999 and 2009 nearly doubled, reaching nearly 450,000 suspensions over the course of a decade (Dominus 2016). During this time, infractions that once warranted a call home to a parent or guardian, such as shoving a student, cursing, or disrupting class, became more common grounds for harsher disciplinary actions. Through the district-wide implementation of zero tolerance policies, researchers had a plethora of data, which they used to come to the conclusion that the use of harsher disciplinary actions such as suspensions, expulsions, school-based arrests, and law enforcement referrals, did not deter students from behaving poorly, but rather fueled the alienation of students from the school system and community (Dominus 2016). Researchers who conducted studies on New York City's use of zero tolerance policies in schools also found that these disciplinary policies disproportionately impacted students of color, specifically African American students, as well as students with disabilities (Dominus 2016; NYC DOE 2015; Popp 2016; Klein 2016; Decker and Snyder 2015).

With such a dramatic increase in suspensions and expulsions in the wake of zero tolerance policies in urban areas, federal guidelines on discipline that emerged in 2014 urged

school districts to rethink their use of such punitive discipline for minor infractions. In response to this call for a reevaluation of disciplinary policies, in 2015, Mayor Bill de Blasio devised a comprehensive plan to lower the use of exclusionary discipline and lessen the school-to-prison pipeline.⁶ This plan included ending the use of suspensions for kindergartners, first, and second graders, and replacing that with more age-appropriate methods of discipline, as prior to this plan, students in these grades were being subjected to this type of punitive discipline (Popp 2016; Klein 2016). This plan also included halting the use of suspensions for older students for minor infractions such as cursing, and disobedience/disruption (Dominus 2016). Mayor de Blasio's plan also included increasing funding for mental health services and restorative justice programs, as well as becoming more transparent in the use of disciplinary policies by engaging in better data collection and reporting by schools and the New York Police Department⁷ (Popp 2016; Klein 2016).

In addition to, and shortly after the announcement of Mayor de Blasio's plans to address the school-to-prison pipeline and the disproportionate impacts of the pipeline, the New York City School Chancellor, Carmen Fariña, in conjunction with the NYPD and the Mayor's Office of Criminal Justice, announced a series of reforms to address school climate and discipline (NYC DOE 2015). The reforms developed through this partnership to improve safety and school climates include reducing ineffective suspensions and increasing accountability in the suspension process through a greater consideration of the context of incidents and more accountability of principals who now have to go through the Office of Safety and Youth Development to seek

⁶ It should be noted that some schools in New York City began implementing restorative justice policies and practices in their schools prior to action by Mayor de Blasio. These schools did so through support from grassroots organizations, such as the ones in which I conducted interviews, and through independent research and implementation of the practices.

⁷ This is called into question by interviewees, which will be discussed in greater detail in the findings for levels of punitive discipline.

authorization before suspending a student for insubordination and/or defying unlawful authority (NYC DOE 2015; Decker and Snyder 2015; Respondents C, E). Additionally, under this reform effort, superintendents are no longer permitted to suspend students for minor physical altercations. Additionally, this partnership between the Chancellor, the Mayor's Office of Criminal Justice, and the NYPD yielded a formal mechanism to coordinate and evaluate reform efforts and their effectiveness in order to make more comprehensive and evidence-based recommendations for improvement (NYC DOE 2015). These reforms also included decreasing the reliance on 9-1-1 calls and law enforcement to address behavioral issues through providing schools with guidance on how to de-escalate situations internally, while also putting an age restriction on the use of restraints on students, which cannot be used on students younger than twelve years old (NYC DOE 2015; Waldman 2015; Decker and Snyder 2015; Harris 2015). Additionally, the NYC discipline code has been revised to now include restorative justice language, interventions, and strategies for de-escalating and addressing various situations and offenses (Respondent A).

In regard to these reforms, Chancellor Fariña stated that:

this is a critical step forward for our schools and our students. Everyone knows that students learn best when they're in a safe, supportive, and engaging environment, and these reforms will make that atmosphere a reality for students across New York City. Today's changes will protect students from bullying and violence, and provide relief and a better school experience for students who need to be focused on their learning and not constantly worry about getting suspended for any minor incident (NYC DOE 2015). In addition to the major reform efforts discussed above, the NYC Department of

Education also produced initiatives during this time to address the school-to-prison pipeline and create fairer, safer, and more supportive environments for students in New York City public schools. The initiatives created by the New York City Department of Education included increasing funding for restorative practices in schools, developing strategies to support court-

involved students, replacing certain summonses for student misconduct with warnings through a warning cards program, tracking the use of restraints in schools, and expanding training for school resource officers and security personnel within schools (NYC DOE 2015).

Lastly, and most relevant to this study, several organizations in New York City have dedicated time, effort, and resources into implementing restorative justice practices in the public schools. These organizations offer support to schools through holding workshops and trainings for school leaders and staff members on restorative justice practices and policies, long-term partnerships with schools, capacity building with school partners through restorative justice coaching with school officials, school-wide interventions, and program planning to introduce and implement restorative justice pilot programs in schools.

Of these organizations aiding schools in the implementation of restorative justice policies and practices, some are initiatives through the NYC Department of Education that receive funding from the Mayor's office to carry out Mayor de Blasio's plans for school reform, including, but not limited to implementing restorative justice policies (Respondent D). However, several are non-profit organizations working independently to support schools in the implementation of restorative justice policies, with some also working collaboratively through a coalition to push for policy change.

The coalition that has been instrumental in the push for these policies in New York City is the New York Chapter of the Dignity in Schools Campaign⁸, founded in 2010, which is a multi-stakeholder coalition of students, parents, educators, advocates, and smaller organizations

⁸ The Dignity in Schools Campaign is a national campaign comprised of organizational members from 29 states throughout the U.S., as well as individuals including educators, parents, youth, advocates, and lawyers all working to dismantle the school-to-prison pipeline. The campaign runs on endorsements and donations (Dignity in Schools 2017).

in New York City working to steer away from the use of punitive disciplinary measures and create safe and positive school climate (Respondent C, H).

The Dignity in Schools Campaign has been engaging in advocacy for disciplinary policy shifts for nearly a decade; however, they did not experience bigger victories in advocacy until Mayor Bill de Blasio took office. Prior to de Blasio's election in 2014, Michael Bloomberg served as the Republican Mayor of New York City from 2002-2013. Due to his party affiliation and political agenda, Mayor Bloomberg and his administration were seemingly more difficult to push for policy change. However, the election of Mayor de Blasio, a Democrat, provided the opportunity for more shifts in policy and victories for the coalition due to his more progressive political agenda (Respondent C, H).

One notable victory of this coalition arose through their active participation in the push for data transparency regarding punitive discipline and accountability for the NYPD and NYC Department of Education on school safety and disciplinary policies, which passed in New York City Council through the Student Safety Act in December 2010 and was signed into law by Mayor Bloomberg in January 2011 (NYCLU-The Student Safety Act 2018; Respondent C). Through gaining this data, the Dignity in Schools Campaign was able to play a critical role in demanding policy-oriented and monetary investment in restorative justice policies from Mayor de Blasio and the NYC Department of Education, using data as leverage.

To advocate for these practices, the Dignity in Schools Campaign engages in grassroots efforts. One member of the campaign stated that the coalition meets monthly to:

talk about our decisions, our strategies and tactics to push the [NYC] Department of Education. So we use pressure and tactics, so whether it's talking to the media or highlighting the practices, the issues, or the data that are happening in our schools, really raising public awareness around this issue and why we need restorative practices in our schools. We meet with the [NYC] Department of Education on a regular basis to you know really push our viewpoints, we organize rallies and marches, we testify every year;

the [NYC] Department of Education holds a hearing on school discipline code in NYC, we mobilize, and we testify in those hearings. We work with the City Council to create City Council support to push the [NYC] Department of Education. We meet with the Mayor and participate in the Mayor's Leadership Team on School Safety and Climate to really get the voices of young people and what they need to those in power (Respondent C).

The coalition has had victories in that through mobilization and political pressure, the New York City Department of Education changed the discipline code to prohibit the suspension of students for lower level infractions including level one and two infractions and specifically B21 infractions (Respondent C). This coalition also played a role in pressuring the NYC Department of Education to include language on restorative justice in the NYC discipline code as options for responses to infractions (Respondent C). The coalition has also had victories in gaining funding for restorative justice practices through the New York City Council in the last two years and is actively advocating for an increase in funding for the coming years. That funding has gone toward resources, hiring coordinators, and putting on training sessions (Respondent C).

CHAPTER FIVE: FINDINGS AND ANALYSIS

In this chapter, I will discuss the findings from conducting interviews with the eight external providers of restorative justice policies and practices in New York City schools, which will be presented by variable and broken down by both sets of policies. Following this, I will analyze the findings for each variable and how they align or deviate from my theoretical argument, as well as findings that did not appear in my theory, but bear importance to the impacts of both sets of school disciplinary policies in schools.

School Disciplinary Policies

Zero Tolerance Era: Police Presence

Findings

Through conducting interviews with providers of restorative justice practices and policies in New York City, I discovered that in terms of a police presence in schools, schools automatically have a police presence at every doorway as there is an entire branch of the New York Police Department dedicated to serving in NYC public schools (Respondents B, D).⁹ The officers within the schools are known as school safety agents (SSAs) in New York City and they serve strictly in the public school system, not in the charter school system (Respondent B).¹⁰ The branch of the NYPD devoted to schools consists of 5,200 SSAs dispatched in the public school system and, due to this, they fall under the jurisdiction of the NYPD, not the schools they serve in. One interviewee stated:

⁹ School co-location (when different schools share the same campus) can impact this as one building can host multiple schools meaning a police presence for one or more of those schools may result in a police presence for the entirety of the campus (Respondent D).

¹⁰ Through one of my interviews, I learned that charter schools do not have school safety agents, nor do they have an equivalent to school safety agents, that is people whose sole job is safety within the school. The role of security or safety agents is filled by members of the school community who are involved in the school in other ways in that they have other jobs within the school (Respondent B).

The school safety agents used to be part of the [NYC] Department of Education, but their ownership was transferred to the NYPD in 1998. That militarized their training and for the next several years they have been on the NYPD totem pole so they get trained by the police, not the [NYC] Department of Education. I mean they don't have guns, but they've got handcuffs so it's more of a cop mentality and that fits in with the zero tolerance type of thing (Respondent H).

This transfer of jurisdiction from the NYC Department of Education has since been a debate as many advocates and activists argue that school safety agents should be under the jurisdiction of the schools they work in (Respondent C). As a result, these officers receive training in police tactics, not training on how to manage and de-escalate situations with adolescents, which is another point of contention (Respondent C, H). Interviewees also spoke to the role of SSAs and how their behavior can be triggering to students (Respondents A, C, G). In addition to this, some interviewees spoke of the disconnect between SSAs and the rest of the school community due to the zero tolerance-like training they receive from the NYPD and the lack of training in handling the students they are tasked with protecting (Respondents E, F).

The ratio of SSAs to counselors as well as allocation of funding causes debate as, in New York City, schools have 5,200 police officers and only 3,200 guidance counselors (Respondent C). Additionally, NYC allots over \$400 million on school safety agents and only \$20 million on restorative practices in their schools. While these programs are not mutually exclusive, some view this disparity in allocation of funding as NYC prioritizing using policing tactics on students rather than positive, restorative solutions (Respondents C, E).

In elementary schools, the school safety agents do not patrol the halls frequently as they typically sit at their desks and occasionally sweep the halls to ensure safety in the school. As a result, they are not an ever-present influence in the elementary schools. In the high schools, the SSAs patrol the halls much more, look in classrooms more, and push students along in the hall to keep the foot traffic moving (Respondents B, E). The SSAs also engage in random locker checks

and drug sweeps with canines, which one interviewee said can really impact the psyche of young people (Respondent E).

Additionally, one interviewee stated in regard to SSAs that:

I don't think though, honestly, that considering we have an entire branch of the NYPD dedicated to this that that influence is as prevalent as it could be. And I think that's something we've gotten really deliberate about as a system and that's something the Chancellor has been really adamant about, which is two years ago they instituted a bunch of new regulations about when and how you call school safety [agents] and so that's probably the biggest shift... and this goes for school safety [agents] and EMS, so a bunch of years back it would be that if there was a student who was just not listening to your instructions and you called the dean and they still weren't listening you could call school safety [agents] and have that student physically removed from the hallway or wherever they were (Respondent B).

In these instances, SSAs often remove students using handcuffs and/or arrest them for incidents such as fighting, getting into a verbal altercation, or defying authority (Respondents B, E). In those cases, the arrest goes on the student's record; however, this practice has decreased significantly in the wake of the regulations instituted by the Chancellor, which broadly state that educators should not call on SSAs unless there is an imminent physical danger or somebody is going to get seriously hurt (Respondents B, E). Prior to these stricter regulations regarding the role of school safety agents, guidelines for intervention by SSAs was unclear as they do not fall under the jurisdiction of the schools in which they work, which created a clash in the chain of command between school administrators and school safety agents and their supervisors (Respondent H).

In addition to school safety agents, one interesting finding discovered through interviewing providers is the role of emergency medical services and how in some schools, educators would call 9-1-1 on particularly defiant students who would then be picked up by EMS as emotionally or mentally disturbed persons. These instances resulted in the student being taken in an ambulance to the hospital for evaluation (Respondents A, B).

Contrary to these findings, one interviewee had a differing opinion regarding school safety agents in that they are painted to be villainous, but this is an unfair role to impose on them because they do not have the training to understand children, so they default to what they know and grew up with, which is punitive policing with little consideration for the humanity aspect of it. This interviewee also spoke to the benefits of school safety agents in keeping intruders and unwanted persons out of the schools (Respondent G).

Analysis

In my theoretical argument, I maintained that the presence of law enforcement in schools causes more penalization of student behavior with school resource officers, or in the case of New York City, school safety agents taking on a stronger role in disciplining students for incidents that would have conventionally been handled by school faculty, specifically less serious incidents.

Through interviewing providers of restorative justice policies and practices in New York City public schools, I found that their experiences with school safety agents in middle and high schools, in part, support my theoretical argument. As school safety agents fall under the jurisdiction of the NYPD, the training they receive consists of police-tactic training rather than training on how to engage with youth in a de-escalating manner (Respondent C). Prior to Chancellor Fariña's implementation of more restrictive rules and regulations as to when educators are permitted to call in school safety agents, and prior to the implementation of restorative justice, schools relied on either calling 9-1-1 or calling SSAs to remove students following an incident or disruption (Respondents B, E). These incidents often involved police-driven tactics that consisted of the use of physical restraints and, depending on the situation, could result in a student getting arrested (Respondents B, E). This reliance on law enforcement

and school safety agents to intervene in incidents aligns with my argument of SSAs (or SROs) taking on a stronger role in disciplinary matters involving more minor, less threatening incidents, such as defiance and lower level altercations. It should be noted that one interviewee spoke of how the presence of school safety agents is not as prevalent as one would think, given the fact that an entire branch of the NYPD serves in NYC public schools, which does not align with my theory that SSAs will take on a prominent role in discipline matters (Respondent B). Another interviewee discussed the importance of school safety agents in keeping intruders and unwanted persons out of the schools, which deviates from my theoretical argument regarding the implications of their presence (Respondent G).

Additionally, interviewees also raised some patterns and trends regarding emergency services that I did not incorporate into my theoretical argument. This includes schools also relying on EMS to remove defiant students from schools under the guise of being emotionally or mentally disturbed (Respondents A, B). Resorting to EMS to handle conflicts such as defiance, I argue, exacerbates the impacts of having police presence in schools as incidents of this nature can be traumatizing to students and create a negative climate.

It should be noted that only four interviewees spoke to a more criminalizing role of school safety agents in NYC, which is less than I anticipated when reading the literature about the prevalence of criminalization through school safety agents through school-based arrests and law enforcement referrals, which may be attributable to policy changes in NYC set forth by Chancellor Fariña regarding the role of school safety agents and when they are permitted to intervene in situations.

Zero Tolerance Era: Exclusionary Discipline

Findings

Through interviewing providers, I learned that in New York City, the primary form of exclusionary discipline utilized by schools is suspensions (Respondents A, B, C, D, E, F, G). However, Mayor de Blasio and Chancellor Fariña have called for a reduction in suspensions within the last few years due to the frequency schools with which schools were resorting to that option rather than alternatives to deal with disciplinary issues (Respondents A, D).

One interviewee spoke to the rationale for schools relying heavily on suspensions for more minor, non-serious incidents and stated that:

But in other cases there is more discretion given to the school. But I would say people tended to choose suspensions because it's the easiest thing to do. I mean, restorative practices are labor intensive, so you know if you just suspend the kid and it's somebody else's problem and so there was overuse of suspensions (Respondent A).

Other interviewees mentioned that traditional discipline involving suspending students is preferred because it requires less labor on the teacher's end (Respondents C, D). One interviewee stated in regard to exclusionary discipline, "it's quick and it's easy. It's a lot faster and easier to just like suspend a student than it is to go through a process, really healing a relationship and making things right and growing together" (Respondent E). Another reason schools use exclusionary discipline through zero tolerance policies is to deter students from misbehaving, which one interviewee mentioned saying that in highly structured and disciplined schools, there are less disciplinary issues because students are afraid to commit an offense or misbehave (Respondent B).

Three interviewees also spoke of how many of the incidents that end in the suspension of a student start off as very minor, verbal disputes between students and teachers over instances such as the ones discussed above, and the reason these incidents result in suspensions is because

they escalate into larger conflicts as students and teachers do not have the skills or resources to manage conflicts in a more productive, de-escalating way (Respondents A, B, F).

Another interesting finding that two interviewees spoke about is the lack of documentation that schools engage in to create the illusion that schools are suspending less kids than they actually are. To do this, schools under-report the number of students they suspend or they remove students from the general classroom and suspend them to the office or another location in the school for a period of time that is essentially an in-school suspension, which schools often do not document to avoid reporting high numbers of suspensions as the Mayor and Chancellor look at these numbers with more scrutiny now than they have in the past (Respondents A, B).

In regard to expelling students, many respondents did not speak to students getting expelled from NYC schools; this is perhaps because, in NYC, expelling students is difficult and rarely happens. Rather than expelling students, NYC has what are known as alternative learning centers (ALCs) or suspension sites where students with lengthy suspensions will go for the duration of their time away from their school. Students can spend anywhere from six days to one year in these ALCs (Respondents B, C). The other substitute for expelling students is sending students to transfer schools for either safety reasons because the student was a safety hazard to their school, or for behavioral reasons (Respondents B, E). These alternative learning centers along with the use of and implications of suspensions will be discussed in greater depth in a later section.

Analysis

In my theoretical framework, I argued that zero tolerance schools would respond to infractions and incidents with exclusionary discipline measures, specifically suspensions and

expulsions. I maintained that these incidents would often be minor, non-serious and non-violent and that the punishment would be disproportionate to the offense and lacking in consideration for context and severity.

My findings from several of the interviews remain consistent with my argument of schools relying on exclusionary discipline for infractions; however, in NYC, the primary form of discipline utilized by schools is suspensions as expulsions are a rarity, which deviated slightly from my theory (Respondents A, B, C, D, E, F, G). Several interviewees spoke to suspensions being used for minor infractions such as tardiness, verbal altercations, and disruptive behavior (Respondents A, B, C, E, F, G), which aligns with my theoretical argument; however it was noted that these minor infractions begin as small disputes and then escalate into a larger issue due to a lack of skills and resources in de-escalating conflicts (Respondents A, B, F). One interviewee noted that the notion of cracking down on minor offenses acts as a deterrent, which although stated in the literature, I did not include in my theory (Respondent B). The other deviating point discussed by interviewees is the lack of expulsion with the use of alternative learning centers and safety transfers as replacements (Respondents B, C, E).

Additionally, and not included in my theoretical framework, interviewees noted that suspensions become a default and preferred response to behavioral issues as suspending students requires less labor for educators as opposed to handling conflicts restoratively (Respondents A, C, D, E). Also not included in my theoretical argument is the deceptive documentation that schools engage in to improve their recorded discipline rates (Respondents A, B).

Zero Tolerance Era: Metal Detectors

Findings & Analysis

In speaking to providers, I found that, similar to what the literature says, many schools in NYC have metal detectors that students must pass through before entering the school, which contributes to a prison-like environment in schools (Respondents D, E, F, H).

Restorative Justice Era: Model for Restorative Justice

Findings

In conducting interviews, I learned that the primary terminology for the model implemented in schools to carry out restorative justice practices is “circles” (Respondents A, B, C, D, E, F, G, H). Four interviewees alluded to a general structure of a circle, which includes all participants sitting in a circle¹¹ with no obstructions of vision across the circle. One interviewee noted that:

It’s important to recognize the equity of voice... so the circle structure is super intentional in that we’re all looking at each other, we’re all on the same plane, we’re all understanding each other in the same way, that’s teachers, students, administrators, everybody. We’re all equals in that structure and that’s part of empowering student voice within this (Respondent B).

The structure also consists of a talking piece that is passed around the circle so everyone has a chance to speak and a centerpiece that is something meaningful to either the person leading the circle or the circle participants. In regard to format, these four interviewees described most circles as including an opening ceremony that can consist of a poem or short story, music, or a prompt or question that is relevant to the topic of the circle for people to respond to, or something to simply open up the conversation and get students talking. The closing ceremony

¹¹ Participants in a circle will vary given the type of circle and relevant parties.

can consist of similar activities that aim to tie up the loose ends and conclude the conversation in a positive way to help the community move forward (Respondents A, B, E, F).

In terms of conducting circles, some people refer to the leaders of the circles as circle keepers. Often times, circles can be led by a restorative justice coordinator/specialist or trained teachers (Respondents A, B, D, F, G). Circles may even be led by student leaders who have received training (Respondents B, G).

Seven out of eight interviewees characterized circles as taking on a three-tiered structure with the first tier being community building, which is considered a proactive measure. In community building circles, schools look to build up a foundation of strengthened relationships, trust, and a sense of community within the student body so there is a safe space and strong base that schools have for when conflicts arise and the subsequent harm done to the community needs repairing (Respondents A, B, C, D, E, F, H). One interviewee described this process of community building through tier one circles as “we build up something to restore to” (Respondent B). Community building circles can consist of group activities (Respondent B), exploring your values as a group (Respondents B, E), discussing and establishing community agreements to abide by (Respondent E), developing cultural awareness (Respondents B, E), and/or developing social and emotional skills to better manage conflict when it arises (Respondent A). One interviewee stated in regard to community circles, “it's really like let's build our relationship and so when something happens, I feel connected to this community so I feel like I have a responsibility to repair the harm” (Respondent F).

Tier two consists of what are referred to as harm circles, restorative interventions, restorative circles, etc.; these are reactive measures that school communities take when harm is done to the community. These circles typically happen in three rounds with round one talking

about the incident broadly, round two focusing in on the specific incident, and round three addressing and agreeing upon what needs to be done to repair the harm done to the community. An example given during one interview dealt with a student vandalizing a desk. In this type of circle, the first round would consist of talking about how you have felt disrespected in a space or how you have witnessed disrespect before. The second round would focus in on disrespect, specifically in the context of vandalism in general, so as not to target the one student that committed the offense. The third round would address what the student needs to do to repair the harm they committed by vandalizing the class's materials (Respondents A, B, C, D, E, F, H). The reason for talking about incidents in a broader way is two-fold. First, it avoids targeting and overly embarrassing the student that committed the offense. Second, it allows every student to relate the incident to their own lives and experiences and it allows every student to hear about how the act/incident impacts every other student individually and differently so as to show them how that act, whatever it may be, harms the community as a whole and people individually. In hearing every student talk about how they are impacted, students will ideally not commit that act or offense so as to not harm their community (Respondent F).

In conjunction with discussing the incident in a broader sense, tier two circles also give students who committed harm a space to express why they made the choices they did, which allows for context to be taken into consideration when determining how to repair the harm (Respondent D).

Tier three refers to re-entry circles, which occur when a student re-enters the school after being away from the school community, either from needing time off, being suspended, spending time in a juvenile correctional facility, etc. Re-entry circles are used to welcome students back into the school community, to let them know they are a valued member of the community, and to

remind the incoming student of the values, agreements, and commitments that the community abides by. School communities utilize this form of circle to support the student and figure out what they need to do to come back and be a productive and successful member in the school community (Respondents A, B, C, E, F, H).

It should be noted that the three tier structure happens mostly in middle and high schools where conflict occurs more, however, elementary schools do engage in tier one circles, working on building community. Starting restorative justice work, specifically community building, at a younger age can be beneficial as it creates a greater and stronger capacity to manage conflicts in future years if the community is already established. In this sense, doing restorative justice in elementary schools becomes more of a proactive measure (Respondent D, E).

It was also noted that circles and the circle structure are also utilized within school communities to address and discuss bigger, societal issues such as racial bias, implicit bias, and systemic racism, which students are subjected to (Respondents A, B, E, G).

Several interviewees also noted other modes for restorative justice dialogue that manifest themselves in peer connection groups, which consist of support groups made up of students (Respondents B, D). Dialogue can also be manifested in youth court/peer jury programs, or fairness committees, all of which resemble a student-led judicial process for adjudicating conflicts (Respondents B, C, D, E). Additionally, some peer mediation programs in schools utilize restorative justice language to resolve conflicts between students (Respondents B, C, E, F).

Analysis

In my theoretical argument, I stated that schools would utilize a model of restorative justice dialogue, which could be victim-offender mediation, group/family conferencing, or

circles. Through interviews, I discovered that the primary terminology for the model of dialogue in schools is circles; however, circles can take on characteristics of each of the other models outlined in the literature and my theoretical argument. In this sense, the participants in a circle in schools vary based on the context of and parties involved in and/or impacted by the incident (Respondents A, B, C, D, E, F, G, H). This universal term of “circle” deviated from the terminology in my theoretical argument; however, the substance of the models for dialogue remains consistent with my theoretical argument. One major point of deviation from my theoretical framework and the literature is the three-tiered structure of circles, but the community building and strengthening of relationships that occurs throughout these three tiers aligns with my theory that having a platform for conversation about an incident will more effectively resolve conflicts and strengthen relationships and communities (Respondents A, B, C, D, E, F, H). Another deviation from my theory is the use of restorative justice dialogue for other purposes and in other frameworks, such as using circles to discuss broader societal issues (e.g. racial bias, implicit bias, systemic racism) (Respondents A, B, E, G), as well as using restorative justice principles in other frameworks (e.g. youth court, fairness committees, peer mediation, etc.) (Respondents B, C, D, E, F).

Restorative Justice Era: Community Involvement

Findings

In addition to a model for restorative justice and community involvement, five interviewees also discussed the role of community members and stakeholders, specifically parents, in the implementation of restorative justice practices in schools. Some providers spoke of how schools facilitate parent circles or include parents in circles, primarily re-entry circles when a student is integrating back into the school community as re-entry circles typically include

people who are close and important to the student re-entering (Respondents D, F). Other providers discussed how they want to work more to educate and empower parents to be able to talk with their young people restoratively in order to permeate restorative practices throughout every aspect of a young person's life (Respondents A, B, F). However, these interviewees noted the difficulty in achieving this, as some parents are apprehensive and hesitant to adopt these practices that are foreign to them (Respondents A, F). One provider also discussed a different role that parents take on, which is participating in school leadership teams aimed at creating and achieving positive goals surrounding shifts in school climate and culture (Respondent E). In addition to this role, two interviewees mentioned that parents partake in circles with other parents, which can occur at parent meetings and PTA meetings, which contributes to the permeating culture of restorative justice practices in all aspects of a young person's life, including their home life (Respondent F, H).

Additionally, some interviewees spoke to the involvement of internal stakeholders such as other teachers, deans, and administrators in circles and restorative dialogue; however, their involvement varies depending on a few factors including the context/severity of the incident, the type of circle, and/or the parties involved (Respondents B, D, F).

Analysis

In regard to community involvement, I argued the necessity of the involvement of both internal and external community members in restorative justice practices within schools as having relevant parties in attendance would show students how their actions impact their community. Through this, I argued that students would engage in taking more ownership and responsibility for actions.

Through conducting interviews, I found that some interviewees emphasize the role of external community involvement, which aligns with my theory; however, the most referenced external population was parents. Interviewees noted that parents can be involved in circles in schools (mostly tier two and three circles) and can also play a role in speaking to their children in a restorative way at home (Respondents A, B, D, F). Interviewees also discussed the role of internal stakeholders such as deans, other teachers, and administrators as they can also be involved in circles depending on the context (Respondents B, D, F). Both the involvement of parents and internal stakeholders in restorative justice dialogue aligns with my theoretical argument; however, interviewees did not specifically link community involvement to showing students how their actions impact their community and to students taking more ownership and responsibility for their actions, although both of these points were supported by interviewees when talking about levels of punitive discipline (Respondents B, E, F).

Restorative Justice Era: Coordinator/Specialist

Findings

While conducting interviews with providers, all eight interviewees discussed the importance of having a position in schools devoted to implementing restorative justice practices and supporting school personnel who are implementing these practices, often known as a restorative justice coordinator/specialist (Respondents A, B, C, D, E, F, G, H). Some spoke of the imperativeness of having this person because in order to effectively implement restorative justice, it needs to be a permeating culture that cannot take place solely during an educator's free period or lunch break (Respondents A, C). All eight providers also discussed the importance of having people, not necessarily a restorative justice coordinator, but someone trained in restorative justice practices that can coach teachers and administrators in holding circles and

having an overall restorative pedagogy within the school community (Respondents A, B, C, D, E, F, G, H). Coaching can look like modeling circles, modeling how to speak restoratively, observing school personnel engage in restorative practices and giving feedback, co-facilitating circles (Respondents A, F).

Analysis

In regard to the presence of a restorative justice coordinator/specialist, I argued in my theory that having a coordinator/specialist would bolster the impacts and successes of these practices as educators do not have the time to carry out these practices in their already demanding schedules.

Through conducting interviews, I found that many interviewees discussed the importance of a full-time position dedicated to restorative justice policies as the implementation of these practices cannot occur effectively during an educator's free period or lunch break, which aligns with my theoretical argument (Respondents A, C). One finding that deviated slightly from my theory is the use of coaches who are not necessarily full-time staff, but are trained in restorative practices and can model circles and give feedback to newly-trained teachers (Respondents A, F).

Restorative Justice Era: Miscellaneous Supplementary Components

Findings

In addition to a model for restorative justice, community involvement, and the presence of a coordinator or specialist, several interviewees noted other components (buy-in from school leaders and educators, time/resources, collaboration, and teacher retention) to this policy that contribute to and bolster the impacts of restorative justice in schools.

This first supplementary component, and perhaps one of the more critical ones is buy-in from school leaders and educators (Respondents A, B, C, D, E, F, H). Some of the literature

briefly alludes to this in terms of gaining school commitment and buy-in from key members of the school community, however seven out of eight interviewees explicitly stressed the importance of buy-in, not only among key leaders in the school community, but across the entire school community (Respondents A, B, C, D, E, F, H). These interviewees noted that in order for restorative justice practices to effectively permeate school culture, it is imperative that those who hold power in the school community commit to these practices and shift their mindset from punitive disciplinary measures to one centered on restorative dialogue (Respondents A, B, C, D, E, F, H). One interviewee stated, “the challenges are that it's far less effective when the whole staff at a school is not on board. So when you have people who are pushing back or just not embracing of this it becomes very challenging” (Respondent B). Similarly, these interviewees noted that a major challenge to implementing restorative justice practices in schools is resistance, hesitation, and skepticism from teachers and administrators (Respondents A, B, C, D, E, F, H). One interviewee noted that dispelling apprehensions largely involves showing educators and administrators that other, more effective mechanisms can be implemented to manage conflict that do not involve suspending students (Respondent B). Interviewees also mentioned that this resistance often stems from unfamiliarity in that many educators grew up with punitive discipline, and thus shifting their mindset to a more restorative approach does not come as naturally (Respondents A, D, F).

In addition to buy-in, three interviewees also noted that implementing restorative justice practices and policies also necessitates time and resources. Seven out of eight interviewees discussed at length how much time, effort, support, and training/coaching is required for restorative justice to be the most effective in schools, which constitutes a major challenge to

implementing restorative justice practices in schools as these resources are limited (Respondents A, B, C, D, E, F, G). One interviewee stated:

The challenge with restorative practices is that they require a good amount of training on the part of educators and if the school district is going to say that it shouldn't suspend kids anymore, they need to give people an alternative right now. And that requires a commitment of funds and time to give people the training they need. And then the other downside is the restorative practices take time (Respondent A).

Another interviewee spoke to this and said:

It is not a program where you come in and do a circle and everything will change. It is about the relationships and supporting the young people, supporting the staff, giving them resources, giving them change, trying different things that will actually help build tools in their pocket so that they don't have to rely on suspensions because restorative practice is time consuming, you know, it is not a one-day fix (Respondent C).

Similarly, in regard to the time commitment, three interviewees expressed that it takes anywhere from two to seven years for restorative justice policies to permeate school communities and have a significant impact (Respondents B, C, E). In addition to this long-term time commitment, four interviewees also noted that allocating time during the school day for restorative practices, specifically community building circles, is critical to the effectiveness of these policies as they view the social and emotional skills built through restorative justice practices as valuable to a student's education (Respondents A, C, G, H). Interviewees noted that attempting to implement restorative practices during short free periods for teachers or during lunch is not impactful, especially when teachers already need that time to prepare for their lessons throughout the day (Respondents A, C).

Another component that interviewees alluded to is collaboration among schools, administrators, and educators in implementing restorative justice policies (Respondents B, D, E, F). Four interviewees' organization utilize collaboration across schools to bolster restorative justice practices within schools by providing a space for educators to brainstorm new ideas,

troubleshoot and support each other, and to share ideas, resources, and successes that they have experienced in their work (Respondents B, D, E, F). One interviewee said:

Our program is based on the premise that schools improve more effectively when working together than when they're working independently. I think that's certainly true for restorative practices because, as I said earlier, so few of us have experiences with this in our own lives. It really helps to be able to see how other people are actually implementing this work (Respondent D).

These collaborations can manifest in inter-visitations among schools, workshops, and training sessions, all of which provide a space for educators to build a network of resources and support around implementing restorative justice practices (Respondents B, D, E, F).

In addition to these supplemental components that interviewees noted as bolstering the impacts of restorative justice in schools, four interviewees also noted a major challenge to the implementation of these policies: teacher retention (Respondents B, E, F, G). These interviewees discussed how faculty turnover presents an obstacle to implementing restorative justice as it slows momentum (Respondents B, E, F, G). One interviewee noted:

The biggest other challenge is time. It takes three to five years to really effectively build that culture and so when you work in a school that has forty percent turnover in staff every year and you're trying to get a consistent culture that becomes like, now we are re-inculcated with that [punitive] mindset every single year and having to re-debunk that every single year (Respondent B).

Analysis

Several interviewees raised other critical components in restorative justice that my theoretical argument and the literature did not contain. Those components are buy-in from school leaders and teachers, vast amounts of time and resources, collaboration across schools, and high teacher retention. Interviewees cited these components as being vital to the success of restorative justice policies and practices in schools (Respondents A, B, C, D, E, F, G). While my theoretical framework and the literature do not contain these components, based on knowledge gained

through interviews, I argue buy-in from school leaders and educators is one of the more critical components as without this, restorative justice policies will not have the support to be able to permeate schools in full. Additionally, without buy-in, restorative justice policies will not be seen as a priority, which could mean that the necessary time and resources to carry out these policies will not be allotted. Additionally, I argue teacher retention remains critical to building and strengthening relationships and trust among the community that serves as the foundation for these practices. High rates of teacher turnover prohibit this and thus hinder the effectiveness of restorative justice practices, while also creating an issue with perpetually needing to train new teachers in the practices and debunk their mindset toward traditional discipline. Lastly, in regard to collaboration among schools, I argue that while this component can bolster restorative justice policies and practices in schools, it does not seem critical to the success of these policies in schools.

Climate

Zero Tolerance Era

Findings

Several interviewees could not speak directly to the climate of schools under zero tolerance policies as they began working in the schools after schools shifted away from zero tolerance policies. However, of the providers that could speak to the climate of schools under more traditional disciplinary policies, three interviewees characterized the climate of schools under zero tolerance policies as unsafe and triggering to students, attributing this lack of safety to school safety agents and the prison-like environment they create through their presence

(Respondents A, C, G). One interviewee stated:

Because we say that police are for safety, but we know that very often triggers an unsafe environment. Youth of color who are, you know, on the street, they are encountering stop

and frisk, police brutality, murders and seeing badges in their schools. If that is the environment they are growing up with, then they are labeled criminals before they are even going into, you know, junior high or high school (Respondent C).

In addition to the climate created by the presence of school safety agents, one interviewee said that zero tolerance policies create a tense and oppressive environment in schools where positive culture construction does not happen. This becomes exacerbated through constant fights and arguments between students and teachers over rudimentary issues such as wearing uniforms properly (Respondent B). This provider spoke of how inordinate amounts of class and instruction time are lost over these disagreements between students and teachers, which also contributes to an overall negative and harmful environment (Respondent B). There is also a significant amount of frustration and demoralization among students because they feel as though these policies minimize their voices and they do not feel like valued members of the community (Respondent B). Additionally, in regard to the physical climate of the school building itself, many of the schools are in rundown, old buildings with bars on the windows, which the interviewee noted contributes to an unfriendly, sterile, and even criminal climate, which cannot be changed by restorative justice, but does contribute to the negative environment under this era of policy (Respondent B).

Analysis

In my theoretical argument, I maintained that the presence of law enforcement and exclusionary discipline in schools would produce a climate centered on authoritarian control and exclusion. I argued that these factors of zero tolerance would inhibit the existence of a safe environment and instead foster a hostile, harsh, and punitive environment where disciplinary issues are never truly addressed and resolved.

Interviewees characterizing school climate as triggering, unsafe, and oppressive as a result of the presence of SSAs supports my argument regarding law enforcement in schools (Respondents A, B, C, G). Additionally, one interviewee also characterized school climate under zero tolerance policies as negative, harmful, and demoralizing to students, which also aligns with my theoretical argument (Respondent B). Not included in my theory, but relevant in the literature, is physical climate, which some interviewees characterized as prison-like due to the metal detectors that can be found in a majority of school entrances as well as the old, rundown buildings that many schools are in, which have physical qualities of a prison (Respondents B, D, E, F).

Restorative Justice Era

Findings

In examining shifts in climate in the wake of restorative justice policies, many interviewees spoke to the welcoming, positive, and open environment that these policies create. A frequently noted shift in climate regarded student voice. When prompted solely using the term climate, five out of eight interviewees spoke to restorative justice policies allowing an increase in and empowerment of student voice because these policies create an open and safe space for conversation and dialogue that gives equity to voices within the school community, thus resulting in high rates of student participation in circles (Respondents A, B, D, E, F). One interviewee noted that restorative justice practices produce “a shift in like the way that we create spaces so restorative justice aims to democratize spaces and really disrupt traditional power structures in schools” (Respondent E). As a result, students feel as though their perspectives are valued not only by their peers, but also by authority figures in the school such as teachers and administrators (Respondents B, E). The same interviewee noted that there is “a sense of

collective accountability and shared responsibility for taking care of one another” (Respondent E).

In addition to an increase in student voice, some providers noted that in schools implementing restorative justice policies, students are more engaged in their school community (Respondent C), take on more leadership roles and practice student agency (Respondents B, E, F), and appreciate their school and community much more (Respondent C).

Providers also discussed how restorative justice produces a more open and supportive environment where students feel as though they have access to adults in the building such as teachers, deans, and other administrators who they know will support them, listen to them, and take their voice into consideration (Respondents B, D, F). This openness also extends to students feeling like they can call to attention when harm is done to the community so a conversation can be had about the incident and what needs to be done to repair the harm (Respondent B). In opening lines of communication, school community members feel an increase in the investment in the community that builds and strengthens bonds and relationships throughout the community and the community as a whole (Respondents A, B, E). Additionally, one interviewee noted:

Restorative justice is not just fixing kids and giving them new skills so they can deal with their conflict or their anger or depression. That's an important part of it, social emotional skills training, but everyone in the school has to change. You have to make the building go from an impersonal institution to a caring community (Respondent H).

Through all of this, the climate shifts to one of an increased sense of trust, respect, belonging, and community in schools (Respondents A, B, D, E, F).

Restorative justice also caused a climate-oriented shift in regard to the way students speak to each other and other members of the school community as conversations become more restorative and constructive (Respondents B, E, F). One interviewee stated that:

Tone is a huge one. The tone that students speak to each other, the tone that students speak to teachers, and teachers speak to students, it doesn't mean that sometimes we don't screw up and that sometimes we don't mess up and get the tone that we don't want, teachers and students, but really those interactions are a lot more positive, a lot more happy (Respondent B).

Lastly, one interviewee noted that in creating a more open and supportive climate it allows for schools to open up entry points to have more difficult conversations that would not have been possible to have without the open environment and supportive culture created by restorative justice policies (Respondents B, F). In regard to creating this climate, this interviewee noted that:

It's about opening up a culture of conversations, and it's about psychological safety so less about physical safety, more about psychological safety. And then it becomes about giving a space for our most underserved, vulnerable students to actually express themselves and to be who they are in a place that's accepting them (Respondent B).

Analysis

In regard to school climate under restorative justice policies, I argued that the climate would be one of inclusion, responsiveness, and rehabilitation where conflict is addressed within the community with all parties involved, thus strengthening relationships and the community as a whole. In doing so, I argued that communities would develop a greater capacity to address future conflicts more effectively with students taking more ownership and responsibility for their actions. Additionally, I argued students would feel a stronger sense of belonging in their communities rather than feeling excluded and alienated from their school communities, as well as gain more of a voice.

Interviewees characterized school climate under this era of policy as positive, welcoming, and safe where students' voices are empowered (Respondents A, B, D, E, F). Additionally, interviewees described the climate as open and supportive wherein communication lines between all members of the school community remain open, thus strengthening bonds and trust within the community, which also aligns with my theoretical framework (Respondents A, B, D, E, F). In

addition to what I theorized, interviewees also stated that student agency increases in this environment, as well as the use of more restorative, positive language in conversation (Respondents B, E, F). Also not included in my theory, but found through interviewing providers is the role of creating a safe and supportive climate, which provides a platform for more difficult conversations (Respondents B, F).

Punitive Discipline

Zero Tolerance Era

Findings

Recall that in New York City public schools, the discipline code consists of progressive infractions levels that go from one to five. Prior to 2012-2013, students could be suspended for level one and two infractions; however, since then, students can now only be suspended for those infractions if they have committed them three or more times in one semester (NYC Citywide Behavioral Expectations 2017). While this would likely reduce the number of suspensions in schools, two interviewees mentioned that when the Department of Education put a ban on suspensions for level one and two infractions, schools turned to a specific type of infraction under level three, B21¹², to suspend for minor infractions that would have normally been categorized as level one or two infractions. Despite the fact that the discipline code explicitly states that “this behavior (B21 infractions) does not include Level 1 or 2, uncooperative/noncompliant or disorderly behavior, such as using profane language, B15; or wearing prohibited clothing, B09; or bringing prohibited items to school, B05” (pp. 27), six out of eight interviewees said that B21 infractions are the primary and most popular infractions that

¹² This infraction is, “defying or disobeying the lawful authority or directive of school personnel or school safety agents in a way that substantially disrupts the educational process and/or poses a danger to the school community” (NYC Citywide Behavioral Expectations 2017, pp. 27).

warranted suspensions in schools. These interviewees described B21 infractions as an overused, catchall offense that schools use that encompasses a variety of behaviors, such as verbal altercations, not wearing a uniform properly, disrespecting authority, tardiness, not complying with instructions, wearing a hat, cursing, horseplay, eating in class, etc. (Respondents A, B, C, E, F, G). One provider stated that:

Because the level one and level two were eliminated, because before you could get suspended for wearing a hat, and now you can no longer get suspended for wearing a hat, but if a teacher tells you take off your hat and you don't take off your hat, that becomes defying authority. It becomes like a loophole to use, that is a go-to suspension for students (Respondent C).

Another interviewee noted that:

It starts with something stupid. It's from something like 'I got up out of my seat without permission and the teacher yelled at me so I yelled back. So the teacher yelled at me more and I said something really you know,' it's this escalation from really silly things that then becomes a big blow out and becomes disrespect. So disrespect and defiance are the number one thing kids are referred for (Respondent B).

Some providers also spoke to students being repeatedly suspended for these minor infractions, which can have detrimental impacts on students academically, lead to destructive trends, and increase the likelihood of a student dropping out (Respondents B, C, D, H).

Similarly, one interviewee stated in regard to the use of punitive discipline:

It doesn't change anything. You kick a kid out [suspend them] for doing X, Y, Z and you're teaching them that if they make a mistake, they're not wanted so when they come back they're resentful. They're not only behind on their studies so they have a greater chance to fail and then be pissed off about that, but they're coming back with an attitude and no new skills to deal with conflict or their emotions. I mean you haven't taught them anything, they come back, it happens again, and you suspend them again (Respondent H).

Also recall that two years ago the New York City Department of Education put a limitation on suspending for B21 infractions that restricts principal's suspensions for these offenses without approval from the Office of Safety and Youth Development (OSYD) within the Department of Education, which has caused a decrease in the number of suspensions (NYC DOE

2015; Decker and Snyder 2015; Respondents C, E). However, this does not mean that school disciplinary systems have improved as one interviewee noted that in the wake of this limitation, the length of suspensions has increased, particularly for students of color (Respondent E). Other interviewees said that there has been an increase in suspensions for other infractions that fall under level three, such as horseplay (B24) and fighting (B26), which interviewees involved in advocacy are still fighting against (Respondents C, E). One of these interviewees stated in regard to the increase in suspensions for other level three infractions that:

Fighting is also subjective, we understand that it is a serious matter, but there have been tactics used like peer mediation, restorative circles, fairness committees, ways that can be addressed without suspending a student, but you know the number one tactic that schools use for fighting are suspensions. When we talk about suspensions, we have to understand that level five infractions are the highest level of suspensions in schools, which could be a stabbing or bringing in a gun to school. We know that if a student brings a gun into school that is an automatic federal offense, which is a one-year. We understand that those infractions are already in place, that they have things in place. It is the minor misbehaviors that are being criminalized now (Respondent C).

Several interviewees also discussed the impact that suspensions can have on students. One interviewee noted that when schools suspend students, their attendance suffers because once their suspension ends, students have little enthusiasm and excitement about being back in school (Respondent E). Another effect of suspensions on students that interviewees spoke of is the lack of resolution that comes with a suspension. When a student is suspended and they come back after serving their time away, one interviewee noted that the conflict remains unresolved because punitive discipline measures, such as suspensions, do not serve as a learning experience for students or changing student behavior as the suspension often has harmful effects on the student rather than teaching them about the harm they did to others through their actions (Respondents A, D, E, F). One interviewee noted that:

A lot of our schools realize that suspensions are not effective. They're not changing student behaviors. They're certainly not teaching students any lessons or skills help them

better cope with those same circumstances the next time around. A lot of them recognize that that time that students are spending out of school when suspended is not productive (Respondent D).

In regard to disparities in populations impacted by punitive discipline, I found that zero tolerance policies in New York City public schools disproportionately impact students of color, in that they are suspended more frequently than any other population of students (Respondents A, B, C, E, G).¹³ One interviewee stated that:

It's youth of color who receive the bulk of suspensions in NYC. In 2011 we cut down suspensions in NYC by 53% and by 2011, there were about 7,400 suspensions and last year it was about 3,400. But we see the racial disparity exists the same way. So, you know it was about 90% in 2011, Black and Latino students who received most of the suspensions. Currently it's about 88% of Black and Latino students that are receiving these suspensions (Respondent C).

Another interviewee stated, "We also see that zero tolerance policies really drastically impact young people of color a lot more than white students. And the other thing I would say is that students who are in schools that are under-resourced are the ones who are the most impacted" (Respondent E). This interviewee also stated in regard to the influence of zero tolerance policies on youth of color that:

it has horrible impacts on young people and it has horrible impacts on communities that are disparately impacted by these policies, especially young people of color and that's been studied everywhere. Black men are three times more likely to be suspended. Black young women are five times more likely to be suspended than white women. So it's like there's tons of evidence to show that these policies don't actually make people safe. But what they do is they push other people out and continue to force kind of narratives of anti-blackness especially anti-difference. So like anyone that is different really gets just pushed out and eliminated from the community because it's a way to "preserve safety" (Respondent E).

¹³ The Brooklyn Community Foundation partnered with the NYC Department of Education and the Mayor's Leadership Team on School Climate and Discipline reported that, "in New York City schools, Black and Latino youth account for 70% of students, yet represent over 90% of all suspensions. Students with special needs make up 12% of the student population, yet receive a third of all suspensions" (2016).

Additionally, another interviewee emphasized that, “this acceptance of this zero tolerance discipline in particularly largely Black and Latino schools is a byproduct of a lot of racism and it's a byproduct of a lot of systemic racism and the belief that we need to control and socialize students of color” (Respondent B). Additionally, two interviewees noted that students of color are often subjected to longer suspensions than their white counterparts (Respondents E, G).

Lastly, one interviewee noted that zero tolerance discipline also disproportionately impacts students with disabilities and students with IEPs as this population is also overrepresented in rates of suspensions given what percentage of the school population they make up (Respondent G).

Analysis

In my theoretical argument, I maintained that levels of punitive discipline under zero tolerance policies would be higher as altercations that would traditionally be handled by school personnel are now handled by SROs who rely on more punitive and formal punishments such as arrests and law enforcement referrals, which would be exacerbated with officers being directly on site. Additionally, while some higher level, more serious offenses warrant these disciplinary actions, I argued that schools would be using them for lower level, less serious offenses as well. In regard to exclusionary discipline, such as suspensions and expulsions, I argued there would be an increase in these punitive measures in response to minor, non-violent infractions. Through higher levels of punitive discipline, I also argued that conflicts would fail to be resolved.

In interviewing providers, I discovered that B21 infractions are the primary offense for which students are suspended, which can be applied to minor infractions such as verbal altercations, not wearing a uniform properly, disrespecting authority, tardiness, not complying with instructions, wearing a hat, cursing, horseplay, eating in class, etc., thus supporting my

theoretical argument (Respondents A, B, C, E, F, G). It should be noted that, not included in my theory and unique to New York City, suspending for these offenses has become less prevalent, as educators must seek approval from the OSYD, which has decreased the level of punitive discipline, but cannot be attributed to the implementation of restorative justice (Respondents C, E). While suspensions for B21 infractions have decreased, interviewees noted that length of suspensions, and suspensions for other infractions have increased, which is not explicitly included in my theory, but aligns with the theme of increased levels of punitive discipline under zero tolerance policies (Respondents C, E). Also supported through interviews is the argument that conflicts fail to be resolved through punitive discipline as students do not learn from their mistakes when exposed to a more punitive punishment (Respondents A, D, E, F).

One interviewee also noted impacts that punitive discipline can have on students that are not included in my theoretical argument. These findings include a lack of student enthusiasm and excitement for school following exposure to punitive discipline (Respondent E).

When examining disparities in impact, my theoretical argument maintained that punitive discipline would disproportionately impact students of color and students with disabilities. I argued that these populations would be subjected to suspensions, expulsions, school-based arrests, and law enforcement referrals at a higher rate. Through interviewing providers, I found support for my theoretical argument in that five interviewees discussed the disparate impacts of suspensions on students of color (Respondents A, B, C, E, G). In regard to students with disabilities, however, only one interviewee noted how students with IEPs receive inordinate amounts of punitive discipline (Respondent G).

Restorative Justice Era

Findings

When asked about how punitive discipline has fluctuated in response to schools implementing restorative justice practices and policies, all interviewees with the exception of one stated that suspension rates have decreased (Respondents A, B, C, D, E, F, H). Some interviewees mentioned that the decrease in suspensions can be largely accredited to the fact that the more minor, less-serious offenses no longer end in suspensions because teachers and students now have the tools and training to deal with them when they are small-scale issues before they escalate into larger conflicts (Respondents A, B, F). Some interviewees characterized this as schools developing a better capacity to deal with offenses and infractions as they arise because they now have the tools, resources, and dialogue to manage conflicts restoratively rather than punitively (Respondents D, F). Another interviewee spoke to an explanation for the decrease in suspensions and the pattern of the reduction and stated that:

if you're investing in, and they started with the community piece, let's build up our communities, and that wasn't overnight, each year we saw a certain percentage. Interestingly enough, I think those percentages ended up, generally when you put them on a curve, looked exponential, which we saw some slow reductions at first and then it began to snowball. Part of that I think is just as we get better at this we reduce further. Part of it too is you bring in your high school, you bring in a ninth grade class and start with them on these practices. So some of it's like you cycle out students who weren't into those practices now you have those students and then you have them mentoring younger students so suddenly we're seeing this become this huge snowballing thing because you've had a couple years under your belt (Respondent B).

In noting the explicit difference between handling conflicts and offenses with zero tolerance policies and with restorative justice policies, one interviewee noted:

In zero tolerance, you go by the rulebook. A kid did this and that's the punishment and you know the difference between the retributive and restorative system: retributive is you just go by what's the rule, what's the law, what's the punishment, boom, simple as that. Restorative is: what is the problem, who was harmed, how can we fix it? So it's just a diametrically opposed system (Respondent H).

In regard to more serious infractions, schools may have to give a mandatory suspension depending on the offense, but then will follow that up with restorative justice practices, in this case using a re-entry circle, to integrate the student back into the community in a meaningful and thoughtful way. In this sense, traditional disciplinary actions and restorative justice practices work in conjunction with each other, and suspensions are still at the disposal of schools, but restorative justice schools are not resorting to them as the first option for disciplining students (Respondents A, B, C, E, F, H).

It should be noted that a few interviewees mentioned that simply looking at the fluctuations in numbers and data is not always the most reliable way to discern whether or not restorative justice is working in schools. The reasoning behind this is that a portion of the decrease in suspensions can be attributed to the limitation put on suspending students for B21 infractions in that it is more arduous for schools and educators to get approval from the Department of Education's OSYD (Respondents C, E). Additionally, some schools, after receiving pressure from Mayor de Blasio and Chancellor Fariña to reduce suspensions, simply diminish the number of students they suspend without implementing another mechanism, practice, or policy to deal with conflict (Respondent A, H).

In addition to the reduction in suspensions, some interviewees mentioned a powerful implication of restorative justice practices, which is the change in behavior. One interviewee noted that students' likelihood to act in a way that harms their community lessens when they feel a sense of belonging and commitment to their community (Respondent D). Another interviewee noted that in schools with robust restorative justice practices, student behavior improves and the number of negative incidents subsequently decreases (Respondent A). Slightly contrastingly, another interviewee noted that:

It's really important that restorative justice doesn't become the work of student compliance, become the work of like making sure to have well-behaved children who don't say "f you" to their teachers. Like they might still say "f you" and maybe you deserved it when they said it, you know it's like moving forward in a different way. So yes, I think you're less likely to do that regardless whether you're a teacher or student because there is a relationship and so you're more willing to approach and have a conversation or try and give people a chance before you really push them away (Respondent E).

In regard to punitive discipline in the restorative justice era, schools utilize what are known in the literature as restorative sanctions, although interviewees characterized them not as sanctions, but rather ways to repair the harm done to the community and restore the trust that was broken (Respondents B, C, D, E, F). Restoring the community takes different forms that depend on the nature of the incident. It can be a verbal or written apology, community service both inside the school and out in the broader community, giving positive notes and words of encouragement to peers for a period of time, etc. (Respondents B, C, D, E, F). School communities have flexibility in coming up with creative and appropriate ways to repair the harm, while also holding students accountable for their actions and providing a learning experience for them (Respondents A, B, C, D, E, F). One interviewee described this as:

appropriate and logical consequences, which I think kind of leads to one of those big misunderstandings about restorative practices, oh this means a complete lack of consequences or lack of any responsibility for behavior which is so not the case, the idea is that we're dealing with it as a community so I think that's the biggest permeating sense is that we are not going to do punishment, we're going to do as a community let's decide what makes sense to address this situation and build trust back (Respondent B).

Through this, the ownership on the part of students after committing an offense increases in that after participating in a circle, students often take ownership and responsibility for their actions and show remorse for them (Respondents B, F). Additionally, in repairing the harm, strengthening relationships, and restoring the community, students are less likely to recommit offenses because they better understand how their actions impact their community and they have

engaged in a thoughtful and meaningful way to repair the harm they caused (Respondents E, F). An interesting finding through one interview regarding suspensions working in parallel with restorative justice practices is schools turning suspensions into an effective learning experience. This interviewee noted that she has seen schools connect to productive activities such as writing a children's book about incidents that happened and what students learned from them (Respondent F).

Analysis

In my theory, I argued that in creating a more inclusive climate with a stronger sense of community and belonging, offenses and incidents would occur at a lower rate, which would decrease the need for punitive discipline. Additionally, in the event of an incident or offense, I argued that disciplinary matters would be executed in a less punitive and more restorative way, providing students with an opportunity to learn from their behavior through intentional, productive, and thoughtful sanctions.

In regard to lower levels of punitive discipline, nearly all interviewees aligned with my argument in that suspensions for minor conflicts have decreased in the wake of the implementation of restorative justice policies and practices (Respondents A, B, C, D, E, F). This is largely due to the fact that educators and students now have the tools, restorative language, and a better capacity to resolve these issues before escalation, which also aligns with my theoretical framework (Respondents A, B, D, F). Another alignment with my theoretical argument is the reduction in offenses as interviewees mentioned that students are less likely to harm their community if they feel a sense of belonging and commitment to it (Respondents A, D). Similarly, and also in alignment with my theory, interviewees noted that students are less likely to recommit offenses after hearing about how their behavior impacted the community as they

often show remorse and take more responsibility for their actions (Respondents B, E, F). The use of restorative sanctions, or ways to repair harm, also aligned with my theory in that they provide students with an opportunity to learn from the incident, while also holding them accountable for their actions (Respondents A, B, C, D, E, F).

Not included in my theory, but important to note is the use of traditional zero tolerance disciplinary actions in conjunction with restorative justice practices, specifically tier three re-entry circles. This is particularly interesting given that, in the literature, some scholars argue that schools must embrace a full ideological and fundamental paradigm shift away from zero tolerance in order for restorative justice to be successful (Gonzalez 2012; Payne and Welch 2013). However, six out of eight interviewees discussed the use of re-entry circles following a suspension, thus implying that traditional disciplinary measures, specifically suspensions, can still be utilized, but in a more restorative way that allows for a more successful reintegration back into the school community (Respondents A, B, C, E, F, H). Additionally, under restorative justice policies, schools make an effort to reserve suspensions as a last resort or for much more serious infractions (Respondents A, B, C, E, F, H).

School Push Out

Zero Tolerance Era

Findings

When asked about school push out under zero tolerance policies, interviewees described several avenues schools utilize to push students out including calling the police/school safety agents/EMS, counseling students out, students failing out or dropping out from missing class time due to suspensions, being pushed into an alternative learning center, and a general lack of support and resources that leads to students dropping out.

Three interviewees discussed the role of law enforcement and emergency medical services in pushing students out of the school system. Some schools have relied on EMS to remove students from classrooms if the student is being defiant and not complying with teachers and administrators. In these cases, the student is taken to the hospital in an ambulance to be evaluated as a mentally or emotionally disturbed person because schools did not have the resources and de-escalation protocols to handle situations of this nature (Respondents A, B, E). Schools have also relied on law enforcement and school safety agents to either remove students from spaces using physical restraints, such as handcuffs and take them to the office, or to arrest them, which goes on a student's record. This has happened for instances of defiance, and for physical or verbal altercations between students or between students and teachers, etc. (Respondents A, B, E).

In addition to relying on law enforcement and EMS, schools also engage in counseling students out. This manifests in guidance counselors advising students that the school may not be the right fit for them or pressuring them to go through a GED program rather than trying to stay in school and graduate (Respondents C, D, E, G, H). This can happen due to the pressure that school receive to achieve satisfactory results on standardized tests, which are heavily emphasized and often have funding attached to them, thus schools will engage in counseling out students who may perform poorly on these tests (Respondent H). Additionally, one interviewee stated:

that happens a lot more frequently where a student is behind in credits or their attendance isn't great and instead of someone offering mental health support or guidance or anything else offering some sort of intervention, a lot of times what happens is a student is counseled out and sent to a transfer high school and transfer high schools generally have like less than fifty percent average attendance because they're schools where a lot of the students don't feel connected and they're not actually wanted to be there. So a lot of that happens a lot in schools that are also trying to maintain certain graduation rates like it's in their administration's best interest to have most of their students graduate on time so then they can counsel them out in the last two years saying "you're not really going to graduate on time anyways, this probably isn't the best fit for you" (Respondent E).

Schools also remove students through what are known as safety transfers, where schools send troublesome students to another school either for safety reasons because the student was a safety hazard or for behavioral reasons (Respondents B, E).

Another form of push out that is caused by zero tolerance policies and punitive discipline is students missing extended amounts school due to suspensions causing them to either choose to drop out or fail out (Respondents C, D, E, H). Exclusionary discipline fails to be effective in this sense because it causes students to fall further behind in school and makes it difficult for students to succeed in school (Respondents C, D, E, H). As a result, one interviewee stated that:

students who, are you, know suspended once are less likely to show up to school. Their attendance suffers and when their attendance suffers they are probably going to be suspended because when they're back in school they're not excited about being in school, and that leads to a trend in which eventually either by explicit forces or inclusive forces, they end up being pushed out (Respondent E).

Additionally, alternative learning centers where students go to serve a longer-term suspension can be viewed as a form of school push out as it is the closest to an expulsion in the New York City public school system (Respondents B, C, G). In these cases, one interviewee noted that:

They [students] serve out their suspension in these centers when they are missing like three months of school. You'll see there isn't enough transition when they get back to class, it is a hard time, that is why we call it a school push out and not a school dropout because often students get pushed out by using these types of policies that push students out of the schools (Respondent C).

It should be noted that this interviewee's grievances lie not with the ALCs, but rather with the transition, or lack thereof, back to the student's home school. This interviewee noted that some ALCs in New York City have robust systems in place to support students while serving their suspension, such as more guidance counselors and programming to manage behavioral issues. This interviewee noted that students' behaviors are not triggered as much and they feel a more

welcoming and supportive environment in the ALCs; however, these resources do not translate back to the home school, which causes students to have a difficult time transitioning back to their school.

Analysis

My theoretical framework argued that students would be pushed out of the school system at a higher rate under zero tolerance policies as a result of an incident or offense that resulted in some form of exclusionary discipline or contact with law enforcement. For exclusionary disciplinary measures, I argued students would be at a greater risk for academic failure, thus pushing them out of the school system. I also maintained that certain traditional disciplinary mechanisms such as expulsions and school-based arrests directly push students out of the school system. Lastly, I argued that being subjected to a harsher climate and higher levels of punitive discipline can cause students to choose to drop out due to schools not producing a conducive and safe place for students to thrive.

In interviewing providers, I discovered that some interviewees have found that law enforcement and emergency medical services play a role in students being pushed out of the school system, which aligns with my theory (Respondents A, B, E). Additionally, and also in alignment with my theory, I found that students get pushed out of the school system following exposure to punitive discipline either through failing out or choosing to drop out (Respondents C, D, E).

Interviewees also noted various conduits through which students get pushed out of the school system that I did not include in my theoretical framework. These conduits include being counseled out with guidance counselors either telling students school may not be the right fit for them or pressuring them to go through a GED program (Respondents C, D, E, G), being pushed

out of a school through a safety transfer (Respondents B, E), or moving a student to an alternative learning center for a period of time with little support when transitioning back into the home school (Respondents B, C, G).

Restorative Justice Era

Findings

In looking at school push out following the implementation of restorative justice practices and policies, interviewees noted that schools rely much less of law enforcement and EMS as they are better equipped to manage conflicts in a de-escalating and restorative way before they intensify to a point that would require outside intervention (Respondents B, E). To handle these conflicts, schools rely more on conversation and dialogue through circles to heal the harm done through the incident or they rely on other mechanism such as peer mediation or fairness committees/youth court/peer jury to adjudicate conflicts (Respondents B, C, D, E, F). Additionally, in restorative justice, schools emphasize and commit to building/investing in relationships and a community, and to integrating students into that community and keeping them there, therefore, push out does not occur as much (Respondents A, B, C, D, E, F). Lastly, because of this investment in and commitment to the community, students' attendance has been shown to increase (Respondent E).

In addition to relying less of external resources, schools also utilize re-entry circles to combat school push out, as re-entry circles serve as a way to reintegrate students back into the community in a meaningful and thoughtful way after they have been gone for a period of time (Respondents A, B, C, E, F, H). These circles often involve relevant stakeholders, friends, family, and other important community members to the individual, all showing support in an open and non-judgmental environment to send a message to the student to let them know they

are a valued member of the community (Respondents A, B, F). One interviewee spoke to this process and said, “We're all giving advice to Heaven [a hypothetical student], everybody's coming to her with love and it's a safe space. So she hears that from her dad and from her friends and you know it's going to impact her more than the suspension could ever impact her” (Respondent F).

Re-entry circles also involve reminding the student of the commitments and agreements that the community upholds as well as discussing and establishing mechanisms and support to ensure the student's success once they integrate back into the community (Respondents B, E, F).

Another interviewee stated in regard to a student re-entering the school:

You are now re-entering our school community and we need to figure out what's going to be best for you to be able to do that and to be able to function and be a productive member of our school community once you're back here. And I think that's really important in terms of that permeating structure piece of like we do this as a living, here's another way that you're seeing that and we're making sure that we're treating you as an equal the moment you come back and that your voice is heard and we don't want you to feel pushed into doing certain things, we want you to feel invested in re-entering and doing better from here on out (Respondent B).

Analysis

In my theoretical argument, I maintained that in providing more situational responses to conflicts coupled with utilizing productive and thoughtful sanctions/ways to repair harm, students would experience lower levels of school push out, especially given that the core of restorative justice policies is rehabilitation within the community. In regard to avenues for push out, I argued that schools embracing restorative justice policies would rely less law enforcement and exclusionary discipline measures, and thus rely less on suspensions, expulsions, school-based arrests, and law enforcement referrals, and depend more on restorative practices, which would inherently reduce school push out. Additionally, I argued that in handling conflicts in a

restorative fashion, students will feel less inclined to drop out and will be less likely to fail out as school climate will improve and less punitive discipline will be necessary.

Through interviewing providers of restorative justice in NYC public schools, I found that schools turn to law enforcement and EMS at a lower rate due to having more resources and strategies, and thus a better capacity to regulate and de-escalate conflicts, which aligns with my theoretical argument (Respondents B, E). Additionally, I found that schools rely much more heavily on circles and other mechanisms for restorative justice practices through which investment in relationships and communities strengthens, thus decreasing school push out and aligning with my theory of utilizing more restorative measures to address conflict (Respondents A, B, C, D, E, F).

Interviewees also noted the use of re-entry circles, which combat school push out by providing support to students integrating back into their school, which my theoretical argument did not contain, but also contributes to the decrease in the number of students being pushed out of the school system (Respondents A, B, C, E, F, H).

Juvenile/Criminal Justice System Involvement

Zero Tolerance Era

Findings

When asked about students being pushed out of the school system and consequently coming into contact with the juvenile/criminal justice system, many interviewees could not speak directly to this link as tracking this is difficult. However, four interviewees noted that young people are being criminalized for minor offenses within the school system and experiencing harsh, punitive disciplinary policies, which heightens their likelihood of coming into contact with the juvenile/criminal justice system (Respondents A, C, F, H). Additionally, the conversations

around the role of law enforcement and school safety agents in removing and arresting students suggests that instances of this nature put students in direct contact with the juvenile/criminal justice system (Respondents A, B, E). One interviewee noted, “That arrests again goes to your record that, like all of that builds into pushing you into the juvenile justice system” (Respondent E). Another interviewee stated that, “once you send a kid to a juvenile detention center, their risk of recidivism and actually committing crimes becomes so much higher” (Respondent B).

One interviewee raised additional pipelines that students experience other than the school-to-prison pipeline. This interviewee stated:

We also call it the school-to-deportation pipeline or school-to-low-wage job sector. You know if you don't have college access or a high school diploma, you are not likely to get paid wages or jobs that are actually going to help you be more productive in life and have a better life/life style. So we definitely see how it impacts communities (Respondent C).

Analysis

In my theoretical framework, I argued that experiencing school push out would increase the likelihood of a student coming into contact with the juvenile/criminal justice system. This can occur through direct contact via school-based arrests and law enforcement referrals or through being pushed out of the school system, thus lacking a basic high school education, which limits social mobility and, I argued, increases the chances of a student encountering the juvenile/criminal justice system.

In interviewing providers of restorative justice policies, I discovered that not many people could speak directly to this link; however, of the providers that could, three stated that criminalization of minor behaviors in schools through zero tolerance discipline does in fact escalate the likelihood of coming into contact with the juvenile/criminal justice system, which aligns with my theoretical argument (Respondents A, C, F). Three interviewees also spoke to the role of law enforcement in pushing students into direct contact with the juvenile/criminal justice

system, which also supports my theory (Respondents A, B, E). Lastly, one interviewee alluded to having a lack of a basic education and access to college and how this has detrimental impacts on the success of young people, which tangentially aligns with my theory regarding social mobility (Respondent C).

Restorative Justice Era

Findings

Similarly, when looking at juvenile/criminal justice involvement in the restorative justice era, many interviewees could not speak directly to this link; however, two of the interviewees that discussed the role of law enforcement and EMS noted that schools are relying on these external services much less and handling conflicts internally and restoratively (Respondents B, E). While not directly attributed to restorative justice practices, this link to the juvenile/criminal justice system is also lessened by the rules and regulations that Chancellor Fariña implemented that restrict when teachers and administrators can call on school safety agents to intervene in situations (Respondent B). One interviewee noted that the involvement of law enforcement and school based arrests occur:

much less now because of the Chancellor's rules and also because of the changing nature of law and criminality. So like a lot of school based arrests from a while ago were for things like weed and carrying small amounts of weed and now that there's a certain movement toward decriminalizing it. I've actually seen some schools handle that, a kid bringing in pot to the school, and it being dealt with in school rather than calling the police (Respondent B).

Analysis

My theoretical framework states that through creating a more inclusive climate that decreases the need for and use of punitive discipline, which subsequently decreases school push out, contact with the juvenile/criminal justice system will also decrease. This, I argued, would happen because schools will engage in less criminalization of behavior and instead handle

conflicts and offenses internally and restoratively, having a causal effect on the previous variables that ultimately alleviates the school-to-prison pipeline.

As previously stated, not every interviewee could speak directly to this final link; however, of those that could, interviewees discussed how schools implementing restorative justice practices now rely less on law enforcement and EMS, thus inherently decreasing the direct contact with juvenile/criminal justice system that students experienced under zero tolerance policies, which supports my theoretical argument (Respondents B, E). Not included in my theoretical framework and unique to NYC public schools, are the rules and regulations set forth by Chancellor Fariña that limit the circumstances under which educators may utilize school safety agents in incidents, which is another factor that actively decreases the number of students coming into contact with the juvenile/criminal justice system (Respondent B).

CHAPTER SIX: CONCLUSION

This Independent Study aimed to examine two sets of school disciplinary policies, zero tolerance and restorative justice, and their impacts on the school-to-prison pipeline; a phenomenon where student misbehavior and minor infractions are criminalized in a way that creates a conduit routing students out of the school system and into contact with the juvenile/criminal justice system. In order to observe and interpret the impacts of the two sets of policies, I reviewed relevant literature and constructed a theoretical argument outlining the effects of these policies in relation to several variables that make up a causal framework¹⁴. These variables included the type of school disciplinary policy (independent variable), school climate (intervening variable), the level of punitive discipline (intervening variable), the level of school push out (intervening variable), and contact with the juvenile/criminal justice system (dependent variable).

In my theoretical argument regarding the impacts of zero tolerance policies, I maintained that the components of zero tolerance policies, specifically the presence of law enforcement and exclusionary discipline, would create a hostile, harsh climate, leading to higher levels of punitive discipline. Through these higher levels of punitive discipline, I argued students would experience higher levels of school push out, and thus increased contact with the juvenile/criminal justice system. In regard to the impacts of restorative justice policies, I argued in my theoretical framework that these policies would create a more inclusive climate that would lead to lower levels of punitive discipline. Following lower levels of punitive discipline, I argued students would experience lower levels of school push out, and ultimately lessened contact with the juvenile/criminal justice system.

¹⁴ See causal diagram on page 31.

To evaluate the accuracy of my theoretical argument, I developed a methodology that included conducting interviews with external providers of restorative justice policies, either affiliated with the NYC Department of Education or other organizations aiding schools in implementing these reform policies in NYC public schools, supplemented with a brief historical narrative of shifts in school disciplinary policies in New York City. Below are my key findings regarding the causal impacts of zero tolerance and restorative justice policies.

Key Findings

Impacts of Zero Tolerance Policies

By and large, after conducting interviews with external providers of restorative justice policies and practices, I found support for several components of my theoretical argument, as well as additional components not included in my argument and the literature. Firstly, for zero tolerance policies, several interviewees noted the role of exclusionary discipline in zero tolerance policies; however, not as many interviewees noted the role of law enforcement in schools as anticipated given the vast amount of literature on their role in criminalizing students within the school system. Of the interviewees that did speak to the role of law enforcement, they highlighted their role in physically restraining and removing students following a conflict or offense. It should be noted that this occurrence decreased in the wake of the more stringent rules and regulations for school safety agents aiding in situations set forth by the Chancellor. Also highlighted by interviewees was the role of EMS in removing students from a school and taking them in for evaluation following a conflict, often centered on disruption and defiance.

When examining the interpretive causal impact of zero tolerance policies, I found support for my argument in that interviewees discussed the harsher, more hostile climate created by these

policies, as well as high levels of punitive discipline, which manifest primarily in suspensions¹⁵. Additionally, I found that students of color receive more and also longer suspensions than their white peers. Consequently, interviewees noted the avenues of school push out that open up in response to punitive discipline, specifically through direct contact with law enforcement/EMS on school grounds, choosing to drop out due to a lack of support and resources, especially when reintegrating back into the school community after serving time in an alternative learning center, and lastly, failing out as a result of missing extended amounts of class from exposure to punitive and exclusionary discipline. Interviewees also cited other conduits for school push out that include getting ‘counseled out’ and/or pressured into pursuing a GED program.

Following school push out, few interviewees could speak to students being “pipelined,” or coming into contact with the juvenile/criminal justice system; however, of those that could, interviewees discussed how students who experience punitive disciplinary policies in response to minor infractions/offenses have a heightened chance of coming into contact with the juvenile/criminal justice system. Additionally, the role of law enforcement in intervening in situations in schools also puts students in direct contact with the juvenile/criminal justice system. Ultimately, I found support for my argument that in New York City, managing conflicts and incidents with zero tolerance policies can be largely ineffective and have detrimental impacts on students by pushing them out of the school system and making their contact with the juvenile/criminal justice system more likely.

¹⁵ As discussed previously, expulsions do not play as big of a role in NYC public schools as it is very difficult to suspend students in New York City. Instead, the public school system relies on the alternative learning centers for lengthy suspensions.

Impacts of Restorative Justice Policies

When considering the various components of restorative justice policies, many interviewees discussed the three components that I outlined in my theoretical argument (model for dialogue, specifically and almost exclusively circles, community involvement, and presence of a coordinator/specialist), while also highlighting supplementary components to bolster schools' restorative justice policies, including buy-in from school leaders and educators, the need for time and resources, high teacher retention, and collaboration across schools. Interviewees discussed the use of these components in addressing offenses and infractions in a more effective way where communities truly resolve conflict and repair the harm that occurred as a result of the incident.

When examining the interpretive causal impacts of restorative justice policies, I found support for my argument in that interviewees highlighted how restorative justice creates a more inclusive, positive climate through community building as well as through conversation following an incident wherein all parties, including students, have the opportunity to voice and express their thoughts, feelings, and concerns, while also devising a productive plan to repair the harm caused, thus further strengthening the community. Through building a better school climate, students feel a stronger sense of belonging and commitment to their community. In resolving conflict through restorative justice dialogue and building a stronger community, interviewees noted that schools rely less on punitive discipline¹⁶ as they have stronger, more productive mechanisms in place to manage conflict and offenses more effectively. However, it should be noted that racial disparities in exposure to punitive discipline remain persistent. In

¹⁶ The use of punitive discipline also decreased in response to policy shifts that restricted suspensions for level one and two infractions as well as limitations on suspensions for B21 infractions that require approval from the New York City Department of Education's Office of Safety and Youth Development.

increasing a sense of belonging and trust among the community, I found that students become less likely to act in a way that harms their community.

Not included in my theoretical argument or the literature is the use of zero tolerance policies and restorative justice policies in conjunction with each other. When schools do utilize punitive discipline, predominantly suspensions, they supplement the punishment with restorative practices, specifically re-entry circles, to ensure a successful and supportive transition back into the school community. This in turn also slows down the avenues for school push out as students spend less time out of the classroom serving suspensions, educators possess better tools and resources to manage conflict rather than counseling students out, and students feel a stronger sense of belonging, support, and community, thus giving them more incentive to remain within the community rather than choosing to drop out.

Given this series of events created through schools relying on restorative justice measures to handle conflicts, the few interviewees that could speak to the pipeline into contact with the juvenile/criminal justice system noted that schools rely less on law enforcement/EMS to manage conflicts and more on restorative justice practices, which inherently decreases students' contact with the juvenile justice system; however, many interviewees could not discuss this link directly as it remains difficult to track. Additionally, as previously mentioned, regulations established by the Chancellor regarding the intervention of school safety agents in conflicts also lessen contact.

Limitations

Throughout this process of completing my Independent Study, I came across various limitations in my research. First, my original intent consisted of conducting interviews with teachers, principals, and school safety agents in three schools in New York City. Given the timeline for completing my Independent Study and the timeline needed to seek approval from the

New York City Department of Education's Institutional Review Board (IRB) in order to conduct research in NYC public schools, I was not able to conduct interviews with school personnel. While interviewing these populations would have provided a more direct account of the impacts of restorative justice in a few schools, interviewing providers resulted in a much broader scope of the impacts of these policies as the providers work with several schools, often over a dozen, on implementing restorative justice, thus I was able to get a better picture of the impact of restorative justice policies in the context of NYC public schools as a whole. It should be noted, however, that interviewing providers of these policies creates a potential for bias as these people work in and support restorative justice policies and practices, which is another limitation of this study.

In addition to interviewing school personnel, I originally intended to include a quantitative component to my study drawing on data regarding school suspensions, expulsions, law enforcement referrals, arrests, drop outs, etc.; however, this was also prevented due to the amount of time needed to submit a data request through the New York City Department of Education and then receive the data files. Ultimately, time constraints prohibiting the collection of quantitative data did not hinder my study as many interviewees noted that these data points often fail to reflect the effectiveness of policy shifts. Interviewees specifically cited the under-reporting that occurs when schools document rates of suspensions and it has been found that in the past, schools manipulate dropout rates/inflate graduation rate statistics by purposefully misreporting and misrepresenting where students go once they leave their home school for any given reasons. For example, students who begin homeschooling, are in juvenile detention facilities or graduate late in the summers are counted as graduating from the school, when in reality they did not. Additionally, it has been found that schools have knowingly coded students

who have dropped out as ‘unknown whereabouts,’ so as not to harm their graduation rates or give the impression that dropout rates are high. Lastly, schools have been found to report students who pursue a high school equivalency certificate, such as a GED, as graduating from their school, which is also a discrepancy in this statistic (Gewertz 2018). Knowing the ways in which schools can and have historically misrepresented data illustrates that quantitative data may not always be the most accurate reflection and measurement of effectiveness and success.

Suggestions for Further Research

While conducting my research, I also encountered potential avenues for further research. First, interviewing or surveying school personnel such as teachers, principals, restorative justice coordinators, and school resource officers in both schools utilizing predominantly zero tolerance policies and schools utilizing more restorative justice policies could provide a more detailed depiction of the impacts of both sets of disciplinary policy. Teacher and administrator turnover causes difficulty in conducting longitudinal research in schools that have implemented both sets of policy, as faculty and administration may not remain consistent over the course of shifts in disciplinary policy from zero tolerance to restorative justice within the same school. Thus, conducting research in schools that currently have zero tolerance policies and schools that currently have restorative justice policies within the same urban area may provide a better understanding of the contrasting impacts of both sets of policy in the same timeframe.

Second, in order to achieve a depth of understanding of the impacts of restorative justice practices in schools from a more personal account, researching students’ experiences in being exposed to and participating in these practices becomes critical; however, this requires time and approval from schools’ institutional review boards. Surveying and/or interviewing students in urban areas implementing restorative justice policies would be a potential route to gain this

perspective; however, this may be difficult to achieve as one would need to seek approval from the Human Subjects Research Committee in order to speak with or survey students.

Third, further research should be conducted on populations of students disproportionately impacted by harsh disciplinary systems, including students of color and students with disabilities, and how this fluctuates in response to disciplinary policy shifts. Research should be conducted to examine whether or not restorative justice policies effectively lessen the rate at which these students experience punitive discipline, and if these policies do not lessen this rate, further research should be conducted on viable policy solutions to address this pressing issue.

Implications

Considering these two sets of policies, zero tolerance and restorative justice, and the insight offered by providers, I found support for my argument that restorative justice resolves conflict more effectively and subsequently diminishes the rate that students experience the school-to-prison pipeline in New York City. While interviewees could only speak to their experiences and successes in NYC, these findings bring about broader implications for school disciplinary policy in other cities that experience the school-to-prison pipeline or an overuse of punitive discipline.

First, and dispelling the common belief that zero tolerance policies and restorative justice policies cannot work in conjunction with each other, schools wishing to decrease the rate at which their students experience punitive discipline for minor conflicts and lower level infractions could utilize these two sets of policies together. To achieve this, suspensions and other forms of punitive discipline could remain an option for disciplining students, however, these punitive disciplinary measures could be used for handling more serious conflicts, while for less serious incidents, schools could rely on tier two circles to address the conflict and work toward repairing

the harm done to the community. In the event that schools need to utilize punitive disciplinary measures, using tier three re-entry circles in conjunction with the harsher punishment can improve students' transition back into their school community.

Second, schools can adopt more restorative justice practices by including restorative language and interventions in their disciplinary codes that outline appropriate punishments for the various offenses that can be committed by students. Providing more restorative justice options in writing for educators may help them to see that alternatives to punitive, harsh discipline do exist and can be utilized to address situations of varying severity.

Third, given the stressed importance of resources needed to carry out restorative justice policies and practices in schools, districts wishing to implement a reform policy to address an overuse of punitive discipline should allocate proper time and funding to ensure an impactful reform to traditional disciplinary policies. Training teachers in restorative justice practices and providing them the time to carry out these practices in their classrooms remains critical to the success of this reform effort. Additionally, having a position within the school that is devoted full-time to implementing these practices and supporting educators has also been noted to be a crucial component to the effectiveness of restorative justice policies.

Fourth, as noted in the findings from conducting interviews, collaboration among educators, administrators, and schools as a whole can bolster schools' implementation of effective restorative justice policies. Creating platforms to brainstorm new techniques, share ideas, strategies, and resources as well as discuss and troubleshoot challenges can create a supportive network for those wishing to implement these practices. This can manifest in workshops, inter-visitations among schools, training sessions, and online platforms for discussion.

In summation, utilizing restorative justice policies and practices to manage disciplinary matters can trigger a series of events that builds a more inclusive school climate, decreases the level of punitive discipline, lessens the rate of school push out, and ultimately decreases student contact with the juvenile/criminal justice system. In this sense, restorative justice policies may be a viable solution to aid in the dismantling of the school-to-prison pipeline in other urban areas experiencing high rates of student criminalization.

WORKS CITED

- Addington, Lynn A. 2009. "Cops and Cameras: Public School Security as a Policy Response to Columbine." *American Behavioral Scientist* 52(10): 1426–46.
- Advancement Project et al. 2011. "Federal Policy, ESEA Reauthorization, and the School-to-Prison Pipeline." <http://jlc.org/resources/publications/federal-policy-esea-reauthorization-and-school-prison-pipeline> (September 19, 2017).
- Bazemore, Gordon, and Mark Umbreit. 2001. *A Comparison of Four Restorative Conferencing Models*. *Juvenile Justice Bulletin*. Juvenile Justice Clearinghouse, Publication Reprint/Feedback, P. <https://eric.ed.gov/?id=ED450196> (October 19, 2017).
- Beck, Elizabeth. 2012. "Transforming Communities: Restorative Justice as a Community Building Strategy." *Journal of Community Practice* 20(4): 380–401.
- Beger, Randall R. 2002. "Expansion of Police Power In Public Schools and the Vanishing Rights of Students." *Social Justice* 29(1/2 (87-88)): 119–30.
- Bergseth, Kathleen J., and Jeffrey A. Bouffard. 2013. "Examining the Effectiveness of a Restorative Justice Program for Various Types of Juvenile Offenders." *International Journal of Offender Therapy and Comparative Criminology* 57(9): 1054–75.
- Bonta, James, Suzanne Wallace-Capretta, Jennifer Rooney, and Kevin Mcanoy. 2002. "An Outcome Evaluation of a Restorative Justice Alternative to Incarceration." *Contemporary Justice Review* 5(4): 319–38.
- Bradshaw, Catherine P., Mary M. Mitchell, Lindsey M. O'Brennan, and Philip J. Leaf. 2010. "Multilevel Exploration of Factors Contributing to the Overrepresentation of Black Students in Office Disciplinary Referrals." *Journal of Educational Psychology* 102(2): 508–20.
- Braithwaite, John. 2002. *Restorative Justice and Responsive Regulation*. New York, NY: Oxford University Press.
- Braithwaite, John. 2016. *Restorative Justice and Responsive Regulation: The Question of Evidence*. Rochester, NY: Social Science Research Network. SSRN Scholarly Paper. <https://papers.ssrn.com/abstract=2839086> (October 19, 2017).
- "Brooklyn Restorative Justice Project | Brooklyn Community Foundation." <http://www.brooklyncommunityfoundation.org/brooklyn-restorative-justice-project> (March 15, 2018).
- Brown, Emma. 2015. "Police in Schools: Keeping Kids Safe, or Arresting Them for No Good Reason?" *Washington Post*. https://www.washingtonpost.com/local/education/police-in-schools-keeping-kids-safe-or-arresting-them-for-no-good-reason/2015/11/08/937ddfd0-816c-11e5-9afb-0c971f713d0c_story.html (December 8, 2017).

- Cabrero, Alex. 2004. "Student Suspended for Carrying Aspirin at School." <https://www.ksl.com/?nid=148&sid=81868> (March 2, 2018).
- "Chancellor Fariña - Chancellor Fariña and the Leadership Team - New York City Department of Education." <http://schools.nyc.gov/AboutUs/leadership/leadershipteam/Chancellor+Fari%C3%B1a.htm> (March 2, 2018).
- Coates, Robert B., Mark S. Umbreit, and Betty Vos. 2006. "Responding to Hate Crimes through Restorative Justice Dialogue." *Contemporary Justice Review* 9(1): 7–21.
- "Community and High School Superintendents - Our Schools." *New York City Department of Education*. <http://schools.nyc.gov/AboutUs/schools/superintendents/default.htm> (March 22, 2018).
- Decker, Geoff, and Stephanie Snyder. 2015. "Long-Awaited Discipline Policy Changes Further Restrict Suspensions, Restraints." *Chalkbeat*. <https://www.chalkbeat.org/posts/ny/2015/02/13/long-awaited-discipline-policy-changes-further-restrict-suspensions-restraints/> (March 2, 2018).
- "Dignity in Schools." 2017. <http://dignityinschools.org/> (March 2, 2018).
- Dominus, Susan. 2016. "An Effective but Exhausting Alternative to High-School Suspensions." *The New York Times*. <https://www.nytimes.com/2016/09/11/magazine/an-effective-but-exhausting-alternative-to-high-school-suspensions.html> (March 2, 2018).
- Gewertz, Catherine. 2018. "D.C.'s Scandal and the Nationwide Problem of Fudging Graduation Numbers - Education Week." *Education Week*. <https://www.edweek.org/ew/articles/2018/02/09/dcs-scandal-and-the-nationwide-problem-of.html> (March 6, 2018).
- González, Thalia. 2012. "Keeping Kids in Schools: Restorative Justice, Punitive Discipline, and the School to Prison Pipeline." *Journal of Law & Education* 41(2): 281–335.
- Gregory, Anne, Kathleen Clawson, Alycia Davis, and Jennifer Gerewitz. 2016. "The Promise of Restorative Practices to Transform Teacher-Student Relationships and Achieve Equity in School Discipline." *Journal of Educational and Psychological Consultation* 26(4): 325–53.
- Harris, Elizabeth A. 2015. "Suspension Rules Altered in New York City's Revision of School Discipline Code." *The New York Times*. <https://www.nytimes.com/2015/02/14/nyregion/suspension-rules-altered-in-new-york-citys-revision-of-school-discipline-code.html> (March 2, 2018).

- Harris, Elizabeth A., and Kate Taylor. 2017. "Schools Chancellor's Legacy: Stories, She Says, Not Statistics." *The New York Times*. <https://www.nytimes.com/2017/12/21/nyregion/farina-chancellor-retire-legacy-successor.html> (March 2, 2018).
- Heitzeg, Nancy A. 2009. "Education or Incarceration: Zero Tolerance Policies and the School to Prison Pipeline." *Forum on Public Policy Online* 2009(2). <https://eric.ed.gov/?id=EJ870076> (September 19, 2017).
- Hirsch, Andreas von et al. 2003. *Restorative Justice and Criminal Justice: Competing or Reconcilable Paradigms*. Bloomsbury Publishing.
- Hirschfield, Paul J. 2008. "Preparing for Prison?: The Criminalization of School Discipline in the USA." *Theoretical Criminology* 12(1): 79–101.
- Hirschfield, Paul J., and Katarzyna Celinska. 2011. "Beyond Fear: Sociological Perspectives on the Criminalization of School Discipline: Criminalization of School Discipline." *Sociology Compass* 5(1): 1–12.
- "Homepage | Morningside Center for Teaching Social Responsibility." <http://www.morningsidecenter.org/> (March 22, 2018).
- Jackson, Arrick. 2002. "Police-school Resource Officers' and Students' Perception of the Police and Offending." *Policing: An International Journal of Police Strategies & Management* 25(3): 631–50.
- Karp, David R., and Beau Breslin. 2001. "Restorative Justice in School Communities." *Youth & Society* 33(2): 249–72.
- Klein, Rebecca. 2016. "New York City Has A Plan To Keep Black Kids In School And Out Of Jail." *Huffington Post*. https://www.huffingtonpost.com/entry/new-york-city-suspensions_us_57978f5ae4b02d5d5ed2f0e8 (November 28, 2017).
- Latimer, Jeff, Craig Dowden, and Danielle Muise. 2005. "The Effectiveness of Restorative Justice Practices: A Meta-Analysis." *The Prison Journal* 85(2): 127–44.
- Melago, Carrie. "School Cop Put Him in Cuffs!" *NY Daily News*. <http://www.nydailynews.com/news/-old-boy-handcuffed-school-hospital-misbehaving-article-1.341677> (March 2, 2018).
- Na, Chongmin, and Denise C. Gottfredson. 2013. "Police Officers in Schools: Effects on School Crime and the Processing of Offending Behaviors." *Justice Quarterly* 30(4): 619–50.
- Nelson, Libby, Dara Lind Published: February 24, 2015. "The School to Prison Pipeline, Explained." <http://www.justicepolicy.org/news/8775> (September 19, 2017).

- New York City Department of Education. 2015. "City Announces School Climate Reforms." <http://schools.nyc.gov/Offices/mediarelations/NewsandSpeeches/2014-2015/City+Announces+School+Climate+Reforms.htm> (December 8, 2017).
- New York City Department of Education. 2017. "Citywide Behavioral Expectations: Student Intervention and Discipline Code and Bill of Student Rights and Responsibilities." <http://schools.nyc.gov/NR/rdonlyres/92F313F8-C164-4B64-B236-BFF55A812254/0/DisciplineCode612FINALforposting5417.pdf> (March 2, 2018).
- New York Civil Liberties Union. 2008. "The Student Safety Act." *New York Civil Liberties Union*. <https://www.nyclu.org/en/student-safety-act> (March 2, 2018).
- "Office of Safety and Youth Development - Offices & Programs." *New York City Department of Education*. <http://schools.nyc.gov/Offices/OSYD/default.htm> (March 2, 2018).
- Oliver, Charles Edition from the January 1998 issue-view article in the Digital. 1998. "Brickbats." *Reason.com*. <https://reason.com/archives/1998/01/01/brickbats> (March 2, 2018).
- Payne, Allison Ann, and Kelly Welch. 2010. "Modeling the Effects of Racial Threat on Punitive and Restorative School Discipline Practices." *Criminology* 48(4): 1019–62.
- Payne, Allison Ann, and Kelly Welch. 2015. "Restorative Justice in Schools: The Influence of Race on Restorative Discipline." *Youth & Society* 47(4): 539–64.
- "Percentage of public schools with various safety and security measures, by selected school characteristics: 2013-14." *National Center for Education Statistics*. https://nces.ed.gov/programs/digest/d16/tables/dt16_233.60.asp (March 22, 2018).
- Popp, Evan. 2016. "New York City Is About To Take A Step Toward Ending The School-To-Prison Pipeline." <https://thinkprogress.org/new-york-city-is-about-to-take-a-step-toward-ending-the-school-to-prison-pipeline-efb6bff25af/> (November 28, 2017).
- "Promoting Dignity in New York City Schools." *National Economic & Social Rights Initiative*. <https://www.nesri.org/programs/promoting-dignity-in-new-york-city-schools> (March 22, 2018).
- Raffaele Mendez, Linda M. 2003. "Predictors of Suspension and Negative School Outcomes: A Longitudinal Investigation." *New Directions for Youth Development* 2003(99): 17–33.
- Reyes, Cecilia. 2016. "100, 000 NYC School Children Face Airport-Style Security...." *ProPublica*. <https://www.propublica.org/article/nyc-school-children-face-airport-style-security-screening-every-day> (March 22, 2018).
- Saegert, Susan. 2006. "Building Civic Capacity in Urban Neighborhoods: An Empirically Grounded Anatomy." *Journal of Urban Affairs* 28(3): 275–94.

- Skiba, Russ, and Reece Peterson. 1999. "The Dark Side of Zero Tolerance: Can Punishment Lead to Safe Schools?" *The Phi Delta Kappan* 80(5): 372–82.
- Skiba, Russell J. 2001. "Zero Tolerance, Zero Evidence: An Analysis of School Disciplinary Practice." *New Directions for Youth Development* 2001(92): 17–43.
- Skiba, Russell J., Mariella I. Arredondo, and Natasha T. Williams. 2014. "More Than a Metaphor: The Contribution of Exclusionary Discipline to a School-to-Prison Pipeline." *Equity & Excellence in Education* 47(4): 546–64.
- Stinchcomb, Jeanne B., Gordon Bazemore, and Nancy Riestenberg. 2006. "Beyond Zero Tolerance: Restoring Justice in Secondary Schools." *Youth Violence and Juvenile Justice* 4(2): 123–47.
- "Teachers Unite." http://www.teachersunite.org/?_ga=2.246633549.8931957.1521746194-965275196.1512235580 (March 22, 2018).
- Theriot, Matthew T. 2009. "School Resource Officers and the Criminalization of Student Behavior." *Journal of Criminal Justice* 37(3): 280–87.
- Umbreit, Mark S. 1995. "Holding Juvenile Offenders Accountable: A Restorative Justice Perspective." *Juvenile and Family Court Journal* 46(2): 31–42.
- Umbreit, Mark S., Robert B. Coates, and Betty Vos. 2007. "Restorative Justice Dialogue: A Multi-Dimensional, Evidence-Based Practice Theory." *Contemporary Justice Review* 10(1): 23–41.
- U.S. Department of Education. 2005. "Subpart 3 - Gun Possession." <https://www2.ed.gov/policy/elsec/leg/esea02/pg54.html> (September 19, 2017).
- U.S. Department of Education, Office of Civil Rights. 2014. "Civil Rights Data Collection, Data Snapshot: School Discipline." <https://ocrdata.ed.gov/downloads/crdc-school-discipline-snapshot.pdf> (December 8, 2017).
- Wadhwa, Anita. 2015. *Restorative Justice in Urban Schools: Disrupting the School-to-Prison Pipeline*. Routledge.
- Waldman, Annie. 2015. "New York City Lays Out Limits on Restraints And...." *ProPublica*. <https://www.propublica.org/article/new-york-city-lays-out-limits-on-restraints-and-suspensions> (March 2, 2018).
- Wallace, John M., Sara Goodkind, Cynthia M. Wallace, and Jerald G. Bachman. 2008. "Racial, Ethnic, and Gender Differences in School Discipline among U.S. High School Students: 1991-2005." *Negro Educational Review* 59: 47–62.
- Weitekamp, Elmar G. M., and Hans-Jürgen Kerner. 2012. *Restorative Justice: Theoretical Foundations*. Routledge.

“Welcome | DREAM!” <http://dare2dreambx.org/?q=home> (March 22, 2018).

Welsh, Wayne N., Robert Stokes, and Jack R. Greene. 2000. “A Macro-Level Model of School Disorder.” *Journal of Research in Crime and Delinquency* 37(3): 243–83.

APPENDIX A

For this independent study, I interviewed eight external providers in New York City that either aid schools in implementing restorative justice policies and practices or engage in advocacy for these policies. Below is a list of the organizations, in no particular order, in which I interviewed people as well as a description of what each organization does surrounding the implementation of restorative justice policies in New York City:

- **New York City Department of Education:** This entity is the department of government of New York City that manages the public school system. While there are several offices and programs within this department, I interviewed individuals involved in carrying out initiatives regarding restorative justice policies in over 45 schools throughout the city. These individuals engage in professional development with teachers, coordinating collaboration among schools, and working on the ground to support schools in the implementation of these policies, which involves creating and working toward various goals and desired areas of change (Interview Respondents).
- **Morningside Center for Teaching Social Responsibility:** This organization is the largest training organization in New York City having trained tens of thousands of educators since 1982. Their goal is to, through partnerships with district leaders and school leaders, build community in schools and classrooms, strengthen students' social and emotional skills, and increase equity through courageous conversations on race. To accomplish this, Morningside trains educators and provides them with the resources they need to implement restorative justice policies and practices in their schools. These resources are a product of Morningside's partnership with hundreds of schools in NYC to develop and research innovative strategies and solutions to address school disciplinary and climate issues. The resources they have developed include entire programs and curriculums for primary, middle, and high schools to follow to implement restorative justice (Morningside Center for Teaching Social Responsibility Webpage).
- **Teachers Unite:** This organization is an independent membership organization of public school educators in NYC who collaborate with students and parents to abolish mass incarceration and transform public schools into caring communities that empower students to reach their full potential. This organization also focuses heavily on resisting and fighting institutions that segregate and criminalize youth of color, namely the school-to-prison pipeline. To accomplish this, Teachers Unite develops and shares resources for restorative justice among educators and coordinates peer-to-peer professional development opportunities, while also conducting research on pressing educational issues in order to engage in advocacy for policy changes to end racist disciplinary practices and invest in resources to make public schools safe spaces for all students (Teachers Unite Webpage).
- **Dignity in Schools Campaign, New York City Chapter:** This organization is a citywide coalition of students, parents, advocates, educators and lawyers all calling

for positive, school-wide approaches to disciplinary matters that improve school environment, reduce conflict, and increase learning. This coalition develops policy recommendations to reduce suspensions and harsh school discipline, and also advocates for funding for Restorative Practices. To achieve policy change, the coalition members meet regularly with policy-makers, the Mayoral administration, and the New York City Department of Education to pressure and push for these changes (NESRI, Dignity in School Campaign-NY).

- **DREAM!:** DREAM! stands for Dare to Revitalize Education Thru Arts and Mediation and their goal is to arm young people and teachers with practical skills to dismantle the school-to-prison pipeline, support student engagement with learning and academic success, and encourage the creative confidence of young leaders. To do this, DREAM! works with over a dozen schools to train and coach educators in restorative justice practices, which involves modeling circles for teachers, observing circles, and providing feedback. DREAM! also works with school leaders to identify and work toward school-specific goals surrounding disciplinary matters and school climate (DREAM! Webpage).